

**REPORT OF THE  
PARLIAMENTARY INQUIRY  
INTO ASYLUM SUPPORT  
FOR CHILDREN AND  
YOUNG PEOPLE**

January 2013

## **Acknowledgments**

We would like to thank everyone who submitted written evidence to the inquiry and those who gave oral evidence as witnesses in parliament, as well as those who responded to information requests from the panel. We very much appreciate your input. We are also grateful for the support of Sarah Teather's team and to staff at The Children's Society for all their work for the inquiry.

We would like to give an enormous thank you to the children, young people and families who gave evidence to the panel based on their own experiences of living on asylum support. Their brave testimony gave the panel a far greater understanding of what life is like for these children and has strongly shaped the recommendations in this report.

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Full written evidence submissions and transcripts from the evidence sessions are available at: <http://www.childrenssociety.org.uk/parliamentary-inquiry-asylum-support-children>

## **Foreword by Sarah Teather MP**

### **Chair of the Inquiry into Asylum Support for Children and Young People**

There are moments in politics when what you hear makes you ashamed. There were many such moments for me and for the rest of the cross party panel during the course of this inquiry.

Our inquiry set out to look at the support provided to children and families seeking protection from war and persecution. What was clear from the evidence we received was that systemic failures from successive governments are leaving many destitute – some who have no access to any support at all and many others where the level of support is inadequate to meet basic living needs. Parents told us they went without food to buy basic items for their family, and even then struggled to provide healthy food, winter coats and school uniforms for their children. We met families whose children had experienced this poverty for their entire lives.

But it wasn't just inadequate financial support that caused distress to families. What appalled the panel most were the personal stories of the disrespect many had experienced. Racial abuse and victimisation at the hands of members of the public were striking enough, but more shocking for us were the examples of abject disregard for basic human dignity demonstrated by housing providers.

Frequent moves and failures on continuity of care, disruption to children's friendships, education and family support networks were also a profoundly negative influence on children's well-being. We were presented with evidence of the increased maternal and infant death rates amongst pregnant women in the asylum system, caused by poverty, problems accessing care and social isolation.

The families with the worst ordeals are those on Section 4 support. We could see no merit in maintaining this parallel support system. The regime is described by ministers as austere. It would be hard to argue that is humane. Leaving children and their families with no money to catch a bus, make a phone call, or buy basic goods seems senseless, particularly with the cost involved in running a parallel bureaucracy such as this. The strain described by families who endure this system of support, but who are unable to return home, is not something this cross party panel think is defensible.

We make a series of recommendations in our report relating to financial support and to policy around housing and the right to work. None of these recommendations would be particularly expensive. Some of them would be cost free. All would, we believe, make a substantial difference to the way children growing up in the asylum system are able to develop, learn and flourish.

This country has a long and proud record of giving protection to those fleeing persecution and war. It is important that our treatment of families who seek our help matches the high standards our reputation would expect.

**Sarah Teather MP**  
**Chair of the Inquiry into Asylum Support for Children and Young People**

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## **Executive summary**

### **Key findings**

The inquiry into asylum support for children and young people received written submissions and heard oral evidence from over 200 individuals and organisations, including local authorities, safeguarding boards and academics. The panel considered perspectives from health, poverty, housing, well-being and asylum support experts, and heard directly from families with experience of living on asylum support. The evidence shows that the current asylum support system is in urgent need of reform if it is to have regard to the safety and well-being of children and meet its obligations to promote children's best interests. Change is required so that all children can have a good childhood and the best possible start to life.

### **Destitution**

Although the inquiry's focus was on those in receipt of asylum support, the panel was shocked to hear of instances where children were left destitute and homeless, entirely without institutional support and forced to rely on food parcels or charitable donations. Evidence received by the inquiry cited counts where children made up between 13-20% of the local destitute population.

Some children become destitute when families gain refugee status and move from Home Office support to mainstream support. Other children are born into destitution because their parents are cut off from asylum support but are unable to leave the UK. Other periods of destitution are caused by administrative gaps and delays, which cause some families to go without income or a place to stay for weeks and months. This has severe implications for children's safety, physical and mental health, and leaves some families vulnerable to exploitation and serious harm as a result. In one serious case review submitted to the inquiry, a child died of starvation. Their family had been made destitute when Home Office support ended.<sup>1</sup> Although this case was complex and involved a number of different factors, it is a stark example of the serious gaps in the current support structure.

### **Essential living needs**

Based on the evidence provided by child poverty, health and well-being experts, social workers, local authorities and families themselves, the inquiry has concluded that the current levels of support provided to families are too low to meet children's essential living needs. Furthermore, these rates do not enable parents to provide for their children's wider needs to learn, grow and develop, especially if they have a disability. We heard powerful evidence of the reality of living on as little as £5 per day,<sup>2</sup> as parents are forced to skip meals to feed their children and are unable to buy them warm clothing in the winter.

## **Health and well-being**

We heard evidence that the inadequacy of the current support system may be leading to greater infant mortality and maternal deaths during pregnancy.<sup>3</sup> Problems in the support system that are most likely to cause harm are: frequent moves (including during the later stages of pregnancy), poor accommodation, malnutrition and difficulties accessing health services such as antenatal appointments.

We also received numerous accounts of serious problems experienced by families with disabilities or particular health needs such as amputees or those who were HIV-positive. One case involved a family where the baby, due to complications at birth, needed supplementary oxygen. Without access to cash support and unable to use public transportation, the family had to make regular trips to the hospital on foot carrying the baby and a heavy oxygen tank. We believe the issue of access to adequate cash support needs addressing urgently to prevent any further harm to children and families.

## **Education**

Inadequate financial support coupled with frequent moves within asylum accommodation mean that children's education is disrupted. Parents struggle to pay for school uniforms, school trips, or for any extra-curricular activities. Families who do not have access to cash support are unable to use public transportation and have to walk miles every day to get their children to school or nursery.

## **Worklessness**

Welfare reform focuses on getting parents into work. However, asylum seeking parents are prevented from working, leaving families dependent on state support. This means that parents are left powerless and lose their skills while children are left without positive role models. The government's own research has highlighted that this can lead to high levels of unemployment and under-employment once a family gains refugee status.<sup>4</sup>

## **Home life**

Some of the most worrying evidence the inquiry heard related to home life. A number of factors were seen to impact on a family's home life including poor quality accommodation, unsafe neighbourhoods, separation from family members through dispersal, financial pressures and the anxiety caused by the asylum process. We heard how in many cases families were allocated unsafe, dirty and damp accommodation. There appears to be little obligation on housing providers to meet decency standards or safeguarding duties<sup>5</sup> towards children. We also heard how families were placed in dangerous areas where they experienced ongoing harassment including physical attacks.

One of the most unacceptable things we heard was that families have little privacy in the housing provided by the Home Office. A number of families reported that staff frequently enter their homes unannounced, frightening their children. One single mother living in a hostel told the panel how male staff members spy on her while she is in the bathroom. This leaves parents feeling particularly vulnerable and unable to protect their children. This kind of behaviour is entirely unacceptable and the government should urgently review

the current guidance given to housing providers to ensure that they respect the privacy and dignity of families.

### **Societal and institutional attitudes**

Many members of the public continue to believe myths about asylum seekers, in particular that the UK accepts more than its fair share of refugees and that they receive all manner of luxuries. Yet the reality is that many families desperately needing support are left unable to meet even their most basic living needs.

Misconceptions such as these cause tension between deprived communities and contribute to the severe hostility experienced by refugee children and families, often living in close proximity to other vulnerable families. The panel received extremely distressing evidence of families being racially abused, children being hounded at school and babies having stones thrown at them. Families also reported that when they were harassed or victimised, they often felt unable to complain for fear of the repercussions on their protection case.

We strongly believe that there is an urgent need to address the public discourse around asylum and refugee issues, and correct the misperceptions which persist in our society.

### **Creating a hostile environment**

As well as controlling our borders, the Home Office has a responsibility to provide international protection and promote children's welfare. Clear examples from the past show no correlation between levels of support and numbers of asylum seekers in the UK. For example, in 1999 when support payments were reduced and vouchers were introduced, asylum applications increased. When cash was reintroduced, the numbers went down steadily for years afterwards.<sup>6</sup> We believe that the premise, that making things difficult for families will somehow lead more people to leave the UK, is dangerously flawed and has serious repercussions for children's well-being and safety.

We welcome the government's current review of the asylum support system and the work underway by the UK Border Agency (UKBA) to investigate and improve their systems for providing information to, and gaining feedback from asylum applicants.

We believe that successive governments have failed children by delivering an asylum support system that keeps children in poverty, leads to dependency on the state and denies asylum seeking families the resources they need to meet their needs. Not only must the levels of support be increased to make sure no child is condemned to poverty, but many other aspects of the asylum support system which prevent children and families from having a dignified existence need to be addressed. We hope that the government will consider our report and recommendations.

## **Key recommendations**

1. The government should abolish Section 4 support and urgently implement a single cash-based support system for all children and their families who need asylum support while they are in the UK. This should include children who were born after an asylum refusal, to ensure that no child is left destitute.
2. Asylum support for families also provided with accommodation should be aligned with mainstream benefit rates paid for living expenses. Where accommodation includes utilities (such as heating, lighting and water rates) which would normally be expected to be paid from living expenses, it is appropriate to make some deduction. However, these must be reasonable and comparable to those made from housing benefit where gas, electricity and water bills are covered within rent payments. The rates of support should never fall below 70% of income support.
3. Support should be increased annually and at the very least in line with income support.
4. Permission to work should be granted to asylum seeking parents and young adults if their claim for asylum has not been concluded within six months. Refused asylum seekers who cannot be returned to their country of origin should also be allowed to work.
5. Newly dispersed families should be provided with comprehensive, written information in a language which they understand about their rights and entitlements, as well as practical information about services in their areas and where to get support.
6. The government should ensure that asylum seekers' needs for privacy are respected by housing providers, who should not enter properties unannounced.
7. Ministers and the UKBA should work to promote positive relations between refugee and British communities, and a constructive public debate by celebrating and supporting this country's proud tradition of giving sanctuary to those in need of protection.



## **Section One: Introduction**

Since 2009, when the duty on the Home Secretary to promote the welfare of children in the immigration system<sup>7</sup> came into force, there has been no formal review of the asylum support system which affects thousands of children every year. The inquiry set out to examine whether asylum support<sup>8</sup> provided by the Home Office for those seeking protection in the UK meets the needs of children, young people and families. Given that most families fleeing persecution, war and violence arrive in the UK destitute and are not allowed to work or claim mainstream benefits, the support system is their only means of survival. Many children spend several years in this system.

The panel examined evidence on a range of issues including income poverty and parental unemployment, to assess their effects on children's development, health, education, well-being and their chances in life. It also looked at what living on asylum support was like for children and families, including pregnant and nursing mothers, single mothers and those with a disabled child or parent. The panel further considered the impact of dispersal, the use of a cashless support system and the standard of accommodation provided to families.

Through an open call for evidence, the panel heard oral evidence from 21 witnesses including families themselves<sup>9</sup> (see Appendix A for full list) and received 40 written submissions (see Appendix B). Following targeted requests for information to the Department for Education and key local areas in England, Scotland and Wales,<sup>10</sup> including dispersal areas, the inquiry also received over 150 responses from local authorities, safeguarding boards, child protection committees and a government department (see Appendix C).

The panel heard from refugee and asylum organisations, poverty and health experts, housing organisations, local councils, social workers and academics, as well as young people and families who have direct experience of the asylum support system. The ministers responsible for child poverty and immigration, who were unable to give oral evidence, submitted a written outline of the government's position.<sup>11</sup> This report sets out what the inquiry found, based on this range of perspectives, and proposes a series of practical policy solutions.

## Section Two: The asylum support system

This section sets out key aspects of government policy around the asylum support system. Families seeking asylum in the UK are generally not permitted to work and cannot access mainstream benefits such as child benefit, housing benefit, income support or disability living allowance. They will not be eligible for universal credit. Instead, if they are destitute they can apply for 'asylum support' from the Home Office.

The government is currently reviewing the asylum support system and we welcome the opportunity to influence this review. We also welcome the work that the UK Border Agency (UKBA) is undertaking to investigate and improve their systems for providing information to, and gaining feedback from asylum applicants. These are important in ensuring that the agency's duty to safeguard and promote the welfare of children is further integrated into the asylum process.

### Destitution and the purpose of asylum support

The government's position is that '*no one who has sought the UK's protection need be destitute.*'<sup>12</sup> Asylum support is intended as a temporary form of assistance aimed at meeting the essential living needs of individuals who seek international protection in the UK and would otherwise be destitute.

The test for destitution set out under Section 95 of the Immigration and Asylum Act 1999 states that '*...a person is destitute if (a) he does not have adequate accommodation or any means of obtaining it (whether or not his other essential living needs are met); or (b) he has adequate accommodation or the means of obtaining it, but cannot meet his other essential living needs.*'

### Types of support

Families receiving support from the Home Office generally receive one of two types, commonly known as 'Section 95' and 'Section 4' support.<sup>13</sup>

#### **Section 95 support for asylum seeking families**

Asylum seekers who would otherwise be destitute can obtain support under Section 95 of the Immigration and Asylum Act 1999 ('the 1999 Act'). Families with children are entitled to this help from the time they arrive in the UK until they are granted refugee status. At this point they become eligible for mainstream benefits and are allowed to work. If they are refused asylum, the family will remain entitled to Section 95 until they leave voluntarily or are forcibly removed.

The amount of financial support under Section 95 depends on a family's household circumstances and the child's age. For example, a family of four would receive £178.44 per week,<sup>14</sup> with their accommodation, utility bills, council tax, household equipment, healthcare and schooling provided.<sup>15</sup> The Home Office system also offers some additional support, for example, a single one-off payment of £300 for maternity costs and additional payments for those under three.<sup>16</sup> Children aged 16 and 17 years old are given support at a similar rate to that of adults.

#### **Section 4 support for some refused asylum seeking families**

If an adult or couple has a child after their asylum claim has been refused but they cannot leave the UK, they may be entitled to Section 4 support if they satisfy extra requirements over and above destitution. In general there has to be a temporary obstacle that prevents them from leaving the UK – for example if they are too sick to travel or if there is no viable route of return.

Under Section 4 they may only live in designated accommodation and instead of cash, they only receive money to cater for essential living needs on a payment card - the 'Azure Card'. This card can only be used at designated retail outlets to purchase food, essential toiletries and other items to the value of £35.39 per person per week. This rate is lower than the Section 95 rate. A family of four would receive £141.56 per week,<sup>17</sup> which is the equivalent of £5 a day per person. Some additional support may be provided, for example a maternity grant of £250, which is lower than for mothers on Section 95.<sup>18</sup>

#### **Numbers of children on asylum support**

Although exact numbers are not available, it is estimated that there are 10,000 children living on asylum support, including almost 800 children on Section 4 support intended for refused asylum seeking adults.<sup>19</sup> Evidence submitted to the inquiry called into question the justification that levels of financial support should be lower because it was a temporary form of support, when in reality families stay on this support for many years. One witness told the panel she had lived on asylum support for seven years.<sup>20</sup>

#### **Asylum support rates over time**

Asylum support levels differ significantly from income support and other mainstream benefit levels.<sup>21</sup> Until 1999, asylum support was set at 90% of income support. Levels of support were reduced to 70% of income support with the justification that asylum seekers in accommodation no longer had to pay utility bills.<sup>22</sup>

This justification was disputed by a number of respondents saying that 'fuel poverty' is defined as expenditure of over 10% of household income on fuel.<sup>23</sup> As Barnardo's points out: '*Those in the mainstream system who have their utility bills covered in their rent arrangements have a standard rate deducted from their payments. The deduction rate for asylum seekers, however, is higher.*'<sup>24</sup>

Given that there is no statutory provision to increase asylum support annually<sup>25</sup>, support has reduced in recent years. While income support payments rose by 5.2% in 2012-13, no increment has been added to asylum support for the current financial year, reducing asylum support levels further in real terms and making it even more difficult for families to survive.<sup>26</sup> (For a comparison of mainstream benefit and asylum support levels, see Appendix D). As one mother stated '*now things are much more expensive, but the money is still the same.*'<sup>27</sup>

## **Evidence of destitution across the UK**

A number of organisations and individuals highlighted evidence of widespread destitution among asylum seeking children and families. The British Red Cross told us that they frequently see families with no support at all. Of the 10,000 destitute refugees and asylum seekers that they assist every year across the UK, 20% are families with small children.<sup>28</sup> The Scottish Refugee Council found that during a week in March 2012, 148 people were destitute in Glasgow, including 11 families with 21 children, five pregnant women and two new mothers.<sup>29</sup> Another survey of refused asylum seekers in Bradford identified 66 individuals as being destitute, of which 15% were dependent children.<sup>30</sup> The Asylum Support Partnership research into destitution in 2009 found that 13% of their destitute clients were people with children. Half of these families had been destitute for over six months and they were most commonly refused asylum seekers.<sup>31</sup>

### **Case study of a mother and her children who slept on the floor<sup>32</sup>**

The Refugee Council worked with a mother Nicole who applied for Section 4 support at the beginning of January 2012 but her application was not accepted until June. During these five months, she and her two children aged six and three were sleeping on the floor of a mosque and surviving on hand-outs from people attending the mosque.

## **Destitution used as a tool?**

In his evidence to the Education Select Committee's recent inquiry into child protection, the former immigration minister stated that '*destitution is very explicitly not used as a tool*' to send a message on immigration control.<sup>33</sup> The Committee questioned this, going on to say that, '*it would be outrageous if destitution were to be used as a weapon against children because of their immigration status.*'<sup>34</sup> Nevertheless, a number of respondents were clear that they believe this is indeed the government's approach. They argued that forcing people into destitution undermines immigration control and should not be used to encourage families to return to their country of origin when it is against the best interests of the child.<sup>35</sup> Others noted that the cashless Section 4 system was '*part of a wider hostile environment to which refused asylum seekers are subjected in an effort to encourage them to return to their country of origin*'<sup>36</sup> and that this approach risks '*producing a generation of disenfranchised youth, non-deportable and yet excluded from citizenship.*'<sup>37</sup>

## **No correlation between support levels and numbers of asylum seekers**

From the information received through this inquiry, the panel strongly believes that there is no evidence that greater levels of support would attract greater numbers of asylum seekers or migrants. There is no correlation between levels of support, permission to work and access to healthcare, and the numbers of asylum applications a country receives.<sup>38</sup> For example, in 1999 when support payments were reduced and vouchers were introduced, asylum applications increased; when cash was reintroduced, the numbers went down steadily for years afterwards.<sup>39</sup> In addition, this policy has done little to increase voluntary returns.<sup>40</sup>

Instead the panel heard that asylum seekers do not make choices about where they end up, and rarely, if ever, do so on the basis of welfare support – they are

often not expecting to receive support at all.<sup>41</sup> One witness explained, *'I have been in the asylum process for seven years...it was not because of a financial problem that I came to the UK. I had never lived in poverty for the whole of my life, not before I became an asylum seeker, living in extreme poverty on £5 a day. It was a really challenging time for me and my family to meet their needs and their expectations.'*<sup>42</sup>

### **Children's rights**

Under the UN Convention on the Rights of the Child (UNCRC), every child has a right to a standard of living adequate for their physical, mental, spiritual, moral and social development as well as a right to play and rehabilitation. According to the UNCRC, the best interests of the child should be a primary consideration in all actions concerning them. This applies to all children in the UK without discrimination of any kind irrespective of their or their parents' nationality or immigration status.<sup>43</sup> A recent judgement by the Supreme Court<sup>44</sup> ruled that the best interests of the child had been translated into domestic law in spirit by Section 55 of the Borders, Citizenship and Immigration Act 2009 – the duty to promote children's welfare. As the Immigration Law Practitioners' Association pointed out, *'The best interests extend beyond mere essential living needs and cover living in a family environment where possible, education, health, and the prohibition of harm both psychological and emotional.'*<sup>45</sup>

However, the inquiry heard evidence highlighting how the best interests of children are not being met by the current support system calling into question whether the Home Secretary is meeting her duty to safeguard and promote the welfare of children subject to immigration control. The British Association of Social Workers told the inquiry that children's rights are not being met by the asylum support system for families.<sup>46</sup> Asylum support should be based on the needs of the child rather than their immigration status.

## **Section Three: How children and families experience asylum support**

### **3.1 Financial support**

#### **A fair, transparent and humane system**

Witnesses told the inquiry that in order to meet its international obligations,<sup>47</sup> the government should develop an equitable, fair and transparent mechanism for assessing needs and setting support rates.

#### **'Humane subsistence level' – German constitutional case**

The German Federal Constitutional Court recently found that the benefit levels paid to asylum seekers in Germany – approximately £175 per month (£6 per day) – were insufficient.<sup>48</sup> The court said that amount did not meet the constitutional stipulation that everybody should be entitled to a 'humane subsistence level'. The court stated that this is a basic right that applies equally to German and foreign citizens, and ordered the German government to immediately increase levels of support to approximately £262 per month (£8 per day). We would urge the UK government to consider this judgement and the recommendation of providing equitable support to those seeking protection from violence and human rights abuses.

#### **Minimum income standards**

A number of witnesses suggested that the government should consider the Joseph Rowntree Foundation's minimum income standards data to ensure that support rates meet the real cost of living.<sup>49</sup> The Minimum Income Standard is based on detailed deliberation by groups of members of the public, who identify the items a household would need in order to reach a minimum acceptable standard of living that allows its members to participate in society. The most recent calculation found that, excluding rent and childcare, a couple with two children would need £454.52 and a lone parent with one child £275.59 per week, in order to meet this standard.<sup>50</sup>

Families fleeing war often arrive in the UK with few possessions,<sup>51</sup> particularly items for the UK climate, and many do not have any family, friends or support networks to rely on in the UK.<sup>52</sup> According to calculations submitted to the inquiry, a single adult requires an absolute minimum of 70% of income support in order to meet essential living costs.<sup>53</sup> This calculation excludes items not generally considered to be essential to avoid absolute poverty, such as provisions for social interaction or additional items asylum seekers might require upon arrival.

Arguably for children to grow, develop and learn effectively, additional resources are required beyond merely food, shelter and clothing. For example, children need resources to support their education, social and physical development. It is estimated that bringing up a child in Britain costs an additional £89 per week for the first child, and an additional £81 for a second child, excluding housing and childcare.<sup>54</sup>

### **Unable to meet essential living needs**

Families on asylum support are unable to afford nutritious food on a regular basis, particularly fresh fruit, meat and vegetables as these items are too expensive.<sup>55</sup> As one mother told the panel, *'I would buy one meal which I will share with my son. My son, is my priority, therefore I will provide his nutritional needs before my own and occasionally starving myself.'*<sup>56</sup> Many families struggle to balance priorities: *'It is not enough money, even to buy warm clothes during the winter season. If we want to buy a jacket or a pair of shoes, we have to sacrifice with our food.'*<sup>57</sup> This is especially striking for families on Section 4 support due to its reduced rates and the use of a cashless system. As one mother said, *'Claire is growing up, winter has come, I need a coat for her, I need warm clothing for her. You can't, you are basically juggling balls.'*<sup>58</sup>

### **Shortfall for 16 and 17-year-olds**

Under the current system a child's support is reduced from £52.96 to £39.80 per week when they reach 16 years old,<sup>59</sup> even though the cost of supporting a young person of this age actually increases. Legally they are still children and, where they do attend education, parents struggle to meet their additional needs, such as books, uniforms and other essentials.<sup>60</sup> Experts agreed that, *'16 and 17 year olds should be treated as dependent children rather than independent adults.'*<sup>61</sup> Where available, they should also be entitled to the same benefits as their peers, such as uniform grants, or the Education Maintenance Allowance in Scotland and Wales.<sup>62</sup>

### **Additional needs and difficulties**

Some families find current levels of support particularly difficult, including pregnant women, lone mothers with young children and children who care for their parents.<sup>63</sup> One local authority said that social workers source prams, buggies, toys and clothes for children because the, *'maternity grant and asylum support levels for babies and toddlers don't match the real cost of raising children.'*<sup>64</sup> Without being able to afford childcare, Home Office reporting requirements can also be difficult for single parents to manage.<sup>65</sup>

### **Case study of premature twins<sup>66</sup>**

Refugee Action recently assisted a family with premature twins supported under Section 4. Unfortunately one of the babies died while in hospital and the other was eventually discharged with extreme health needs including supplementary oxygen. Their needs were not considered when their accommodation was allocated and they had to carry the baby and all his equipment, including heavy oxygen tanks, up and down the stairs to the flat.

The parents also requested a washing machine so that they could wash the baby's clothing without having to leave the flat, but this request was refused. The family has to make regular trips to the hospital with their newborn baby. Without cash on the Azure payment card they often have to walk. The parents have applied for additional payments but have rarely received them on time.

### **Children or parents with disabilities**

It can cost three times more to raise a disabled child<sup>67</sup> and parents may require extra support to help their child access education, health and social activities.<sup>68</sup> However, asylum support does not afford families any standard additional support when a family member has a disability. This means that families are not

entitled to Disability Living Allowance, Carers Allowance or Mobility Allowance and that their health suffers as a result.

### **Case study of a young carer, Riyya<sup>69</sup>**

Riyya was 11 when she and her disabled mother claimed asylum in the UK. Her mother could not walk, so it fell to Riyya to take care of her as well as do all the shopping and cleaning. She often had to take days off school to take her mother to appointments and was asked to interpret for her mother, including by solicitors and doctors.

*'My mum couldn't go [sign in] every single week because of her disability, and if we don't go we can't get the money which meant a lot of the times we didn't have any money...it took around three or four months for them to realise.'*

Her support worker made a number of referrals to children's services and adult social care but they were consistently refused. They tried to register with a number of different GPs but were turned away for being asylum seekers.

*'I felt as if we were wrong, or as if we were not equal.'*

### **Risk of exploitation**

If families are left without support or receive too little support, and are not allowed to work, they are made vulnerable to exploitation and resort to dangerous strategies in order to survive.<sup>70</sup> Refugee Action said that it had supported female clients who have *'engaged in begging, transactional relationships and prostitution in order to access cash to alleviate destitution. While this would be the last resort for any mother, it may be the only way to provide food and accommodation to her child. The safeguarding concerns presented by such a situation are very serious.'*<sup>71</sup> Destitute and homeless women are particularly vulnerable to sexual exploitation.<sup>72</sup> Pregnant women reported being exploited in return for accommodation.<sup>73</sup> Such survival strategies not only put the individuals and their children at risk but also have social and financial consequences for the wider community.<sup>74</sup>

### **Worklessness**

Welfare reform focuses on getting parents into work. However, asylum seeking parents are prevented from working, leaving families dependent on state support. This means that parents are left powerless and lose their skills while children are left without positive role models. A number of submissions and witnesses raised concerns about the impact of worklessness on children's development, educational attainment and aspirations for their future.<sup>75</sup> Dr. Elaine Chase from the University of Oxford told the inquiry that the long-term effect of not being able to work, *'has an impact in terms of self-esteem and self-confidence.'*<sup>76</sup> Other evidence added that it can contribute to poorer mental health, as well as dysfunctional family relations.<sup>77</sup> Families also spoke about how their diminished self-esteem and confidence can be passed on to their children.<sup>78</sup> As a result, children are left without positive role models.

According to submissions, embedding a cycle of worklessness within refugee communities prolongs the poverty and hardship the families face.<sup>79</sup> The government's own research has recognised that delayed entry to the labour market, loss of skills and confidence, and difficulty getting qualifications recognised can cause problems even when status is granted, leading to high



levels of unemployment and under-employment.<sup>80</sup> This approach also risks perpetuating the misconception that asylum seekers are 'milking the system', leading to greater intra-community tension and resentment towards asylum seekers. We find this policy entirely at odds with other government policies aimed at tackling child poverty and encouraging work.

#### **Section 4 support**

We were extremely concerned to hear that hundreds of children continue to receive a lower level of support under Section 4 of the Immigration and Asylum Act 1999 despite the government arguing in court that this is an 'austere regime' of last resort designed for refused asylum seekers.<sup>81</sup> Under this regime, children receive the same basic rate as adults do but much less than other children. One clear example of the inherent discrimination is the different rates provided to families through the maternity grant, to help with costs arising from the birth of a new baby. The maternity grant is worth £500 on Income Support, £300 on Section 95 asylum support and £250 on Section 4 asylum support. However, the costs of having a new baby are the same.

Children on Section 4 support are further disadvantaged because they are not entitled to passported benefits, such as school hardship funds,<sup>82</sup> free school meals or the pupil premium for their schools.

#### **The Azure payment card: making simple things difficult**

Section 4 support is made more difficult because of the Azure payment card. Families can only purchase items in certain designated shops meaning that they cannot get the best value for their money.<sup>83</sup>

Having no cash means that families cannot use public transportation or buy milk from the corner shop. Accommodation should usually be provided within three miles of an affiliated supermarket,<sup>84</sup> however families will still have to walk long distances to buy food, take children to school, attend medical appointments and meet Home Office reporting requirements.

Not being able to carry over more than £5 per week means that saving for larger items such as a winter coat, becomes difficult. Due to illnesses some people miss out on their weekly allowance, which will be removed from the card at the end of each week.

Families reported experiencing frequent technical faults with the card and not being allowed to buy certain items, such as condoms or sanitary towels.<sup>85</sup>

Some families have experienced degrading treatment and racist abuse while using the Azure card, which identifies them as asylum seekers. One woman living on Section 4, who had been trafficked for sexual exploitation when she was young, told the panel how another shopper told her, '*You black monkey, go back to your own country.*'<sup>86</sup>

## **Gaps and delays**

The panel heard from several witnesses and in written submissions how the current support system is characterised by delays and gaps in support leaving families without any income or a place to stay. One local authority told the panel they have raised concerns, *'in relation to the impact that delays in decision making has on the emotional wellbeing of and stability for children and young people.'*<sup>87</sup> Delays can be the result of unnecessarily bureaucratic processes, miscommunication or obstructiveness by individual agency staff.<sup>88</sup> One mother explained, *'Every time a move occurs they stopped weekly allowance for about three or four weeks...so it means that for this period of time I am actually left with no support, no finances at all, which is really difficult sometimes because I have a child who is six years old.'*<sup>89</sup>

### **Case study of a newborn baby**<sup>90</sup>

Mary applied for the maternity grant more than a month before she was due to give birth but only received it two months after the birth. Because she had no money to buy a buggy, or to pay for a taxi, she had to walk home from hospital in the snow with her newborn baby in her arms.

## **Transition from asylum support to mainstream benefits**

The inquiry heard that asylum seeking adults are often most at risk of street homelessness in the first two to three months *after* being granted refugee status. Home Office support only continues for 28 days and it is difficult to secure mainstream support, employment or housing in this time if the UKBA does not deliver the relevant papers.<sup>91</sup> About a third of the cases supported by the British Red Cross are those experiencing significant delays in accessing benefits after they have received some form of leave to remain. It commonly takes six to eight weeks, or in extreme cases up to three months, for benefits to come through.<sup>92</sup> Further evidence warned about the lack of liaison between the UKBA and local authority housing departments when settled status is granted, leading to very unsatisfactory accommodation for children, as well as long delays of up to six months in getting Child Benefit and Child Tax Credit.<sup>93</sup>

## **3.2 Safety and support**

Through requests for written information to local authorities and the Department for Education, the panel gathered information on 18 recent serious case reviews involving refugee, asylum seeking and migrant children and families.<sup>94</sup> Although each case is complex and not all relate to the asylum support system, a number of relevant issues for the inquiry appeared frequently. Issues highlighted by the reviews and by local authorities included the impact of the dispersal policy on families, issues of isolation and unfamiliarity with UK support systems, language barriers, failures by agencies to consistently take into account race, culture and religion, and a lack of access to public funds. Of the local areas that responded, 10 said they had raised safeguarding concerns with the Home Office in relation to children and families on asylum support within the last five years,<sup>95</sup> and 25 raised wider issues with the inquiry. One local authority told the inquiry, *'We have had numbers of asylum seeking, migrant and refugee children subject to child protection plans over the last 5 years and frequently inadequate housing is a contributory factor to the concerns raised. We have issued care proceedings in relation to a number of children from asylum seeking, migrant and refugee families. A frequent contributory factor in such cases has been parental mental*

*ill health and domestic violence.<sup>96</sup> A social work service told the inquiry, 'In most cases there are no parenting concerns and intervention only takes place because of the existence of destitute children.'<sup>97</sup>*

### **Serious case review of Child Z**

#### **Submitted by the London Borough of Croydon**

This serious case review highlighted the inherent flaws of the dispersal system finding that, '*The loss of continuity in medical care was the major factor in Ms A's [mother's] death and the subsequent impact on Child Z. The prime cause was Ms A's and Child Z's frequent moves to different parts of the country as an unintended consequence of UK asylum dispersal policy.*'<sup>98</sup> The UKBA had failed to transmit information about the mother's medical status and mental health to health agencies in the new dispersal area and had not informed her previous providers of her new location.

#### **Lack of information**

The panel heard repeatedly that when asylum seekers arrive in a new area they are not always provided with guidance, support<sup>99</sup> and information about services<sup>100</sup> and may struggle to understand what their rights and entitlements are, particularly when they are communicating in a foreign language.<sup>101</sup> As Refugee Action highlighted, '*The lack of support networks and enforced isolation of asylum seeking families means that they are frequently 'off the radar' of the services that should safeguard the wellbeing of their children.*'<sup>102</sup> Some councils said they were no longer being notified of new families coming into their area<sup>103</sup> while others raised concerns that private providers are not engaging families in local services.<sup>104</sup>

In some cases, asylum seeking families reported being wrongly refused services due to confusion over their rights and entitlements, or discriminatory attitudes.<sup>105</sup> Furthermore, cuts affecting advice services,<sup>106</sup> English classes and interpreting services<sup>107</sup> mean that these problems are likely to become worse.

### **3.3 Health**

There is overwhelming evidence that low income, poor housing, disadvantaged neighbourhoods and parental stress create disadvantages for children in the short and long-term.<sup>108</sup> Poverty is associated with a higher risk of both illness and premature death.<sup>109</sup> Dr. Elaine Chase from the University of Oxford explained the impact of poverty on health: '*...There is increasing evidence of the impact on children's physical health, their mental health, their emotional wellbeing and...their longer term outcomes, from not having enough food to eat, parents going without food, not having a warm coat to wear in the winter, dealing with their day-to-day stress and anxieties of their parents living in poverty and not being able to provide adequately for them...Those day to day feelings of being excluded, not being good enough...have a long term effect on children and young people's wellbeing.*'<sup>110</sup>

Dr. Tony Waterston of the Royal College of Paediatrics and Child Health explained that poverty has an effect at birth, and then throughout childhood, so that, '*by the time they are fifteen or sixteen they have had knock-on effects from about five or six different kinds of problems.*'<sup>111</sup> These problems could range from the issue of low birth weight, which is much higher among children living in poverty, and sudden infant death syndrome to childhood accidents,

speech delay, illnesses such as ear infections, chest infections, pneumonia and asthma, and increased risk-taking behaviour among teenagers.

#### **Case study of a mother on Section 4 support, Ye Xin<sup>112</sup>**

Ye Xin receives Section 4 support and has a young child who suffers regular seizures. On a couple of occasions, Ye Xin had to take her child to accident and emergency late at night. The child was assessed as being fine but they were forced to remain in A&E for the rest of the night as they had no cash to take a bus home. Luckily they were able to call a friend in the morning who could give them a lift home.

#### **Pregnancy, death in childbirth and infant mortality**

The panel were appalled by evidence linking increased infant mortality rates and deaths in pregnancy with inadequate provision of non-cash support, dispersal and gaps in the asylum support system. There is growing evidence of high maternal and infant mortality rates among asylum seekers and in asylum dispersal areas.<sup>113</sup> According to oral evidence and written submissions, refugee and asylum seeking women make up 12% of all maternal deaths, but only 0.3% of the population in the UK.<sup>114</sup> Pregnant asylum seeking women are seven times more likely to develop complications and three times more likely to die during childbirth than the general population.<sup>115</sup> One witness highlighted the high perinatal mortality rates of 12 per 1000 (compared to a national average of 7.6) in the City Hospital Trust area of Birmingham, a key dispersal area.<sup>116</sup>

In the UK, 46% of stillbirths and deaths in the first year are due to low birth weight; there are clear links to malnourishment, poor accommodation and a lack of cash-support, all of which are far more likely to be experienced if you are an asylum seeker.<sup>117</sup> As Refugee Action highlighted, pregnant women who have been refused asylum and are destitute only become eligible for Section 4 support at 34 weeks, which, *'has an effect on their health, eating habits, sleep pattern and stability,*<sup>118</sup> and can mean they are destitute in the early and most risky stages of their pregnancy.<sup>119</sup>

#### **Antenatal monitoring and continuity of health care**

Maternal monitoring helps to identify problems before birth. However, being dispersed to a new area in the late stages of pregnancy means that women lose the continuity of health care and links to their support network. Women on the cashless Section 4 system are particularly at risk and will not always be able to access hospitals. Dr. Jenny Phillimore of the University of Birmingham told the inquiry, *'They have not got the cash to ring up the doctor. They are not attending any of their antenatal appointments...We were finding women who were being dispersed at 38 and 39 weeks of pregnancy...One woman started to go into labour, did not have a midwife, did not know where the hospital was, and it was only the kindness of strangers in the street that got her to hospital... Dispersal breaks the continuity of care.'*<sup>120</sup>

Experts highlighted that some women are so scared of returning to their country of origin that they may avoid contact with statutory agencies altogether, including health services. Professor Heaven Crawley of Swansea University told the panel, *'In one case we came across, a young woman had given birth and had not gone to a GP or even informed a hospital...there was certainly a period when that child was effectively not even registered.'*<sup>121</sup> In the past, restrictions on

access to healthcare have resulted in destitute women being asked to pay for their treatment,<sup>122</sup> adding a further barrier.

### **Taking care of newborns and infants**

Difficulties continue throughout childhood, as living in dirty, damp conditions frequently causes children to be ill, with babies suffering from rashes and chest infections.<sup>123</sup> With limited financial support, particularly on the Azure card, families struggle to buy necessary equipment such as pushchairs and sterilisers for their babies.<sup>124</sup> Written submissions highlighted a range of accommodation problems experienced by mothers which made it difficult to keep their children healthy and safe: *'One had to sterilise her baby's bottle under the hot water tap in a shared toilet because she was not given a steriliser and did not have access to a kitchen where she could have boiled water. One woman complained that her three-year-old daughter had fallen out of bed several times because she had been provided with an adult bed with no bars.'*<sup>125</sup>

### **Additional health needs**

The asylum support system does not adequately recognise the additional requirements, needs and costs faced by families with a child or parent with a disability.<sup>126</sup> One local safeguarding board explained, *'...many families... are struggling with additional challenges in mental health and either parental disability or a child in the family who needs support. Their lives are significantly complex and this core financial support is not sufficient even though the families' housing needs are met by the local authority.'*<sup>127</sup> Elsewhere, *'One of our families was housed in a flat with a fire escape metal stairway with 40 steps. The father was an amputee and at that time did not have a false leg.'*<sup>128</sup>

The insufficient support is particularly concerning for children affected by HIV who need adequate accommodation, clothing and food to maintain their health. According to the National Aids Trust, they are more likely to get ill and to experience interruptions to their treatment if they cannot access high-quality food, clean, dry and warm accommodation and healthcare including transport to clinic appointments.<sup>129</sup> Adherence to treatment is crucial, as HIV medication must be taken at the same time each day. However, this can be adversely affected by poor mental health, dispersal, moving home and barriers to healthcare services.<sup>130</sup>

Women who are HIV-positive should not be breastfeeding, but do not get additional help to pay for formula milk.<sup>131</sup> When one council raised this concern, the UKBA response was that all parents of children under three years old receive an additional payment of £5 per week.<sup>132</sup> The Law Centre Northern Ireland described such additional payments as 'pitiful' as even the one-off £300 payment is insufficient to meet the cost of a baby when cots, baby clothes and sterilising equipment are deducted.<sup>133</sup>

### **Serious case review of Child EG**

#### **Submitted by the London Borough of Westminster**

The serious case review of Child EG involved the death of a mother and her baby son where the baby starved to death.<sup>134</sup> The mother suffered from a rare brain condition linked to her HIV infection leaving her unable to care for her children effectively.

The family had moved home six times in five years, first in the Midlands and then in Westminster. Although this is a complex case, it highlights the serious gap in transition between Home Office support and mainstream benefits, where families who obtain refugee status are cut off from support before an alternative is put in place, leaving them destitute. The requirement *'to actually become homeless before the local authority or Benefits Agency could assist her left [the mother] in an extremely uncertain position.'*<sup>135</sup>

### **3.4 School life**

According to evidence received by the inquiry, the current asylum support system affects children's educational outcomes, preventing them from building resilience and skills and from reaching their own potential.<sup>136</sup> The low levels of financial support mean parents struggle to provide basic educational resources for their children such as books and stationery: *'My son does not have a writing desk and has to do his homework on the floor. I am unable to afford to purchase felt pens and colouring books for him or buy any toys.'*<sup>137</sup> For older children a key problem is the lack of access to computers and similar IT equipment at home, making it difficult for children to complete assigned homework tasks.<sup>138</sup>

Inadequate financial support and frequent moves also mean that families are struggling to provide school uniforms and P.E. kits as children grow or need to change schools.<sup>139</sup> One witness explained that her son had been to four different schools in two years. She was left to navigate the system alone, with no information about how to apply for a school place and her son has missed school because of the length of time it took to secure a place.<sup>140</sup>

Witnesses highlighted that although free school meals ought to be available to all children who need them, some of the most vulnerable children are not eligible. Currently only children on Section 95 support are entitled to receive a free school meal, while those on Section 4 support or those who are completely destitute would only receive one at the school's discretion. The pupil premium is also not available to these children and their schools.

### **3.5 Home life**

For most people the home environment represents the secure foundation of their lives. For children, home remains the primary source of emotional support, material security and secure social relationships.<sup>141</sup> However, for children on asylum support, home life represents a number of challenges.

#### **Low standards of accommodation**

We heard how families are living in poorly maintained, overcrowded accommodation which can be damp, dirty, cold and unsafe;<sup>142</sup> infested with mice, cockroaches and other pests, rotting floorboards and locked windows.<sup>143</sup> One submission characterized this as 'death trap' accommodation.<sup>144</sup> The 'decency standards' applied in the past to local council provision no longer apply,<sup>145</sup> and *'the Statement of Requirements'*<sup>146</sup> *...places little obligation on providers to ensure high quality and appropriate accommodation.'*<sup>147</sup> However, families are often too afraid to complain, in case this will affect their asylum claim.<sup>148</sup>

There is concern that the new private housing providers have little experience of housing vulnerable families. One local authority noted that properties are less well maintained and sometimes lack basic facilities needed for families with young children, such as washing machines.<sup>149</sup> Children and parents have to share bedrooms,<sup>150</sup> or live in flats and hostels with strangers, sharing communal areas.<sup>151</sup>

### **Case study of Amy, sharing accommodation<sup>152</sup>**

Amy is here seeking asylum with her two-year-old daughter. They have been housed with another woman and her teenage daughter. The tension between the two women is so great that Amy does not know the other woman's name. The other woman has complained about Amy's partner visiting every day and says that her teenage daughter, who is being supported by mental health professionals, does not feel safe around men.

However Amy, who is also receiving mental health services, was due to give birth in mid-January and relied on her partner's daytime visits for emotional and practical support, including help with caring for her daughter. Amy is afraid that if she has to move she will lose the important support network she has built up living in the area over the last two years, which will be especially vital once she has her baby.

### **Living in unsafe areas**

Asylum seeking families do not have any choice about where they live. Through written and oral testimony, we repeatedly heard how unsafe families felt in very deprived areas where drug and alcohol misuse was prevalent. One young carer, whose mother is unable to walk, was left to go on her own at age 11 to cash in tokens from the post office every week. She then had to return to her tower block in a highly deprived area in Leeds, with the money on her, often after dark.<sup>153</sup>

### **Racial abuse and attacks**

Other witnesses described how afraid they were to go out.<sup>154</sup> Some had been robbed,<sup>155</sup> and others experienced racial harassment including physical attacks.<sup>156</sup> For some asylum seekers the situation has been so severe that they have been moved because of racist violence: *'I have been moved five times...because I was experiencing harassment every time, and they moved me to worse and worse areas. I never stopped being harassed.'*<sup>157</sup> Worryingly, some asylum seekers find it difficult to ask for help: *'We feel we cannot report anything to the police, because maybe it can impact on our case, so we don't tell anyone.'*<sup>158</sup> One mother told the panel, *'I felt very vulnerable as the police were not on my side to protect me. I believe this happened because I was an asylum seeker.'*<sup>159</sup>

### **House providers: dignity, privacy and attitudes**

The panel was appalled by accounts of demeaning treatment by some housing providers, who enter properties unannounced, frightening parents and their young children. As one single mother explained, *'They obviously have to do some repairs, but their practice is that they can come at any time of the day without even knocking at the door...my child quickly ran upstairs calling 'Mummy, Mummy', I thought something had happened to my child. I came downstairs and there was a man standing in my living room.'*<sup>160</sup>

The panel heard how this problem had affected a Muslim woman: *'...Because of her religion she cannot meet a man on her own...She opened the door and he just came in, and she wasn't wearing what she was supposed to be wearing for her religion.'*<sup>161</sup> A single mother living in hostel accommodation said, *'I have had many occasions when males have had a peek, they have looked at me in the bathroom.'*<sup>162</sup> Further complaints were made about housing providers' treatment of asylum seekers. Two mothers explained that housing providers use threats to intimidate them: *'They say 'if you don't stay at home we will go to the Home Office...'*<sup>163</sup>

### **Dispersal and moves between accommodation**

Under the dispersal policy, asylum accommodation is generally provided outside of London and the South East region: *'Accommodation is only provided in London in unusual circumstances.'*<sup>164</sup> When housing contracts change,<sup>165</sup> asylum seekers are often moved with little choice or time to prepare. While most asylum seekers are moved about two or three times,<sup>166</sup> we were alarmed to hear that some families had experienced far more moves.<sup>167</sup> Not only is this stressful and disruptive to children's education, it takes time for families to find facilities, support and services in each new area.<sup>168</sup>

#### **Case study of a family moved 11 times**<sup>169</sup>

A mother and her four-year-old daughter arrived in the UK in 2007 and claimed asylum at the airport. They spent two weeks in London in three different places, before being taken to Kent where they stayed for a month in temporary accommodation. They were then dispersed to Glasgow where they lived on asylum support for more than four years. During this time, they were moved seven times. The child moved schools three times. The mother's health deteriorated, which had an impact on her daughter. She has lost count of the number of times her daughter moved doctors, schools, teachers and friends. She said: *'We have spent 10 years running from one place to another, from our country to here, from one house to another house. I am tired.'*

We believe that accommodation providers and UKBA should work in partnership with the local authorities, education, health and police services to identify and address the support needs of asylum seeking families and find suitable accommodation in safe areas.<sup>170</sup>

### **3.6 Relationships, family and friends**

A number of factors within the asylum support system impact on family life and relationships between family members. We heard that the enormous pressures of living in poverty, being denied the right to work and the additional stresses of the asylum process, are leading to increases in domestic violence in families seeking asylum.<sup>171</sup> One local authority raised concerns about, *'...women with no recourse to public funds...experiencing domestic abuse in their adult relationship [which] impacts on the children.'*<sup>172</sup> We also heard that families were put under further pressure by being separated from each other.

#### **Case study of a family experiencing enforced separation**<sup>173</sup>

Hamid, Hina and their two children applied for accommodation and were considered eligible. But the UKBA was unable to find accommodation that would



meet Hina's needs as she is disabled. As a result, the family of four was split up. The two daughters, each over 18, were sent to a different city in a different region. One of the daughters had serious mental health issues. By being dispersed she was not only separated from both her parents, but also from the vital therapeutic support she was receiving in London. This put pressure on her sister to care for her. The family experienced flash backs, having witnessed people being tortured and killed. The enforced separation of the family caused additional distress and left the carers isolated.

### **Family separation**

Separating families appears to be a common practice within the asylum support system. We heard how couples are not being housed together, despite the fact they have a child together.<sup>174</sup> Restrictions embedded in the support system mean children are sometimes prevented from building relationships with their fathers. This could be because the father is not an asylum seeker or is not part of the same asylum claim as the mother: *'Requests for children to be accommodated near their fathers are not usually taken into consideration.'*<sup>175</sup> After dispersal, it is difficult for fathers to spend time with their children as there is no flexibility about receiving overnight guests. This adds a layer of bureaucracy for parents without a marriage certificate who wish to be supported together but do not pass the two-year cohabitation requirement.<sup>176</sup>

### **Case study of a father struggling to visit his children<sup>177</sup>**

Waseem lives in Leicester on Section 4 support. His ex-partner lives in Nottingham with their children. The court order granting Waseem visiting rights stated that he must maintain contact with children once a week otherwise he may lose all right to see them. But he does not have any cash support so Refugee Action applied to UKBA to cover the cost of his travel so he can visit his children. UKBA refused to do this, but agreed to relocate Waseem to Nottingham eventually. In the meantime he is struggling to find the means to visit his children and has sought assistance from the British Red Cross and Refugee Action to pay the cost of his train fare to Nottingham. He is very worried that he will lose access to his children because he cannot move closer.

## **3.7 Isolation, integration and societal attitudes**

It is difficult to see how families on asylum support can have regular meaningful engagement in cultural, religious or social activities. Families want to provide their children with a normal life like their peers; however the low levels of financial support make socialising or attending leisure facilities, such as cinemas, concerts or museums unaffordable.<sup>178</sup> As one mother explained, *'I refuse all invitations [to social activities] as I do not want my children to feel like I have let them down.'*<sup>179</sup>

### **Isolation and support networks**

Many asylum seekers do not have a wider social network to provide additional support, especially when they are dispersed or moved by the UKBA: *'I am so far away from my own family which is down south. Because I have been removed and taken six hours away, no one comes to see me.'*<sup>180</sup> With no choice of accommodation, some asylum seekers are unable to attend mosque, church or temple: *'Recently a Sikh family has been housed in a property with no access to a Gurdwara [place of worship], which is causing high levels of anxiety for the*

*whole family.*<sup>181</sup> This lack of social support has a very detrimental impact on mental health,<sup>182</sup> and leaves some vulnerable families completely isolated.<sup>183</sup>

### **Social, professional and institutional attitudes**

All too often public discourse on refugee issues centres around the myths of 'bogus asylum seekers' coming to the UK to 'milk the system'. One witness suggested that it has been easier for policy makers to simply ignore these misconceptions rather than try to correct them.<sup>184</sup> Some segments of the population, including some frontline professionals and statutory agencies, have vastly inaccurate ideas about asylum seekers and the reality of their lives. This has fuelled a hostile reception for many thousands of children and young people, desperate to live in peace and safety. As one young refugee explained, '*...People have ideas that asylum seekers are fake or frauds, and lots of people said those things to me and my mum.*'<sup>185</sup> A parent added, '*We are thought to be the immigrants who want to come and take from people...I am grateful for the things I have been given, but I also want to give back...It is degrading, it is inhuman, it is horrible.*'<sup>186</sup>

At its worst this causes families to experience racist violence, anti-social behaviour, harassment, physical violence and hate crime.<sup>187</sup> The inquiry received evidence documenting reports of eggs thrown at houses, stones thrown at babies and children hounded from school. Evidence details how flats where asylum seekers lived were targeted in arson attacks; in one case a man begged to leave the area after a petrol bomb was thrown through the window of his home. The most extreme form of this violence has been the murder of asylum seekers in cities across the UK.<sup>188</sup>

## **Conclusion**

The asylum support system is in need of urgent reforms if it is to meet its statutory duty to promote the welfare of children and ensure that children's best interests come first. The inquiry found that the levels of support for asylum seeking families are meeting neither children's essential living needs, nor their wider need to learn and develop. The levels are too low and given that they were not increased in 2012 they should be raised as a matter of urgency and increased annually at the very least in line with income support. This inquiry recommends that under certain circumstances the government also gives asylum seekers permission to work as a way of tackling child poverty and improving integration.

The panel found no evidence to suggest that making things difficult for families will make them more likely to leave the UK or discourage anyone from coming here. We question whether maintaining a parallel system under Section 4 aimed at persuading people to leave the UK is a cost effective approach. Given the evidence in this inquiry, we believe that Section 4 should be abolished. Instead all families should be able to get support on Section 95 with up-rated levels of support until they settle in the UK or are able to leave. This would avoid putting children's lives at risk.

What most concerned the panel was the host of problems encountered by children and families in the asylum support system who are moved with no regard to their education, relationships, health or home life. The lack of privacy and respect shown to asylum seekers reflects the pervasive attitude entrenched throughout the asylum support system that this group of children and families are less deserving than others.

We call on the government to improve the situations of asylum seekers in the UK and restore dignified treatment and humane support levels for all.

## **Full list of recommendations**

### **Promoting children's welfare**

1. A children's rights impact assessment should be conducted to ensure that Home Office policy and service providers adhere to the government's obligations under the UNCRC and Section 55 duty of the Borders, Citizenship and Immigration Act 2009.
2. The UKBA should be required to publish an annual report detailing how it has complied with Section 55 of the Borders, Citizenship and Immigration Act 2009 when providing children and their families with asylum support.

### **Financial support**

3. The government should abolish Section 4 support and urgently implement a single cash-based support system for all children and their families who need asylum support while they are in the UK. This should include children who were born after an asylum refusal, to ensure that no child is left destitute.
4. Asylum support for families also provided with accommodation should be aligned with mainstream benefit rates paid for living expenses. Where

accommodation includes utilities (such as heating, lighting and water rates) which would normally be expected to be paid from living expenses, it is appropriate to make some deduction. However, these must be reasonable and comparable to those made from housing benefit where gas, electricity and water bills are covered within rent payments. The rates of support should never fall below 70% of income support.

5. Support should be increased annually and at the very least in line with income support.
6. Permission to work should be granted to asylum seeking parents and young adults if their claim for asylum has not been concluded within six months. Refused asylum seekers who cannot be returned to their country of origin should also be allowed to work.
7. Rates of asylum support for 16 and 17-year-olds should be raised to align them with support for children under 16 as they will still incur costs for travel, food and participation in school trips and activities.
8. Asylum seeking families should be able to access other non contributory disability, children's and educational benefits. This would include free school meals, the pupil premium, Disability Living Allowance, Carers' Allowance, and the Education Maintenance Allowance in Scotland and Wales.
9. When undertaking local needs assessments on child poverty, local authorities should take account of all children, including refugee and asylum seeking children, to develop effective local strategies and policies.

### **Safety and support**

10. Newly dispersed families should be provided with comprehensive, written information in a language which they understand about their rights and entitlements, as well as practical information about services in their areas and where to get support.
11. The UKBA and/or housing providers should notify the relevant local authority when new families are dispersed into the area.

### **Physical and mental health**

12. The government should produce guidelines for health practitioners on the rights and entitlements of asylum seekers.
13. The UKBA should identify additional needs during the support application and take these into account when considering dispersal decisions, for example if there are family members with a disability or if there is a young carer. Accommodation providers should be alerted to these requirements, which should be taken into account if a family is required to move accommodation.
14. The particular needs and additional costs of living for pregnant women, women with small children and families where there is a disability should be taken into account when decisions are made concerning financial

support, accommodation and links to other services, including maternity services.

### **School life**

15. All children who receive asylum support, including those on Section 4 support, should have equal access to nursery placements, free school meals and the pupil premium, given that they are children living in severe poverty.

### **Home life**

16. The government should ensure that asylum seekers' needs for privacy are respected by housing providers, who should not enter properties unannounced.
17. Families should not be moved unnecessarily and the number of moves should be kept to an absolute minimum. If a family must move, sufficient advance notice and support should be given to minimise the disruption to children's education and well-being.
18. Families should not be required to share dispersal accommodation with those to whom they are not related.
19. The government should review contract compliance requirements imposed on housing providers to ensure they are meeting the UKBA's duties under the UNCRC and Section 55 of the Borders, Citizenship and Immigration Act 2009.

### **Relationships, family and friends**

20. Family units should be accommodated together and every effort should be made to ensure that family life is maintained and that every child is able to grow up with both parents as required by the UNCRC.

### **The asylum support process**

21. The Public Accounts Committee should examine the cost efficiency of maintaining three separate sources of support to families in the asylum system under Section 95 and Section 4 of the Immigration and Asylum Act 1999 and Section 17 of the Children Act 1989, including looking at cost implications on mental and physical health and legal services.
22. Families should be given more time, support and access to early legal advice prior to their immigration claim, to facilitate better decision-making.
23. A smoother transition between support systems is needed when asylum seekers are granted refugee status. Families should not be made destitute when asylum support ends and they are waiting for mainstream support to begin.
24. Ministers and the UKBA should work to promote positive relations between refugee and British communities, and a constructive public debate by celebrating and supporting this country's proud tradition of giving sanctuary to those in need of protection.

## **Appendix A: List of witnesses**

Mike Kaye – Advocacy Manager, Still Human Still Here  
Professor Heaven Crawley – Swansea University  
Dr Jenny Phillimore, Institute of Applied Social Studies, University of Birmingham  
Hugo Tristram, Development Officer, Refugee Services – British Red Cross  
Jane – a mother with experience of living on Section 95 support  
Cha – a mother with experience of living on Section 4 support  
Dr Tony Waterston – Institute of Health & Society, Newcastle University and Royal College of Paediatrics and Child Health  
Dr Elaine Chase, Research Officer, Department of Social Policy and Intervention, University of Oxford  
Dave Garrett – Chief Executive, Refugee Action  
Henry St Clair Miller – NRP Network  
Riyya and Nola from The Children’s Society LEAP programme, Leeds  
Three members of the Refugee Women’s Strategy Group, supported by Elaine Connelly, Scottish Refugee Council

## **Appendix B: List of written submissions**

The following list contains the names of organisations and individuals who submitted written evidence:

Association of Directors of Children's Services (ADCS)  
Anonymous asylum seeker supported by the British Red Cross  
Asylum Support Appeals Project (ASAP)  
Asylum Support and Immigration Resource Team (ASIRT)  
Barnardo’s  
British Association of Social Workers (BASW)  
Blackburn with Darwen Council  
British Red Cross  
Centrepont  
Cha Matty  
Cheshire East Council  
The Children’s HIV Association (CHIVA)  
Anonymous health practitioner  
Dr. Jenny Phillimore, University of Birmingham  
Families in Manchester with direct experience of asylum support  
Glasgow City Council Social Work Services  
Immigration Law Practitioners’ Association (ILPA)  
Institute of Race Relations  
John Grayson, South Yorkshire Migration and Asylum Action Group (SYMAAG)  
Joseph Rowntree Foundation  
Katie Bales, PhD Student, Northumbria University  
Kirklees Council  
Law Centre Northern Ireland  
Leicester City Council (Persons From Abroad Team)  
Northern Association of Support Services for Equality & Achievement (NASSEA)  
National AIDS Trust  
North West Regional Strategic Migration Partnership (NWRSMMP)  
Royal College of Paediatrics and Child Health (RCPCH)

Refugee Action  
 Refugee Survival Trust  
 Royal College of Midwives  
 Refugee Women's Strategy Group  
 Scottish Refugee Council  
 Still Human Still Here Coalition  
 Sunderland City Council  
 The Centre for Applied Childhood Studies, University of Huddersfield  
 The Forum (Migrant and Refugee Communities Forum)  
 The Refugee Council  
 Voluntary organizations in Stockton on Tees

## **Appendix C: List of responses to information requests**

The following list contains responses from local authorities, local safeguarding children boards and child protection committees:

|   |   |
|---|---|
| Aberdeen City Council                   | Comhairle nan Eilean Siar                   |
| Aberdeenshire Council                   | Conwy County Borough Council                |
| Anglesey County Council                 | Cornwall Council                            |
| Angus Council                           | Coventry City Council                       |
| Argyll and Bute Council                 | Croydon London Borough                      |
| Barnet London Borough                   | Croydon Safeguarding Children Board         |
| Bath & North East Somerset Council      | Denbighshire County Council                 |
| Bexley London Borough                   | Department for Education                    |
| Bexley Safeguarding Children Board      | Derby City Council                          |
| Birmingham City Council                 | Devon County Council                        |
| Birmingham Safeguarding Children Board  | Doncaster Metropolitan Borough Council      |
| Blackburn with Darwen Borough Council   | Dorset County Council                       |
| Blaenau Gwent County Borough Council    | Dudley Metropolitan Borough Council         |
| Bolton Council                          | Dundee City Council                         |
| Bournemouth Borough Council             | Durham County Council                       |
| Bradford Metropolitan District Council  | Ealing London Borough                       |
| Brent London Borough                    | East Ayrshire Child Protection Committee    |
| Bromley London Borough                  | East Ayrshire Council                       |
| Bury Metropolitan Borough               | East Dunbartonshire Council                 |
| Caerphilly County Borough Council       | East Lothian Council                        |
| Calderdale Metropolitan Borough Council | East Riding of Yorkshire Council            |
| Cambridgeshire County Council           | East Sussex County Council                  |
| Cardiff Council                         | City of Edinburgh Council                   |
| Carmarthenshire County Council          | Enfield London Borough                      |
| Central Bedfordshire Council            | Essex County Council                        |
| Ceredigion County Council               | Falkirk Child Protection Committee          |
| Cheshire East Council                   | Falkirk Council                             |
| Cheshire West and Chester Council       | Flintshire County Council                   |
| City of Edinburgh Council               | Gateshead Council                           |
| City of London                          | Gateshead Local Safeguarding Children Board |
| City of York Council                    | Glasgow City Council                        |
|   | Glasgow Child Protection Committee          |

Gloucestershire County Council  
Greenwich London Borough  
Greenwich Safeguarding Children Board  
Hackney London Borough  
Halton Borough Council  
Hammersmith & Fulham London Borough  
Hampshire County Council  
Haringey London Borough  
Hartlepool Borough Council  
Herefordshire Council  
Hertfordshire County Council  
Highland Council  
Hillingdon London Borough  
Hounslow London Borough  
Isle of Wight Council  
Council of the Isles of Scilly  
Kensington & Chelsea Royal Borough  
Kingston Upon Hull City Council  
Kingston Upon Thames Royal Borough  
Kingston Upon Thames Safeguarding Board  
Kirklees Metropolitan Council  
Knowsley Metropolitan Borough Council  
Lambeth Safeguarding Children Board  
Lancashire County Council  
Leicester City Council  
Leicester Safeguarding Board  
Lewisham London Borough  
Liverpool City Council  
Liverpool Safeguarding Children Board  
Luton Borough Council  
Manchester City Council  
Merthyr Tydfil County Borough Council  
Merton London Borough  
Middlesbrough Council  
Middlesbrough Safeguarding Children Board  
Midlothian Council  
Moray Council  
Neath Port Talbot County Borough  
Newcastle Upon Tyne City Council  
Newport City Council  
Norfolk County Council  
North Ayrshire Council  
North East Lincolnshire Council

North Lincolnshire Council  
North Somerset Council  
North Tyneside Council  
North Yorkshire County Council  
Northumberland County Council  
Oldham Council  
Oxfordshire County Council  
Pembrokeshire County Council  
Perth and Kinross Child Protection Committee  
Peterborough City Council  
Plymouth City Council  
Portsmouth City Council  
Redbridge London Borough  
Redcar & Cleveland Borough Council  
Renfrewshire Council  
Renfrewshire Child Protection Committee  
Rhondda Cynon Taf County Borough Council  
Richmond Upon Thames London Borough  
Richmond Upon Thames Safeguarding Children Board  
Rotherham Metropolitan Borough Council  
Scottish Borders Council  
Sefton Metropolitan Borough Council  
Shropshire Council  
South Gloucestershire Council  
Southampton City Council  
Southwark Safeguarding Children Board  
Southend-on-Sea Borough Council  
St Helens Metropolitan Borough Council  
Staffordshire County Council  
Stirling Council  
Stirling and Clackmannanshire Child Protection Committees  
Stockport Metropolitan Borough Council  
Stockton on Tees Borough Council  
Sunderland City Council  
Sutton London Borough  
Tameside Metropolitan Borough Council  
Torfaen County Borough Council  
Tower Hamlets London Borough  
Vale of Glamorgan Council  
Walsall Metropolitan Borough Council  
Waltham Forest London Borough



Wandsworth Borough Council  
 Warrington Borough Council  
 West Sussex County Council  
 Westminster City Council  
 Westminster, Hammersmith &  
 Fulham, Kensington & Chelsea (Tri-  
 Borough)

West Lothian Child Protection  
 Committee  
 Wiltshire County Council  
 Windsor & Maidenhead Royal  
 Borough  
 Wolverhampton City Council

## Appendix D: Table of asylum support and income support levels

**Table 1: Individual mainstream benefit and asylum support levels for 2012/13**

| Rates per individual                    | Mainstream benefit | Section 95 asylum support |                         | Section 4 asylum support |                         |
|---|--------------------|---------------------------|-------------------------|--------------------------|-------------------------|
|   |                    | Section 95                | % of mainstream benefit | Section 4                | % of mainstream benefit |
| Single adult (18-24)                    | £56.25             | £36.62                    | 65%                     | £35.39                   | 63%                     |
| Single Adult (25+)                      | £71.00             | £36.62                    | 52%                     | £35.39                   | 50%                     |
| Couple (no children)                    | £111.45            | £72.52                    | 65%                     | £70.78                   | 64%                     |
| Couple (children)                       | £128.85            | £72.52                    | 56%                     | £70.78                   | 55%                     |
| Lone Parent                             | £88.40             | £43.94                    | 50%                     | £35.39                   | 40%                     |
| Pregnant woman (25+)                    | £71.00             | £39.62                    | 56%                     | £38.39                   | 54%                     |
| Child under 1 year                      | £64.99             | £57.96                    | 89%                     | £40.39                   | 62%                     |
| Child 1-3 years                         | £64.99             | £55.96                    | 86%                     | £38.39                   | 59%                     |
| Child 4-15 years                        | £64.99             | £52.96                    | 81%                     | £35.39                   | 54%                     |
| Child 16-17 years                       | £64.99             | £39.80                    | 61%                     | £35.39                   | 54%                     |
| Disabled child (additional)             | £56.63             | £0.00                     | 0%                      | £0.00                    | 0%                      |
| Single disabled adult (additional)      | £30.35             | £0.00                     | 0%                      | £0.00                    | 0%                      |
| Couple with disabled adult (additional) | £43.25             | £0.00                     | 0%                      | £0.00                    | 0%                      |

**Table 2: Household mainstream benefit and asylum support levels for 2012/13**

| Rates per household type <sup>iii</sup>   | Mainstream benefit | Poverty threshold AHC <sup>i</sup> | Section 95 | % of mainstream benefit | % of poverty threshold AHC <sup>i</sup> | Section 4 <sup>iv</sup> | % of mainstream benefit | % of poverty threshold AHC <sup>i</sup> |
|---|--------------------|------------------------------------|------------|-------------------------|---|-------------------------|-------------------------|---|
| Lone parent, one child aged 16  | £153.39            | £226.80                            | £83.74     | 55%                     | 37%                                     | £70.78                  | 46%                     | 31%                                     |
| Lone parent, one child aged 10  | £153.39            | £176.90                            | £96.90     | 63%                     | 55%                                     | £70.78                  | 46%                     | 40%                                     |
| Lone parent, one child aged 6 months  | £153.39            | £176.90                            | £107.67    | 70%                     | 61%                                     | £75.78                  | 49%                     | 43%                                     |
| Couple, one child aged 16   | £193.84            | £322.06                            | £112.32    | 58%                     | 35%                                     | £106.17                 | 55%                     | 33%                                     |
| Couple, one child aged 10   | £193.84            | £272.16                            | £125.48    | 65%                     | 46%                                     | £106.17                 | 55%                     | 39%                                     |
| Couple, one child aged 6 months   | £193.84            | £272.16                            | £136.25    | 70%                     | 50%                                     | £111.17                 | 57%                     | 41%                                     |
| Lone parent, one disabled child aged 10 (mid rate care under income support <sup>ii</sup> )     | £261.87            | £176.90                            | £96.90     | 37%                     | 55%                                     | £70.78                  | 27%                     | 40%                                     |
| Lone disabled parent with one child aged 10 (mid rate care under income support <sup>ii</sup> ) | £291.59            | £176.90                            | £96.90     | 33%                     | 55%                                     | £70.78                  | 24%                     | 40%                                     |
| Couple, one disabled child aged 10 (mid rate care under income support <sup>ii</sup> )          | £302.32            | £272.16                            | £125.48    | 42%                     | 46%                                     | £106.17                 | 35%                     | 39%                                     |

**Notes**

- i. After housing costs
- ii. Under the mainstream system households where there is a member of the family with a disability will receive additional payments – for example Disability Living Allowance and the Severe Disability Premium. These rates will depend on the particular support needs and are only indicative of the kind of variance that exists between the mainstream and asylum support systems.
- iii. These rates do not include the one-off maternity grants that families may receive: £500 under mainstream benefits, £300 under Section 95 and £250 under Section 4.
- iv. Section 4 rates include additional payments for under three year olds but do not include extra payments such as the children's clothing allowance that families may request separately.

## Endnotes

- <sup>1</sup> Serious Case Review of Child EG from Westminster City Council (April 2012): <http://www.westminster.gov.uk/services/healthandsocialcare/familycare/safeguardingchildren/serious-case-reviews>
- <sup>2</sup> Support for refused asylum seekers under Section 4 of the Immigration and Asylum Act 1999 is generally provided to families where children are born after an asylum claim has been refused or where they have not been supported by the Home Office previously, but cannot leave the UK. The rates of support for children are the same as for adults at £35.39 with some additional payments for young children. There is no cash and the support is provided in the form of a payment card. Families are generally housed in hostels.
- <sup>3</sup> Dr. Jenny Phillimore, University of Birmingham, Evidence Session 1, 20 November 2012
- <sup>4</sup> Home Office (2010) Spotlight on Refugee Integration: Findings from the Survey of New Refugees in the United Kingdom, Research Report 37 referenced by Refugee Action, Written Evidence Submission
- <sup>5</sup> Section 55 of the Borders, Citizenship and Immigration Act 2009 statutory guidance: Every Child Matters - Change for Children
- <sup>6</sup> Mike Kaye, Still Human Still Here, Evidence Session 1, 20 November 2012
- <sup>7</sup> Section 55 of the Borders, Citizenship and Immigration Act 2009 statutory guidance: Every Child Matters - Change for Children.
- <sup>8</sup> This generally refers to the subsistence and accommodation provided to those seeking asylum in the UK, or those who have been refused asylum, who are destitute. This was previously known as 'NASS', the National Asylum Support Service, and is now more commonly referred to as 'Section 95' and 'Section 4' support. The legal framework for asylum support is set out in the Immigration and Asylum Act 1999.
- <sup>9</sup> Of the 21 witnesses, one young person and five parents gave oral evidence to the panel in parliament and five contributed evidence through a project visit in Leeds.
- <sup>10</sup> Targeted letters were sent to local authorities across England, Scotland and Wales, Child Protection Committees in Scotland and selected independent safeguarding boards in London and areas in England to which many asylum seekers are dispersed. The recipients were asked if they had raised safeguarding concerns in relation to asylum support with the Home Office in the last five years in relation to the asylum support system. They were also asked to submit serious case reviews involving children and families who were asylum seekers, refused asylum seekers, refugees or migrants.
- <sup>11</sup> Full written evidence submissions and transcripts from the evidence sessions are available at: <http://www.childrenssociety.org.uk/parliamentary-inquiry-asylum-support-children>
- <sup>12</sup> Mark Harper MP in correspondence to Sarah Teather MP, 28 November 2012
- <sup>13</sup> In some cases children and families may be eligible for local authority support under Section 21 of the National Assistance Act 1948 or under Section 17 of the Children Act 1989.
- <sup>14</sup> Where the family consists of a qualifying couple and two children under 16 years of age.
- <sup>15</sup> Mark Harper MP in correspondence to Sarah Teather MP, 28 November 2012
- <sup>16</sup> Ibid.
- <sup>17</sup> Mark Harper MP in correspondence to Sarah Teather MP, 28 November 2012
- <sup>18</sup> Ibid.
- <sup>19</sup> A recent parliamentary question revealed that there were 20,894 asylum seekers in receipt of Section 95 support at the end of 2011 and we estimate that half of these are children - see HL Deb, 19 June 2012, c281W. A further question showed there were 779 dependent children under 18 in receipt of Section 4 support in April 2012 - see HL Deb, 21 June 2012, c311W.
- <sup>20</sup> Ahlam, Member of the Refugee Women's Strategy Group, supported by the Scottish Refugee Council, Evidence Session 3, 19 December 2012
- <sup>21</sup> Immigration Law Practitioners' Association (ILPA), Written Evidence Submission.
- <sup>22</sup> Still Human Still Here, Written Evidence Submission
- <sup>23</sup> Refugee Action, Written Evidence Submission
- <sup>24</sup> Barnardo's, Written Evidence Submission
- <sup>25</sup> Commons Oral Answers, 7 January 2013
- <sup>26</sup> Still Human Still Here, Written Evidence Submission
- <sup>27</sup> Mubina, Member of the Refugee Women's Strategy Group, supported by the Scottish Refugee Council, Evidence Session 3, 19 December 2012
- <sup>28</sup> British Red Cross, Written Evidence Submission
- <sup>29</sup> Gillespie, M. (2012) Trapped: Destitution and Asylum in Scotland mentioned by Elaine Connelly, Scottish Refugee Council, Evidence Session 3, 19 December 2012
- <sup>30</sup> Destitution Concern Bradford, (August 2012) No Return No Asylum: The extent and impact of destitution amongst asylum seekers in Bradford (survey carried out between 11 June and 13 July 2012), highlighted in Still Human Still Here, Written Evidence Submission
- <sup>31</sup> The Second Destitution Tally (2009) Asylum Support Partnership, referenced in Refugee Action, Written Evidence Submission
- <sup>32</sup> Name has been changed, The Refugee Council, Written Evidence Submission
- <sup>33</sup> Damien Green MP, Oral evidence on destitution among asylum seeking and migrant children to the Education Select Committee
- <sup>34</sup> Education Committee (7 November 2012) Children First: The Child Protection System in England. Publication of the Committee's Fourth Report of Session 2012-13 <http://www.parliament.uk/business/committees/committees-a-z/commons-select/education-committee/news/substantive-children-first/>
- <sup>35</sup> Glasgow City Council, Letter to Sarah Teather MP in response to information request

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- <sup>36</sup> Refugee Action, Written Evidence Submission
- <sup>37</sup> Asylum Support and Immigration Resource Team, Birmingham (ASIRT) Written Evidence Submission
- <sup>38</sup> Hatton, T (2011) Seeking Asylum: Trends and policies in the OECD, Centre for Economic Policy Research, 2011, referenced in Still Human Still Here, Written Evidence Submission
- <sup>39</sup> Mike Kaye, Still Human Still Here, Evidence Session 1, 20 November 2012
- <sup>40</sup> Mulvey, G (2009) Even among asylum seekers we are the lowest: Life on Section 4 Support in Glasgow, referenced in Katie Bales, Written Evidence Submission
- <sup>41</sup> Crawley, H (2010) *Chance or Choice? Understanding why asylum seekers come to the UK*, London: Refugee Council; Robinson V and Segrott J (2002) Understanding the decision making of asylum seekers. Home Office, available at: <http://webarchive.nationalarchives.gov.uk/20110218135832/http://rds.homeoffice.gov.uk/rds/pdfs2/hors243.pdf>, referenced by Prof. Heaven Crawley, Evidence Session 1, 20 November 2012
- <sup>42</sup> Ahlam, Member of the Refugee Women's Strategy Group, supported by the Scottish Refugee Council, Evidence Session 3, 19 December 2012
- <sup>43</sup> Blackburn with Darwen Council, Written Evidence Submission
- <sup>44</sup> ZH (Tanzania) v Secretary of State for the Home Department [2011] UKSC 4.
- <sup>45</sup> Article 3 and Article 2 of the UNCRC, Immigration Law Practitioners' Association (ILPA), Written Evidence Submission
- <sup>46</sup> BASW, Written Evidence Submission
- <sup>47</sup> Evidence referred to the EU Reception Directive and the International Covenant on Economic, Cultural and Social Rights 1966, ratified by the UK on 20 May 1976.
- <sup>48</sup> 1 BvL 10/10, 1 BvL 2/11.
- <sup>49</sup> Refugee Action, Written Evidence Submission
- <sup>50</sup> Davis, A., Hirsch, D. and Smith, N, Beckhelling, J and Padley, M. (2012) A Minimum Income Standard for the UK in 2012 <http://www.jrf.org.uk/sites/files/jrf/minimum-income-standard-2009-full.pdf>, referenced in Joseph Rowntree Foundation, Written Evidence Submission
- <sup>51</sup> Mike Kaye, Still Human Still Here, Evidence Session 1, 20 November 2012
- <sup>52</sup> Refugee Action, Written Evidence Submission
- <sup>53</sup> Still Human Still Here, 2012, Supplementary information for the Inquiry: Seeking to cost essential living needs from a basket of basic goods
- <sup>54</sup> Hirsch D.; Sutton, L.; Beckhelling, J. (2012) The cost of a child in the 21<sup>st</sup> century, referenced in Joseph Rowntree Foundation, Written Evidence Submission
- <sup>55</sup> Refugee Women's Strategy Group, Written Evidence Submission
- <sup>56</sup> Mother living on Section 95 Support, Written Evidence Submission
- <sup>57</sup> Mubina, Member of the Refugee Women's Strategy Group, supported by the Scottish Refugee Council, Evidence Session 3, 19 December 2012
- <sup>58</sup> Mother with experience of living on Section 4 support, Evidence Session 1, 20 November 2012. Claire is not the daughter's real name.
- <sup>59</sup> This only applies to children on Section 95 support as those on Section 4 are already on the same lower base level as adults
- <sup>60</sup> Refugee Women's Strategy Group, Written Evidence Submission
- <sup>61</sup> The Centre for Applied Childhood Studies, University of Huddersfield, Written Evidence Submission
- <sup>62</sup> Mubina, Member of the Refugee Women's Strategy Group, supported by the Scottish Refugee Council, Evidence Session 3, 19 December 2012
- <sup>63</sup> Dr. Elaine Chase, University of Oxford, Evidence Session 2, 27 November 2012
- <sup>64</sup> Glasgow City Council Social Work Service, Written Evidence Submission
- <sup>65</sup> North West Regional Strategic Migration Partnership (NWRSM), Written Evidence Submission
- <sup>66</sup> Refugee Action, Written Evidence Submission
- <sup>67</sup> Contact a Family (2012) Counting the costs 2012: the financial reality for families with disabled children across the UK, referenced in Law Centre Northern Ireland, Written Evidence Submission
- <sup>68</sup> Immigration Law Practitioners' Association (ILPA), Written Evidence Submission
- <sup>69</sup> Name has been changed, Riyya and Nola, The Children's Society, Evidence Session 2, 27 November 2012
- <sup>70</sup> Ahlam, Member of the Refugee Women's Strategy Group, supported by the Scottish Refugee Council, Evidence Session 3, 19 December 2012
- <sup>71</sup> Refugee Action, Written Evidence Submission
- <sup>72</sup> Asylum Support and Immigration Resource Team, Birmingham (ASIRT) Written Evidence Submission
- <sup>73</sup> Glasgow City Council Social Work Service, Written Evidence Submission
- <sup>74</sup> Still Human Still Here, Written Evidence Submission
- <sup>75</sup> DWP and DfE (2011) A New Approach to Child Poverty: Tackling the Causes of Disadvantage and Transforming Families' Lives, Available at: <https://www.education.gov.uk/publications/eOrderingDownload/CM-8061.pdf> in Refugee Action, Written Evidence Submission; Mubina, Member of the Refugee Women Strategy Group, supported by the Scottish Refugee Council, Evidence Session 3, 19 December 2012
- <sup>76</sup> Dr. Elaine Chase, University of Oxford, Evidence Session 2, 27 November 2012
- <sup>77</sup> Asylum Support and Immigration Resource Team, Birmingham (ASIRT) Written Evidence Submission
- <sup>78</sup> Refugee Women's Strategy Group, Written Evidence Submission
- <sup>79</sup> Refugee Women's Strategy Group, Written Evidence Submission
- <sup>80</sup> Home Office (2010) Spotlight on Refugee Integration: Findings from the Survey of New Refugees in the United Kingdom, Research Report 37, Refugee Action, Written Evidence Submission
- <sup>81</sup> R (VC and others) v Newcastle CC [2011] EWHC 2673 (Admin)
- <sup>82</sup> Law Centre Northern Ireland, Written Evidence Submission

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- <sup>83</sup> Mike Kaye, Still Human Still Here, Evidence Session 1, 20 November 2012
- <sup>84</sup> As set out in Asylum Support Briefing included in correspondence from Mark Harper MP to Sarah Teather MP, 28 November 2012
- <sup>85</sup> Meriem, Member of the Refugee Women's Strategy Group, supported by the Scottish Refugee Council, Evidence Session 3, 19 December 2012
- <sup>86</sup> Note from panel visit to LEAP Programme in Leeds, 4 December 2012
- <sup>87</sup> Waltham Forest London Borough, Letter to Sarah Teather MP in response to information request
- <sup>88</sup> British Red Cross, Written Evidence Submission
- <sup>89</sup> A mother with experience of living on Section 95 support, Evidence Session 1, 20 November 2012
- <sup>90</sup> \*Name has been changed, The Refugee Council, Written Evidence Submission
- <sup>91</sup> Refugee Action, Written Evidence Submission
- <sup>92</sup> British Red Cross, Written Evidence Submission
- <sup>93</sup> Voluntary organisations, Stockton-on-Tees, Written Evidence Submission
- <sup>94</sup> Selected local areas were asked whether they had raised any safeguarding concerns with the Home Office in the last five years in relation to the asylum support provided to asylum seeking, refused asylum seeking or refugee children and families within their area, and to supply any relevant serious case reviews (SCRs). Thirteen SCRs were submitted from Birmingham (two SCRs met the criteria), Brent, Coventry, Croydon, Gloucestershire, Hackney, Hounslow, Leicester, Manchester, Sunderland, Tower Hamlets and Westminster. The Department for Education identified a further six relevant serious case reviews (SCRs) in Ealing, Leeds, North Tyneside, Sandwell, Warwickshire and an additional case in Manchester.
- <sup>95</sup> Anglesey, Blackburn with Darwen, Brent, Cheshire East, Cornwall, Glasgow City, Rotherham, as well as the Westminster, Hammersmith and Fulham, Kensington and Chelsea (Tri-Borough).
- <sup>96</sup> Barnet London Borough, Letter to Sarah Teather MP in response to information request
- <sup>97</sup> Glasgow City Council Social Work Service, Written Evidence Submission
- <sup>98</sup> Serious Case Review of Child Z from Croydon Council (2010):  
<http://www.croydon.gov.uk/contents/departments/healthsocial/pdf/1028604/scr-execsummary>
- <sup>99</sup> A mother with experience of living on Section 95 support, Evidence Session 1, 20 November 2012
- <sup>100</sup> Dr. Jenny Phillimore, Evidence Session 1, 20 November 2012
- <sup>101</sup> The Northern Association of Support Services for Equality and Achievement (NASSEA), Written Evidence Submission
- <sup>102</sup> Refugee Action, Written Evidence Submission
- <sup>103</sup> Kirklees Council, Written Evidence Submission
- <sup>104</sup> Blackburn with Darwen, Written Evidence Submission
- <sup>105</sup> Asylum Support and Immigration Resource Team, Birmingham (ASIRT) Written Evidence Submission; North West Regional Strategic Migration Partnership (NWRSMPP), Written Evidence Submission; Mother living on Section 95 support, Written Evidence Submission
- <sup>106</sup> Dave Garrett, Refugee Action, Evidence Session 2, 27 November 2012
- <sup>107</sup> Voluntary organisations in Stockton-on-Tees, Written Evidence Submission
- <sup>108</sup> Joseph Rowntree Foundation (2009); Estimating the costs of child poverty  
<http://www.jrf.org.uk/publications/estimating-costs-child-poverty>, referenced in Asylum Support and Immigration Resource Team, Birmingham (ASIRT), Written Evidence Submission
- <sup>109</sup> Refugee Action, Written Evidence Submission
- <sup>110</sup> Dr. Elaine Chase, University of Oxford, Evidence Session 2, 27 November 2012
- <sup>111</sup> Dr Tony Waterston, Royal College of Paediatrics and Child Health, Evidence Session 2, 27 November 2012
- <sup>112</sup> Name has been changed, Refugee Action, Written Evidence Submission
- <sup>113</sup> Francis, A; Elsheikh, A; and Gardesi, J. (2009) Still births, infant deaths and social deprivation in the West Midlands 1997 to 2007/8s. Birmingham: Perinatal Institute, referenced in Dr. Jenny Phillimore, Written Evidence Submission
- <sup>114</sup> Lewis, G. (2007) The Confidential Enquiry into Maternal and Child Health (CEMACH). Saving Mothers' Lives: reviewing maternal deaths to make motherhood safer, 2003-2005. The Seventh Report on Confidential Enquiries into Maternal Deaths in the United Kingdom. London: CEMACH, referenced in Dr. Jenny Phillimore, Written Evidence Submission
- <sup>115</sup> Quoted in Faculty for Public Health (2008) The health needs of asylum seekers, referenced in Still Human Still Here, Written Evidence Submission
- <sup>116</sup> Perinatal Institute for Maternal and Child Health (2010) Fourth report of the IfH 2c perinatal data collection programme. Perinatal Institute: Birmingham referenced in Dr. Jenny Phillimore, Written Evidence Submission
- <sup>117</sup> Dr. Jenny Phillimore, University of Birmingham, Evidence Session 1, 20 November 2012
- <sup>118</sup> Asylum Support Appeals Project (ASAP), Written Evidence Submission
- <sup>119</sup> Refugee Action, Written Evidence Submission
- <sup>120</sup> Dr. Jenny Phillimore, University of Birmingham, Evidence Session 1, 20 November 2012
- <sup>121</sup> Prof. Heaven Crawley, Evidence Session 1, 20 November 2012
- <sup>122</sup> British Red Cross, Written Evidence Submission
- <sup>123</sup> Dr. Jenny Phillimore, University of Birmingham, Evidence Session 1, 20 November 2012
- <sup>124</sup> Dr. Jenny Phillimore, University of Birmingham, Evidence Session 1, 20 November 2012
- <sup>125</sup> The Refugee Council, Written Evidence Submission
- <sup>126</sup> Hugo Tristram, British Red Cross, Evidence Session 1, 20 November 2012
- <sup>127</sup> Southwark Safeguarding Children Board, Letter to Sarah Teather MP in response to information request
- <sup>128</sup> Blackburn with Darwen Council, Written Evidence Submission
- <sup>129</sup> National AIDS Trust, Written Evidence Submission
- <sup>130</sup> Children's HIV Association, Written Evidence Submission

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- <sup>131</sup> Dr. Jenny Phillimore, University of Birmingham, Evidence Session 1, 20 November 2012
- <sup>132</sup> Glasgow City Council, Written Evidence Submission
- <sup>133</sup> Law Centre Northern Ireland, Written Evidence Submission
- <sup>134</sup> Serious Case Review of Child EG from Westminster City Council (April 2012):  
<http://www.westminster.gov.uk/services/healthandsocialcare/familycare/safeguardingchildren/serious-case-reviews>
- <sup>135</sup> Still Human Still Here, Written Evidence Submission
- <sup>136</sup> British Red Cross, Written Evidence Submission
- <sup>137</sup> Mother living on Section 95 support, Written Evidence Submission
- <sup>138</sup> Asylum Support and Immigration Resource Team, Birmingham (ASIRT) Written Evidence Submission
- <sup>139</sup> Blackburn with Darwen Council, Written Evidence Submission
- <sup>140</sup> Mother with experience of Section 95 Support, Evidence Session 1, 20 November 2012
- <sup>141</sup> Ridge, T. (2010) Department for Work and Pensions Research Report No 594 Living with poverty - A review of the literature on children's and families' experiences of poverty  
<http://research.dwp.gov.uk/asd/asd5/rports2009-2010/rrep594.pdf> referenced in Asylum Support and Immigration Resource Team, Birmingham (ASIRT) Written Evidence Submission
- <sup>142</sup> British Red Cross, Written Evidence Submission
- <sup>143</sup> John Grayson, SYMAAG, Written Evidence Submission
- <sup>144</sup> Institute for Race Relations (IRR), Written Evidence Submission
- <sup>145</sup> The Housing Act 2004 (and guidance issued by the Department for Communities and Local Government DCLG) requires that all homes must be healthy and safe. This is assessed by the Housing Health and Safety Rating System (HHSRS). It applies to all housing whether rented or owner occupied, family homes or houses in multiple occupation. Reference in John Grayson, SYMAAG, Written Evidence Submission.
- <sup>146</sup> The Statement of Requirements for each contract are available via the Home Office website:  
<http://www.ukba.homeoffice.gov.uk/aboutus/workingwithus/workingwithasylum/compassprogramme/>
- <sup>147</sup> Refugee Action, Written Evidence Submission
- <sup>148</sup> Northern Association of Support Services for Equality & Achievement (NASSEA), Written Evidence Submission
- <sup>149</sup> Kirklees Council, Written Evidence Submission
- <sup>150</sup> Mother with experience of living on Section 95 support, Evidence Session 1, 20 November 2012
- <sup>151</sup> Mother with experience of living on Section 4 support, Evidence Session 1, 20 November 2012
- <sup>152</sup> Names have been changed, The Refugee Council, Written Evidence Submission
- <sup>153</sup> Nola Pugh, The Children's Society, Evidence Session 2, 27 November 2012
- <sup>154</sup> Mubina, Member of the Refugee Women's Strategy Group, supported by the Scottish Refugee Council, Evidence Session 3, 19 December 2012
- <sup>155</sup> 3 families in Manchester with direct experience of asylum support, Written Evidence Submission
- <sup>156</sup> Meriem, Member of the Refugee Women's Strategy Group, supported by the Scottish Refugee Council, Evidence Session 3, 19 December 2012
- <sup>157</sup> Institute for Race Relations (IRR), Written Evidence Submission
- <sup>158</sup> Ahlam, Member of the Refugee Women's Strategy Group, supported by the Scottish Refugee Council, Evidence Session 3, 19 December 2012
- <sup>159</sup> Mother living on Section 95 support, Written Evidence Submission
- <sup>160</sup> Mother with experience of living on Section 95 support, Evidence Session 1, 20 November 2012
- <sup>161</sup> Ahlam, Member of the Refugee Women's Strategy Group, supported by the Scottish Refugee Council, Evidence Session 3, 19 December 2012
- <sup>162</sup> Mother with experience of living on Section 4 support, Evidence Session 1, 20 November 2012
- <sup>163</sup> Mubina and Ahlam, Member of the Refugee Women's Strategy Group, supported by the Scottish Refugee Council, Evidence Session 3, 19 December 2012
- <sup>164</sup> As set out in Asylum Support Briefing included in correspondence from Mark Harper MP to Sarah Teather MP, 28 November 2012
- <sup>165</sup> Hugo Tristram, British Red Cross, Evidence Session 1, 20 November 2012
- <sup>166</sup> Northern Association of Support Services for Equality & Achievement (NASSEA), Written Evidence Submission
- <sup>167</sup> Law Centre Northern Ireland, Written Evidence Submission
- <sup>168</sup> Mother living on Section 95 Support, Written Evidence Submission
- <sup>169</sup> \*Names have been changed, Refugee Women's Strategy Group, Written Evidence Submission
- <sup>170</sup> Glasgow City Council Social Work Service, Written Evidence Submission
- <sup>171</sup> Dr. Jenny Phillimore, University of Birmingham, Evidence Session 1, 20 November 2012
- <sup>172</sup> Bournemouth Borough Council, Letter to Sarah Teather MP in response to information request
- <sup>173</sup> \*Names have been changed, The Refugee Council, Written Evidence Submission
- <sup>174</sup> Dave Garrett, Refugee Action, Evidence Session 2, 27 November 2012
- <sup>175</sup> The Refugee Council, Written Evidence Submission
- <sup>176</sup> Refugee Action, Written Evidence Submission
- <sup>177</sup> Names have been changed, Refugee Action, Written Evidence Submission
- <sup>178</sup> Northern Association of Support Services for Equality & Achievement (NASSEA), Written Evidence Submission
- <sup>179</sup> Anonymous submission from an asylum seeker in receipt of section 4 support
- <sup>180</sup> Mother with experience of Section 4 support, Evidence Session 1, 20 November 2012
- <sup>181</sup> Blackburn with Darwen Council, Written Evidence Submission
- <sup>182</sup> Dr. Tony Waterston, Royal College of Paediatrics and Child Health, Evidence Session 2, 27 November 2012

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<sup>183</sup> Dr. Jenny Phillimore, Evidence Session 1, 20 November 2012

<sup>184</sup> Mike Kaye, Still Human Still Here, Evidence Session 1, 20 November 2012

<sup>185</sup> Riyya, supported by The Children's Society, Evidence Session 2, 27 November 2012

<sup>186</sup> Mother with experience of Section 4 support, Evidence Session 1, 20 November 2012

<sup>187</sup> Northern Association of Support Services for Equality & Achievement (NASSEA), Written Evidence Submission

<sup>188</sup> Institute for Race Relations (IRR), Written Evidence Submission



## The Children's Society

The Children's Society started its work with young refugees in 1997 when many young people seeking asylum came to our services having experienced severe mental health difficulties and homelessness. Today we work with almost 2000 young refugees and migrants each year through eight specialist centres across England as well as through children's centres and other mainstream services.

Through our campaigns and research, we seek to influence policy and perceptions at all levels so that every child has a decent start to life and that their best interests are central to the decisions made about them.

To find out more about our work with asylum and refugee children, visit:

<http://www.childrenssociety.org.uk/policy>

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