



What future for undocumented migrant children in the UK?

According to recent estimates, over half a million migrants live in the UK without authorisation. Under-18s make up a significant portion of this population. Children have always been part of migration flows but data on migrant children, particularly if undocumented, is extremely limited and little is known about their lives and livelihoods in the UK. A study carried out at COMPAS sheds light on this hidden population.

Mapping a hidden population

Undocumented migrant children are a diverse population mostly below the radar of current political debate. Of an estimated population of 120,000 undocumented migrant children (0.9 per cent of UK under-18 population), over half (65,000) were born in the UK to undocumented migrant parents. The latter are British citizens *in becoming* as current legislation entitles them to apply for British citizenship on grounds of residence after 10 years in the UK.

Successive British governments have ensured that, irrespective of their lack of immigration status and of the circumstances that led to it, as children they are holders of certain rights. Provisions in the international and British legal systems guarantee, for example, access to compulsory school education and to primary and emergency healthcare free of charge. They also place a duty on public authorities to act in the children's best interests and, in the case of local authorities, to look after those in need.

Yet, as migrants, children, and undocumented, they stand at the intersection of diverging and, to some extent, contradictory policy agendas, namely the protection of children and children's

rights and the enforcement of immigration control. The unresolved tension between these two policy objectives can be detected in the dialectics between different levels of government (i.e. local, national and supranational) and is one of the main factors that determine the relationship of undocumented migrant children with the state and public services. This tension fundamentally shapes the everyday lives of undocumented migrant children in Britain and the experiences of front-line service providers in the fulfilment of their duties.

Accessing education and healthcare: undocumented migrant children encountering public service providers

The study found that undocumented migrant children tend to feel protected at school, and going to school helps them to maintain a sense of stability in their everyday lives. Once in school, lack of status has a limited impact on children's experience of schooling. However, wide-spread destitution and no entitlements to free school meals may single out undocumented migrant children from others and this impacts on their educational achievements.

Parents reported some initial difficulties with enrolment in primary and secondary school mostly due to lack of places and language barriers. Ensuring children's school attendance is important to parents both for its educational value and because failing to attend may lead to the involvement of local authority social services that have a duty to report their case to the UK Border Agency (UKBA). In contrast, access to pre- and post-compulsory education is very difficult.

The combination of precarious immigration status, limited access to healthcare and financial hardship produces negative effects on migrants' physical and mental health. Parents' anxiety and frustration resulting from the precariousness of their legal status trickle down to the children and affect their mental health and general wellbeing.

In relation to access to healthcare, the study found that most interviewees were registered with a GP. However, in several instances registration took place when the migrant was regularly resident, and was retained after immigration status was lost.

Migrants' concerns about GP registration were echoed in the interviews with healthcare professionals who lamented what they described as the UKBA's 'invasion' of public services. For the interviewees, this is a cause of concern because it undermines the trust between public service providers and users, a particularly important relationship given the precariousness of migrants' legal status and their fear of detection. In turn, this may result in a sizeable population of UK residents being without access to primary healthcare and in higher costs to the NHS due to lack of prevention, with potentially significant implications for public health.

Implications for public policy

Securing children's effective access to public services is essential to address the specific vulnerabilities of undocumented migrant children. This study found that, while current legislation provides this population of children with a limited entitlement to public services, in practice, even this limited access may be hindered. It highlighted that the increasing cooperation between public service providers and the UKBA can undermine

the ability of social workers, teachers and health professionals to carry out their statutory obligations, resulting in the *de facto* exclusion of a considerable number of children from public services.

The risk is producing a generation of disenfranchised youth, *de facto* non-deportable and yet excluded from citizenship, should not be underestimated and demands sensible and pragmatic solutions.

More attention should be paid to the impact of current policy and practice on the early years of undocumented migrant children in the UK, starting even before birth with antenatal care. Two areas should be afforded particular consideration: firstly, the impact of NHS charging policy for overseas visitors on mothers and babies without legal immigration status, and secondly how existing levels of support are affecting children's overall development in the foundation years.

The study also highlighted the centrality of families in the experience of migrant children and argues that an analysis of the impact of undocumented status on children cannot isolate the children from their families and circumstances.

About the speaker:

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