



# Uncertain futures

Children seeking asylum in Wales



**Save the Children**

Achub y Plant

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**Part Three**

*Implications for Policy and Practice* has been  
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Save the Children works with children and their communities to provide practical assistance and, by influencing policy and public opinion, bring about positive change for children.

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## Preface

*Uncertain futures* offers a unique insight into the experiences of children seeking asylum in Wales, both those arriving with caregivers and those young people who are separated (unaccompanied). The study is based on interviews and group sessions with children and young people, and professionals working with young asylum-seekers in Wales.

This is the first detailed study of its kind in Wales; it provides an analysis of the numbers of asylum-seeking children in Wales and highlights the major issues affecting their lives. It reports on the experiences and views of children and young people living in Wales as well as those of the people working closely with them. Issues covered include: social integration; immigration processes; some encouraging aspects of service provision; and areas of concern relating to education, health, housing and social care. The report concludes with a number of recommendations to improve policy and practice in Wales as it affects asylum-seeking children.

Save the Children has a long history of working with asylum-seeking and refugee children in the UK and around the world. The report will be of interest to practitioners and policy-makers alike, who are working to support children seeking asylum in Wales.



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## Abbreviations

BAAF - British Agencies for Adoption and Fostering

CEAS - Common European Asylum System

DoH - Department of Health

ELR - Exceptional Leave to Remain

ESOL - English for Speakers of Other Languages

EU - European Union

LAs - Local Authorities

MEWN - Minority Ethnic Women's Network

NASS - National Asylum Support Service

NGO - Non-governmental Organisation

NRUC - National Register for Unaccompanied Children

NSF - National Service Framework for Children, Young People and Maternity Services

NSPCC - National Society for the Prevention of Cruelty to Children

RDSD - Research, Development and Statistics Directorate, Home Office

SCEP - Separated Children in Europe Programme

SSDs - Social Services Departments

UASC - Unaccompanied Asylum Seeking Children

UNICEF - United Nations Children's Fund

UNCRC - United Nations Convention on the Rights of the Child 1989

UNHCR - United Nations High Commissioner for Refugees

WAG - Welsh Assembly Government

WLACRAS - Welsh Local Authorities Consortium for Refugees and Asylum-seekers

# Executive Summary

*Uncertain Futures* provides a unique and powerful account of the circumstances of young asylum-seekers in Wales. The report highlights the resilience and courage of children who have suffered persecution and conflict in their countries of origin and been subject to privation and fear on their journeys to Wales. It reflects on the ‘Welcome in the Hillside’ that refugee and asylum-seekers receive from the people in Wales but also paradoxically the pernicious racism and harassment that children seeking asylum frequently suffer. It outlines a number of very encouraging aspects of service provision in Wales but also identifies gaps in provision and areas of concern. *Uncertain futures* describes the overriding sense of anxiety that children live with, day in day out, as they contemplate what the future will bring. Most powerfully of all, the report highlights the fact that despite their obvious vulnerability, children seeking asylum face constant discrimination, and it illustrates (in children’s own words) how their rights are violated and routinely infringed by a state that seems to have forgotten that they are children.

The report presents the views and experiences of asylum-seeking children and of professionals regarding life in Wales and service provision in the key areas of education, health, housing and social services. The aim of the report is to enable policy-makers and practitioners to share an accurate analysis of the situation in Wales, in terms of both the number of children concerned and the major issues affecting their lives.

Save the Children commissioned a team from the Universities of Glamorgan and Cardiff to undertake qualitative research with children and young people and with professionals working in this field. Interviews were conducted with 47 children and young people and 7 parents/guardians living in the four areas of Wales<sup>1</sup> that are receiving asylum-seekers under the Home Office dispersal policy. In addition, 60 professionals working with young asylum-seekers at a local and national level were interviewed or took part in focus groups.

Save the Children believes this study should provide a basis for a thorough review of current funding, policy and practice as they affect asylum-seeking children in Wales and trust that it will help child welfare organisations to be better able to advocate on behalf of asylum-seeking children in Wales.

Children seeking asylum in the UK are first and foremost children. Save the Children believes that in line with the UN Convention on the Rights of the Child 1989 (UNCRC) decisions about asylum-seeking children should be in the child’s best interests and applied without discrimination. Asylum-seeking children are vulnerable and in need of care and protection; moreover, they are a potential asset to our society and not a burden. All policy as it affects asylum-seeking children in Wales should reflect these key principles.

The UK policy context is fast changing. There is an increasing gulf between legislation developed to protect children and the reality of immigration policy and practice. Immigration and asylum are policy areas that are non-devolved; however, provision of the majority of services that asylum-seekers in Wales receive is the responsibility of the Welsh Assembly Government. The report concludes with a number of recommendations for policy-makers and service-providers.

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<sup>1</sup> Cardiff, Newport, Swansea and Wrexham.



## Key Findings

### Asylum-seeking children in Wales

The number of asylum-seekers in Wales fluctuates weekly. This poses particular difficulties for service-providers trying to plan services. There are additional difficulties with regard to children, because the available data does not identify the numbers and ages of children being dispersed to Wales. The research reviewed the information available but we are still unable to sensibly estimate the size and character of the child asylum-seeker population in Wales.

There are two specific groups of children under the age of 18 seeking asylum in Wales who are provided with services in different ways. First, accompanied children are those children living within a family unit, who in the main are supported by the National Asylum Support Service (NASS). These children are ‘dispersed’ to Wales from other areas of the UK. The second ‘group’ of children are separated (unaccompanied) children under the age of 18 who do not have an adult relative or guardian in the UK. Although this group is subject to UK immigration policy via an almost identical process, they are supported in a different way from children in families. These children remain the responsibility of the local authority in whose geographical area they seek help.

The most recent figures indicate that as of October 2004, there were 2,232 asylum-seekers dispersed to Wales. The number of children is not identified, although we know that among this population there were 510 families with 1,435 dependants (some of whom will be under 18). In 2003 it was estimated that 70 separated (unaccompanied) children were being looked after by local authorities in Wales.<sup>2</sup>

The majority of asylum-seeking children in Wales, whether separated (unaccompanied) or arriving with a caregiver, are settled in one of the four dispersal areas in Wales. However, there are also very small numbers of asylum-seekers (including children) in each of the other 18 local authorities in Wales.

### Coming to Wales

Safety is given as the main reason why children and their families or separated (unaccompanied) children left their country of origin. The research suggests that many of the asylum-seeking children in Wales have experienced significant conflict and persecution and lived through horrific events.

Since arriving in the UK, many children and young people have experienced a number of moves before arriving in Wales. For children this has meant enrolling in new schools and making new friends. Some professionals highlight concerns about the ‘trafficking’ of children, whereby children are brought to the UK for the purpose of exploitation. However, the true extent of exploitative trafficking is difficult to gauge.

Most young asylum-seekers say they have been made to feel welcome by the people of Wales.

## Living in Wales

The research explores children's day-to-day experiences of living in Wales; their social networks and experiences within the local community; their leisure activities and work; and how children and young people see their future.

Local communities are seen as welcoming of asylum-seekers but over one-third of children and young people interviewed had experienced racial abuse and harassment. Respondents are of the opinion that the media in the UK fuels negative perceptions of asylum-seekers.

Education is very important to children seeking asylum. School provides an opportunity for them to meet other children and make friends, and they are keen to excel in their schoolwork. Children spend much of their spare time studying and are cautious about participating in leisure activities. For separated (unaccompanied) children over 16 (who have limited access to mainstream education opportunities), social integration is more difficult.

Under current legislation, asylum-seekers are not allowed to work. Young people (aged 16-18) and parents express considerable frustration about this. There are organisations in Wales putting asylum-seekers in touch with voluntary work placements. Language is a major barrier to asylum-seekers. Most of the key services across the four dispersal areas in Wales use interpreters but often children are required to translate for their parent's solicitors and for some health or medical services.

Families receive a package of support equivalent to 70 per cent of income support with housing and bills paid. Many adult asylum-seekers will have left professional employment within their home countries, often at a moment's notice. Many are distressed to find themselves in a new country unable to work and having few personal possessions. The negative effects of poverty and isolation are considerable. Asylum-seekers are disadvantaged by a lack of support networks, inexperience of budgeting in the UK and an absence of local knowledge about where to shop and how to get access to services and support. Payments to asylum-seekers under the current system are sometimes subject to delays. Separated (unaccompanied) children find it particularly difficult to live on the money they receive.

Thoughts of the future are difficult for young asylum-seekers in Wales because of the uncertainties they face. Virtually all young people said that they felt they were in limbo and were anxious about their future.

## Service provision

Refugee and asylum-seeking children need the services that all children need and have a right to: somewhere to live, an education, healthcare, support and guidance. In addition, many will need specialist services, such as: therapeutic services to help children deal with the trauma they have suffered before coming to the UK; assistance in learning English and understanding the culture and mores of the society in which they now live; and legal advice and support on immigration issues.

The report provides an overview of service provision in each of the four dispersal areas and identifies encouraging signs of good practice and areas of concerns relating to education,

health, housing and social services. Cross-cutting messages about service provision are supplemented by identification of the specific issues regarding services for children living in families and for separated (unaccompanied) children.

Constant legislative changes pose significant challenges to those working in the field, as does the complexity of the policy area. But generally, there are optimistic messages about service provision for young asylum-seekers in Wales. Children and their parents are positive about the treatment they receive. Some children have encountered negative comments from service-providers in some sectors but this is rare. There are constructive relationships across the key service sectors in Wales and there is evidence that many service-providers are dedicated to best practice and to the continuous improvement of service provision.

Wales is seen to be at a disadvantage in relation to England and Scotland in terms of specialist services because dispersal is relatively new and the numbers of asylum-seekers are low compared with those in England. Specialist staff within mainstream services are seen as a better model for promoting integration for asylum-seekers than separate, specialist services.

### **Encouraging aspects of service provision**

There are a number of very encouraging aspects of service provision for children seeking asylum in Wales, including a generally warm welcome and multi-agency forums operating across the four dispersal areas. Specialist nurses, mental health provision in one cluster area, and health provision in general, are seen as positive factors. Some specialist education provision is seen as very good, including access to specialised teaching staff and language assistance. In two areas, mentoring programmes, which provide volunteers (refugees and asylum-seekers and volunteers from host communities) with training and support, are seen as effective in promoting psychological well-being and integration for participants. Innovative procedures for providing practical and emotional support for new arrivals are in place in one cluster area.

### **Areas of concern**

Areas of concern include problems with the dispersal system: the effects of children being moved on, lack of school places (especially for children with special educational needs), healthcare and support networks. The lack of up-to-date and accurate information on asylum-seeking children in Wales makes it very difficult to plan service provision, giving rise to delays, for example, in providing school places.

There is a lack of consistency in the case of both public and private housing; the placing of some separated (unaccompanied) children in hotel accommodation and the quality of shared accommodation (as perceived by young people) are causes for concern. Asylum-seekers experience delays with their payments and are routinely subjected to racism and harassment, aggravated by the lack of positive imagery in the media.

The pressures of waiting for decisions are considerable, leaving parents, children and young people anxious and uncertain about their future. There is a lack of expertise and specialist services or specialist staff (with variations between the four areas), for example, in the provision of specialist mental health services, and patchy provision of interpretation

services. There is a lack of proactive inclusion within mainstream services, for example, in youth services, access to healthcare for people who are refused asylum, and access for the over-16s to schools.

In addition to the above, issues particular to **children in families** include: inadequate family incomes; the problem of children taking on responsibility for caring for siblings and for interpreting for parents; and wider protection issues to do with domestic violence, parent-child conflict and the need for cultural sensitivity in handling childcare/protection issues (for example, children being left at home alone or smacking).

Issues particular to **separated (unaccompanied) children** include: age disputes; limited mainstream integration; a lack of emotional support; some poor-quality housing and shared accommodation arrangements; and a lack of post-16 education resources. Some single males are struggling to look after themselves - for example, they don't know how to cook - and they are also at particular risk of racial harassment.

## Implications for policy and practice

Over the past decade the development of policy as it affects asylum-seeking children in the UK has been ever changing and, arguably, has had an increasingly punitive impact. Against this backdrop, the development of services in those parts of Wales most affected has been rapid. Save the Children continues to campaign at the UK level on a number of issues, including: the removal of the reservation to Article 22 of the UNCRC; an end to the detention of asylum-seeking children; securing a legal duty to ensure that every separated child has a guardian; a policy commitment not to return children to the country of origin or a third country unless this is in the child's best interests; and ensuring that the care and protection of children who have been trafficked is of paramount concern in determining their legal status. *Uncertain Futures* identifies key messages for policy and practice in Wales and concludes with a number of recommendations, the majority of which are targeted at the Welsh Assembly Government, local authorities and other commissioners and service-providers in Wales.

## Recommendations

### Statistical information on asylum-seeking children

- The Welsh Assembly Government should take responsibility for co-ordinating an accurate statistical overview of the situation in Wales, including taking action to ensure that the relevant agencies in Wales are supported and enabled to access and make use of the National Register for Unaccompanied Children (NRUC).
- The Home Office and NASS should ensure that accurate and useful data on children in families is provided to local authorities and other service-providers prior to dispersal.

## **Review of funding and provision for Assembly-controlled services, eg, health and education**

- In order to assist the planning, development and delivery of appropriate service provision, the Welsh Assembly Government should review funding arrangements for health and education services in Wales for asylum-seeking children and their families.
- In the context of the proposals to establish a National Service Framework for Children, Young People and Maternity Services in Wales (NSF), the Welsh Assembly Government should lead a comprehensive review of public service provision for asylum-seeking children across Wales and develop policy and practice guidance in relation to children seeking asylum in Wales that is underpinned by the Assembly Government principle of social inclusion.

## **Child trafficking**

- The Welsh Assembly Government should set up a multi-agency all-Wales trafficking group to develop protocols for identifying and responding to suspicions of child trafficking and to develop training programmes to raise awareness of trafficking concerns among the relevant agencies.

## **Separated (unaccompanied) children**

- Local authority social services should pay immediate attention to accommodation issues for separated (unaccompanied) young people and in particular the need for local foster placements.
- The Welsh Assembly Government, advised by the Children's Commissioner for Wales, should consider how best it can ensure the provision and availability of accessible, specialist and well-funded independent advocacy support for separated (unaccompanied) children seeking asylum in Wales.
- The Welsh Assembly Government should establish a system of guardianship to ensure that the best-interest principle is maintained and that separated children are supported through the asylum system.

## **Health**

- NASS should consider the healthcare needs of children and any individual needs when decisions are taken about dispersal of asylum-seekers.
- Health services in Wales should ensure that all arriving asylum-seeker children have a health assessment by a specialist nurse and access to a 'catch-up' medical to promote equity with the local population.
- Commissioners of health services should ensure the provision of a range of (and access to) mental health services for asylum-seeking children, including specialist services.

## Education

- The Welsh Assembly Government should confirm longer-term funding of special needs provision for asylum-seeking children based on a review of need.
- The Welsh Assembly Government should examine current arrangements to ensure that post-16 education and training can be offered to all asylum-seeking children aged 16-18. College programmes should include English as a Second or Other Language and examination and vocational courses, as well as training in independent living skills.
- All schools should operate a ‘zero tolerance’ policy on racist bullying and provide real opportunities for children to report bullying and victimisation. The implementation of the policy should be regularly monitored with reference to children themselves.
- Schools should encourage and support asylum-seeking children to make use of out-of-school activities.

## Youth and community and leisure services

- Youth and community services should consider what they can provide for asylum-seeking children and young people (by way of additional provision or outreach to mainstream services) taking into account the wishes of eligible children and young people living in the area.
- Leisure services should consider ways in which they can make leisure facilities more accessible to asylum-seeking children (and other children from low-income households), for example, by giving them a card that provides free access.

## Housing

- Housing providers should ensure that the weekly checks on families that they are required to do are carried out sensitively.
- Local authority housing departments should support social services in discharging their statutory duties and ensuring the provision of appropriate supported housing to separated (unaccompanied) young people aged 16-18 and those eligible for Leaving Care support beyond that age.

## Poverty

- Asylum-seeker families and separated (unaccompanied) children should be treated on the basis of equality with the general population in terms of welfare benefits (including families who refuse to comply with deportation or voluntary assisted returns programmes).
- Service-providers in Wales should ensure that families and separated (unaccompanied) children receive support and advice on living on a low income.



## **Staff capacity**

- The Welsh Assembly Government and service-providers should ensure that frontline staff across Wales are kept up-to-date with changing legislation and guidance.
- The Welsh Assembly Government and service-providers should ensure that staff working with asylum-seekers receive training including specialist training on child protection and asylum (for example, on cultural issues and on trafficking).
- The Welsh Assembly Government should establish a post of an all-Wales specialist adviser for practitioners, not least to assist and support staff working outside of the dispersal areas.
- The Welsh Assembly Government and service-providers should ensure that frontline staff receive training in working with interpreters.
- The Welsh Assembly Government should consider agreeing and applying standards for the use of interpreters.

# Part I: Background

## Introduction

Save the Children has a long history of working with child refugees in the UK and across the world. As well as working with separated refugee children through its emergency and development work abroad it has considerable experience of supporting and promoting the rights of young refugees and asylum-seekers in the UK. Under the Separated Children in Europe Programme (SCEP),<sup>3</sup> Save the Children has worked with the United Nations High Commissioner for Refugees (UNHCR) to produce a Statement of Good Practice (2004), which is increasingly used as a guide to meeting the needs and implementing the rights of separated children across Europe. At the UK level Save the Children has been consistently lobbying government for an immigration and asylum system that enables refugee and other immigrant children to enjoy all the rights enshrined in the United Nations Convention on the Rights of the Child 1989 (UNCRC) and the Geneva Convention Relating to the Status of Refugees 1951. In England and Scotland Save the Children runs a number of programmes supporting young asylum-seekers. All the organisation's experience leads it to believe that children seeking asylum are one of the most vulnerable groups of children in our society.

In 1991 the UK Government ratified the UNCRC, which is an international agreement to protect the rights of all children, made up of 54 articles that together give children a range of rights to ensure their survival, development, protection and participation. The UK Government entered a reservation on Article 22 of the convention. In summary, this Article commits the Governments to giving refugee children the same rights as children born in the UK. In practice, however, the UK Government's reservation means that refugee and asylum-seeker children are not afforded the same universal rights as 'citizen' children.

This report is being written at a time of considerable and ongoing change to the UK policy context as it affects children seeking asylum in the UK. There is an increasing gulf between legislation developed to protect children and the reality of immigration policy and practice. In response to a Parliamentary Question on the UNCRC, the UK Government has stated that "entry to the United Kingdom solely to claim such rights should not be permitted".<sup>4</sup> More recently the Government stated that "the UK has ratified the UNCRC subject to a reservation which the government believe is necessary to maintain effective immigration control. We have no plans to withdraw this reservation."<sup>5</sup> In England and Scotland, the detention of asylum-seeking children in removal centres is a major campaigning issue for refugee and children's organisations and the issue is often cited as an example of the different treatment afforded to this group of children.

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<sup>3</sup> The Separated Children in Europe Programme was established to promote the rights and best interests of separated children seeking asylum in Europe. The programme aims to establish a shared policy and commitment to best practice at national and European levels. UNHCR representatives and non-governmental organisations (NGOs) in 28 countries support the programme.

<sup>4</sup> Baroness Scotland of Asthal, response to a Parliamentary Question, 5 April 2004.

<sup>5</sup> Baroness Scotland of Asthal, response to a Parliamentary Question, 28 October 2004.

Immigration and asylum are non-devolved policy areas but provision of the majority of the services that asylum-seekers in Wales need and receive is the responsibility of the Welsh Assembly Government. For some time, Save the Children has been concerned about the rights and welfare of young asylum-seekers in Wales, both those sent to Wales with their families and those who are separated (unaccompanied) children. Our attempts to find out for this report what was happening to these most vulnerable of children – how many are coming to Wales, the support they are receiving and their experiences of life in Wales – were thwarted by the lack of information available.

Anecdotally, we were advised of individual cases whereby children were not receiving the support and/or the care and protection they needed. We received representation from practitioners working with young asylum-seekers about the fact that some children, young people and families in Wales were suffering severe hardship under the current immigration and asylum rules. Save the Children received requests to develop its role as an independent children's rights agency and advocate for the rights of child asylum-seekers in Wales, not least to counter the negative media attention that has been so prevalent of late.

Accordingly, we funded research to examine the current situation in Wales, both in terms of the numbers of children concerned and the major issues affecting their lives. This report presents the findings of the research, which we believe should provide a basis for a thorough review of current funding, policy and practice as it affects asylum-seeking children living in Wales.

In commissioning and managing the research project Save the Children was greatly assisted by a research steering group with membership drawn from the key service-providers and agencies working with young asylum-seekers in Wales (see Appendix). The research was conducted by a team from the University of Glamorgan and the University of Cardiff. The team interviewed 47 children and 7 parents or guardians. A further 18 children took part in art work sessions. Sixty professionals working with young asylum-seekers at a local and national level were interviewed or took part in focus groups. The research team worked sensitively and speedily to complete the research, going beyond the requirements of their contract to include as many children, young people and professionals as possible.

This is an important piece of research, the first to explore the situation of young asylum-seekers in Wales. Inevitably, it highlights further gaps in our knowledge and the need for more research but it also provides a great deal of information about the lives and experiences of some of the most vulnerable children living in Wales, much of which has far reaching implications for policy and practice in Wales. This report has three parts. Part I sets the scene, providing information on the context and background to this policy area, and information on the research methodology. Part II presents the research findings, and Part III sets out the implications for policy and practice, with recommendations for the Welsh Assembly Government and other duty bearers.

## Context

### Definitions

It is important to note at the outset that we can identify two specific 'groups' of children below the age of 18 who are provided with services in different ways.

First, accompanied children are those children living within a family unit, who in the main are supported by the National Asylum Support Service (NASS). These children move to Wales via NASS dispersal policy and procedures, outlined below, and are ‘dispersed’ to Wales from other areas of the UK. The number of asylum-seeking and refugee children within a family unit, both at a UK and Welsh level, is significantly higher than the number of children in the second group.

The second ‘group’ of children are separated (unaccompanied) children under the age of 18 who do not have an adult relative or guardian in the UK. Under the Immigration Rules a child “means a person who is under 18 years of age or who, in the absence of documentary evidence establishing age, appears to be under that age”.<sup>6</sup> An unaccompanied child is defined as being under 18, is applying for asylum in his or her own right and has no adult relative or guardian in the UK.<sup>7</sup> Although this group is subject to UK immigration policy via an almost identical process, they are supported in a different way from children in families. These children remain the responsibility of the local authority in whose geographical area they seek help. There is a statutory duty placed on local authorities under the Children Act 1989 to assist “children in need” and provide accommodation for certain groups of “children in need”.

Since the *Hillingdon* judgment,<sup>8</sup> it is established that Section 17 of the Children Act should not ‘routinely’ be used to meet the accommodation and support needs of unaccompanied children, in particular young people aged 16 and 17. The *Hillingdon* case was a landmark action brought in the High Court by four former (separated) unaccompanied children who had been accommodated by the London borough of Hillingdon and it has changed the way in which separated (unaccompanied) children are provided with services.

Separated (unaccompanied) children are living in Wales mainly because this is where they had their first point of contact with statutory services when they entered the UK. They are not supported by NASS.

Practitioners, policy-makers and the literature use the terms ‘separated’ children and ‘unaccompanied’ children interchangeably. SCEP’s preferred definition (SCEP, 2004: 4) of separated children is as follows:

‘Separated children’ are individuals under the age of 18 years who are outside their country of origin and separated from both parents, or from their previous legal/customary primary care giver. Some separated children are totally alone, while others may be living with members of their extended family or other adults. As such, some may appear to be ‘accompanied’. However, the accompanying adults are not necessarily able or suitable to assume responsibility for the child’s care. The concept of ‘separated children’ recognises that children suffer physically, socially and psychologically as a result of being without the care and protection of their parents or previous care giver(s).

<sup>6</sup> This definition is from the Unaccompanied Asylum-seeking Children’s Information note, which is a statement of the Home Office’s Immigration and Nationality Directorate policy on dealing with unaccompanied children. The note does not form part of the Immigration Rules and is subject to change without any reference to parliament. Cited in Children’s Legal Centre (2004).

<sup>7</sup> Ibid.

<sup>8</sup> *Berhe v London Borough of Hillingdon* (2003).

This is in contrast to the Home Office definition of an unaccompanied child, which judges a child to be ‘accompanied’ if s/he arrives with any adult, even a sibling who is 18.<sup>9</sup>

The terms ‘asylum-seeker’ and ‘refugee’ are often used interchangeably but technically they are quite different. The definitions employed by the Welsh Assembly Government (2004: 6) state:

The term ‘asylum-seeker’ in the UK context is used to describe people seeking refuge in the UK. While a person is waiting for a decision on his or her asylum claim, she/he is called an asylum-seeker. In a legal context, a person is a ‘refugee’ only when the Home Office has granted ‘refugee status’. If refugee status is refused, temporary leave to remain in the UK may be granted or the application for asylum is refused, generally requiring the asylum-seeker to leave the UK.

Under UK law, an asylum-seeker is someone who is waiting for their application to be recognised as a refugee to be considered by the Government. Under international law, the word ‘refugee’ has a very precise meaning, as set out in the 1951 United Nations Convention Relating to the Status of Refugees (the ‘Refugee Convention’).

In the Refugee Convention, a refugee is defined as someone who:

- has a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group, or political opinion
- is outside the country they belong to or normally reside in
- is unable or unwilling to return home for fear of persecution.

## Asylum-seeking and refugee children – the European context

Estimating the numbers of asylum-seeking and refugee children in Europe is difficult and the figures that do exist are mainly just that – estimates. In 2001 the United Nations High Commissioner for Refugees (UNHCR) attempted to establish the trends in separated children seeking asylum in Europe, using data from 26 European countries. In 2000 some 16,100 separated children applied for asylum.<sup>10</sup> It should be noted that there are methodological difficulties here because of inconsistent definitions and practices in recording information across the countries. To this end, a recommendation of the research was that European countries should attempt to adopt a unified method of quantifying data relating to separated children.

In her study Ayotte (2000) explores the reasons that lead children to flee from their home country – persecution, armed conflict, poverty, and family issues. Similarly, Halvorsen (2002:7) emphasises that “many travel for the same reasons as adult asylum-seekers – to escape armed conflict, persecution, severe poverty and deprivation – and some are recruited by traffickers either in their country of origin or en route. Some also flee child-specific human rights abuse and neglect.”

<sup>9</sup> Throughout this report we shall refer to separated children using the SCEP definition. However, to avoid confusion we have retained the term ‘unaccompanied’ in parenthesis other than when referring to original text.

<sup>10</sup> The Netherlands received the highest number of children, at 6,705, followed by the UK with 2,733 children and Hungary with 1,170. Over the period 1998–2000 Germany received the highest number of children, with 98,640, followed by the UK with 46,020 and the Netherlands with 45,220. Estonia received the least, with 23 separated children.

The SCEP was established in 1989 by UNHCR and the International Save the Children Alliance to promote the rights and best interests of separated children seeking asylum in Europe. The programme's aims are to establish a shared policy and commitment to best practice at national and European levels. UNHCR representatives and NGOs in 28 countries support the programme. All members of SCEP support the programme's Statement of Good Practice (2004) which draws upon the UNCRC, UNHCR guidelines (1997) and the Position of Refugee Children (1996) from the European Council on Refugees and Exiles.

As an example of how SCEP's work is influential, Ayotte and Williamson (2001) present an analysis of the situation for separated children in the UK using the Statement's framework. Most recently SCEP (2004b) facilitated an ideas exchange seminar to look at establishing a comprehensive guardianship system for separated children in the UK. The above developments are particularly pertinent, given the recognition that displaced children and particularly separated children are potentially the most vulnerable of all.<sup>11</sup>

The need to safeguard refugee children is also recognised within the harmonised asylum policies of the European Union (EU). Following the Council of Ministers meetings in Amsterdam (1998) and Tampere (1999), EU member states agreed to work towards a Common European Asylum System (CEAS) based on the full and inclusive application of the 1951 Geneva Convention Relating to the Status of Refugees. The first stage of the Common European Asylum system is now complete. The four main legal instruments on asylum are in place: the Reception Conditions Directive, the Asylum Procedures Directive, the Qualification Directive and the Dublin II Regulation. The general objective of all four instruments is to level the asylum 'playing field' and lay the foundations for a Common European Asylum System.<sup>12</sup>

All member states are required to agree minimum standards on the reception and support of refugees, suggesting that there should be some safeguards in place for refugee children. As an example, Articles 10, 18 and 19 of the Reception Directive stipulate respectively: minimum standards for the schooling and education of children, the well-being and rehabilitation of children affected by pre-migratory trauma, and the reception and support of separated children. Article 18 states that the best interests of the child must be the primary consideration when implementing provisions involving minors, and calls for a system of guardianship. Meanwhile, the Dublin II Regulation (Chapter IV, Article 15) clarifies the responsibility of member states to uphold the principle of family reunification, while Article 6 outlines the responsibility upon states to reunite separated children with family members within the EU (if in the best interests of the child) or, if this is not appropriate, then the member state to which the child presents will be responsible for the reception of the child/young person (European Council, 2003).

Save the Children is concerned, however, that many of the European proposals could infringe on the rights of children. Article 10 of the Reception Directive, for example,

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<sup>11</sup> UNHCR (2002) views the six most salient and sometimes interrelated protection concerns facing refugee children today as being: separation; sexual exploitation, abuse and violence; military recruitment; education; detention; and registration and documentation.

<sup>12</sup> The Refugee Council's (2004a) briefing explains and examines the progress made in agreeing the four key pieces of EU law, which will make up the first stage of this common system. It outlines the UK's role in these negotiations as well as highlighting their positive aspects and the Refugee Council's concerns. (See also UNHCR 2001a.)



deems it acceptable that children may be educated in accommodation centres. This is a practice also proposed by the Immigration and Asylum Act 2002 and one that is currently taking place in England and Scotland despite being contested by child welfare organisations concerned with the impact of segregation on the child's development.

## Refugee children in the UK

The Research, Development and Statistics Directorate (RDSD) of the Home Office produces quarterly and annual statistics pertaining to the demographics of people seeking asylum in the UK. In 2003, a total of 60,045 new asylum applications were made. Of these, 10,640 were for dependants and 81 per cent of dependants were under 18 years of age – mostly children under 15. The main nationalities were Somali, Iraqi, Chinese, Zimbabwean and Iranian.

Accurate figures on the numbers of separated (unaccompanied) children are less accessible. The British Agencies for Adoption and Fostering (BAAF) and the Refugee Council (2001) in their report *Where are the Children?* highlight the difficulty of obtaining accurate statistical data on separated (unaccompanied) children. The RDSD (2004) claims that in 2003, 3,180 separated (unaccompanied) children aged 17 or under applied for asylum in the UK. Of these, 60 per cent were aged 16–17 years, 29 per cent 14–15 years and 11 per cent were under 14 years. The main countries of origin are Somalia, Afghanistan, Iraq, Serbia and Montenegro. It is not certain where these children reside in the UK. Although BAAF now produces annual statistics for separated children (regardless of their status) being looked after in England,<sup>13</sup> to date no such data exists for Wales.

In November 2004 the Home Office launched a National Register for Unaccompanied Children (NRUC). From March 2005 unaccompanied children across the UK will be registered on a database shared between the Immigration and Nationality Directorate of the Home Office and local authorities looking after unaccompanied children. The initiative has the potential to significantly aid better working practices and the provision of information-sharing between agencies working with vulnerable children. The Government is hoping for savings of £4.5 million by 2006/07 in the cost of supporting unaccompanied children by reducing re-applications to multiple local authorities.<sup>14</sup>

In 2002, over 8,500 separated (unaccompanied) children arrived in the UK to seek asylum. Of these, 9 per cent were granted refugee status. Figures from 2000 show that 5 per cent of applicants aged under 18 were granted asylum compared with 27 per cent of adult applicants aged 25–29; children are generally given forms of inferior immigration status for limited periods. This is evidenced by the fact that in 2002, 69 per cent of separated (unaccompanied) children were given the less secure immigration status of Exceptional Leave to Remain as opposed to 24 per cent of adults. UK government policy and rhetoric is increasingly emphasising the return of 'failed' asylum-seekers to their country of origin. Refugee agencies have raised concerns about the impact of this practice with children's organisations, querying its disproportionately negative impact on separated (unaccompanied) asylum-seeking children.

<sup>13</sup> For example, the most recent statistics according to BAAF (2004) suggest that on 31 March 2003 there were 2,430 unaccompanied children being looked after, of whom 76.6 per cent (1,850) were boys and 23.4 per cent (580) were girls.

<sup>14</sup> *Community Care*, 23 November 2004.

### **UK immigration and asylum policy**

This report is being written at a time when the Immigration and Asylum Act 2004 is being implemented. This is the fifth major piece of legislation in this area since 1993, demonstrating the significant pace of legal developments in the area of asylum and immigration. Additionally there is considerable change in EU policy, most recently with the EU Reception Conditions Directive being introduced in February 2005 (see page 13).

The Immigration and Asylum Act 1999 came into force on 1 April 2000 and sought to reform and streamline the asylum system in the UK. One of its effects was to 'disperse' families and single adults over the age of 18 across the UK. People in these groups who applied for asylum after 1 April 2000 and who required accommodation and/or support, received this from a new department of the Home Office, the National Asylum Support Service (NASS). If people require accommodation, they are offered it in a specified area in the UK. They do not have a choice of where they are located and have to remain there until NASS gives them permission to move or their claim for asylum is accepted. They are dispersed to accommodation that has been contracted to NASS either through local authorities or through private accommodation providers.

In Wales, these private providers operate in Newport, Cardiff, Swansea and Wrexham. Additionally, Cardiff and Swansea are local authorities that have their own contracts to provide accommodation to NASS. NASS provides subsistence support equivalent to 70 per cent of current income support levels (100 per cent for those under 16).

A 'hard case' support grant is available for asylum-seekers who have been refused asylum, who have no further appeal rights and who are unable to leave the UK because of physical impediment or exceptional circumstances. 'Hard case' support comprises basic full-board accommodation, normally outside London. There is no such accommodation available in Wales; therefore people in this situation have to move to the 'hard case' accommodation provided in England, which often means breaking the links with networks of support established in Wales. Alternatively, in a small number of cases, individuals or families stay in Wales and rely on financial support from others, often risking severe hardship in doing so.

The Nationality, Immigration and Asylum Act 2002 sought to put more emphasis on the control and removal of unsuccessful asylum applicants. The Act introduced a list of 'safe countries', resulting in asylum applicants from these countries having their applications certified as 'clearly unfounded'.

The Asylum and Immigration Act 2004 received Royal assent in July 2004. The Act contains provisions that introduce substantial changes to the asylum appeals process and a range of other changes, including provision to allow termination of support to families and the creation of new penalties for people who arrive in the UK without valid documentation. Refugee and children's charities have been campaigning on a range of issues relevant to children. Specific attention has been given to the clause that effectively withdraws all basic support to destitute asylum-seeking families other than the provision of accommodation for children under Section 20 of the Children Act. This will undoubtedly cause even more hardship for vulnerable children and creates the potential for social workers to remove children from the care of their parents or guardian, as this will be the only means to provide support to the children.

The British Association of Social Workers (BASW) has made representation to the Home Secretary and the Minister for Children against this provision, stating:

BASW's view is that social workers are charged with protecting the rights and interests of children and would only separate them from their parents where it is adjudged to be in their best interests and no other options are available. (BASW, 2003)

Nonetheless, the Home Office has recently made refugee agencies aware that it is to pilot the proposals to terminate all support to families in various areas of the UK in December 2004 with a view to rolling out the arrangements across the whole of the UK in 2005.

The Welsh Refugee Council stated:

We are particularly concerned about the impact that new legislation may have on children in terms of possible separation from their families at the end of the process. (David Farnsworth, Chief Executive, Welsh Refugee Council)

As well as the negative impact for children removed from their families, the provision gives rise to police concerns that asylum-seeker families will simply 'disappear'.

The Asylum and Immigration Act 2004 also seeks to restrict the 'secondary migration' of successful asylum-seekers. On getting refugee status they will not be able to access social housing outside of their dispersal area; therefore those seeking to relocate to areas where, for instance, they feel they might 'blend in' or have more community support will be prevented from doing so (unless they are self-supporting).

Refugee and children's organisations lobbied extensively to have the issues relevant to asylum-seeker children included in the Children Act 2004. This included lobbying on the role of immigration officials in relation to child protection issues, and also promotion of the issue of guardianship for separated (unaccompanied) children.

Additionally there are powers within other pieces of legislation that potentially could have an impact on this group of children. For example, the Sexual Offences Act 2003, which came into force on 1 May 2004, includes the offences of trafficking into, within and out of the country for the purpose of sexual exploitation. The offences carry a maximum penalty of 14 years' imprisonment.

## Refugee children in Wales

### Wales policy context

Although immigration and asylum policy is non-devolved, the Welsh Assembly Government (WAG), local authorities and local health boards have a key role in facilitating the provision of a range of services to all children living in Wales. WAG has the powers to issue guidance to local authorities on the Children Act 1989 as it affects asylum-seeking children. WAG is responsible for the provision of services to asylum-seekers and refugees once they arrive in Wales and has established the All Wales Refugee Policy Forum. The remit of this forum is to "ensure a more strategic, co-ordinated and effective approach is taken to supporting the successful integration of refugees and asylum-seekers at a national level across Wales".<sup>15</sup>

The Welsh Local Authorities Consortium for Refugees and Asylum-seekers (WLACRAS) is a multi-agency consortium with membership from a wide range of statutory and voluntary agencies including local authorities. The majority of its work is focused in the NASS designated cluster areas of Cardiff, Swansea, Newport and Wrexham. Newport, Wrexham and Swansea are signatories of the Home Office's NASS enabling agreement, while Cardiff has signed this directly with NASS.

Several organisations across the UK have contracts with the Home Office to assist asylum applicants with their NASS applications. This assistance is provided at one-stop shop services across the UK. In Wales, NASS funds the Welsh Refugee Council (WRC). The WRC has offices in Cardiff, Swansea and Wrexham. As part of the asylum process, families and young people from Wales have to travel to Croydon or Liverpool for their immigration pro-forma interviews, although there have been some instances where this has been done locally.

Support and advice for separated (unaccompanied) refugee children is in part provided by the Refugee Children's Panel. The Refugee Council, based in London, employs advisers to work with children and young people who are under 18 years old when they arrive in the UK and people aged between 18 and 21 who are the main carers for younger brothers and sisters. In practice, there are acknowledged difficulties in providing this service to all eligible children and young people in the UK. Geographical distance makes it particularly difficult in the case of children and young people in Wales. It is recognised that the current system of support does not adequately safeguard the best interests of all separated asylum-seeking children. A number of agencies operating at the UK level, including Save the Children, UNHCR and the Refugee Council, are lobbying for a coherent system of guardianship for separated asylum-seeking children.

### **Demographics in Wales**

In Wales, before the introduction of the dispersal system, official statistics relating to refugee and asylum-seeking children were non-existent and the difficulty in obtaining accurate statistics relating to numbers of refugee and asylum-seeker across the country was recognised. Some attempts had been made to record statistics. For instance, Save the Children (1994), in their study of the Somali community of Cardiff, and later the Welsh Refugee Council's study undertaken by Robinson (1997), produced some estimates of the size of the refugee population in Wales. Data was gathered from the national census, the quotas of voluntary organisations working with refugees and from surveys of organisations that might have been expected to come into contact with refugees or to represent them. Robinson (1997: 185) concluded that in 1997 the size of the refugee population in Wales was around 1,016 households, comprising 3,565 individuals. This represented 3.6 per cent of the 100,000 refugees estimated by UNHCR to be living in the UK at that time. Given that the Welsh population was thought to be about 5.3 per cent of the entire UK population, Robinson (1997) concluded that refugees were significantly under-represented in Wales, partly because of geographical location.

All areas have agreed limits to dispersal numbers with NASS but below that, numbers fluctuate quite widely on a week-by-week basis, owing to factors outside the control of any agencies in Wales. This makes it very difficult for agencies to plan services in response to need. The most recent figures on dispersed asylum-seekers at the time of writing this report are shown in Tables 1 and 2 overleaf.

**Table 1: Asylum-seekers dispersed in Wales (October 2004)**

	Cardiff City Council	Cardiff private	Wrexham private	Swansea City Council	Swansea private	Newport private	Total
Single male	85	34	31	3	48	30	<b>231</b>
Single female	18	8	4	2	17	7	<b>56</b>
No. of people in families with male as head	243	106	18	207	188	110	<b>872</b>
No. of people in families with female as head	263	214	3	246	188	159	<b>1,073</b>
<b>Total</b>	<b>609</b>	<b>362</b>	<b>56</b>	<b>458</b>	<b>441</b>	<b>306</b>	<b>2,232</b>

Source: Welsh Local Authorities Consortium for Refugees and Asylum Seekers

**Table 2: Asylum-seeking families dispersed in Wales (October 2004)**

	Cardiff City Council	Cardiff private	Wrexham private	Swansea City Council	Swansea private	Newport private	Total
No. of families with male as head	59	24	4	51	42	26	<b>206</b>
No. of families with female as head	76	59	1	73	50	45	<b>304</b>
<b>Total</b>	<b>135</b>	<b>83</b>	<b>5</b>	<b>124</b>	<b>92</b>	<b>71</b>	<b>510</b>

Source: Welsh Local Authorities Consortium for Refugees and Asylum Seekers

One of the weaknesses of the current data collected and published by NASS is that it does not identify the numbers, age and gender of children dispersed to Wales (or anywhere else). This again makes it very difficult for receiving areas to plan services. NASS provides data on the number of dependants of the main asylum applicant but the figures do not serve to demonstrate dependants aged under 18. Table 3 shows the most recent figures on the number of dependants in families dispersed to Wales at the time of writing.

**Table 3: Number of dependants (October 2004)**

	Number of dependants
Cardiff City Council	371
Cardiff private providers	237
Wrexham private providers	16
Swansea City Council	329
Swansea private providers	284
Newport private providers	194
<b>Total</b>	<b>1,431</b>

Source: Welsh Local Authorities Consortium for Refugees and Asylum Seekers

Almost all asylum-seekers are provided with NASS accommodation of one form or another, as shown in Table 4.

**Table 4: Asylum-seekers supported with NASS accommodation, Wales (June 2004)**

	NASS accommodation
Cardiff	1,060
Newport	360
Swansea	900
Wrexham	55
<b>Total Wales</b>	<b>2,375</b>
<b>Total UK</b>	<b>45,135</b>

Figures derived from Home Office, 2004

A small number of families on NASS subsistence-only support live in areas of Wales other than the four cluster areas, as shown in Table 5. NASS provides subsistence-only support when individuals or families are able to make their own arrangements for accommodation.



**Table 5: Distribution of NASS subsistence-only cases, Wales (October 2004)**

Local authority	No. of properties	No. of people
Cardiff	30	35
Newport	16	31
Swansea	19	25
Wrexham	0	0
Rest of Wales	17	9
<b>Total Wales</b>	<b>82</b>	<b>100</b>

Source: Welsh Local Authorities Consortium for Refugees and Asylum Seekers

As indicated earlier in this report, there are no accurate figures for the number of separated (unaccompanied) children being looked after by local authorities across Wales. The Local Government Data Unit in Wales was established in 2001 “to improve the quality and availability of data relating to local authorities and their communities”.<sup>16</sup> Some statistics are published concerning children in the Looked After system across the authorities of Wales.<sup>17</sup> Statistics are also available in relation to children belonging to minority ethnic communities but data specific to separated (unaccompanied) children is absent. An attempt to estimate the numbers has been made by WLACRAS (2003) which suggests that there were 70 separated (unaccompanied) children being looked after in 2003.

## Previous research on the experiences and needs of refugee children in the UK

From the 1990s to the present the numbers and experiences of young people entering the UK have changed, partly as a result of frequent changes to immigration and asylum legislation.<sup>18</sup> These changes have affected the lives of both accompanied and separated (unaccompanied) young people.

In response, there has been a plethora of activity such as that of the Refugee Children’s Consortium<sup>19</sup> to ensure that the rights of refugee children, whether separated (unaccompanied) or with their families, are respected in accordance with the relevant domestic, regional and international standards, in particular the Children Act 1989 (and Children [Scotland] Act 1995), the European Convention on Human Rights, the UNCRC and the 1951 Convention Relating to the Status of Refugees.

Simultaneously, there has been a growing body of research literature that explores the needs, experiences and resilience of refugee children, in order to offer guidance on working with refugee children and developing good practice, and to highlight shortcomings in policy, legislation and practice.

<sup>16</sup> See [www.dataunitwales.gov.uk/eng/WhatWeDo.asp](http://www.dataunitwales.gov.uk/eng/WhatWeDo.asp)

<sup>17</sup> See National Assembly for Wales (2004) for more details.

<sup>18</sup> The UK has had five pieces of immigration and asylum legislation, in 1993, 1996, 1999, 2002 and 2004.

<sup>19</sup> The members of the Refugee Children’s Consortium are: Amnesty International, Barnardo’s, British Agencies for Adoption and Fostering, the National Children’s Bureau, the Children’s Rights Alliance for England, the Children’s Society, the Medical Foundation for the Care of Victims of Torture, the NSPCC, the Refugee Council, Save the Children UK and UNICEF UK.

A number of guides to good practice have been produced. Examples include the Department of Health (1995) guidance document on working with separated (unaccompanied) asylum-seeking children; the Royal College of Paediatrics and Child Health (1999) paper on the health of refugee children; the work of Connexions and Save the Children (2003) on multi-disciplinary partnerships to provide advice, guidance and integration to young refugees; the Department of Health and the Refugee Council (2003) on caring for dispersed asylum-seekers; and Save the Children (2002; 2003a) with its series of guides on establishing mentoring and youth groups and on refugee children's rights. At the same time, local authorities now produce their own guidance and policy on the support of refugee children, usually complemented with multi-agency working groups that meet to share practice and information. In Wales, practitioners from all over Wales, including the four dispersal areas, meet regularly for this purpose, facilitated by Children in Wales – Plant yng Nghymru.

A lot of recent published work relates specifically to the care and support of separated children – Dennis (2002), Russell (1999), Audit Commission (2000) and Barnardo's (2000). Rutter (2003a) and Rutter and Hyder (1998) focus on younger refugee children and education. Rutter's (2003b) most recent research report gives a general overview of support in the UK, highlights the needs of younger refugee children and gaps in current knowledge, and makes recommendations for future research priorities with young refugees.

Research based on qualitative interviews or focus groups into the experiences of refugee children includes:

*Out of Exile* (Norton and Cohen 2000): based on 9 focus groups with 59 young people receiving youth work provision in the Greater London area, the research highlights the needs of young refugees and current youth work provision and makes recommendations for the development of youth work with young refugees.

*"I did not choose to come here": Listening to refugee children* (Kidane 2001): commissioned by BAAF, this research engaged with 33 separated (unaccompanied) children from eight different countries with the aim of gaining some sense of what being in care feels like for young refugees. The study, with its narrative content, offers insight into young people's experiences and is successful in giving them a voice.

*Cold Comfort: Young Separated Refugees in England* (Stanley 2001): based on qualitative interviews with 125 young people and 125 professionals in six regions of England, the study identifies separated (unaccompanied) young people's experiences of service provision and the constraints on, and opportunities for, the services provided to them. This study reveals what life is like for young separated (unaccompanied) refugees and makes a number of recommendations for action to improve their situation.

*Starting Again* (Save the Children and Glasgow City Council 2002): a large study that reflects and outlines the views and experiences of children and young people living as asylum-seekers in Glasgow. The study aims to inform central and local government and the voluntary sector of the positive and negative features of a large Home Office dispersal programme. The study is based on a representative sample of the views of 738 young asylum-seekers, aged 5 to 18, who completed surveys and took part in 35 focus groups in 27 schools in the city of Glasgow in March 2002.

Although the bulk of the research to date was carried out in England,<sup>20</sup> it nevertheless offers practitioners and policy-makers in Wales invaluable insight and comparison.

### **Research specific to refugee children in Wales**

There is an extensive literature on ethnic minorities in Wales that documents the historical migration of, for example, English (Thomas 1930; Jones 1976), Italian (Hughes 1992), Irish (O’Leary 2000) and Jewish (Henriques 1992) migrants. Work has also been undertaken on the experience of people from minority ethnic communities in various parts of Wales (see, for example, Evans and Wood (1999) on Ely in Cardiff, Williams (1997) on Torfaen, Robinson (1997) on refugees, and Scourfield et al. (2002) on the South Wales valleys. Meanwhile, there has been considerable work done on various aspects of national identity in Wales (see, for example, Fevre and Thompson 1999 and Davies 2004).

Williams (1995, 1999) has been a prominent writer on problematising ethnicity in Wales and highlighting the marginalisation of black people and people from minority ethnic communities. More recently Williams, Evans and O’Leary (2003) offer a collection of essays exploring ethnic diversity and tolerance (and intolerance) in Wales.

Research specific to refugees is more limited. Speers (2001) in her analysis of Welsh media representation of asylum-seekers and Robinson (1997) in his study based on interviews with refugees and asylum-seekers in Wales seek to understand better the decision-making of asylum-seekers in choosing the country in which to seek refuge. There is a great paucity of published research concerning refugee children living in Wales. Isolated examples are the work of Davis and Webb (2000) on the psychological well-being of refugee children (based on case studies of Somali children living in Cardiff) and the descriptive study by Braude et al. (unpublished, 2003) of the health needs of asylum-seeking children in Cardiff.

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<sup>20</sup> This is mainly because until the Immigration and Asylum Act (1999) local authorities of the South-East supported the vast majority of people seeking asylum.

## Methodology

### Who took part?

#### Practitioners and policy-makers

A wide range of practitioners were contacted and subsequently involved in the study, either in the role of interviewees or as members of focus groups. Respondents were drawn from social services, the health service, housing providers, education, the police service, the voluntary sector and refugee community organisations in the four dispersal areas of Cardiff, Newport, Swansea and Wrexham. Additionally, representatives of all-Wales groups were interviewed. In total, 60 professionals were involved in the project. Table 6 illustrates the spread of participation across the various agencies and sectors.

**Table 6: Number of practitioners and policy-makers by service sector**

	Number interviewed or participating in focus groups
Education	3
Health	15
Housing	10
Social services	7
Voluntary agencies	13
Police	3
All-Wales representatives	9
<b>Total</b>	<b>60</b>

#### Children, young people and parents/guardians

The researchers were dependent upon members of the research steering group and institutional ‘gate-keepers’ for gaining initial access to potential participants. There were a number of obstacles in obtaining a representative sample, especially since data-collection took place over a period of only four months, coinciding partly with school summer holidays, thus minimising access via schools. There was also reliance on ‘gate-keepers’ to promote the research among potential participants, fitting this in with their existing workload. The important role of gate-keepers in increasing the diversity of the sample and in providing access has been highlighted by Bloch (2004: 149). The wide geographical spread of potential participants’ locations was a further barrier to true representativeness. Bloch also makes the point that it is virtually impossible “to measure how representative the sample was due to lack of national baseline data on the target population” (Bloch 2004: 149).

Thus, we do not and cannot claim that the comments contained within this research are necessarily representative of the experiences of all children seeking asylum in Wales.

The researchers engaged in qualitative interviews with a total of 47 children and young people living in the four dispersal areas.

**Table 7: Children and young people in the sample**

Dispersal area	Children with families	Separated (unaccompanied)	Total
Area A	13	4	17
Area B	11	3	14
Area C	11	1	12
Area D	4	0	4
<b>Total</b>	<b>39</b>	<b>8</b>	<b>47</b>

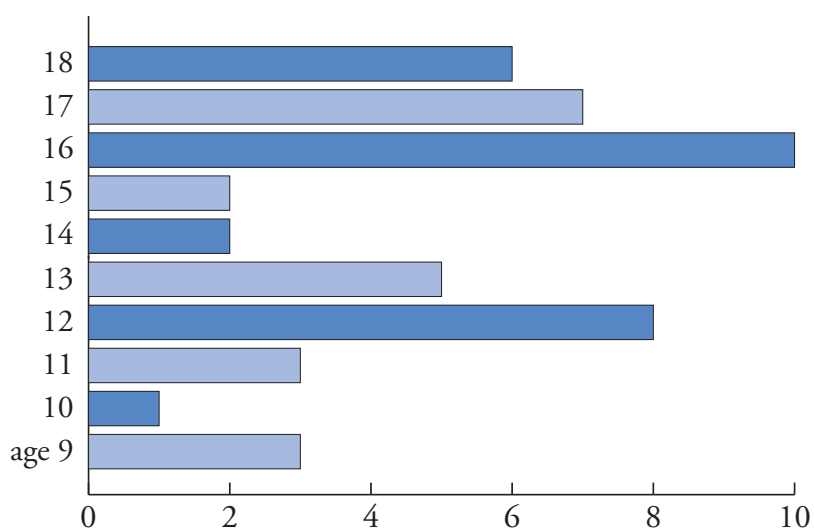
Of these:

- there were 22 males and 25 females
- 4 children were awaiting deportation
- 3 children had been recognised as refugees under the 1951 Geneva Convention Relating to the Status of Refugees and granted ‘Indefinite Leave to Remain’ (ILR)
- 1 child had automatically become an EU citizen as a result of EU enlargement in May 2004
- 2 children came on a visa with family members who sought employment in the UK
- 29 children were awaiting a decision on their family’s asylum claim.

*Ages*

The ages of the children and young people participating ranged from 9 to 18 years.

**Figure 1: Age distribution of sample**



Additionally, 7 parents/guardians of younger children took part in interviews and in a focus group. A further 18 children aged 5–13 years participated in art work sessions in which they depicted their lives in Wales.

***Ethnicity***

Participants (both parents/guardians and children) originated from the following countries:

**Table 8: Countries of origin of sample**

<b>Country of origin</b>	<b>Total</b>
Algeria	11
Iran	4
Iraq	2
Somalia	5
Burundi	1
Cameroon	1
Pakistan	24
Malaysia	1
Sudan	5
Hungary	1
Angola	2
India	1
Croatia	2
Kosovo	1
Zimbabwe	1
Albania	3
Kurdistan (Iraq)	2
Kurdistan (Iran)	1
Afghanistan	3
Kenya	1
<b>Total</b>	<b>72 participants</b>



## Nature of interviews across the dispersal areas

Methods of engaging with children and young people were not consistent across the four areas because of reliance on convenience samples. The extent of our effort to obtain as wide a group of participants as possible is explained below in Figure 1.

**Figure 1: Methods of engaging with children, young people and parents across the dispersal areas**

<p><b>Area A</b></p> <ul style="list-style-type: none"> <li>• Three focus groups at schools or at youth provision involving a total of 16 young people</li> <li>• Two young (separated/unaccompanied) people opted for individual interviews which took place at their homes</li> </ul>	<p><b>Area B</b></p> <ul style="list-style-type: none"> <li>• A focus group involving three parents</li> <li>• Two focus groups involving 12 young people</li> <li>• An art and games session with children under 10</li> <li>• Additionally, three young people (separated/unaccompanied) opted for individual interviews</li> </ul>
<p><b>Area C</b></p> <ul style="list-style-type: none"> <li>• Four young people opted to be interviewed at home, two with a parent and two with their sibling</li> <li>• Nine young people opted for individual interviews – three at their home and six at other venues including a refugee community organisation and youth homelessness provision</li> <li>• Art sessions and worksheet completion involving nine children indicating what participants like and dislike about life in the area</li> </ul>	<p><b>Area D</b></p> <ul style="list-style-type: none"> <li>• A family of four siblings and one parent chose to be interviewed together at a local voluntary organisation</li> </ul>

The research report is based on semi-structured interviews and focus groups undertaken between June and September 2004. The researchers conducted a mixture of individual, paired and group interviews using two separate interview schedules, one for children/young people and one for professionals. The main source of contacts was the research steering group. Children were contacted via members of this group and other professionals with whom they put us in touch.

## **Ethical considerations**

It is always a challenge to conduct research interviews in some depth on sensitive issues with people who have not had an opportunity to build up a relationship with the researcher. There are added ethical sensitivities in interviewing children in this way. We had two main strategies for reducing the intrusiveness of these interviews. First, knowing that some children would have experienced traumatic events in their countries of origin, we did not ask them about their reasons for seeking asylum. However, young people sometimes wished to share this information without being asked. Second, we tried where possible to establish some rapport with the children, and to offer them some reward for their participation in the research, by offering them an outing to, for example, a bowling alley.

Prior to any interaction with the young people, informed consent was obtained both from participants themselves and from their parents/guardians if the young people were under 16 years of age. All participants and their parents/guardians received information about the project verbally and/or written in a language that they understood. This was particularly important, given that many parents/guardians and young people were understandably quite cautious initially about disclosing information, believing it might be used in some way to harm their asylum claim or shared among the wider refugee community.

Often during focus groups or individual interviews participants talked about negative or personal experiences. We therefore had access to information that was, at times, startlingly revealing and often harrowing.

In presenting our findings, we have used pseudonyms throughout for young people. These pseudonyms reflect ethnicity and country of origin.



# Part II: Research findings

## Coming to Wales

### Countries of origin

Many refugees and asylum-seekers arrive in Britain traumatised and disoriented, separated from family and forced by persecution to leave their own countries. The children we spoke with had come from a number of different countries (see Table 8, page 25), many of which are ravaged by conflict, poverty and instability. The professionals we interviewed listed political, economic, persecution, racism and violence issues as key reasons for the asylum-seekers currently living in Wales to leave their country of origin. The young people were not asked to discuss such emotive issues; however, some young people and parents chose to share their stories.

*Interpreter speaking for Albanian parent:* The family stated that they liked living in Wales – “It’s an OK place to live.” They stated that Wales is completely different from the place where they used to live... For instance there are lots of bombs, lots of war going on... they miss their family from whom they have become totally separated. Many of their family members were killed or missing and they have no links back in Albania, and both parents are upset that they have no way of knowing who is alive and who is dead.

A 16-year-old from Afghanistan told us why her parents had decided to leave:

They’ve come for me to this country because my mum’s real sister the Talibans pick her and raped her so now she’s Muslim so they scared for me and they come here and the Talibans kill... want to kill my father. And they were saying that cut your hairs and everything. We have lots of problems in our country but we never, we just forget it and we leave that things over there and we come here.

Safety was given as the main reason for flight by both young people and professionals.

*Education representative:* Asylum-seeking children are people who have had to flee their country, who were being persecuted by problems with religion or the government or for different reasons... most of them are actually experiencing post-traumatic effects and they come to this country, a country they have never been before, they have so many issues – things like cultural shock, thinking of their loved ones they left behind. They don’t know where they are or whether their houses have been burnt down or some have been tortured... because of that they get into the UK and feel they are in a safe haven.

*Talah (male, aged 16):* The good thing is that it is safer than my country.

*Brahim (male, aged 16):* We go out and play here, not in my country. No, if I go out, I get beat up.

*Yoosef (male, aged 16):* We go out and play. If I go out, [in my country] I would be dead.

*Interviewer:* So generally do you feel safer and freer, here?

*Yoosef:* Yeah, definitely... Before when we walk to school, it comes, the guns and bombs next to us.

We asked young people about the things they missed about their home countries and what they felt was good (or not) about the UK, and about Wales in particular. While safety was of paramount importance to them, they also said they missed their relatives and friends.

*Kashaf (female, aged 16):* I have been brought up there and I have made my friends and my family. And my friends have, like I grown up since we were like three years old and then over here you meet new people, like you don't make as good friends with them as you are with the other ones, so it is disappointing.

An Algerian father of four stated that his children found the transition difficult and consequently had withdrawn into themselves. A voluntary worker spoke of asylum-seekers feeling "low because of their experiences" and of the resultant fear of moving to a new country.

## Moving and dispersal

The fear associated with moving to a new country was compounded by the fact that some children and their families did not know which country they had been taken to or how they would be received.

*Jameila (female, aged 16):* Because we come in lorry and we really don't know and the people leave us on the temple and they say this is your house and everything is here. We ask him, "Which country is this? Tell us", and he didn't.

*Lydie (female, aged 17):* It was very scary. I didn't know anybody here. I didn't know if they were going to help me and treat me good. I don't know, I was scared, I didn't know what was going to happen then and it was scary.

Most professionals said that generally people were only dispersed once from their point of arrival but we were told of some cases where families arriving in Wales had already been dispersed (and might possibly be dispersed again to other areas) either within Wales or further afield, for instance, to Sheffield (this example was given in a focus group of professionals). One 12-year-old told us that the dispersal system was like a game of chess where she was a pawn who was simply picked up and moved around. Indeed, many of the young people we interviewed indicated that Wales represented their third or fourth move.

A health professional was particularly concerned about the impact on children of being moved around:

The asylum system to my knowledge is quite abusive to families and children in particular. You know how people are moved around the country. The children are just trying to cope and settle. They are moved around the country. I knew one woman who had a premature baby and several children and she

was moved around the country. I don't know the percentage but a high proportion of families will be female-headed family households.

For children, constant moves meant that they had to enrol in new schools and make new friends.

*Jiri (male, aged 11):* I found some friends and then one day I had to leave my friends and find some other friends.

*Interpreter for Salma (female, aged 14):* They first lived in London before being dispersed to Scotland, then dispersed back to London, and then from London to Wales. This moving around the country was very upsetting for them and particularly for Salma. She says that it disrupted her schooling and her friendship circles. No sooner had she made new friends and then she had to move.

For separated (unaccompanied) children a similar picture emerged although, as we explain elsewhere in this report (page 11), this group is, it is hoped, now less vulnerable to dispersal than was previously the case.

## Trafficking

A distinction was emphasised between the positive and necessary act of helping asylum-seekers with transportation across borders (smuggling) and the more exploitative process of 'trafficking'. A universal definition of trafficking has been enshrined in international law under the UN's Palermo Protocol.<sup>21</sup> Article 3 of the Protocol defines trafficking as follows:

Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or the use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitations shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

In order to get to the UK most asylum-seekers are brought by an agent, yet it is very difficult to determine whether children have been brought to the UK for their own safety or for exploitation, not least because of the limited information available to service providers about the children's backgrounds and circumstances. Although many professionals expressed concern about transportation issues, these concerns tended to relate to the complexities involved in individual cases and to the difficulty of gaining relevant proof. For example, one housing provider described a case where a mother arrived with three children, all of whom had different surnames, and a social worker described a family that had more children than were originally accounted for. In both cases, suspicion was aroused, but gaining proof that trafficking was involved was problematic.

<sup>21</sup> United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, 2000; also known as the Palermo Protocol.

Professionals told us about ‘Paladin’s Child’ (Operation Paladin), a Metropolitan Police initiative (in association with the immigration service, social services and the NSPCC) which tried to track children on their arrival into the UK in an attempt to tackle exploitative trafficking. From August to November 2003 every unaccompanied child arriving at Heathrow was monitored.

An NSPCC policy adviser described Operation Paladin as the first time that movements of unaccompanied children entering the UK were tracked. The NSPCC report states that the operation’s findings had led to the appointment of a new team of officers dedicated to safeguarding children travelling without their parents to Heathrow<sup>22</sup>.

The police advised us of a number of reported cases of suspected child trafficking incidents in Wales. However, the true extent of exploitative trafficking is difficult to gauge. Thus, in one area we were told that ten suspected cases had been recorded over the last four years, whereas in another area there had been no incidents recorded.

In response to the variety of incidents and concerns in connection with asylum-seekers and refugees, including racial incidents, trafficking, domestic violence and children being left unsupervised, the police and the English for Speakers of Other Languages (ESOL) service in one of the cluster areas have recently developed a training package that seeks to educate asylum-seekers about the role of the police and the criminal laws of the UK. The aim is to develop confidence among asylum-seekers to report incidents to the police, improve their personal safety and aid social integration.

Cardiff City Council is in the process of developing a multi-agency child trafficking protocol. The Children in Wales Network for Unaccompanied Asylum-seekers in Wales is keen to develop an all-Wales child trafficking protocol via the all-Wales Child Protection Group. Practitioners involved in the Network are keen to establish a common protocol that links responses to child trafficking with the ongoing work of the Area Child Protection Committees, and to develop a common approach to responding to missing asylum-seekers and refugees. We were also advised that a Welsh Assembly Government Task Group on Child Protection and Ethnicity is considering systems for identifying and responding to suspicions of child trafficking.

## A Welcome in the Hillside?

As to differences between Wales and the rest of the UK, I am most powerfully struck by the difference in the reaction of civic society to issues of asylum-seeking. I would not wish to suggest, at all, that intolerance and racism are not to be found in Wales but the dominant reaction of people to the plight of refugees and asylum-seekers in Wales seems to me to be one which emphasises the humanitarian obligations we all share to respond as positively as possible to others who find themselves in situations of real distress and vulnerability. (Edwina Hart, AM, Minister for Social Justice and Regeneration, Letter to researchers, dated August 2004)

Many of the young people we spoke to had had limited knowledge of Wales before their dispersal.



*Hadara (female, aged 18):* People don't recognise Wales that much. They think you know England because of the football and stuff.

*Jemma (female, unknown age):* That's true I didn't know there was Wales until I came here. [laughter from group]

*Korosh (male, aged 16):* Well I heard of Wales because of Ryan Giggs.

*Sanji (female, aged 16):* No, really I knew only about Wales because of the Royal family.

*Josephine (female, aged 17):* I didn't even know about that.

*Sanji (female, aged 16):* It's just you know, they used to go like, The Prince of Wales.

*Josephine:* Like I knew there was England, Scotland and Wales. But I didn't realise that Wales was a separate country and a separate language and stuff like that.

*Hamiini (female, aged 17):* I actually thought it was like in Australia or something like that. [laughter and comments about this] 'Cos I was like Wales, OK maybe its somewhere far away. [laughter]

Since arriving in Wales, however, the young people generally felt that they had been made to feel welcome by Welsh people.

*Ghada (female, aged 17):* I have never been to any city before. Since I came, I am in [Area A], I have my friends here I have everything here, I think I will stay in [Area A] if I get my decision.

*Cecilia (female, aged 14):* I like Wales, I like [Area B] because I like my house because my house is near the town and I can shop.

*Shahid (male, aged 9):* I thought it was going to be really fun just living in Wales because in London people don't talk to you but in Wales they talk to you more.

*Fareshta (female, aged 17):* We're stay in [Area D] because the people are very friendly here.

The majority of young people told us that they would like to stay in Wales in the future. For those who wanted to leave, two main reasons were given. First, some young people wished to live in more ethnically diverse areas so that they could meet other people from their home countries and not 'stand out'. Second, some young people had friends and family living elsewhere and wanted to move nearer to these support networks.

The professionals we spoke to agreed that in general Welsh communities were warm and friendly to asylum-seekers. One voluntary group representative told us that she had so many people volunteering that it was difficult to include them all.

## Living in Wales

We asked children and young people questions about their life in Wales; their day-to-day experiences; their social networks and experiences within the local community; leisure activities; work; and how they see their future. We also asked professionals working with young asylum-seekers to comment on these aspects of daily life for children living with families and for separated (unaccompanied) children.

### Friends

School was seen as the key ‘normalising’ factor for young people, as it enabled them to meet other young people and make friends. Hence, many of the children in families told us that they had “lots of friends”.

*Interviewer:* So have you got any Welsh friends?

*Lydie (female, aged 17):* Yes, in school they are nice.

Talah’s experiences are interesting. Although he was treated with hostility when he first arrived, he told us he now had good friends.

*Talah (male, aged 16):* At first it was a little bit difficult. I had fights with them. Everybody wanted to fight with me. After that everybody good with me. Not all, they’re all right with me.

*Interviewer:* Was that because you were new?

*Talah:* Yes, I think, yes. Some of them all right like they don’t like it when somebody say things about me.

*Interviewer:* Are there any other things, do you think that you get to do things that everyone else gets to do? If your friends are going out, can you go out?

*Talah:* I go out with them but they pay for me because I haven’t got enough money.

*Interviewer:* Good friends!

*Talah:* Yes, they are good to me.

For separated (unaccompanied) children over 16, social integration was more difficult. Limited places in schools meant that there were fewer opportunities for them to interact with the mainstream population and meet their Welsh peers.

*Kashif (male, aged 18):* Well, I suppose I’m not having any friends. The woman and the shopkeeper are my friends at the moment.

*Interviewer:* So you don’t have any other friends?

*Kashif:* No, no one else.

Many separated (unaccompanied) children attended English for Speakers of Other Languages (ESOL) classes that did provide opportunities for them to meet others, yet by definition these were other asylum-seekers or people with limited English language skills. One social worker told us that she attempted to introduce separated (unaccompanied) children in her care to cultural support groups so that they were able to make friends and establish support networks. Although this measure did not provide mainstream integration it did fulfil a vital function:

*Social worker:* Now if they just keep into that community it could be negative in one sense – not negative emotionally or practically which is really great, but sometimes they don't speak English because they keep their own language; but for God's sake, they need to speak [about] their emotions and well-being and that is much more important than talking English.

*Interviewer:* Have you got friends from Wales?

*Christelle (female, aged 18):* Yes.

*Interviewer:* Where did you meet them?

*Christelle:* In one association.

*Interviewer:* Right, OK. Does that mean they are people living in Wales but they are from a different country?

*Christelle:* Yes, others from our country.

This reflects a gap in current policy and practice in respect of proactively promoting social integration for older children and adults. A multi-agency representative explained:

If I had a perfect world, I'd like to see somebody from youth services in every Council, a special post to do outreach work and bring young asylum-seekers into mainstream activities. We haven't got that ideal world but I don't think it's good enough to say they're entitled to join, it's not that easy for people with language needs to discover what's around.

## Local community and neighbours

Generally, the local community was described as being very welcoming to asylum-seekers and their children. Indeed, we were told about two instances where families received exceptional support from their neighbours.

*Kashaf (female, aged 16):* Very, very friendly our neighbour. What happened was when we came the first time they gave us the basic necessities... neighbours soon came over. They gave us a television – a small one, though. Like what happened was when my mum had an operation... she had to stay in the hospital for a couple of weeks so our neighbours would come around at night to check everything is fine.

*Basel (father):* The neighbours' kids sometimes come down to our house. When we first came here there was a problem with the gas and they helped us, and we didn't have a TV and they gave us a TV, and sometimes they give us a lift to do the shopping.

Similarly, many practitioners were of the opinion that families were integrating successfully into local communities. The observations of one housing provider illustrate this view:

We have got cases, we have got documented cases of people donating toys to the children. One street where we were fearful of families moving in because we thought 'how will they be received?' – they moved in and the same night somebody came along with a television and actually donated it. You know I have got documented – many, many documented cases – of that happening.

Similarly I have got documented cases of people being called names at the bus stop – but not racial names, just being called names, you know. But they, the ‘goods’, the positives, far out weigh the negatives thankfully, thank God.

While the local community and neighbours were generally friendly, some of the young people we interviewed were aware of the negative perceptions of asylum-seekers.

*Talah (male, aged 16):* When I finish my exams and there was an old man stood outside the pub and I was talking to him about asylum-seekers. I said what do you think, it is terrible isn't it, and he said it is terrible, they are liars.

*Shama (female, aged 14):* Asylum-seekers have problems they can't see.

*Asmina (mother):* We didn't tell them we are coming here for asylum because I think they will treat us differently.

*Korosh (male, aged 16):* I don't like to live in Britain, I want to be in my country. They have to remember we are not here for killing like the British went to India and went to Australia for the money – they should say sorry to all the world... But my country's government gets all the support from Britain.

*Sanji (female, aged 16):* Like many people feel prejudice towards asylum-seekers 'cos they feel the government doesn't pay as much attention to them as they pay attention to the asylum-seekers.

## Racism and harassment

When asked about experiences of racism, over one third (17) of the children and young people in the study indicated that they had been verbally abused.

*Jameila (female, aged 16):* Most often it's polite, but some it's all horrible.

*Amaal (female, aged 15):* My friend always says if somebody talks about you, she said, you're important. So it's like if you see somebody saying stuff, like they haven't got nothing else to do. They're talking about you so you are important to them.

*Korosh (male, aged 16):* Yeah, in school, every day. Name-calling stuff like that. And before someone threw a bottle of water over my head.

*Bisa (male, aged 16):* Some of them are racist. Like, they call us niggers, miss.

A focus group discussion at a high school reflected common experiences among the asylum-seeking children we spoke with.

*School support teacher:* Remember when we had this discussion before about racism? I remember some of you telling me that they are horrible to you in school and nice outside in the street.

*Bisa (male, aged 16):* Outside, yeah. Because they are scared, miss. If I catch them outside [gestures with fists]. Miss, they scared because... [interrupted]

*Amaal (female, aged 15):* Miss, they think like when you go outside, like they think that you got friends from other countries, like you got too many friends.

*Siyanda (female, aged 15):* Yeah, like from Docks...

*Amaal:* Yeah, and then they are like scared for themselves, they think they are gangsters and stuff.

*Bisa:* Like we got an army in docks.

*Amaal:* And then they will not mix with you.

*Iniko (male, aged 16):* But no they like to show off.

*Param (male, aged 13):* In school, innit.

*School support teacher:* So do you think they are showing off just because they are in school?

*All:* Yeah.

*Amaal:* In school they are like with their friends but then...

*Bisa:* When you catch them in town, they are like 'ah, sorry!'

*Sanji (female, aged 16):* There was this British lady and she was really poor and the lady was really annoyed, she said that the government don't pay attention to the people they should. Many people feel prejudice towards asylum-seekers.

Two of these cases involved what could be described as serious physical attacks.

*Mohammed (male, aged 18):* I reckon to me in my experience, I reckon Welsh people, some of them – not all of them – they are racist like because I experienced, 'cos it happened to me. There was about 15 boys and they jumped on me.

Usef (male, aged 17)<sup>23</sup> used to live in a “dodgy” area. He felt unsafe and experienced racism in the neighbourhood. He informed us that he had got into a few scuffles with young men but he came out as “the winner”. He's since moved to a quieter neighbourhood and feels safer there.

The professionals, such as the one in the following example supported this picture:

*Police representative:* Generally, it would be unlikely that the children themselves would face hostility to the extent that they would have to report it to the police.

However there were one or two isolated incidents; for example:

*Health professional:* I mean, people have suffered verbal and emotional attacks and I think occasionally there have been physical attacks, particularly [on] the single boys who are unaccompanied.

Where verbal abuse was discussed a complex picture emerged whereby the label ‘asylum-seeker’ was associated with racist remarks regardless of skin colour. Indeed, some children experienced harassment from individuals from their own cultural groups:

<sup>23</sup> Usef did not wish to be tape-recorded, stating he was fearful of someone recognising his voice. Instead he requested that anonymised notes were written about the interview afterwards. Words within quotation marks are Usef's own.

*Kashaf (female, aged 16):* The thing is that they are people who are living here who have like won asylum cases and they tend to think they are better. So they have got the status but they will still come over and say ‘oh no, you will be sent back, something will happen’.

The young people were also aware of the current climate in relation to terrorism. In some cases this clearly had a negative impact:

*Nadira (female, aged 12):* People stare at you in a way that you are different – oh look, this person is different. Racism – it is racism – racism has happened to me. They have called me ‘Paki’ and they think that you are related to Osama bin Laden.

*Interviewer:* Are these other kids, or are they adults?

*Nadira:* It is kids and adults.

Finally, some interviewees spoke of being unhappy when people drew attention to their status as asylum-seekers. This was not a case of hostility being expressed but rather of unwanted attention and intrusive questioning.

*Lydie (female, aged 17):* In school one of my teachers, she is like – I don’t know what you can call it – she likes to ask you blah, blah, blah. Like while you are in lessons she is going to ask you: how are you, why did you come here, blah, blah, blah, when you are studying – all of the children they are just listening to you. I am just thinking to myself, what is this, why is she doing this to me?

*Yasmine (mother):* We have to explain who we are. At the hospital the doctor asked me, why I am in this area... I didn’t want to tell him I am asylum-seeker but I tell him.

## Effects of poverty

Housing providers feel that the NASS package of support given to families is adequate and at a basic level of income support.

*Housing worker:* There is enough money to live on, in terms of feeding and clothing, because most of our children, as I said to you, the age group they are, [they are] in uniform in school so they get free uniform and things like that. But if you are talking about things like material things, our accommodation does not come with a television, it does not come with a telephone, it doesn’t come with a washing machine – they have to rent the washing machine, £2 a week.

*Housing worker:* They receive benefit from NASS which is 70 per cent of income-support levels. The reason for that is because the provider – which is us – pays for the property, to furnish the property, and we pay the utility bills, the gas, electricity, water, council tax... so basically that is the 30 per cent difference, so I guess they are on similar levels to that if they were on income support... you know, they have got the basics but still, it is still poverty-line stuff.



The reduced levels of benefit paid to families can be significant in money terms, for example, a family with two children will receive £40 less a week than a citizen family on income support.<sup>24</sup> To what extent that amount is compensated for by the ‘in-kind’ support provided under the NASS arrangement is difficult to estimate. What is clear is that families and separated children seeking asylum in Wales have very little money to live on.

It was also acknowledged that the lengthy wait for an asylum decision can mean that families are having to live on these very low incomes for many months.

*Housing worker:* NASS did have a system whereby – because they said that everyone should get a decision on their asylum claim within six months, and they haven’t met those targets, so we have got people who have been waiting for years for a decision – they had a system whereby... every six months each family member would receive a £50 payment which would make up for the fact that their kind of income levels didn’t really cater for buying clothing or those kinds of things that you need, really. They have just stopped that money, that has come with legislation... That was important money because if you had a family of four children and a single parent, that would be £250 you would get every six months... you know, you could buy some clothing.

Professionals from other disciplines also highlighted the impact of poverty in terms of both the lives that these children had left behind and the effects of peer pressure within the UK. Many of the children interviewed felt the reality of living with poverty. All separated (unaccompanied) children felt strongly that their weekly allowance was not enough to live on.

Many adult asylum-seekers had left professional employment and affluent lifestyles within their home countries, often with a moment’s notice, finding themselves in a new country, unable to work and with few personal possessions. The impact of this was psychologically damaging.

*Kim (mother and user-led group member):* You are not yourself. You feel like your movements are controlled, your finances are controlled, which at the end of the day when it takes a long time [to get a decision] people become crazy because you are not independent. I mean you are grateful for benefits but it’s never enough if you have children. This country has got so many opportunities. When you take children to town they get frustrated because you can’t afford them... children do not understand and there is conflict between the mother and the children. You don’t have a normal life and you live in poverty.

Moreover, many refugees and asylum-seekers are disadvantaged compared with indigenous families in similar economic situations because of the lack of a support network, inexperience in budgeting in the UK, and local knowledge, especially with regard to knowing how to get access to services.

*Social worker:* I mean, obviously if a family has got a network of other relatives, they often have hand-me-downs and, you know, ‘come for Sunday

<sup>24</sup> Save the Children (2003b).



lunch' type thing. So that nuclear family is missing. You've got nothing compared to... support from other families.

*Housing worker:* They do get an income. I think budgeting can be problematic for some families at first.

To add to the budgeting difficulties families experience, professionals said, NASS payments are sometimes delayed.

*Housing worker:* There are mistakes, but not very often nowadays. The families – the money comes through late then there are sometimes problems, but we do try and organise food parcels for them but obviously that's not ideal. But it doesn't happen very often nowadays.

Asylum-seekers were seen to be at a disadvantage in that they were not aware of which shops were the most economical and where they could buy culturally specific foodstuffs. For example, a health worker told us that some African foodstuffs were not available in Wales. An education representative also told us that he had seen asylum-seeker children eating chips day after day and he wondered how much this was freedom of choice and how much this was because the school-meal system failed to cater for particular dietary requirements.

Separated (unaccompanied) children told us they found it difficult to live on the money they received.

*Lydie (female, aged 17):* To save you have to minimise what you can eat, you only have rice, so you don't even eat fruit.

*Dusan (male, aged 18):* It's very expensive, life here. You have some chips and they say £2, it is very expensive. £30 is not enough, I don't think, and we don't have a washing machine and when I clean my clothes I have to pay £4.80 to wash them. People here when they go for a meal they spend £30 for one meal.

In addition, it was noted that there are many lone mothers with four or five children to provide for.

*Yasmine (mother):* I have four boys. I don't know if I buy shoes or clothes or food. If I buy food I can't buy clothes. If I buy clothes I can't buy food.

For children, the importance of 'fitting in' emerged. Salma (female, aged 14) did not socialise with friends because she thought that she appeared 'scruffy'. A social worker told us that one of her separated (unaccompanied) clients had complained that she always referred him to the same clothes shop as though constantly reminding him that he could not afford nice things.

Mention was also made of the costs involved in coming to the UK. Several professionals expressed suspicion that some of the young people and their families had to repay money paid to agents from their limited NASS payments.

*Social worker:* You see, with these kids very often their family invest every last penny in their journey to here. And all of them have responsibility to pay that back and you can see how much they're struggling to put money on one side to send back.

## Language

Language was seen as the main barrier to asylum-seekers, in terms of obtaining help, integrating and getting their voices heard. In general, it seems that specialist voluntary groups and education, health and social services have developed strong links with interpreters. Respondents from these services stressed to us that children should not be used as interpreters for their families. In this respect, most of the key services in all four areas demonstrated good practice and awareness of ethical concerns surrounding the use of children to translate. However, we were told that children were often responsible for interpreting for their parents' solicitors, some medical services, for example, acute medical services, and some general practitioners. One mother told us how she had to physically point to the medical problem when visiting her GP.

Anecdotal evidence suggested that housing was found to be the service that most often used children to interpret. This was mainly due to the perception that it was satisfactory to use children in this manner.

*Housing worker:* We don't use Language Line. If it's straightforward – I mean, as it happens, generally the children speak better English than their parents and end up translating to them. So that's certainly my experience and you know, unless it's formal then that's perfectly within our contract.

Language problems tended to be associated with parents taking longer to acquire basic language skills or the inability to attend classes; for example, lone mothers found it difficult to attend language classes and in some instances we were told that women were discouraged or prevented from learning English by their male partners. We note that tackling obstacles to inclusion, including those relating to language skills, was one of the reasons for establishing the Minority Ethnic Women's Network (MEWN Cymru).

*Housing worker:* The children have the big responsibility to come in and tell us what problems the families are having and some of what they tell us isn't ideal for the child to even know about... so we are encouraging the adults to go to English classes.

## Leisure activities

Of the young people we spoke with, those in school showed limited interest in participating in leisure activities. Instead, many young people were very determined to excel in their school work and spent their leisure time studying. The two mothers we spoke to supported this precept, telling us that school was the only opportunity that their children had to prove themselves.

*Interviewer:* What do you do besides study? Any hobbies?  
*Dusan (male, aged 18):* Hobbies? I just want to study.

Some females, usually the eldest of siblings, took on household and caring responsibilities. One young person had a significant caring role and was caring for her parents and sibling with no formal support and little opportunity for any free time.

One group of young people were asked, if they were given £10,000 to make life better for young refugees, how would they choose to spend the money. This was the consensus:

Open a youth club which has all the needs of the young people, which has things like football, baseball, all sports, computers, music room, pool table, helping them learn English better and helping them with all their subjects so they could fit into the school much better... so that they would not have that first stage of not knowing anything when they go to school. So it would depend on their skills but it would be like a pre-school training, for new refugees coming here... we think it is a good idea.

Other young people also expressed a need to mix with people from their own culture in order to preserve a sense of belonging and identity.

*Isaac (male, aged 10):* I would like to belong to a group of children who speak Arabic like me so that I can keep it and practise it.

Another young person expressed her uncertainty about local mainstream provision.

*Interviewer:* Do you do anything on the weekends or evenings?

*Karuna (female, aged 12):* Sit in and watch TV.

*Interviewer:* Would you like to do something else besides that?

*Karuna:* Yes... Have fun.

*Interviewer:* Is there a youth club or something around here you could go to?

*Karuna:* There is this thing up [X] but I don't really want to go there... I think it is a youth club, some of my friends from school are going there, they say it is fun and they have all kinds of sports there and they do all kinds of stuff over there but I really don't want to go.

Both Kashif (male, aged 18) and Talah (male, aged 16) displayed frustration that they could no longer do the things that they were accustomed to in their home countries. Both young men told us that they got bored and had little alternative to staying at home. Indeed, the majority of young people tended to stay at home during evenings and weekends. There was clearly an element of choice being exercised here, but lack of money was also an issue.

*Kosro (male, aged 17):* I don't do very much because I can't afford to.

*Asmina (mother):* My son likes karate but it is too expensive.

Therefore, the extent to which young people engaged in leisure activities appears largely dependent upon factors such as money, educational involvement (and school-based activities), social networks and awareness of youth group provision. Although the professionals agreed that many young people concentrated upon their studies, they did acknowledge that there was a gap in provision of leisure services and the need for mainstream youth groups to actively include asylum-seeking children.

## Work

Asylum-seekers are prohibited from working under current legislation<sup>25</sup> and young people aged 16 and over expressed considerable frustration about this. Their obvious financial needs were of paramount importance, but some young people also told us that they wanted to share the experience of work with their friends.

*Talah (male, aged 16):* I can't work and all of my friends went to work and I can't work.

*Mohammed (male, aged 18):* I would love to work but I am not allowed.

Parents also expressed their willingness to work. Loss of dignity and the desire to contribute financially to the UK economy were key concerns. Kim (mother and user-led group member) stated that she did not wish to live off the state but rather to contribute to the economic growth of a country that she wished to become part of. Kim highlighted the fact that many asylum-seekers are professional, highly skilled individuals who are being denied the opportunity to become part of the workforce.

In the course of the research we came across organisations putting asylum-seekers in touch with voluntary work placements – for example, Displaced People in Action and a self-help group connected with the University of Glamorgan. The Assembly Government has also provided funding for the Welsh Asylum-seekers and Refugee Doctors Group for a re-qualification programme for doctors and is actively seeking ways of extending the programme to other health professionals such as nurses, dentists and physiotherapists. The University of Glamorgan is engaged with a pilot project examining the feasibility of easing registration for refugee nurses.

*Interpreter speaking for Tasime (father):* His mental ill health stems from his experiences back home but he is depressed as a result of this long period of seeking asylum and not being able to look to the future or find work and provide for the family as was previously the case in his country.

*Salim (father):* All my life I work but now I don't work.

*Interviewer:* You're not allowed now?

*Father:* Yeah.

*Interviewer:* And it's hard... in your head?

*Father:* Yeah, yeah.

*Interviewer:* And how does it affect you with your family?

*Father:* Yeah, because going to help them... [speaks Arabic to son]

*Yoosef (son):* He doesn't feel that he can help us and support us because he hasn't like, get the money for us.

## Media

The young people and professionals we interviewed felt that the media fuelled the perception of asylum-seekers as dangerous, criminal or miscreants living affluent lifestyles at the expense of hard-working UK citizens. There was also a feeling that the media exaggerated claims as to the numbers of people seeking asylum in the UK.

<sup>25</sup> Refugees are allowed to work; on gaining refugee status they can get access to benefits and employment

*Josephine (female, aged 17):* We didn't come here by choice, none of us did but it's better than being in a war zone.

*Kashaf (female, aged 16):* There is one thing that I've noticed here that people depend a lot on the media and whatever the media say, they accept it, they don't question it.

To counter this trend, the Refugee Media Group in Wales was established three years ago with the aim of influencing and changing the nature of asylum reporting in Wales. The group was funded for two years by Comic Relief and comprises representatives of statutory and voluntary organisations, asylum groups and universities.

## Thinking about the future

As stated earlier, school was seen as very important by many of the young people we spoke to. When we asked about the future, the young people expressed high career aspirations. More than half (25) of the children and young people had a specific career path in mind. Aspirations included to work as a pilot, doctor, solicitor, computer engineer, nurse and architect, to name but a few.

*Alveena (female, aged 17):* An aerospace engineer.

*Josephine (female, aged 17):* I want to do international relations with some studies like Middle East studies and then to be a diplomat.

Both Salma (female, aged 14) and Kashif (male, aged 18) told us that they could not dream of the future as they were too worried about being sent back to their country of origin. The anxiety of awaiting a decision and uncertainty about relatives they had left behind played heavily on their minds.

*Sonbol (female, aged 16):* I want to be a dentist because I like this job for my future. My Dad has problem in my country and he can't come yet. I hope that he come very soon.

*Interviewer:* So you'd like to be reunited with your Dad?

*Sonbol:* Yeah.

When we asked Asmina what she dreamt for her children's future, she said that she wanted them to be treated like other children:

*Asmina (mother):* For my children to be happy, live in an environment where they are the same as other children and the same environment. Not treated differently because of the colour of their skin or of their asylum.

## Service provision

### Overview

As previously noted, the majority of asylum-seeking children in Wales, whether separated (unaccompanied) or arriving with a caregiver, are settled in one of the four cluster dispersal areas. However, there is also a very small number of asylum-seekers (including children) in each of the other 18 local authority areas in Wales. Refugee and asylum-seeking children need services that all children need and have a right to: somewhere to live, an education, healthcare, support and guidance. In addition, many will need specialist services, for example, therapeutic services to help children deal with the trauma they have suffered before coming to Britain; assistance in learning English and understanding the culture and mores of the society in which they now live; and legal advice and support on immigration issues.

Interviewing professionals providing services to asylum-seeking children and their families across the four dispersal areas, it was striking to note that professionals working in one local authority area knew little of the processes and systems operating in the other dispersal areas.

Most professionals were aware of which areas attracted the largest and which the smallest numbers of asylum-seekers, yet they tended to assess which areas provided the most comprehensive services on the basis of how long asylum-seeker services had been running. This makes it difficult for us to provide detailed comparative discussion of provision in each area, so this section provides a brief overview of best practice and areas of concern for each location. Subsequent sections consider provision by service area – education, health, housing and social care – in relation to both children in families and separated (unaccompanied) children. Final sections summarise some key cross-cutting messages regarding service provision and list the specific issues arising with regard to services for children living with families and for separated (unaccompanied) children.

It should be noted that we interviewed young people and their families in each of the four cluster areas and did not receive any information that particular areas were problematic or unsuitable. There were, however, gaps in service provision that were notable across all four areas. Where complaints were voiced, they tended to be about lack of services or members of staff deemed rude or unhelpful.

*Interviewer:* Do you think professionals are sympathetic to asylum-seekers?

*Kim (mother and user-led group):* Not all of them really, because we meet rude ones because they say asylum-seekers are asking too much. I've had the opportunity to hear some of them, some people who don't even know that you can speak English, because when I go somewhere I just [...] listen to what they are saying and I can hear nasty things too, but some are nice.

*Interviewer:* Is that any particular area within the services?

*Kim:* No, they're everywhere.

Figure 2 summarises encouraging signs of service provision and areas of concern in each of the four dispersal areas with regard to services for refugee and asylum-seekers. Please note, however, that not all these services are specifically for children and families.

**Figure 2: Service provision in the four dispersal areas: encouraging signs of service provision and areas of concern**

ENCOURAGING SIGNS	AREAS OF CONCERN
<p><b>Area A</b></p> <ul style="list-style-type: none"> <li>• specialist mental health provision for child asylum-seekers</li> <li>• dedicated paediatric provision</li> <li>• dedicated nurse team providing health assessments on all arriving children</li> <li>• procedures for providing practical and emotional support for new arrivals including peer mentoring, in which individual refugees and asylum-seekers volunteer to support newly arrived members of their community, and a training package that informs asylum-seekers about the role of the police and the criminal laws of the UK</li> <li>• education working with nurse team to identify children with special needs and those who have been, or are at risk of, being smuggled/trafficked</li> <li>• drop-in centre for unaccompanied minors</li> </ul>	<ul style="list-style-type: none"> <li>• access to appropriate accommodation (during and after application for separated [unaccompanied] children and after a decision for children in families)</li> <li>• a lack of post-16 education and training provision</li> </ul>
<p><b>Area B</b></p> <ul style="list-style-type: none"> <li>• drop-in centre</li> <li>• designated refugee support group</li> <li>• education</li> </ul>	<ul style="list-style-type: none"> <li>• long waiting lists for mental health support</li> <li>• limited English-language provision</li> <li>• fewer cultural groups for integration and support</li> </ul>
<p><b>Area C</b></p> <ul style="list-style-type: none"> <li>• voluntary groups</li> <li>• self-help groups</li> </ul>	<ul style="list-style-type: none"> <li>• Long waiting lists for mental health support</li> <li>• Limited paediatric support</li> </ul>



ENCOURAGING SIGNS	AREAS OF CONCERN
<p><b>Area D</b></p> <ul style="list-style-type: none"> <li>• Two drop-in centres providing, inter alia, dedicated health visitor assistance</li> <li>• Dedicated dental service</li> <li>• Short waiting lists for mental health services</li> </ul>	<ul style="list-style-type: none"> <li>• Insecure funding for jobs in refugee agency</li> <li>• Isolation from Wales’ child refugee networks</li> <li>• Limited number of asylum-seekers is reflected in lack of specialist service provision</li> <li>• Limited availability of interpreters (although there is access to Language Line)</li> </ul>

Where Wales was seen to be at a disadvantage in relation to England and Scotland was in the provision of specialist services, because Wales is relatively new to receiving dispersed asylum-seekers and because relatively low numbers of asylum-seekers have been placed here. However, a project in one of the cluster areas provides services specifically for traumatised children. We were told that there are specialised services in London such as groups for victims of torture run by the Medical Foundation for the Care of Victims of Torture. The Foundation has provided training in community mental health nursing in Wales specifically for adult asylum-seekers.

*Health professional:* To think that it’s just about making the local services more accessible to asylum-seeker children is a mistake. There is no question about it that some of these children and families require specialist services and expertise.

*Voluntary group member:* We need more funding to develop our services here but it is not something that the Government has taken on board.

*Social worker:* We don’t have representation in this area. We were liaising with the organisations in London to make sure that the courts were actually available to individuals who had been subjected to torture, and you know the same situations present in cases of rape etc... because really the other resources aren’t here – the information dealing with rape and other issues.

## Education

A special grant is provided by the Welsh Assembly Government to the four local authorities in the cluster areas. Specifically, this grant is made available for all children of compulsory school age to provide:

- teachers
- bilingual support in the form of non-teaching help for those whose first language is not English or Welsh and who have difficulty in understanding or communicating in these languages

- educational psychologist
- co-ordinator
- resources (library)
- transport
- uniforms (These are considered necessary to ensure that the children have suitable clothing for school and to facilitate integration.)
- school dinners.

Additionally, money has been made available this year for special needs children. Grants also exist to assist adult asylum-seekers in learning English as a second language.

The position of the Welsh Assembly Government (WAG) is that if asylum-seekers and refugees are to integrate successfully and if there are to be positive images of them, then “we need to begin it early, and education is vital” (Cabinet Statement by Edwina Hart AM, Minister for Social Justice and Regeneration, February 2004). In 2003/04 WAG made available £2.1 million to Welsh local education authorities specifically for educational services to asylum-seekers and their families. This is additional aid and it is the third year that such financial assistance has been made available. Speaking about the education grant, the Minister went on to say: “It demonstrates our continued commitment to the integration of refugees and asylum-seekers in Wales.”

In March 2004, there was a public ‘row’ between the Assembly and Cardiff City Council, when the Council announced a reduction in its ESOL services. The Council said this was related to the Assembly giving it insufficient funding for these services. The Assembly refuted this suggestion, saying it was up to the local authority how they spent the money allocated.

## Children in families

Both young people and professionals commended education provision in Wales. Young people reported that they liked school and demonstrated devotion to achieving high grades. The level of support from teachers including language assistance teachers was found to be of a high standard across all the dispersal areas.

*Interviewer:* How has your life changed?

*Rachid (male, aged 13):* School.

*Interviewer:* School?

*Rachid:* It’s better.

*Interviewer:* When you went to school, did you feel part of the class? Did you feel comfortable there?

*Talah (male, aged 16):* Yes, yes.

*Shama (female, aged 14):* Yes, I like my school.

*Interviewer:* Did the teachers help you?

*Talah:* Yes, very much.

The education departments aimed to place children in schools as soon as possible, but there were problems associated with young people aged 13–16 years who were awaiting a

school placement. Where problems were identified, this appeared to be related to particular schools, which had limited experience in integrating children from other countries. One education representative emphasised the significance of attitudes, stating that the mere mention of the term ‘asylum-seeker’ could make some headteachers reluctant to accept these pupils. In this respect, two cases were found where children had been moved from the school where they were first placed to more ethnically diverse schools, with the suggestion of racial bullying as the reason. One practitioner was particularly concerned for the impact of disrupted schooling on teenagers.

*Housing worker:* The group I worry about is the adolescent group. You get to the age of like 14, 15, 13, you know it is harder to get them into a school place when they arrive, you have to wait until there is a school place available and they are coming in at the age of 13, and children are very cruel at the age of 13. Certainly from our experience we are finding that that particular group are less likely to integrate as quickly; you know – they hold themselves back a bit.

It is noted that lack of access to special schools was not peculiar to asylum-seeker children.

*Education professional:* Special Needs is not so prompt, it’s hard to get children placed in special schools – which is an area of concern for Welsh children, so, not just asylum-seekers, we can’t queue jump.

The impact of waiting for special educational needs placements could be detrimental to both parents and children.

*Health professional:* There have been some children who’ve waited six months or up to a year to get a school placement. But looking at it from a child’s point of view, they are often at home with their parents with complex needs and difficult behaviours and although there may be some strategies to support them it certainly isn’t enough. Basically they need to be in a special school and they are not.

## Separated (unaccompanied) children

For separated (unaccompanied) children over the age of 16, there are limited opportunities to participate in mainstream education. Separated (unaccompanied) children are not generally in school or mainstream further education. As stated earlier, school plays a key role in enabling children in families to make friends and become part of the mainstream culture. Separated (unaccompanied) children are missing out on an important and valuable opportunity to meet with their Welsh peers. We were told that as the numbers of these children have risen, it has been increasingly difficult to place children in schools, and they have instead often been placed in classes (eg, to learn language skills) with other asylum-seekers – often adults – which provides for little social integration.

One social worker told us that all of the separated (unaccompanied) children in her care had expressed the wish to attend college. Again, asylum-seeker young people were seen as “keen to improve themselves”. Enrolment on college courses can provide much-needed opportunities to make friends.

## Health

### Children in families

Health service provision was commended by professionals across the four dispersal areas. In particular, dedicated specialist nurses were seen as a vital component of asylum-seeker support.

*Health professional:* Most of the children do not have access to the kinds of assessment that we take for granted. For some children, this is the first health check that they have had.

In addition, one area had established a paediatric service sensitive to asylum-seeker children's needs. This service gave children access to much needed healthcare.

*Health professional:* Well, we see all children who've never had a full medical screening in their country of origin and they're referred by the specialist health visitor and also school nurses, and the other children that get referred are those who have got specific problems which could be physical problems or developmental or mental health, behavioural problems. So we would see those children as well, including those who have never had a medical in their country of origin.

In contrast, a paediatrician from another area told us that even though she was the designated worker for these children, this was only part of her role. This professional received no additional funding or time to fulfil these duties, a situation that de facto resulted in indigenous children receiving proportionally less of this resource.

The main barrier to health provision was that of the dispersal system. Contact having been established, referrals made and children placed on waiting lists, children were then moved. On arrival in the new area, families had little choice but to start this process again with new healthcare teams.

*Health professional:* If we're talking about dispersal, there's a Bristol family where the child needed urgent orthopaedic review of a hip problem and has been dispersed to [Area A] and then taken time to come through the system to me again, and then I've had to make all of the referrals all over again for our consultants here. So, you know they've missed their appointment in Bristol and then they've had to wait again and it's all had to start all over again here, and that's – you know – just a common example where they've missed out on their medical care because they've been moved.

*Health professional:* Dispersal has really slowed down now. But still today people are dispersed inappropriately. We all know the issues for adults concerning dispersal, but specifically [with regard] to children, we are having children being dispersed with special needs. For instance, if you have been living somewhere else for two years you may have already been top of the list on speech therapy. And then when you are dispersed you have to start again at the bottom of the list.

*Health professional:* Some children may be on certain medication and maybe they are trying to get their drugs correct and tests taken and then they will be dispersed, and they might miss – you know, the results will go missing because they've moved.

One paediatrician raised the potential problems involved in sex education. For young people in a new country with limited English, asking for information about sexual health could be difficult. This professional suggested that asylum-seeker males were deemed 'attractive' by local females and in this respect there was the potential for all manner of problems, for example, cultural differences in gender roles and expectations. It appears that in one area sexual health is being addressed by a nursing service specifically established for this need:

*Health professional:* I work with 16-pluses and we look at issues of vulnerabilities, stuff like drugs and sex. Some of the young lads are a bit coy to talk about condoms initially.

Although at the time of the study 'hard case' support<sup>26</sup> was not available in Wales, we were told of parents and children being denied HIV/AIDS medication because their application to remain had been rejected.

The children we interviewed demonstrated remarkable resilience in view of the things that had happened to them. While school played a key normalising role, some children were seen by the professionals working with them as suffering from post-traumatic stress disorder (PTSD).

*Interviewer:* What kind of an effect does this have on you?

*Nadira (female, aged 12):* You look at the reflection of yourself and start calling yourself wrong. You push yourself away from yourself. You just keep hurting yourself.

*Education professional:* For example, we've got a boy who is eight years old who was a soldier. He's actually killed people and knows how to use an AK47. I've got another young girl who was the victim of multiple rape and you think, how are these children functioning?

Additionally, during art sessions some young people would draw pictures of war, killing, weapons and sad faces.

A specialised mental health group had been established to cater for children's psychological and behavioural needs, but this service was available only within one dispersal area.

*Teacher:* Some children in this school use the [X] project.

*Interviewer:* Is that good access?

*Teacher:* Fantastic. I can just ring up and get an appointment straight away.

<sup>26</sup> 'Hard case' support, comprising basic full-board accommodation is available for asylum-seekers who have been refused asylum, who have no further appeal rights and who are unable to leave the UK, owing to a physical impediment (for example, having a severe medical condition or being in the late stages of pregnancy) or to exceptional circumstances (eg, the dangers of returning to Iraq or Zimbabwe). However, the accommodation is not available in Wales and families accepting 'hard case' support will be reassigned to designated accommodation in England.

Professionals from other areas told us of the need for such a service and we were informed that at least one area was negotiating access to this valuable service.

Some young people talked openly about their mental health. Virtually all young people expressed the fact that they felt as though they were in limbo and were anxious about their future. Many young people reported physical symptoms such as headaches, stomach ache and insomnia.

*Yoosef (male, aged 16):* I always think like before I go bed... I think like that am I... like if I wake up tomorrow morning, I think the police might come to the door, just like that.

*Fareshhta (female, aged 17):* Now we... we forget little bit about past but we think for future. Maybe we're sent back to [our] country, difficult for us.

This study suggests that young asylum-seekers develop different coping strategies. Some had used Child and Adolescent Mental Health Services (CAMHS) while others believed that talking to 'outsiders' was not appropriate and would instead prefer to talk things through with friends.

## Separated (unaccompanied) children

Separated (unaccompanied) children also benefited from the specialist mental health nurse service. However, these young people had additional needs. One specialist nurse expressed concern over the ability of separated (unaccompanied) males to prepare and cook food for themselves. The point was highlighted by the case of Kashif, whose social worker had arranged to teach him how to make basic meals. Another young person living in a hotel for the past 13 months said that he would have liked to have been able to cook some food but didn't have access to cooking facilities. He lived on a diet of takeaway meals.

Separated (unaccompanied) children were described as having more severe health needs, which were due in part to the traumas they had encountered within their home countries, the journey to the UK and lack of emotional support on arrival:

*Health professional:* The children who've come across on their own in my experience are the ones who've had significant life events that have caused, certainly, psychological, behavioural problems and have needed referral to the CAMHS team and specialist psychological intervention to help them over the traumas that they've witnessed, and also the traumas that they've had travelling, you know – across the distances that they've travelled. And some of these children of course are victims in more ways than one. There are several children who've actually been soldiers themselves and some of them have come with significant physical injuries, or loss of limbs, etc.

*Interpreter for Kashif (male, aged 18):* He came from [X] and it took four or five months to get to Wales and he came in a truck, in a container, and there were about seven or eight of them in a truck with no food for days on end, no water to drink; it was dark, he was very scared and he came to Wales. He was put in a police cell overnight.



Lack of emotional support and the uncertainty of their position within the UK had serious effects on these young people. Kosro (male aged 17) stated that he found waiting for a decision on his claim made him very anxious; he said he couldn't concentrate, and sometimes felt unwell with the worry. Christelle (female, aged 18) told us that she had problems sleeping because of the worry she felt about not being allowed to remain in the UK.

*Lydie (female, aged 17):* You can't sleep well, you are just thinking 'What will happen, I don't know what the decision is yet.' Sometimes you can say 'I will get this', I don't know, so... maybe I don't know how to say, you're... but you don't know what will happen. It is like... it makes you down sometimes.

*Dusan (male, aged 18):* I have been here for 16 months and I don't have any decision. I feel frightened and alone. The problem is not having the decision. I have problems with my health because I think about it all of the time. I am afraid that I could be sent back.

## Housing

Asylum-seekers in Wales have accommodation provided by two councils (Cardiff and Swansea) and by four private-sector providers (Accommodata Ltd in Cardiff, Adelphi Hotels Ltd in Wrexham, Clearsprings Management in all four dispersal areas and Leena Homes in Swansea). According to WAG (2004), Cardiff City and County Council is contracted with NASS to provide 362 units of accommodation for families and single-person households, although the bulk of accommodation is leased from private-sector landlords. Swansea is contracted to provide 150 units from its own stock and has an option on using housing association accommodation.

To summarise the situation of accommodation for asylum-seeking children: separated (unaccompanied) children over 16 tend to be in shared accommodation, with under-16s (there is only a very small number of these that arrive in Wales) more likely to be in foster care. We were given a negative picture of shared accommodation by virtually all the separated (unaccompanied) young people with whom we spoke. Asylum-seeking families are in either private-sector or local authority accommodation.

The families we spoke to were much more positive about the quality of housing in the private sector. The overall picture is complicated by the fact that local authorities are contracted to offer practical support, whereas private housing providers are not (on the grounds that the Welsh Refugee Council is funded to provide a 'one-stop' advice service for asylum-seekers coming to Wales and provides emergency accommodation for individuals and families whose claims are being considered by NASS). As we note below, however, some private housing providers take it upon themselves to offer practical support anyway.

## Children in families

Professionals highlighted the differences in quality of accommodation between public and



private sector provision. Indeed, one local authority housing representative told us that they often dealt with complaints from asylum-seeker families who felt disadvantaged because they had been placed in council accommodation.

Specifically, private housing providers ensured that all properties were equipped with washing machines, televisions and vacuum cleaners, whereas the local authority did not. We were told that this was primarily due to the potential repair-and-replace costs involved. Families aware of this discrepancy felt that the system was unfair.

*Health professional:* Access to washing machines and televisions is important as many families simply cannot afford launderette costs and so have to wash things by hand. Televisions are a very good method of learning [the English] language. The private housing provider goes above and beyond what is expected.

*Kim (mother and user-led group):* I don't know if this is a big problem really – maybe in winter – we don't have a washing machine. You know when you have five children and you're washing with your hands and you can't dry them in winter, where are you going to dry them?

In addition, we noted slight differences between private housing providers. We found one provider that offered high-level services including enrolling children in school, helping them to get bus passes and uniforms as well as registering them with the health service. The two representatives we spoke to, from different cluster areas, both told us that “if we're not busy we will go beyond what we're contracted to do”. Other professionals we spoke to supported this claim and parents told us the staff were pleasant and helpful. However, Korosh's experiences of this provider were somewhat negative, as both he and the other young people within the group felt that they had infringed upon his privacy:

*Korosh (male, aged 16):* I have a note from them saying “Please clean your room.” Once he called and my Mum was not there and he still went and looked all over the rooms. He told me that I can't put posters on my wall. The thing is, I had an English coursework and there was my Internet stuff and he took one of my papers and wrote on it, “Korosh, please tidy your room” and he put it on my board.

The NASS-imposed weekly accommodation checks also upset three of the parents we interviewed. They felt that this was a restrictive and controlling measure, where they were never allowed to forget that they were asylum-seekers.

The other problem regarding housing was that of ‘moving on’.<sup>27</sup> While one provider had a ‘no eviction’ policy, another private housing provider complained that they needed more support to remove people from their properties once a decision had been made. There are various problems that arise when a negative decision is made, one of these being the financial problems associated with returning to the country of origin.

*Housing worker:* Now we've had a case where they'd had a refusal. They were told to contact immigration to arrange to go back; we made the appointment, spoke to immigration – have they got passports? No, they're with the Home

Office. Can they have transport? Oh they'll have to go to the Pakistan High Commission to get passports. Go back at whose expense? Well at their own, but they haven't got any money to do that because you've stopped their support because they've had a refusal. Can't go back, got no money.

Families receiving a positive decision were placed on local housing authority waiting lists. The shortage of accommodation for both mainstream and refugee populations has led to some families being housed in bed-and-breakfast accommodation and other temporary accommodation.

*Housing worker:* I think it's just a lack of accommodation, really, that's the problem. We've got such a long waiting list for all of our properties. I'd probably want more private-sector accommodation because a lot of what we've got is not what people want, really.

## Separated (unaccompanied) children

The social workers we interviewed said that accommodation was problematic for separated (unaccompanied) children. The number of separated (unaccompanied) children under 16 is very small. They are deemed to be the responsibility of the local authority, and not of NASS (see page 11). We were concerned to hear that in Wales, some of these children have been placed in 'out-of-county' foster care, with the attendant risks of isolation from support networks. Unfortunately, we were unable to interview any children in this situation.

Many private landlords were reluctant to rent properties to separated (unaccompanied) children aged 16-plus, purely because that meant dealing with social services, regardless of which clients of social services the properties were for. Hence, the accommodation that social services did manage to secure was, according to one social worker, "sometimes in a pretty awful state so we are constantly fighting landlords".

*Dusan (male, aged 18):* The kitchen was very dirty, you could get illness from it.

*Christelle (female, aged 18):* We haven't got a garden to put rubbish, we have to put it in the corridor and it smells for one week.

Separated (unaccompanied) young people complained to their social workers about being placed in shared accommodation with other young people leaving care.

*Social worker:* They always complain about that – "I don't want to live with these kids, they're kids with problems with drugs, problems with alcohol, problems with that and that" – and it's true. Majority of these kids that we are involved with have problems, although I have to be honest, not everyone now in 'leaving care' faces problems. Now the last experience that I had, the boy went into the best hostel that we can afford. I was pleased because it is the best hostel that we can have and after two days somebody went into his room, looked through his stuff – and you would say well, kids are nosey, but to him that is "I don't want anyone do go through my stuff, how could you put me into that accommodation?"

We encountered the case of one separated (unaccompanied) child who had been in hotel accommodation for 13 months. As there were no cooking facilities available he had been living on take-away food and felt very isolated. We note that the Save the Children *Cold Comfort* report on the situation in England for young separated (unaccompanied) refugees condemned the use of hotel accommodation as bad practice.

When given leave to remain, we were told that separated (unaccompanied) young refugees were not classed as a priority housing need<sup>28</sup> and become subject to the same housing system rules as the indigenous population.

## Social services

### Children in families

The young people had mixed experiences of social care services. Kim (mother and user-led group) thought that they could do more to help families integrate into the local culture. Her point related to the main concern we found regarding children in families: that of children being left at home alone. The majority of professionals we spoke to expressed concern over children being left unattended and told us of the attempts they had made at explaining to parents that this was not acceptable behaviour in the UK.

*Kim (mother and user-led group):* It should be try our best not to do this because in this country it is not acceptable. Instead of just coming and taking the child. They are not protecting the child because at the end of the day the child will be left alone. It's a difficult situation really because you are asylum-seeker because of persecution, you are being persecuted here too, you just find yourself like, "Oh my God, why did I come here?" Because if you didn't like your children why not leave them back in your country? But you came with them here a long way not to leave them; social services to educate them – they don't know culture.

Some professionals, however, posited an alternative view, arguing that social services did not, in fact, respond very readily.

*Housing worker:* We've had various incidents with social services. I don't want to criticise them but I think they could try a bit harder. We're banging on desks trying to get the right support for people and we come across children being home alone and we inform social services and they say, "can they stay with a friend?"

We were advised of the information provided in welcome packs for refugees and of the various professionals who informed parents about how children are expected to be treated in this country. The police and the ESOL service in Area A have developed and distributed signs (in the style of a road traffic sign) with pictures intended to convey the fact that parents are not allowed to leave their children unsupervised in this country. The police concluded that this was necessary after they received reports that children were being left

unattended. A spokesperson said that the lack of knowledge of both cultural and legal information, an inherent fear of the police together with the limited understanding of the English language made asylum-seekers a particularly vulnerable group.

## Separated (unaccompanied) children

Separated (unaccompanied) asylum-seeking children (ie young people under 18 years of age) are the responsibility of local authority social services departments, not of NASS. Local authorities have a duty under Section 17 of the 1989 Children Act to provide a relevant service to meet a child's needs directly or by agreement with other parties. The Act provides a definition of a child in need: he or she is "unlikely to achieve or maintain, or have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him [sic] of services by a local authority". Local authorities must also, under Section 20, 'look after' children in need if they appear to require it (this includes endeavouring to keep siblings together, safeguarding welfare and consulting with the child about a placement). Guidance issued by the Department for Education and Skills strengthened the use of Section 20 for separated (unaccompanied) children.<sup>29</sup>

Local authorities have a continued duty of care, under the Children (Leaving Care) Act 2000, to those young people it looks after and they have to make available assistance to all young people leaving care up to the age of 21. Technically, NASS support is available to a young person if s/he has not received a decision on their asylum claim when they reach the age of 18. However, receiving NASS support might mean the young person is dispersed to another area, leading to problems for social services departments in meeting the local authority's duty under the 2000 Act. NASS has now agreed that those falling within the scope of Section 20 of the 1989 Act and who reach 18 on or after October 2001 will not be dispersed. The system appears to be working, as one of the social workers we spoke to revealed:

Well, again things have changed. It used to be horrendous if you had a young person here, perhaps in education, and all of a sudden, suddenly moved off. You know they're beginning to build roots and I suppose the same thing is for young people who are elsewhere and moved... Wherever they are, if they're building roots and are suddenly moved, I think it's pretty awful for them. But since we've taken over that every young person is Section 20 rather than Section 17, so they're classed as looked after, the couple that we've had that had got to an age where they were going to be dispersed, NASS have now kept them with us in this area – which is good for the young person, but bad financially for social services.

The *Hillingdon* judgment further improved the outlook for separated (unaccompanied) children, since it established that Section 20 of the Children Act, rather than Section 17, should be *routinely* used to meet the accommodation and support needs of this group, with Section 20 meaning continued responsibility for young people up to the age of 21. However, recent research by Odedra (2004) found a large proportion (46 per cent) of local authorities in England and Wales had not changed their practice to cover over-18s since

<sup>29</sup> Department for Education and Skills (2003), LAC 13.

the *Hillingdon* judgment. Our research suggests that Welsh local authorities do in fact seem to be currently observing the spirit of this judgment by accommodating separated (unaccompanied) children under Section 20.

Separated (unaccompanied) children reported a high level of support from their designated social workers. As stated earlier, Kashif's social worker appeared to go beyond what was required by helping him to cook for himself. Young people spoke highly of the support they received.

*Lydie (female, aged 17):* She looks after us for so many things. If we have problems we can contact her and she will come and check on us.

*Mohammed (male, aged 18):* The social workers are good, they can help you.

However, Dusan felt that his social worker did not like him and that he had been treated badly by a support worker from social services:

*Dusan (male, aged 18):* When I said to her my father had been killed she was laughing at me. She didn't believe how my father was killed. It was because there was war. She was laughing at me and I got annoyed with her. That affected me badly.

## Key messages about service provision

There were a number of cross-cutting messages regarding all areas of service provision. We have classified these as preparation of staff, attitudes, and relationships between services.

### Preparation of staff

The constant legislative changes pose significant challenges to those working in this field. Indeed, some of the professionals we spoke to were often called upon to update colleagues and staff in other services. For example, one social worker told us that she often had to provide relevant information when approaching other services for support:

The Government doesn't help much. Immigration law changes so much that even people who are in the business of this, they cannot catch up with everything, never mind people who only see asylum-seekers once in a while. We are very proactive and then we tell them what the legislation is – and not to educate them, but to help our asylum-seekers.

The difficulties of dealing with the complexity of policy were noted by several respondents. For example, there are differences between the support systems for accompanied and those for separated (unaccompanied) children, between those for separated (unaccompanied) children living semi-independently and those for separated (unaccompanied) children living in foster placements. The differences between mainstream regulations and NASS regulations gave rise to further complexity.

## Attitudes

When asked whether service-providers were sympathetic to their needs, both young people and their parents were positive about the treatment that they had received in Wales. The professionals supported this view, telling us that the last four years had seen a marked shift in attitudes and understanding of asylum-seeker issues.

As discussed, some young people had encountered negative comments from service-providers in some sectors but these seem to be rare. However, it does imply that there is still a need for general awareness-raising.

## Relationships between services

The extent to which multi-agency meetings within and across the dispersal areas are formalised in Wales is testament to how the agencies involved in providing services and support to asylum-seekers are dedicated to best practice and continuous improvement of service provision. All the professionals we spoke to were positive about their relationships with each other, and had access to both formal and informal networks.

*Education professional:* We have regular stakeholder meetings, representing the police, health, private property providers, social services and benefits. So there's a whole gamut of people who meet and discuss issues. And then from the stakeholder groups there are sub-groups, like there's an education group, women's group, and health group and then we all feed back into the group with our minutes. So I think it's been done very nicely.

*Voluntary group member:* In fact it is very good. From area to area it is difficult but, you know, now generally things are working in the right direction and we are happy about it.

*Health professional:* I think that Wales is the one area where the professionals working with asylum-seekers work together more than anywhere else.

An all-Wales Refugee Policy Forum was established by the Welsh Assembly Government in November 2003 with the aim of helping the successful integration of refugees into Welsh society and of developing more positive images of both asylum-seekers and refugees. The Welsh Refugee and Asylum-seekers Health Advisory Group within the NHS is another example of inter-professional working.

## Issues specific to children and families

### Caring responsibilities

The psychological problems associated with experiences in their country of origin, the journey to the UK and arriving in an unfamiliar country were not limited to children. Rather, parents suffered anxiety and trauma, which placed some children in a supportive role.

*Interviewer:* Does your Mum have support, does she have people she talks to?  
*Kashaf (female, aged 16):* No not much, because it is usually me or either of my sisters. She does get really annoyed, like worried, because she know like if we go back there is loads of problems there.



*Interviewer:* So as the eldest do you feel that you have quite a bit of responsibility?

*Kashaf:* Yes.

*Voluntary group member:* We had a little girl, very intelligent and bright young girl of nine who said to her mother, “I’m not crying, you mustn’t.”

*Interpreter for Salma (female, aged 14):* Salma has taken on a caring role. She looks after her mother, she does the housework, she spends time playing with her brother, she doesn’t go out. She stays in and plays with her younger brother. Salma frequently acts as an interpreter for her parents. Her parents have tried to learn English in the past. However, the college that they used to attend closed and now the parents feel that the city centre is too far to commute for lessons. This is not a case of them being lazy, but more so because of their mental ill health and coping. They appear to be quite fragile at the moment. Seeing her mother unwell, she is clearly mentally unwell, while her Dad is depressed.

One young person was left in charge of her three sisters every night for two weeks when she was only 15, while her mother was in hospital. We are not clear whether or not the practice revealed below differs from that commonly adopted in the case of indigenous children in the same situation, but it does raise cause for concern.

*Interviewer:* And so did this social worker come and stay then?

*Kashaf (female, aged 16):* Not overnight, she would pick up my sisters and help us. Like clean the house and prepare the food, take care of everything and leave at 5.30–6.00.

*Interviewer:* So were you 16 at that time?

*Kashaf:* No, I turned 16 this year.

### **Domestic violence and parent–child conflict**

It should be recognised, of course, that domestic violence and parent–child conflict are widespread in indigenous British families. Concern was expressed by some interviewees, however, that there are specific issues relating to domestic violence and parent–child conflict in asylum-seeking families. Issues relating to violence are gendered cultural norms, and suspicion of any authorities intervening in ‘private’ matters.

*Voluntary group member:* Domestic violence is a big issue but not just specific to asylum-seekers but B and ME [black and minority ethnic] women and children. First thing is asylum-seekers and B and ME communities don’t always see the police in a good light, usually because of the police in their home countries. You don’t trust the police, usually the police can be bribed with money.

In addition, cultural differences in reprimanding children were noted. Smacking, for instance, was seen to be a problem by practitioners and has been partly addressed by providing information on child protection in welcome packs. However, one voluntary group representative raised the issue of information overload; on arrival into the UK asylum-seeker families are bombarded with information, eg, on applying for asylum,



obtaining financial support, housing, school enrolment, learning about the locality, learning a new language, and cultural and legal differences.

*Voluntary group member:* They don't have enough time to absorb it all. It's very difficult because in some cultures smacking is the parents' way of keeping children out of harm's way. Culturally it is acceptable.

In this regard, a user-led support group representative told us of the potential for conflict between parents and their children. The problem areas described included peer pressure in terms of material possessions as well as differences in what is acceptable child behaviour.

*Kim (mother and user-led group):* For teenagers here they are acting age, their bums outside you know, tummy outside, but in our culture we cannot do that, it's not allowed at all, at all, at all. "Mummy is too strict with me", "I cannot do that", "I cannot have that", but it is not really helping them because everything should be done according to the age, and there is a process in life, okay? When you are 10 years old you cannot behave like 15: behave like 10, wait until you are 15, you're going to do like 15.

## Issues specific to specific (unaccompanied) children

### Shared accommodation

A lack of specialised housing units for separated (unaccompanied) children was seen to be an issue, both because of the poor quality of housing secured by social services and because of problems surrounding the need to share accommodation. Hence, one professional told us about the problems with a case involving a 16 year-old girl being placed in accommodation with another resident who was mentally ill. Although this problematic case did seem to be a rare incident, the point raised by a police officer is relevant:

I tend to think that our asylum-seekers are additionally vulnerable. At least if a child is born in this country, has an extended family, there are additional areas of support. For a start that child who is five, say is possibly exploited in some way, can speak and communicate, can speak to a teacher, possibly to another friend. Generally speaking asylum-seekers can't and that's not easy.

### Single males who are not granted leave to remain

We were also informed, by a representative of the health services, that there was a risk of single men in particular joining the 'informal economy'. In these instances, separated (unaccompanied) young refugees denied leave to remain were at risk of exploitation if they accepted poorly paid and/or illegal employment as a means of remaining in the UK and securing survival.

### Age disputes

For separated (unaccompanied) children, there are problems associated with determining their age. Most arrive in the UK without documentation such as birth certificates and, unlike children in families, whose relatives could vouch for a child's age, separated (unaccompanied) children have to rely on age assessment tests or, at times, individual discretion. Age assessments<sup>30</sup> vary but take into account the views of other professionals,

the information the young person provides, and their appearance. Young men in particular often look older than their years and the burden of proof lies with the young person. The results of the assessment are significant in determining what happens next. If after due consideration the applicant is believed to be over 18 they will be referred to NASS for support. If not, they will receive support from social services under Section 20 of the Children Act.

*Voluntary group member:* We had one unaccompanied minor, and it was a very difficult case because they were saying that she was an adult. I maintained, and so did the health visitors, that she was a child and they said, “Look at the size of her”, and I said “How many 15-year-olds do you know of ours that are getting in pubs – they are doing all sorts of things. She is a big girl.” How do we go about proving her age if we’ve no birth certificate, and they said the onus of responsibility to prove age is on the person themselves so, short of getting her to a gynaecologist and putting her through all that trauma... Although now, if I’m not mistaken, they came up with the idea that local authorities could decide for themselves who they thought was under and over a certain age – very discretionary.

Age assessment is an increasingly topical issue as some age-disputed young people are now detained in England and Scotland. The Home Office<sup>31</sup> and the Refugee Council<sup>32</sup> have developed guidance on age assessment. The Royal College of Paediatrics and Child Health guidance (1977) acknowledges that any determination of age by a clinician is a complex and inexact process with a wide margin of error – as much as five years either side.

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<sup>30</sup> An asylum applicant arriving in the UK either without documentation establishing their age (for example, a valid passport), or with documentation that the Immigration Service regards as suspect, and who is also claiming to be a minor (a person under the age of 18) will have their age ‘assessed’ to establish: (a) whether they should be subjected to the adult or child asylum determination procedures; and (b) who has responsibility for their accommodation and support while their asylum application is processed. Issue (a) is primarily of concern to the Immigration Service, while issue (b) is of concern both to NASS and to the local authority social services department. <http://www.ind.homeoffice.gov.uk>

<sup>31</sup> Available on <http://www.ind.homeoffice.gov.uk>

<sup>32</sup> Available on <http://www.refugeecouncil.org.uk>

# Part III: Implications for policy and practice

## **Article 22(i) of the UN Convention on the Rights of the Child 1989**

State Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in this Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

The aim of this study is to enable policy-makers and practitioners to share an accurate analysis of the current situation in Wales, in terms of both the number of children concerned and the major issues affecting their lives. Save the Children believes that this work should influence available funding, policy and practice for asylum-seeking children in Wales. The study has provided a wealth of information on the experiences and views of children seeking asylum in Wales and of some parents and practitioners working with children in the four dispersal areas in Wales.

This qualitative study was exploratory in nature, the first of its kind in Wales. There has not been independent observation by researchers of services on the ground and it is not possible to draw robust conclusions about the quality of life for asylum-seeking children in Wales and the quality and ‘fitness for purpose’ of the services provided. However, we can listen and take note of what we have been told and consider the implications for the future development of policy and practice as it affects asylum-seeking children in Wales.

Over the last decade the development of policy as it affects asylum-seeking children in Britain has been ever changing and, arguably, has had an increasingly punitive impact. Against this backdrop, the development of services in those parts of Wales most affected has been rapid, albeit – as many professionals noted – belated and forever ‘catching up’ with developments in areas of England more experienced in working with refugees and asylum-seekers. As well as highlighting the courage and resilience of children seeking asylum in Wales, the research has highlighted the determination and commitment of a relatively small group of practitioners who are now specialised in working with asylum-seeking children within health, social services, housing, education and the police in the four dispersal areas.

This report is published at a time of further change. As previously stated, the Home Office is poised to implement its proposals<sup>33</sup> to withdraw all provision (other than those under Section 20 of the Children Act) for families who refuse to comply with deportation or voluntary assisted returns programmes. Save the Children is very concerned that this will mean even more poverty and destitution among asylum-seeking children, together with inappropriate use of local authority care.

We believe that this report should prompt policy-makers in Wales to examine the current funding arrangements and policy as they affect asylum-seeking children, whether they are living with families or separated (unaccompanied). We hope that all public service-providers will examine their provision and that all practitioners will reflect on their practice as it affects children seeking asylum in Wales. It is also hoped that with an accurate analysis of the situation in Wales child welfare organisations and the Children's Commissioner for Wales<sup>34</sup> will be better able to advocate on behalf of asylum-seeking children. To this end it is worth reminding ourselves that children seeking asylum are:

- first and foremost children, and in line with the UNCRC, all decisions about a child should be in the child's best interests and applied without discrimination<sup>35</sup>
- vulnerable and in need of care and protection
- a potential asset to our society and not a burden.

All policy as it affects asylum-seeking children in Wales should reflect these key principles.

The following sections report on the key messages regarding policy and practice arising from the research. This chapter concludes with a number of recommendations for policy-makers and practitioners.

## Service provision

Wales was seen to be at a disadvantage in relation to the rest of the UK in terms of specialist services because dispersal is relatively new and the numbers of asylum-seekers are low compared with those in England. However, in most respects, the issues that arose during our research are similar to the key contemporary issues in England for this same group of children. Although, compared with research conducted by Save the Children with young separated refugees in England (Stanley, 2001), our research suggests a more positive experience for separated (unaccompanied) children in Wales than for those in England.

Generally speaking, specialist staff within mainstream services were seen as a better model for promoting integration for asylum-seekers than separate, specialist services. We

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<sup>33</sup> Section 9 of the Immigration and Asylum (Treatment of Claimants, etc.) Act 2004.

<sup>34</sup> Under the Children Act 2004, the Children's Commissioner in England will have powers to review non-devolved policy (including immigration and asylum) as it affects children in the UK including children resident in Wales. The Children's Commissioner for Wales will continue to be able to make representations to the National Assembly for Wales on any matter affecting the rights and welfare of children in Wales (including asylum-seeking children resident in Wales). The Assembly may then take the matter to the UK Government.

<sup>35</sup> Articles 2 and 3 of the UNCRC.

summarise below what the research participants identified as encouraging aspects of service provision and then outline some key issues of concern for both accompanied and separated (unaccompanied) children.

### **Encouraging aspects of service provision**

- a generally warm welcome in Wales
- multi-agency forums within and across the four dispersal areas
- specialist nurses for asylum-seekers
- a project in one of the cluster areas that focuses on the mental health of child refugees
- health service provision generally
- some specialist education provision including access to specialised teaching staff and language assistance
- mentoring programmes in two cluster areas that provide volunteers (refugees and asylum-seekers and volunteers from host communities) with training and support
- formalised procedures for providing practical and emotional support for new arrivals in one area
- local authorities in Wales responding positively to the *Hillingdon* judgment.

### **Areas of concern**

- problems of the dispersal system – the effects of moving children on school places (especially special schools), healthcare and support networks
- up-to-date accurate information on asylum-seeking children in Wales is not available to service-providers, giving rise to delays, for example, in providing school places
- a lack of consistency between public and private housing. Some separated (unaccompanied) children are in hotel accommodation, although the majority are in supported, shared accommodation. Generally, these young people feel themselves to be in poor-quality accommodation
- delays with NASS payments
- the racism and harassment routinely experienced by asylum-seekers is aggravated by a lack of positive imagery in the media
- the pressures of waiting for decisions are significant, leaving parents, children and young people anxious and uncertain about their future
- a lack of expertise and specialist services or specialist staff, eg, limited specialist youth groups; a general lack of ethnic/cultural organisations apart from in one area; specialist mental health provision in only one of the four areas; the patchy provision of an interpretation service
- a lack of proactive inclusion within mainstream services: eg, in youth services, access to healthcare for people who are refused asylum, and access of over-16s to schools.

### **Issues particular to children in families**

- inadequate family incomes
- the problem of children taking on caring responsibilities for siblings and interpreting responsibilities on behalf of parents
- protection issues to do with domestic violence, parent–child conflict and the need for cultural sensitivity in handling childcare/protection issues, such as children being left at home alone or smacking.

### Issues particular to separated (unaccompanied) children

- age disputes
- limited mainstream integration
- a lack of emotional support
- some poor-quality housing and shared accommodation arrangements
- a lack of post-16 education resources
- single males struggling to look after themselves, eg, lacking cooking skills
- single males in particular being at risk of racial harassment, both physical and verbal.

## Improving policy and practice

We can identify three main cross-cutting themes that emerged from research participants when considering what areas of policy and practice needed changing: immigration issues, consistency and communication.

### Immigration issues

Delays in processing applications and access to limited information meant that many of the young people experienced fear and anxiety as to what would happen to them.

Kashif (male, aged 18) told us that he had been waiting for a decision for 16 months. Moreover, when he questioned his solicitor he was told that there was no need to contact the Home Office to find out what was happening, leaving Kashif anxious and confused.

*Voluntary group member:* One young girl who reached 18 and was told that she's had a negative decision was afraid that people would turn up and put her in the back of a van and take her away. She actually spent the night in the bus station, for fear of going back in case she was going to be taken away.

Some of the health professionals also told us that they had little understanding of how decisions were made and expressed concern that their letters of support had little influence.

*Health professional:* I'm at a loss to understand why some families are returned and why some remain. I mean, it seems more like a lottery sometimes.

*Health professional:* They don't appear to look at individuals. So yeah, I feel great conflict about that and sometimes you just hope that people will be able to stay and get Leave to Remain, but I suppose I sometimes feel that we have no control over it, and it can be a bit demoralising. Even if we write letters of support the Home Office doesn't take that into account.

The situation was further exacerbated by the number of families and young people having to appeal against negative decisions.

*Health professional:* They spend years in appeal only to get status in the end. They need a quick decision so that they can get their lives in order.

*Jameila (female, aged 16):* We go tomorrow for appeal for tribunal case and we haven't got any result from it and my Mum still pray that we get nicer immigration.

## Consistency

The professionals expressed a need for relevant government departments, both in the Welsh Assembly and the UK Government, to take responsibility for producing consistent policy and providing clear guidelines for agencies. At present, many said, they received vast amounts of information and regulations yet little insight into how to apply them in practice.

*Social worker:* If somebody just said “this is what you do, these are the reports, dadeedadeedaa”, as simple as that. Each authority has a different way of dealing with things.

*Social worker:* If it hadn't been for the multi-agency groups I would have been up the creek without a paddle. We hadn't got a clue – well you don't until someone drops into your patch.

This is particularly relevant with regard to the conflict between, on the one hand, the fundamental statement of the Children Act 1989 that the welfare of the child is paramount, coupled with practitioners' compassion and their valuing the human rights of children and families with whom they have built a working relationship and, on the other hand, the current Immigration and Asylum Act's often punitive policy. A common example of this conflict arises where families are not granted 'Indefinite Leave to Remain' or a 'Temporary Stay of Residence' and have exhausted their asylum claim yet are unable to return to their country of origin and so are 'left in limbo', with NASS terminating financial support and housing provision.<sup>36</sup>

The only option for these families is to apply for 'hard case' support. Hard case accommodation is not available in Wales, and families accepted for hard case support have to travel to the assigned accommodation in England. Some professionals have witnessed the upheaval that families undergo if they accept this support. For example, we were told about women who became pregnant after receiving a refusal and being unable to travel. Accepting hard case support meant that they had to endure another move to a new dispersal area in order to be accommodated on a full board basis in a property defined by the Home Office and the consequent re-establishment of health appointments and support networks. For many the prospect of starting again in another city coupled with rigid requirements of compliance and being monitored is daunting, and thus they opt to take their chances remaining destitute in their local community and being reliant upon voluntary groups' food parcel provisions.

Another example of inconsistency is to be found in the Children Act 2004. The Children's Bill (2003) was designed, in the wake of the Victoria Climbié inquiry, to protect all children, particularly the 'most vulnerable', yet the children of asylum-seekers were excluded. The Children Act 2004 obliges agencies, almost across the board, to guarantee basic protection to children, yet immigration officers, reception centre staff, and NASS workers were omitted from this obligation.

<sup>36</sup> At present, though, the majority of families in Wales do get NASS support.



## Communication

Media representations of asylum-seekers were seen as unsatisfactory. This was highlighted by the media's relative lack of involvement in positive events such as the Cardiff ESOL/Police Project and Refugee Week events, while professionals felt that the media had inflamed the disturbances at the Caia Park Estate in Wrexham and “blown out of proportion” the trouble that occurred. As a result, children were falling victim to negative stereotypes and harassment. A child's letter to Tony Blair illustrates this point:

Dear Tony Blair,  
 ... We live in a hell, we came here escaping to safety but people treat as some criminals. My mother is always stressed and angry because of your refusal to us. .... [no name given]

## Recommendations

Save the Children continues to campaign on a number of issues at the UK level. Change at this level will have a significant impact on children seeking asylum in Wales. In particular, Save the Children is calling on the UK Government to:

- remove the reservation to Article 22 of the UN Convention on the Rights of the Child
- end the detention of asylum-seeking children
- secure a legal duty for every separated child to have a statutory guardian to provide support to advise on the child's best interests
- return separated children to their country of origin or third country only if this is demonstrably in the child's best interests
- ensure that the care and protection of children who have been trafficked should be the paramount concern in all decisions relating to their legal status
- ensure that policy within all jurisdictions of the UK is consistent with the Statement of Good Practice for Separated Children in Europe (International Save the Children Alliance and UNHCR, revised 2004).

With advice from the research steering group, Save the Children has also drawn up the following recommendations from this research. The majority of these recommendations are targeted at the Welsh Assembly Government, local authorities and other service-providers in Wales.

### 1. Statistical information on asylum-seeking children

Robust mechanisms are needed for collection of statistics on both children in families and separated (unaccompanied) children. Details are needed of the overall numbers of children and their age, gender and country of origin in order that service providers can plan and develop appropriate services. It is important to have private housing providers on board if data collection is to be successful. The introduction of

the National Register for Unaccompanied Children (NRUC) is expected to help agencies working with vulnerable children to share information and plan services.

- The Welsh Assembly Government should take responsibility for co-ordinating an accurate statistical overview of the picture in Wales, including taking action to ensure that the relevant agencies in Wales are supported and enabled to access and make use of the National Register for Unaccompanied Children (NRUC).
- The Home Office and NASS should ensure that accurate and useful data on children in families is provided, prior to dispersal, to local authorities and other service-providers.

## **2. Review of funding and provision for Assembly-controlled services, eg, health and education**

With more accurate information on the numbers and needs of asylum-seeking children in Wales, the funding arrangements for (as well as provision of) health and education services for asylum-seeking children should be reviewed to ensure adequate provision for separated (unaccompanied) children and children living with their families (in line with the National Service Standards for Children, Young People and Maternity Services in Wales).

- The Welsh Assembly Government should review funding arrangements for health and education services in Wales for asylum-seeking children and their families.
- In the context of the proposals to establish a National Services Framework for Children, Young People and Maternity Services in Wales (NSF), the Welsh Assembly Government should lead a comprehensive review of public service provision for asylum-seeking children across Wales and develop policy and practice guidance in relation to children seeking asylum in Wales that is underpinned by the Assembly Government principle of social inclusion.

## **3. Child trafficking**

The true extent of exploitative trafficking was difficult to gauge but there was sufficient concern expressed by those working with refugee and asylum-seekers in Wales to demand further exploration and the development of systems to make it easier for professionals to identify and secure the care, protection and support of child victims.

- The Welsh Assembly Government should set up a multi-agency all-Wales Trafficking Group to develop protocols for identifying and responding to suspicions of child trafficking and to develop training programmes to raise awareness of trafficking concerns among the relevant agencies.

## **4. Separated (unaccompanied) children**

The research has highlighted the particular vulnerability of children arriving in Wales without their families or caregivers. The SCEP Statement of Good Practice

recommends that all separated children should be assigned a guardian to advise and protect them. More research is needed on the specific issues facing this group of asylum-seekers in Wales, as they are the most vulnerable. Meanwhile :

- Local authority social services should pay immediate attention to accommodation problems for separated (unaccompanied) young people and in particular to the need for local foster placements.
- The Welsh Assembly Government, advised by the Children’s Commissioner for Wales, should consider how best it can ensure the provision and availability of accessible, specialist and well-funded independent advocacy support for separated (unaccompanied) children seeking asylum in Wales.
- The Welsh Assembly Government should also explore the possibility of establishing a system of guardianship to ensure that the best interest principle is maintained and that separated children are supported through the asylum system.

## 5. Health

The experiences children have had in their countries of origin, and the often isolated circumstances in which they live in Britain, render children especially vulnerable and in need of specialist health services. In the modern age of waiting lists, children’s access to these services is made particularly difficult by the extent to which they are moved around under the dispersal system. In addition to the review of funding arrangements for health services for asylum-seeking children (see Recommendation 2 above):

- NASS should consider the healthcare needs of children and any special needs when decisions are taken about dispersal of asylum-seekers.
- Health services in Wales should ensure that all arriving asylum-seeker children have a health assessment by specialist nurses and access to a ‘catch-up’ medical to promote equity with the local population.
- Commissioners of health services should ensure the provision of a range of (and access to) mental health services for asylum-seeking children including specialist services.

## 6. Education

Children, young people and professionals commended education provision for asylum-seeking children in Wales. School is an extremely important institution for the children, not least because they are keen to do well and they enjoy their studies. For many children school provides the main venue for their interaction with other children and the level of support from teachers was found to be of a high standard across all of the dispersal areas. Concerns were expressed, however, regarding the future funding of special needs provision for asylum-seeking children; the availability of school places for children aged 13–16 years; and education and training provision for young people aged over 16. In addition to the review of funding arrangements for education services for asylum-seeking children (see Recommendation 2 above):

- The Welsh Assembly Government should confirm longer-term funding of special needs provision for asylum-seeking children, based on a review of need.
- The Welsh Assembly Government should examine current arrangements to ensure that post-16 education and training can be offered to all asylum-seeking children aged 16–18 years. College programmes should include English as a Second or Other Language, and examination and vocational courses as well as training in independent-living skills.
- All schools should operate a ‘zero tolerance’ policy on racist bullying and provide real opportunities for children to report bullying and victimisation. The implementation of the policy should be regularly monitored with reference to children themselves.
- Schools should encourage and support asylum-seeking children to make use of out-of-school activities.

## 7. Youth and community and leisure services

Many children attending school were not inclined to make use of organised leisure services or activities outside of the school environment. Professionals noted gaps in the provision of leisure services and the need for opportunities for young asylum-seekers to come together as well as for mainstream youth groups to actively include asylum-seeking children and young people.

- Youth and Community Services should consider what they can provide for asylum-seeking children and young people (by way of additional provision or outreach to mainstream services) taking into account the wishes of eligible children and young people living in the area.
- Leisure services should consider ways in which they can make leisure facilities more accessible to asylum-seeking children (and other children from low-income households), for example, by giving them a card that provides free access.

## 8. Housing

Housing provision for children in families, especially within the private sector, was seen as generally positive, although a number of respondents complained about the intrusive nature of the weekly housing checks. Accommodation for separated (unaccompanied) children was seen as more problematic, with children under 16 placed in foster care and those over 16 placed in shared accommodation with other vulnerable groups.

- Housing providers should ensure that they carry out sensitively the weekly checks on families that they are required to do.
- Local authority housing departments should support social services in discharging their statutory duties and ensuring the provision of appropriate supported housing to separated (unaccompanied) young people aged 16–18 and those eligible for Leaving Care support beyond that age.

## 9. Poverty

The study has highlighted the effects of poverty on children seeking asylum in Wales. Housing providers feel that the NASS package of support given to families is adequate at a basic level of income support but direct comparisons are difficult to make. Separated (unaccompanied) children are entitled to the same level of support as citizen children who are looked after by the local authority. Living on such limited incomes – without a support network or experience of budgeting in the UK and without local knowledge of cheaper outlets – is very difficult.

- Asylum-seeker families and separated (unaccompanied) children should be treated on the basis of equality with the general population in terms of welfare benefits (including families who refuse to comply with deportation or voluntary assisted returns programmes).
- Service-providers in Wales should ensure that families and separated (unaccompanied) children receive support and advice on living on a low income.

## 10. Staff capacity

The policy environment affecting children seeking asylum in the UK is fast changing. The development of services in those parts of Wales most affected has been rapid and there is now an experienced and highly knowledgeable group of practitioners working in all services in the four dispersal areas of Wales. However, even these practitioners are finding it hard to keep up with all the changes and to ensure that they and their immediate colleagues have sufficient training to respond to the particular needs of children seeking asylum in Wales (including ensuring the protection of children). The knowledge and experience of staff in other parts of Wales, who are in contact with far fewer asylum-seekers, will of course be less. There is a particular need for staff working in these areas to have access to prompt and comprehensive specialist advice when needed.

- The Welsh Assembly Government and service providers should ensure that frontline staff across Wales are kept up-to-date with changing legislation and guidance.
- The Welsh Assembly Government and service providers should ensure that staff working with asylum-seekers receive training including specialist training in child protection and asylum (for example, regarding cultural issues and trafficking).
- The Welsh Assembly Government should establish a post of an all-Wales specialist adviser for practitioners, not least to assist and support staff working outside of the dispersal areas.
- The Welsh Assembly Government and service providers should ensure that frontline staff receive training in working with interpreters.
- The Welsh Assembly Government should consider agreeing and applying standards for the use of interpreters.

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