

My priority for children – refugee children

Alison Harvey, Legal Director Immigration Law Practitioners' Association
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My priority is to see refugee children treated as children first and foremost. The assumption must be that they will be treated in the same way as any other child. They will have additional needs, as do many groups of children, and in response to these they should get extra help.

At the moment refugee children do not enjoy the same protection as other children. The first line of attack is to dispute their age and argue that they are not children. How can a child with no documents prove how old they are? How can an accurate decision be made about someone whose family has not been seen and whose life to date is not documented? No forensic test yields an accurate answer and subjecting children to x-rays, genital examinations and the like for no therapeutic purpose is abusive. It is by listening to children and being prepared to believe them that we can find out how old they are and yet this is not done.

Refugee children in families live in poverty, often for years, until an asylum claim, including any appeals, is finally determined. During this time their parents are prohibited from working unless the initial decision, not including any appeals, takes more than a year, and the family may be moved frequently. The implications of the way their parents are treated for the well-being of the child are disregarded.

Families are rarely removed from the UK as soon as a claim is refused. During this period levels of support plummet. Such support as there is, is provided on a no cash basis, making getting around impossible. Yet the Home Office requires of many families that if they have new information concerning an asylum claim or personal circumstances, they must hand this in in person, in Liverpool wherever in the UK they are based, although it is likely that no one will ask them a single question when they get there. A recent attempt to extend this to all families is on hold only because of a legal challenge by Liverpool city Council.

An unaccompanied refugee child is expected to be able to instruct their lawyer without help. There is no adult guardian or advocate who can ascertain the wishes and feelings of the child, make a judgment as to what is in the child's best interests and then instruct the lawyer on that basis. It is dangerous and unrealistic to expect a child to run legal proceedings.

It is shocking that no provision is made for legal aid, state-funded legal advice and representation on the basis that the person with a civil legal case is a child. Legal aid is provided for certain categories of law and not others, regardless of age. For refugee children that means that while there will be legal aid for their asylum cases, there will be none to help them put forward cases on the implications of any decision for their human rights.

Last, but not least, the casual anti-immigrant xenophobia that they encounter every day impedes the recovery of refugee children and means that rarely do they feel that they have reached safety.