

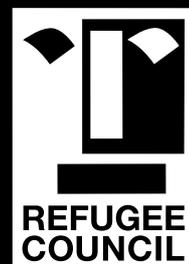


## Refugee Council

Not a minor offence: unaccompanied children locked up as part of the asylum system

Judith Dennis

May 2012



The images on the front and back cover of this report are taken from *Faisal's story*, an animated film produced for the Refugee Council by The Paper Boat Creative.

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# Introduction

***“We will end the detention of children for immigration purposes”***. The Coalition: our programme for government, May 2010.<sup>1</sup>

The Refugee Council welcomed the commitment to end the detention of children in the asylum system, which came after we had campaigned for many years on this issue. A body of evidence had built up during this time, leaving us in no doubt that the mental and physical health of children is severely damaged by keeping them under lock and key, even for short periods of time.<sup>2</sup>

What has not changed is the detention of children on the grounds that their age is in question; young people often referred to as ‘age disputed’. The Refugee Council works with many of these young people and helps them to get released, as a significant proportion of them are actually children.

This report has been written to highlight the pernicious situation of these forgotten children; young people who have arrived in the UK separated from their parents or usual guardians and who are detained in immigration removal centres as adults. It discusses the circumstances leading to the detention of unaccompanied children, wrongly treated as adults and therefore in extremely vulnerable situations, as their needs as children are left unrecognised. It also recommends changes to the system that should reduce the number of young people whose short lives are damaged in this way.

## **The Refugee Council’s work with children**

The Refugee Council is the leading charity in the UK working with asylum seekers and refugees. As a human rights charity, independent of government, we work to ensure that refugees are given the protection they need, that they are treated with respect and understanding, and that they have the same rights, opportunities and responsibilities as other members of our society.

The Children’s Advisers work in the best interests of children, making and accompanying children to appointments, referring and supporting them to receive help from local authorities, education and health services as well as giving them emotional and practical support. This work includes helping those whose age has been disputed by a statutory service, usually the UK Border Agency (UKBA) or local authority social services. Sometimes the young person is accepted by all parties to be a child, but the dispute relates to the actual age of that child. We employ a specialist Adviser, funded by donations, whose role is to help those treated as adults, prioritising those who are detained as a result.

A more detailed description of this work is outlined on page 10.

## **Unaccompanied children in the UK**

The phenomenon of children arriving alone to seek asylum is not new; for many years there have been children whose flight from danger in their home country results in them seeking a safe place in the UK. They

1 [http://www.cabinetoffice.gov.uk/sites/default/files/resources/coalition\\_programme\\_for\\_government.pdf](http://www.cabinetoffice.gov.uk/sites/default/files/resources/coalition_programme_for_government.pdf)

2 Intercollegiate Briefing Paper: Significant Harm – the effects of administrative detention on the health of children, young people and their families  
<http://www.rcpsych.ac.uk/pdf/Significant%20Harm%20intercollegiate%20statement%20Dec09.pdf>

flee their countries because they fear persecution or abuses of their most basic human rights and come from countries such as Afghanistan, Iran and Eritrea. International law and guidance is very clear; children can be refugees in their own right and should receive special protection in the process.<sup>3</sup>

One of the biggest issues young people seeking asylum face on arrival in the UK is that they are usually unable to verify their date of birth with official documents. Most countries from which refugees come do not register births in the same way as in this country, although some will have documents that can help provide information about age. Refugees may have to travel on documents that do not belong to them or have been obtained fraudulently; this is accepted in international law in recognition that people may not be able to obtain passports or travel documents from a government from which they are escaping. Such documents are likely to have an adult's date of birth because children would not be allowed to travel alone. Children may also be advised or decide themselves to state that they are an adult if encountered on their journey, to avoid being separated from a group or to protect themselves from adults who may want to exploit them. Without other information to immediately identify them as children, young people may be incorrectly judged to be an adult on their appearance alone. Appearance is a particularly unreliable indicator of age, especially when children are going through puberty.

Research has established that there is no single method of assessing a person's age and it is broadly accepted that it is a difficult task and that benefit of the doubt must be applied.<sup>4</sup> Given all of the above, it is reasonable to expect that when decisions are made when first encountering a person claiming to be a child, extreme caution should be exercised when deciding that someone should not be believed, or further guidance and expertise sought.

Home Office statistics on asylum applications from unaccompanied children show a decrease in recent years.<sup>5</sup> The table below shows numbers of applications from unaccompanied children and additional figures on those who claimed to be children but whose age was disputed at the point of making the application. These figures do not include those who are treated as adults immediately on arrival. Their claims to be a child are only recorded by the UKBA if the official registering the claims believes them or is in some doubt. This is explained in more detail below. As these statistics are from the Home Office, it will also not include all those whose age is first disputed by the local authority.

Year	Applications from unaccompanied children	Applications from 'age disputed' young people
2007	3645	1913
2008	4285	1401
2009	3174	1129
2010	1717	489
2011	1277	354

Source: Home Office Immigration Statistics

3 <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=search&doid=3ae6b3360>  
<http://www2.ohchr.org/english/bodies/crc/docs/GC6.pdf>

4 <http://www.ilpa.org.uk/data/resources/13266/ILPA-Age-Dispute-Report.pdf>

5 <http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/immigration-asylum-research/immigration-tabs-q4-2011/asylum2-q4-2011-tabs?view=Binary>

# Policy background

## UKBA policy on detention and age assessment

The UKBA believes that the power to detain is necessary as part of effective immigration control. However, its policy also states that;

*“there is a presumption in favour of temporary admission or release and, wherever possible, alternatives to detention are used. Detention is most usually appropriate:*

- *to effect removal;*
- *initially to establish a person’s identity or basis of claim; or*
- *where there is reason to believe that the person will fail to comply with any conditions attached to the grant of temporary admission or release”.*<sup>6</sup>

The Refugee Council’s clients are usually detained for one or more of the reasons set out above. In addition to the above policy, the UKBA uses detention as part of a ‘Detained Fast Track’ or DFT, where an asylum applicant is held in detention for the duration of their asylum claim i.e. until granted status and allowed to remain in the country or removed. The detained fast track process is designed to be quick and its selection of suitable cases decided on how straightforward the case appears at the outset.<sup>7</sup>

Both policies (DFT and ordinary detention) refer to unaccompanied children, stating that they should not be detained unless one or more of the following criteria apply:

- *“There is credible and clear documentary evidence that they are 18 years of age or over;*
- *A full and detailed local authority age assessment setting out the reasons for the conclusion that the applicant is 18 years of age or over has been seen, and the local authority has stated that the assessment was conducted in compliance with the guidelines in the Merton case.<sup>8</sup> (Assessments completed by Social Services Emergency Duty Teams, typically issued when the applicant is first encountered are not by themselves sufficient to authorise detention.);*
- *Their physical appearance and/or general demeanour **very strongly** indicates that they are **significantly over 18 years** and no other credible evidence exists to the contrary”.* (emphasis in the original)

These criteria are also included in the UKBA’s process guidance on age, Assessing Age, which provides guidance for UKBA staff in dealing with asylum applicants whose age is not known by the UKBA.<sup>9</sup>

6 UKBA Enforcement Instructions and Guidance, 55.1.1

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/enforcement/detentionandremovals/chapter55.pdf?view=Binary>

7 UKBA Asylum Process Guidance – Detained Fast Track Process 2.4

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/enforcement/detentionandremovals/chapter55.pdf?view=Binary>

8 [http://www.childrenslegalcentre.com/index.php?page=faq\\_glossary\\_Mertoncompliant](http://www.childrenslegalcentre.com/index.php?page=faq_glossary_Mertoncompliant)

9 UK Border Agency Asylum Process Guidance: Assessing Age

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/asylumprocessguidance/specialcases/guidance/assessing-age?view=Binary>

The criterion listed third in the above list is mentioned at the beginning of the Assessing Age document, stating that immigration officers may treat this group of applicants as adult.<sup>10</sup> This is in contrast to those applicants whose appearance may be that of a younger person or whose appearance may very strongly suggest that s/he is significantly over 18 but has credible evidence to the contrary, or who has been the subject of an assessment prior to making an asylum application.

The guidance goes on to say that anyone else should be treated as a child in the first instance, **until a careful assessment of their age has been completed.** (emphasis in the original).

This 'careful assessment of their age' is an assessment by a local authority children's social services department. Indeed the same guidance goes on to instruct immigration officers how to refer such cases to local authorities and this does happen in practice. No specific statutory guidance exists in how these assessments should be carried out, other than general guidance for social workers in how to conduct assessments on children and their family members.<sup>11</sup> However, the issue has been the subject of much discussion and litigation and there are strict criteria governing decisions made as a result of such age assessments. The term 'Merton compliant' is often used to describe an assessment by a local authority that has been conducted in accordance with all case law. 'Merton' refers to the first standard setting judicial review in this area of work but all case law must be adhered to. The UKBA instructs its staff to rely only on those assessments that are conducted in line with the Merton judgement.

It may therefore be assumed that the decision to treat someone as an adult without seeking a careful assessment is only made when the immigration officer is sure that the decision is the right one – if there is doubt, officers are instructed to refer for a 'careful assessment' by a local authority.

Unfortunately this is not the case in practice. Some of the young people helped by the Refugee Council and subsequently found to be children have been detained because a decision is made that the criterion above applied i.e. in the absence of other evidence the immigration officer was in no doubt that s/he was significantly over the age of 18.

Some of the young people subsequently found to be children have been detained after a local authority social work assessment. In these cases the immigration officer may have felt there was doubt on initially encountering a young person and referred to a local authority to make a decision on whether or not the young person is under or over 18. It is as a result of this assessment in some cases that the young person is treated as an adult. It is not clear what additional factors have led to the detention of these young people i.e. how likely a person is to be detained simply because s/he claimed to be a child and was judged to be an adult.

10 UKBA Asylum Process Guidance – Assessing Age 2.1

11 Framework for Assessment of Children in Need and their Families, Department of Health 2000

[http://www.dh.gov.uk/prod\\_consum\\_dh/groups/dh\\_digitalassets/@dh/@en/documents/digitalasset/dh\\_4014430.pdf](http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/@dh/@en/documents/digitalasset/dh_4014430.pdf)

# Local authority assessments and the oversight of the courts

When approached for support by a young person, social workers conduct assessments to decide whether or not a person is eligible for a service under the Children Act 1989. In the case of unaccompanied children this assessment may initially include an assessment of whether or not the person asking for a service is indeed a child. If s/he is a child then social workers must make and adhere to plans for the child, including suitable accommodation and care, access to appropriate education and other help that s/he may need.

Age assessments have been conducted by local authority social workers since disputes over age began in the late 1990s. A template known as the 'Hillingdon and Croydon guidelines' was drawn up and informally agreed amongst local authorities in 2003 – this document is now widely used and has been endorsed by the High Court in several judgements relating to this issue.<sup>12</sup>

The lack of statutory guidance and the high incidence of poorly conducted assessments led to a series of High Court challenges which have established essential practice in this area of social work. The court's intervention remains the only redress if a person is assessed to be a different age to the one claimed by the young person. Some social workers conduct assessments that take into account all aspects of the young person's development and experiences and many do this well, but practice in and between local authorities still varies widely and lack of compliance with judicial decisions is commonplace.

We do not here discuss all of the issues relating to poor social work assessments. Reported judgments made by the courts can be found elsewhere; these cases continue to offer guidance to all parties with regard to the way that assessments should be carried out.<sup>13</sup> Since the Supreme Court judgment of November 2009, the courts perform a fact finding role in making a final decision on age.<sup>14</sup>

The involvement of the courts has exposed some of the detail of assessments conducted, many of which have been ruled unlawful. It has also been very useful in clarifying the elements that make an assessment compliant with the law, as well as highlighting how difficult it can be for young people to back up their claim to be a child.

No one factor can tell you whether or not someone is a child and it is very important to see elements of the assessment holistically. Even when done well, assessments cannot accurately give a date of birth for a young person, although this is what they aim to do. Benefit of the doubt is a very important principle and must be adhered to by anyone given the responsibility of deciding how a person should be treated. In the current system, including the asylum process, a date of birth is required so one is assigned to a young person if the one s/he gave is not believed.

The detention policy, described earlier in this report, states that the UKBA must not adopt a decision on a person's age if the assessment was conducted by a social services Emergency Duty Team. Typically these

<sup>12</sup> [http://www.proceduresonline.com/hillingdon/childcare/pdfs/Master%20Age%20assessment%20\(August%202005\)%20.pdf](http://www.proceduresonline.com/hillingdon/childcare/pdfs/Master%20Age%20assessment%20(August%202005)%20.pdf)

<sup>13</sup> <http://www.independentageassessment.co.uk>

<http://www.bailii.org>

<http://www.judiciary.gov.uk/media/tribunal-decisions/immigration-asylum-chamber>

<sup>14</sup> <http://www.bailii.org/uk/cases/UKSC/2009/8.html>

assessments are conducted by non-specialist staff with no training in age assessments or even working with young people. Thought should also be given to the environment in which an assessment takes place. There is no perfect place to conduct an assessment, but care must be taken to ensure that it is as neutral as possible. Assessments should not take place in a police station or Immigration Removal Centre; it is highly preferable to allow the release of the person at least for the duration of the assessment as soon as doubt has been cast on the age of a young person.

# Referral to release – Refugee Council’s work in ensuring children are not held in detention

Current policy and practice is not providing adequate protection for a number of young people in the asylum system. It is clear from our work that children are being held in immigration detention, after wrongly being judged to be adults. In addition to discussions with the UKBA and local authorities about the impact of their policies and practice, the Refugee Council has specialist Advisers who work directly with young people, Immigration Removal Centres and other professionals to ensure that those who we believe may be children are released from detention.

Referrals come from a variety of sources; volunteers, visitors, staff members working for the provider of the contract or the UKBA official within the Immigration Removal Centre. Referrals sometimes come from friends of the person detained, their legal representative and sometimes from Immigration Officers who have made the decision to detain.

The Adviser at the Refugee Council will ascertain all available information from the referrer, such as whether or not a lawful assessment has been conducted, at which stage in the asylum determination process the person has been detained and under which criterion.

The Adviser will aim to visit the Immigration Removal Centre as soon as possible to meet the person claiming to be a child. If, in our opinion, the person should not have been detained because there is doubt about the age, the Adviser will consider what action can be taken to help. If, after the meeting, it is our opinion that there is no prospect of persuading any decision maker or court that the applicant is a child, s/he will be advised to seek help from another source, usually a legal representative.

Where doubt remains, or as in some cases, we strongly believe that the wrong decision has been made, our priority is to get the young person released from detention as quickly as possible. If we can get a social worker to assess the young person straight away then that will be our focus, but where that may take some time, we will sometimes ask a legal representative to intervene or make efforts to find some evidence to show that the original decision was flawed. The need for early action is based on a child’s best interest; it has been shown that the damage inflicted on children deprived of their liberty is usually compounded by the length of time the child is detained.<sup>15</sup>

This can be complicated by the fact that it is likely, if the young person has been detained as a result of a local authority assessment, the place of detention will fall under a different local authority area. Sometimes the original local authority will be asked to conduct a further assessment, sometimes the referral for a new assessment will be made to the local authority in whose area the Immigration Removal Centre is situated. Other professionals are involved as appropriate, for example an independent social worker, not employed by a local authority, may be asked to provide an expert opinion on the young person’s age to assist the decision maker, whether that be the UKBA or a judge.

Once released, young people may continue to receive help from the specialist age dispute Adviser or others in the Children’s Section, as it may not be the end of their difficulties.

<sup>15</sup> <http://www.rcpsych.ac.uk/pdf/Significant%20Harm%20intercollegiate%20statement%20Dec09.pdf>

# Numbers of our recent successful challenges

The statistics relating to our work in detention provide numbers of young people we worked with and the proportion of these who were subsequently assessed or reassessed to be a child. It is likely that there are others whose plight has not been recognised and/or who are removed from the UK before anyone has been able to help them.

In 2010 our specialist age dispute Adviser worked with 36 young people held in detention. Twenty six (72 per cent) of these were released from detention because they were assessed as children after our intervention. Of the remainder, six were judged to be adult and four were released from detention without their age being resolved – we were not able to keep in touch with them after this time so we are not aware of the final outcome in their cases.

In 2011, the Adviser worked with 38 young people held in detention. Twenty two (58 per cent) of these were released from detention because they had been assessed as children, 13 were assessed as adult. The remainder were released as adult and awaiting the result of their age assessment when we ceased working with them. Although we would like to have followed up on all the young people who we helped to release, we have to prioritise those young people who remain locked up, so we are not able to help everyone once the local authority has agreed to assess.

In the first three months of 2012, eleven young people received help to challenge their detention on the grounds of an age dispute. Six (55 per cent) were released after being found to be children. At the time of writing, only one was assessed to be an adult, the remaining four are awaiting their age assessment conclusion or are being looked after by the local authority while the assessment takes place.

These figures illustrate that the problem is not improving quickly enough and needs to be addressed. It is a highly controversial act to deprive someone of their liberty and we urge the government to take all necessary steps to ensure that no more children are detained just because the process of assessing age does not fit neatly into the administrative system of asylum determination.

# The children we have helped to secure freedom

The numbers do not tell the full story of the impact of detention on children. Some examples of our work with young people over the last year are given here to illustrate how things can go badly wrong if policies and procedures are not followed or are not designed with children's protection in mind.

## **Faisal**

Faisal was 15 when he arrived in the UK after feeling forced to leave his home in Afghanistan. He came to the UK hidden inside a lorry and after a journey of several months he was relieved to have reached a safe country. He did not know what to expect on arrival but he was a scared and exhausted child and he hoped he would receive the care and attention he desperately needed as a child. He was shocked to be assessed as an adult and sent to an Immigration Removal Centre. Faisal was told that his asylum claim had been refused and that he would be returned to Afghanistan.

Our Adviser was contacted and went to visit Faisal. He believed that Faisal was under 18. The Adviser made a referral to a solicitor and wrote a letter in support of his claim, so that a judge would know that someone believed that Faisal was a child.

The solicitor asked the court to ensure that Faisal was not removed until social workers could undertake a proper assessment of him and make a judgement on his age. Unfortunately on this occasion it took three weeks from this date to get Faisal out of detention and into the care of the local authority, during which time he was given his own room in recognition of his vulnerable state but he was still locked up. Once he was finally released, Faisal felt very happy and relieved to be free, and when his age was judged by the social workers to be 16, he was able to begin his life here in the UK.

## **Kabir**

Kabir has fled from Iran where he had lived with his mother after his father had been killed and his brother imprisoned for opposing the political regime. He arrived in the UK aged 15 having travelled here in a lorry. The police discovered him and asked the local authority to come into the police station and assess his age. The social worker who saw Kabir believed him to be over 18 and he was kept in a police cell for four days before being transferred to an Immigration Removal Centre. This experience was very difficult for Kabir; for two days he was unable to communicate with anyone as there was no-one from his country to help him and he had only been in the country a few days so could speak no English at all. He was there nearly four weeks before someone alerted the Refugee Council. As soon as he met Kabir, the Refugee Council Adviser was very concerned that the social worker had been mistaken and wrote to the local authority to ask them to reconsider their decision.

They agreed to conduct a further assessment and Kabir was assessed to be only 16 years old, which led to his release into the care of the local authority. However, Kabir still suffers from mental health difficulties as a result of his detention in the police station and in the removal centre. The psychiatrist who assessed him stated that the six weeks he was locked up, when he felt abandoned and terrified about his future, were the cause of his current disorder, particularly because he was not able to mix with anyone of his own age. We hope that with the right care Kabir will make a good recovery from his experiences, but we will have to wait and see.

## **Abdul**

Abdul was assessed by two social workers who decided that he was over 18, even though he is 16 years of age. The Refugee Council believed that Abdul is a child and that the assessment was flawed, so helped him challenge the decision on his age by referring him to a solicitor and writing a letter of support. The solicitor believed she could help make an application to the court. A judge agreed there was sufficient doubt about the decision that Abdul was 18 and ordered that the local authority must support him pending a full hearing of his case.

One of the requirements that UKBA can place on asylum seekers is for them to report regularly to a designated Reporting Centre to ensure they are complying with the process. One day when Abdul went to the centre to report, the UKBA officer decided to detain Abdul, who explained that he was a child and supported by the local authority. The UKBA officer contacted the local authority and was not informed of the court order. The social worker informed the UKBA official that Abdul was not their responsibility and he was detained. Abdul was not allowed to speak to the social worker himself and was taken straight to an Immigration Removal Centre where he was extremely upset and frightened. Once there he was allowed to telephone the Refugee Council and the Adviser worked with the solicitor to ensure he was released as soon as possible. This was an extremely distressing experience for Abdul who had been reassured that the court was protecting him. He still does not understand how the UKBA and social workers were allowed to ignore the order of the court and finds it difficult to believe and trust what adults tell him.

## **Kaiyan and Mohamed**

The Refugee Council received a referral regarding three Afghan boys in an Immigration Removal Centre, claiming to be 14. By the time an Adviser was able to visit, one of them had already been moved to another Immigration Removal Centre. The Adviser met the remaining two, Kaiyan and Mohamed, and was very worried that they appeared to be children. They talked to the Adviser about the traumatic experiences they fled from in their country, and what had happened since. They had to share a room with adults and were extremely worried and vulnerable. After the Refugee Council Adviser left the Immigration Removal Centre, the UKBA officers released the boys into the community, making no attempt to contact the local authority to protect and care for them.

Mohamed called his brother in law who lived nearby, and who came to collect him. He has since visited the Refugee Council with his brother-in-law for advice on accessing legal support.

Kaiyan approached a stranger on the street, who took him to stay with him at his home as he wanted to help him. They contacted a law centre, who were able to help him with his asylum claim. He was also referred to the local authority and assessed to be a child. He now lives in foster care and is being looked after as he should have been from the start. The experience of detention could have been avoided.

The third boy has now been released and is being supported in the area close to the Immigration Removal Centre that he was moved to.

## **Tesfa**

Tesfa fled from persecution in Eritrea. He travelled through African and European countries to reach safety in the UK, and recalls being abused by immigration authorities in Italy on the way. On arrival in the UK, his age was assessed by the local authority social workers and the local UKBA office informed of the decision that Tesfa was an adult. The UKBA advised the social worker that Tesfa could make his own way to the Asylum Screening Unit to claim asylum and that accommodation would be provided for him thereafter. Not willing to support Tesfa overnight the social worker rang the police and asked for him to be detained.

On referring Tesfa to the Refugee Council the police commented that in their view it was unlikely that the assessment was lawfully conducted, as they had previous experiences of poorly conducted assessments

from this particular local authority. It is not clear why the decision was therefore taken to detain him, deal with his claim quickly and plans made for his removal to Eritrea.

The Refugee Council intervened and managed to get him released from detention, and his removal date pushed back. He was then re-assessed by the local authority and was found to be 16. He has now been recognised as a refugee and is planning to go to university.

These shocking cases are not exceptional; the young people we work with in this situation have all been failed by someone who was meant to protect them. It has already been well documented how harmful detention is for children. It has been described by mental health specialists and politicians as unacceptable. Politicians and policy makers must act as a matter of urgency to ensure this does not continue.

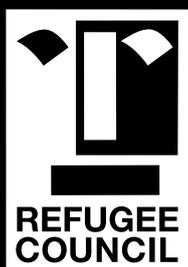
# How the situation could be improved

To ensure that no unaccompanied children are detained as a result of UKBA policy or social work assessments that may not have been conducted lawfully, we recommend that:

- The UKBA should refer all asylum applicants claiming to be children for a local authority assessment. Immigration officers should not make decisions on an applicant's likely age.
- In the meantime, the language of the UKBA Assessing Age guidance should be amended to reflect the serious nature of the decision to treat someone as adult based on his or her appearance. Additional wording should say: *You should only make this decision when you are absolutely sure that there is no possible chance that this person could be a child. Bear in mind that it is difficult to make judgements on a person's age based on their appearance and that the implications of using this policy to treat someone as an adult means that this category must be used with extreme caution.*
- If there is any doubt, the decision should be made not to detain, even if someone is treated as adult. Decisions made by immigration officers that are overturned should be treated very seriously by the UKBA and appropriate measures taken to ensure it is not repeated.
- No-one whose age dispute remains unresolved should be dealt with in the Detained Fast Track.
- Assessments should not be conducted in a place where someone is deprived of their freedom – young people should be released into the care of the local authority for them to assess outside of a police station or Immigration Removal Centre.
- When an asylum seeker has been lawfully and reasonably assessed to be an adult, extreme caution should be exercised in making a decision to detain. Reporting requirements should be imposed, as an alternative, unless there is credible information to suggest that the applicant will not comply with the asylum process.
- Anyone working at a Reporting Centre or Immigration Removal Centre who suspects that someone treated as an adult may be a child must have a method of highlighting the concern in order that release can be authorised as quickly as possible. The Refugee Council has encountered young people who have been provided with separate accommodation within an Immigration Removal Centre as a result of concerns that they are children. The UKBA and contractors who run the Centre must develop and adhere to strict child protection processes to ensure that the person is released at the earliest possible opportunity.

The Refugee Council is the leading charity in the UK working with asylum seekers and refugees. As a human rights charity, independent of government, we work to ensure that refugees are given the protection they need, that they are treated with respect and understanding, and that they have the same rights, opportunities and responsibilities as other members of our society.

This report can be downloaded at [www.refugeecouncil.org.uk](http://www.refugeecouncil.org.uk)



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