

By: Jenny Whittle, Cabinet Member for Specialist Children's Services
Andrew Ireland, Corporate Director for Families & Social Care

To: Specialist Children's Services Policy Overview Committee –
19 January 2012

Subject: **MISSING UNACCOMPANIED ASYLUM SEEKING CHILDREN**

Classification: Unrestricted

Summary: This report provides information on Unaccompanied Asylum Seeking Children (UASC) who go missing from KCC care and the steps that KCC and partners are taking to minimise the risks.

It provides the historical context for how support to these children and young people has developed. It gives the current approach for supporting these young people and identifies further work that will be undertaken.

FOR INFORMATION

Introduction

1. (1) Kent is a key gateway for the UK and is therefore a major arrival or transit destination for a significant proportion of children and young people, both with their families or unaccompanied, who are seeking to enter the UK. Where such children and young people are identified by the UK Border Agency (UKBA) as unaccompanied they pass responsibility for these children to KCC.

(2) Support for these children and young people is delivered by the Service for UASC which is part of Specialist Children's Services. This has been developed as a standalone service due to the specialist needs of some of these children and the fact that funding of services for children claiming asylum has been from totally different streams to those provided for children who are citizens.

(3) The operating environment of the service is complex. The pattern of arrivals can change at short notice due to events in both originating and transit countries. There is also a high level of both media and political interest, both local and national, of services for asylum-seeking children and young people. This has resulted in rapid and frequent legislative change and which, in turn, has impacted on policy and on operational service delivery. For almost a decade there have been major, annual changes in immigration law.

(4) All the young people supported by the service are accommodated under Section 20 of the Children Act 1989. This essentially means that they are Looked After by the council voluntarily and the council does not hold parental responsibility for them. However, the council has a corporate parenting duty 'to look after them as though they were our own children'. This undoubtedly brings difficulties as the council is charged with the task of 'parenting' without the legal authority to make and carry forward often contentious legal and moral obligations and duties.

(5) Of the children and young people who are supported by the Service for UASC, there have always been some that have gone missing. Some have run away for short periods of time and are found or return by themselves, others go missing and are not found. Some go missing within a day or two of coming into KCC's care, whereas others may stay in KCC care for some time before going missing.

(6) The changing patterns of originating countries, the differing patterns of running away between different communities and the fluctuating numbers arriving from different communities means that caution is needed in making direct comparisons across the years that the Service for UASC has been running. The tables below give the numbers of UASC and those who went missing for the last 5 years.

Table 1: Number of UASC in KCC care (snapshot):

31 Mar 07	31 Mar 08	31 Mar 09	31 Mar 10	31 Mar 11	31 Dec 11
680	745	843	914	855	711

Table 2: Number of UASC in KCC care who have gone missing (cumulative):

	Total UASC who went missing	UASC who went missing who were found	UASC who went missing and have not returned
2006 - 07	65	ii)	ii)
2007 - 08	61	16	45
2008 - 09	129	63	66
2009 - 10	103	63	40
2010 - 11	80	59	21
1 Apr 11 - 31 Dec 11	99	65	34

Table 2 Notes

- i) Complexities in recording children with multiple episodes of going missing on ICS has led to ongoing data verification for both current and historical cases.
- ii) In 2006 - 07 information was recorded on the previous system, Swift. The archived data structure does not allow for direct reporting without significant manual intervention.

Analysis of causes

2. (1) Missing children and young people are vulnerable to falling into the hands of unscrupulous adults who can use them for many forms of exploitation. KCC is working to identify possible causes for abscondence, and then, as far as possible, to mitigate these causes. The main causes for UASC going missing fall under three categories: trafficking, issues related to their immigration status, people smuggling and economic migration. Work with the young people in KCC's care, together with Kent Police, UKBA and wider intelligence sources suggests that reasons also vary by originating country.

Trafficking

(2) Trafficking should always be considered as a possible cause of abscondences of children and young people. However, it is a criminal practice which is shrouded in secrecy and an underground culture. For example, some young people in the

care of SUASC have, in the past, informed us that traffickers have paid their families significant amounts of money to bring them to the UK. These young people are often tricked into believing they will have a better life or opportunities to earn money for their families, and the debt bondage and fear of reprisals against family members means they are later easily coerced by the traffickers. There is frequently a real, ever-present and powerful fear of these reprisals if the young person fails to cooperate with the trafficker.

(3) Assessment if an UASC has been trafficked is often based on incomplete information and may change as further information comes to light, either from the child or from wider intelligence about trafficking from partner organisations such as the Police and the UKBA. Consequently the ability to make accurate assessments is constantly evolving. Assessments made on UASC in previous years reflect the judgements of the staff who working with them at that time and may be subject to revision.

Table 3: Number of UASC in KCC care where there is a suspicion of trafficking

2008 - 09	24
2009 - 10	35
2010 - 11	8
1 Apr 11 - 31 Dec 11	5

Table 3 Notes

- i) Prior to 1 April 2008 this data was not consistently recorded
- ii) Data source is the Service for UASC

Immigration status

(4) A second significant reason for UASC going missing is the issue of their immigration status. Young people who are seeking asylum are given leave to remain in the country for a limited period of time i.e. until they are 17.5 years old. On reaching this age they have to make a further application for their asylum claim. This undoubtedly causes considerable anxiety and often causes the young people to run away to hide.

(5) Others may run away because of their immigration status, as they may have become Appeals Rights Exhausted (ARE) and are fearful of being returned to their country of origin.

(6) Additionally, some of the young people are third country applicants (young people who have applied for asylum in another country before coming to the UK); the likelihood of being returned to the country where they first claimed asylum causes them to go missing.

People smuggling and economic migration

(7) The other category are those who run away because they have been smuggled into the UK and their aim is to work to earn money or to live with relatives and improve their lives. There is also frequently an expectation placed on many of these young people to send money home to dependent members of the family.

Country of origin issues

(8) In the last year, where young people have gone missing from KCC's care, the most frequent countries of origin have been Afghanistan, Algeria, Vietnam and Morocco. Experience in KCC, which mirrors that of other receiving local authorities,

suggests that young people from Vietnam are more likely to have been victims of traffickers, whilst those from Afghanistan, Algeria and Morocco appear on the surface to have been smuggled although some may have been trafficked. Additionally, children originating in China are also likely to have been victims of trafficking. Many of the young people from these countries are very likely to go missing shortly after arrival.

Support to Unaccompanied Children

3. (1) Historically, children and young people who had claimed asylum were supported by the Service for UASC whilst the district children's teams dealt with the remaining cases of unaccompanied children and young people who had entered the UK in Kent but did not claim asylum. This separation of services led to some differences in service delivery to these children and young people and the possibility that services did not always fully understand the complexities in this work. Most importantly, the possible connection between child trafficking and if these children went missing may not always have been fully recognised.

(2) Following discussion with the Kent Safeguarding Children's Board (KSCB) and partners, from October 2010, all unaccompanied children and young people arriving in the UK in Kent have been supported by the Service for UASC, irrespective of whether they have claimed asylum. This has strengthened the support to the young people. It has also helped address the change in the last two years where agents are now apparently telling young people not to claim asylum. This is possibly to avoid them having to answer difficult questions but also to make it easier for them to abscond.

(3) Because of the potential risk to these young people, it has been agreed with the UKBA that referrals of all UASC to the service should clearly state concerns about identified additional vulnerabilities (and especially possible victims of trafficking) so that decisions and plans of action to safeguard these children and young people can be formulated as soon as possible.

Action when a child goes missing

4. (1) Safeguarding procedures are immediately put in place for all children and young people who are identified as having gone missing and, where appropriate, a referral is made to the district teams for a Section 47 investigation. Additionally, if the UKBA referral shows that the young person is from Vietnam, Algeria, Morocco or China, then a planning meeting is immediately convened with the police. Six-weekly panel meetings, chaired by the County Manager for the Service for UASC, are held in the long term teams to discuss, review and plan these cases.

(2) An alert process is in place where all Looked After Children and young people who are missing for 48 hours are brought to the attention of the Head of Service, Director and Corporate Director to inform them of the action taken. KCC also uses the National Referral Mechanism for children who are believed to have been trafficked, which provides a peer review from another authority.

Working with partners

Kent Safeguarding Children's Board

5. (1) The Service for UASC has continued to offer advice and guidance to the Board about safeguarding missing and trafficked children. The previous Head of Service was actively involved in the working group that drew up our current procedures for safeguarding children who may have been trafficked, and she presented these issues to the safeguarding board.

(2) KCC, over the last year, has worked with partner agencies and KSCB to review policies and procedures for missing children and have enhanced procedures for those children vulnerable to being trafficked. KSCB has undertaken the following steps:

- Reviewed and published the Missing Children's Policy and Procedures to include a section on children and young people vulnerable to being trafficked.
- Provided five multi-agency training courses over the last two years based on the LSCB Safeguarding Trafficked Children Toolkit. Further training is planned for the next year.
- Rolled out 'raising awareness' briefings for C&Fs Districts and Local Child Protection Committees and trained staff, managers and supervisors within the asylum service using the London LSCB Toolkit.

(3) KCC implemented the new procedures in March 2011, ahead of final publication date in partnership with UKBA and the Police because of concerns that the previous procedures were not sufficient in dealing with this category of children.

Kent Police

(4) There is a strong partnership with the police in managing the cases of children who go missing and/or are suspected of being trafficked. The police attend risk management meetings for children who are missing. A training day was organised at which the police missing person coordinator delivered a seminar to social workers and briefed them about the nature of information required by the police in order to effectively process the cases of missing children.

UK Border Agency

(5) There are improving working relationships with the UKBA, who have embedded one of their workers to support the Service for UASC. There are monthly formal meetings take place with the local immigration officers to discuss safeguarding concerns and other practical issues. Additionally there continues to be regular dialogue with the UKBA and Home Office on strategic issues.

Work in progress to address the issues raised

6. (1) The following areas of work are being completed by KCC:

- *Strategic group for missing children.* A strategic group has been set up to oversee, coordinate and address the issues of missing children, county wide. This group meets on a quarterly basis and involves all agencies.
- *Multi-agency strategic subgroup for child trafficking.* KSCB has set up a specific multi-agency strategic subgroup to address the issues of child trafficking on a county, national and international basis. The group would raise awareness and encourage the reporting of missing children's cases, promote inter-agency and community involvement in child trafficking, act as a point of authority in child trafficking and collate information to establish a profile of trafficked children and their needs. KCC and partner agencies will monitor the situation by reporting regularly on children who may have been trafficked to establish a profile and to develop better intelligence. The group currently meets on a monthly basis.
- *Appeals Rights Exhausted cases (ARE).* Kent has over one hundred cases of young people who are Appeals Rights Exhausted and therefore required to report. Work with UKBA on how best to manage the process has already begun. A seminar presentation on the reporting process to all workers in SUASC was delivered in early summer. The IOM also presented a seminar to the SUASC on the Voluntary Returns Program. This information is to help the case workers to reassure the young people about the importance of reporting and to inform of the dangers of running away.
- *Data collection of trafficking cases.* The monitoring of numbers of suspected child trafficking cases needs to be embedded within the ICS systems. This work has already begun. Currently suspicions of trafficking are only recorded in narrative form in individual files.
- *Specialist trained foster carers for trafficking.* A number of local authorities have specific trained foster carers who provide care and support for young people who are suspected of being trafficked. Discussions have taken place with Barnardos, SUASC's preferred provider for foster carer provision, to develop specialist foster care provision for children who are believed to have been trafficked. The plan is to identify a number of foster carers who can be trained to care and support this vulnerable group of young people. Similar discussions and planning has begun with Asphalia agency who have provided SUASC with supported accommodation in the community to plan and develop 2-3 'safe houses' in the community.
- *Specialist consultants.* Links are being sought with specialist Vietnamese and Moroccan consultants, in order to help support and educate Vietnamese and Moroccan young people and their carers about trafficking.
- *Buddying scheme:* To support the young people a 'buddy' scheme is being developed to help them manage the significant emotional pressures they have to deal with. The scheme would consist of volunteers and also include asylum seeking young people who have experienced exploitation. This will be based on the West Sussex model.

Conclusion

7. (1) Work is ongoing to put effective processes in place to ensure the safeguarding of children who are at risk of going missing, or who are trafficked. This will be a constantly evolving picture as the backgrounds of these children and young people, together with their reasons for arriving in Kent, continues to change.

(2) Due to the complexity of the issues, KCC and Kent Police are not able to deal alone with this problem. To have a significant impact and to find sustainable solutions requires a national and inter-national strategy and agreement which can then be supported at a local level.

Recommendations

8. The Specialist Children's Services Policy Overview and Scrutiny Committee is asked to:

- a) NOTE, and
- b) COMMENT on the report

Lead Officer/Contact:

Teresa Gallagher, County Manager, Service for UASC

Tel No: 01622 605265

e-mail: teresa.gallagher@kent.gov.uk

Background documents: None