

**Public letter to:**

Charlotte Ramsden OBE, President of the **Association of Directors of Children's Services**

Isabelle Trowler, **Chief Social Worker for Children and Families**

Rachel de Souza, **Children's Commissioner for England**

The Incoming Chair, **Home Affairs Select Committee**

Dame Sarah Thornton, **Independent Anti-Slavery Commissioner**

David Neal, **Independent Chief Inspector of Borders and Immigration**

Josh MacAlister, Chair of the **Independent Review of Children's Social Care**

16 December 2021

**Introduction**

*"Sometimes I was thinking I could end my life, thinking, thinking what am I doing in this position but how can [it be] better. I was waiting for the Home Office to make a decision, then I went for interview and they cancelled. Then I had to wait another 6-7 months for another interview. I was thinking 'Why did they cancel?' – I didn't know the rules. Really stressful for our mental health, making you feel bad – not knowing."*

We are writing to you as 25 child and migrant rights organisations who come together within the Refugee and Migrant Children's Consortium (RMCC). Between us we support many children living across the UK who are here on their own claiming asylum. Our letter is an alarm bell to institutions concerned with safeguarding this group of vulnerable children. Without urgent action, it is our collective opinion that some of the children we support are at risk of self-harm and dying by suicide – a risk that is being exacerbated by Home Office failures to decide the children's asylum claims.

**Children's asylum delays**

Despite asylum claims in the UK being lower per capita than many other European countries, the Home Office has a record backlog of asylum cases. Hundreds of children are caught up in the backlog, waiting – in some cases for years – while adults struggle to make the asylum system work.

The Independent Chief Inspector of Borders and Immigration's [asylum inspection](#) (published in November 2021) found that despite the Immigration Rules stipulating 'particular priority' should be given to the cases of unaccompanied children, "[c]laimants who received a decision in 2020 were waiting an average of 449 days, and this rose to 550 days for unaccompanied asylum seeking children."

Based on our own observations, the views of local authority social workers and the voices of children themselves, across the country there are children sat in bedrooms who are emotionally and physically falling apart due to the impact of these delays.

To be clear, children's asylum delays pre-date Covid-19 but have been exacerbated by the pandemic. And while the mental health impacts of Covid-19 on children have been particularly acute and well documented, for children on their own in the UK claiming asylum, the pandemic has been extremely challenging. Dislocated from family and support networks, having made precarious journeys as a result of painful events, children arrive in the UK seeking safety and security – hoping to find a place to be a

child again. Instead, as one solicitor told us, the children he represents are quietly developing severe mental health problems because they have been left in limbo by the UK's refugee system.

*"Especially in pandemic surrounded by 4 wall room, thinking stuff: what will happen, what will decision be? So, so depressing."*

### **Impact on children's mental health**

*"We have other young people they have committed suicide because of the stress, some people have suffered more than we know, and they just give up."*

Many of us signed a letter to Nadine Dorries MP (then Minister for Mental Health, Suicide Prevention and Patient Safety) organised by Da'aro Youth in July 2021 highlighting the shattering number of suicides among teenagers arriving in the UK on their own claiming asylum. Da'aro Youth alone has identified 11 young people who arrived in the UK as unaccompanied asylum-seeking children and who have died by suicide in the last five years. At the time of their deaths, all were either children in the care system or care leavers and some were still waiting on the outcome of their asylum claim.

In the North West of England, 80 children represented by Greater Manchester Immigration Aid Unit (GMIAU) have been waiting longer than six months for a decision on their asylum claim – their average wait time is 423 days. Fifty children are still waiting for an initial asylum interview and have not yet been able to tell their story, thirty children have had an interview but are waiting for a Home Office official to make a decision on their claim. The children were between the ages of 12 and 17 when they approached GMIAU and 27 of them have turned 18 while they've been waiting for an asylum decision. Comparing data from earlier this year, the length of delay for children represented by GMIAU is getting worse. Among those still waiting are nine children from Afghanistan who have on average been waiting 417 days for their asylum decision.

What has this meant for this group of children? Social worker letters have documented how children in their care are *"experiencing hair loss in addition to irritation and pain with her skin"; "developing a lack of trust"; "feeling worried the majority of the time"; "feeling forgotten"; "hardly eating or leaving his room. It is clear he is mentally unwell"*. One social worker wrote:

*"His mental health has declined significantly. He has expressed desires to harm himself, he feels low, and is clearly very anxious and depressed. Having discussed the issues contributing to his poor mental health at length, it is clear to me that the anxiety around his status in the UK is by far the most significant factor."*

In London, in June 2021 the South London Refugee Association (SLRA) conducted a review of the asylum claims made by the young people they work with. SLRA found significant delays in their asylum claims: 17 had waited over one year for an asylum decision, ten had waited over two years, three had waited over three years, and one young person had been waiting for six years.

An October 2021 [report](#) written with young people from the Shpresa Programme examined the experiences and views of young Albanian asylum-seeking children in the UK. It found that as a result of increasing Home Office delays, children and young adults are facing greater risk of exploitation and trafficking within the UK, specifically to labour exploitation and criminal exploitation. It concludes that the asylum system is in effect pushing children into the arms of traffickers, and also highlights *"the direct relationship between delays in decisions, deterioration in mental health and the increased risk of suicide."* The [quotes](#) throughout this letter, describing the impact of asylum delays on mental health, are taken directly from young people who participated in that report.

Research conducted as part of the report looked at the cases of 33 young people from Albania who had made asylum claims in the UK between 2012 and 2019. As well as claiming asylum, 17 were referred into the National Referral Mechanism (NRM), the framework for identifying and referring potential victims of modern slavery. Of the 17 trafficking cases, nine waited over 600 days for a conclusive NRM decision, with five young people waiting over two years. In every NRM case, the child's asylum decision was pushed back until a trafficking decision had been made. Of the 16 asylum cases where there was no NRM referral, only six children received a decision before turning 17.5 years old, seven children received a decision when they were 17.5-18 years old, one young person received a decision when they were 20 years old, and at the research cut-off date (February 2021) there were two young people still waiting for their asylum decision.

### **Engagement with the Home Office**

*"Waiting, its worse when we see there is no progression. When we see progression: ok we can see. When you see nothing, everything struggling there is nothing, no hope."*

*"If they say three weeks, I want a decision in three weeks not five months or five years. It not good mentally, you can't do anything."*

Individually and as RMCC we have repeatedly raised our concerns about the impact of children's asylum delays with the Home Office. Some of us are legal representatives and regularly write letters as part of children's asylum claims explaining their deteriorating mental health and asking for their cases to be decided. We have raised our concerns with Home Office officials through the Asylum Stakeholder Engagement Group and through written correspondence, giving our recommended policy solutions in detail.

We understand that the backlog is a priority for the Home Office and the Director General for Asylum and Protection. Nevertheless, it is our collective view that while the Home Office acknowledges the problem, its response does not reflect the seriousness or urgency of the situation. Put bluntly its proposed solution – to recruit more caseworkers to decide asylum claims by 2022 – operates in adult time, not children's timescales. Based on the information in this letter we have genuine concerns that before the Home Office's plan comes to fruition, there is a real risk that

- children will self-harm
- children will be pushed into the arms of traffickers and experience exploitation and abuse
- children will die through suicide.

### **What needs to happen**

*"As young people [the delay] affects us in so many ways, a negative impact on our lives, on how we integrate and mentally – I remember crying and being so stressed and not understanding anything. The Home Office have their strict deadline when they require things from us but they delay most of the procedures and don't come on time for hearings or interviews. It makes our lives so stressful."*

We are writing to ask you to use your position of influence to help safeguard children stuck in the asylum backlog. It is our view that the Home Office must, as a matter of urgency, make common sense decisions to keep our children safe. This includes:

- Making positive decisions on children's asylum claims without interviews where the Home Office is able to do so on the basis of evidence already available;
- Considering the use of a case resolution exercise for children in the asylum backlog – this would assess a child's situation in the round, taking into account the length of time they have

been waiting for a decision and all other relevant information, to grant indefinite leave to remain where there is a reasonable likelihood that the child's future will be in the UK;

- Identifying and fast-tracking particularly vulnerable children and publishing a named point of contact to escalate children's cases where there has been a long and harmful delay;
- Ensuring all actions are informed by the best interests of the child following an agreement with key professionals involved in the child's care.

We look forward to working with you to make sure that our children are kept safe.

Yours sincerely,

Alison Pickup  
Director

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Navid Farzi  
Services Director  
**Asylum Welcome**

Jodie Bourke  
Senior Manager  
**Baobab Centre for Young Survivors**

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