

[REDACTED] London Borough Croydon (LBC)
[REDACTED]

Present:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Key Issues:

- Hillingdon judgement 2003 = all unaccompanied minors (UM) should be treated as indigenous children (spurred by groups of Kosovan people that wanted right to Section 20)
- Recourse - failed asylum seekers whom UKBA doesn't follow through with i.e. was supported as children, but is now an adult, so is no longer eligible for support as they have no status. But UKBA doesn't remove. Certain boroughs terminate their funding, leaving them homeless and destitute. But not Croydon - costs £500k a year to provide housing and subsistence funding (£28 a week).
- One problem is kids LBC assess as older than stated, but still classified as a minor. UKBA accepts LBC age assessments, but didn't update records, so when child hits 18 card still says 15, so they cant claim benefits. This has improved lately though.
- Problem also of second-time illegal entrants, removed already but makes way back. Example given of person removed to Italy - which doesn't accept children, which strengthened their case - yet upon return they had to do everything again including the age assessments, although it was already on the file.
- UKBA doesn't always inform those who have failed. But when appeal rights exhausted (ARE) and you go over 17.5yo, they cant access support and leaves them in limbo.

Notes:

- Roles? [REDACTED] after Children's Act, they combined children's education and social care services, from April 07. Croydon is a large borough with a large indigenous population.
- Unique feature of Croydon is Unaccompanied Minors Unit (under [REDACTED]). There are:
 - 700 unaccompanied minors
 - 300 indigenous care cases
- Looks after children granted, refused or still going through case.
- All accommodated under Section 20 of the Childrens Act. If they are under 16 they get foster parents, above that they could be given "semi-independence" if rated capable.

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- They do assess service eligibility though.
- LBC has Gateway team, which has now been replicated in other boroughs e.g. Liverpool.

- **Age disputes?**

- Most claimants have no evidence of their age/origins. Number of age-disputes not high as a percent.
- But LBC will sometimes dispute the age of someone when UKBA hasn't! This isn't about not supporting them, but getting the level of service right e.g. under-16s have to go to school.
- There is a short and long term care element. Overall aim is to reunite with families, but this can be hard to achieve or impossible. LBC does have high rate of Reg 38 cases - where claimant has wider friends/family, they can be relocated.
- LBC manages a rota - children that arrive are distributed on a pan-London basis. They are allocated/moved to whichever borough they are allocated to.
- They should only spend 7 days in emergency accommodation.
- Annex A = Asylum grant claim. LBC are on the rota as well.
- Recourse - failed asylum seekers whom UKBA doesn't follow through with i.e. was supported as children, but is now an adult, so is no longer eligible for support as they have no status. But UKBA doesn't remove. Certain boroughs terminate their funding, leaving them homeless and destitute. But not Croydon - costs £500k a year to provide housing and subsistence funding (£28 a week).

- **Legacy cases?**

- UM's was a small part of their work, now exploded (20 => 700).
- One problem is kids LBC assess as older than stated, but still classified as a minor. UKBA accepts LBC age assessments, but didn't update records, so when child hits 18 card still says 15, so they can't claim benefits. This has improved lately though.
- Second problem is "pub test" for age assessments. Tried to make them robust to legal challenges = medical evidence isn't robust enough. They do research on practices in Country of Origin.
- Problem also of second-time illegal entrants, removed already but makes way back. Example given of person removed to Italy - which doesn't accept children, which strengthened their case - yet upon return they had to do everything again including the age assessments, although it was already on the file. And when they removed, they had to give 5-days notice again, enough time to allow that claimant to get a Judicial Review (JR). Its illogical if someone has been through the process once for them to do it again.

- **Judicial Reviews?**

- Are legitimate, but [redacted] reckons they are invoked prematurely. JR should be at the end of the line. But some solicitors threaten a JR if age-assessments fail.
- There is a JR in court, judgement just arrived [redacted] and [redacted] (Croydon and Lambeth), which could have undermined all age assessments. In which case, social workers might have as well packed up. Claimants are appealing though...
- **Age disputes for service eligibility.** They tend to provide accommodation until they take assessment (they keep stats on everything).
- Merton judgement = says that where claimant is a stone cold adult e.g. over 30, visual assessment is enough - they don't have to go through the full process of age assessments. They still have two social workers to make the call though. But lawyers can challenge visual assessments, if they can get another medical report, which means that LBC normally performs full age-assessment.
- **Increase in intake/workload - are there variations?** There are variations, and they cope brilliantly! They have changed staff and processes, centralised/streamlined statutory duties e.g. health assessments now done by an LBC paediatrician onsite, have a dedicated medical suite.
- Way they have dealt with the workload of looked-after children (with complicating factors like language and torture) in a tough political environment, is excellent.
- **School based projects.** Some people have been sectioned under the mental health act, which is worrying. There are new national level arrangements on placing children.
- LBC doesn't just do 1-1 work, but also runs projects/workshops e.g. sexual health, information days, integration help e.g. Afghan boys becoming sexist and racist, so they organised workshops to try and get them round to the fact that such behaviour wasn't acceptable.
- **Legislation:** is their clear distinction between immigration and childrens/support laws? They are clear as social workers what their responsibilities are. They are aware of immigration processes and procedures, but aren't always informed immediately - sometime they parallel plan for the child i.e. they tell child of inevitability of their return to prepare them (which can then make it frustrating when UKBA doesn't return them).
- Uncertainty can make it difficult for the child. But they try and provide the child with the skills they need to plan - LBC liaises with CO's over this.
- UKBA doesn't always inform those who have failed. But when ARE exhausted and you go over 17.5yo, they can't access support and leaves

them in limbo. They have numbers of all those they are providing a service to

- LBC have assisted people to return - not through IOM - when e.g. their health was suffering. LBC contacted families, paid airfare. After all, they have a duty to listen to the child's wishes.
- The 700 UM are very well behaved - don't want to upset authorities and want to take education opportunities offered.
- Targets? They don't use UKBA targets, like the 6-month one. Use children's indicators instead.
- CO's tell them dates things will happen (especially substantive interview (sub-IV)) and LBC endeavours to make it happen.