

ved here to access employment  
'belong' and they often face language  
hardships. Children may have undergone  
they may have to experience complex  
cedures.

to the need to safeguard and promote the welfare of children'. However, there are significant limitations to the UKBA's duty. For example, the duty only applies with regard to children 'who are in the United Kingdom', despite the fact that UK immigration authorities and border controls also operate beyond UK territory. This duty should be applied to all children who have contact with immigration authorities, not just those within the UK.

## Joining up policy & practice

The Northern Ireland Executive has responsibility for the delivery of services to migrant, asylum-seeking and refugee children. A coordinated, interagency approach is crucial to alleviating the difficulties experienced by these newcomer children. However, NCB's forthcoming research has identified a lack of confidence among public sector practitioners working with these groups around their ability to effectively meet their needs. A lack of information and statistics means that practitioners often have to rely on word of mouth to find out about services available for migrant, asylum-seeking and refugee children.

The level and type of provision afforded to children varies considerably geographically, and can differ case-by-case. Those working in frontline services have identified the need for joined-up leadership and strategic direction.

While these children remain invisible in high level policies, such as OFMdfM's Ten Year Strategy for Children and Young People, and while there continues to be a lack statistics and information, it will be increasingly difficult to deliver appropriate responses to their needs.

1. The UK Border Agency must carry out its functions in a way that promotes and safeguards the welfare of children.

The introduction of the new welfare duty in the Borders, Citizenship and Immigration Act 2009 is an important sign of commitment from the Government to protect asylum-seeking children in the UK. However, the lack of information provided makes it difficult to determine how effectively this duty is being implemented in NI.

UKBA should provide disaggregated figures for the number of children coming into NI and their status. Where confidentiality permits, UKBA should be clear about how it has addressed suspected cases of trafficking of children; dealt with the particular vulnerabilities of unaccompanied minors, including age dispute cases; considered children's welfare in cases of transportation to GB; conducted family removals and detained children in GB.

The compliance of UKBA's practices towards children remains questionable and there are broader concerns as to whether the terms of the duty meet UNCRC obligations. For example, the Statutory Guidance to accompany the duty states that "*the duty does not give the UK Border Agency any new functions, nor does it override its existing functions.*"<sup>6</sup>

Thus while the introduction of the duty is clearly a very welcome step, it must be reviewed against international standards of best practice, including, for example, the recommendation to appoint legal guardians for unaccompanied asylum-seeking children.

Duty bearers: UK Government, Home Office (UKBA).