

Refugee & Migrant Children's Consortium

Integrated Communities Strategy green paper consultation – Refugee & Migrant Children's Consortium submission, June 2018

Introduction: Building Integrated Communities

Question 1

We define integrated communities as communities where people - whatever their background - live, work, learn and socialise together, based on shared rights, responsibilities and opportunities. Do you agree with our definition?

While the Refugee and Migrant Children's Consortium (RMCC) agrees with the definition of integrated communities, we are concerned that the strategy as a whole is silent on those individuals who in the UK have their rights violated on a daily basis and are segregated in society because of their immigration status. The post-war human rights framework recognises 'the inherent dignity ... and inalienable rights of all members of the human family'¹ and it is vital to remember that all people living in the UK have basic rights by virtue of being human. The idea of earned rights risks diminishing the rights available to the most vulnerable in our society. Rights are not earned by paying taxes to a particular government and do not come with possession of a particular passport. Yet, it is often non-citizens, in law and in practice, who are most often in need of human rights protection.

Currently there are hundreds of thousands of undocumented migrants (commonly referred to by the government as 'illegal migrants') living in the UK, including many who have been through (and in some cases have been let down by) the asylum system. Others have grown up here and have every right to remain but have been blocked from regularising their status by high fees, lack of legal support and an inaccessible immigration system – problems highlighted all too clearly by the recent Windrush scandal.

Without leave to remain, a young person cannot work, access healthcare, rent property or hold a bank account. Not having long-term leave to remain prevents young people and children from planning for their futures, and it prevents inclusion. Affording the immigration fees is necessarily prioritised ahead of other opportunities, healthcare or work. It prevents people from gaining new skills, gaining decent jobs, or owning property because of fears that they will be removed from the UK, or will be unable to afford the fees for their next renewal.

As a result of the Immigration Acts 2014 and 2016, anyone living in the UK with limited leave to remain can be considered by the Home Office as having 'precarious' status. This means that their contributions to society, the work that they have undertaken and their family lives can all be considered as temporary, rather than working to establish a permanent home here. This, combined

¹ Preamble to the Universal Declaration on Human Rights.

with the increasing administrative burden on employers and landlords, has an impact on the ability of people who have limited leave to remain to build their lives in the UK. The necessity of conducting immigration checks impacts on the lives of those with limited leave to remain, indefinite leave and British citizens, for example in London maternity wards where all pregnant women must present identification before accessing services. This prejudices the most vulnerable in London, including destitute British national or foreign national women.

Inclusivity cannot be achieved without acknowledging the importance of immigration status for a significant proportion of the population. In addition to facing issues such as destitution, children and young people who are undocumented are restricted from full participation in work and education. Whilst children are able to go to school without status, many young people cannot go to university because they do not meet the eligibility criteria for a student loan. Student loans and home fees are only available to someone who is under 18 and has lived in the UK for 7 years, or who is over 18 and has spent half their life in the UK.² Therefore a 19 year old who has lived in the UK since the age of ten may still be blocked from accessing higher education.

Young people are deprived of the opportunity to go to university or to gain employment skills through further education, unless they can self-fund international fees. By denying these young people opportunities we prevent them from fully contributing, and place unnecessary barriers in their paths. We should not be excluding this group from a vision for a skilled and integrated workforce.

More attention needs to be paid in the government's integration strategy to the impact that immigration status has on an individual's ability to integrate and contribute to community life. The government should follow the lead of the Mayor of London, whose Strategy for Social Integration recognises the barriers to integration facing migrants and pledges to 'continue to push for a fairer approach to immigration enforcement which does not undermine social integration', alongside providing support for young Londoner to access their legal rights to citizenship and residence.³

Question 2

We believe that the varied nature and scale of integration challenges means that tailored local plans and interventions are needed to tackle the issues specific to particular places. Do you agree?

Yes

Question 3

Do you have any examples of successful approaches to encourage integration that you wish to highlight, particularly approaches which have been subject to evaluation?

RMCC members runs a number of projects which encourage integration, including:

² Following the case of *Tigere* in the Supreme Court, anyone applying for a student loan must have been ordinarily resident in the UK for three years prior to the first day of the course. See *R (on the application of Tigere) (Appellant) v Secretary of State for Business, Innovation and Skills (Respondent)* [2015] UKSC 57

³ 'All of us: The Mayor's strategy for social integration', at <https://www.london.gov.uk/what-we-do/communities/all-us-mayors-strategy-social-integration>

The Jewish Council for Racial Equality runs a number of projects including JUMP (a befriending project); refugee doctors (a mentoring project); and minds together (a psychotherapy project), all of which bring together new arrivals with British people and established residents. For more information, see <https://www.jcore.org.uk/>

Refugee Support Network (<https://www.refugeesupportnetwork.org/>) runs a mentoring programme in which volunteers are recruited, trained and supported to provide educational mentoring to young asylum seekers and refugees in their communities. Currently 120 mentors meet each week with young people across London, Birmingham and Oxford. This programme has achieved the following outcomes:

- 1. Improved education retention and progression rates** - Over 90% of young people in the pan-London mentoring programme remain in education, and 80% of mentees identify their mentor as playing a key role in enabling them to achieve their educational goals.
- 2. Reduced social isolation and increased confidence** - Mentors are often the only adults in the lives of these young people who are not paid to support them. Knowing that a person from their community is choosing to mentor them often leads to a marked difference in the young person's confidence, giving them a sense of welcome and belonging in their new community. Educational mentors provide young people with a safe adult relationship in which they can ask questions, discuss their feelings, and find social and emotional support.
- 3. Improved community cohesion and cooperation** - In the most effective mentoring relationships mentor and mentee live in the same community, hence our decision to structure the programme with local hubs. Over 60 percent of mentees say their awareness of and participation in local services has increased through having a local mentor. Mentors also speak about their changed perceptions/increased understanding, for example: "I thought my mentee would be really 'needy' but he is one of the most resilient and determined people I've ever met".

Coram's 'Young Citizens' (<http://www.coram.org.uk/youngcitizens>) is an ambassador group of 16-25 year olds from migrant and refugee backgrounds. It is an example of a project working with young people who do not all have legal citizenship but who see the UK as their home and are involved in civic engagement, making an active contribution to UK society. They act as positive role models who are passionate about making a difference and using their experiences to improve the situation for children and young people new to the UK. Through public engagement at institutions including British Museum and Southbank Centre and through local and national press activity, the Young Citizens promote positive citizenship and a society where everyone can contribute and belong. They have co-produced the Belonging Toolkit, a teaching resource with specialist educators Coram Life Education, requested by schools to increase social cohesion and inclusion – Interactive lesson plans and films explore what it means to belong from the perspective of children and young people born both in and outside the UK.⁴ The teaching resource enhances Personal, Social, Health and Economic education (PSHE) and enriches school values, including empathy for others and respect for diversity.

⁴ <https://www.coramlifeeducation.org.uk/belonging>

Feedback from the pilot lessons has been overwhelmingly positive with one teacher reflecting that ‘Coram gave us the chance to reinforce [the school’s values] and helped us assess the children’s understanding of belonging and their part in making others feels welcome and valued.’

However, the RMCC believes that these kinds of projects are, in part, remedial for the substantial structural obstacles to integration faced by young refugees and migrants more generally due to the deliberately stratified nature of UK society and the ‘hostile environment’.

Whilst immigration is central government policy, there is scope for local areas to become a more open and inclusive as a whole, using the example of Sanctuary Cities in the USA. These cities forbid city officials and police from asking for documents demonstrating immigration status. In most instances, this is as a result of a formal resolution or policy paper, and the level of cooperation with federal authorities varies.⁵ Whilst acknowledging the different funding structures in the UK and the USA, locally funded services could be offered on a no-questions basis. This may mean, for example, encouraging access to health services and ensuring people get advice without a concern that they will be reported to the Home Office. The International Association of Chiefs of Police has stated that prioritising immigration enforcement risked immigrant cooperation in solving crimes and maintaining law and order.⁶ Whilst acknowledging the very different liabilities and criminal offences related to immigration control in the UK and the USA, at a local level it should be ensured that victims of domestic violence, human trafficking and other offences are not prevented from reporting crimes committed against them as a result of their immigration status. Information could be provided within communities in different languages in addition to guidance to police forces.

Best practice in social integration exists where young people from all backgrounds are supported to contribute. For example, a growing number of universities are offering scholarships to support asylum-seeking and refugee students to study, as well as supporting those who have grown up in London but whose immigration status precludes access to student finance.⁷

Question 4

The Green Paper proposes that we need to build the capacity of our leaders to promote and achieve integration outcomes. Do you agree?

The RMCC welcomes the Green Paper’s statement that the “government itself should do more to drive integration through its policy making and service delivery. Every government department will select a number of priority policies and services to review during this Green Paper consultation period to assess whether they exacerbate segregation and could be developed so that they actively drive integration.” We would call on the Home Office to consider changes to law and policy introduced as part of the ‘hostile environment’ agenda as part of this exercise.

⁵ Collingwood Research, the Politics of Refuge: Sanctuary Cities, Crime & Undocumented Migration (2016) http://www.collingwoodresearch.com/uploads/8/3/6/0/8360930/shelter_nopols_blind.pdf

⁶ IACP, Enforcing Immigration Law: The Role of the State, Tribal and Local Law Enforcement,

⁷ See, for examples, information on Student Action for Refugees website: http://www.star-network.org.uk/index.php/resources/access_to_university

The Ministry of Justice should also examine the impact on integration of the removal of legal aid for non-asylum immigration cases, blocking many vulnerable groups from accessing any support in addressing outstanding immigration issues and leaving them on the margins of society.

The RMCC would also urge the government to include young migrants in any conversations about leadership and integration. As part of this, it is important to acknowledge the place and importance of young people who have grown up in the UK, who feel strongly that they are British and who want to contribute to society in the same way as their British counterparts, but who are not citizens in law. The RMCC works with a significant number of children, young people and families who are prevented from fully being part of British life because the immigration and nationality systems in this country are complex, expensive and often unfair – blocking putative citizens from securing settled status even if they have lived most or all of their lives here.

Chapter 2: Supporting New Migrants and Resident Communities

Question 5

The Green Paper proposes measures to support recent migrants so that they have the information they need to integrate into society and understand British values and their rights and responsibilities. Do you agree with this approach?

The RMCC welcomes proposals to increase the integration support available to those recognised as refugees after arrival in the UK but strongly believes that provision for integration must be made as soon as a person claims asylum. We know that many people who eventually receive status spend long periods in the asylum system before receiving a substantive decision on their case and that the process is fraught with delays. For integration to be effective, it must begin from ‘day one’.

The Scottish Government’s approach⁸ is centred on the principle that “integration should begin from the day an asylum seeker arrives in Scotland, and devolved services should, therefore, be organised to deliver this.” We believe that this approach more accurately reflects the reality of refugee integration, which is shaped by people’s experiences from arrival rather than simply when they are granted status.

We would also urge the government to consider further what measures of support might be offered to *long term* migrants living in the UK who experience barriers to integration. As outlined above, many young people and families have grown up in the UK but find it difficult to regularise their status in the country that is their home. This is exacerbated by the lack of legal aid for immigration cases which leaves many vulnerable individuals unable to take the necessary steps to regularise their status.

Information is important but it must not be mistaken for physical spaces of welcome, explanation and integration. Paper (or online) guidance is not enough – there must be the opportunities for individuals, especially children and young people, to meet face to face with those willing to talk through and explain the systems and processes they need to engage with.

Chapter 3: Education and Young People

⁸ Scottish Government, 2018 – ‘New Scots Refugee Integration Strategy’, at <http://www.gov.scot/Resource/0053/00530097.pdf>

Question 7

The Green Paper proposes measures to ensure that all children and young people are prepared for life in modern Britain and have the opportunity for meaningful social mixing with those from different backgrounds. Do you agree with this approach?

The strategy needs to address both access to education for refugees and migrants, and the need for general education about human rights for both 'resident' and 'migrant' communities.

It is important to recognise that prompt access to school or college is critical in ensuring refugee and asylum seeking children have opportunity for meaningful social mixing with those from different backgrounds. Recent research conducted by Refugee Support Network (RSN) for UNICEF UK showed that the local authority target of getting looked-after children into education within 20 school days is frequently unmet for unaccompanied asylum-seeking children (UASC). The most significant delays occur at the secondary and further education levels, where, according to the Freedom of Information Data provided by local authorities, up to a quarter of unaccompanied children have had to wait over three months for a school or college place. In the face of significant barriers to getting newly arrived unaccompanied children in to education, several UK local authorities (e.g. Croydon, Oxford) have developed innovative interim education for UASC and resettled children awaiting school places. These schemes should be evaluated and, where necessary, replicated.

A more effective means of encouraging civil engagement and highlighting the importance of individual responsibility for everyone would be to inform people about their existing rights and correlating responsibilities, as part of a push to significantly improve public understanding and ownership of human rights. As part of its recommendation to lower the voting age, the UN Committee on the Rights of the Child recommended the use of 'active citizenship and human rights education in order to ensure early awareness of children that rights are to be exercised as part of citizenship, with autonomy and responsibility'.⁹ We would support those recommendations; education on rights, and on respecting the human rights of others, is an essential part of an inclusive future society.

Chapter 4: Boosting English language skills

Question 9

(a) The Green Paper proposes a number of measures to improve the offer for people to learn English. Do you agree with this approach?

Many RMCC members have direct ESOL expertise or work with further education colleges and other organisations who are providing ESOL for new arrivals. There is scepticism amongst ESOL leaders that conversation classes run by volunteers will be sufficient to ensure that young learners receive consistent exposure to the standard of English required for life and work in the UK. Conversation classes are important adjuncts to core ESOL learning but more money must be set aside to support migrants in ESOL learning. In light of this, we are pleased that the government proposes targeting money at the groups of learners who have least access to classes.

⁹ Para 72 (g)

We urge the government to view the acquisition of English as a right, rather than a responsibility to be shouldered by migrant communities, given the structural and financial barriers that often prevent new arrivals, including women, and older women in particular, from participating in English language learning. While we welcome the government's intention to develop an ESOL strategy for England we are disappointed that the strategy makes no reference to English language teaching for asylum seekers, who are currently not eligible for free ESOL learning. The current system assumes that integration does not start until status is granted, but we work with a number of young people who are subject to long delays and can end up waiting for months, and sometimes years, for a decision on their asylum claim and while those who are younger may be able to access school provision, for older teenagers access to ESOL can be a significant way of assisting them to start rebuilding their lives before they are granted refugee status.

In January 2018 new provisions were introduced that affected children and young people who were in the UK but did not have 'leave' (permission) to remain, including those seeking asylum who had not yet received a decision on their asylum claim. Immigration bail must contain 'conditions' – limitations on a person's life. These can include asking someone to live at a certain address or report to the Home Office on a regular basis – often it will include prohibition on working (though in some cases permission to work could be granted). A young person may now also receive a condition allowing or preventing study. The RMCC is extremely disappointed that for the purpose of 'no study' conditions, study is defined for the purposes of immigration bail as *'primary and secondary school for children and young adults up to and including the age of 18, and courses which may lead to a qualification for adults, including English for Speakers of Other Languages (ESOL) courses.'* While the Home Office guidance makes clear that those awaiting the outcome of their asylum application should not be granted no study conditions, many are, and many service providers are nervous and providing education to those with uncertain status. At a time when the government is championing ESOL in the context of inclusion, it is counter-productive to introduce a ban on migrants accessing ESOL classes.

Regarding unaccompanied children, and refugee and asylum seeking children in families, opportunities to improve their English language in primary and secondary schools could be improved. Recent research on education for refugee children carried out by Refugee Support Network (RSN) for UNICEF UK demonstrated that difficulties obtaining the requisite level of English to catch up with peers was the most significant barrier to thriving in education. Multiple school and local authority based professionals consulted in the course of this research considered that the quality of EAL provision has (with some key exceptions) largely deteriorated since 2011 when specific central government funding for EAL pupils ended, and the Ethnic Minority Achievement Grant (EMAG) was absorbed into the Dedicated Schools Grant (DSG). Although local authorities are still able to allocate funding to schools based on the size of their EAL cohorts, there are reported knowledge gaps in how these funds are spent. Reforms to local funding arrangements have constrained the ability of many local authorities to themselves fund central EAL specialist support services, with local authorities who do keep said services now charging schools to access them. As a result of the 'head-count' nature of the new funding model, schools with small numbers of EAL children have not always had requisite funds to buy back the relevant EAL expertise.

For children and young people studying ESOL in further education colleges, this same RSN-UNICEF study demonstrated a need for increased funded hours for the 16-18 age group. Full time ESOL is typically 16 hours per week, but, one third of children consulted who were studying on these courses considered this to be insufficient for the progress they aimed to make. Professionals interviewed concurred, explaining that too few hours lead to slow progress, which in turn lead to feelings of de-motivation and frustration.

Examples of good practice were explored in the following Guardian article from 2016:

<https://www.theguardian.com/teacher-network/2016/dec/12/how-schools-are-helping>

(b) Do you have any other suggestions on how we can improve the offer for people to learn English?

Mentoring programmes are a good way of supporting people with learning English – often it is the one to one interactions which give people the confidence to ask questions, practice their language in a safe environment, and learn the vocabulary and structures they need to interact confidently with others.

Chapter 5: Places and Community

Question 10

The Green Paper proposes measures to ensure that people, particularly those living in residentially segregated communities, have opportunities to come together with people from different backgrounds and play a part in civic life. Do you agree with this approach?

There is a gap in this Green Paper in that when communities are described as segregated, there is no mention of the role of economic disadvantage, or indeed advantage, in this picture. The focus of the paper on ‘community integration’ subtly shifts back and forth from describing integration as a project that all residents in the UK should be invested in, to focusing on particular ethnic communities as bearing particular responsibility for integration. There are problematic moments in the Green Paper where it reads as if it is largely Muslim communities that are charged with integrating into British society and it is unclear why majority white areas are not similarly singled out as symptomatic of non-integration.

Integration is more complex than looking purely at residential concentrations. What is required is an understanding of whether the lives led in particular areas suggest that people are availed of the rights and opportunities to which they are entitled, and whether there are opportunities to encounter and get to know people from other backgrounds. Many privileged areas lack these opportunities too.

It is too often the case that ethnic minorities, who are often less economically advantaged due to newer arrival and structural obstacles, including racial discrimination, are expected to bear responsibility for settling in to British life – despite all the difficulties this implies.

We would like to see the government recognise the interaction between integration and economic position.

Chapter 7: Rights and Freedoms

Question 12

The Green Paper proposes measures to encourage integration and resist divisive views or actions. Do you agree with this approach?

As discussed earlier, this chapter (and the whole strategy) is silent on the rights of the hundreds of thousands of undocumented migrants living in the UK who are blocked from regularising their status by high fees, lack of legal support and an inaccessible immigration system and face daily violations of their rights. Without leave to remain, they cannot work, access healthcare, rent property or hold a bank account. Not having long-term leave to remain prevents children, young people and families from planning for their futures, and it prevents inclusion.

This chapter is also silent on the right to family reunification. For people who have been granted protection in the UK, being able to rebuild their lives *with their families* is an essential factor in successful integration. On the contrary, family separation, and the emotional distress associated, can be a major barrier to integration.¹⁰

Unfortunately, despite its importance to integration, research by the British Red Cross has shown through research, that the process for refugees to be reunited with their family is anything but straightforward. There are multiple barriers to family unity at present¹¹.

One such barrier is the restriction of which family members a person is able to bring to the UK. While spouses, partners and children under the age of 18 are eligible, siblings or children over the age of 18 who were part of the family unit when they were forced to flee are excluded. We are aware of situations in which 19 year old children, who were part of the family unit when they were forced to flee and have become separated, are not able to reunite with their families. For unaccompanied child refugees who have made their way to the UK, and are particularly vulnerable, there is no way to sponsor their parents through refugee family reunion rules and must go into care.

The government could further encourage integration by expanding the family members eligible for refugee family reunion to include children and siblings over 18 who were part of the family unit when they were forced to flee and children who have been informally or de facto adopted, as well as allowing unaccompanied refugee children in the UK to sponsor their parents.

Question 13

The Green Paper proposes measures to address practices which can impact on the rights of women. Do you agree with this approach?

If the government is truly to address the rights of women in its integration strategy, it must acknowledge and address the use of immigration status as a form of control and coercion for vulnerable women. Some RMCC members work regularly with undocumented women experiencing domestic violence, and in many of these cases immigration status is used as a form of abuse and control. In some circumstances, these women's partners have immigration status and they work, but

¹⁰ Refugee Health and Wellbeing (RASNZ). (2012). Refugee family reunification, mental health and resettlement outcomes in Aotearoa New Zealand.

¹¹ <https://www.redcross.org.uk/-/media/documents/about-us/research-publications/refugee-support/not-so-straightforward-refugee-family-reunion-report-2015.pdf>

they have refused to provide the fee for immigration applications or they have been obstructive in providing evidence to support an application. In other cases, the women, their partners and their children are undocumented but the women are nevertheless dependent on their husbands, who provide for the family financially by working illegally. Immigration status can be used as a form of control over women in abusive relationships and trafficking situations, a situation which is only worsened by the narrowing options these women have in accessing advice and support.

The women we have worked with in these circumstances have expressed their fears of reporting their partners to the police as they believe that it would lead to the police contacting the Home Office. The undocumented women we have met who are experiencing domestic violence have been extremely socially isolated and have not felt able to share their experiences with anyone. As a consequence, they are not aware of how or where to seek advice – either in relation to the violence they are suffering or their immigration position.

In some circumstances, women who have contacted national domestic violence organisations have been told that, due to their immigration status, they cannot be assisted. These cases raise serious concerns about how women in these situations will be able to safeguard their children without adequate support.

Victims of trafficking are particularly affected by immigration restrictions, for example, preventing them from reporting crimes to the police and accessing services for fear of being deported. The integration strategy should make reference to how victims of modern slavery and trafficking, especially child victims, will be considered. As particularly vulnerable individuals, how will they be supported to integrate with communities? As ECPAT UK and Missing People's report, *Heading back to harm* highlighted, 28% of children identified as trafficked and 13% of unaccompanied children went missing from care in 2015. As such, we are concerned that there isn't sufficient additional support for these highly vulnerable children, and that additional training is needed for professionals working with children to support them, prevent them going missing and being re-trafficking and enable them to integrate into the wider society.

For more information, contact Kamena Dorling, Head of Policy & Public Affairs at Coram, co-chair of the RMCC, at kamena.dorling@coramclc.org.uk

The Refugee and Migrant Children's Consortium (RMCC) is a group of NGOs working collaboratively to ensure that the rights and needs of refugee and migrant children are promoted, respected and met in accordance with the relevant domestic, regional and international standards. See www.refugeechildrensconsortium.org.uk for more information.

Members of the RMCC are:

Action for Children, Asylum Aid, Asylum Welcome, AVID (Association of Visitors to Immigration Detainees), Bail for Immigration Detainees, BASW (The British Association of Social Workers), Become, Cambridge Refugee Resettlement Campaign, CARAS (Community Action for Refugees and Asylum Seekers), Children and Families Across Borders, Children England, Child Poverty Action Group, Children's Rights Alliance for England (CRAE), The Children's Society, CoramBAAF Adoption and Fostering Academy, Coram Children's Legal Centre, Coram Voice, Doctors of the World UK, DOST, ECPAT UK, Family Rights Group, The Fostering Network, Freedom from Torture,

Gatwick Detainees Welfare Group, Help Refugees, Home for Good, Hope for the Young, The Immigration Law Practitioners' Association (ILPA), JCORE (Jewish Council for Racial Equality), Just for Kids Law, Kent Refugee Action Network, Kids in Need of Defense UK at Central England Law Centre, Law Centres Network, Let Us Learn, Liberty, Love to Learn, Medical Justice, Islington Law Centre, National Children's Bureau, NSPCC, Praxis, Project 17, RAMFEL, Refugee Action, Refugee Council, Refugee Support Network, Royal College of Paediatrics and Child Health, Safe Passage, Scottish Refugee Council, Social Workers Without Borders, South London Refugee Association, Student Action for Refugees (STAR), The Trinity Centre, UNICEF UK, Welsh Refugee Council, Young Roots.

The following all have observer status:

Barnardo's, The British Red Cross, Office of the Children's Commissioner (England), Save the Children UK, UNHCR