



What the UNCRC says:

Article 22 *Asylum-seeking and refugee children have the right to appropriate protection and help. They also have all other UNCRC rights. Where their family members cannot be found, they have the right to the same protection as any other child deprived of their family environment.*

Article 2 *The UNCRC must be guaranteed to all children without discrimination, irrespective of a number of factors, including the child's (or their parent's or guardian's) race, colour, language, religion, national, ethnic or social origin.*

Article 3 *The best interests of children must be a primary consideration in all actions taken which affect them.*

What the UN Committee on the Rights of the Child said to the UK Government in 2008:

The Committee made many recommendations to Government including:

Strengthen awareness-raising and preventive activities against discrimination, including taking affirmative action, where necessary, for the benefit of migrant, asylum-seeking and refugee children (para 25).

Take appropriate measures to ensure that the best interests principle is adequately integrated into immigration law and policy (para 27).

Invest considerable additional resources in order to ensure children's rights to a truly inclusive education, ensuring full enjoyment to children from all disadvantaged, marginalised and school-distant groups (para 67).

Intensify efforts to ensure that detention of asylum-seeking children is always a measure of last resort and for the shortest appropriate period.

Ensure that UKBA appoints specially-trained staff to carry out screening interviews of children.

Consider appointing guardians to unaccompanied asylum-seeking children.

Provide disaggregated statistical data on the number of children seeking asylum, including those whose age is disputed.

Give the benefit of the doubt in age-disputed cases of unaccompanied young people seeking asylum, and seek expert guidance on how to determine age.

Ensure that when children are returned to the relevant country, this happens with adequate safeguards.

Consider amending legislation in order to allow for an absolute defence for unaccompanied children who enter the UK without valid immigration documents (all of the above: para 71).

Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (para 81).

What children and young people say:

"I was in a hotel for a month... and... my social worker... used to come like once a week to see me... it was really, really hard because it was a hotel and I had no contact with anybody and I didn't understand what people were saying... most of the time I used to stay in my bedroom."

(Unaccompanied asylum-seeking young person)

"They [teachers] help all the time, you ask for help, they help you and give you more time for work [and] help you with your future." (Young migrant)

"Well, I was doing my papers [paper round] and a group of people they just attacked me and my sister was with me and they started calling me Paki, Paki, Paki and then they tried to bully me and my sister but then a man came out of a house and said get to your houses and leave people alone so then we were safe." (Young refugee)

"...the first time when police is talking to me... I thought they were going to beat me... but the police officers were really good here in Northern Ireland."

(Unaccompanied asylum-seeking child)¹³