The Children’s Society is a national charity that runs local projects to support children and young people who are at risk of exploitation or harm, and have been let down by the systems meant to protect them. We work with children and families with a range of migrant statuses including refugees, unaccompanied and other separated migrant children, and destitute or homeless migrant families, as well as children who have been or are at risk of trafficking, exploitation and abuse. In total, in 2017-18 we provided direct support to over 11,000 children and young people through our direct frontline services and reached a further 13,500 through our awareness raising work. Our refugee and migrant frontline services provide advocacy and advice for children and families across London, Greater Manchester, Birmingham, Coventry, Leeds, Lancashire and Newcastle, we also provide policy work in Wales. Our submission to the Home Office inquiry into asylum support is based on our research conducted for several reports published over the last few years and our direct experience working with children and young people across England. Through our frontline services, we provide support to unaccompanied young people that are over the age of 18 and claiming asylum support, as well as asylum seeking families.

**Summary of recommendations**

1) The Home Office must conduct and publish a full Children’s Rights Impact Assessment (CRIA) review of asylum support rates, in accordance with the rights set out under the UN Convention on the Rights of the Child as well as the duty to promote the welfare of children under Section 55 of the Borders, Citizenship and Immigration Act 2009.

2) A comprehensive review of asylum support rates must also factor in the detailed subsistence needs of vulnerable groups, including children, individuals with disabilities and other care needs arising out of mental health or other needs.

3) The government must urgently review its restrictions on the right to work for asylum seekers in the UK and enable them to work in a wider range of roles than those on the shortage occupation list published by the Home Office.

4) A comprehensive review of asylum support rates must fully consider the cost of travel, particularly for those that have to attend regular appointments, solicitor meetings and education.

5) A comprehensive analysis of asylum support rates must include a more realistic analysis of the cost of clothing for families, especially for school or in preparation for the winter.

6) To achieve a robust understanding of the impact that asylum support rates have on children, young people and families, and to know whether this support is sufficient, the Home Office needs to consult directly with recipients of asylum support including children. Children have a right to participate in decisions that affect their lives, yet they have no voice within the decisions made by the Home Office around the support that is provided to families. We would strongly urge the Home Office to enable a full 12-week consultation on asylum support rates next year, with dedicated opportunities for children and young people themselves to feed into this process alongside their parents.
1. Section 55 duty and the UNCRC

1.1. Asylum seeking families with dependent children are often entitled to receive asylum support under Section 95 of the Immigration and Asylum Act 1999, until their claim is decided, and they are either granted leave to remain, or have to leave the country.

1.2. Such levels of support are typically much lower than those provided through the mainstream welfare benefits system. In some cases it is around half of what the family would be entitled to receive under Income Support and substantially lower than what a family unit with entitlement to Universal Credit might be entitled to.

1.3. Levels of asylum support were already alarmingly low pre-2015, pushing over 10,000 children seeking safety from war and persecution who are estimated to be on asylum support into poverty.

1.4. Rates of support for children and their families had been frozen since 2011 but were reduced drastically in 2015 when the Government introduced a flat rate of support. Previously children under 16 in asylum seeking families received £52.96 per week yet the flat rate introduced in 2015 reduced this support to £36.95 per week.

1.5. The rate was increased in January of this year to £37.75 per week, per person, which represents a cut of £15.00 per week, or around 30% specifically targeting children. As a result, the introduction of a flat rate has had a direct effect on children, pushing families further into poverty.

1.6. In some cases, families on asylum support are getting just half of what they would get in the mainstream system. The post 2015 reduction in asylum support rates has pushed some families onto rates 60% below the poverty line, as parents are generally restricted from working to help protect their families from poverty.

1.7. A substantial body of evidence indicates the damaging impact that poverty and deprivation have on children’s lives. Research from the London School of Economics (LSE) shows that income itself is important for children’s cognitive development, physical health, and social and behavioural development. Children growing up in lower income households do less well than their peers in a range of wider outcomes, including measures of health and education.

1.8. Other research also finds that the negative outcomes for children growing up in lower income households are not simply accounted for by other differences between richer and poorer households, such as levels of parental education or attitudes towards parenting. Instead, the findings suggest that disparities relate to parents’ ability to invest in goods and services that further child development, as well as to the stress and anxiety parents suffer due to low income. This is echoed in research from the Social Mobility Commission which suggests that ‘families with greater means at their disposal, financial and otherwise, are assisting their children to accumulate skills – particularly those which are valued in the labour market’.

1.9. The Children’s Society ‘Good Childhood’ report (2018) found that, of the children that participated in the research, those that lived in families that formed the lowest 20%....

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income bracket reported the lowest rate of life satisfaction versus children in the higher income brackets.\textsuperscript{5}

1.10. Therefore, it is important to consider the impact of asylum support rates on children’s welfare as they are growing up, as well as their long-term outcomes and life chances. This is particularly important to consider in respect of children and families’ abilities to enter the labour market and integrate into UK society in the future, as many of them go on to do.

1.11. The Children’s Society’s research with children in poverty\textsuperscript{6} and children and young people on asylum support highlights the importance of gathering views from children directly about their experiences, particularly given the effects that living on asylum support has on children’s abilities to participate effectively in education and within social relationships.

1.12. This evidence is important to consider in the context of the UK’s obligations under international and domestic children’s welfare and rights legislation. The UK ratified the United Nations Convention on the Rights of the Child (UCRC) in 1991 and once the UK’s immigration reservation on the UNCRC was lifted in 2008, Section 55 of the Borders, Citizenship and Immigration Act (2009) was an attempt to enshrine UNCRC principles of ensuring rights to children, regardless of migration status, within Home Office policy.

1.13. The following articles of the UNCRC outline the responsibilities of the government in supporting the needs of children within families that are claiming asylum support:

- Article 3 (best interests of the child as the primary consideration);
- Article 4 (general measures of implementation for governments to undertake all measures to the maximum extent of their available resources to enable children to realise their economic and social rights);
- Article 6 (ensuring children survive and develop to their full potential);
- Article 12 (right to participation);
- Article 24 (right to nutritious food among other things);
- Article 26 (providing financial support and benefits for the children of families in need);
- Article 27 (right to a standard of living good enough to meet physical, mental and social needs, and help for families who cannot afford to provide this themselves, particularly with regards to adequate nutrition, clothing and housing).\textsuperscript{7}

1.14. Section 55 of the Borders, Citizenship and Immigration Act (2009) requires the Home Office to make arrangements so that the ‘UK Visas and Immigration and its private contractors shall, when carrying out their functions, safeguard and protect the welfare of children in the UK.’\textsuperscript{8}

1.15. In practice, this should mean giving primary consideration to the best interests of children in all situations where they are in contact with the Home Office, including arrival at the border, interviews for asylum applications and any decisions made regarding applications for asylum support that involve a child as well as within the policies designed to provide financial and housing support to children and families who would otherwise be destitute and have no other means of getting support or earning a living.


1.16. The UN’s 2016 concluding Observations on the UK’s compliance with the UNCRC found the following:

The Committee regrets that the right of the child to have his or her best interests taken as a primary consideration is still not reflected in all legislative and policy matters and judicial decisions affecting children, especially in the area of alternative care, child welfare, immigration, asylum and refugee status, criminal justice, and in the armed forces.9

1.17. In the 2016 Concluding Observations, the UN Committee on the Rights of the Child also urged the government to ‘allocate the maximum extent of available resources for the implementation of children’s rights, with a special focus on eradicating child poverty,’ and ‘enhance its efforts to reduce the effects of the social background or disabilities of children on their achievement in school and to guarantee the right of all children to a truly inclusive education in all parts of the [United Kingdom].10

1.18. Where children are involved in an application for Section 95 asylum support, or for an application for additional support under Section 96, the Home Office policy and decision-making process for these applications must clearly outline how a Section 55 duty has been engaged.

Recommendation: The Home Office must conduct and publish a full Children’s Rights Impact Assessment (CRIA) review of asylum support rates, in accordance with the rights set out under the UN Convention on the Rights of the Child as well as the duty to promote the welfare of children under Section 55 of the Borders, Citizenship and Immigration Act 2009.

2. Essential nutritional needs

2.1. Food is a daily essential for subsistence that our service users, including unaccompanied young people and asylum seeking families, consistently struggle to cover the cost of through their asylum support allowance.

2.2. Our practitioners told us about the struggle to pay for food as a commonplace occurrence for their service users.

2.3. We are extremely concerned at the routine nature of these struggles for daily living essentials.

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10 Ibid.
2.4. The current Section 95 rate of subsistence, which is £37.75, is demonstrably insufficient in covering the cost of food, particularly for young people with mental health and other healthcare needs.

**Case study**

Our Birmingham service supported an 18 year-old Afghan young person to prepare an application for Section 96\(^1\) support, to cover the cost of his dietary needs. His complex dietary needs arise due to an inherited heart condition and he has been diagnosed with a mental health condition.

The young person had a friend in his s95 asylum accommodation who supported him with preparing healthy meals and developing a community to support him. However, the young person found it difficult to understand his own health needs, including the necessity of taking his medication in a timely manner. The application for s96 support was made so that the young person could access fresh produce regularly, which is not possible to cover the cost of through standard s95 asylum support. The application for s96 support was refused, so our practitioners supported the young person to apply for a charitable grant through Zakat Foundation, for a period of a few months, so that he could cover the costs of buying fresh food alongside other necessities.

2.5. It is a common practice for practitioners in our services to support young people to apply for charitable grants, as outlined in the case study above, to cover the cost of daily necessities such as food. This is often necessary because our practitioners report finding it almost impossible to secure s96 support, in even the most difficult circumstances, for the young people that we support.

2.6. However, this is not a sustainable solution - nor are applications to these funds a guaranteed solution in cases where young people cannot afford food, as many funders will refuse applications for funding on the basis that they cannot cover subsistence costs.

2.7. We are particularly concerned about the impact on the young people that we support in our practice, as relevant research into the effects of poverty on health\(^1\) recognises that marginalised groups and vulnerable individuals are worst affected without access to the resources and information that others may be able to access when living in poverty. Children's health outcomes are closely connected to poverty in relevant research.\(^2\)

2.8. The impact of living in poverty includes negative educational outcomes, adverse long-term social and psychological outcomes and leads to poor health and life chances in adulthood.\(^3\) There is also detailed research into the specific outcomes of living in poverty for those on asylum support.\(^4\)

2.9. Our practitioners in Lancashire reported issues that arose over the summer holidays, when children in families that receive asylum support are not receiving free school meals or able to attend a breakfast club at their school.

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\(^3\) Wickham S, Anwar E, Barr B, et al *Poverty and child health in the UK: using evidence for action* *Archives of Disease in Childhood* (2016); [https://adc.bmj.com/content/101/8/759 101:759-766.](https://adc.bmj.com/content/101/8/759 101:759-766.)

2.10. Local voluntary services within Lancashire offer breakfast clubs during the summer holiday period, in order to bridge the gap for families where children may have been able to receive food during the school day but their parents struggle to provide this for them in the summer with the small amount of £95 support that they receive.

**Case study**

Our service in Leeds supported a 19 year-old Eritrean young person who had claimed asylum support and was suffering from mental health issues. He was living in independent accommodation, which he had been supported to access following support from his local authority adult social services team under the Care Act 2014. The young person was struggling to support himself and purchase necessities provide for himself. The local adult social services team was also supporting the young person with his additional subsistence needs. The rate of asylum support that the young person received was inadequate for his health needs, particularly for food and travel costs, so the additional support from adult social services helped him to move closer to a moderate standard of living. The young person did not receive additional support from a carer and he continued to struggle with travelling to buy groceries.

**Recommendation:** A comprehensive review of asylum support rates must also factor in the detailed subsistence needs of vulnerable groups, including children, individuals with disabilities and other care needs arising out of mental health or other needs.

**Recommendation:** The government must urgently review its restrictions on the right to work for asylum seekers in the UK and enable them to work in a wider range of roles than those on the shortage occupation list published by the Home Office.¹⁵

3. **Transport costs**

3.1. Our practitioners told us of unaccompanied young people who are unable to cover the cost of daily travel to school and college by public transport, from their asylum support accommodation.

**Case study**

Our Leeds service supported an Afghan young person whose age was disputed by the local authority and he was assessed as being over the age of 18 years-old. He was then placed in adult asylum accommodation. The young person had to travel to college in the centre of the city, but his accommodation was on the outskirts of the city centre so he walked over 2 miles each way, regardless of the weather. Our practitioners provided bus vouchers for this young person in the past, but they did not have funds to pay for bus passes for his regular travel to college.

3.2 In areas such as the West Midlands, Lancashire and Leeds, our practitioners reported that a pass for daily bus travel costs from £4.5, which would use up almost all of the daily allowance under asylum support.

3.3 Young people and families that have made an application for asylum are required to attending meetings with their legal representative, for the purpose of gathering relevant information or receiving updates on their case. Our practitioners in areas outside of London reported particular issues that arise when immigration legal representatives are based very far from where their service users live and the service users are not able to cover the cost of travel to meet with their legal representative.

3.4 In some cases, legal representatives are able to cover the cost of transport for service users to meet with them but this is not replicated across the board.

Case study

Our practice in the West Midlands supported an Eritrean young person young with severe healthcare needs and he was required to travel from his asylum accommodation in Wolverhampton to Birmingham, to attend appointments at three separate hospitals. Our practitioners would cover the cost of daily bus passes for the young people, but they ran out of funding to do so. The practitioners approached the young person’s college to secure a bus pass for the term. This took a long time to secure, in which time the young person was struggling to travel to college and his appointments.

3.5 The case study below demonstrates an example of a young person who struggled to cover the cost of travel to his college and he was not entitled to free travel, which our practitioners told us is a common occurrence for the asylum seeking young people that they support.

Case study

An Iraqi young person that our practitioners in West Midlands supported is HIV positive. There were limited support services available to him in the area local to his asylum accommodation, so the young person would have to travel long distances to attend appointments. Our practitioner found a specialist support group for the young people, which is specifically for individuals diagnosed with HIV, but this was based far from where he lived and travel was difficult. The young person also needed extra funding to follow a particular diet that was recommended by doctors, attend a youth group that our service provides for his wellbeing and attend therapeutic support for his mental health. The practitioners supported him with submitting an application for s96 support, but this was refused. They then supported him in applying to a charitable trust, which offered to cover the cost of his season train fare and some winter clothing, but not any subsistence costs.
Recommendation: A comprehensive review of asylum support rates must fully consider the cost of travel, particularly for those that have to attend regular appointments, solicitor meetings and education.

4. Clothing

Case study

Our service in Leeds supported an Egyptian mother and her daughter, who were on s95 support. The daughter was referred to a primary school. The mother did not have money to pay for uniform, as the family were already struggling to subsist on s95 support. Our practitioner spoke to the school to see if they could offer anything and they were able to provide uniform for the girl.

4.1. Our services also support families that are struggling to pay for school uniforms for children that are starting school, or returning after the summer holidays.

4.2. For non school-branded items our services support families in accessing items through voluntary donation services.

4.3. However, if there are specific school-branded items that young people need, our practitioners also support parents in contacting the school to find out if there is a hardship fund or other means for securing these school uniform items.

4.4. In other cases, our practitioners have referred families to providers of voluntary grants, such as the Zakat Foundation\textsuperscript{16} grant, Glasspool Trust\textsuperscript{17} or the Buttle UK\textsuperscript{18} grant.

4.5. Practitioners identified that families are unable to put aside money to pay for school uniforms, or winter clothing, as the cost of daily essentials always exceeds the money they receive through s95 and they can only pay for these items through donations, or one-off voluntary funding.

\textsuperscript{16} National Zakat Foundation (2018) \url{https://www.nzf.org.uk/}.
\textsuperscript{17} Glasspool Charity Trust (2018) \url{http://www.glasspool.org.uk/}.
\textsuperscript{18} Buttle UK (2018) \url{https://www.buttleuk.org/}.
4.6. For winter clothing, such as coats and appropriate footwear, our practitioners will either try to refer service users to services that can donate items of clothing, or apply to the aforementioned voluntary grants for one-off donations to pay for items.

Recommendation: A comprehensive analysis of asylum support rates must include a more realistic analysis of the cost of clothing for families, especially for school or in preparation for the winter.

5. Communication

5.1. Practitioners in our services identified that communication with family and other loved ones is of utmost importance for young people, to the extent that they are been willing to sacrifice paying for food and other necessities.

5.2. For these young people, they would rather go hungry than be without phone credit and mobile data to speak with loved ones.

5.3. Young people and families also require phone credit to be able to pay for communication with solicitors and other key professionals that are supporting them.

Recommendation: A comprehensive analysis of asylum support rates must include a more realistic analysis of the cost of telephone communication for asylum seekers and factor this into asylum support rates.

6. Risk of exploitation

6.1. We are concerned about a risk of exploitation that arises where young people and families are left without the financial support that they need.

6.2. We are concerned that young people may enter into exploitative labour in order to fund essential living costs, with little recourse to justice if they are abused and exploited.

6.3. Our previous inquiry into asylum support,\(^\text{19}\) as well as our research into legal aid,\(^\text{20}\) exposed a risk of exploitation among young people and parents that need to cover necessary costs that additional to those covered by the money that they receive through asylum support.

6.4. The number of asylum seekers being supported by the Home Office rose from 21,000 in 2013 and 30,500 in 2015 to 39,000 in 2017.\(^\text{21}\) We are concerned that this indicates a growing risk of individuals that face exploitation, as they struggle to cover the cost of living through asylum support payments.

6.5. The government must do more to prevent potential labour exploitation for individuals that are claiming asylum support in this country.

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\(^\text{19}\) The Children’s Society (2013).


**Recommendation:** To achieve a robust understanding of the impact that asylum support rates have on children, young people and families, and to know whether this support is sufficient, the Home Office needs to consult directly with recipients of asylum support including children. Children have a right to participate in decisions that affect their lives, yet they have no voice within the decisions made by the Home Office around the support that is provided to families. We would strongly urge the Home Office to enable a full 12-week consultation on asylum support rates next year, with dedicated opportunities for children and young people themselves to feed into this process alongside their parents.

**Summary of recommendations**

9) The Home Office must conduct and publish a full Children’s Rights Impact Assessment (CRIA) review of asylum support rates, in accordance with the rights set out under the UN Convention on the Rights of the Child as well as the duty to promote the welfare of children under Section 55 of the Borders, Citizenship and Immigration Act 2009.

10) A comprehensive review of asylum support rates must also factor in the detailed subsistence needs of vulnerable groups, including children, individuals with disabilities and other care needs arising out of mental health or other needs.

11) The government must urgently review its restrictions on the right to work for asylum seekers in the UK and enable them to work in a wider range of roles than those on the shortage occupation list published by the Home Office.

12) A comprehensive review of asylum support rates must fully consider the cost of travel, particularly for those that have to attend regular appointments, solicitor meetings and education.

13) A comprehensive analysis of asylum support rates must include a more realistic analysis of the cost of clothing for families, especially for school or in preparation for the winter.

14) To achieve a robust understanding of the impact that asylum support rates have on children, young people and families, and to know whether this support is sufficient, the Home Office needs to consult directly with recipients of asylum support including children. Children have a right to participate in decisions that affect their lives, yet they have no voice within the decisions made by the Home Office around the support that is provided to families. We would strongly urge the Home Office to enable a full 12-week consultation on asylum support rates next year, with dedicated opportunities for children and young people themselves to feed into this process alongside their parents.

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