

Lessons learned from bringing siblings into the UK

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Overview

As a social worker or personal advisor you may be allocated to work with an unaccompanied asylum seeking young person (UASC) who is being looked after under S20 Children Act, and that UASC has siblings or parents in another country and may wish to bring them to the UK, if they approach you to help them get to the UK. This guidance will help you know what to do.

Headline:

Firstly remember your role as a staff member of Kent County Council Children's Services is to assess the need and provide services under the Children Act 1989. It is **NOT** to get involved in whether a person should or should not be allowed to come to or stay in the UK. All matters involving immigration and asylum are handled by the Home Office and the Immigration and Asylum Tribunals, it is not part of your role, nor is it the duty of Kent County Council, to promote a specific outcome or express a view on what the decision should be.

Responsibilities:

- Your only real involvement in the asylum process is to put the young person in touch with an immigration solicitor as soon they enter our care as he only has 28 days to make his asylum application.
- Help them get to appointments with their solicitor.
- Place a reminder in Liberia a few months before the leave to remain expires so you can remind them to return to the immigration solicitors to renew the application.

A word of Caution: You may at some time be approached by a firm of immigration solicitors acting for the UASC or members of his family or by a non government organization which supports refugees (an NGO) such as the Red Cross or Migrant Help and asked to write a letter or statement to support members of the family to be allowed to join the UASC in the UK.

The implications for Kent County Council are immense if you were to write a letter or statement supporting a sibling/parent's application to join the UASC and based on that (and other evidence) a decision was made by the Home Office or court to allow that relative to come into the UK. It is highly likely that that relative would want to live with or near the UASC and will need to be looked after in some way and provided services, at a very high cost to the county. **Your decision to write a letter or statement of support can have SIGNIFICANT financial implications for Kent County Council even if just one sibling is granted leave to enter and remain.**

Show the request to your Service Manager /Assistant director and seek guidance from them in the first instance as to how to respond.

If , after seeking advice from your seniors or Invicta Law, you do proceed to write a statement or letter - **just state the FACTS and do NOT give an opinion.** The facts being , for example, that the UASC came to the UK on a certain date and has been looked after by KCC since a certain date, where they live, perhaps whether they are being treated for mental health issues, whether they have talked about family or expressed any views generally on coping with life in the UK. **DO NOT** express an opinion on whether you think it will be beneficial or not for the family member to be allowed to join the UASC –

You also may be asked at some stage by the Home Office to fill out a **Current Circumstances form**. These are used by the Home Office in decision making and in court hearings on asylum claims. They are usually fairly simple forms which just ask a few questions to help to provide a picture to the Home Office of where the UASC. There is less risk attached to you responding to this request but if you are at all uncertain about what information to provide **ASK** your team manager, service manager, or assistant director or Always seek the advice from a senior member of staff. Or Invicta Law . Remember, responding to what might seem a simple request to you can have serious implications on the finances of Kent County Council and the well being of the UASC, so ask first.

Contact:

Call or email the asylum team at Invicta Law on 03000411100
asylumteam@invicta.law