



UNHCR
The UN Refugee Agency



DESTINATION ANYWHERE

Executive Summary



INTRODUCTION

Europe has seen high numbers of children arriving unaccompanied in recent years, compared to levels prior to 2014.¹ Many of the children who arrived over the last five years were unable to find lasting or 'durable' solutions to their situations in Europe, and many continue to make their way to the UK.

Children, state institutions, and non-governmental actors alike often find themselves confronted with complex, confusing and costly procedures, which do

not adequately take into account the best interests of unaccompanied and separated children, nor properly case manage them.² This, along with a lack of political consensus to find them durable and lasting solutions, can result in dire consequences for their safety, mental health and overall wellbeing.³ Reports continue to be published which shed light on the unacceptable levels of neglect, abuse and exploitation suffered by unaccompanied and separated children both along migration routes and in Europe – at times

¹ For Eurostat statistics on the five EU countries receiving the highest numbers of unaccompanied and separated children applying for over the past ten years, see Table 1 on page 11 of the main report.

² UNHCR, *The Way Forward to Strengthened Policies and Practices for Unaccompanied and Separated Children in Europe*, July 2017, available at: www.refworld.org/docid/59633afc4.html.

³ UNHCR, *Desperate Journeys. Refugees and Migrants Entering and Crossing Europe via the Mediterranean and Western Balkans Routes*, 2017; Save the Children and International Rescue Committee, *Out of Sight, Exploited and Alone. A Joint Brief on the Situation for Unaccompanied and Separated in Bulgaria, the Former Yugoslav Republic of Macedonia, Serbia and Croatia* n.d.; OXFAM, *Nulle Part Où Aller. L'échec de La France et de l'Italie Pour Aider Les Réfugié-e-s et Autres Migrant-e-s Échoué-e-s à La Frontière Vers Vintimille*, 2018; Save the Children, *Los Mas Solos. Los Fallos En El Sistema de Acogida, Protección e Integración de Los Menores Migrantes No Acompañados Que Llegan a España*, 2018; UNICEF, *Neither Safe nor Sound. Unaccompanied Children on the Coastline of the English Channel and the North Sea*, 2016, <https://bit.ly/2Ke0kcQ>.



resulting in their death or disappearance.⁴ UNHCR has called for urgent action to ensure that these children are protected and given the opportunity to lead peaceful and productive lives.

There have been some positive developments in the UK government's response to the irregular arrival of unaccompanied and separated children, including the Vulnerable Children's Resettlement Scheme and under Section 67 of the Immigration Act 2016 (the so called 'Dubs amendment'). However, these responses appear reactive and do not form part of a comprehensive strategy to identify, protect and resolve their situation promptly. Over the years, it appears a number of assumptions have

influenced the UK's response to persons seeking asylum, including unaccompanied and separated children. One of those assumptions is that there exists a positive direct correlation between the "openness" of the UK asylum system and the number of asylum claims received.⁵ A second assumption is that children arriving on their own are being sent by their parents or other adult family members in the hope that those family members can join them later, placing those children's lives at risk.⁶ A third assumption is that these children could have received protection elsewhere in the EU, despite the reported challenges to doing so in some member states.

⁴ Oxfam, *Nowhere but out: The failure of France and Italy to help refugees and other migrants stranded at the border in Ventimiglia*, 28 November 2016, available from: <https://bit.ly/2OwFc47>; Medics sans Frontiers, *Refugees in Greece: Confinement, violence and chaos- How European Refugee Camp is traumatizing men, women and children in Lesvos*, June 2017 available from: <https://bit.ly/33ebtB4>; Unicef Reach report, *Children on the move in Italy and Greece*, dated June 2017, available from: <https://bit.ly/2v8eO7q>.

⁵ Refugee Council, *Chance or Choice? Understanding Why Asylum Seekers Come to the UK*, January 2010, available from: <https://refugeecouncil.org.uk/wp-content/uploads/2019/03/rcchance.pdf>.

⁶ Part 11 of the current Immigration Rules do not allow family members of children granted refugee status or humanitarian protection to join them. See also Home Office Guidance, *Family reunion for refugees and those with humanitarian protection*, Version 2, published 29 July 2016 available from: <https://bit.ly/2T4P3hY>.

In spite of these assumptions, there has been limited research conducted on the circumstances that lead unaccompanied and separated children to move to and seek asylum in the UK specifically, and the factors influencing children's onward mobility within Europe more broadly.⁷ In view of this and the current gaps and challenges in addressing the protection situation of unaccompanied and separated children in Europe and the UK, this study aims to contribute to understanding the motivations, expectations and influencing factors affecting their journeys. These include:

- the level of agency and choice children exercise in leaving home (or otherwise);
- their experiences en route;
- the point in their journeys when the UK (or Europe for that matter) becomes a destination;
- their situation in the UK and potential desire for family reunification; and
- the role of State policy and procedures towards refugees and asylum-seekers and their subsequent impact on children, in particular.⁸

Research Method

A range of methods were used to support this study. These included a comprehensive literature review of law, policy and existing evidence and research, interviews with children and young people (n=23) as well as key expert interviews with a range of stakeholders (see 2.4 of the main report) involved in the support and welfare provision of refugees and asylum-seekers (n= 50 individuals from 27 different organizations). Relevant UNHCR country offices in Europe and North Africa were also consulted as part of the research.

Key Findings

JOURNEY TO THE UK

Reasons for Flight from Country of Origin

Children and young people who were interviewed for this study, were not questioned directly about their specific reasons for fleeing their country of origin when interviewed. Where provided, however, the reasons for flight evidenced a protection motive, ranging from religious and politically motivated violence to detention, terrorism and the murder or disappearance of family members. Stakeholders echoed this finding, reporting grave protection concerns as being central to the decision to flee for the majority of the children they encounter. None of the children interviewed indicated that they were sent abroad to serve as an "anchor" to help other family members migrate to the UK.

Knowledge of destination at point of flight

The research findings indicate that most children tend not to know where they are going at the point of departure from their country of origin, and those who do have extremely vague information about their destination. Children and stakeholders alike indicated that the decision to leave is often chaotic and disorienting for children who may not be directly involved in arrangements made for their departure. Overwhelmingly, they reported that their imminent concern was to escape danger and reach a place of safety, without a specific destination in mind. This finding was supported by evidence from child and adult stakeholders in the UK, France and Greece.

⁷ Alice Bloch, Nando Sigona, and Roger Zetter, *Migration Routes and Strategies of Young Undocumented Migrants in England: A Qualitative Perspective*, *Ethnic and Racial Studies* 34, no. 8 (August 1, 2011): 1286–1302, <https://doi.org/10.1080/01419870.2011.560276>; Jennifer Allsopp, *Unaccompanied Minors and Secondary Migration between Italy and the UK*, Research Brief 8, Becoming Adult Project, 2017.

⁸ UNICEF and IOM, *Harrowing Journeys 2017*, September 2017, <https://uni.cf/2RLgmgh>; see also The Global Initiative Against Transnational Organized Crime, *Understanding contemporary human smuggling as a vector in migration*, May 2018, available from: http://globalinitiative.net/understanding_human_smuggling.

Who arranged and who accompanied the journey

Children who arrive unaccompanied in the UK do not necessarily set off from home alone. All but two children interviewed as part of the research stated that they set off from home with at least one other person, such as a family member, agent, smuggler, stranger, trafficker or other children. The profile of the person accompanying them can change or evolve during the course of the journey for various reasons. Whilst all the children appeared to have had help in making travel arrangements, the level of control in the journey once underway varied quite significantly.

Children moving with traffickers as well as smugglers have little or no control over the trajectory of their journey. Trafficked children may also remain susceptible to re-trafficking even after entering state care arrangements.

The significant influence of fellow peers on a child's onward movement was also a clear finding of this study. Children tended to prefer to travel in groups for safety and companionship, at times forging strong and almost familial-like bonds along the way.⁹ NGOs and social workers mentioned that children meet friends and establish a network on route, often with no specific intention to reach the UK, but to follow their peers. Unaccompanied children will also communicate with one another on their journey, and pass on messages about the length of asylum procedures, incidents of mistreatment, or the prospects of receiving a job or education.

Importantly, more than half of the children interviewed mentioned leaving in circumstances that strongly suggest that they were not sent ahead to the UK by their parents. One third (eight out of 23) of the children interviewed as part of the research reported beginning their journey accompanied by members of their family unit, including their parents. In these cases children may not have known where their final destination was as it was intended that they travel as part of a family. Six of these eight children reported becoming separated from their family during the course of the journey, often through tragic circumstances. Three of the 23 children interviewed

said that they were orphaned prior to their departure and another two were estranged from their parents.

In three cases, a breakdown in family relationships during the journey or a rejection to join a family member under Dublin III reportedly served to indirectly influence decisions about where to move to and the ultimate arrival of some children to the UK.

Experiences on route

Children and adults interviewed spoke of the challenges unaccompanied and separated children may face when seeking to access protection in regions of flight, prior to their arrival in Europe. Children who had passed through Libya in particular, corroborated reports of grave and systematic harm directed against migrants and refugees there.

The statements made by almost all children interviewed for this study suggested that they were not able to effectively engage with the national child protection and asylum/immigration systems they encountered in European countries prior to their arrival to the UK. They relayed experiences of being unable to communicate with the national authorities, have their claims assessed, and receive the protection they required. In some cases, direct mistreatment and abuse experienced at the hand of state authorities in several countries in Europe was said to influence children's decisions to move on. In other cases, the influence of smugglers, and rumors within the community about the treatment they were likely to encounter from the local authorities (whether accurate or not) reportedly contributed to onward movement. And in other cases, ongoing delays and practical difficulties encountered with evidencing family relationships for the purpose of Dublin III transfers hindered access to family unity across the wider continent.

⁹ See also UN Children's Fund (UNICEF), *Harrowing Journeys: Children and youth on the move across the Mediterranean Sea, at risk of trafficking and exploitation*, September 2017, available from: www.refworld.org/docid/59b7fdd74.html.



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Destination UK?

The point at which the UK crystallizes as the destination of choice depends on a variety of influencing factors. These include who accompanied the child and when, the treatment and information (or lack thereof) encountered on route, the influence of their peers, smugglers and the location of family members. What this study also suggests, is that a desire to reach the UK, at least for those who had not yet formed a view from the outset, may crystallize only at its doorstep and may not be clear in a child's mind at earlier points in their journeys. Some stakeholders report children moving from one country to the next, with the hope that "next time" it will improve – before finding themselves in France at a cross-roads and eventually making their way to the UK.

EXPERIENCE ON ARRIVAL

Mental Health

Psychologists, psychiatrists, paediatricians, social workers, and foster carers alike all reported cases of extreme trauma and Post Traumatic Stress Disorder (PTSD) amongst the unaccompanied and separated children they encountered in their work, often linked to the dangerous journeys they had undertaken.

Separation from family members often compounded the stress felt by children. Those who said that they were separated during their journey to the UK or had to leave family members behind, reported being extremely worried about the safety and whereabouts of their loved ones. Stakeholders interviewed for this study also highlighted that mental health provision to children on arrival to the UK was not adequate to deal with such trauma. This was viewed as exacerbating children's suffering and contributing to high levels of depression and anxiety. The children interviewed who had received mental health treatment such as therapy, highlighted that it had a significantly positive

impact on them, and were grateful to those voluntary or charity sector organizations who had often filled in the gaps in NHS assistance.

As well as expressing confusion or uncertainty about the UK asylum procedure in general, compounded by the cumulative trauma that many children arrived with, children interviewed explained that the Home Office procedures were generally distressing. Delays and uncertainty fueled fears of removal. Stakeholders also emphasized that age assessment procedures not only contributed to delays in the asylum process for children, but could lead to a deterioration in children's mental health because of the manner in which they are conducted. This points to gaps in both the provision of child-friendly information for children entering administrative or immigration procedures in the UK, their orientation and support to navigate these procedures including from elsewhere in Europe under transfer schemes – and a proper assessment/determination of their best interests.

Contact with Family outside the UK

Despite the difficulties children had in speaking about their families, examining their ongoing contact with family members was an important aspect of this study, particularly given the UK Government's policies on family reunification for child refugees.

This study evidenced that unaccompanied children's relationship with their relatives in situations of migration and displacement appears complex and incredibly varied as do the circumstances leading to their seeking asylum in the UK. The fact that the UK continues to receive a relatively high number of unaccompanied children, despite a policy which denies children the right to reunify with their family except in exceptional circumstances, evidences this complexity.

Of the 21 children who spoke about family relationships, eight were in touch with various family members outside of the UK. Three of these eight made no mention of a desire for family reunification, although all three had obtained refugee status. Five of these eight children still in touch with their families expressed a desire to be reunited with them, and for family members to be able to join them in the UK. This was the case where children said that they were worried about their family's safety in their country

of origin or in third countries where their family members are located. In addition to the five children who were already in contact with their family, four of those 11 children currently not in contact or where the level of contact with family was unclear, also expressed an interest in family reunification.

Children's experience of social care in the UK

A child's living situation on arrival differed amongst the children interviewed, depending on how they had come to the UK, and whether they lived with family members or were accommodated by the local authority.

Seven children and young people reported experiencing a delay between their arrival and a referral to the Home Office and/or children's social services. This included three children who were trafficked to the UK for the purposes of exploitation. Some of the children interviewed highlighted the disruptive impact of being moved from one Local Authority to another under the National Transfer Scheme (NTS) and one stakeholder cautioned that this could at times cause children to go missing from care in order to return to/rejoin friends and service providers they are familiar with. The experiences of children who join older siblings or relatives in the UK, as well as those who may seek to join wider family members under Dublin III measures, show that such children and their families also need regular support from children's social services in order to prevent family breakdown and to ensure that the needs of the child are met.

RECOMMENDATIONS FOR THE EU AND UK

This research indicates that areas of concern previously identified by UNHCR relating to the general protection situation for unaccompanied and separated children in Europe have not been addressed. Accordingly, earlier recommendations relating to the treatment of unaccompanied and separated children in Europe, which are considered to remain both relevant and urgent, are outlined below.

1. **Building confidence in and the capacity of national children's care systems in the EU. All national children's care systems in the EU must be available to all unaccompanied and separated children regardless of immigration status. Those systems must engage unaccompanied and separated children immediately upon entry, through frontloading advice in a language they understand, with individualised support, and safe and secure accommodation.**¹⁰
2. **Establishing a rapid and effective guardianship system with the engagement of cultural mediators that provides unaccompanied children with a single point of contact who would act in their best interests and who is independent from the State.**¹¹
3. **Strengthening the identification and protection of victims of trafficking --in the current migration context across the central Mediterranean and other routes to Europe. Ensure adequate provision of safe shelters and specialised support for trafficked persons that are distinct and separate from asylum reception facilities – and safeguard against further exploitation and abuse upon arrival to Europe.**¹²
4. **Increasing co-ordination mechanisms, expand opportunities for safe pathways, prioritize family reunion, accelerate and simplify procedures for asylum determination and ensure a common approach for unaccompanied and separated children.**¹³
5. **Whilst ensuring that actions related to family tracing do not cause harm to the child or their families, it should be given priority as a procedure as soon as a child is identified as unaccompanied or separated from his or her family, as well as a common methodology between actors/EU Member States developed for more streamlined coordination. Family tracing should take a multi-faceted approach including country of origin, country of first asylum, EU and non-EU states.**¹⁴
6. **Expanding the use of transfer schemes for unaccompanied and separated children within Europe, in particular Dublin III (and any successor established after the UK's departure from the EU), to ensure safe and efficient management of asylum claims across Europe and minimise dangerous journeys. Where utilised, transfer schemes must operate effectively and efficiently, with primary consideration for a child's best interests and without delay.**
 - Dublin III:
 - As recommended by UNHCR in 2017, Member States should ensure the prioritisation of cases involving UASC for smooth family reunion; Member States must ensure the proactive tracing and identification of family members, siblings and relatives for the purpose of the Dublin

¹⁰ UNHCR, *The Way Forward to Strengthened Policies and Practices for Unaccompanied and Separated Children in Europe*, July 2017, available from: <https://www.refworld.org/docid/59633afc4.html>.

¹¹ Ibid.

¹² Special Rapporteur on trafficking in persons especially women and children. (2018) Report of the Special Rapporteur on trafficking in persons especially women and children, 14 May 2018, A/HRC/38/45; UNHCR, *The Way Forward to Strengthened Policies and Practices for Unaccompanied and Separated Children in Europe*, July 2017, available at: <https://www.refworld.org/docid/59633afc4.html>, see pp. 25-27.

¹³ UNHCR, *The Way Forward to Strengthened Policies and Practices for Unaccompanied and Separated Children in Europe*, July 2017, available from: <https://www.refworld.org/docid/59633afc4.html>.

¹⁴ Ibid. And *Putting the child at the centre: An analysis of the application of the best interests principle for unaccompanied and separated children in the UK*, 2019, available from: <https://www.unhcr.org/uk/5d271cdf7>.

procedure, provided that it is in the best interests of the child concerned.¹⁵

- Transfer decisions should be issued as soon as possible to both applicants and their legal advisor and representative in the case of UASC to ensure that they have access to an effective remedy in practice as well as in law. Transfer decisions should be issued in a language that the applicant understands and if not, interpretation should be provided to inform the applicant orally of the content of the transfer decision.¹⁶
- Once a decision to transfer a child is taken, appropriate capacity to ensure that children are transferred without delay should be put in place, including where necessary to accompany the child to the responsible Member State. The setting up of a guardianship network could further assist in streamlining transfer procedures involving children.¹⁷

RECOMMENDATIONS FOR THE UK ONLY

The below recommendations focus on what the UK government should do to strengthen the quality of protection and care responses for unaccompanied and separated children in the UK. Many of these are cross-cutting with UNHCR's recently published report on the early reception and integration experience of unaccompanied and separated children in the UK, "*A refugee and then...*".

- 1. In order to place children's best interests at the core of decision-making, ensure that children's voices are heard and their experiences used to inform the development of law and policy, the UK should set up a systematic, child-friendly participatory mechanism to receive feedback from children and young people who have experience of the asylum process.**

- 2. Expand resettlement and complementary pathways for refugee children at risk in order for them to reach the UK safely:**
 - Resettlement is an important legal mechanism, which enables those refugees with the most compelling protection needs to be transferred from their country of asylum to safety. UNHCR welcomes the UK's recent announcement to resettle 5,000-6,000 refugees in 2020-21, and in particular, the UK's plans for initiating a new process for emergency resettlement, which will be crucial in cases where there is a heightened protection need and lives are at risk.¹⁸ The UK should continue to expand resettlement programmes to allow at risk refugees, including unaccompanied and separated children, to reach the UK safely and legally.
 - The UK should strengthen access to complementary pathways to protection, including educational opportunities for refugees through grant of scholarship and student visas; and labour mobility opportunities to expand third country solutions for refugees.¹⁹

- 3. Amend the Immigration Rules to enable unaccompanied refugee children to sponsor their parents/guardians and siblings to join them in the UK.**
- 4. Strengthen training and develop standard operating procedures on how to approach and identify unaccompanied and separated children for all likely first points of contact, including border authorities, police, and health care providers in the UK**
- 5. Enhance training for frontline officials in the UK about how to appropriately and sensitively treat unaccompanied and separated children, in light of their complex needs.**

¹⁵ UNHCR, *Left in Limbo: UNHCR Study on the Implementation of the Dublin III Regulation*, August 2017, available from: www.refworld.org/docid/59d5dcb64.html.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ UNHCR, Press Release: UNHCR welcomes meaningful new UK commitment to refugee resettlement, 17 June 2019, available from: <https://bit.ly/35kkydp>.

¹⁹ UN General Assembly, *Report of the United Nations High Commissioner for Refugees. Part II. Global compact on refugees*, (GCR), para. 95, available from: www.unhcr.org/gcr/GCR_English.pdf.

6. **Develop and strengthen the provision of child-friendly information on procedures, available services, actors and their roles and responsibilities, the duties and obligations of the children, and different options for durable solutions.**
7. **Asylum/protection claims of unaccompanied and separated children should be processed efficiently, within a set time frame, allowing for an extension only in exceptional cases. Efforts should focus on:**
 - Strengthening the quality and efficiency of asylum decision making for claims made by unaccompanied children and young people in recognition of their specific needs;
 - Ensuring that asylum-seeking children/young people are counselled meaningfully and with the appropriate frequency on the progress of their asylum claim; and
 - Ensuring that the asylum system is compatible with interventions designed to care for unaccompanied and separated children in accordance with the best interests principle.
8. **Monitor post-transfer arrangements for children brought to the UK under Dublin III and ensure that social services support is provided to address the needs of children, including those experiencing family breakdown. Consider the provision of guardianship support for children in appropriate cases.**
9. **Finalise the child-friendly NRM reform and roll out the Independent Child Trafficking Guardians (ICTG) system so that the new measures for better identification, recovery, and protection of trafficked children are in place.**
10. **Efforts to address the health, well-being and psychosocial support needs of unaccompanied and separated children should include:**
 - Providing training on common mental health issues affecting unaccompanied children for social workers, foster carers, education professionals and others involved in providing support to children;
 - Providing creative, evidenced-based and practical interventions for addressing mental health issues affecting unaccompanied children;
 - Developing interventions to tackle stigma associated with mental health problems, and to 'normalise' the experiences of many unaccompanied young people, including through youth groups, educational programmes, and one-to-one therapeutic support; and
 - Seeking to provide stability from the outset to the extent possible, including by limiting transfers within the UK and ensuring that the persons the child interacts with (social workers, guardians, etc.) are not changed.
11. **Strengthen age assessment procedures including by revising Home Office asylum policy guidance on assessing age to withdraw the power given to immigration officials to make an initial age assessment if physical appearance and demeanour 'very strongly suggest they are 23 years of age or over'. Instead ensure that:**
 - Age assessments are only carried out as a measure of last resort where there are serious doubts as to the individual's age and where other procedures have failed to establish the person's age;
 - All age disputed individuals are given an age assessment; and
 - Prior to the age assessment all age disputed individuals are given the benefit of the doubt and treated as children unless this would be clearly unreasonable.

