living on the edge of despair:
destitution amongst asylum seeking and refugee children
The Children’s Society

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The Children’s Society is a leading children’s charity committed to making childhood better for all children in the UK. Key among our areas of operation is the work we do with refugee children and their families, protecting their rights, campaigning on their behalf and helping them rebuild their lives in new communities.

We stand by children. We fight for their childhood. We never give up.
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We wish to thank all of the people who generously gave their time to help produce this report, including the professionals for various charities and community organisations who gave advice and expertise.

Many of the families and young people we interviewed overcame great difficulties to tell us their story because they felt it was so important that those stories were heard. We especially recognise the generosity of those who are still suffering in destitution. We hope their contribution will help to alert people to the plight of destitute asylum seekers, to the need to develop work with destitute families and single young asylum seekers in the West Midlands and elsewhere in the UK, and to ensure that in future no child or young person is made destitute as a result of Government policies or practices.

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1. The research

This report is based on a research study carried out by The Children's Society in the West Midlands during 2007.

Charities in the West Midlands have become increasingly concerned about destitution amongst children. The British Red Cross destitution clinic in the West Midlands identified an increasing number of babies, children and young people coming through the project, mainly with their parents. The Children’s Society was concerned by these reports and initiated research to find out more about why children were becoming destitute and what this meant for their lives.

A number of reports have been published about destitute asylum seekers but the tendency is for them to concentrate on adults.\textsuperscript{1} Prior (2006) and Kelley et al. (2005) are exceptions.\textsuperscript{2} We aimed to build on this previous research on asylum and destitution by focusing on the plight of children and their families.

The research took place in the West Midlands over a period of nine months in 2007. We interviewed 11 adults who had children or were pregnant and two unaccompanied young people aged 18 and 16. Nine of the interviewees were destitute at the time of the research and four had previously been destitute.

The people we interviewed were from Burundi, Sierra Leone, Rwanda, Cameroon, Somalia, Zimbabwe, Guinea, Jamaica, Afghanistan and Romania. They had all been in the country for between 14 months and eight years. The families included 16 children living here in the UK with their families. The majority of the children were babies and toddlers and all were under eight years old. Some of the families had also been forced to leave children behind in the countries they had fled. Everyone in our study had experienced destitution for between two months and four years. There were a disproportionate number of single mothers in our study, bringing up their children alone.

We also interviewed professionals working with destitute asylum seekers from organisations including Red Cross, Terence Higgins Trust, Refugee Council, Coventry Refugee Centre, ASIRT and Karis Neighbourhood Scheme. We collected eight case studies and relied on other information provided by the professionals we spoke to.


\textsuperscript{2} See appendix.
2. What do we already know about destitution?

What is destitution?

The Immigration and Asylum Act 1999 defines a person as destitute if ‘they do not have adequate accommodation or any means of obtaining it (whether or not his other essential living needs are met); or they have adequate accommodation or means of obtaining it, but cannot meet other essential living needs’.

The Information Centre for Asylum and Refugees (ICAR) approaches the issue more broadly. Their definition includes the ‘inability to access statutory support mechanisms… reliance on friends, family and charitable groups for basic subsistence and/or accommodation. It can also be defined by its symptoms or effects, such as homelessness.’ (ICAR 2006:1)

By destitution we mean lack of regular access to basics, like food, medicine and a place to live.

How can it happen?

Research has highlighted that there are critical points in the asylum process when people can become destitute. This is because entitlement to claim benefits or work depends on immigration status.

Families claiming asylum, who are destitute, are entitled to asylum support. They are given accommodation outside of London and the South East (if they have nobody to stay with) and cash, which is 70% of income support levels until a decision has been made on their asylum claim. They are not allowed to work.

Families recognised as refugees are allowed to work and claim benefits like anybody else in the UK. They have 28 days to leave their accommodation and find somewhere else to live when they are granted asylum. This can be a vulnerable time for families and they can end up temporarily destitute.

Families who are refused asylum are not allowed to work, but usually continue to get asylum support under Section 95 of the Immigration and

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3 The Home Office provides support at this level on the basis that families in NASS accommodation do not pay utility and council tax bills.

4 The Government has introduced a scheme, called SUNRISE, to try and tackle this. Families newly granted refugee status are given support and advice to help them adjust. Our limited study suggests this transition period may still be problematic.
Asylum Act 1999. This means they get the same kind of support as families who are seeking asylum until they are removed from the UK in recognition of the fact that they have children who need to be supported. There are two exceptions to this:

- The Government has the power to stop all money and accommodation provided to a family under Section 9 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004. They can do this where they believe the family are not taking 'reasonable' steps to leave the UK by preventing local authorities from supporting the whole family. This means children must remain on the streets with their parents, or go into care without them.

- Single asylum seekers who are refused asylum but cannot return home immediately can get Section 4 (hard case) support, provided under the Immigration and Asylum Act 1999. This is typically a hostel bed and £67 in vouchers every two weeks. Women who are refused asylum before giving birth are treated as single adults. This means they cannot work or claim benefits. A condition of Section 4 support is that the person must agree to leave the UK when it is safe for them to do so.

Families can sometimes get extra help from local authorities’ children’s services departments but this depends on their immigration status and the local authority’s own criteria for asylum.

What do we know about child destitution?

**The West Midlands**

In a two-week survey into destitution, carried out by local charities in Birmingham in July 2007, 14 out of 105 adults seeking help had children. There were 21 destitute children and young people in total.

Of the 105 clients 61% were destitute for more than one year. Most of the clients had never approached children’s services for help, but of the remaining clients who applied for support from children’s services more than half were refused outright.

The most frequent reason for destitution was the refusal of an asylum claim. The second most frequent reason was bureaucratic dispute.

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5 This survey was conducted by ASIRT.
commonly about whether the family or young person were entitled to support and whether they had the right papers to prove it.\textsuperscript{6}

Research with families and practitioners has suggested that some families choose to go underground, thus losing access to any kind of support and entering into circumstances where they are vulnerable to exploitation.

**Elsewhere in the UK**

Our study is based in the West Midlands where charities and community groups are very active in supporting large numbers of destitute people. However The Children’s Society’s experience suggests children are also destitute in other areas of England.

We are currently working with destitute children and young people in London, Oxford, Manchester, Sheffield, Leeds and Newcastle. The National Audit Office estimates there are at least 283,500 refused asylum seekers who are not allowed to work or claim benefits in the UK as a whole.\textsuperscript{7}

\textsuperscript{6} This is backed up by research carried out by Citizens Advice Bureau, Dunstan R, Shaming Destitution, 2006.

\textsuperscript{7} National Audit Office, Returning Failed Asylum Applicants, 205.
3. Findings of the study

**AMINA’S STORY**

Amina, a young Somali woman, now aged 23, had no support from 2004 until the birth of her first child in 2006. Her child is now 16 months old. She is pregnant again and has recently signed up to Section 4 support.

In 2004, when her asylum claim was refused, Amina was made homeless and left without support. Amina says she has never had any legal help. When her asylum claim was refused, she did not have a lawyer and after the refusal, a lawyer she approached told her that he couldn’t take her case to appeal because she didn’t have any money.

As a result, Amina turned to prostitution to survive. She felt intimidated by her lack of immigration status and the fear that she would be sent back.

“I go to one … girl, she tell me: ‘Let’s go, we do job’ but I didn’t know which job. Go inside, they pimp there, they put you inside from that time, you are asylum seeker, you don’t have any right to go anywhere, so they, whatever they do they say: ‘Oh, if you want to go out, Government will catch you and send you back...’”

Both of her children were conceived through prostitution.

“I didn’t even know where is the father… [Amina begins to cry]”

Amina was released from this situation during a police raid. Two or three months ago, a lawyer told Amina she might be able to make a case to remain in the UK on human rights grounds. This was her first access to a lawyer. She has been waiting to hear something more.

“I get lawyer, like, 2 months, 3 months now. But she sent me only one letter that she take my case, but she tell me that what she can do, she can only go to Human Rights, but I don’t have anything…”

Amina describes her life as living on the edge of despair.

“You know, like my life is, I don’t know, like somebody who waiting for die or to live. Because I don’t know what is happening for me and my baby.”

“I have hope for the lawyer, but not 100%, because I don’t have any guarantee that (s)he can help me or no, so I don’t have any hope, really in my life. Only sitting…”

“No, I don’t have any hope, because I am waiting but I don’t know what is come to happen. But I’ll be happy if I can go to the court, because I’ve never been in the court.”
The causes of destitution in our study

Asylum refused

Nine out of the 13 people we interviewed had been refused asylum, which meant they were not allowed to work or claim benefits, and was the reason they were destitute. Others said failed appeals were the moment of destitution. Many of these families who had not been given asylum said they were scared to return home for fear of their lives. The high refusal rate of asylum applicants suggests there may be many people who face this situation. Three-quarters of all applicants for asylum are unsuccessful. The success rate for children who apply alone is much lower - at around 4%. 8

Sally: “If we could get a job, we wouldn’t be restricted, we could have a life.”

Children’s services

There were a wide range of reasons given by families as to why they were unable to access financial help and accommodation but what was clear was that there was a great deal of confusion about entitlements and where to go to for help. Families described how they found it hard to get any support from local authority children’s services departments, because they could not prove they were eligible for help, even when they were, and found it hard to advocate for themselves.

Although there is a general duty on children’s services to provide family support under the Children Act 1989, what is actually provided is subject to individual local authorities’ own eligibility criteria. Refused asylum-seeking families who applied for asylum in country (rather than at a port) are only entitled to services if it would breach their human rights not to receive them. Professionals and advisors said that helping people to get support from children’s services, or even getting an assessment of need, is fraught with difficulty.

“We … have social workers who will say, ‘Well do you have a letter showing that you don’t have NASS support?’ and sometimes that’s possible and sometimes it isn’t. We’ve had cases when sometimes the support that has been offered has been a ticket back to the country of origin. So … I would term it truculence, sort of creating small obstacles, but sometimes its just a case of failing to respond appropriately, failing to offer an assessment even.” (Agency worker)

Some families and young people had been refused children’s services support and others were only receiving support for their children.

Nehanda: “We couldn’t stay [at that place] any more, and the council was telling us they couldn’t help us, but they could help our kids. So that would mean that they would probably take our kids away and we’d just go anywhere else. We were like ‘No, thank you!’”

‘Out of borough placements’, where families are housed away from their local area for lack of a local alternative, also seem to act as a barrier to families seeking help.

**Djany’s Story**

Djany arrived in the UK in 2004 fleeing persecution in the Democratic Republic of Congo. She has a baby boy called Armel, who is one month old.

Djany approached a local charity for help and advice after finding out she was pregnant. She was already in the process of appealing against her asylum refusal and in receipt of Section 4 support, but needed help attending medical and immigration appointments and filling in forms.

The charity provided support throughout the pregnancy.

When Armel was born the charity told their local children’s services and requested some financial help. Children’s services argued that support for the baby rested with the local authority where the baby was now living, rather than with them. Both local authorities disagree with whom responsibility rests.

Djany was already depressed and on anti-depressants before the birth, but her condition has deteriorated further. She is worried and stressed not knowing how she’ll be able to look after the baby, especially with no financial assistance. The charity has stepped in and provides on-going support with food and clothing for the baby.

A local charity worker attempted to describe to us how Djany feels about her situation:

“She obviously feels responsible for the child but doesn’t have the necessary means to provide for it as she would like to. I think this has affected her, she feels inadequate and that she’s not a good mother. She doesn’t realise or understand that these are issues which are beyond her control.”

Djany is currently awaiting a decision on her appeal.

**Section 4**

Some of the families who have been refused asylum are entitled to Section 4 (or hard case) support. Section 4 is primarily intended for single adults, but many women who give birth after they have been refused asylum are forced to rely on this basic provision. Research suggests that families with children become destitute instead of accepting Section 4 support, because one of the conditions is that the recipient must agree to return to their country of origin when it is safe or possible to do so.
MSIMBA’S STORY

Six months ago, Msimba arrived at a local charity. She was homeless and alone. She had exhausted the hospitality of her friends and had no means of support.

Msimba was more than six months pregnant and so the charity referred her to the local authority for support in subsistence and accommodation. After an initial meeting, she was told to return with her documents for a screening with five days later. They were unable to offer any help until this screening.

Another local organisation was able to find accommodation in someone’s house for Msimba. The charity helped her to gather the documents needed and at the screening children’s services accepted a duty of care, but they would not release support until they had seen proof that Msimba had applied for Section 4 support.

When asked to provide accommodation until she could get help to fill in a Section 4 application form, the manager said they were unable to help her in any way until she produced a photocopy of the front page of the application.

Originally a cashless system (a means of working that was abolished because it was thought to be inhumane and unworkable) Section 4 subsistence returned to a system of vouchers in early 2005. These vouchers can only be exchanged at specific outlets, and then only for food and drink. Families in our research reported problems in obtaining shoes and clothing, in using coin operated machines or telephones, in using public transport and gaining access to culturally appropriate food if the outlet did not sell it. In our research, professionals reported that there were essentials for feminine hygiene and babies that could not be bought with the vouchers.9

Some people ended up on Section 4 support because they had no other option, others chose to go without any support at all, because they were afraid to return to their country of origin.

Amina: “But I didn’t want to sign Section 4. But you don’t have choice because to sign Section 4 then, they give you support and they give me this house here.”

Amadou, explaining why he won’t sign Section 4: “because the problems that sent me here, I am afraid of this problem.”

9 The Government agreed to make vouchers more flexible last year. They amended the regulations recently but the support is still inflexible. For example the Home Office will only pay for travel for families who have a child aged under 5, who are walking more than 3 miles in one trip.
Amina: “The Government, they must … know, that they make us, even if we … have babies, when they give us vouchers we don’t have enough money so they make us to sleep with people to get money to make our kids [happy] and that is a mistake… So like government, when they see the woman and the kids, they must to look after the case to plan it for us, to help, even little bit, not that much, but not to make us do something we don’t need to do.”

Those who were on Section 4 support said that accommodation given to them as asylum seekers had been better than Section 4 accommodation. Much of the housing provided by private providers under Section 4 was criticised for being inadequately furnished and equipped and for not being appropriate for children or pregnant women.

**RAMELA’S STORY**

Ramela, arrived in England from Armenia with her parents in 2000. The family were refused asylum. Last year Ramela became 18 and soon after her birthday, a letter from the Home Office warned the family that their NASS Support was being reduced. It was in fact stopped because there was no longer a child in the family.

The family were advised to sign up for voluntary return, which they refused to do. A solicitor advised them to sign up to Section 4 support, which they did and were granted.

The family were told they would be moving to Manchester as there was no Section 4 accommodation in the West Midlands. They were given no date of moving but were just told that they needed to be packed and ready.

Ramela came to the agency one morning to say they had just been told they were moving that day and, with three hours notice, they were to catch the 1.15pm coach to Manchester. No-one could give them a forwarding address.

1.15pm did not tally with the coach timetable so Ramela went to check and was told that they had missed the 11am coach and the next one was at 2.20pm and that they would have to pay the cost.

They arrived in Manchester at 5pm and no-one came to meet them as they had been led to believe. So they had to wait with their luggage till 6.35pm before someone arrived. The driver took them all over Manchester looking for keys and vouchers. He eventually took them to a property over a shop in Blackburn, where they arrived at 10pm.

They had to ask the driver to take them to the nearest supermarket as there was no bedding or a kettle or any basics. The smell of damp hit them straight away as the walls were literally wet. They later found out another family with young children had been moved from there because of an infestation of rats.
Legal advice

Nearly all (10) of the families had not received adequate legal representation during their asylum claim. This ranged from having no legal representation at all, to having no legal representation at various stages and seven families said the advice had been poor. Some people were charged high fees for representation and others were denied access to interpreters. Professionals said this was the main cause of destitution as it was directly responsible for a claim failing and a family becoming destitute. Many of the families were attempting to make fresh asylum claims.

“I am looking at ways to reopen their cases, looking at specific areas that affect women, forced marriage, rape, rape as a form of torture, female genital mutilation – because often those are issues that come up in women’s cases that are not adequately addressed.”

- Charity worker

The Government restricted legal aid funding for asylum and immigration cases in 2004 and since then access to legal advice has been difficult.\textsuperscript{10} Originally restrictions were placed on the number of hours a lawyer would be paid for, with any additional work needing permission from the Legal Services Commission. The Government has since replaced this with a fixed fee system. However legal experts still say this is too low.\textsuperscript{11}

“The time is the issue: some say solicitors are ‘like a machine filling in forms’.” (Case worker)

Professionals suggested that legal advice was a massive problem. For instance, one organisation suggested there was only one legal aid funded practice in their (specific) area.

“Unless the system changes, it is difficult. It is a very cruel system. (We are) constantly fire fighting with the way the system is…”

- Charity worker

Many people go to free drop-in legal advice clinics run by a limited number of local and national charities. Others were unable to find advice at all. Four participants had self-completed forms of vital importance to their asylum applications without any assistance. This could have critical impact on asylum cases:

Nelly: “I didn’t know anything about being an asylum seeker and everything. So I got the NASS forms and I filled them in myself, and I think I just probably didn’t put in my picture. I think you’re supposed to put in pictures in order to apply for NASS support. So they sent a letter


\textsuperscript{11} Immigration Law Practitioner’s Association, Response to the consultation: Legal Aid: A Sustainable Future, October 2006.
One young person, Amadou, could no longer find legal representation after his refusal. His case was complex because he had been challenged about his age which meant he was treated differently by children’s services, the Home Office and housing providers who were all working to different age assessments. Notwithstanding his lack of English, Amadou, filled in his appeal forms by himself using a French-English dictionary.

Esther: ‘I just did it myself, and that’s when everything went wrong.’

Generally the people in our study were so desperate to find legal advice they would try and find money to pay for it. Most legal representation ultimately stopped when families and young people ran out of money to pay their bills.

Jennifer: “The first lawyer I had took my £1000 and immediately I got the refusal from the Home Office he dumped me. So for now, I don’t have a lawyer.

Many of the families came from countries where there is no free access to legal advice at all, and it seems this may make them vulnerable to predatory firms asking for payment.

There are concerns about the quality of the representation. This is borne out by children’s testimonies gathered by The Children’s Society in 2007.

EU Accession

One Romanian family has become destitute when Romania joined the EU and they were no longer classed as asylum seekers, it meant they had to find work and were not allowed to claim benefits. The Home Office stopped supporting them immediately and they could not find work, but said they were too afraid to return to Romania.

Delaying an asylum application

Two families became destitute because they claimed asylum after being in the UK for some time. The Home Office would not support them because they had not claimed asylum immediately on entry.

One young woman from Zimbabwe was affected when she and her husband decided to claim asylum given the worsening situation in her home country after a period of studying in the UK. Another young person,
became destitute because her father had taken her immigration documents and she was not able to work.

**Age disputes and destitution**

Nearly half (45%) of all those who present as separated children claiming asylum have their age challenged each year. This can have serious repercussions for how they are treated.\(^\text{12}\)

Two participants in our sample had been age disputed:

Amadou (18) was given discretionary leave to remain in the UK so should have been able to get some help but he was refused support by children’s services because they said he was not a child.

“[The charity worker] sent a letter to the Home Office that said I was not yet 18. And it turned out that a year had been added to my age on the form sent to NASS.”

Hamid (16) was described as a child on arrival at the Home Office and was given discretionary leave to remain in the UK until his 18\(^\text{th}\) birthday. He was then told by children’s services that they had decided he was over 18, and they would not support him. A report was sent to the Home Office from children’s services about his age and while this process took place he could not get any support.

Although our interviewees did not constitute a representative sample, the cases of Amadou and Hamid suggest that challenges in relation to age can mean that young people can fall through the gap between child and adult support and as a result they can become destitute.

**Effects of destitution in our study**

**Living Conditions**

Children in the families we interviewed were growing up in dirty, unsafe overcrowded conditions, moving frequently. One family of six in our study were living in a single room, many families were in hostels where they were afraid of the other residents’ behaviour and their property and food were stolen and some had no heating or electricity.

Some participants had nowhere to live. This homeless state led to being constantly on the move, living in a different place every week. One young person had lived in six or seven different houses in five months. Former

an unaccompanied asylum seeking child described how they could not get any sleep and spend a great deal of time waiting for friends to get home to let them in. They had to spend all day in public spaces, such as libraries.

Many families said they had to move around different parts of the country and were not able to live a settled life. For example one young mother had lived with friends in Wolverhampton, Birmingham and London. Families experienced interrupted access to health care through enforced nomadism. In addition, being forced to live in dirty places without appropriate cleaning equipment had an adverse impact on their health. One family had found it hard to keep their children clean since becoming destitute, and they were distressed that teachers at the children’s school had noticed this.

Families lived in overcrowded and shared spaces with no privacy. There was no space for their children and babies to play. Depressed mothers described how they felt confined.

Two women had been housed by children’s services on the basis of their children. These women said they were unhappy with this accommodation. In one case a mother lived in a crowded hostel with her child where food went missing and access to amenities was too competitive to meet the child’s needs. Accommodation was inappropriate for babies. One young mother had been given a house where the entrance opened immediately onto a set of stairs and it was impossible to get a crib or pushchair up safely into the house.

Families and practitioners told us that some housing providers were not responsive to complaints or requests for repairs. All of the families with small children said they had some access to water, electricity and heat but not always when they wanted it.

Jennifer: “One day I had to ask them (housing provider) ‘How do you perceive asylum seekers? As slaves or as normal human beings?’ Because there was no Hoover in the house, no toilet brush, in fact the whole house was in a mess. I keep calling them. And they just tell me ‘We will come, we will come.’ So one time … I had to ask them what do they take us for? And I’ve been asking them to change my accommodation. Then they told me ‘When the baby is born’. I ask them ‘I have single bed. When I deliver, where do I put the baby?’ They said, they can’t answer.”

Jennifer: “I told them, I am at the late stages of my pregnancy, so I had to hang on for some time again, for them to sort me something in Birmingham. Which they did, but actually it was not for expectant mothers, and the housing providers, they say they were not informed that I am pregnant which I doubt of course… Because it was on that basis that they gave me support… the second letter I had to send to NASS trying to explain to them my situation and how I need help, I realised that the people there are so confident that NASS is going to
turn my request down and that tends to encourage them to treat people like that.”

Nehanda: “We’ve just been put anywhere, being tossed around – it sort of disturbed his – when they sleep they can’t really sleep – it just disturbs everything and then their meals, you don’t have enough money for food – it’s difficult, and if you’re staying with someone you can’t really turn on their stove without their permission.”

Fear

Children and their families were in constant fear both of return to their country of origin and because they were living in unsafe places and vulnerable to sexual exploitation. Two children in our study had been conceived as a result of sexual exploitation.

Amina: “You scared one day postman coming put the letter down, I pray to God and start crying, I say: ‘What is happening now?’ That’s it. I don’t know what is my life is, all my life is in Government hands. It’s like, as I said, my life with my kids is like – to die, to live. That is what my life is.”

Pregnant women

Pregnant women we interviewed did not have enough to eat and one was homeless during her pregnancy. One baby was born three months prematurely. We came across one case where a destitute mother was charged £3000 bill for maternity care.

Expectant mothers did not have enough to eat, nor were they eating a sufficiently nutritious diet. One mother, who was pregnant with her second child, said she sacrificed food for her daughter.

Two women were immensely stressed throughout their pregnancy; one was on anti-depressants.

Hunger

Children were frequently hungry. Some children were only able to eat once a day, for example at school, and sometimes their parents did not eat for several days on end. For example one mother told us that children’s services only gave her child food, not her.

Amadou, 18: “Since December I might spend a whole day when I don’t eat at all, or a day when I just eat once.”

Amina: “My baby can’t eat enough like other kids”

Amina (with one child and pregnant): “All the time I’m asking, make myself not to eat or not to do something because of [my daughter].”
Families got money for food from a variety of places. Some people were loaned money by friends, churches or voluntary agencies to get food. A mother said whether she and her child had enough food depended on the money she had at any given time. For those without vouchers because they would not take Section 4 support, it was unclear where food had come from.

Jennifer, heavily pregnant: “I can eat bread and rice. Because you know the voucher, you have to buy from ASDA. And before it was LIDL. LIDL is a bit cheaper than ASDA. And I don’t have any ASDA where I live.”

Abigail: ‘It’s a miracle for me to eat, and my son”

A mother said that her children’s food was sometimes stolen from the fridge in their shared house.

Child development

Children did not have the space, resources or opportunities to play and develop. Some children were in poor health, and did not have access to education. Children were not able to learn English or to read and write in any language. One parent described how her child did not understand how to play with toys because she did not have any.

Hamid could not go to school because of his age dispute, and was told to go away by children’s services, who wouldn’t give him an appointment.

Amina: “I need to work hard myself and support my kids… But now my life is locked up, I don’t know what to do…I can’t take her to fair or somewhere. It even affects my baby, because my baby she don’t know even to play with the toys. She don’t have toys, she don’t have anything. I can’t afford it to buy the toys, then we don’t have food.”

Esther: “I feel like [my daughter] is missing a lot… I want her to be like other kids”.

Amina: “She can’t go on holiday, she can’t go anywhere, we don’t have any life”.

Madeleine: “You want to give the best to your child but you can’t go to some of the places [where] you see other children happy. You don’t want to go there. It makes you feel sad.”

All the children who were in families had been able to access to health care. A young solitary asylum seeker had difficulty in gaining help with his specific health problem but this mainly related to the treatment regime not being appropriate to his living conditions. For instance, he lived in a hostel and was required to have clean sheets on a more regular basis than the hostel provided.
Health care was not always freely given to mothers as evidenced by the example of a pregnant woman who was eventually charged £3000 for maternity care. Other health problems encountered included difficulties following courses of treatment without anywhere to live, taking medicines that required regular meals, storing medication (as many families were sharing fridges and did not want to invite questions from other residents), and acquiring infections because it was so hard to keep clean.

**Emotional Wellbeing of Children**

Parent’s extreme stress and mental ill health had a strong impact on their children's emotional wellbeing. Many of the families were single parent families and some mothers had experienced rape and torture before arriving in the UK. Many were depressed and felt powerless because they could not care for their children. They were worried and their stress was affecting their children.

*Sally:* “She (Sally’s daughter) has to see me cry and I am very emotional at times, and I can’t give her what she wants”.

*Project worker:* “Janine found pregnancy quite stressful; it was quite emotionally difficult for her to deal with. It didn’t help that she had little support and she was not in contact with the baby’s father. She was worried what was going to happen to the baby once it was born. Would the baby be taken away from her, would she be able to support the baby, would she have enough money to feed the baby? She’s often talked about these kinds of things and gets quite upset. She did get quite low and her physical health had also deteriorated.”

*Amina:* “Our life is inside to the room… That is how it is. We have a lot of worry. Paranoid. Depression. I get medication, everything. I’m not sleeping nights without tablets. No leaving in morning without tablets. My life is take medications.”

*Amadou:* “It’s very difficult. To sleep is difficult. I am ill.”

Families said torture and trauma they had experienced overseas, combined with an adversarial asylum system and the spectre of destitution placed terrible pressure on their physical and mental health. A local health agency said that a third of their patients were destitute.

Professionals echoed the mothers’ responses describing how, for families, whole days could be spent with children in one room leaving children growing up in confined spaces. Babies and children were deprived of safe play space in their early years, mothers were depressed and therefore unable to transmit wellbeing and hope to their babies. There was a lack of stimulation for the children who have no books or toys. The parents were often preoccupied with their tenuous situation, and felt they had little time or energy to do things for their children.
What’s on offer

Families and young people who had not sought or been denied help by the state had relied on help from charities, friends, Members of Parliament, and informal networks. Sometimes those networks provided the route into statutory support.

Local agencies provided a range of support including emergency cash and vouchers, pushchairs, cribs, clothes, money for travel, legal advice and food. They also helped families to apply for Section 4 support, got involved in age disputes, lent moral support, provided contact with other new arrivals as well as places to stay and money.  

4. Reflections

Our research findings paint a stark picture. We met children growing up in households without food, heating or toys, mothers forced to prostitute themselves to survive, young people in care cut off from any help at 18 leaving them on the streets, and pregnant women who could not afford to eat or access healthcare.

The complexity of why families find themselves destitute became clear through the course of the research. The tension between local authority duties towards children and families under children’s policy and legislation, and immigration law did not appear to help. Nor did the sheer complexity of entitlement for families and young people with uncertain immigration status, or the bureaucracy surrounding the systems they had to navigate to get help. It seemed that whether people were able to get help could sometimes be described as a lottery, depending as much on chance, as on their own prior experiences and the resilience they had which enabled them to keep going.

It was clear from the research study that the Every Child Matters agenda is not being met for these children and young people. They are not ‘safe’ when they do not have appropriate accommodation and are not ‘enjoying and achieving’ as their parents are dealing with depression, stress and anxiety and therefore do not have the energy nor resources to enable their children to do this. Furthermore these children are not ‘being healthy’ physically; they lack food and they food they do have lacks nutrition. We were also concerned that there was a particular impact of destitution on women, as many of the families involved were single mothers with children. Many of those women were made vulnerable to, or experienced, sexual violence and exploitation.

13 There is a table of help available for destitute asylum seekers in Birmingham, available on ASIRT’s website
The development of direct work is therefore imperative in order to help families out of these extreme situations and to enable them to access support. Agencies in the West Midlands do as much as they can to help, and in some cases have made a life-and-death difference for individuals. However a coordinated response is needed to collect data, case studies and information, across the country, to inform Government policy and campaign for change.

Recommendations

The Children’s Society’s is committed to ensuring that no child, family or young person ever becomes destitute in the future, like the children in this report.

As a result of our research we believe the following recommendations will help us to achieve this goal.

Government recommendations

- Consolidate existing asylum legislation to minimise the complexity of current rights and entitlements for children, young people and families.
- Raise Section 4 (hard case) support, provided through a cash not voucher system.
- Provide all asylum support at the same level as income support to prevent hardship.
- Work with the Legal Services Commission to ensure that all children, families and young people have good quality legal representation for the duration of the asylum process.
- Abolish Section 9 of the Asylum and Immigration Act 2004.
- Research and pilot models, which build trust and provide support throughout the duration of an asylum claimant’s time in the UK, with a view to achieving more sustainable long-term outcomes.
- Ensure leaving care support continues for all former unaccompanied children until they leave, or are removed from the UK.
- Ensure all children, young people and families have full access to healthcare while they are in the UK.
- Reinstate the right to work for asylum seekers and refused asylum seekers while they are in the UK.

Accommodation provider recommendations

- Ensure that asylum accommodation provided to families is appropriate to their needs and circumstances, and not changed unless completely unavoidable.
Local Safeguarding Children Board recommendations

- Ensure they consider this vulnerable group of children as part of their remit.

The voluntary and community sector recommendations

- Collect evidence in a more systematic way about the causes, consequences and extent of destitution amongst children in refugee and asylum seeking communities.

- Work with destitute young people, children and their families to enable them to have a voice and platform to advocate for themselves and others.

- Co-ordinate support, currently being provided to assist destitute children and families, as part of wider efforts to join up support for destitute asylum seekers.

- Share knowledge and expertise within the sector to ensure that where families are entitled to support, that they are receiving it.

5. Next Steps

Through this report, The Children’s Society aims to take forward this issue and champion the needs of destitute children and young people. The Children’s Society’s aim is to:

- Develop direct work providing crisis intervention and advocacy support

- Raise awareness of how this issue affects children through launching this report

- Collect further evidence on the scale and effects of destitution on children through carrying out research on a national level

- Continue to work with other agencies to influence regional structures, clarify rights and entitlements and create change

- Link our work into wider efforts, including campaigns, to end destitution

- Make a good childhood a reality for children and their families in the UK, whatever their immigration status.

14 Although this report is focussed on the specific needs of children and families, The Children’s Society supports the wider action to highlight the impact on asylum seekers generally and supports the Still Human, Still Here campaign, for more information on this campaign go to www.stillhuman.org.uk/
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