



Breaking the Chains Project

Interim Evaluation
Report - Year 2

Dr Rachel Alsop
June 2021



Introduction

This report is an evaluation of Year 2 of the *Breaking the Chains* project and builds on the findings of the first-year evaluation report.

The second year of the project spans the period from March 2020 until March 2021, and thus begins just as the UK entered into its first period of lockdown in response to the coronavirus pandemic. As this report will demonstrate, the pandemic and related restrictions have informed the second year in ways that could not have been foreseen at the start of the project, and have fundamentally shaped the course of Year 2.

The Project

Breaking the Chains is a partnership project run by the Migrant and Refugee Children's Legal Unit (MiCLU) at Islington Law Centre and Shpresa Programme, a registered charity and refugee community group working with the Albanian speaking community in London. Funded by the Paul Hamlyn Foundation (PHF) and Reaching Communities, the project started in March 2019.¹ The overall objective of the project is to improve the legal representation of, and outcomes for, Albanian speaking children and young people in the UK asylum system.

Specifically, the project aims to:

- Provide high quality legal advice and representation to Albanian speaking children and young people
- Develop and deliver the 'Immigration Champions' training programme (to increase engagement from hard-to-reach children and young people, ensure their voices inform the development and implementation of the *Breaking the Chains* project, and enable peer-to-peer dissemination of learning)
- Develop and deliver a 3-module training programme on the asylum system to Albanian speaking children and young people accessing Shpresa
- Provide advice sessions to children and young people at Shpresa concerned about their asylum claims
- Establish tailored programme for Shpresa staff on asylum-related legal issues
- Develop child/youth-friendly materials
- Share learning from the project via public events

Methods of Evaluation

The findings in this report are based on qualitative research conducted by:

A) The evaluator:

¹ The Paul Hamlyn Funding is for 3 years until March 2022, the more recent Reaching Communities Lottery funding runs until October 2024

- Focus group discussion with 12 Immigration Champions
- Interviews with 4 key members of staff from the *Breaking the Chains* project (from MiCLU and Shpresa)
- Interviews with 2 befriending volunteers²
- Interview with 2 experts
- Participation in dissemination events (for example Refugee Week event June 2020)
- Evaluation of training materials

All interviews and focus groups were conducted online, and with the consent of participants recorded and transcribed.

B) Peer-led research. The evaluator worked with a group of Immigration Champions to facilitate a focus group led by the Immigration Champions (referred to in the report as IC-led Focus Group). This included:

- 2 research training sessions with 12 Immigration Champions led by the evaluator³
- 1 focus group discussion led by 10 Immigration Champions from the Breaking the Chains project interviewing 3 members of the Breaking the Chains team and observed by the evaluator.

The focus group took place via zoom and was recorded with consent of all participants. The recording was transcribed by the evaluator.

It is the aim of this report, as with the evaluation of Year 1, to draw particularly on the voices of the young people, the *Breaking the Chains* staff team, as well as related professionals and volunteers, to explore the achievements of the project in its second year as well as the challenges that the project has faced.

² Befrienders were recruited by Shpresa in the early weeks of the pandemic, in order to provide a daily point of contact for UASCs (unaccompanied asylum-seeking children) with a focus on (i) ensuring young people understood about the virus and were following government guidance (ii) ensuring they had food and phone credit (iii) identifying those whose mental or physical health was such that they needed intervention.

³ All the Immigration Champions participating in the peer-led evaluation are also working as co-researchers in an ESRC funded project examining the impact of Covid-19 on young unaccompanied asylum seekers and were therefore involved in additional research training alongside the training for the peer-evaluation of Breaking the Chains project <https://www.ucl.ac.uk/ioe/news/2021/jan/new-project-examine-impact-covid-19-young-unaccompanied-asylum-seekers> (accessed 31 May 2021)

The report addresses the following topics:

A: Summary of Year 1 Evaluation

B. The impact of the pandemic

1. Worsening mental health
2. Delays in progressing cases
3. Material disadvantage
4. Working practices

C: The project's successes

1. Rapid response to the pandemic
2. Protection of the young people through the pandemic
3. Delivery and adaptation of training programmes
4. Retaining and enhancing Child/Youth Centred Practice
5. Maintaining and extending partnerships
6. Advocating for and influencing policy change
7. Lodging fresh claims for young people who had become 'Appeal Rights Exhausted' ('ARE')
8. Securing some additional funding

D: Overview of Outcomes and Outputs

E: Summary

F: Recommendations

A. Summary of Year 1 Evaluation

As established in the evaluation of Year 1 of the project:

- Albania is one of the highest applicant-producing countries of children seeking asylum in the UK
- Children and young people fleeing traffickers, blood feuds, honour-based violence and organised crime in Albania have historically had a disproportionately low chance of securing protection at first instance when seeking asylum in the UK
- The *Breaking the Chains* project is doing vital work in improving the legal outcomes for Albanian speaking children and young people in the UK asylum system, taking on individual case work but also seeking to strategically engender sector-wide changes in the ways in which Albanians are treated within the asylum system.
- *Breaking the Chains* illustrates the capacity to achieve real change through successful partnership working and a child/youth centred approach, which foregrounds the lived experiences of the young people at all stages.

The successes of Year 1 Included:

- The high quality of legal representation offered by MiCLU
- The development and implementation of the Immigration Champions Programme
- The development and delivery of a broader programme of training for young Albanians seeking asylum in the UK
- The ethos of Child/Youth Centred Practice at the core of the project
- Effective Partnership Working

Moving into Year 2 the evaluation of Year 1 recommended:

1. Additional employment of case workers at MiCLU to take on Albanian cases and to co-deliver training to young people.
2. Increase funded staff capacity at Shpresa, with additional training for staff on immigration-related matters.
3. Further consideration of the range of additional support for young people including extending participation of therapeutic organisations and befrienders.
4. Continue to foster relations with academics to develop research projects related to the lived experiences of young Albanian people in the UK and thereby extend the range of evidence that can be used to support Albanian cases (particularly in relation to blood feuds, trafficking and the impact of state policy in the UK and Albania).
5. Further develop public awareness raising of issues facing young Albanian asylum seekers in the UK through closer engagement with the media.
6. Continue to extend training of legal practitioners to encourage the higher take up rate of Albanian cases by good quality law firms.
7. Continue to pursue routes to establish the training of tribunal judges to become more knowledgeable of Albanian cases.
8. Explore ways in which the training of legal practitioners can be extended beyond London.

9. Continue to include the Immigration Champions in all aspects of programme design and delivery. This is an exceptional feature of the project and a model of good practice within the sector.
10. Funders should support the project to continue its vital work in assisting young people to cope with the pandemic and its consequences.

B. The impact of the pandemic

It is impossible to assess Year 2 of the project without focusing on how the project has been impacted by the coronavirus pandemic and the related government restrictions. The two are intertwined, with Year 2 of the project beginning the same month as the UK went into its first lockdown. By consequence, work in Year 2 has been informed by the necessity to adapt to the pandemic context with far ranging implications for the young people, staff from the Breaking the Chains project, wider service provision and the broader asylum system. As one of the lawyers from the project noted:

“It’s hard to separate the challenges caused by Covid from the wider problems because we can’t not have the ones we have from Covid because they have dominated so it is hard to know where we would be without that but I think those challenges have really thrown a light on how precarious everything was already, how thinly stretched everything already was, and how vulnerable the young people involved in the project are. I think it has been amazing that we have been able to carry on working and keeping as many of the young people safe as we have been able to, but I think one of the frustrations was that Year 2 should have been a year when we made progress, when we built on the foundations of year one. It would have been a year of consolidation, building on what we have learnt, our experiences, feeling very positive about the expansion and looking to the future but in fact it has been another Year 1 because we have not been able to make the progress to build on what we had started. Instead, we have had to keep everyone’s heads above water and that’s been a really significant challenge, and I think one of the real challenges and frustrations of this year is that we have not been able to test our hypothesis that this works because all of the progress has been halted by the fact that the systems can’t cope with Covid, and how much time and energy and effort is put into not sliding backwards.” (Interview, April 2021)

In terms of the ramifications of the pandemic there are four issues that I wish to highlight here:

- the impact on the young people’s mental health
- the delays in progressing asylum cases
- the material disadvantages the young people face
- the impact of the pandemic on work practices

1. Worsening Mental Health

One cannot underestimate the distress that the experience of lockdown has caused for the young people in this project who have experienced multiple traumas, including previous experiences of being trafficked, and of being in enforced isolation, and, who continue to live in extremely precarious situations – enduring poverty and material deprivation, already facing delays in the asylum system with all its related mental distress, living often in unregulated

accommodation, already socially isolated without the care of families for emotional and other support. As one young person noted:

“Staying inside in that lockdown was reminding me of when I was self confined because of the blood feud back in my country.” (Focus Group, February 2021)

The Refugee Support Network notes that many young refugees and asylum seekers with whom they work *‘have serious underlying mental health conditions which, in this pandemic, are compounded by uncertainty, fear and re-traumatisation. Young people RSN is working with are experiencing panic attacks, high levels of anxiety, low mood and significant challenges with sleep - the latter often exacerbated where young people are living their lives in one room or in over-crowded homes, with as many as ten people living in a household [...]The measures taken in recent weeks [lockdown], while absolutely essential, have been notably triggering for young refugees’*⁴

It was recognised across all the interviews with Breaking the Chains staff, volunteers and experts that the young people’s mental health had worsened through the pandemic, with the first lockdown in particular creating flashbacks to other traumas. As one befriender told me:

“I think my immediate impression was they were bereft and had a sense of deep bereftness, and I really felt for their safety and wellbeing. I really really did [...] I think there is something about their situation being so very desperate because of what they’re going through, what they’re going through personally, going through with the Home Office and the process of trying to get status and what they’re going through through lock down. It is extraordinary, the impact on their mental health of all those things.” (Befriender interview, May 2021)

One of the lawyers on the Breaking the Chains project added:

“All of your clients are so unwell. The mental health of the young people that’s the biggest thing. They are people whose lives were pretty shit already but prior to Covid they had college, they had Shpresa, they could go to the park with mates, they could go to a coffee shop with their friends there were things to distract them from the flashbacks and the intrusive thoughts and they could physically wear themselves out so they could sleep a bit at night but all that went so suddenly, so their mental health is incredibly poor and while what you would ordinarily be doing is progressing their asylum claim actually you spend an incredible amount of time writing to their GP.” (Interview, April 2021)

2. Delays in progressing cases

⁴ Refugee Support Network (2021) *COVID-19 crisis: emerging impact on young refugees’ education and wellbeing in the UK. Policy Brief* https://hubble-live-assets.s3.amazonaws.com/rsn/redactor2_assets/files/616/COVID-19_crisis_and_young_refugees_Refugee_Support_Network_RSN_policy_briefing_and_recommendations.pdf (accessed 31 May 2021)

One of the questions that the peer evaluators posed to the Breaking the Chains team in their focus group was, how has the pandemic shaped the work you do? Delay was outlined as one of the key impacts of the pandemic. One of the lawyers told the group:

“The obvious impact is the delay, we knew before Covid that there were delays faced by Albanian nationals, it has caused delays for everybody irrespective of nationality but I think that does definitely mean longer delays for Albanians because many of you will have been waiting a long time before all of this started last March. While I want to say that that delay is because the Home Office did not have access to their systems in the first lockdown and the courts had completely stopped, they couldn’t do anything, while I want to say it is because of those reasons, it’s not completely true. Some of it is down to us delaying various things on cases because we know that the pandemic has had such a terrible effect on everybody - it has not been an easy year, it’s impacted everybody and it has been really difficult to not do the things you were doing so freely before, going to college, going to Shpresa, going to workshops, us doing the training, coming to NJ and FG and we know all of that has had an impact and there are some cases where we have actually asked the Home Office for delay so for instance where a client might have been called to interview we have not been able to complete that work because Covid has just taken over everything and it has not been possible for us to meet in the same way, that we used to meet before and similarly with the court we might ask for further time to instruct experts but we may not be ready to instruct experts at the moment because we are not able to take your instructions until we can meet you or that we know that you are feeling a bit better.” (IC-led Focus Group, February 2021).

A fellow member of the MiCLU team told the focus group:

“We don’t know the impact of the pandemic, we can’t say for sure, we are not going to lie to you because I think there are going to be more delays. At the moment it is really hard to challenge on delay, if we think the delay is unfair and unlawful we can ask a judge to look at the delay and they can say to the Home Office that the delay has been too long At the moment it is really hard to challenge on delay because they are saying and, there is an element of truth in what they are saying, that the Home Office could not have predicted Covid was going to come along, they could not have quickly adapted all their working practices, that sounds reasonable but we know there were massive delays already in the system but it still quite early days to know what the impact will be but we are lucky because we work with a big team at Garden Court and we work with a team of barristers who understand the problems that Albanians face in making claims and are really committed to working with us to challenge the discrimination that you face but b. they are in the tribunal all the time so as soon as we can challenge and judges will be open and sympathetic to those challenges then we will start challenging ... we will be constantly liaising with those who know when we can challenge on delays.” (IC-led Focus Group, February 2021).

Delay is thus two-fold:

i. Firstly, there have been substantial delays in the Home Office progressing cases, and in the tribunal listing hearings.

As discussed in the evaluation of Year 1, Albanian young people in the UK asylum system are already more affected by delay than other young people seeking asylum. Therefore the young people involved in the Breaking the Chains project had already been subjected to lengthy delays in their cases prior to Covid. As one expert shared, there were major systemic problems pre-Covid that mean that the asylum processes were already not working efficiently:

“Pre-Covid, the entire framework is flawed because of systemic delays and in my experience pre-Covid the lawyers [...] are in a process of managing to cope within a system that is fundamentally full of delays [...] So it is rolling it back as to how to analyse and understand the delay issue, and what is the Covid related problem versus what was essentially a system that we are dealing with pre-Covid which was... almost catastrophic with its delays anyway [...] the team around the young people, including social workers, lawyers, people supporting young people, were only being held together in a very fragile way pre-Covid on managing the impact of delay on those young people’s cases. Then Covid tipped it over. Tipped it over the edge, and there was no safety net for any of them. [...] there are delays in cases over Covid that are actually young people delayed in the system two years previously.” (Interview, May 2021)

One of the project’s lawyers similarly shared:

“Covid is a get of jail free card for them [the Home Office] but never for us. We are expected to have done everything but the courts profess complete astonishment that you have not been able to take a detailed witness statement from your client that has been accepted to have been trafficked but you have not been able to do that during a period of lockdown, “that’s outrageous what have you been doing with your time?” but the Home Office that they have not bothered to put together a bundle of documents that we have sent them, that can all be done electronically and does not require anyone to do anything apart from marshal some electronic documents. it’s also hard to explain that to young people without really destroying their faith in them ever achieving justice so you have to balance how do you explain the courts are actually a very unjust place without devastating them and making them think that they can ever get a positive outcome on their case because the courts are so unjust. There is a limit to how much information you can share with the young person about the obstacles to progressing the case without risking destabilising them and their faith in what can happen, it’s quite a lot to manage.” (Interview, April 2021).

In the initial months of the pandemic no asylum decisions were made by the Home Office, which created an even greater backlog in a system already suffering from endemic delay. The

Home Office paused face to face interviews during the first lockdown, only resuming with online interviews in July 2020.⁵ However these interviews were not restarted for all.

The Greater Manchester Immigration Aid Unit (GMIAU) noted, for example, that interviews did not at that point restart for children in their region. They note that while there is no absolute time limit for the Home Office to make a decision on someone's asylum claim, there are some clear indications of what might reasonably be expected' Paragraphs 333 and 333A of the Immigration Rules say that this should take place within a 'reasonable time'. Six months is the point at which an applicant should be informed of a delay. As noted in the evaluation of Year 1, Albanian young people in the asylum system are commonly experiencing delays of many years.⁶ The GMIAU noted the detrimental impact of delays in the asylum system on children's mental and physical health, with increased anxiety, depression, insomnia and a reduced ability to concentrate, isolation, loss of support networks, and damaged relationships, but that also 'remote interviews will not be appropriate for all children'.⁷ Indeed for many of the young people engaged in the Breaking the Chains project remote interviews were not appropriate. As one lawyer explained:

"That's alongside the fact the tribunal service and courts did nothing for ages and then suddenly they are like, 'we would like to interview your clients', but actually that would be really really risky for you to do so, so instead of progressing their asylum claims you are spending days and days and days writing reps to the Home Office saying that he is not fit to interview, so do not interview him and do not penalise him [...]if he doesn't come for an interview." (Interview, April 2021)

ii. As a result, a second delay factor needs to be taken into consideration when assessing the impact of Covid-19 on progressing the asylum claims. In many cases it has been necessary for lawyers to instigate requests for additional time because of the impossibility of being able to meet face to face or safely work with the young people remotely.

As indicated in the evaluation of Year 1, even when conducted face to face any interviews with the young people must proceed with extreme care, in order not to compound existing trauma through interview, and always with cognisance of the huge difficulties the young people face in being able to relay what has happened to them because of the associated trauma. The young people find it difficult to speak about the damaging experiences that have brought them to seeking asylum, and trust needs to be built up over a period of time. It is indeed one of the successes and strengths of the Breaking the Chains project that the staff are able to work with the young people within the context of the wider support that the Shpresa Programme offers to the young people, and to work with the 'transfer of trust' (interview April 2021) that the partnership enables.

⁵ Right to Remain (May 2021) *Changes to the asylum and immigration process due to Covid-19*. <https://righttoremain.org.uk/changes-to-the-asylum-process-due-to-covid-19/> [accessed 28 May 2021]

⁶ Madill Esme (2018) 'Home Office fails Albanian Refugees', *Open Democracy*, <https://www.opendemocracy.net/en/shine-a-light/albanian-blood-feuds-shpresa-asylum/> (accessed 20 May 2020)

⁷ Greater Manchester Immigration Unit (GMIAU) (March 2021) *Wasted childhoods: the impact of COVI-19 asylum delays on children in the North West of England*.

The deterioration of young people's mental health during the pandemic means that working with the young people remotely online or via telephone is at best challenging but often non-viable because of the risk of harm and re-traumatisation. This is compounded by the young people's patchy or non-existent access to suitable devices or reliable or any internet which acts as an additional material barrier to being able to engage in any remote appointments. Moreover, young people may be living in accommodation that does not offer them the privacy to be able to communicate confidentially. Being able to tell their stories in face to face situations is already difficult and has to be handled very carefully in order to protect them from further harm. Face to face appointments enable, however, for there to be extra checks on the young people's welfare, to provide food, and to get a more holistic feel of the young person's mental health than is possible via an online or telephone meeting. The lawyers at MiCLU have therefore had to delay some cases to protect the young people from harm, and to ensure that their cases are progressed in way that enables them the best possible chance to access justice within the asylum system. One lawyer explained:

"We have not been able to progress those cases in the ways we would have wanted to, either because there were delays in the system or because the impact of Covid on the way we can work and on the health of the young people was such that it was no longer safe for us to do work that progressed matters, and anything that we were doing was around not losing the trust of the young people and not pushing them to give information when it was not safe for them to do that." (Interview, April 2021).

Another lawyer told of how for many young people the lockdowns triggered flashbacks to previous experiences of forced confinement as a result of a blood feuding or trafficking:

"It feels like those experiences are so similar to experiences where they've been in blood feud situations and been confined to their homes in Albania or they've been trafficked and held, you know, captive on route to the UK so it feels like for them at the start like the very first lockdown which happened at the same time as the Year 2 starting. I would say the majority of my clients' mental health just deteriorated and they were just struggling like really yeah like really high levels in terms of sleeping, not having enough activities to kind of do to take their mind away from that so they weren't sleeping then their days were kind of being spent feeling tired or trying to catch up on that sleep in the day, being afraid to sleep at night because it was dark and memories coming back to them, all those things so I've quite quickly I realised with some of my clients that I'm not going to be able to work with them while they're feeling this way." (Interview, April 2021)

One befriender told of the difficult circumstances in which her young person was finding herself. They had slowly built up a relationship where the young person had begun to share some of the details of her case with their befriender, but this had been very gradual. The young person was living in a shared house and lacked privacy, so often did not have the physical space to be able to talk privately, without being overheard. At the start of the lockdown the young person did not have access to a laptop or internet and their only means

of communication was by an old phone which provided only intermittent and costly access to the internet.

“My young person got a lawyer for her case, she’s had an absolutely traumatic and horrific trafficking background [...] but she got a lawyer. This produced a lot of crises because she had to produce statements about what had happened to her, she had not been able to do that before, her first asylum claim was rejected as she wasn’t able to speak about what happened to her it was important to get some details of what happened to her, so we actually spent a lot of the late summer and autumn doing tiny little bits where she would talk to me in little bits, difficult because [there was no privacy where they lived] These are the conditions that people are living in, the interview with her lawyer she had to lock herself in the bathroom or sit on the landing [...] and talk about things that she cannot speak about because her mouth blocks. First of all, all her appointments with her lawyer have been online while she tried to get statements and mostly by phone not even video. And there have been two or three expert witnesses needed, and they tried that online, but the experts said they could not do these assessments in these circumstances.” (Interview, May 2021)

The overall impact of systemic delays as well as delays necessitated by the health or material circumstances of the young person has meant that fewer cases than expected have been concluded in the second year of the project. This has had an impact both on those individuals whose cases have been delayed, but more widely across the project in terms of a) inability to pursue cases through to successful conclusion within the expected timeframe means that caseworkers have not been able to take on new cases and this is a source of disappointment and tension for project staff and young people b) obstacles to testing the hypothesis of the casework delivery aspect of the project as becoming self-sustaining via legal aid given that payment of legal aid costs is in arrears and only payable at conclusion of the matter – if none of the cases conclude that income cannot be generated. As one of the MiCLU lawyers described:

“It’s incredibly hard to manage and because for a year we have had minimal through put of cases is very, very hard for everyone to manage, in an ideal world in the last 12 months we would have closed some cases, with young people moving on with their lives in safety, [...] and it’s very frustrating for the young people and in the partnership. The number of young people asking for help at Shpresa has not decreased but our ability to work with them and to take them into our case load has because everything we are doing is taking so much longer.” (Interview, April 2021)

This does not mean, however, that there have not been successes. There have been several cases which concluded during Year 2 of the project. However, all of these were cases taken on during Year 1 and two were cases in which unlawful decisions had previously been made by the Immigration Tribunals. As such these very hard-won successes have offered much needed nuggets of hope to all those involved in the project and are testament to the

indefatigable work of the lawyers in presenting the cases, and of the project staff in managing to maintain engagement of young people who were at risk of losing faith.

However, the number of successful cases in Year 2 is the same as for Year 1, and does not represent the increase in positive outcomes that the team had hoped would transpire had the pandemic not derailed both the asylum process and their ability to progress work safely. Had the pandemic not been a factor, it is likely that more cases would have progressed through the asylum and tribunal systems, decisions would have been obtained in more cases, and delay would have been successfully challenged in a number of cases using Judicial Review challenges.

3. Material Disadvantage

The impact of the pandemic on the young people involved in the Breaking the Chains project needs also to take account of the consequences of both pre-existing material deprivation on young people's experiences of the pandemic, and the ways in which the pandemic has worsened this material disadvantage. This provides the context in which young people are able to engage with the asylum system and provides a vital backdrop to understanding the difficulties the young people engaged in the Breaking the Chains project face. As research already indicates, within the UK as elsewhere, existing inequalities were exacerbated during the pandemic.⁸ For example, 'school closures and distance learning measures put in place to slow the spread of COVID-19 put children of immigrants at a disadvantage, in several ways'.⁹

This includes being much less likely to have access to a computer, to have internet, or to have a quiet place where they can study. The Refugee Support Network notes from their own work that young refugees and asylum seekers 'do not have access to laptops or adequate internet connectivity at home. Almost half of the young people supported through RSN's specialist education and wellbeing support service do not have access to a working laptop or tablet, and many require additional phone data to be able to hotspot a device and get online. These young refugees are unable to access online learning and are held back from progressing in their education during this period'.¹⁰

The majority of the young people in the Breaking the Chains projects are unaccompanied young people, without familial care and are living in either foster care or in hostel accommodation. The immigration champions told me how at the beginning of the first lockdown very few of the young people had digital access, they did not have laptops or in

⁸ Nanda, S (2020) 'Inequalities and COVID 19 1' in M J Ryan (ed) *Global Pandemic, Societal Responses, Ideological Solutions*, London: Routledge; Whitehead M, Taylor-Robinson D, Barr B. (2021) Poverty, health, and covid-19 *BMJ* 2021; 372 ;

⁹ <https://www.oecd.org/coronavirus/policy-responses/what-is-the-impact-of-the-covid-19-pandemic-on-immigrants-and-their-children-e7cbb7de/>

¹⁰ Check and add reference https://hubble-live-assets.s3.amazonaws.com/rsn/redactor2_assets/files/616/COVID-19_crisis_and_young_refugees_Refugee_Support_Network__RSN__policy_briefing_and_recommendations.pdf

many cases access to wifi, and were therefore unable to engage with education, legal and social services, or to easily make vital social connections to sustain them during the imposed isolation that lockdown brought. Many were making contact through old mobile phones, with difficult and expensive access to the internet. As one young person in the focus group told me:

“Almost none of us I would say 80 per cent of us did not have laptops.” (Focus Group, February 2021)

The Refugee Support Network further notes the wider impact of poverty on the experiences of young asylum seekers and refugees during the pandemic. ‘A number of young people are unable to survive on their current incomes - sometimes as little as 5 GBP a day. Young people with underlying health conditions or who have been advised to self-isolate are struggling with paying for food in advance and keeping stocked up with essentials throughout this period’.¹¹ As one of the befrienders noted, her young person struggled to access food during the first lockdown:

“My first concern was actual basic needs because there was at that point, because at that time my young person [was] not going out because they were bewildered by what they could or could not do, very anxious about the infection at that point and weren’t really going out to shop or anything and also they are on very low incomes and the local shops were very expensive to shop in and they weren’t supposed to be going on transport and the local supermarket was a long way away all that meant, firstly there was the food issue.” (Interview, May 2021).

Being able to access food and meet basic material needs is fundamental to mental as well as physical health and well-being. As one expert explained:

“I think the issue about deprivation is really significant in terms of understanding how people cope, and being in control of some of those really basic fundamental things. Being in control of your own safety, being in control of what you eat and how we provide for yourself and for others is a really important thing and it may not hit everybody’s radar, but the issue about food during the pandemic and the shortage of it, having such limited provisions and limited money is, I think, is associated with a bigger mental health and wellbeing issue. Not just about nutrition, but about how we comfort ourselves.” (Interview, May 2021).

Wider research notes that migrant communities, including children and young people, are ‘already burdened with health challenges and barriers to healthcare access which risk further exacerbation during and beyond the COVID-19 pandemic’.¹² For the young people in the

¹¹ Refugee Support Network (2021) *COVID-19 crisis: emerging impact on young refugees’ education and wellbeing in the UK. Policy Brief* https://hubble-live-assets.s3.amazonaws.com/rsn/redactor2_assets/files/616/COVID-19_crisis_and_young_refugees_Refugee_Support_Network_RSN_policy_briefing_and_recommendations.pdf (accessed 31 May 2021)

¹² Wood Lauren C N and Delanjathan Devakumar (2020) ‘Healthcare access for migrant children in England during COVID-19 pandemic’ *BMJ Paediat Open*, 4(1) <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7372171/> (accessed 31 May 2021)

Breaking the Chains project, the related physical and psychological health consequences of living in poverty¹³ remain a key challenge.

4. Working Practices

The dedication of the Breaking the Chains team to the overall care of the young people and to ensuring they continue to provide the best legal representation and outcomes during the pandemic has been phenomenal. As young person who had started with the Shpresa only immediately prior to the pandemic shared:

“I attended Shpresa centre just a couple of times before the pandemic hit and I met them during the pandemic really and that was the most difficult time for all I can say that meeting all of these people has just been life changing for me to be honest. I had a solicitor , I met him just two times, and we did my witness statement and he said he was prepared to send me to the Home Office and then [Breaking the Chains took on the case] I am so lucky [...] in the beginning with my [first] solicitor that was not doing nothing about my case, wasn’t answering my emails, wasn’t answering my calls and then I was, thanks to Shpresa programme, sent to a solicitor who has regular appointments, who knows more about my case, who gave me information about asylum and everything, and it has been a life changing experience meeting those people [my solicitor] – she sees you like a human being not just a client she says how are you feeling, how are you, and then, that is the most important thing you should build that trust with your solicitor that is really important and crucial. Having that trust with her made me feel more to trust her, to make that connection.” (Focus group, February 2021)

Another young person agreed:

“The way these lawyers are that’s the way other lawyers should be. The first thing she does when I come to the centre is she welcomes me, and she welcomes me to sit, and offers me snacks and that’s just a perfect examples of how other lawyers should approach their clients, they are just amazing.”

However, it is important to note that while the Breaking the Chains team has continued to offer high quality legal representation during the pandemic, going above and beyond to support their clients and the wider group of young unaccompanied Albanians seeking asylum through this difficult time, the pandemic has posed significant challenges within the work environment. In addition to the problems posed by Home Office and tribunal delays as discussed above, there have been delays being able to obtain expert witness reports. For example, many of the expert psychiatrists work in the NHS and have had less capacity to take on this kind of work during the pandemic. Additionally, as indicated above, making

¹³ Households are considered to be below the UK poverty line if their income is 60% below the median household income after housing costs for that year. <https://www.trustforlondon.org.uk/data/poverty-thresholds/>

assessments remotely has not been appropriate in all cases. As the Breaking the Chains team note in their internal assessment of Year 2:

“We have had to weigh up the urgent need for an expert report against the risk of a remote psychiatric or psychological assessment. We have noted a lack of understanding of the risks of remote assessments or the difficulties of identifying experts who can take instructions without us giving four to five months’ notice. We have had to make extremely detailed representations to the tribunal service regarding the need for adjournments due to our inability to obtain medical assessments. This has taken many hours of work and it is apparent from correspondence with the tribunal service that our attempts to ensure our client’s safety have sometimes been taken to be attempts to delay hearings, when in fact we are desperate for a resolution for our client, while also being mindful of the critical need to ensure our client’s safety and their access to justice.”

One of the aims of the Breaking the Chains project is to engage more high-quality lawyers to represent the asylum cases of Albanian young people. Throughout the second year, the team has continued to run a series of online events with this aim. These seminars have been well attended, with 216 individuals (from within London and beyond) taking part. However, the success at bringing in more lawyers has been compromised by the challenges that the pandemic has brought to establishing effective networking remotely. As one lawyer details:

“Our capacity to make contact with them and follow them up so we’ve carried on having events and [...] once you have heard those young people how can you turn them down and I absolutely believe in that but at the end of a zoom event someone presses a button and everyone disappears but at a face to face event there are wine and nibbles and you can hone in on that person you reckon you can persuade to take on three or four cases and you can talk to them and promise to give them support but with the best will in the world an email after a zoom event is not going to have the same effect so we haven’t been able to use informal ways to enthuse people [...] That is one of the areas in which we lost a bit of momentum as well because lots of firms that we had been courting a bit, they had furlough, or have a lot of staff who have caring responsibilities, or their offices were shut and that reduced a lot of what they were able to do much as it reduced what we could do.”
(Interview, April 2021)

The staff, like many workers during the pandemic, have been mainly working from home and working with clients remotely. For staff from the Shpresa programme, this was facilitated by a grant from the Paul Hamlyn Fund. The offices at Islington Law Centre were closed in March 2020 and aside from a period between 21 September and 31 December 2020 when staff gained permission to hold some physically distanced face to face interviews in a well-ventilated office in the Shpresa building, two days a week, the rest of the contact with the young people and partners, including all training, has been remotely throughout the year. This has meant that homes have had to be turned in to workspaces, and work has been completed on small laptops instead of desktops with monitors. The lawyers explained:

“We don’t have the kit. We don’t have a dining room anymore, it’s just full of about 40 odd files [...] we can’t eat at the table, then you are doing bundles on these tiny laptops, [...] sometimes I cannot believe I’ve produced a really good bundle of expert evidence but I have done it on my lap.” (Interview, April 2021)

“There has been a lot of working out of hours. I don’t think that has helped with the switch off between home and work, in the same way that you had before. So, you tend to just work evenings and weekends like it is normal. It has been harder for reps to adjust to these systems and explain it to clients when you’re going through it for the first time as well, so you haven’t got any prior experience and you’re explaining all this stuff. It is difficult to manage expectations because they think you have all answers to questions that they have. It’s been a real challenge.” (Interview, April 2021)

“A lot of clients probably do have smart phones, I don’t know how many of them know how to [...] download zoom to their phone. I think again that has been a challenge. Again, at the beginning of the first lockdown Shpresa did a massive appeal for laptops and everyone got laptops. But I still get clients that say that laptop is sat in a drawer, they don’t even know how to turn it on. Expecting clients to adjust quickly and just know how to suddenly work remotely... especially taking witness statements and going through detailed instructions, it’s not ... it’s just not the right way to do it because it is hard enough doing that work face to face in terms of building that trust with your client, and that would take several appointments. It is much harder over zoom. Some of these clients we have never met face to face, like we’ve taken them on during lockdown which is even harder. I feel like there have been real challenges all round, you know progressing cases for different reasons. This has impacted on what we had hoped we would achieve in Year 2 because we had thought there would be more positive outcomes for those cases, and that would be reflected in legal aid income, but that hasn’t happened at all. It feels like it has been a real, real challenge, and we have been holding a lot more than we have held before, but we do as much case work.” (Interview, April 2021)

As noted in the evaluation of Year 1, at the core of the Breaking the Chains project is an effective partnership between the teams at MiCLU, at Shpresa and with other support organisations. The successes of Year 2 are built upon the strength of these partnerships. However, a year of remote working, with all the additional challenges that the pandemic has brought, produces extra stress, not least because of the underpinning resources constraints with which the team has to work. The Breaking the Chains lawyers are having to make very difficult decisions as to which young people they can offer legal representation; decisions which for the young people are potentially life-saving. As members of the team commented:

“Everyone is working under a lot of stress and that has put pressure on the partnership, it’s just really tough.” (Interview, April 2021)

“We needed to protect the team because it became really, really painful, emotionally, and we are friends in this work [...] it is not that we are just colleagues. This work is close to the hearts of all of us, but if we are not emotionally in the right space, we won’t be able to do as much as we could, so it was important to make that space.” (Interview, April 2021)

Appreciation of the difficulties of working in pandemic conditions needs to be assessed alongside the underpinning challenges of working continually with complex and challenging cases. As the MiCLU lawyers explained:

“Although I have worked with hundreds and hundreds of clients over the years, not all of the clients on my caseloads would be as vulnerable as the ones in the last year. So whilst you might have had many clients, you know children and adults, it would be a mixture, because you would have other cases and it would be a varied caseload they... their needs weren’t as great. Now it feels like every client has such great needs and it has felt, at times, that you’re the only one listening to them.” (Interview, April 2021)

“These cases are the hardest cases, they are relentless [...]and in private practice and in the rest of our practice you will very rarely just do the same type of case all the time [...] It’s hard being an asylum and migration lawyer but to have no respite from difficult complicated cases that require everything that you have got in you sometimes.” (Interview, April 2021)

C: The project's successes

Despite the challenges the pandemic has brought to Year 2 of the project, Shpresa programme and MiCLU have worked, both as individual organisations and together in the Breaking the Chains project, efficiently, rapidly and with compassion, to ensure that the young people are supported, working always with the aim to secure the best legal outcomes for them. The learning that can be gained from their response to the pandemic is important to share as a model of good practice.

1. Rapid response to the pandemic

To meet the challenges of Covid-19, Shpresa and MiCLU were able to draw on their skills in partnership working and fundraising to initiate a rapid and effective response from the moment the country went into its first lockdown. Within a week the Shpresa team had transferred all its training and support work online. The Shpresa team set up online sessions each weekday evening for the young people, this provided a platform which made it possible to transfer the Breaking the Chains training programme online. The Shpresa online response included counselling and well being sessions, advice and fun activities. MiCLU benefited greatly from Shpresa's provision of these services, and were able to develop their own delivery of training, engagement and empowerment work, and a weekly legal advice surgery. The success of these aspects of the online delivery were contingent on the rapid response by Shpresa and their hard work in increasing the capacity of the young people to access online and remote provision and making them a welcoming and positive place to be.

Shpresa also developed a network of volunteers to befriend the young people to make sure that the young people had a daily call with a volunteer who could provide support and pass on any issues of concern to the core Shpresa team, and to the MiCLU legal team where relevant. Shpresa ensured through their team of volunteers involved in befriending that vital resources got to the young people especially if they were self-isolating, and that the problems the young people were facing were picked up (a kind of triage system). This network was essential to the identification of children and young people who were falling through the cracks that the pandemic exposed in statutory services. For example it was only through the daily call from a volunteer that it was identified that one young boy had been hospitalised with appendicitis and had no phone credit to call anyone to let them know.

The befriending scheme provided the young person with a regular point of contact during these very difficult days of the first lockdown. In the focus group with the young people they shared how important this contact has been for them:

“During the difficult times to be able to speak to someone, was very helpful, [...] sometimes you just need to call someone. She says that she is there any time that I need to call her and that's very very good from her and that's just amazing.

During the pandemic that period was very hard, I got to know [befriender] she is a beautiful person, she was my volunteer during the pandemic and we still are in touch with each other, she has become one of my good friends."

"It is different of course because it is via zoom, you have a connection when you are face to face with people but via zoom you probably don't have the connection but you speak, you share stuff you kind of forget what's going on so it's been supportive [...] I don't even want to imagine not having zoom at the moment. On the first lockdown we had no idea what's going on. Then when zoom came on and we started doing zoom it was good because it was a distraction at the same time it was advice you would ask questions, you would express yourself."

(Focus Group, February 2021)

The importance of the online daily sessions was reiterated by staff and volunteers:

"It was absolutely a life saver `I would say (the regularity of events) because they gave a bit of structure to the day, and you did encounter, even if [the young person] did not participate to speak, because she does not speak a lot easily in a group, nonetheless she was there and they were a life saver." (Interview with Befriender, May 2021)

"As soon as lockdown hit they very quickly devised a way to help the young people, to stay in contact, you know, knowing that these were things that young people are going through so obviously we've had the zoom that have been running now for a year, you know, every night online and I mean I don't think there's more they could've really done then what they have done and I just think their response was fantastic." (Interview with Shpresa, April 2021)

The work with the young people formed part of the wider response by Shpresa to support all of its service users, not only the young people, but families also. During the first lockdown it amassed a team of over 90 volunteers, providing crucial assistance (story-telling to younger children, donations of laptops and children's clothes, fundraising to provide material assistance to those in need, the provision of phone credits and internet access via Lycamobile, in addition to the befriending scheme). By summer 2020, 41 young people had been befriended; 43 were in receipt of regular mobile phone top-ups; and 31 had received laptops. The young people in the focus group told of how important having a laptop and access to the internet had been. One young person told how the provision of a laptop had enabled him to have an online assessment with a psychiatrist and produce a medical report vital to his case:

"And in that time I did not have a laptop and it was Shpresa which brought me a laptop and I could make the medical report... I could have a conversation with psychiatrist and I did that and that is now making a difference in my case and I am now in a much much better position and hopefully I will have a positive result. If it wasn't for Shpresa I wasn't going to know what is a medical report. I did not know I was missing that. They look carefully [...] they bring me the facility to do that, if I

do not have the laptop, it was going to be impossible for me to do the sessions with the psychiatrist.” (Focus Group, February 2021)

Others told how having a laptop and wifi had enabled them to continue with education and to make vital connections with the Breaking the Chains project and wider support networks@

“Ever since then zoom has been something efficient, and got things done for me, I got back in the system I got to get in college.”

“I am grateful to Shpresa not just because of the lawyer but also because of my mental health, we are with [a counsellor] every Thursday [on zoom].”

(Focus Group, February 2021)

A befriender explained how her young person was struggling with lockdown and how she was able to work in conjunction with the young person and the Breaking the Chains team to respond to the young person’s urgent needs by helping her first access food while she was in isolation and then to sort out internet connection so she could access the online support sessions:

“My next big priority was [to organise] have some internet connection that was more than a dodgy phone that half the time didn’t have a very good reception where they were, so they could connect easily into all the zoom meetings that were being organised. But the second thing was, at that point, the YP was very depressed.” (Interview, May 2021)

The rapidity of the response of Shpresa Programme to the needs of the young people during the pandemic was exemplary. Quickly they were able to set up an effective network of advice, psychological support and material assistance to alleviate some of the worst effects of lockdown and the corresponding material and health crises that it brought. This response was essential to the ability of the legal team to maintain contact with existing clients, and to identify young people who required legal intervention. Without Shpresa’s vital work, the ability of the legal team to remain engaged with the young people would have been severely compromised.

However, the need for the response also points to the failings of the state to adequately support these young people. Government pledges of laptops for disadvantaged children to enable digital access to learning, for instance, fell short of promises¹⁴ and the example of Shpresa shows ways in which the third sector was forced to act to fill gaps in state provision. Through fundraising the Shpresa team was able to secure laptops for many of the young people, provide phone credit and basic material assistance to ensure that the young people had food and access to medical help. Shpresa has also used their experiences from the lockdown to further inform and enhance their digital strategy which formed part of their

¹⁴ Andrew, Alison et al (2020) ‘Inequalities in Children’s Experiences of Home Learning during the COVID-19 Lockdown in England’ *Fiscal Studies*, Vol 41 (3); Henshaw, Pete (2021) ‘Free laptops: DfE rhetoric at odds with reality in schools over lockdown devices for poorest students’ *SecEd*, <https://www.sec-ed.co.uk/news/free-laptops-dfe-rhetoric-at-odds-with-reality-in-schools-over-lockdown-devices-for-poorest-students-coronavirus-covid-19-tablets/> (accessed 31 May 2021)

overall Strategic Review in 2020, with the aim for every member of Shpresa to have access to connectivity, basic digital skills and digital employment opportunities and support by 2025.

The befriending project, while enormously beneficial to many of the young people, indeed life saving during the first lockdown, was nonetheless providing support in the place of failing statutory services tasked to take care of the young people. Befrienders were checking in with the young people they supported to make sure not just to provide emotional support at a time of unprecedented crisis, but to check that their very basic needs were being addressed, that they had food, they had access to medical services if needed, that they were able to stay connected by ensuring that they had top ups on their phones so while in isolation they could keep in touch with the wider world:

“For us as a team that was enormously helpful [...] the young people are not necessarily used to people caring for them and here it is the social worker that is paid not picking up the phone when they are ringing but here is now someone who is a professor or a lawyer ringing them and sometimes they are panicking what can they talk about because if it had been like a befriending project like we had in the past you have time to meet the befriender, you have training on what to talk about but that wasn’t there so people were matched on the mercy of knowledge of us knowing the young people and [other members of the team] knowing the befrienders – the match happened because we wanted that interaction, to make sure that someone is picking up the phone or responding to the text to see if they are ok, it was very minimal what was asked to bring to this project of the young people This was not meant to be a befriending project with long aims it was just to make sure that the young people were ok, had money, had data and then feed back to the team, because [Shpresa] would not have been able to do that on its capacity and I think it worked really well and some of the young people have found it challenging to have this because they are not chatty and do not know what to say, they have not a lot to talk and some has gone really, really good when they found things in common like may be love for the dogs may be the little kid that reminded them of the brother or sister, some have been amazing and some have been amazing for us the team as we had a mechanism in place to check on them.”
(Interview, April 2021)

Additionally, the project successfully secured a further PHF grant to enable the team to work with Garden Court Chambers to make fresh claims, as detailed further below. As one of the MiCLU lawyers further explained, this initiative did also allow some young people to re-engage with formal services, but only because of Shpresa’s rapid and effective response to the pandemic which maintained their presence in the community of young people at this critical time. If a young person who was 'underground' said to a friend 'I can't do this anymore - I have nowhere to stay, no food' the friend could say 'Come to the Drop-in, speak to the MiCLU lawyers and see if there is something that can be done'. Thus, PHF’s further funding enabled more young people to escape exploitation, a key success of Year 2. Additionally, Paul Hamlyn has also provided funding for much needed research into the links between delays into the asylum system

and the (re)trafficking of children and young people. This research led by Christine Beddoe, former head of ECPAT UK, working in conjunction with the Breaking the Chains project and Garden Court Chambers, will be published in 2021.

2. Protection of the young people through the pandemic

As indicated in the evaluation of Year 1, the Breaking the Chains team and the wider support available from the Shpresa programme provide a system of care aimed at supporting the young people while they are seeking asylum. As cases meet significant delay (already pre Covid but exacerbated by Covid) this involves support workers holding the young people for lengthy periods of time. With the pandemic, the team has had to work further to protect the needs of the young people, while their cases are stuck in the system and to ensure as much as possible these additional needs and distresses created by the pandemic were mitigated.

One lawyer reflects on how young people have needed very specific support during lockdown in addition to the ongoing support they had needed pre Covid. Her account also points to the ways in which the young people have been excluded from other mechanisms of social assistance, for example accessing Covid tests:

“The needs of this group have just become greater so I think that that has meant us having to sort of step in a little bit and fill that role or assist in that role and that’s been yeah, that’s taken a lot of, a lot of time and obviously that’s impacted then in the case work that we’ve been able to do or, you know, not been able to do because of that time so I mean I’ll just give you an example, I had a client who thought he might have COVID so I had to help him get a COVID test because he just didn’t know how to do it and although I had sent him the telephone number and sent him a link online he just couldn’t get past some of the security questions and when I tried for him I realised that, obviously, it’s set up in a way that asylum seekers can’t get a COVID test because they don’t have an NHS number, they don’t know their you know, their health numbers and all of that so it was only when I spoke to someone on his behalf and explained the situation I was then able to get him a COVID test but there’s no way he would have been able to do that himself and he did try but he just couldn’t [...] I mean that’s just one example really but [...] I feel like our role has widened massively and there hasn’t really been a choice with that because we’ve needed to do those things in order to then try and progress the case work so, you know, for him specifically, I had just seen him because we had a short window where we could see clients face to face [...] I needed to obviously help him with all that to work out has he got COVID, because if he has then other clients that we’ve seen that day need to be told, I need to then, you know, self-isolate and not see anybody the following weeks so, you know, all of these things had to be, had to be done so yeah I think there has been a massive kind of impact in that sense.” (Interview, April 2021)

Befrienders who had started volunteering with the young people during the first lockdown shared examples of how the Breaking the Chains team had provided much needed support to the young people. For example, one commented:

“Obviously practical things, there were needs... but less practical things [...] They just need some hope. And they are hopeful. I think Shpresa gives them hope. They need that hope, they need that sense that they will be safe one day, this will be ok one day. And without that, like all of us, there is no... they can slide into depression.” (Interview, May 2021)

The Breaking the Chains project is therefore rooted in a wider network of care provided by Shpresa that seeks to provide material and emotional support to the young people while they are seeking asylum. Many of the young people describe Shpresa as their family. As one young person told me:

“They are like a family for us, they give love to us, they give advice, I am grateful to Shpresa, not just because of the lawyer but also because of my mental health.” (Focus Group, February 2021)

As discussed in more detail above, the Breaking the Chains team have worked tirelessly throughout the year with the young people to ensure that the young people’s asylum cases are progressed appropriately, and, within the context of remote working and worsened mental health, in a manner that prevents further re-traumatisation. Thus, it is important to think about ‘legal protection’ in broad terms. While ultimately the project’s objective is to secure the best possible legal *outcomes* for the young people what the team does also, and this is particularly pertinent through the pandemic, is it seeks to protect the young people *during the process* of the asylum claim, which for the young people has been protracted and difficult even pre-pandemic.

3. Delivery and adaptation of training programmes

In response to pandemic restrictions the delivery of the training programmes moved online in March 2020 and stayed online for the duration of the second year of the project. As Part D of this report illustrates, around 45 training sessions were conducted in Year 2, with between 20 and 50 young people attending each time.

One young person who had joined Shpresa at the beginning of lockdown explained how the online training had supported him:

“It helped me a lot and I learnt so much about immigration that I didn’t know and I had no idea for example asylum and how it works nothing I had no idea, literally, and I have learnt so much in such a small period of time and now I am really grateful to the team that actually helped me to get so much information and be able to speak about my case, be able to speak to my lawyer, and talk about my case and be able to handle it. Yeah, they have helped me quite a lot.” (Focus Group, February 2021)

The team have adapted all aspects of the programme to remote delivery and have continued to assess the effectiveness of the training throughout the year. The lawyers running the training explained the challenges of delivering the programme over zoom in a way to ensure that the young people are successfully trained in immigration matters:

“Since April [2020] we have been on every Wednesday, more or less, with Shpresa, and initially it was a mixture of pure immigration advice sessions that we would do generally. So we had people coming on, so different barristers coming on and talking about different issues like delays and changes taking place, for example changes in the tribunal, all of these things, community care issues people might be facing. We had a team of people just to support the young people. I’d say from the summer it was mostly [the core team] doing the Wednesdays and the immigration champion training which should’ve been three sessions, or four sessions, [instead] it has been going on every week from September since it started [...] It is a lot harder to know if what you’re talking about is making sense to the young people. There are young people we haven’t met and not everyone is showing their camera on zoom. These are not only young people we haven’t met, we don’t know how good their English is, we don’t know if they are able to follow what we are saying, we don’t know how much exposure they’ve had to immigration training or their relationship with their lawyers. So how much of it they may have heard from their lawyers like the legal terminology. You can’t pick on people during a zoom session like that saying ‘what do you think?’ or ‘can you answer that question?’ or whatever else it is. We realised it is not registering at the same level with everybody [...] We have had the immigration champions with us training the new cohort, but again, what we saw is when we did the role plays, the more engaging work with them, that people were enjoying the session. I think they were otherwise getting a bit... I don’t want to say dull, but it was getting a bit too much because people have been in their rooms for however long.” (Interview, April 2021)

In response the team has put in place a number of strategies to improve online training. For example, an online message group was set up so the participants could ask questions directly to the Immigration Champions during the training. The Immigration Champions could answer the questions directly or pass on to the trainers. The team has also partnered with a volunteer who is a digital learning expert to re-vamp the online training sessions, recording, for example, role play sessions that other young people will be able to access online.

In line with the ethos of child/youth centred practice core to the work of MiCLU and Shpresa the Immigration Champions have been at the centre of this work, teaming up with the digital learning expert to develop the new online training material. The Immigration Champions identify what they wish they had known when they first entered the asylum system, and what is critical that the project shares with younger UASCs (unaccompanied asylum seeking children) and newly arrived children and young people. They also help shape how that information is relayed to the children and young people. This way of training enables the project to reach young people who do not read or write, or who only speak Albanian (as

learning is recorded in both languages). The digital learning expert spoke very positively about the young people's involvement:

“They are incredible, they are professional. It is an extraordinary word to use, but their ability to simply just get this stuff down on film with the level of confidence and honesty is just extraordinary. So I’ve just been very back-seat in all of this, and just let them shape the process and that has been brilliant. [...] I imagine what is great for the young people coming in and watching these videos is they are in a place perhaps 2 or 3 years behind where the champions are and they can see champions saying ‘yeah this is really crap, this is really difficult, but don’t forget to do this, this and this’. They talk with such confidence.” (Interview, May 2021)

4. Retaining and Enhancing Child/Youth Centred Practice

Despite all the difficulties of the year from March 2020, the Breaking the Chains team has continued to work in a way that places the lived experiences of the children and young people at the heart of their work. This is exemplified by the ways in which young people are consulted and engaged at all stages of the delivery of the Breaking the Chains project. In the move to online training, discussed above, young people were at the centre of discussions as to what was needed going forward and the delivery of the new programme. The user-led re-designing of the online training programme is just one example of the way the project always works collaboratively *with* the young people. The digital learning expert told me:

“What has worked really well, what has really brought home something to me again is something I think the Breaking the Chains project is really good at, this ‘user-led-ness’. The thing to focus on is the young people, all the time [...] empowering the young people to take charge of where this course goes. They are using the existing champions... they invited the existing champions to create the video content and decide what goes into it. What are the messages they want the newer young people into the system to understand. That is just amazing.” (Interview, May 2021).

She spoke positively about the support given by the Breaking the Chains team to the young people during the process of re-designing the online training:

“They [the Breaking the Chains team] are affirming the young people all the time. As a team of individuals working with the young people, they are able to enable these young people to speak. I think it’s great. I am knocked away, knocked out by it as an experience. It is interesting because my friend is doing a lot about decolonising education [...] She works on digital narratives with young people, and I was talking to her about it and she was very impressed. She said it was really unusual and very rare to take that approach. Which is great, it is amazing, it is just extraordinary.” (Interview, May 2021).

The young people shared in the focus group session how they feel their contributions to the project are always valued by the Breaking the Chains team, that they feel listened to and how as a result they trust the team.

As the young people told me:

“If you ask [the Breaking the Chains team] to describe each one of us, they will describe us exactly how we are, because they deal with us, they see us every day, they get to do activities, to talk about real serious stuff but at the end of the day, if you asked then how is [young person’s name] or if you ask my first solicitor, if you ask [breaking the chains lawyer] you would think she was my mum, and that my first solicitor had just met me on the streets. That’s the comparison you can do between them because the way that they work, the way that they approach, they always make you feel comfortable, and make you understand that whatever you are doing, first of all you are doing it for yourself, and no one makes you do something you do not want to I wish that everyone was as lucky as us to have them as solicitors and as part of our lives It is a big change in our lives to have people who approach us like that.”

“I have joined Shpresa when they started the zoom meetings so I haven’t really had the chance to do the face to face sessions that they have done before but at a really really difficult time in my life I met these people and they were really really welcoming and really caring and I felt so welcomed by them and even though I did not know anyone I saw them first time on the zoom sessions, I felt welcomed and they tried to make me included in their discussions, they encouraged me to give my opinion, and express my ideas so it was a really friendly place to be.”

“She sees you like a human being not just a client she says how are you feeling, how are you, and then, that is the most important thing you should build that trust with your solicitor that is really important and crucial. Having that trust with her made me feel more to trust her, to make that connection.”

(Focus Group, February 2021)

In the focus group that the young people led with the lawyers from the Breaking the Chains team, the young people asked what the MiCLU team had learned about Albania from their work with them and how this had shaped their work practices. Their answers demonstrated how this acquired cultural knowledge was central to being able to represent the young people to the best of their ability, and illustrated again how the child/youth centred focus of the project enhances the quality of legal practice. As one lawyer told the group:

“Since working on the job my knowledge of Albania has grown. I had represented Albanians previously [...] through each of my clients I have learnt something new, whether it is about a specific part of Albania that they are from, the education system. My knowledge has grown massively, alongside that I do my own reading to keep up to date ... the more of it that I do, the next case I work on it makes things a little bit easier, because I already have that information from the cases

that I have worked on before, so I feel that every day I am building my knowledge of Albania, and I hope in the long run that will be of benefit to individual cases.”

(IC-led Focus Group, February 2021)

Another lawyer explained how a seminar the young people and Shpresa had led on Albanian culture had been particularly useful:

“The seminar on Albanian culture I found incredibly educational I was thinking about old cases, I represented a lot of Kosovo Albanians a long time ago and then over the years have represented quite a few Albanians and suddenly quite a lot of bits of their cases made sense to me, that I hadn’t even realised that I hadn’t understood. Suddenly things made a lot more sense to me. I became really aware of how our systems don’t build in that understanding, don’t understand real humans and how different Albanian culture is from British culture and think that because most Albanians are white European in appearance we can sometimes assume that there is more shared culture than there is and it was so useful to understand the collective identity of Albanian society that each person is part of a whole and particularly around trust and ‘Besa’, the concept that you are nothing without your word whereas in the UK we have a bit more an individualist capitalist selfish culture and it’s much harder for us to understand that people have sacrificed their own good for the good of other people.” (IC-led Focus Group, February 2021)

5. Extending Partnership Working

Central to being able to support the young people through the pandemic has been the effective partnership working that underpins the project, and through this partnership to nurture pre—existing links and to make further connections to create new partnerships. As stated in the first evaluation report, ‘Integral to the success of the Breaking the Chains project in the first year has been a good working relationship between the two key partner organisations: MiCLU and Shpresa Programme’. This effective partnership working has continued in Year 1, but crucially enabled the project to partner with many new volunteers at the start of the first lockdown. As the Director of Shpresa explained:

“I think the [Breaking the Chains] project was at the right time, if this project did not exist it would have been really difficult for Shpresa to keep everything going on, so looking on that bright side it has been stressful it hasn’t been easy because of the capacity but I think lots of things have happened not just because of the funding and the project but because of the link the project has made, that are more long life than just funding itself. Just looking at the befrienders that we got because of our relationship with [Breaking the Chains] this was the first time for Shpresa to have this relationship and volunteers and know this is rushed but the exposure for Shpresa saying what injustice that the Albanian speaking population face I don’t think I would have dreamed of a better place in Covid, people had more empathy and jumped more to help and I think the relationship we have with

Garden Court and the relationships we created with different ... I think is very positive and as a result of Breaking the Chains, the discussion, the research, the need for more research, and the young people have been key to this project. Unless we had this project or these kinds of links, I don't think we would have had this kind of input from the young people and I really really appreciate that." (Interview, April 2021)

She goes on to discuss the positive impact these new collaborations have had on the young people:

"The network of people that is seeing them and working with them, talking to them and hearing their stories, fighting with them has made them believe they can change the world now. So, they are still fragile, they are still vulnerable young people, but they are meeting every day new faces who care for them and that means quite a lot."

In the evaluation of Year 1 the importance of changing the negative stereotyping of Albanians in the UK, of changing narratives around the young people was identified as an important challenge to address. Through the development of new initiatives such as the befriending project and bringing many new people into supporting the young people, this gone a little way to addressing this issue. One of the lawyers on the Breaking the Chains team expanded:

"You have this young cohort who are victims of trafficking or other human rights abuses. Covid has just intensified every single indicator of distress and risk in their lives so I think we need to share some learning. I think that is one of the things we need to do and think strategically. I just think that what is most powerful in the project are the voices of the young people even on zoom they are extraordinary. I think, and some people may think I am naïve, but I still think if we could get their voices heard by more people that might make a shift." (Interview, April 2021).

This was indeed the perspective of the two volunteers who had become befrienders to young people involved in the breaking the chains project at the beginning of the first lockdown. As one befriender told me:

"You know intellectually about things that happen to the young people, what they've been through and I heard about it through people who run Breaking the Chains. I've heard the stories a number of times, and I know how difficult it is for people to get status in this country. I know that intellectually. I've known it for a while. But actually, when you're working with an individual and you're communicating with them regularly, I have to say I knew nothing. I knew nothing. It has left me with a profound sense...of how extraordinarily difficult it is. It is hard to put into words actually. But how very very...it is people dealing with these multiple layers of issues, and having to do that in a hostile environment. We overuse that word, but bloody hell, it is hostile. She [young person who has been befriended] has just been extraordinary. It has had a huge effect on me really. We often say that things happen, and you end up counting your blessings – hell yes, this is probably the most significant event in my life to help me realise my privilege."

Yeah. And learning about Albania...I didn't really know where it was if I'm honest! I knew it was somewhere north of Greece, that's all I knew! But I knew nothing about it. We don't know a lot about it in this country I think, and I talk to people about Albania and my friends say the same. We don't know much about it. I've learnt so much about its culture and its political system. It is an interesting culture. There is a bit of me, and this is again I'm checking my privilege, that goes 'what in Europe?!'. Yeah, in our backyard! This goes on. So it has been [...] an education with a capital E, in all ways." (Interview, May 2021).

"When I came into it I knew practically nothing about the Albanian community I suppose I had heard things but I don't think I even knew ... how many of the young men or young people even who are working in modern day slavery in the cannabis farms and so on I hadn't grasped what a huge proportion of those were from Albania and I knew very very little about Albania and now I know a lot more, partly through talking to my young person being involved in the zoom sessions and reading and listening to people's stories I feel I know a lot more about the differing communities there and the difficulties people are facing there both young men and young women, and the prevalence of Albanian gangs in trafficking of all kinds which I hadn't known about before and the whole Kanun honour culture which is just horrendous for everyone concerned that I didn't know about that operating in Albania and in Albanian communities outside of Albania [...] I think I have learned loads." (Interview, May 2021).

In the first evaluation report the need for more robust research into the lived experiences of young Albanians seeking asylum in the UK was identified as a pressing need, in order to extend the range of evidence to support asylum claims and to raise awareness of the needs of the young people. It is a success of the second year of the project that the Breaking the Chains project is participating in two pieces of collaborative research, firstly a piece of research commissioned by the Paul Hamlyn Foundation looking into the extent and impact of delays to be led by Christine Beddoe, former Director of ECPAT UK. Secondly, a team of researchers from the University of Liverpool, UCL London and the University of Southampton has received funding from the ESRC to investigate the impact of the pandemic on young unaccompanied asylum seekers in the UK, working specifically with young people from the Shpresa programme.

The second piece of research was born from Shpresa's existing relationships with UCL, and MiCLU's with the Child Rights Unit at the University of Liverpool. The Breaking the Chains team approached a group of academics straddling Child Rights, Education, Health, International Development and Psychology who were interested in researching the impact of Covid on asylum-seeking children and young people. As one of the lawyers explained:

"On 2nd July 2020 some of the first cohort of Immigration Champions attended a meeting with academics and spoke powerfully about their experience within the asylum system, and the impact that lockdown and the prospect of further delay in consideration of their asylum claims was having upon them. Lawyers from MiCLU and Garden Court explained the challenges in bringing Judicial Review actions in relation to delay, and the extent to which these had increased exponentially by the

pandemic. The team, including the Immigration Champions, and led by their voices, made a compelling argument for the need for urgent detailed academic research into this issue, to evidence the impact. It was clear that any such research must be led and informed by the young people's voices. As a result, all of the academics at the meeting made a commitment to seek funding for research and to support young people from Breaking the Chains to be closely involved. An immediate offer of training for appropriate young people to become Peer Researchers was made, and the academics demonstrated their commitment by agreeing to start the training before any funding applications were made. Following the meeting, the universities involved submitted applications for funding and 'Lives on Hold: Our Stories Told' was born.¹⁵

Lawyers from MiCLU sit on the Advisory Board for the project and have supported the research team by providing content for funding bids and surveys of lawyers and other professionals, and using connections in the immigration law sector to publicise these. Young people have received training on becoming Peer Researchers and continue to inform the research. This work has been rewarding for all parties and has given young people much needed focus and a sense of purpose and pride during what was an incredibly hard time for them.

6. Advocating for and Influencing Policy Change

Throughout Year 2 the Breaking the Chains team have continued to engage in broader advocacy and campaigning work to bring about policy changes to further support children and young people seeking asylum in the UK. As this report highlights, the Covid-19 pandemic and the introduction of related restrictions disproportionately worsened the lives of those who were already socially and materially disadvantaged in the UK. Unaccompanied asylum seeking children who were already vulnerable to poverty, social marginalisation and exploitation became more at risk.

Shpresa responded to the immediate, urgent needs of the children and young people they were supporting while amplifying their voices in a call for an urgent policy response. MiCLU listened to those same voices and worked with fellow members of the Alliance for Children in Care and Care Leavers which, early on in the pandemic, identified shared concerns about young people's isolation and lack of regular contact with social services, mental health problems, inability to continue their education online, and worries about being able to go out to buy affordable food and toiletries. MiCLU developed one of the earliest online resources of organisations that could advise young asylum seekers directly, or through their support workers, and shared this with the children in care and asylum/refugee sectors.

During the pandemic, the government has come under criticism for restricting rather than increasing the protection of vulnerable children and young people.¹⁶ The Adoption and Children (Coronavirus) (Amendment) Regulations 2020 (SI/445/2020), for example, reduced

¹⁵ Email correspondence 11 June 2021

¹⁶ Bond, Abigail (2020) The Adoption and Children (Coronavirus) (Amendment) Regulations 2020 (SI 2020 No. 959) <https://www.stjohnschambers.co.uk/wp-content/uploads/2020/05/AB-notes.pdf>

many of the statutory protections for children and young people in care and care leavers. As part of their policy work, MiCLU and Shpresa, together with 19 other children's charities, wrote an open letter to the Children's Commissioner in June 2020¹⁷ to express concern about the broader impact of lockdown on children seeking asylum or with irregular immigration status and the government's failure to protect them. The letter encouraged the Children's Commissioner for England to ensure children in care and care leavers had sufficient access to laptops, wifi and routers in order to facilitate contact with their social workers and personal advisers, and continue their education. The open letter further stated:

*"We call on you, as the Children's Commissioner for England, to use your investigative powers to listen to these children and young people, investigate failures in responses to their needs at this time, and advocate for a better response to safeguard and promote their welfare. We make this request at a time when we are gravely concerned at the Adoption and Children (Coronavirus) (Amendment) Regulation 2020 (SI/445/2020) which removes and weakens vital safeguards for vulnerable children, including those looked after children who are seeking asylum and child victims of trafficking. The significant dilution of important corporate parenting duties to visit and maintain contact with children will result in the voices of these children and young people being further silenced and their needs being completely overlooked. For the vulnerable cohort of children and young people we work with, the loss of support is all too often associated with increased future risks of harm, exploitation and deterioration in their mental health."*¹⁸

In response to the Immigration Champions urging Breaking the Chains to explore and try to address issues relating to access to education and permission to work, MiCLU are reviewing the research, legal and policy frameworks regarding access to further education courses at level 3 or higher (particularly those with a work-based element), and permission to work for young asylum seekers who face long delays in having their status clarified or granted. MiCLU aims to develop a longer term advocacy strategy to try to cohere conflicting advice given through education policy and asylum/immigration policy as well as make both more responsive to post-pandemic developments.

From early on during the pandemic, Breaking the Chains raised issues around the efficacy and reliability of remote interviews as a replacement for Home Office face to face substantive interviews. For several months, all substantive interviews were on hold, although the government announced its intention to restart interviews using the existing digital interviewing platform. Using the experiences of both Immigration Champion's and Breaking the Chains lawyers, MiCLU raised a number of concerns about the use of video conferencing for unaccompanied asylum seeking children and young people and child victims of trafficking in a written response to the Independent Chief Inspector of Borders and Immigration's inquiry into asylum casework in August 2020; and through a series of meetings with Home Office Asylum Operations officials responsible for the resumption of UASC interviews.

¹⁷ <https://miclu.org/blog/21-charities-ask-childrens-commissioner-to-investigate-failings-to-children-young-people-in-the-covid-19-crisis> (accessed 13 June 2021)

¹⁸ https://miclu.org/assets/uploads/2020/07/Joint_letter_to_Childrens_Commissioner_4.6.20-Final-1.pdf (accessed 13 June 2021)

According to research published by the Department for Education (DfE),¹⁹ despite unaccompanied asylum seekers comprising only 6% of the population of looked-after children, they form 43% and 36% of the children living independently and in semi-independent accommodation. The DfE consulted on banning the use of unregulated accommodation for children under 16. On behalf of Breaking the Chains, MiCLU worked with the Refugee and Migrant Children's Consortium (RMCC) to draft a response to the March 2020 consultation, opposing the proposal and arguing for the ban to cover looked after children up to age 18 and calling for a stronger regulatory framework for the provision. MiCLU consulted the Immigration Champions and their peers, at an online Shpresa Zoom session, seeking their views of the proposals, and included their responses in the RMCC response. Although the DfE has announced its intention to go ahead with the under 16 ban, MiCLU supports Article 39's legal challenge to this decision, and continues to argue that all placements must be safe and placement decisions based on an assessment of the young person's needs and best interests rather than their age.

Importantly, Shpresa raised awareness of policy issues in online events throughout the year, specifically highlighting the implications of delays in the asylum system on young people and advocating for the right to work for young people seeking asylum. At all times, the Shpresa Programme worked *with* the young people to ensure that their voices were central to discussions of policy, and that policy recommendations always drew on the lived experiences of the young people.

7. Lodging fresh claims for young people who had become 'Appeal Rights Exhausted' ('ARE')

As a response to the Covid-19 crisis some practices in immigration law were amended. This included the Further Submissions Unit taking fresh claims via email or post rather than in person as had been the case prior to the pandemic. This meant that some young Albanians who had previously 'gone underground' were able to make a fresh claim in this manner. For many the pandemic had made their already difficult life circumstances even harder, as illegal work (for example car washes, building sites) dried up, informal housing arrangements (couch surfing for example) became more difficult because of lockdown and the fear of infection spread, as well as the increased cost of living for essential items such as food. As a member of the Breaking the Chains team explained:

"I think we have made some progress, one of the areas at the beginning we were unsure how to we were going to deal with were young people we know had been lost and some of them came back during Covid, and in that respect we made progress we became somewhere for young people escaping exploitation to turn [...] several of them have are back in ... accommodation that is not precarious, and they are accessing education again and they are accessing medical treatment. Those young people have been stabilised socially and, from an immigration perspective, we have pending applications for them they are not complete, work

¹⁹ DfE (Feb 2020) Use of unregulated and unregistered provision for children in care: research to understand the increase in use of unregulated and unregistered provision for children in care and care leavers, and concerns about quality

continues on all of those cases but from a risk perspective they are no longer street homeless, they are not removable without a decision being made by the Home Office, that is a massive gain. I think sometimes we can lose sight of how much we have gained because we also know that there are lots of young people who are very frustrated with the lack of progress on their case or are very much more unwell than they were at the beginning of last year.” (Interview, April 2021).

However, as the MiCLU team recognises this has not come without extra strain on capacity. Resource constraints mean that not all young people can be taken on by the Breaking the Chains lawyers or indeed be referred to other good quality lawyers. This is a desperately difficult situation as all stakeholders in the Breaking the Chains project want the best outcomes for *all* the young people but only *some* young people can be represented by the legal team because of capacity. As the team notes:

“While this has been an invaluable addition to the Breaking the Chains provision, it has remained incredibly difficult for Shpresa staff to manage the exceptional vulnerability of children and young people without offering them legal representation, at the same time caseworkers have case loads which mean that, should they take on additional cases, they would be unable to undertake the quality of representation required to secure protection for the children and young people in question. Further, those who have been underground for some time will frequently require significant work to stabilise and improve their basic living conditions and to establish trust following their experience of being failed by adults in the UK such that they lost touch with mainstream services. This has been a serious tension for individuals and for the team and has been distressing and hard to address.”²⁰

The Shpresa team is thus caught in the difficult and distressing situation in which they are providing critical support to very vulnerable young people without the certainty that good quality legal representation can be found for all.

8. Securing some additional funding

The Breaking the Chains team has also been successful in securing some additional funding, in part emergency funding to deal with some aspects of the Covid crisis but also funding to bolster ongoing capacity. Demand still, however, substantially exceeds the capacity of the project even with the additional funds.

- The Breaking the Chains project received additional emergency funding from Paul Hamlyn, to deal with the immediate needs of the young people under lockdown. Additionally, this crisis funding enabled the team to put in fresh claims for some young Albanians who had gone ‘underground’ (disengaged from formal services) but who made renewed contact with Shpresa during lockdown
- The Breaking the Chains project has secured funding from the Paul Hamlyn Foundation (lead agency Shpresa Programme) to commission and assist in research into the

²⁰ Internal MiCLU report to Paul Hamlyn Foundation

impact of delay on children and young people and specifically identifying any breaches of the state's obligations to victims of trafficking in order to explore the potential for strategic litigation.

- During Year 2 MiCLU secured 4 years' funding from the Big Lottery's Reaching Communities fund to employ a second full-time caseworker on the Breaking the Chains programme, to employ a part-time Project coordinator to lead on work with the young people and ensure that their voices are further amplified in the sector, and to increase their capacity to undertake legal research and policy work arising out of the project to underpin the project's action for long term change. This increased funding has been essential to delivering services to the young people and to working alongside Shpresa programme to meet the needs of the project and stabilise it into the future at what has been a very challenging time.

Despite the increase in funding, and the successes set out above, it is evident that Covid has had an impact on the ability of the Breaking the Chains casework service to become self-sustaining through legal aid income. Whilst it had always been understood that working in a child-centred way on such complex and difficult cases would not lead to quick or easy wins, had normal service been maintained, it would have been reasonable to expect a higher level of throughput of cases, and therefore opportunities to realise legal aid income more quickly. In addition to resulting in income, the billing of legal aid cases also offsets the up-front costs involved in running asylum claims in Albanian cases which usually result in greater need for expert reports which must be paid for on receipt of the report, but will not be reimbursed until the claim is billed. In addition, the income projections on which the tapered casework funding from PHF was based anticipated the potential to bring Judicial Review claims in relation to cases affected by delay. Judicial Review work has the potential to generate significantly higher income than other case types due to the nature of funding, and the prospect of obtaining costs (at enhanced rates) from the opponent in litigation.

Covid has resulted in delays in the asylum system, so that the throughput of cases is reduced, and the prospect of bringing successful Judicial Review challenges against those delays is also reduced. This then also increases the extent to which caseworkers have to undertake 'non-legal' work to maintain client engagement and to stabilise poor mental health which results from young people spending extended periods of time in stressful limbo. Such work is not within the scope of legal aid, and further undermines the ability to generate income, despite being essential to ensuring the safety of clients and underpinning their ability to provide instructions.

The impact of Covid upon this aspect of the Breaking the Chains project therefore, as set out in the introduction, has been that Year 2 of the project has not seen the level of income predicted. This is not because the prediction was incorrect at the time it was made, but because nobody could have predicted Covid given its unprecedented nature. Given the reasons beyond the control of project staff in relation to this, there is an increased need for ongoing funding for this aspect of the project to sustain the progress made in Year 1, and allow the project team the opportunity to build on that progress, and the different gains made in this most unusual Year 2 in order to achieve sustained change for the vulnerable children and young people already part of the project, and for those who will join it in the future. The investment of additional funding to increase capacity within the MiCLU team has been much

needed, and any future reduction of advice and representation capacity would have adverse consequences on viability.

D. Overview of Outcomes and Outputs

The targets below are for the Paul Hamlyn Funding as at the time of writing this evaluation report Reaching Communities Funding had been in place for just 5 months. Future evaluations will measure outputs and outcomes for both funding streams.

<p>MiCLU to offer a casework service to 15 children and young people, depending on nature of the cases</p>	<p>The team is working with 16 young people through the funding from the PHF</p> <p>Several of these young people are being represented in relation to more than one issue.</p> <p><u>Target exceeded</u></p>
<p>3 training sessions on the asylum system covering: (i) an overview of the asylum system (ii) how to get the best from your lawyer (iii) fresh claims, to be delivered by MiCLU at Shpresa, three times in the year (nine sessions in total during the year) to approximately 75 children and young people in total</p>	<p>Whereas prior to Covid training was provided on a termly basis, this training is now delivered weekly via zoom on Wednesdays. Approximately 45 training sessions have been delivered which have been attended by between 20 and 50 young people on each occasion.</p> <p><u>Target exceeded</u></p>
<p>18 surgery sessions (two half hour sessions to be available after each of the nine training session) to be delivered by MiCLU, to children and young people at Shpresa who are worried about their asylum claims, in order to provide information and to signpost</p>	<p>Again, due to the move to remote/online provision the frequency of these surgery sessions has been increased to try to advise all of the young people who were re-engaging with Shpresa programme as a result of the pandemic. From 20th May 2020 these became weekly sessions depending on need.</p> <p>32 remote 45 minute surgery sessions were delivered.</p>

	<u>Target exceeded</u>
Child friendly precedents to be developed by MiCLU	<p>Initial advice letter – completed and in use with all new clients to the Breaking the Chains project, and other child clients at MiCLU/ILC</p> <p>Advice letter on asylum appeal hearings is in use. An e-tool was created but is not currently in use due to the use of remote hearings rather than face to face hearings at present.</p> <p>Consultation with young people on other resources is required but has been delayed during Covid due to the need to meet individual advice needs and the increased time required to ensure that learning from the education and empowerment programme is effective, such that time has not been available to pursue these in the way that would have been the case pre-Covid.</p> <p>The Immigration Champions continue to provide the best practice resource in the provision of peer to peer Children Friendly information. Peer to Peer oral and mediated information continues and we intend to explore methods of improving delivery of this using online learning tools in the next year.</p>
6-8 Immigration Champions to be co-trained by Shpresa and MiCLU to give a voice to, and advocate for, children and young people within the asylum system	<p>7 Immigration Champions are being trained in this cohort, with 2 additional young people being supported to attend training whilst their situations stabilise.</p> <p>8 - 10 of previous cohorts remain engaged with the project, 5 of whom are essential to</p>

	<p>delivery and the facilitation of the sessions with the new cohort of immigration champions and the wider training sessions. The two previous cohorts of Immigration Champions participate in weekly planning sessions to ensure that the weekly delivery sessions on Wednesday meet the needs of the young people attending.</p> <p><u>Target exceeded</u></p>
<p>One public event to be co-facilitated by MiCLU, and children and young people from Shpresa, to share the learning from this project</p>	<p>The following events have taken place to share the learning from the project</p> <ul style="list-style-type: none"> • Evaluation Report launch 23 September 2020 - 89 attendees (including panelists) • Seminar series (detailed below)– 216 individual attendances • My Room Refugee Week event, June 2020 • York Refugee Week Event, June 2020 <p><u>Target exceeded</u></p>
<p>MiCLU and Shpresa to identify key policy issues affecting Albanian children and young people and to begin to identify how this project can raise awareness of, and where appropriate address, these issues.</p>	<p>During Year 2 the following issues were identified via consultation with young people</p> <ul style="list-style-type: none"> • Delays and links to trafficking – the team has commissioned research from Christine Beddoe, trafficking expert • The project is also contributing towards longer term research regarding delay with the Universities of Liverpool and Southampton and UCL. <p>The PHF-funded Beddoe project is seeking to publish a report identifying</p>

	<p>any links between delay and breaches of the UK's obligations under the trafficking convention for use in challenging delays – publication date 2021.</p> <p>The latter is a three year research project identifying the wider impacts of delay with a view to academic publications as well as use in preparing legal challenges on delay.</p> <ul style="list-style-type: none"> • Access to further and higher education and work placements or funding issues – see above. • Mental health issues and access to service, including challenges identified re the transition from CAMHS to adult mental health services • Poor quality of representation which we address through our seminars and via the provision of bespoke resources for those working with Albanian children and young people. • The disproportionate use of certified refusals in cases involving Albanian UASC and former UASC <p>Year 2 has been dominated by the impact of Covid and so work on the above issues has been carried out through the lens of addressing the impact of this on young people and also the ability to push matters through during the Covid period</p>
--	--

	<p>Report produced on Covid-19 and remote working with children and young people as MiCLU are uniquely positioned to comment on this issue (drafted in Year 2 and launched June 2021)</p>
<p>Identify and explore strategic litigation opportunities</p>	<p>Permission to work – we are continuing to seek advice from Counsel on the potential to challenge the refusal of permission to work in anything other than shortage occupation professions following initial litigation being settled in favour of the young litigant on other grounds.</p> <p>The Paul Hamlyn funded research on delay, due to be published in 2021, will inform the team’s approach to this strategic challenge</p>
<p>Immigration Champions co-ordinate 4 events with policy makers/practitioners 100 people reached</p>	<p>The Immigration Champions have co-ordinated a series of seminars addressing issues affecting Albanian children and young people in the asylum process and these have been co-delivered with project staff and partners. This seminar series is ongoing but to date the following seminars have taken place:</p> <p><i>The merits of Albanian asylum claims based on domestic violence</i> – 12th February 2021 – number of attendees not yet available</p> <p><i>Albanian culture and heritage</i> – 22nd January 2021 - 95 attendees</p> <p><i>Working with your young client</i> – 11th December 2020 - 40 attendees</p>

	<p><i>Expert evidence</i> – 20th November 2020 - 30 attendees</p> <p><i>The CPIN and assessing merits in Albanian claims</i> - 23 October 2020 - 51 attendees</p> <p>Total number of attendees across all 4 seminars: 216</p> <p><u>Target exceeded</u></p>
<p>Immigration Champions train professionals 2 x a year 30 professionals trained</p>	<p>The Seminar series referred to above was largely aimed at professionals and has resulted in 216 professionals from law, social work, policing and anti-slavery sectors receiving training devised and co-delivered by Immigration Champions.</p> <p><u>Target exceeded</u></p>

Recommendations from Year 1 evaluation	Responses include:
<p>Additional employment of case workers at MiCLU to take on Albanian cases and to co-deliver training to young people.</p>	<p>Employment of 1 case worker and 1 Project Co-ordinator</p>
<p>Increase funded staff capacity at Shpresa, with additional training for staff on immigration-related matters.</p>	<p>Planning of the immigration training started in Year 2 and delivery has begun in year 3.</p> <p>Increased funded staff capacity at Shpresa remains an urgent priority. It is vital that the Shpresa programme receives more funding to be able to continue its critical work within the Breaking the Chains project. Current funding ends in December 2021.</p>

<p>Further consideration of the range of additional support for young people including extending participation of therapeutic organisations and befrienders.</p>	<p>The befriending scheme set up by Shpresa at the beginning of the UK's first lockdown has been integral to providing support to young people.</p> <p>The weekday zoom sessions for young people have included one session per week on wellbeing run by a counsellor</p>
<p>Continue to foster relations with academics to develop research projects related to the lived experiences of young Albanian people in the UK and thereby extend the range of evidence that can be used to support Albanian cases</p>	<p>Two research projects have gained funding in Year 2, one from Paul Hamlyn Foundation to examine the impact of delays and one funded by the ESRC to investigate the impact of the pandemic on asylum seeking children and young people in the UK.</p>
<p>Further develop public awareness raising of issues facing young Albanian asylum seekers in the UK through closer engagement with the media.</p>	<p>The Befriending scheme has brought in a range of volunteers from across the country to help support the young people and in so doing raised awareness of the issues young Albanians face in the asylum system. The scheme gained some media coverage (BBC Radio York)</p> <p>An article in <i>The Observer</i> (6 June 2020) highlighted the campaigning from The Breaking the Chains team working together with CARAS and ECPAT to challenge the introduction of statutory instrument 445 which reduced legal protection for children and young people in care, including unaccompanied children and young people seeking asylum https://www.theguardian.com/society/2020/jun/06/alarmed-rise-in-cases-of-missing-children-following-safeguarding-cuts</p>
<p>Continue to extend training of legal practitioners to encourage the higher take up rate of Albanian cases by good quality law firms.</p>	<p>Training has continued through the pandemic but online.</p>

<p>Continue to pursue routes to establish the training of tribunal judges to become more knowledgeable of Albanian cases.</p>	<p>The pandemic has made this difficult but this remains a key objective</p>
<p>Explore ways in which the training of legal practitioners can be extended beyond London.</p>	<p>The move to online training has made events more accessible to legal practitioners beyond London</p>
<p>Continue to include the Immigration Champions in all aspects of programme design and delivery.</p>	<p>The Immigration Champions have remained central to all aspects of programme design and delivery, for example, they are integral to the re-design of the online training. Alongside their roles as co-researchers in the ESRC funded project examining the impact of the pandemic on young people seeking asylum in the UK, they have also been part of the evaluation of Year 2.</p>
<p>Funders should support the project to continue its vital work in assisting young people to cope with the pandemic and its consequences</p>	<p>Additional grants have been secured from PHF and Reaching Communities (Lottery funding) and Awards for All.</p>

E: Summary

In an asylum system already ‘catastrophic with its delays’ the pandemic has compounded the challenges that the Breaking the Chains team and the young people already faced. Delays in progressing cases have occurred in part because of the deficiencies of the asylum system but also in part because of the impossibility of being able to work safely and effectively with many of the young people remotely. The pandemic and associated lockdowns have worsened the mental health of the young people, and exacerbated the material disadvantages they already faced meaning the young people need extra support to keep them afloat.

Nonetheless there have been huge successes in Year 2, with the Breaking the Chains legal team providing critical legal work, policy advocacy and immigration training in conjunction with the Shpresa team, and supported by lawyers at Garden Court and a wider network of volunteers and associated organisations, always working collaboratively with the young people. Indeed, they are a shining example of good practice in terms of their child/youth centred ethos.

Despite some positive legal outcomes for clients in Year 2, the throughput of cases has been negatively impacted by the pandemic, and the project vitally requires an extension of funding to achieve its goals.

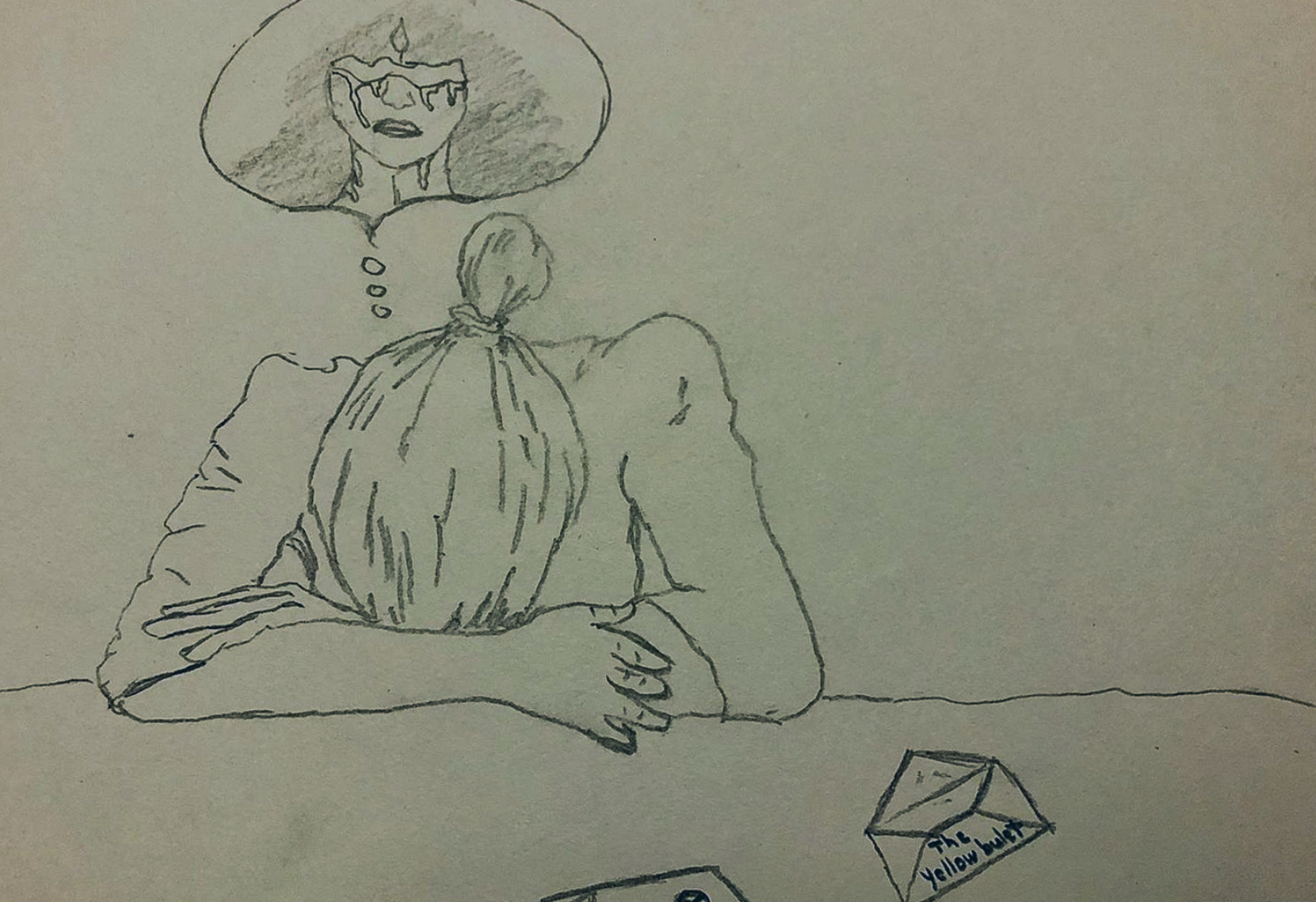
The young people with whom they work speak eloquently and positively about the team and the life-saving work of the Breaking the Chains project. As one young person shared:

“It’s a big difference from [my first] solicitor to the one I have now, and it is because of that [first] solicitor I went underground and I spent 5 years of my life, dead wasted years but that’s how much of an impact a bad solicitor can have on your life and to compare her with the approach of Breaking the Chains, I didn’t quite have confidence and trust in the MiCLU solicitors in the beginning because of the experience I had before, I was afraid to open up, afraid to tell everything of my life and what had happened and how things should be told, but in time they make me believe I can trust them first, and as soon as they saw I felt comfortable and I would trust them they approached me the right way, and then I just took my heart out, I told my story and tried to sort my life out and I am in a better place now.”

(Focus group, February 2021)

F: Recommendations

- 1. Secure an extension of funding to support the Breaking the Chains project beyond the third year of funding**
- 2. Increase and extend funded staff capacity at Shpresa.**
- 3. Continue to advocate for changes within the asylum system (to tackle delays, to train judges to become more knowledgeable on Albanian cases for example)**
- 4. Continue working to engage more high-quality lawyers to represent young Albanians in the asylum system (both in London and beyond)**
- 5. Assess the mental health provision for young people accessing Breaking the Chains services, with the view to working with specialist mental health practitioners and others so that they better understand the mental health needs of young people seeking asylum and the importance of good mental health in preventing re-trafficking, exploitation and further harm.**
- 6. Continue to include the Immigration Champions in all aspects of programme design and delivery. This is an exceptional feature of the project and a model of good practice within the sector.**
- 7. Review workloads of staff and to draft guidelines on roles and capacity**
- 8. Further incorporate peer engagement in evaluation of third year of the project**
- 9. Continue to share learning from the Breaking the Chains project and collaborative research to work with others within the sector and beyond to increase their broader knowledge of the lived experiences of Albanian young people in the UK.**



Dr Rachel Alsop is an independent researcher and consultant working in the field of Gender Studies with particular expertise on migration and young people. She is also a Lecturer in Centre for Women's Studies at the University of York, and an Editor of the Journal of Gender Studies.

<https://miclu.org>

<http://www.shpresaprogramme.com>

