



Children's Rights Alliance for England

Part of Just for Kids Law

Examination of the UK under the UN Convention on the Elimination of All Forms of Racial Discrimination (CERD): List of Themes

May 2024

About The Children's Rights Alliance for England

The Children's Rights Alliance for England (CRAE) is part of the charity Just for Kids Law and works with over 100 members to promote children's rights and monitor UK Government implementation of the UN Convention on the Rights of the Child (CRC) and other human rights treaties.

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Introduction

In this submission, we focus on key themes for the examination of the UK Government's (UKG) performance of its human rights obligations and commitments under the UN Convention on the Elimination of all Forms of Racial Discrimination (CERD), as they relate to children.

Our submission shows wide-spread failure to ensure all children have their rights realised under CERD, with some groups of children, particularly Black children and Gypsy, Roma and Traveller children, experiencing significant discrimination and structural inequality across many aspects of their lives.

This document provides an overview of our key priority issues, which we urge the UN Committee to include in its List of Themes. We will be submitting a civil society alternative report to the UN Committee in July 2024.

Issues of concern

Inadequate action plans to tackle racial disparities

In its State Party report, UKG cites several reviews and initiatives launched since 2015 to tackle racial inequalities.¹ Chief amongst these is the *Inclusive Britain* strategy setting out 74 actions to combat disparities.²

¹ HM Government (2023) [Combined twenty-fourth to twenty-sixth periodic reports submitted by the United Kingdom of Great Britain and Northern Ireland under article 9 of the Convention](#)

² [Collection: Inclusive Britain reports and updates](#) August 2022

However, while welcome, we echo the views of the Equality and Human Rights Commission that the action plan does not go far enough and there is much more that needs to be done to address longstanding racial inequalities.³ Significant issues remain, as evidenced in our submission, in relation to structural inequality and race discrimination faced by particular groups of children.

Consultation with civil society on implementation of CERD

The UN Committee, in its 2016 COs, recommends that UKG “*undertake meaningful and effective consultations with civil society organisations working in the area of human rights protections, in particular those working to combat racial discrimination.*” Although UKG did hold one stakeholder engagement event in relation to the forthcoming examination, genuine consultation on the implementation of CERD has been limited. There was also no consultation on a draft of the State Party report.

There have also been significant challenges faced by the NGO sector, including those focussing on racial justice and children’s rights, in responding to the volume and pace of legislative changes proposed and enacted by UKG. While UKG in its State Party report states that it “*maintains regular engagement*” with NGOs on the issues covered by CERD,⁴ meaningful input by NGOs has been greatly hampered. The speed of introduction and implementation of new measures has limited the scope for meaningful consultation and engagement with organisations. The NGO sector has found it increasingly difficult to effectively scrutinise and respond to often harmful and regressive measures. As a result, the ability of those working to protect and advance the human rights of children (and adults) from racialised communities has been significantly constrained.

In addition, a stakeholder group co-chaired between the Children’s Rights Alliance for England and the Department for Education, which brought together civil society to work with UKG on the implementation of the CRC and other human rights issues, has recently been suspended. The group had been in operation since 2016.

SUGGESTED QUESTIONS

- *How will UKG ensure that it meaningfully engages with civil society to take forward implementation of CERD? What structures and mechanisms will it put in place?*
- *How will UKG renew its approach to the introduction and implementation of legislative measures in order to shift to a more transparent, consultative, and participatory system that allows the NGO sector to effectively engage in the legislative process?*

Human rights legislation and institutions

Incorporation of the Convention

UKG has not incorporated CERD into domestic law and, as it stands, has no plans to do so. We believe the Convention should be fully incorporated, alongside the other core human rights treaties, to demonstrate the UK’s commitment to upholding human rights principles and tackling racial disparities.

³ Equality and Human Rights Commissioner (2023) [Inclusive Britain: Responding to the Government's progress updates](#)

⁴ HM Government (2023) [Combined twenty-fourth to twenty-sixth periodic reports submitted by the United Kingdom of Great Britain and Northern Ireland under article 9 of the Convention](#)

Threats to the Human Rights Act (HRA)

UKG proposed repealing the Human Rights Act (HRA), which would have significantly weakened rights protection for all, including children. The obligation on public authorities and courts to read and give effect to legislation in a way which is compatible with the European Convention on Human Rights (ECHR) would have been removed, resulting in a weakening of rights respecting delivery of public services. Access to rights for certain groups, such as children in prison and those in the immigration system would also have been limited, and this would have disproportionately impacted those children from racialised communities.

While the Bill of Rights has been shelved, the diluting of the rights of children through enacted and proposed legislation has continued, including the Illegal Migration Act and the recently passed Safety of Rwanda (Asylum and Immigration) Act. The latter was introduced by UKG to enable it to send those arriving to the UK in small boats, and claiming asylum, to have their claim processed in Rwanda. It has been described by 260 organisations working to protect people's rights as a 'deeply harmful piece of legislation' which 'threatens the universality of human rights and is likely in breach of international law'.⁵ Children from racialised communities will be exposed to significant harm through these legislative changes (see below for further details). Over 250 organisations co-signed a letter to the Prime Minister expressing extreme concern at the attack on the human rights of the most vulnerable in society.⁶

Moreover, threats to leave the European Court of Human Rights (ECHR) continue.⁷ While this is not officially Government policy, the Prime Minister has backed calls for the UK to leave the court's jurisdiction if the Rwanda policy continued to be blocked, and there have been reports of factions of Conservative MPs pressurising the PM to support this move.⁸

Children's Commissioner for England not fully compliant with Paris Principles

Provisions in the Children and Families Act 2014 which strengthened the Children's Commissioner for England and gave it a rights-based mandate are welcome. However, the legislation needs to be further strengthened to ensure it has sufficient functions, powers and independence to effectively promote the full realisation of children's rights across all core human rights treaties, including CERD, and hold UKG to account on its obligations. The legislation needs to be reformed so that:

- The Secretary of State must have due regard to the views of Parliament in relation to candidates for appointment, and Parliament should be involved in any decision to dismiss a Children's Commissioner.
- It includes a provision requiring the Secretary of State to provide the Children's Commissioner with such sums as appear reasonably sufficient for the purpose of enabling it to perform its functions.⁹
- UKG is required to refrain from interfering in the work of the Children's Commissioner. Such an amendment could mirror the legislation which established the ECHR.

⁵ [Over 260 charities and expert organisations call on House of Lords to reject shameful Rwanda Bill](#) Liberty, January 2024

⁶ https://twitter.com/JCWI_UK/status/1782731880158122329 April 2024

⁷ [Rishi Sunak faces cabinet revolt over leaving ECHR](#) The Times, April 2024

⁸ [Just One-in-Four Voters Back Rishi Sunak's Threat to Quit 'Foreign Court' of ECHR](#), Byline Times, April 2024

⁹ A similar provision can be found in the Equality Act 2006, Schedule 1, paragraph 38.

The Children's Commissioner currently has to have particular regard to specified groups of vulnerable children when carrying out their functions,¹⁰ and allows the Commissioner to provide advice and assistance to those groups of children.¹¹ These additional responsibilities apply to looked after children, care leavers, children in boarding school and children receiving social care services. However, the definition needs to be extended to include other particularly vulnerable children - those in prison, where over 51% are from Black and other racialised groups (see below), and separated children who are seeking asylum or have been trafficked.

SUGGESTED QUESTIONS

- *Will UKG guarantee that it will not repeal or dilute the Human Rights Act?*
- *Will UKG commit to reversing the tide on deeply regressive legislation and disregard for its international human rights obligations, and instead adopt a new approach that prioritises the best interests and welfare of children?*
- *Does UKG have any plans to reform the legislation governing the Children's Commissioner for England to ensure it is in line with the Paris Principles, and if not, why not?*
- *Will UKG consider extending the additional responsibilities the Children's Commissioner has to vulnerable children to include children in custody and separated children seeking asylum or who have been trafficked.*

Inadequate data collection

Data collection efforts in the UK generally focus on collecting data on age and ethnicity separately, which hinders the ability to understand how these factors intersect to influence children's experiences and outcomes as well as to hold the State to account. UKG must address this limitation in data collection and disaggregation practices to allow for the development of targeted policies and interventions that address the specific needs of different groups of children.

NGOs have the option to submit Freedom of Information (FOI) requests to obtain data. However, this process can be time-consuming and resource intensive. The process may involve long waits for responses from relevant authorities and further limitations, for example, the data itself may not be easily accessible.

In its 2016 COs, the UN Committee called on the UK to systematically collect and publish disaggregated data on ethnic minorities in all fields of life. We believe that the UN Committee should go further in its examination of the UK by considering the intersectionality of data and ensure that it is fully disaggregated by both ethnicity and age to enable accurate data on children from racialised groups. Examples of insufficient data collection in relation to racialised groups of children are given throughout our submission.

SUGGESTED QUESTIONS

¹⁰ See Part 6, Section 2(4) (primary function) and Section 2B(3) (involving children in the discharge of the primary function), and Section 7B(5) (business plans), *Children and Families Act 2014*.

¹¹ See Part 6, Section 2D(1) (provision of advice and assistance to certain children in England), *Children and Families Act 2014*.

- *How does UKG plan to address the limitations in data collection and disaggregation practices to allow for the development of targeted policies and interventions that address the unique needs of different groups of children and enable full transparency and accountability of UKG?*

Profiling in counter-terrorism measures

The Government's Prevent programme – part of the UK's counter-terrorism strategy – disproportionately affects children and continues to profile specific groups of children. A report found Prevent is not compatible with children's rights because, for example, it puts national security and policing priorities above safeguarding children.¹²

Of the referrals to Prevent where age was known between 2022-23 (6,796), 63% were for people under the age of 20. For the third year running, the number of referrals for Extreme Right-Wing concerns (19%) exceeded referrals for Islamist concerns (11%).¹³ Despite this, the recent review of the Prevent Strategy foregrounded the need to tackle the threat of Islamic extremism. This conclusion is not backed up by the data and risks authorities disproportionately targeting children from racialised communities.

In recent years, UKG has rejected FOI requests to provide data on ethnicity and religion of children referred to Prevent,¹⁴ preventing scrutiny of implementation of the 2016 Concluding Observations. The latest available data from 2014-16 shows 39% of children referred to Prevent were recorded as Muslim and 38% as Asian.

By combining the ages 15-20, the Prevent referral data from 2022-23¹⁵ obscures the distinct experiences of children (17 years and younger). This aggregation fails to capture important details regarding the extent of children's involvement within the Prevent programme, making it difficult to assess the prevalence and nature of referrals, interventions, and interactions between children and authorities. This lack of granularity impedes efforts by the NGO sector to monitor, evaluate, and address any potential children's rights infringements within the programme.

SUGGESTED QUESTIONS

- *How does UKG plan to address concerns regarding the disproportionate targeting of children, particularly from racialised communities, under the Prevent programme?*
- *How will UKG ensure the rights of children are considered, particularly privacy, free expression, and non-discrimination?*
- *What steps will be taken to ensure transparency and accountability in the implementation of counter-terrorism policies and programmes as they impact on children, including the publication of fully disaggregated data?*

Policing and youth justice

¹² Children's Rights International Network (2022) [Preventing Safeguarding: the Prevent strategy and children's rights](#)

¹³ Home Office (December 2023) [Individuals referred to and supported through the Prevent Programme, April 2022 to March 2023](#)

¹⁴ See, for example, Home Office (3 June 2021) Response to Freedom of Information Request Ref. 62693

¹⁵ Home Office (December 2023) [Individuals referred to and supported through the Prevent Programme, April 2022 to March 2023](#)

Despite some positive developments across policing and youth justice to recognise the need to embed a child-first approach in policing and youth justice,¹⁶ progress has been limited. Worryingly, statistics also show the number of children entering the youth justice system is on the rise despite having dramatically reduced over the last decade.¹⁷ The year ending December 2022 marked the first year-on-year increase in ten years.¹⁸

Significant reform is still required to achieve a rights-based approach across the whole system and a shift from expanding criminalisation. Solutions are needed which address underlying risk factors such as structural inequalities and racism and take a community-based and public health approach.¹⁹ Additionally, significant cuts to children's services in recent years have undermined the availability and effectiveness of essential support systems for at-risk children and families. Reversing these cuts and prioritising investment in children's services is essential.

A lack of a child rights-based approach is particularly troubling given that racial disparity is stark across the whole of policing and the youth justice system. Despite numerous reviews commissioned by UKG, these glaring racial disparities remain. The recommendations from the Lammy Review in 2017 are yet to be fully taken forward and in her recent and high-profile review into the standards of behaviour and internal culture of the Metropolitan Police Service, Baroness Casey notes that the issues she raises have long been known.²⁰

Some positive long-term trends in youth justice, for example the reduction in the numbers of children in prison, have not extended to include children from minoritised racial communities, in particular Black boys. Instead, they face persistent and significant overrepresentation across every stage of the system.²¹ This was the biggest concern of an independent review commissioned by UKG in 2017.²² The UKG cites its Inclusive Britain Strategy as a 'landmark' and 'ambitious' plan to tackle racial disparities. However, the plan falls short with regards to tackling disparities in youth justice system. It makes no reference to addressing racial disparity in access to diversion²³ or to Black children receiving harsher sentences.²⁴ Care experienced children are also more likely to be criminalised than their peers leading to racialised children in care facing "double discrimination" (see below).

Policing

There continues to be significant racial disparity in relation to children's interaction with the police, with tensions and lack of trust exacerbated by police practices.

Use of force

¹⁶ See National Police Chief's Council (2015) [National Strategy for the Policing of Children and Young People](#) and Youth Justice Board for England and Wales (2024) [The Youth Justice Board strategy for delivering positive outcomes for children by reducing offending and creating safer communities 2024-27](#)

¹⁷ Youth Justice Board for England and Wales (2024) [Youth Justice Statistics: 2022 to 2023](#)

¹⁸ Ibid

¹⁹ Department of Health and Social Care (2021) [A Public Health approach to violence prevention in England](#)

²⁰ The Baroness Casey of Black Stock DBE DB (2023) [The Baroness Casey Review Final Report: An independent review into the standards of behaviour and internal culture of the Metropolitan Police Service](#)

²¹ Youth Justice Board for England and Wales (2024) [The Youth Justice Board strategy for delivering positive outcomes for children by reducing offending and creating safer communities 2024-27](#)

²² Lammy, D (2017) [An independent review into the treatment of, and outcomes for Black, Asian and Minority Ethnic individuals in the criminal justice system](#)

²³ Centre for Justice Innovation (2021) [Equal Diversion? Racial disproportionality in youth diversion](#)

²⁴ Youth Justice Board for England and Wales (2021) [Ethnic disproportionality in remand and sentencing in the youth justice system Analysis of administrative data](#)

There has been a worrying increase in use of Taser against children. A 2021 report by the Independent Office of Police Conduct (IOPC) highlighted its concern regarding the high proportion of Tasers used on Black children.²⁵ Concerningly, despite clear recommendations made by the IOPC this issue continues; a recent review by the IOPC and National Police Chiefs' Council (NPCC) of 40 cases where a Taser was fired on a child found that over a quarter (27.5%) of Taser discharges were on Black children.²⁶ The biggest ever academic study of the police's use of Tasers found that patterns of racial disproportionality are being driven primarily by a combination of structural and institutional racism.²⁷

Police Custody

Police custody is completely unsuitable and traumatic for children, yet many continue to be detained for long periods of time including overnight. Black children are more likely to be detained in police custody and subsequently more likely to be held overnight. In the year ending March 2023, 17% of children detained overnight were Black, 5% were Asian and 8% of mixed heritage.²⁸

Stop and search powers

Stop and search is traumatic for children,²⁹ yet thousands are stopped and searched each year. Black children were involved in 20% of stop and searches between 2022-23, despite making up 6% of the 10 to 17 population.³⁰ Concerningly, restrictions on police stop and search powers have been eased in recent years.³¹

The practice of strip searching of children has gained increased prominence following the deeply troubling case of Child Q in 2022, with the Children's Commissioner describing the use of this power as "deeply concerning", pointing out the intrusive and potentially traumatic impact on children.³² Strip searches carried out by the police under stop and search powers disproportionately affect Black children in England and Wales. They are up to six times more likely to be strip searched, while White children are around half as likely.³³ A Local Child Safeguarding Practice Review into the case of Child Q found that racism was a factor in officers' actions.³⁴ There have been calls, including from the IOPC³⁵ and the Children's Commissioner,³⁶ for the government to review and reform policing powers relating to the strip searches of children in order to improve safeguarding.

Policing of protest

²⁵ Independent Office for Police Conduct (2021) [Review of IOPC cases involving the use of Taser 2015-2020](#)

²⁶ [IOPC statement on review of Taser discharges on children under 18](#) Independent Office for Police Conduct August 2023

²⁷ University of Keele (2023) [Taser use and its association with social, ethnic and racial disparities in policing \(TASERD\)](#)

²⁸ Home Office (2023) [Police powers and procedures: Other PACE powers, England and Wales, year ending 31 March 2023](#)

²⁹ Independent Office of Police Conduct (2023) [National stop and search survey report](#)

³⁰ Youth Justice Board for England and Wales (January 2024) [Youth Justice Statistics: 2022 to 2023](#)

³¹ The Government announced that conditions on the use of Section 60 (of the Criminal Justice and Public Order Act) stop and search powers have been permanently relaxed. HM Government (2022) [Beating Crime Plan: Fewer victims, peaceful neighbourhoods, safe country](#)

³² Children's Commissioner for England (2023) [Strip search of children in England and Wales – Analysis by the Children's Commissioner for England](#)

³³ Ibid

³⁴ Independent Child Safeguarding Commissioner (2022) [Local Child Safeguarding Practice Review](#)

³⁵ [IOPC makes 10 recommendations to improve child strip search practice](#), March 2024

³⁶ Children's Commissioner for England (2023) [Strip search of children in England and Wales – Analysis by the Children's Commissioner for England](#)

The policing of protest in recent years has become increasingly concerning. The Police Crime Sentencing and Courts Act 2022 introduced sweeping changes to public order legislation by giving the police greater powers to impose conditions on protests, removing limits on what these conditions are, and creating a new basis for restricting protests if they are too noisy.³⁷

These measures will lead to further criminalisation of racialised children and negatively impact on children's freedom of association rights. The excessive policing of black-led protest was evident during the Black Lives Matter (BLM) movement in 2020. Research shows racially discriminatory practices during this period including the excessive use of force – baton charges, horse charges, pepper spray and violent arrest – and targeting of Black protesters.³⁸

Policing and the COVID-19 pandemic

During Covid-19, children felt unfairly targeted by police based on their age, class and race.³⁹ There were a staggering 21,950 searches of young Black men in London during the first lockdown and a concerning increase in the use of Section 60⁴⁰ orders, which allow officers to stop and search people without grounds for suspicion.⁴¹

SUGGESTED QUESTIONS

- *What action is the Government taking to:*
 - *Fully address racial disparity in all interactions between the police and children.*
 - *Ensure that it systematically and regularly collects and publishes disaggregated data, including by age and ethnicity combined, on all police interactions with children including use of force, detention in police custody (pre and post charge) stop and search and strip search, alongside the reason for use of the particular police power of a child.*
 - *Publish clear guidance and training for the police on the use of spit-hood and Taser on children to ensure they are used only as a last resort, in the absence of prohibiting Taser and spit-hood use on children?*
 - *Establish and improve local and national mechanisms for scrutinising use of force, including Taser and spit-hood use, on children?*
 - *Reduce the number of, and length of time, children are held in police detention and improve the treatment of arrested children?*
 - *Reverse the easing of restrictions on stop and search?*
 - *Significantly strengthen legislation and guidance around strip searching as an initial first step alongside rolling out alternatives so that children are not subject to strip-searching and more intimate searches.*

³⁷ Liberty (2022) [Liberty's submission to the thematic report to the Special Rapporteur on the rights to freedom of peaceful assembly and association](#)

³⁸ Netpol (2020) [Britain is Not Innocent](#)

³⁹ Leaders Unlocked (2021) [Policing the Pandemic: Exploring young people's experiences and recommendations](#)

⁴⁰ Criminal Justice and Public Order Act 1994

⁴¹ University of Manchester and Runnymede Trust (2021) [Collision of Crises: Racism, Policing, and the COVID-19 Pandemic](#)

Youth Justice

Expansion of civil orders

We are keen to draw the UN Committee's attention to a growing concern since it last examined the UK, regarding the expansion of powers for police and local authorities to use civil orders against children, under the pretext of addressing antisocial behaviour.

The Criminal Justice Bill currently progressing through Parliament contains proposals to 'tackle antisocial behaviour' and 'make neighbourhoods safer', including by lowering the minimum age of a community protection notice (CPN) from 16 to 10.⁴²

Concerningly, breaching certain civil orders could potentially lead to criminal charges even if the initial behaviour was relatively minor. This punitive approach risks exacerbating a child's involvement in the criminal justice system.

Moreover, the proposals seek to hand blank cheque powers to law enforcement agencies which are already facing significant scrutiny due to concerns about institutional racism.⁴³ Serious concerns have gained momentum in recent years regarding about the potential for abuse of police powers to the detriment of racialised communities, who are disproportionately affected by discriminatory practices. The UN Committee ought to consider the implications of expanding police powers in the context of institutional racism and structural bias.

Prison and remand

Shockingly, racialised children make up 51% of those imprisoned.⁴⁴ 26% are Black children and account for 33% of those on remand.⁴⁵ Of those remanded in custody, the majority were boys and from a racialised group (57%).⁴⁶

Gypsy, Roma and Traveller (GRT) children are also over-represented in child prisons. In 2020, they comprised 15% of those in Secure Training Centres (STCs) and 8% of children in Young Offender Institutions (YOIs) despite accounting for 0.1% of the British population.⁴⁷ In both STCs and YOIs, GRT children are significantly more likely to report they had either been victimised or felt unsafe whilst in custody.⁴⁸

Use of restraint in prisons

⁴² Ministry of Justice (February 2024) [Criminal Justice Bill: Antisocial behaviour \(Factsheet\)](#)

⁴³ The Baroness Casey of Black Stock DBE DB (2023) [The Baroness Casey Review Final Report: An independent review into the standards of behaviour and internal culture of the Metropolitan Police Service](#)

⁴⁴ Youth Justice Board for England and Wales (2024) [Youth Justice Statistics 2022-2023](#)

⁴⁵ Ibid

⁴⁶ Ibid

⁴⁷ Traveller Movement (2022) [Overlooked and Overrepresented: 5 Years on A briefing paper by the Traveller Movement](#)

⁴⁸ Friends, Families and Travellers (2022) *Written Evidence Submission to CRAE's Alternative Report to the UN Committee on the Rights of the Child*

Violence against children in institutions is extensive. Restraint, which can include pain inducing restraint in some limited circumstances, and isolation are disproportionately used on Black children⁴⁹ and GRT children.⁵⁰

Judicial bias

While parts of the system are taking steps to address racial disparities, judicial racial bias has largely remained beyond examination.⁵¹ Researchers surveyed 373 legal professionals found racial discrimination by judges was most frequently directed towards Asian and Black people, with young Black male defendants most cited as targets of judicial bias.⁵² Of the respondents, 95% said that racial bias plays some role in the processes or outcomes of the justice system. The report also notes that the Judicial Executive Board declined to publish a report it commissioned into judicial bullying and racism.⁵³

SUGGESTED QUESTIONS

- *Will UKG commit to moving to a child rights-based system as opposed to increasing criminalisation of children?*
- *What assessment has been made of the impact of UKG's decision to reduce funding for children's and youth services on racialised children entering the youth justice system?*
- *What steps are being taken to close this funding gap and enable early intervention to be prioritised?*
- *Can UKG provide a clear plan, including timescales, for the closure of all YOIs and STCs for children and young people?*

What action is being taken to:

- *Eradicate long-standing racial disparities in the youth justice system, particularly the overrepresentation of Black and Gypsy, Roma and Traveller children?*
- *Ensure that outcomes for children successfully diverted from the youth justice system are systematically monitored, including by age and ethnicity?*
- *Collect and publish disaggregated data on the use of restraint and other restrictive interventions, solitary confinement, segregation, and isolation on children in all settings, including in education, custody, and mental health settings?*
- *Ensure that relevant staff have the skills and training needed to uphold children's rights in all institutional settings?*

⁴⁹HM Inspectorate of Prisons (2021) [Children in Custody 2019-2020: An analysis of 12–18-year olds' perceptions of their experiences in secure training centres and young offender institutions](#) and House of Commons, House of Lords, Joint Committee on Human Rights (2019) [Youth detention: solitary confinement and restraint. Nineteenth Report of Session 2017–19](#) HC 994 HL Paper 343 House of Commons)

⁵⁰ Friends, Families and Travellers (2022) *Written Evidence Submission to CRAE's Alternative Report to the UN Committee on the Rights of the Child*

⁵¹ The University of Manchester (2022) [Racial Bias and the Bench: A response to the Judicial Diversity and Inclusion Strategy \(2020-2025\)](#)

⁵² Ibid

⁵³ [Secret report tells of bullying and racism by judges](#) The Times, July 2022

Access to justice

Legal aid is unavailable for many children and the Exceptional Case Funding (ECF) scheme⁵⁴ is woefully inadequate. Since 2013, at least 6,000 children each year (potentially as many as 15,000) have been denied free legal advice and representation.⁵⁵ This affects many children, including those unlawfully excluded from schools, which disproportionately impacts certain racialised groups (see below), and legal aid is hard to access in SEND appeals.⁵⁶

Additionally, the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) overhauled the legal aid system and limits access for essential services, including cases involving child custody, welfare, housing and immigration.

SUGGESTED QUESTION

- *Will UKG set out how it expects children to access free legal advice and representation in areas where it has removed legal aid particularly for in areas which disproportionately impact children from racialised groups, and how it will reform the ECF scheme to make it easier for children to apply?*

Standard of living

Rising numbers of children in poverty

The rise in poverty has impacted many areas of children's rights, including leading to increased child homelessness, poor health and educational attainment. Despite this trend, there is still no national strategy to tackle child poverty. Recent statistics show half (51%) of Black children and 47% of Asian children are in poverty, compared with 24% of white children.⁵⁷

The benefits system is not fit for purpose with policies proving to be particularly harmful for racialised children. In particular, the benefit cap and two-child limit for means-tested support have all heightened poverty risks, with Black, Pakistani and Bangladeshi families more likely to live in households with three or more children and therefore most likely to be affected by the two-child limit.⁵⁸

Destitution among no-recourse to public funds families

More families are not eligible for social security due to their immigration status and having the no

⁵⁴ Exceptional Case Funding Scheme: The system providing legal aid funding to people whose cases are otherwise outside any area of qualifying law. It is only available in cases where failing to provide funding would cause an individual's human rights to be breached.

⁵⁵ Coram Children's Legal Centre (2018) [Rights without remedies: Legal aid and access to justice for children](#)

⁵⁶ A person can appeal against a local authority's decisions in relation to education, health and care plan (EHCPs). This includes the refusal of a request to assess a child to establish whether they need an EHCP; refusal to prepare an EHCP following assessment; and challenging the contents of an EHCP plan including whether the child will attend a mainstream or special school. The type of legal assistance available for SEND appeals is "legal help": a restricted type of support that allows families to take early advice and prepare a case, but not to be represented in hearings.

⁵⁷ House of Lords Library (April 2024) [Child poverty: Statistics, causes and the UK's policy response](#)

⁵⁸ The Runnymede Trust (2022) [Falling Faster amidst a Cost-of-Living Crisis: Poverty, Inequality and Ethnicity in the UK 2](#)

recourse to public funds (NRPF)⁵⁹ condition applied. UKG does not know how many families are living with NRPF, but evidence shows that many experience homelessness or live in overcrowded, unsafe, and inappropriate housing,⁶⁰ with severe food insecurity⁶¹ and negative impacts on their mental and physical health.⁶² NRPF disproportionately affects children from racialised communities.⁶³

Despite a High Court decision finding the NRPF policy to have negative impacts on children,⁶⁴ the policy continues, and prevents access to benefits including Universal Credit and Child Benefits.⁶⁵ Most support and emergency funding made available during the Covid-19 pandemic was inaccessible to NRPF families,⁶⁶ exacerbating the hardship they faced.

Destitute families with NRPF should get support under section 17 of the Children Act 1989 but in reality, this is difficult to access, due to cuts to Local Authority. Where they do receive support, this is often minimal and insufficient.⁶⁷

SUGGESTED QUESTIONS

- *Will UKG commit to re-establishing a long-term child poverty targets and poverty reduction strategies, in-line with the Child Poverty Act 2010?*
- *What analysis has been undertaken to assess the impacts of the two-child limit and the benefit cap on child poverty, including impact on racialised children?*
- *How does UKG monitor the impacts of the NRPF policy on children's rights and will it publish up-to-date disaggregated data on how many children are affected by the NRPF condition, including British citizens, and how many are destitute as a result?*
- *Will UKG set out how its asylum support rates allow children to meet all their essential and developmental needs?*

Racial disparities in access to housing and homelessness

⁵⁹ NRPF is a condition in the Immigration Rules, and Section 115 of the Immigration and Asylum Act 1999. The NRPF condition excludes migrant families from accessing most essential social security support such as universal credit, child benefit and housing benefit.

⁶⁰House of Commons Work and Pensions Committee (2022)

[Children in poverty: No recourse to public funds Seventh Report of Session 2021–22](#)

⁶¹ Coventry University, Project 17, Sustain, University of Wolverhampton, We Belong (2021)

[Immigration Policies: Enforcing Borders, Driving Hunger and Creating Destitution](#)

⁶² [Children in poverty: No recourse to public funds Seventh Report of Session 2021–22](#) House of Commons Work and Pensions Committee (2022)

⁶³ Coventry University, Project 17, Sustain, University of Wolverhampton, We Belong (2021)

[Immigration Policies: Enforcing Borders, Driving Hunger and Creating Destitution](#)

⁶⁴ AB V the Secretary of State for the Home Department (2022) [AB v SSHD \[2022\] EWHC 1524 \(Admin\)](#); Deighton Pierce Glynn [Briefing Note on High Court judgment in AB v SSHD \[2022\] EWHC 1524 \(Admin\)](#) 20 June 2022

⁶⁵ House of Commons Work and Pensions Committee (2022) [Children in poverty: No recourse to public funds Seventh Report of Session 2021–22](#)

⁶⁶ The Children's Society, Project 17, The Unity Project (2020) [Support for children and families with No Recourse to Public Funds during the pandemic Parliamentary Briefing](#)

⁶⁷ Research Centre Agroecology Water and Resilience, Project 17, Sustain, Coventry University (2019) ["Sometimes my belly will just hurt" No Recourse to Public Funds and the Right to Food](#)

Evidence shows racialised children and their families are among the groups shown to be more likely to be living in dangerous conditions, including overcrowded housing⁶⁸ or cold and damp homes⁶⁹.

Gypsy, Roma and Traveller children

There is a chronic shortage of GRT sites resulting in approximately 3,000 GRT families without a permitted place to stop.⁷⁰ This means they face constant evictions and live without adequate access to basic amenities,⁷¹ with education and healthcare disrupted.⁷²

New legislation⁷³ actively targets GRT families by criminalising those without a place to stop. It gives police stronger powers to evict families without the protection of welfare assessments, instantly seize the vehicles/homes of families, issue fines and imprison over-18s, leaving families without a roof over their head and potentially forcing GRT children into care.

Children seeking-asylum

Most asylum-seeking families are destitute due to low levels of asylum financial support. Despite eligibility for additional support, pregnant asylum-seeking women and/or with children are housed in poor-quality accommodation (including hostels and hotels), with related ill-health, stress and poor nutrition affecting them and their children.⁷⁴

SUGGESTED QUESTIONS

- *What measures is UKG taking to ensure that all children can live in housing that has security of tenure, is safe and child-friendly, and supports their health, wellbeing, and development?*

Health inequalities

Health inequalities and drivers

Health inequalities based on race continue to persist in the UK. Evidence shows that people from the Gypsy or Irish Traveller, Bangladeshi and Pakistani communities have the poorest health outcomes across a range of indicators.⁷⁵ Disproportionate ill-health in poorer households and among certain groups of racialised children is driven by underlying factors, namely poverty, food insecurity, systemic racism, disability, poor housing, and homelessness.

⁶⁸ Ethnicity Facts and Figures (August 2023) [Overcrowded households](#)

⁶⁹ House of Commons Library, February 2023 [Health inequalities: Cold or damp homes](#)

⁷⁰ Which defines them as statutorily homeless. Section 175 of the Housing Act 1996. A person is homeless if their accommodation ‘consists of a moveable structure, vehicle or vessel designed or adapted for human habitation and there is no place where he is entitled or permitted both to place it and to reside in it’ Ministry of Housing, Communities and Local Government (2019) [Count of Traveller Caravans, July 2019 England](#)

⁷¹ Equality and Human Rights Commission (2022) [Pressing for progress: women’s rights and gender equality in 2018 Full report and recommendations](#)

⁷² Friends, Families and Travellers (2022) *Written Evidence Submission to CRAE’s Alternative Report to the UN Committee on the Rights of the Child*

⁷³ Police Crime Sentencing and Courts Act 2022

⁷⁴ Maternity Action (2022) *Maternal health. Exploring the lived experiences of pregnant women seeking asylum* Refugees from Ukraine are supported outside of the existing asylum system, with British host families often shouldering the burden of support Barnardo’s (2022) *Written Evidence Submission to CRAE’s Alternative Report*

⁷⁵ The Kings Fund (2023) [The health of people from ethnic minority groups in England](#) 3

Health and wellbeing in the early years significantly impacts future health.⁷⁶ Inequality is being exacerbated with higher rates of obesity and severe obesity in children from racialised communities.⁷⁷ In 2022-23 the prevalence of obesity was highest for Black children in both reception (13.6%) and year 6 (31.6%).⁷⁸

Children from racialised communities also face increased health risks due to air pollution,⁷⁹ traffic hazards, and no safe play places. They are also more likely to be living in inadequate, overcrowded housing with poor indoor air quality⁸⁰ and cold and damp conditions, facing greater risks of respiratory and other illnesses.

High-profile deaths of Black children have caught the attention of the public in recent years, including Ella Kissi-Debrah who suffered a fatal asthma attack after being exposed to excessive pollution⁸¹ and Awaab Ishak whose death was attributed to respiratory condition caused by mould.⁸²

Despite the abundance of evidence demonstrating the stark health inequalities faced by children from racialised communities, little effective action has been taken. There is no strategy or targets to address child health inequality and proposals to tackle obesity by successive UK Governments have repeatedly failed.⁸³

Mental health disparities

In 2021, Black and mixed-race children accounted for 36% of young people detained in acute mental health services (despite making up 11% of the population) but just 5% of those accessing community based CAMHS.⁸⁴

UKG committed to a new cross-departmental 10-year mental health plan⁸⁵, but these plans were later shelved, to the dismay of many across the NGO sector.⁸⁶

Unequal access to health care

GRT children continue to experience unequal access to healthcare, facing longstanding barriers to preventative and early intervention care including immunisations and screening.⁸⁷ Barriers include

⁷⁶ Ibid

⁷⁷ [NHS Digital Obesity Rates 2022/23](#) October 2023

⁷⁸ Ibid

⁷⁹ Unicef UK (2018) [A breath of toxic air: UK children in danger](#)

⁸⁰ University of St Andrews (2023) [Ethnic minorities most affected by long-term pollution in the UK, study suggests](#) 3

⁸¹ [Mother of girl whose death was linked to air pollution sues UK government](#) The Guardian, January 2024

⁸² [Awaab Ishak: Toddler's death from mould triggers review of landlord guidance](#) Sky News, January 2023

⁸³ [Successive governments' approach to obesity policies has destined them to fail, say researchers](#) January 2021

⁸⁴ Centre for Mental Health (2022) [Shifting the Dial: Evaluating a community programme to promote young Black men's mental health](#) 2

⁸⁵ ['Call for evidence for new 10-year plan to improve mental health'](#) Press Release Department for Health and Social Care, April 2022

⁸⁶ [Ten-year plan needed to stop rise in mental ill health in England, say charities](#), September 2023

⁸⁷ Public Health England (2018) [Making measles history together: A resource for local government](#)

wrongful registration refusal for those with no fixed address or identity document⁸⁸, communication barriers⁸⁹ and digital exclusion.⁹⁰

Discriminatory healthcare charges

The NHS charging regulations are a discriminatory barrier to accessing healthcare for undocumented migrants, restricting access to some NHS services for those with irregular immigration status, including some undocumented children.⁹¹

SUGGESTED QUESTIONS

- *What plans does UKG have to introduce a cross-departmental national strategy with specific targets to address growing health inequality and the specific needs of racialised children?*
- *What assessment has been made of the effect of NHS charging regulations on migrant children's right to access healthcare?*
- *What steps are being taken to understand and address the underlying causes of high rates of mental ill-health among children?*
- *Will UKG commit to:*
 - *an annual measurement of children's wellbeing, including disaggregation of the wellbeing of children from racialised groups?*
 - *increasing funding for mental health support for children and progressively reach parity of esteem with funding for adult mental health services?*

Racial disparities in education

Increasing attainment gap

There is a widening attainment gap in schools. In 2022, by the end of primary school Gypsy, Roma and Irish Traveller children lagged behind White British pupils by 19.2 and 18.2 months, respectively.⁹² The attainment of excluded children (certain racialised children are more likely to be excluded from school) also remains low.⁹³

Higher rates of school exclusions for particular groups

School exclusion levels continue to be high, despite a decrease due to school closures during Covid-19. GRT and Black Caribbean children are excluded at between almost double to more than three times the national rate. The national rate for permanent exclusions for each group disproportionately affected in 2021-2022 was: Gypsy Roma (0.31) Irish Travellers (0.31) Mixed White

⁸⁸ Sweeney S., Worrall S. (2019) *No room at the inn: How easy is it for nomadic Gypsies and Travellers to access primary care* Friends, Families and Travellers

⁸⁹ House of Commons Committee report (2019) *Tackling inequalities faced by Gypsy, Roma and Traveller communities*

⁹⁰ Friends Families and Travellers Scadding J., and Sweeney S. (2018) *Digital Exclusion in Gypsy and Traveller communities in the United Kingdom*

⁹¹ Murphy, L., Broad, J., Hopkinshaw, B., et al (2020) [Healthcare access for children and families on the move and migrants](#) *BMJ Paediatrics Open*

⁹² Education Policy Institute (2023) [EPI Annual Report 2023](#),

⁹³ IPPR (2017) [Making the Difference: Breaking the link between school exclusion and social exclusion](#)

and Black Caribbean (0.23) and Black Caribbean (0.16).⁹⁴ This trend also persists in fixed-term exclusions.⁹⁵

In 2022, the UKG published revised Statutory Guidance on Exclusions and Behaviour.⁹⁶ Worryingly, it removed a crucial paragraph that lists the groups of children disproportionately affected by exclusions such as GRT, Black Caribbean pupils, pupils on free school meals, boys, and children with SEND.⁹⁷

School exclusion and missing education are trigger points for involvement in crime or vulnerability to child criminal exploitation.⁹⁸

Police in schools

Police presence in schools is increasing⁹⁹ creating unsafe school environments, particularly for marginalised students,¹⁰⁰ and increasing criminalisation of children. Police in schools are targeted at areas of 'high deprivation' - areas more likely to be inhabited by Black and racialised communities.¹⁰¹

SUGGESTED QUESTIONS

- *What is UKG doing to address the attainment gap for minority ethnic groups?*
- *What steps have been taken towards reducing the overrepresentation of Black and Gypsy, Roma and Traveller children in school exclusions?*
- *What data does UKG have on the number of unofficial exclusions and what steps have been taken to monitor and address this problem?*

Care experienced racialised children

The final report of the Independent Review of Children's Social Care concluded that *"alongside socio-economic inequality, racial inequalities are amongst the most pronounced disparities in children's social care."*¹⁰² The latest statistics show that Black and mixed-race children continue to be over-represented in care - 6.9% of 'looked after' children are Black and 10.4% 'looked after children' are of mixed ethnicity.¹⁰³

A briefing by the NSPCC¹⁰⁴ has concluded that *'little is known about why certain minority ethnic groups are overrepresented whilst others are underrepresented within the care system'*. A number of

⁹⁴ Department for Education (2022) [Suspensions and permanent exclusions in England](#) (2021-2022) See *Pupil Characteristics*

⁹⁵ Department for Education (2022) Temporary exclusions or fixed period/term exclusions are now referred to as 'suspensions'. [Suspensions and permanent exclusions in England](#) (2021-2022)

⁹⁶ Department for Education (2022) [Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement](#)

⁹⁷ Ibid

⁹⁸ Graham, J. (2021) *Excluded or missing from education and child exploitation: literature review and stakeholder views on safeguarding practice*

⁹⁹ ['UK police forces deploy 683 officers in schools with some poorer areas targeted'](#) The Guardian, March 2021

¹⁰⁰ Joseph-Salisbury, Dr. R. (2020) [Race and Racism in English Secondary Schools](#)

¹⁰¹ Ibid

¹⁰² The Independent Review of Children's Social Care (2022) [The Independent Review of Children's Social Care: Final report](#)

¹⁰³ NSPCC (2024) [Statistics briefing: Children in care](#)

¹⁰⁴ Ibid

reasons have been put forward as to why children from certain ethnic groups are overrepresented including a lack of access to appropriate support services, an unwillingness in some cultures to report concerns about a child's safety, or greater uncertainty among child welfare professionals about how to respond appropriately to the needs of families from certain ethnic groups.¹⁰⁵

The Independent Review of Children's Social Care also highlighted evidence suggesting that the system may be failing to address the needs of different groups of children before they escalate. Department for Education research found that, of those children who entered care, 65% and 62% of White and Mixed children, respectively, had previously been on a child protection plan compared to just 39% and 36% for Black and Asian children, respectively.¹⁰⁶

The Review concluded that '*whilst this raises concerns of the efficacy of plans in preventing escalation for those who do receive intervention, this also suggests that certain groups may be less likely to receive any form of help and support from the local authority before escalating in the system compared to others.*'¹⁰⁷ A thematic review also highlighted that Black and Mixed heritage boys are less likely than their peers to have been referred to early help services when they were younger.¹⁰⁸

Although all children in care experience challenges, the experience of being in care and Black comes with additional challenges. The need to promote the child's identity and culture is often ignored and overlooked by the care system and placements are often not able to promote a Black child's identity and culture or ensure that the child's skin and hair is properly looked after.¹⁰⁹

A shortage of Black foster carers has also been highlighted as a key issue that needs addressing: Of the 71,150 approved Foster Carers, only 5,385 are Black/Black British; 930 are Mixed Race and 620 are from other Ethnic Groups.¹¹⁰

A recent research report has also concluded that racialised children have been found to face "double discrimination" in the care system, facing racism, exclusion and isolation without the required support.¹¹¹ The research, which carried out in-depth interviews with 22 young people, found that 20 of them had experienced racism or differential treatment based on their race and ethnicity: in care settings, throughout their education and/or in the criminal justice system. The young people reported that care staff often involved the police unnecessarily as a disciplinary measure and had been moved during their time in care to live in less diverse communities, exacerbating feelings of isolation and increasing the likelihood of facing racism.

SUGGESTED QUESTIONS

- *How is UKG ensuring that racial disproportionate representation of children is fully understood with a view to then taking action to ensure this is addressed?*
- *What steps is UKG taking to ensure that consistent data is collected about the care experiences and outcomes of children in care who are Black or from other racialised groups?*

¹⁰⁵ Ibid

¹⁰⁶ Department for Education (2022) [Ethnicity and Children's Social Care](#)

¹⁰⁷ The Independent Review of Children's Social Care (2022) [The Independent Review of Children's Social Care: Final report](#)

¹⁰⁸ HM Inspectorate of Probation (2021) [The experiences of black and mixed heritage boys in the youth justice system A thematic inspection by HM Inspectorate of Probation](#)

¹⁰⁹ The Fostering Network Blog: ['Enabling Black children in care to own their identity and thrive'](#)

¹¹⁰ The Black Care Experience (2021) [The Black Care Experience 2021 Report](#)

¹¹¹ ['Double discrimination – Barnardo's calls for change as report highlights young Black people who have been in care experience racism, exclusion and isolation'](#) Barnardo's, September 2023

- *How is UKG working to address the shortage of Black Foster Carers, including the introduction of a Black Foster Care Network?*
- *How is UKG making sure that placements are able to promote a Black child's identity and culture and ensure that the child's skin and hair is properly looked after?*
- *What action is UKG taking to prevent the unnecessary criminalisation of care experienced children, including those from racialised groups?*

Asylum and immigration

Asylum and immigration policies disproportionately impact children from racialised communities given the most common regions asylum seekers in the UK come from.¹¹²

Rwanda Act contravenes children's rights

Despite the UK Supreme Court ruling the asylum policy to be unlawful¹¹³, the Safety of Rwanda (Asylum and Immigration) Act¹¹⁴ was passed by UKG in April 2024, enabling it to send those arriving to the country in small boats, and claiming asylum, to have their claim processed in Rwanda. Regulations that rule that an asylum claim is 'inadmissible' if the claim can be made in a 'safe third country'¹¹⁵ (the basis for determining removals to Rwanda) apply to children. Although the inadmissibility process does not apply to unaccompanied asylum-seeking children, it applies to children in families, and to age-disputed children.¹¹⁶

With the Act, the UK is at risk of breaching its international obligations under a number of human rights treaties, including the European Convention on Human Rights, the 1951 Refugee Convention, the UN Convention against Torture, the International Covenant on Civil and Political Rights and the UN Convention on the Rights of the Child.¹¹⁷

Increasing immigration detention of children

It is important to note the significant regression by the UKG since the Committee's recommendations in its 2016 COs to *"take steps to end the immigration detention of children."* In 2021, 515 children were detained, an almost 500% rise from the 87 detained in 2020, reversing the trend of declining numbers of children being held in detention.¹¹⁸ Children as young as 14 are placed in immigration detention or alone in adult accommodation (due to disputes about their age) at significant risk.¹¹⁹ UKG data does not make clear how many children are treated as adults nor how many are subsequently placed in immigration detention. However, data collected by NGOs from 55 Local Authorities showed that in 2021, over 450 young people were referred to children's services

¹¹² House of Commons Library (March 2024) [Asylum statistics](#),

¹¹³ ['Supreme Court rules Rwanda asylum policy unlawful'](#) BBC News, November 2023

¹¹⁴ [Safety of Rwanda \(Asylum and Immigration\) Act 2024](#) April 2024

¹¹⁵ ['The new asylum inadmissibility rules'](#) Right to Remain 3 February 2021

¹¹⁶ FOI data shows that of the 9,622 individuals identified for consideration on inadmissibility grounds in 2021, 920 were children. 777 of these were issued with a 'notice of intent'. However, 422 were subsequently admitted into the UK asylum process. Ilona Pinter, PhD Candidate, Department of Social Policy, London School of Economics and Political Science (2022) *Written Evidence Submission to CRAE's Alternative Report*.

¹¹⁷ [Safety of Rwanda \(Asylum and Immigration\) Bill Joint Briefing for Second Reading in the House of Commons](#) ILPA, Justice, Freedom from Torture, 8 December 2023

¹¹⁸ Refugee Council (2022) [Detention of Children](#)

¹¹⁹ [Briefing for debate on age disputes and removals to Rwanda](#) Refugee and Migrant Children's Consortium

having been sent to adult accommodation, including detention centres. Three quarters were found to be children.¹²⁰

Unaccompanied and missing children

Increasing numbers of unaccompanied asylum-seeking children are being unlawfully placed in unsuitable accommodation, including hotels.¹²¹ 3,256 children were placed in hotels between 2021-2022 outside of the child protection system, denying them rights associated with the care system.¹²² Children are being accommodated in some cases for as long as ten months, despite Government policy stating a maximum of six weeks. Children as young as 11 have been put at greater risk of exploitation and trafficking.¹²³

Restrictions on family reunification

The rights of children to family reunification have regressed. Unaccompanied asylum-seeking children continue to be ineligible for the refugee family reunion policy that applies to adults. The Nationality and Borders Act 2022 further restricts family reunion, including for children, thereby removing one of the main legal safe routes for separated children and leaving them more likely to take dangerous journeys.¹²⁴ Children separated from their families are more vulnerable to exploitation and abuse, anxiety and mental health problems.¹²⁵

Difficulties in regularising status and statelessness

The 'Hostile Environment' for undocumented migrants, implemented under the Immigration Acts 2014 and 2016, substantively remains. There could be as many as 215,000 undocumented children¹²⁶ who remain subject to policies that limit their families' access to work and the welfare safety net. Hurdles to securing status remain, including legal complexities, lack of legal aid for immigration, high application fees and an immigration health surcharge. The latter significantly increased in February 2024, from £624 to £1,035 per year of the visa.¹²⁷ The UK Government has taken steps to simplify the process for children who were born or grew up in the UK, reducing the ten-year route to a five-year route for some.¹²⁸ However, difficulties remain for children in families where parents or carers remain on the costly ten-year route to settlement. The UK Supreme Court acknowledged that the high child citizenship fee is unaffordable for many children.¹²⁹ Concerns persist regarding the Home Office practice of setting fees for the registration of British citizenship rights above administrative costs. In June 2022, the UK Government introduced the possibility of applying for a fee waiver.¹³⁰

¹²⁰ [Briefing for debate on age disputes and removals to Rwanda](#) Refugee and Migrant Children's Consortium

¹²¹ Refugee Council (2022) [Lives on hold: Experiences of people living in hotel asylum accommodation. A follow-up report](#)

¹²² [House of Commons written answer HC 61091](#) (October 2022)

¹²³ ['More than 130 children remain missing from Home Office accommodation'](#) The National Scot, December 2023

¹²⁴ ['Government plans will 'all but destroy' main safe route out of conflict for women and children at risk, warns Refugee Council'](#) Refugee Council, January 2022

¹²⁵ Amnesty International UK, Refugee Council and Save the Children (2020) [Without my family. The impact of family separation on child refugees in the UK](#)

¹²⁶ Greater London Authority (2020) [London's children and young people who are not British citizens: A profile](#)

¹²⁷ [The immigration health surcharge](#) Research Briefing House of Commons Library 31 January 2024

¹²⁸ We Belong (31 March 2022) ['An update on the Home Office Rules re: 5 year route to settlement'](#)

¹²⁹ [R \(on the application of the Project for the Registration of Children as British Citizens\) \(Appellant\) v Secretary of State for the Home Department\) \(Respondent\) \(Expedited\) 2021/0063](#)

¹³⁰ The fee waiver applies to: children applying to register as British citizens if they or their parents/guardians can show that they cannot afford the fee; children who are looked after by a Local Authority; children outside

There are serious concerns that more children could be deprived of British citizenship due to changes in Nationality and Borders Act 2022,¹³¹ numbers have gone up in the past decade, but no data is available for children.¹³²

SUGGESTED QUESTIONS

- *Will the UKG:*
 - *Repeal the Rwanda Act and Illegal Migration Act?*
 - *Commit to putting the best interests of children first in all immigration and asylum policies?*
- *What steps is UKG taking to ensure that all separated children receive the same level of care and support as all other children? What action has been taken to ensure that all children who have gone missing from hotels are located?*
- *Will UKG take steps to ensure that children can realise their right to family life through family reunification?*
- *How will UKG ensure that children are able to regularise their immigration status?*

the UK and in a similar situation to being looked after by a Local Authority; and children supported under Section 17 of The Children Act 1989 if the fee is unaffordable. Project for the Registration of Children as British citizens (30 May 2022) *Frequently Asked Questions (FAQs) Home Office fee for children to register as British citizens*

¹³¹ HM Government (2022) The UK's Response to the UN Committee's List of Issues on the Rights of the Child, Paragraph 129.

¹³² McKinney, CJ. (10 January 2022) ['How many people have been stripped of their British citizenship?'](#) *Free Movement*