



GOVERNMENT WHIPS' OFFICE  
HOUSE OF LORDS  
LONDON SW1A 0PW

LORD SHARPE OF EPSOM OBE  
020 7219 3778  
GOVERNMENT WHIP FOR DCMS, FCDO  
AND HO

Telephone 020 7219 3131  
[www.lordswhips.org.uk](http://www.lordswhips.org.uk)  
[holgovernmentwhips@parliament.uk](mailto:holgovernmentwhips@parliament.uk)

20 July 2022

*My Lords,*

**Refugee Family Reunion Private Member's Bill**

I would like to thank you for your participation in the Refugee Family Reunion Private Member's Bill on Friday 8<sup>th</sup> July. I also extend my thanks to the noble Lady Baroness Ludford for raising this issue.

Many noble Lords asked what assessment the Government has made of the ability of unaccompanied refugee children to integrate in the UK where they are unable to sponsor family members under the refugee family reunion policy. I would assure noble Lords of the action we have taken to ensure unaccompanied refugee children are able to integrate.

Local authorities have a statutory duty to meet the needs of their unaccompanied children as a looked after child. This includes their mental health and emotional wellbeing needs. The Department for Education's statutory guidance on the 'Care of Unaccompanied Migrant Children and Child Victims of Modern Slavery' sets out how these children should be cared for. As for any looked after child, the local authority will carry out an assessment which is then used to produce a care plan. This care plan will incorporate health and education plans alongside a range of other assessment information.

This Government has been clear that all those involved in the care of unaccompanied children and child victims of modern slavery should be able to recognise and understand the particular issues they are likely to face. This includes recognising the indicators of trafficking, slavery, servitude, forced or compulsory labour, as a child's previous history of current experience of being a victim of modern slavery might not be apparent to begin with. Further, statutory guidance sets out social workers should have a broad understanding of the immigration system

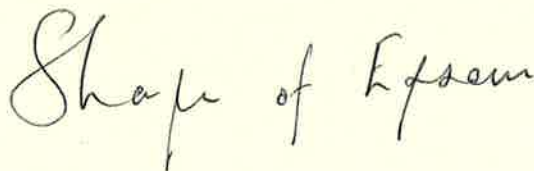
including the application process and should access specialist asylum and/or immigration legal advice and representation for all unaccompanied children.

This guidance also sets out that Social Workers, Virtual School Heads and Independent Reviewing Officers, school admission officers and special educational needs departments should work together to ensure that appropriate education provision for the unaccompanied child is made. This recognises some unaccompanied children may never have had access to education first, and that they may need time to prepare for and then acclimatise to formal education and their initial educational outcomes may include cultural orientation and life skills appropriate to their age.

Turning now to legal aid provisions. The Noble Lady Baroness Bennett of Manor Castle asked in how many cases legal aid has been granted. As I expressed during the course of debate, legal aid for family reunion may be available under the Exceptional Case Funding (ECF) scheme, where failure to provide legal aid would mean there is a breach or a risk of breach of the individual's human rights, and subject to a means and merits tests. It is not possible to collect data to the level of granularity required to understand how many family reunion applicants have received support through the ECF. However, in 2020-2021 there were 2,608 applications for exceptional case funding in immigration cases, of which 2,243 were granted. That is 86%.

Thank you again for your participation in the debate. I am copying this letter to those Peers who spoke to the Private Members Bill.

I will place a copy of this letter in the Library of the House.

A handwritten signature in cursive script, reading 'Sharpe of EPSOM'.

**LORD SHARPE OF EPSOM OBE**