



Response to the New Plan for Immigration

Young Roots believes that the Government's New Plan for Immigration will have **serious negative consequences** for the children and young people we support now and in the future.

The plans are far reaching, and the consultation period is short. The consultation document is only produced in English and Welsh, so difficult for many refugees and asylum seekers to respond to.

If you would like to respond to the Government consultation here is the link (the deadline is 6 May):

<https://www.gov.uk/government/consultations/new-plan-for-immigration>

Our main concerns:

1. People treated differently depending on how they arrive in the UK

The asylum claims of **people will be treated differently depending on how they arrive in the UK**. Those arriving through 'irregular' routes, such as on boats, will be treated much more harshly.

Why we are concerned: a person's route of entry to the country has no bearing on their need for protection, or their right to fair treatment. Most of the young people we support have come to the UK through dangerous 'irregular' routes.

Fleeing your country because of war, human rights abuses like torture, or because of your identity (for example being gay in countries where this is illegal) is frightening and complex. Many children and young people we support come to the UK because they have friends or family here, and because they know of the country and language because of deep colonial ties between the UK and their country. The UK also has a reputation for upholding law and human rights – something deeply desired by those experiencing the chaos of war and abuse. It is extremely difficult, if not completely impossible, to access safe and legal routes to the UK. There is no obligation under the Refugee Convention to claim asylum in the first safe country someone reaches.

2. Asylum reception centres

Those arriving through 'irregular' routes, such as on boats, will be held in **asylum reception centres** whilst attempts are made to return them to a 'safe' country.

Why we are concerned: Young Roots has direct experience of supporting people in 'contingency hotels', and there is widespread evidence that the use of these hotels and the use of 'barracks' is deeply damaging for those seeking asylum, and very isolating. Nearly all the young people we support have issues with their mental health, many suffering from Post-Traumatic Stress Syndrome. We believe that this institutional accommodation is further detrimental to their mental health.

3. Temporary Protection Status

After six months, those who haven't been able to be returned to a 'safe' country, will still not be able to apply for refugee status or humanitarian protection. They will instead be considered for **'Temporary Protection Status'**. **This lasts for a maximum of 30 months**. During this time, rights are restricted so that people have 'no recourse to public funds' and can't claim any benefits. Like other asylum seekers,

Final

they can't work. The intention of the Government will be to return people back to their home country or a third country after 30 months.

Why we are concerned: the mental health strain of living with such uncertainty, and such temporary status, will be unbearable for many and certainly hinder integration. We believe it will lead to further mental health illness for many we support. Many will be forced into destitution.

4. Changes to 'well-founded fear of persecution' test

There is an intention to **strengthen the test for what constitutes a 'well-founded fear of persecution'** (the standard that international law indicates someone's refugee status).

Why we are concerned: the systematic, historical failures of Home-Office decision making are well documented. The process is already extremely complex, with various stages, screening as well as a substantive interview. It is problematic for the young people we support, particularly those with PTSD who find it difficult to recount their traumatic experiences in the ways demanded. There is no evidence presented or good reason to make the test for a 'well-founded fear of persecution' stronger.

5. Age assessment process

The **age assessment process will allow front line immigration officers and other non-social work staff to make an assessment of someone's age.** 'Scientific methods' of age assessment will be part of the process. The Government is 'exploring' treating anyone who looks 'significantly over 18 years of age' as an adult (rather than at the moment, anyone who looks over 25). The right to challenge age assessments is also being reviewed.

Why we are concerned: The age assessment process is extremely stressful for the young people we support. Not believing someone's age is hugely damaging to a young person's identity. Our experience is that after much trauma, stress and difficult journeys, young people can look older than 18, and cultural differences and biases have an impact on the judgements of officials on what constitutes adult or child-like behaviour. Our strong experience is that children are often wrongly assessed to be over 18 (even on the currently 'over 25' process), creating significant safeguarding issues for them. We have supported a significant number of children wrongly assessed as adults, who have been placed in unsuitable housing and unsafe situations with adults. Many of these children have successfully challenged their assessed age. Age assessments are notoriously complex and there is no proven scientific way to assess a person's age. We are very concerned about these proposals and that people without social work training would be able to make these complex judgements.

6. Appeals Process

There is a proposal to **change the appeals process**, and in particular develop a new **'one-stop process'** where people claiming any form of protection have to bring 'all relevant matters' at the beginning of the process.

Why we are concerned: in our experience, young people experiencing trauma often cannot provide all information at the beginning of a process. In addition, not having the right legal representation can mean poor advice on what is needed at the beginning of a process. It can also be difficult to locate all documents immediately.

7. Family reunion

Although the Government's plan talks about increasing 'safe and legal routes' for those seeking asylum in the UK, **one of the most significant safe and legal routes, via family reunion is denied** to those coming through 'irregular' routes.

Why we are concerned: all refugees should have equal access to family reunion. These proposals leave families separated by war, human rights abuses and persecution facing the impossible decision of making a dangerous, difficult journey, or to be separated indefinitely from their family.

Final

Next steps:

Young Roots believes that the UK asylum system and support for young refugees and asylum seekers needs fundamental reform. However, we believe that the proposals from the Government will be worse for the young people we support than the current arrangements.

We are members of the Asylum Reform Initiative and many networks that are working towards a positive vision for supporting refugees and asylum seekers in the future. We believe that everyone has the right to seek protection in the UK or another country if they are at risk of harm, and that the UK should be welcoming and respectful to those who arrive here. We believe that while people are seeking safety, they should be treated with dignity and respect. We believe any reform of the asylum system needs to fully consult with and understand how the process is experienced by those seeking asylum.

As an organisation we will be responding to the consultation by 6 May 2021, and working with others to respond to the Sovereign Borders Bill in the summer. Please follow our social media accounts to find out more, and how you can get involved.

If you would like to respond to the Government consultation as an individual by 6 May, here is the link:

<https://www.gov.uk/government/consultations/new-plan-for-immigration>

Here are some links that you might also find useful from other organisations:

Lessons not learned: The failures of asylum decision-making in the UK

<https://www.amnesty.org.uk/guide-governments-immigration-and-asylum-consultation>