

Positive Futures Policy Recommendations stemming from pilot activity

Prepared by South East Strategic Partnership for Migration and the Centre for Public Innovation
September 2014

The issue

Rising 18s who are Appeal Rights Exhausted Care Leavers do not engage with the Assisted Voluntary Returns Process meaning they are in a state of limbo meaning an associated ongoing cost to the public purse.

The South East Strategic Partnership for Migration and the Centre for Public Innovation jointly delivered a pilot project - Positive Futures - to work with a cohort of young asylum seekers aged between 18 and 25 years. The pilot sought to work with former Unaccompanied Asylum Seeking Children (UASCs) who had their claim refused and had become Appeal Rights Exhausted (ARE) and subject to an enforced removal by the Home Office. Many removals of ARE Care Leavers are significantly delayed during which time they are not entitled to work or education, are vulnerable to exploitation and are effectively in a state of limbo. This is an issue of serious concern which has been recognised by a range of groups including the Association of Directors of Children's Services, the Local Government Association and the National Migration Group. Moreover, supporting this group is a significant financial burden to local authorities.

Why something needs to be done

Currently there is very poor take-up and engagement of AVR amongst AREs.

The current process for dealing with ARE Care Leavers is, once a Human Rights Assessment has been completed, to engage them in the Home Office's Assisted Voluntary Return (AVR) programme. Evidence from the Positive Futures pilot indicates that AREs are not engaging in AVR as they are being engaged at the wrong age, feel they have not had their immigration status explained to them clearly (and think that they continue to have scope to remain), are not being case managed appropriately and are not prepared to take on board the AVR message at that point in their lives. Given this, take-up of AVR by AREs is very poor, with many young people refusing to sign-up, not complying with reporting requirements, or absconding.

The proposed response

We propose the following response:

1. Case conferencing should occur for unaccompanied asylum seeking care leavers throughout their asylum journey using a multi-stakeholder approach consisting of legal representation, representatives from Children's Services and the Home Office and others as required.
2. The Home Office should institute an internal process which is similar to the Family Returns process for rising 18s, but does not include a panel structure.

The benefits

We envisage the changes will improve take-up of AVR by this cohort.

We anticipate that the changes suggested above will:

- Increase levels of engagement in the AVR process by ARE Care Leavers
- Improve compliance with Home Office reporting requirements
- Reduce the vulnerability of this group of young people
- Reduce costs to the public purse
 - Reduced costs to Local Authorities in supporting AREs
 - Reduced costs to the Home Office in improving take-up of AVR and therefore reducing the need for immigration compliance and enforcement action
- Increase effective and sustainable returns under AVR

What happens if nothing is done?

No action will lead to a deterioration in the current situation as numbers of AREs continue to rise.

If no action is undertaken the current stalemate situation (whereby AREs continue to fail to engage with the AVR process) will not only continue, but will be exacerbated and put greater demands on all statutory stakeholders as numbers of AREs continue to grow as evidenced by recent increases in numbers of unaccompanied asylum seeking children coming through the Channel ports.

Roy Millard
Partnership Manager
South East Strategic Partnership For Migration

Mark Napier
Director
Centre for Public Innovation