



# Blueprint for the 3000

Resettlement for Europe's child refugees



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# Foreword

This year alone approximately 171,000 refugees decided water was safer than land and made the treacherous crossing across the Mediterranean – more than half of them are women and children and a proportion will be young kids all alone. Estimates, even conservative ones, suggest that there are 30,000 unaccompanied refugee children in Europe.

We should not underestimate the risks they face from smugglers and those that would exploit them.

At the start of the year Europol, the EU crime agency, warned of gangs targeting child refugees. At least 10,000 children have disappeared after arriving in Europe. The true number is likely to be significantly higher.

The UK cannot stand by and do nothing whilst these children languish in camps and become prey to those that would do them harm. That is why I have been calling on the Government to take 3,000 child refugees who have arrived in Europe. Let me be clear, this is not all the UK should do but the very least we must do. It amounts to five children per parliamentary constituency and I would challenge any MP who argues that they have no room for five vulnerable children.

I have visited the camps in Calais and Lesbos and as I write this I am preparing to travel to Idomeni to visit those stuck on the border between Greece and Macedonia. The children shared stories with me that would have shocked me if they came from adults let alone from young children. I met children who had lost family on the way or who had made the journey by

themselves leaving family behind in Turkey or Syria. All of us would have heard the tragic story of the young person who was killed whilst trying to smuggle his way in to the UK to be reunited with his uncle. No child should have to resort to this.

There are still very few safe and legal routes for those whose homes have been destroyed, made inhabitable, or simply are no longer safe to live in.

They come to Europe seeking a safer, better life, to rebuild and to regain their faith in humanity. But so far Europe has not met these ambitions and these vulnerable people, who have already been through so much, now languish in camps while Governments fail to act. The most vulnerable of these are the unaccompanied or separated children, those who have no one to look out for them.

I welcome what the Prime Minister is doing in the region, both in terms of the Syrian Vulnerable Person Resettlement Scheme, which will relocate 20,000 vulnerable Syrians from the camps in the region to the UK over a five year period, and with regards to the generous sums of money we are giving to the aid agencies working there. However, the Government cannot simply ignore those who have already reached Europe. We have a responsibility to work with our European partners to take our fair share.

It is clear that the Government's approach is to deliver as little as possible and there are no signs that anyone in Government is looking for a sustainable solution. This document is the result of wide consultation and discussion with experts in the

field and should be seen as a guide to what is needed for Britain to meet its moral duty.

What has become clear during this process is that this presents an opportunity not only for the UK to live up to our values and principles but also to introduce changes to the current system that can benefit all asylum seeking children and our own children in care.

I would like to thank all those organisations who gave up their time and who have contributed significantly to this piece of work.

In the coming weeks and months I will be reaching out to those across parties and in Government to see how to take these recommendations forward.

A handwritten signature in black ink that reads "Tim Farron". The signature is written in a cursive, slightly slanted style.

Tim Farron MP  
Leader of the Liberal Democrats

## **Background**

Save the Children have been calling on the Government to take 3000 unaccompanied children since June last year. Over time there has been a cross-party swell of support for this call. PMQs, parliamentary questions and speeches in both the House of Commons and the House of Lords have all been used to challenge Ministers to do more in response to the ongoing situation in Europe. At the start of January the influential

International Development Committee endorsed this call, ramping up pressure on the Government to act. In response the Government was forced to set out significant commitments to do the following: improve support for children in Greece and Italy; speed up family reunification for children in Europe; and resettle children from conflict zones located in the Middle East and North Africa. However, no commitment was made to resettle refugee children who had already arrived in Europe.

This prompted a cross-party amendment to the Immigration Bill, led by Lord Dubs, which would force the Government to accept 3,000 unaccompanied refugee children. The House of Lords voted by a majority of over 100 to support the amendment which will be considered imminently in the Commons.

Following visits to both Calais and Lesbos, Liberal Democrat leader Tim Farron added his support to Save the Children's campaign for the UK to resettle 3,000 unaccompanied refugee children who had arrived in Europe, the UK's fair share.

Tim Farron hosted a cross-party roundtable which looked at how the Government and communities could welcome these children and what resources, support and tools are needed. The meeting was attended by over 20 experts and organisations working with refugees, vulnerable children and foster carers. This formed the basis of the consultation which ran until the 18th March 2016.

You can find a copy of the consultation document here:  
<http://bit.ly/1TDZiFI>

# Counting to 3000

Save the Children's campaign for the UK Government to accept 3,000 unaccompanied children who have already arrived in the EU represents what has been calculated as the UK's fair share of the child refugees who have arrived in Europe. This campaign is over a year old and the numbers will have increased; however, the Liberal Democrats have always been clear that taking in these 3,000 children is not the most Britain could do but the very least.

A significant number of children in Europe have family ties in the UK, and most of the organisations who responded to the consultation agreed that any programme should start with these children. In some cases, existing family reunion legislation will allow children to be legally reunited with their family. However, the current rules are extremely tight - people who have been granted Refugee status or Humanitarian Protection can use the UK's refugee family reunion rules to be joined in the UK by immediate family members (i.e. partner and dependent children under 18) who were part of their family before they fled to claim asylum. This means that if you are a father with refugee status in the UK and you are able to bring your children from Syria to join you, but if the child is over 18 years old they are not eligible and could not be reunited.

The issue of extending family reunion criteria has been debated both in the House of Commons and the House of Lords during the passage of the Immigration Bill 2015 - 2016. The Government has consistently argued that the current

family reunion rules strike the right balance and that widening them might act as a pull factor for asylum seekers to come to the UK; for example giving child refugees the right to sponsor family reunion applications might put children at greater risk of trafficking. No evidence has been presented by the Government during the passage of the bill that supports this case, nor has it come up in this consultation.

Under the current Immigration Rules it is possible for extended relatives to make an application for a dependent child or adult to join them in exceptional, compelling circumstances. However, investigation has revealed that very few visas are granted through in this way and the organisations we spoke to argue that there are too many obstacles for these rules to function in practice.

Finally, we welcome the Government's statement on the 28th January this year that asserted it would "continue to meet...obligations under the Dublin regulations." However, consultation respondents were clear that current regulations are not adequate to meet the needs of unaccompanied children trapped in Europe with family links in the UK.

More must be done to speed up the process. There is also a lack of confidence in, and information about, the system. The UK Government should do more proactive work in the camps to identify those who could be transferred to the UK under Dublin rules. Citizens UK calculate that 150 children are eligible to be reunited under Dublin III regulations.

This was echoed in the recent judgement in a case brought to court by Citizens UK, the Migrants' Law Project and Bhatt

Murphy Solicitors where four Syrian nationals with brothers in the UK had their asylum applications transferred to the UK under Dublin III rules.

Using the systems and structures already in place and simply tweaking them so that they are more compassionate and efficient would go a long way in meeting the call to take 3,000 children. Furthermore, by taking these children and placing them with extended families in the UK we are giving them a greater chance not only to survive but to flourish. Ready-made support networks and paths to integration should be seen as a strong positive.

To meet the goal of 3,000 it has been suggested that UNHCR play a role similar to their role in the Syrian Vulnerable Person Relocation Scheme and help to identify the most vulnerable unaccompanied or separated asylum seeking children in Europe who would benefit most from relocation to the UK. This system has worked well in the region and could be replicated in Europe too. The UK could then make their own checks, as they currently do in the SVPR scheme before bringing the children over here.

**Family Reunion rules should be extended to cover all dependent relationships. The Government should build on the work done by campaigners, and the amendments put forward both in the Commons and the Lords, to meet this ambition. The Immigration Rules should be clarified to set out clearly how the requirement to demonstrate “serious and compelling family or other considerations” is applied. The UK Government should do more proactive work in the**

**camps and along the migration route to identify those who could be transferred to the UK under Dublin rules.**

**The Government should open discussions with UNHCR to design a process whereby UNHCR can identify the most vulnerable unaccompanied children in Europe who would benefit from relocation to the UK.**

## **Status**

Currently the most common status given to separated children is 'discretionary (UASC) leave'. Meaning that, if requirements are met, limited leave is granted for a period of 30 months or until the child turns 17.5 years old, whichever is shorter. All respondents spoke about the insecurity and instability resulting from this status.

Those who arrive via the Syrian Vulnerable Person Resettlement Scheme (SVPRS) are given five years' Humanitarian Protection status, with permission to work and access public funds. This is a far more stable status and allows young people to access higher education, thus giving them the opportunity to rebuild their lives, integrate and in the long-term contribute to British society.

Clearly, the gold standard would be granting these 3000 unaccompanied children, who would have already been identified as vulnerable and in need of protection, with Indefinite Leave to Remain. This would give them the stability they need and save them the emotional anguish that is often associated with the more temporary statuses, including the potential removal of leaving care support.

However, a number of organisations raised concerns that granting different types of leave for different groups despite their similar histories, risks creating a multi-tiered system. Therefore, at a minimum the 3,000 children should receive the same leave as those who arrive via the SVPRS.

**The 3,000 children the UK take should at a minimum receive five-year Humanitarian Protection in line with those being relocated under the Syrian Vulnerable Persons Resettlement Scheme.**

## **Improvements to the system**

The organisations we engaged spoke of the plethora of officials who unaccompanied asylum seeking children meet on arrival. They are confronted with bewildering processes, rules and frequently a language they do not understand, in addition to the trauma they have already suffered. The Government argue that their duty to provide a guardian for these children, as required by the relevant EU directives, is fulfilled by local authorities in England and Wales under Sections 17 and 20 of the Children Act 1989 (s.22 and s.93 of the Children (Scotland) Act 1005 in Scotland). This sees social workers *fulfill* the role of 'guardian'. However, a number of consultation respondents raised concerns about the possible conflict of interest that could arise in certain situations. For example, when a social worker needs to take a decision in relation to an individual they may also consider budgetary implications for which they are also responsible. This undermines the assertion that the guardian is independent and is solely concerned with the best interests of the child.

The Joint Committee on Human Rights in their 2013-2014 report looked at this and noted the potential in a system of guardianship which would allow for one individual working throughout the process to seek to uphold a child's best interests. As yet no single vision for how this guardianship system would work. However, the Government should be leading work into developing this.

This would not be completely new. Section 48 of the Modern Slavery Act already provides for guardianship or 'independent child trafficking advocate' for those children who have been identified as trafficked. Therefore, an expansion of this programme or using this as a template would be a sensible start point.

Another issue raised by a number of respondents was the lack of formal mechanism for determining the best interests of the child (Best Interest Determinations). The United Nations Convention on the Rights of the Child, to which the UK is a signatory, places a positive obligation on states to make the best interests of the child the primary consideration in any process regardless of the child's nationality or migration status. The Joint Committee on Human Rights found, in their report *Human rights of unaccompanied children and young people in the UK*, that immigration concerns are too often given priority. The Government have committed to introducing a formal mechanism.

**The Home Office should broaden guardianship pilots to include unaccompanied children as a first step to widening the guardianship system.**

**The Government must set out a timeframe to undertake an evaluation on how to introduce a formal mechanism for Best Interest of the Child Determinations.**

## **Care**

One of the biggest questions surrounding the 3,000 ask is where these children would be placed. 3,000 children amounts to five per parliamentary constituency, however smart dispersal must be at heart of any system.

The Immigration Bill 2015 – 2016 introduces compulsory ‘dispersal’ arrangements to ease pressure from local authorities who have shouldered the greatest burden by virtue of their geographic location. Kent County Council is often cited in discussions about the pressures on local authority budgets and infrastructure.

Respondents in principle agreed with such a mechanism, however all noted that the Bill did not provide enough information as to how such a mechanism would work. The best interests of the child must be at the heart of any decision to transfer. The most problematic issue is the lack of the timeframe a child could be transferred in, one considerable worry is that relocation down the line could result in upheaval and disruption in the child’s integration process. One respondent cited the difference between the drive for children in care to ‘stay put’ when compared to these provisions for unaccompanied asylum seeking children.

Suggestions have been made that some local authorities are more familiar with dealing with unaccompanied asylum seeking children and that transferring these children away from these local authorities, perhaps to those authorities who do not have a history of taking unaccompanied asylum children, would result in negative experiences for the child. However, respondents who work in this area flagged that best practice did not always correlate well with those local authorities that were accustomed to dealing with large number of asylum seeking children.

There is not yet an adequate system for sharing best practice. Central government investment to improve local authority coordination and information sharing should be encouraged.

If the Government were to implement the changes to family reunion rules and proactively seek to implement Dublin III, estimates suggest that a significant portion of 3000 children could be met through these routes. The main benefit in doing this would be that children would, in the majority of cases, be placed with relatives already settled in the UK. This would alleviate pressures on local authorities who would have lower caring responsibilities for these children. It would also be beneficial to the children passported via these methods as they would have units to enter into that could support them and help their integration.

**The Government should introduce provisions for transfers to take place within the first 48-72 hours wherever possible and in the best interest of the child to minimise disruption.**

**Government should invest in improving coordination mechanisms and information sharing between local authorities to ensure best practice is shared out and not concentrated in a few local authorities.**

## **Foster Care**

For those who are not placed with their extended family the most appropriate accommodation and care arrangements would be foster care. We cannot underestimate the pressure the fostering system is currently under. However, the refugee crisis presents an opportunity for the Government to encourage potential foster carers to come forward, particularly from BAME background who remain under represented.

The refugee crisis has prompted an outpouring of generosity from individuals and community groups. Tens of thousands of people have come forward as potential foster carers and, whilst many of these may drop out or be found to be unsuitable, the Government should not underestimate or ignore the potential to engage this group – not only in helping to respond to this refugee crisis but for tapping into this generosity in the future.

The Fostering Network estimates that fostering services in England need to recruit at least 7,600 families in England in the next 12 months alone to meet current demand and we cannot ignore the fact that record number of children are coming into care.

The consultation asked whether there should be a fast-track process for those who have expressed an interest in becoming foster carers. The overwhelming response has been to reject this idea. Many pointed to the fact that the timeframe allowed for proper assessment and helped to ensure children placed with foster carers would be safeguarded and supported. The average length of time to train and prepare a foster carer can be anything between six and nine months. Therefore, our ambition should not be to create a new 'fast-track' system but to help local authorities deliver the existing process at the lower end of the time frame. This might mean additional resources or a more joined-up approach. We have seen examples where the process can take as little as 16 weeks, showing that there is a level of learning that could be taken to speed-up the process.

Ideas such as creating regional assessment hubs have also been flagged as an alternative way to assess foster carers on a wider and more cost-effective way.

The Government should also harness the energy that has come forward either through private sponsorship models or a community sponsorship scheme that would allow groups to fund or be part of the process involved in integrating and supporting unaccompanied asylum seeking children.

**There is clearly a ground swell of emotion that currently the Government are failing to capitalise on. Many foster carers have positive stories to tell and this momentum should be used to increase the number of households entering the system which regardless of the 3000 could help UK children in care.**

**Investment should be made in reducing the time it takes to assess and approve foster carers, including better resourcing. The 'regional assessment hub' model should be explored further.**

## **Simplification of the Fostering System**

One issue that came up time and again was the lack of a national register of foster carers. This is an issue that should be explored by Government. One immediate benefit a national register would bring would be to help retention of foster carers when they move between local authority areas. It would also help professionalise and give status to foster carers who should be seen as professional child care experts. A national register could help empower foster carers to continue their valuable contribution.

Clearly some elements would require reassessment, for example on the accommodation itself. However, foster carers may not need to be fully reassessed or approved if a national register existed and one local authority could simply seek reference from the foster carer's previous local authority. The transfer of foster carers protocol drawn up by the Fostering Network is something that should be explored by Government, with a view to formalising it. This is a small change that could ease the process and help retention rates of foster carers - it is approximated that every year 12% of the foster care workforce leave or retire.

**The Government should create a national register of foster carers working in conjunction with the Fostering Network and local authorities to ensure that it is fit for purpose.**

**Steps should be taken to reduce bureaucracy for foster carers who move from one authority to another with a view to easing the re-registration process.**

## **Funding**

Local authorities (LAs) have reported that they often struggle to maintain the quality of care demanded by both domestic legislation and international human rights norms. This is partly due to the fact that the insecure leave granted to unaccompanied asylum seeking children means that local authorities have to parallel plan for a number of outcomes. If the three thousand were given indefinite leave to remain or humanitarian protection this would allow for better planning at a local authority level and could allow central government funding to be allocated on a longer-term basis to help meet the cost.

Suggestions have been made that the UK could claim financial help from the European Refugee Integration Fund.

A Gateway rate of £114 per day was offered to those LAs willing to take children. Discussions with a number of LAs have indicated that this would be sufficient to cover care costs however other barriers such as the availability of fostering and supported lodgings placements were highlighted as two areas that severely impacted on the ability of a local authority to take on additional children.

Some local authorities already are unable to accommodate their own looked-after population and have to rely on out-of-county placements which ramp-up costs. This points to a need to expand the fostering capacity.

This will be a longer term process. However, for the 3000, smart placement will be key to success. The Government should ask local authorities to come forward to accept children similarly to the call that went out in relation to the Syrian Vulnerable Persons Resettlement Scheme.

**The Home Office must model scenarios to compensate local authorities who step up and take these unaccompanied/separated children and explore the possibility of accessing EU funds to help meet the cost of taking 3000 children.**

**The Government should take steps to identify which authorities are currently over-burdened and having to rely on out-of-county options for their own looked after populations and take steps to address this situation.**

# Conclusions

- The target of 3000 children is a modest one. We should be clear that this is the least Britain can do, not the most. Tens of thousands of unaccompanied children have arrived on European shores – they are vulnerable to traffickers and exploitation. The UK should take the lead in protecting these children by offering them safety and security.
- 3000 children may look like a big number, however, when you recognise that a portion have family structures in the UK that could support them already this becomes less of a burden. 3000 amounts to five children per parliamentary constituency
- By taking 3000 from Europe, the UK can show solidarity with its European neighbours who due to geographic circumstances have no choice.
- If the Government showed the political will to respond to this crisis with courage it could lead to significant improvements for the care system for British children in care. Improvements to the fostering system and the introduction of a guardianship system are structural changes that would have a lasting impact beyond a response to this crisis.

# List of Recommendations

## How to count to 3000

1. Family Reunion rules should be extended to cover all dependent relationships. The Government should build on the work done by campaigners, and the amendments put forward both in the Commons and the Lords, to meet this ambition.
2. The Immigration Rules should be clarified to set out clearly how the requirement to demonstrate “serious and compelling family or other considerations” is applied.
3. The UK Government should do more proactive work in the camps and along the migration route to identify those who could be transferred to the UK under Dublin rules.
4. The Government should open discussions with UNHCR to design a process whereby UNHCR can identify the most vulnerable unaccompanied children in Europe who would benefit from relocation to the UK. Work with UNHCR to identify vulnerable, unaccompanied/separated children in European camps whose ‘best interest’ would be served by relocation and resettlement in the United Kingdom.

## Protection

5. The 3000 children the UK take should at a minimum receive five-year Humanitarian Protection in line with

those being relocated under the Syrian Vulnerable Persons Resettlement Scheme.

6. The Home Office should broaden guardianship pilots to include unaccompanied children as a first step to widening the guardianship system.
7. The Government must set out a timeframe to undertake an evaluation on how to introduce a formal mechanism for Best Interest of the Child determinations.

## **Care**

8. The Government should introduce provisions for transfers (dispersals) to take place within the first 48-72 hours wherever possible and in the best interest of the child to minimise disruption.
9. Government should invest in improving coordination mechanisms and information sharing between local authorities to ensure best practice is shared out and not concentrated in a few local authorities.
10. Where family ties exist every effort should be made to place them with family members where appropriate or in the same local authority area.

## **Foster Care**

11. There is clearly a ground swell of emotion that currently the Government are failing to capitalise on. Many foster carers have positive stories to tell and this momentum should be used to increase the number of households entering the system which regardless of the 3000 could help UK children in care.

12. Investment should be made in reducing the time it takes to assess and approve foster carers, including better resourcing. The 'regional assessment hub' model should be explored further.
13. The Government should create a national register of foster carers working in conjunction with the Fostering Network and local authorities to ensure that it is fit for purpose.
14. Steps should be taken to reduce bureaucracy for foster carers who move from one authority to another with a view to easing the re-registration process.

## **Funding**

15. The Home Office must model scenarios to compensate local authorities who step up and take these unaccompanied/separated children and explore the possibility of accessing EU funds to help meet the cost of taking 3000 children.
16. The Government should take steps to identify which authorities are currently over-burdened and having to rely on out-of-county options for their own looked after populations and take steps to address this situation.

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