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Refugee Children's Consortium

c/o The Children's Legal Centre
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London, W1W 8QY

Dr Hywel Francis MP
Chair, Joint Committee on Human Rights
Committee Office
House of Commons
7 Millbank
London, SW1P 3JA

06 APR 2011

29th March 2011

Dear Dr Francis,

Joint Committee on Human Rights

I write on behalf of the Refugee Children's Consortium, a group of NGOs working collaboratively to ensure that the rights and needs of refugee children are promoted and respected. The Consortium wishes to echo the call of other organisations working with and on behalf of asylum seekers and refugees for a piece of work following up on the recommendations from the Committee's 2007 report on 'The Treatment of Asylum Seekers'.

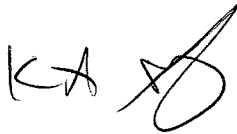
The previous chair of this Consortium, Lisa Nandy (now Lisa Nandy MP), as well as many of its members, provided evidence to the Joint Committee in 2007, and the subsequent report made a number of recommendations focusing specifically on the treatment of children seeking asylum, including on the issue of local authority funding for separated children, guardianship, age assessments, and the detention of age disputed minors. It also made many more suggestions that related to children in families, on the provision of financial support, accommodation and healthcare and on detention and removal.

However, many of the Committee's recommendations remain unfulfilled, despite regular and ongoing dialogue between civil society organisations and the UK Border Agency. Furthermore, with financial constraints and budget reduction measures across the public and voluntary sector, as well as significant attrition in access to legal representation for children seeking asylum, it is likely that these children will continue to struggle to access the support that they need. A re-examination of the issues explored by the Committee in its 2007 report would be both a means of acknowledging where progress has been made, such as the removal of the UK's reservation to the UN Convention on the Rights of the Child, and also identifying where further effort is urgently needed – for example, regarding the lack of statutory oversight for ensuring that separated children are able to access the services and assistance to which they are entitled.

Despite significant progress, the commitment to end child detention remains unfulfilled and scrutiny by the Committee of the new family removals process and its compatibility with human rights standards would be welcomed as part of the re-examination. It would also be valuable to examine the current treatment of children in light of the Secretary of State's duty, under Section 55 of the *Borders, Citizenship and Immigration Act 2009*, "to safeguard and promote the welfare of children", and the judgments of the Supreme Court in *ZH (Tanzania)* and of the European Court of Justice in the *Zambrano* case. The JCHR has repeatedly expressed concern about the effects of immigration and asylum policy on children, and now would be an ideal opportunity to re-examine the treatment of children seeking asylum in the UK and its accordance with human rights standards.

I very much hope that we can discuss this suggestion further, and I look forward to hearing from you.

Yours sincerely,



Kamena Dorling
Chair, Refugee Children's Consortium
Policy and Programmes Manager, Children's Legal Centre

Members of the Refugee Children's Consortium are: Action for Children, Asphaleia Action, Asylum Aid, AVID (Association of Visitors to Immigration Detainees), Bail for Immigration Detainees, Barnardo's, BASW - The College of Social Work, BAAF (British Association for Adoption and Fostering), Catch 22, Children's Legal Centre, Child Poverty Action Group, Children's Rights Alliance for England, The Children's Society, DOST, Family Rights Group, The Fostering Network, The Immigration Law Practitioners' Association (ILPA), JCORE, Medical Justice, The Medical Foundation for the Care of Victims of Torture, National Care Advisory Service, NCB, NSPCC, The Prince's Trust, RAMFEL, Refugee Council, Scottish Refugee Council, Student Action for Refugees (STAR), Voice, The Who Cares Trust, Welsh Refugee Council.

The British Red Cross, Office of the Children's Commissioner (England), UNICEF UK and UNHCR all have observer status.