



Briefing on the Nationality and Borders Bill

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1. This is a briefing from the Baobab Centre for Young Survivors in Exile. We are a small human rights NGO specialising in both rehabilitation and advocacy work with young asylum seekers and refugees.
2. We work closely with other NGOs in order to challenge what has come to be called the Anti-refugee bill. These NGOs include The Helen Bamber Foundation; Freedom from Torture; Migrants Organize; Women for Refugee Women; and many others. We have agreed to focus on our especial areas of work which in our case is work with Unaccompanied Asylum -Seeking Minors for as long as is necessary. We offer treatment, and support through the asylum system and help in accessing care, housing, benefits, education, work and health care.
3. We run as a non- residential therapeutic community with a holistic and integrated approach, for children, adolescents and young adults all of whom have experienced organized and interpersonal violence in their home countries and who have subsequently experienced difficult and often abusive journeys to the UK. In the UK they experience further challenges to their well being from statutory assessment systems which are prolonged, ill -informed and not fit for purpose.
4. All the young people attending our centre (currently 80 attend several times each week) experience significant mental health and developmental difficulties as a consequence of their experiences of violence, separation and loss, and unplanned changes during their developmental years.
5. All need time and stability and protection for their rehabilitation. Instead they experience, further instability, uncertainty and significant mental health and developmental symptoms related to a series of traumatic and overwhelming events in their lives, related to violent attacks on their bodies and minds, to the loss of their families and to the cutting of the threads of continuity of their lives so they are plunged into a new community with different values and expectations from those with which they are familiar. In the current system they often experience inadequate explanations of the systems in the UK and inadequate time to heal. Instead their symptoms are made worse by the contexts in which they find themselves in the UK.

6. We work with young people currently from 29 different countries and the largest group are from Afghanistan. Many have family members in Afghanistan. Many are living in unsafe temporary accommodation in the UK.
7. Currently we see a connection between three current issues before parliament.
 - a) The draft Borders and Nationality Bill
 - b) The absence of a safe route for refugees to reach safe countries and in particular currently there is no possibility for those who have huge restrictions on their freedom and their human rights in for example Afghanistan and Ethiopia have no safe routes to leave their home country and to travel to a safe country either temporarily or permanently.
 - c) Currently young people in the care of the Local Authorities in the UK are often placed in unregulated accommodation.

Focus on the Borders and Nationality Bill

8. At Baobab we have never met an unaccompanied asylum seeking minor who has arrived by a regular route to the UK. It is absurd to divide asylum seekers according the way they travel to the UK.
9. Our Young Community Members, in the film we sent to you, have clearly highlighted, from their experiences the following necessary changes needed in the asylum system:
 - That on arrival they are disoriented and confused, traumatised and upset.
 - They cannot think or recall the level of detail required by Social Services and Home Office Assessments. They have well documented difficulties in remembering and forgetting highly traumatic experiences which come into their minds as intrusive thoughts and flashbacks. They are sad, anxious and often depressed. They have trouble in thinking and concentrating. These symptoms are underpinned by neurological changes i.e. changes in the brain after a series of traumatic events.
 - They need a period of time ideally a few months during which they have the opportunity for rehabilitation and support and have opportunities to recover.
 - They need explanations of the asylum and care systems to be given at their level of understanding and over time.

Suggested Amendments for Borders and Nationality Bill

1. Young people very rarely arrive by regular routes. However young people arrive their claims need to be carefully assessed in line with the UN Convention on Refugees (1951). They need very brief screening interviews and then a period of time to recover enough to be able to think about their experiences and share their narrative.
2. Mental health and developmental difficulties often make this impossible.
3. Screening interviews on arrival need to be very brief and NOT include age assessment.
4. When young people are assessed by the Home Office or Social Services Departments they need an opportunity to share their account without interruption after which clarifying questions could follow.

5. Traumatized young people cannot share their full account of their experiences if they are interrupted by several and repeated questions as the flow of their thinking is interrupted.
6. Traumatized Young People cannot share their account of their experiences if they do not trust the interviewer.
7. The suggestion of a NAAB, a National Age Assessment Board, staffed by Social Workers, needs to be amended. It is impossible for one profession to assess age. Young people can only be effectively assessed if they are assessed over time, including being measured in terms of weight and height and then measured again after six months. The NAAB Board to be effective needs to meet regularly and include the views of those who have the opportunity to get to know a young person well e.g. foster carers, teachers, psychotherapists, counsellors, psychologists as well as paediatricians and social workers.
8. After many traumatic experiences young people's development stops in various dimensions maybe physical and certainly psychological and emotional. Most unaccompanied asylum -seeking minors are functioning developmentally several years below their chronological age.
9. Age assessment needs to take place slowly and over time and cannot be done in brief meetings face to face or on zoom.
10. All assessments of Unaccompanied asylum seeking minors need to take place over time and slowly by specialists able to develop a relationship of trust with the young person. This cannot be done in one meeting.

Designing an Asylum Determination and Care System for Young People That Is Fit For Purpose

- The Best Decisions are made by Multi-Disciplinary Teams Who Think Together, not by one profession.
- Professionals Need to Learn to Work Together and Work to Understand Barriers to Co-operative Work.
- Young People Need Time to Get to Know the Listener and to Process What Has Happened to them Before They Can Share Unspeakable Experiences
- Young People Need Several Explanations and Confirmed Understanding of the Confusing UK Asylum and Care Systems BEFORE They Can Share Their Experiences
- Professionals Need to Inform themselves about the Country of Origin of Each Young Person and the Political, Social and Community Context.
- Professionals Need to Come to the Young People and Not the Reverse
- Trust is not Cheap and Needs to Be Earned
- Young People Cannot Share Their Whole Narrative if They Do Not Trust the Listener
- Young People Cannot Share Their Whole Narrative if they are Interrupted. They need the Space to speak freely with an interpreter who they trust being present.

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- Young People Cannot Share Their Whole Narrative Soon After They Arrive in the Country. Screening Interviews need to be very brief.
- Young People Need Time To Make Sense of the Present Context Where They Find Themselves and Young People Need Time To Heal
- IT IS **NOT POSSIBLE** OR IN ANY WAY SCIENTIFIC FOR ONE PROFESSION TO ASSESS AGE AS IS PROPOSED IN THE NATIONAL AGE ASSESSMENT BOARD PROPOSED IN THE DRAFT BILL. THIS AGE ASSESSMENT SYSTEM IS ALREADY BEING RUN IN SOME LONDON BOROUGHES. THE ASSESSMENTS QUALITY IS POOR.
- Young people need to be carefully risk assessed whenever their story presents indicators of trauma. When young people arrive at the borders the atmosphere of challenge to their credibility leads to immigration officers making mistaken assessments of age. They do not understand that experiences of stress and trauma lead to young people often appearing older than their actual chronological age.
- In our professional opinion young people need to be provided with the benefit of doubt in terms of their claimed age and offered as soon as possible a multi-disciplinary assessment exploring safeguarding and best interests after which safe support should be put in place. The young person must be allowed time to share their story over time in a safe and support environment. Further time would relieve the initial anxieties and safeguard the young person, with the aim of reducing risk and offering necessary care in the best interests of the young person.

References

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