



What happens when a young person is age assessed as ‘significantly over 18’ by local authorities and dispersed by the Home Office as an adult asylum seeker

Ibrahim’s story

Ibrahim is a child from Sudan seeking asylum in the UK on his own. He arrived in the south of England in June 2018. Upon arrival Ibrahim was immediately arrested and taken to a police station. He informed the police that he was 15 years old. The same day Ibrahim recalls that someone arrived at the police station and started asking him questions. He was not aware this was a social worker. He was tired and hungry after enduring a long and dangerous journey. A telephone interpreter was used but they were not Sudanese, they had a different dialect and he could not understand them. He can’t recall any of the questions that he was asked.

Ibrahim was deemed by the local authority social worker to be significantly over 18 and was immediately transferred into the adult asylum system and moved to Liverpool. Ibrahim informed staff at the adult asylum accommodation of his age and he was referred to the Refugee Council’s Children’s Advisor based in the North West. The Children’s Advisor referred him for urgent legal advice to challenge the action of the local authority where his age was assessed as it was her view that Ibrahim did not appear significantly over 18 and she had no reason to doubt his stated age of 15.

Following legal intervention (a letter before legal action) the local authority agreed to carry out a full assessment of Ibrahim’s age. Following further legal correspondence they agreed to accommodate and support him under s20 Children Act 1989. Ibrahim was moved into an emergency placement in the south of England in August 2019 and after an assessment his age was accepted and he remains in care as a looked after child.

Dilshad’s story

Dilshad is a 15 year old Kurdish child in the UK on his own seeking asylum. He arrived in the UK late at night in March 2019 following a number of days travelling in a lorry without access to food or being able to sleep. He was found by police in the lorry and taken to a police station in the south of England.

After a night in the police cell, two ladies arrived at the police station in the morning and one of them briefly asked him questions about his age and where he had come from. There was no interpreter present, just the two ladies and a police officer in the room. Dilshad said that he kept trying to sleep because he was so tired but was forced to wake up and answer questions, some of which he didn’t understand at all. Immediately after this meeting he was told he must go somewhere else, was handcuffed and taken to a detention centre.

Dilshad had not been told that any form of age assessment had taken place or that he had been deemed to be an adult - it only came to light after he had been taken to the detention centre and

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was told the date of birth he provided was not right and that he was an adult. He was never told he had been assessed as an adult or given anything in writing.

After a period of time in detention, Dilshad was moved into emergency adult asylum accommodation in London, then into accommodation in Liverpool and later dispersed to Greater Manchester. In this accommodation Dilshad was living with adults all of whom were much older than him. He was receiving no support and left to try to look after himself and budget his £37 asylum support.

Fortunately two of the people Dilshad was living with spoke the same language as him and one helped find and register with a GP and find an immigration solicitor. When he met with his immigration solicitor concerns were raised about his age and vulnerability.

An urgent request for accommodation and support was made to the local authority but no response received. Following a letter before legal action the local authority agreed to carry out a full age assessment. Dilshad was extremely nervous about being moved again to an area he didn't know. He had only just managed to find some level of support in Greater Manchester and people who could help him. The local authority refused to consider an out of borough placement and he was moved back to the original local authority in the south of England. Owing to the concerns he raised he was referred to local Refugee Council Advisors so that he could be assisted through the asylum process. They linked him with local groups and helped get him into education. Since then the local authority has accepted Dilshad's age as a child without the need for an age assessment.

Ali's story

Ali is from Afghanistan. He was 14 years old when he arrived in the UK on his own to seek asylum in June 2018.

Upon arriving in the UK he was taken to a police station in central England and held there for approximately 24 hours. During this time he was visited by two ladies who started asking him questions using a telephone interpreter. He was tired and unable to concentrate and could not remember much from this particular meeting. Straight after the meeting he was then taken to a hostel with adults before subsequently being sent to initial adult asylum accommodation in Liverpool.

It transpired that this brief meeting in the police station was an age assessment by the local authority who decided that Ali was an adult eight years older than he said he was.

Whilst in initial adult Home Office accommodation Ali was visited by the Children's Advisor at the Refugee Council. Owing to her serious concerns about his age and vulnerability she put in an urgent referral for legal advice. In her opinion it was clear that Ali did not appear to be over the age of 18. She was also concerned about his vulnerability at the adult accommodation where he was housed and where he had been threatened. This led her to make an urgent referral to Liverpool City Council to raise safeguarding concerns. They held that responsibility for Ali sat with the local authority in central England that had originally assessed his age.

An urgent letter before legal action was sent challenging the age assessment however the local authority maintained their decision and held that they were not required to carry out a full Merton-compliant age assessment.

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Following judicial review proceedings the local authority agreed to carry out an age assessment, but they refused to accommodate and support Ali during this time so he remained in adult asylum accommodation. By this point Ali had been moved into accommodation with adults (none of whom speak the same language as him) elsewhere in the North West.

The assessment maintained the decision that Ali was over 18. This assessment has also been challenged as flawed and a claim for judicial review brought. Ali has evidence of his age in the form of a *Tazkira* which has been deemed reliable in two separate reports and it is hoped that his age will now be accepted and he will be treated as a looked after child.

At no point since his arrival into the UK has Ali been provided with any accommodation or support as a child. He has been living in adult asylum accommodation for 15 months. The local authority that originally assessed his age has said that, despite the fact Ali has been living in the North West for such a lengthy period of time, they will not provide an out of borough placement and he will be expected to uproot himself and move again to an area where he spent a matter of hours in a police station before being dispersed.

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