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Children in asylum accommodation

Submission by Just Fair to CRAE call for evidence on CERD review of the UK
May 2024

Migrant and asylum seeking children are overwhelmingly from racialised communities and face significant discrimination and violations of their economic, social and cultural rights. The UK's state party report and CERD's 2016 Concluding Observations failed to include information on the rights of migrant and asylum seeking children.

In September 2023 Just Fair and Human Rights Watch released a report on asylum accommodation in England, "I Felt So Stuck" Inadequate Housing and Social Support for Families Seeking Asylum in the United Kingdom. To write this report, over 100 people including 27 children were interviewed between May 2022 and August 2023. In this submission we have highlighted two key areas from the report; the right to adequate housing and the right to education, utilising children's testimony where possible (with pseudonyms used for all children and adults).

Right to adequate housing (article 5, e, iii)
'Initial' or 'contingency' accommodation is often used for long periods of time for children despite being unfit for long-term stays. Just Fair visited various asylum accommodation sites across England to inspect conditions and found multiple serious habitability problems including a lack of space and black mould.

A lack of adequate space
A lack of space in asylum accommodation makes life very difficult for children, with adverse consequences for privacy, growth, mental health, and familial relationships.

In one case, Miguel E., his wife, and three children, aged 4, 7, and 15, originally from El Salvador, lived in a hotel room in London's Tower Hamlets for eight months. The family of five shared one crowded room with three triple-decker bunk beds and one bathroom. His seven-year-old son, Luis, said, "Papa, this is like a prison." Bella, his 15-year-old daughter, told us, "I have no space to myself and no privacy from my family. I do all my homework in my room. We eat all our meals on the floor of the room. I am sick of living like this."[1]

In another case, Arman L., a 14-year-old boy from Iran who arrived with his mother, described similar conditions. The two were in a hostel in Tower Hamlets where they had been living for nine months when interviewed. They shared a small room with one bunk bed in it. The room had barely any floor space or furniture. Arman said, "I feel very claustrophobic, like I am suffocating."[2]

Dampness and black mould
Dampness was common across different types of accommodation. This can lead to the growth of toxic mould, mycotoxins, fungi, and bacteria, which can cause serious health

[1] "I Felt So Stuck" Inadequate Housing and Social Support for Families Seeking Asylum in the United Kingdom," pg., 36.
[2] "I Felt So Stuck" Inadequate Housing and Social Support for Families Seeking Asylum in the United Kingdom," pg., 36.

conditions. Children are at higher risk of ill-health from mould exposure, including allergic reactions, asthma, coughing, wheezing, chest tightness, and shortness of breath. Research has linked mould exposure and adverse respiratory health outcomes in children.

In one case, Maria V., originally from Uganda, was in a hotel in Hounslow, in west London, with her two sons, ages 3 and 5, for one year and six months. She had moved between four different rooms in this period. "Every room has had black mould and damp covering the walls," she told us. Her eldest son, David, developed a chronic cough after one year of living in the hotel. "He is just coughing all the time, nobody is able to sleep as the cough gets really bad at night, the window only opens a little bit so there is no fresh air," she said.[3] In May 2023, David received a preliminary diagnosis of asthma. Accommodation with habitability issues such as dampness is not fit for purpose under the Home Office's published standards.

Right to education (article 5, e, v)

Children in hotel accommodation face specific barriers in access to education including an inability to enrol in school or unsuitable learning environments.

Inability to enrol
Because children often arrive in school districts partway through the school year, local schools may not allow them to enrol immediately—and in some cases require them to wait until the following year before they can attend classes. When the Home Office transfers families from one hotel to another, children frequently experience interruptions in their education.

Musa S., an unaccompanied 17-year-old boy, in a hotel in Bournemouth, told Just Fair that in his home country of Afghanistan, he was attending grade ten. However he had not been able to enrol in school in the four months he had been in the UK, when we spoke to him. He said: "I have asked Migrant Help many times but they always ignore me. I feel so hopeless and heartbroken about this. Sometimes I go to the college down the road from the hotel and watch the students when they come out. I see some of them are Afghans and they look happy. My only hope and dream is to go back to school."[4]

Aicha B., a 17-year-old girl, who arrived with her family in November 2021, had still not been enrolled in college when we interviewed her five months later. Aicha had applied for multiple local options but was repeatedly told there was no space. She told us she was very upset about not being able to attend school. "I cry every day when I think about it... I want to go to school so that I can make friends, and to learn English better. I want to fill my head with knowledge," she said.[5]

As UN Children's Fund (UNICEF) UK has observed, "for many children and their families, the barriers to accessing education cited were not the admissions policies per se, but rather the

[3] "I Felt So Stuck" Inadequate Housing and Social Support for Families Seeking Asylum in the United Kingdom," pg., 38.
[4] "I Felt So Stuck" Inadequate Housing and Social Support for Families Seeking Asylum in the United Kingdom," pg., 53.
[5] "I Felt So Stuck" Inadequate Housing and Social Support for Families Seeking Asylum in the United Kingdom," pg., 54.

systems surrounding them that must be navigated, at times without support, in order to secure a school place."

Unsuitable Learning Environments
Substandard accommodation can have a direct impact on children's ability to learn. Lack of space makes it difficult for children to concentrate or find a quiet environment to do their work, particularly when several children share the same small room. A lack of space can also mean no room for furniture such as a table or a desk—in fact, the Home Office does not require initial accommodation to provide desks or tables in rooms.

In one case, Thao M., a 17-year-old girl from Vietnam who had been living in hotels in London for over two years when we spoke to her in July 2022. She told us, "There is no space in the hotel. The room just has one small table which is not big enough to work at."[6] Arman L., living in a small room in a hostel with his mother, said his room had no floor space and no furniture. Without a desk or a table, Arman did his homework at the hostel reception, where there are distractions.

Suggested recommendations

- Effectively incorporate economic, social and cultural rights into UK law and policies, giving everyone affected by violations the right to an effective remedy.
- End the use of hotel accommodation for unaccompanied children. Instead, all unaccompanied children should be in the care of child protection authorities in settings that safeguard their welfare and are consistent with children's best interests.
- Rigorously apply the 19-day target for moving families with children to dispersal accommodation, in recognition of the reality that contingency hotel accommodation is not suitable housing for children in families beyond very short-term stays.
- Ensure a sufficient supply of housing for everyone in the UK, particularly by increasing the amount of affordable social housing with long-term tenancies.
- Support families to register their children with local schools to prevent delays to education.
- Ensure all accommodation used to house children is suitable for learning including access to WI-FI and also a specific physical space with appropriate furniture.

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[6] "I Felt So Stuck" Inadequate Housing and Social Support for Families Seeking Asylum in the United Kingdom," pg., 59.