



The British Association of Social Workers (BASW) Response to The Children's Society Inquiry into Asylum support for children and young families

BASW is the UK professional association for social workers. It represents 14,000 Social Workers throughout the UK who work for local authorities, in the third sector and independently. Many of them work with people who are in the process of seeking asylum or have been successful in being granted refugee status, some of our members have extensive experience of working directly with children who are unaccompanied migrant children.

BASW submitted evidence to the Inquiry on unaccompanied migrant children (Oct 2012), which is appended to this report and also relevant information and views about what action needs to be taken. The evidence below has been put together in a short space of time and is not comprehensive. However it provides some examples to support our view that the UN Convention of Human Rights are often not met with regard to asylum support for families and families. This is particularly in relation to the Rights of the Child Article 19 to protect the child, Article 18 to support parents look after their child and Article 7 the child has the right to live with their parents – unless they will be harmed by not doing so. Also the enormous difficulties often experienced in accessing basics such as shelter and food are made worse by the lack of dignity and respect in the way that support and services are provided.

There is no rational argument for denying asylum support for children and families that meets their basic human rights.

The UK context

Whilst immigration is a reserved issue to the UK Parliament in Westminster meeting the care, health and education needs of the asylum families and children is the responsibility of the four constituent countries in the UK and their respective governments. For the children who we do see and are counted in official statistics our members report a wide variation in the quality of support and services available to them across the UK with many of the specialist centres of help concentrated in a few places in urban areas. This in itself poses issues about the respective roles of the UK Government border controls, the responsibility of devolved government and parliaments for the families and children in their area and the roles of local authorities in meeting the needs of children who are at risk of harm or exploitation.

The way the asylum support system operates often excludes people from main stream services. When social workers and other professionals are involved, they need to take into account the emotional, psychological and physical trauma that people have suffered on their journey to the UK and ensure this is not compounded or made worse by their experiences of the support systems. In Scotland the Practice Governance Framework the role of the social worker is described as 'meeting need, assessing and managing risk and working with competing human rights'. Local



authorities need to consider how to enable people to access services to help meet their needs and prevent further trauma.

1. There is no doubt that income poverty has a detrimental impact on children's development, well-being and their life chances. Failure to provide essential support to people at times of crisis constitutes false economy as it not only results in avoidable distress but almost inevitably gives rise to additional future expenditure in the short and long term as many of the social problems are passed from one generation to the next.

2. The government's stated objective for the asylum support system is that it provides for the 'essential living needs' of those who would otherwise be destitute. This objective does not seem to be met as evidenced by a report by Morag Gillespie from the Scottish Poverty Information Unit at the Institute for Society and Social Justice Research at Glasgow Caledonian University published in September 2012 about the absolute destitution experienced by asylum seekers in Scotland.

In one week in March 2012 gathered responses from 115 people who were asylum seekers in Glasgow -12 had adult dependants and 11 had a total of 21 children, so 148 destitute people were identified in one week. Of the 115 people in the survey there were 71 men and 44 women (average age 32). They came from 29 countries - the most common were Iran (15%), Iraq (10%), Sudan and Zimbabwe (both 8%). 26 people had mental health issues, 4 disabled people, 5 pregnant women and 2 new mothers. Some should have received some asylum support but some did not get their payments; others were destitute. The asylum seeking process is not a seamless service and some asylum seekers exist in limbo for years without the basic needs for survival awaiting the decision that they will have leave to remain in the UK; not belonging but existing in a society to which they have fled from often traumatic situations. Survival depends on the support of befrienders, churches and the third sector, denied access to our 'universal services' like health and education.

3. Are the current levels of support provided to asylum seeking children and families adequate in meeting the needs of children and young people?

Some widely publicised case such as the tragic circumstances surrounding the death of 'child EG' and the unrelated death of his mother 'Mrs G' surfaced in a serious case review. A letter sent to the government by child safety experts at Westminster Council said such tragedies are increasingly likely as more asylum claims are processed while support funding dries up. The case review found that the family had become dependent on 'ad hoc' charitable handouts despite a successful asylum claim because of 'significant problems' transferring the family from Home Office to mainstream welfare support services. The family was forced to 'actually become homeless' before local authorities could offer official help. Terry Bamford, chair of Westminster's Local Safeguarding Children's Board, and a BASW member wrote. 'Joined up government should be able to manage the transition from one form of public support to another.' The Home Office has stopped funding the Refugee



Integration and Employment Service which paid for transitional support for successful asylum seekers last September.

6. Does the current system have any impact on children's long term outcomes and opportunities in the future?

In November 2012 at Kingston University, a group of social workers met as part of a post-qualifying course, *International Social work; Models and Practice*. Half the group have travelled from places like Zimbabwe, Sierra Leone and Somalia; journeys that took months of harrowing experiences. The welcome from the UKBA left people wondering where they had come to and whether this was indeed the place of safety they were seeking. They had been fleeing from political regimes that did not treat people with dignity and respect and where their own and their families lives were in danger. Listening to their journeys after reaching the UK to their current work in social work services gave much food for thought about how mainstream services respond to people who find themselves through no real choice having to make critical decisions about survival after persecution and fear and their special contribution in helping others find better outcomes as they face change in their lives.

The PATH Housing Association AGM in November highlighted the plight of a young mother who had suffered such mental health trauma following her seeking asylum in this country that for a time her child had to be looked after and adoption had been considered. It was questioned whether people making decisions about the child's future had considered the mother's traumatic journey and whether her human rights had been violated. If adoption had been the outcome, what might the long term impact be on the child and as an adult and could that person have been reassured that sufficient time had been allowed for recovery and healing so that his mother could resume the role of a parent? The story ended after what was described as a two year 'battle' involving several legal actions with the child returned to her mother's care. The trauma that has no doubt been suffered by the mother and the child in this process is likely to be significant and probably avoidable if a different approach had been taken.

7. How does the current support system affect families where there is a child or parent with a disability?

Research by Dr George Palattiyil and Dr Dina Sidvha into the unfairness of access to HIV/AIDS treatment for asylum seekers in Glasgow found that destitution and limited legal right to services leaves many people in need of care denied their basic human rights. It found that the asylum process has many pitfalls that make reaching out to people in need extremely difficult.

References:

BASW response to the Joint Committee on Human Rights consultation on the human rights of unaccompanied migrant children and young people

www.basw.co.uk Oct 26, 2012



Human Rights and HIV/AIDS: Exploring the double jeopardy experienced by HIV positive asylum seekers and refugees in Scotland Dr George Palattiyil, Edinburgh University (2011)

Trapped: Destitution and Asylum in Scotland Morag Gillespie Sept 2012;
www.stopdestitution.org.uk (middle section under Learn)

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Appendix 1 Attached as PDF

BASW response to the Joint Committee on Human Rights consultation on the human rights of unaccompanied migrant children and young people in the UK 26th October 2012