



BAOBAB CENTRE
for Young Survivors in Exile

Family Returns Consultation - Evidence from The Baobab Centre

Evidence Submission on Care Leavers
Who Arrived Unaccompanied

June 2026





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The Baobab Centre for Young Survivors in Exile

This consultation has been designed by the Home Office in a way that, is needlessly complicated and therefore hard to answer. Some sections of the consultation, notably Part 2, which pertains to the 'Changes to the Use of Force Policy', are phrased in a way that makes it hard to challenge the premise of the consultation.

These proposals represent an attack on rights, especially children's rights, in the UK and will only lead to fear, destitution, homelessness, violence and misery. Our answers reflect areas where we feel qualified to share our expertise. Not answering a question does not mean we endorse the proposal, rather, we wish not to answer questions that could breach our stated aims in our Commissioning Documents.

Accompanying Letter to Home Office

To the Home Office Family Returns Consultation Team,

The Baobab Centre for Young Survivors in Exile is a non-residential therapeutic community based in North London. We provide holistic support, including individual and group psychotherapy, casework, and psychosocial community activities, to young asylum seekers and refugees who have experienced human rights abuses and who sought asylum in the UK as unaccompanied minors. A vast majority of the young people we support arrived in the UK alone, without a parental figure, having survived violence, trafficking, persecution, and other forms of severe abuse during their formative years.

We are submitting a response to Part 1 of this consultation (Questions 20-26). We are not submitting responses to Part 2, which concerns the proposed changes to the Use of Force policy during enforced family returns and the detainment of children. We wish to be transparent about why.

We refuse to engage with questions that are framed around how and under what conditions the use of force is appropriate in removals proceedings for children from the UK. To engage with such questions would be to accept, to some degree, the premise that we fundamentally disagree with: that there are circumstances in which violence is appropriate to enforce immigration rules.



Children who appear 'non-compliant' during removal proceedings are not acting in bad faith; they may be experiencing fear, trauma responses, panic, or the effects of neurodiversity, disability, or language barriers.

We strongly oppose any attempt to justify use of force against children when enforcing removals. Children should be treated as children first and foremost. We will not be answering questions that assume agreement with the general principle of using force against children.

We, alongside many other organisations working with children who have sought refuge in the UK, urge the Home Office to withdraw Part 2 of this consultation, and all proposals that would overturn the prohibition of the use of physical handling of children. We strongly encourage the Home Office to invest in community-based, child-centred alternatives that protect young survivors of human rights' abuses.

Looking forward to your prompt response.

Sincerely,

Fabrice Lyczba

CEO

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Answers to Part 1: Reforming Support for Families and Adult Care Leavers Without Immigration Status

Questions for Paragraphs 32-39

Question 22: For adult care leavers with no legal status, do you agree with the proposed factors that the local authority must and must not take into account when considering if condition D is satisfied as set out in paragraphs 29-33?

- **Yes (please specify)**
- **No (please specify)**

Response: The proposed factors for condition D replicate the same framework proposed for families, and their application to adult care leavers, who are among some of the most vulnerable young people in the UK, is particularly alarming.

Adult care leavers who arrived as unaccompanied minors occupy a uniquely precarious position. This is not just something we say from our experience working with exactly this population of young people at Baobab – this is backed up by data and research (Universities of York, Oxford and Exeter, 2023). Adult care leavers who arrived as UASCs tend not to have a family network in the UK, have often been in local authority care for several years, and are navigating the transition to adulthood while simultaneously managing complex immigration proceedings and often severe, unresolved trauma. Research shows that post-migration stressors, including housing instability and loss of social support, are among the strongest predictors of poor mental health outcomes in this group, including persistent PTSD and depression (James et al., 2019).

The proposed factors for condition D, which replicate the framework designed for families, take no account of this reality. Applying them to care leavers not only contradicts the core principle of equitably supporting all young people leaving care; it withdraws that support at the most critical point in their individual development. Without a clear pathway to adulthood, access to education, or financial stability, care leavers risk being driven towards homelessness or other damaging coping strategies. In addition to the burden this would place on young people that deserve considered care, the downstream costs of this, for the NHS, third-sector organisations, and social welfare programmes, are likely to far outweigh any short-term savings the policy might generate.

The requirement under Condition D that local authorities assess whether a young person has 'failed to cooperate with arrangements to leave the UK' inserts an

immigration compliance function directly into social care assessments. This will fracture trust between care leavers and their social workers, the relationship that is often the only protective factor in a young person's life. It risks driving young people to abscond from care, disengage from their pathway plans, and become invisible to services, where they are exponentially more vulnerable to criminal, sexual, and labour exploitation (Shaw, 2026). These proposals will not address immigration non-compliance but will have an immense cost to young people's safety and wellbeing.

Our Casework Advocate, Chrissie Wild, reflects on what she thinks would happen in this scenario:

"While my job consists, in large part, in challenging the decisions social services make. However, most of the young people I support would be nowhere without them. We can discuss the pros and cons of current support provision and the ways in which young people are moved from one location to another with little notice, or how their social workers change all the time, but removing the support altogether will irreparably damage the lives of young people. We don't want to throw the baby out with the bathwater; the system is broken but the absence thereof is not a solution. Care leavers already experience extended insecurity – often times homelessness and destitution – and these proposals would push people whose asylum rights are exhausted into dangerous activities that could harm themselves and others. Furthermore, the short-term costs incurred by supporting people immediately after age 18 pales in comparison to the possible costs incurred further down the line."

Question 23: For adult care leavers with no legal status, do you agree with the proposed proposals set out in paragraphs 32-36?

- Yes (please specify)**
- No (please specify)**

Response: Paragraphs 32 to 36 seek to disapply the core leaving care provisions of the Children Act 1989 to young people without immigration status, including the rights to a personal adviser, an ongoing pathway plan, support for education and training, and the 'staying put' arrangement enabling a care leaver to remain with their foster family after turning 18.

For young care leavers who arrived to the UK unaccompanied, the leaving care framework is a lifeline. All of the young people we support arrived in the UK after fleeing persecution, forced displacement, and forms of interpersonal violence. The stability of a foster placement or the continuity of a personal adviser can be the difference between a young person engaging with their mental health treatment, continuing their education, and maintaining routines that support recovery from

trauma, and a young person disengaging from all services, and being at risk of being exploited. Stripping these protections based solely on immigration status abandons the principle that care leavers deserve support because of what they have experienced, not because of their nationality or legal classification.

These proposals will force vulnerable young people out of safe, regulated environments and into significant danger. The risk of absconding from care, exploitation, destitution, and street homelessness will rise. Removing the staying put duty in particular is an act of institutional cruelty that has no justification in young people's welfare terms.

Question 24: Do you agree with the proposed principles that local authorities must follow when making arrangements for adult care leavers with no legal status, as set out in paragraph 37?

- Yes (please specify)
- No (please specify)

Response: Paragraph 37 proposes to limit the exercise of leaving care duties to circumstances where a care leaver holds an undecided Article 8 application that the Home Secretary does not consider vexatious. This is an unacceptably narrow threshold that fails to reflect the range of immigration situations in which care leavers may lawfully find themselves.

Due to the ongoing legal aid crisis – particularly acute in the immigration sector (Law Society, 2026) – a significant number of UASCs reach adulthood without ever having received independent legal advice. Many will not have made an Article 8 application as adults as no lawyer was available to advise them to do so. Others will have had applications submitted by previous legal representatives without being informed of the nature (or sometimes the outcomes) of those applications. Under these proposals, a care leaver in either situation would fall outside the threshold for support, through no fault of their own and entirely as a result of systemic failures in the legal aid system.

More fundamentally, a young person's right to leaving care support should be determined by a qualified social worker assessing their individual needs, not by whether the Home Secretary approves their immigration status. As it stands, the proposal turns leaving care support from a needs-based entitlement into a reward for immigration compliance, which cuts directly against the professional standards of Social Work England and the spirit of the Children Act. There is also a practical problem; the proposal references the risk of 'vexatious' Article 8 claims but provides no clear criteria for what makes a claim vexatious, leaving this open to individual

interpretation and personal bias. Without supporting guidance, this proposal is unworkable in practice, and risks creating a flood of applications as care leavers seek to protect their rights through the only avenue available to them, placing further strain on an already overburdened system.

Question 25: Are there other principles that should be considered in addition to those set out in paragraph 36?

- Yes (please specify)**
- No (please specify)**

Response: The following principles must underpin any system of support for care leavers, regardless of immigration status.

First, all support decisions must be young people-centred, considering both their immediate and long-term needs. A care leaver's immigration status is irrelevant to their safeguarding needs, and the threshold for support must be determined by qualified social care professionals assessing the individual's wellbeing, not by the Home Office.

Second, the continuity of support must be protected. Research, and our experience, demonstrates that continuity of relationships, including personal advisers, foster carers, and therapeutic providers, is a critical protective factor for young people navigating adulthood (Sierau et al., 2019). Any framework must build protections against abrupt withdrawal of support that would destabilise young people who are already in fragile and vulnerable circumstances.

Third, no care leaver should lose support without first receiving independent legal advice. Given the public and private failures to properly fund the legal aid system, the government must not implement changes that punish young people for lacking legal representation.

Finally, no local authority should be required to act as an instrument of immigration enforcement. The trust between care leavers and their social care teams is itself a safeguarding tool, and any principle that undermines this trust will increase risk across the entire cohort of care leavers with insecure immigration status, not just those directly subject to the new rules.

Question 26: Do you agree with the proposals set out in paragraph 38?

- Yes (please specify)**
- No (please specify)**

Response: Paragraph 38 proposes to orient local authority contact with care leavers around facilitating their departure from the UK, including maintaining contact expressly to support the implementation of removal arrangements. This directly and irrevocably compromises the role of the local authority as a surrogate parent.

For young people who arrived as UASCs and who have been in local authority care, their social worker or personal adviser may be the first trusted adult relationship they have experienced. All of the young people we support at Baobab have survived various forms of human rights abuses before arriving in the UK. The trust they place in their care team is essential, hard-won and delicate. Requiring local authority practitioners – whose primary responsibility to a child or young person is their care – to use that relationship as a conduit for immigration enforcement will destroy trust. It will also destroy the trust of other young people in care with insecure immigration status who hear what has happened to their peers.

Local authority specialist child safeguarding support must not be involved in removing young people from the UK. This is a clear conflict of interest, and it risks undermining all safeguarding approaches to young people (Shaw, 2026). The consequence will be that families and young people with any form of insecure immigration status withdraw from engagement with social care services, creating risk not only for those directly affected by the new rules, but for the far wider population of young people and families (including families with children) with uncertain immigration status who currently engage with local authority support. The NHS and education sector will inevitably be left managing escalating risks of undetected abuse and neglect, deteriorating mental health, and educational disengagement, without the referral pathways needed to intervene effectively.

Question 27: Do you agree with the proposed changes to the availability of higher education tuition grants for the categories of adult care leavers set out in paragraph 39?

- Yes (please specify)**
- No (please specify)**

Response: Removing the duty on local authorities to provide grants enabling care leavers to access higher education, based solely on the immigration status of the young person, is discriminatory and profoundly harmful to a group that already faces enormous structural barriers to educational attainment and employment.

Care leavers as a group are significantly less likely to attend university than their non-care-experienced peers, as they lack the family financial and emotional support networks that make higher education accessible. The tuition grant duty exists to

partially compensate for this structural disadvantage. Withdrawing it from care leavers with insecure immigration status compounds multiple forms of disadvantage simultaneously: care experience, immigration precarity, and the specific vulnerabilities associated with having arrived in the UK as an unaccompanied minor, often following severe trauma.

At the Baobab Centre, we regularly support young people who have channelled their experiences into extraordinary educational ambitions. For many, university is a pathway to agency. Preventing local authorities from supporting these young people into higher education on the basis of a Home Office decision about their immigration status treats immigration control as more important than a young person's development and life chances. This is incompatible with any credible commitment to the welfare of care-experienced young people in this country. Beyond the moral case, there is a straightforward economic one; care leavers who are supported into higher education and employment become contributors to the public purse, yet this proposal would sacrifice that long-term fiscal return for short-term cost savings. This reflects a broader failure of logic running through the consultation, which appears to assume that removing people from the UK is a viable and readily available tool. In the current legal and political environment, removals are neither straightforward nor guaranteed, and a policy framework built around that assumption is not a credible strategy. Without a functioning removals infrastructure, what remains is simply the withdrawal of support from some of the most vulnerable young people in the country, with all the escalating human and financial costs that entail.

Additional Questions on Impact Assessments

The Home Office will take into account the responses to this consultation when fulfilling the Home Secretary's public sector equality duty. The views of key stakeholders will be invited to shape the necessary impact assessments prior to the implementation of any of the proposed changes outlined in this paper.

Question 28: Is there anything else you would like to add regarding the proposed reforms to asylum support?

Response: We are in opposition to the proposals in Part 1, Section B of this consultation. These proposals, read together, represent a systematic dismantling of the protections that currently exist for some very vulnerable young people in the UK, in favour of a system oriented towards immigration enforcement.

We are also concerned about the absence of published Equality Impact Assessments and Children's Rights Impact Assessments at the time this consultation was launched. The Home Office told Parliament these assessments were still 'in development' when the consultation opened (Graham, 2026). Stakeholders have been asked to comment on proposals affecting young people and care leavers without access to the analysis that should inform any serious policy evaluation. A Children's Rights Impact Assessment examines how a policy will affect the rights and wellbeing of children under the UNCRC; an Equality Impact Assessment considers whether it will disproportionately disadvantage particular groups; local authority cost modelling sets out the financial burden that will fall on councils as a result; and breakdowns of affected individuals give a clear picture of the scale of impact. The government must publish all of these before any regulations are laid, so that stakeholders, practitioners, and parliamentarians can engage with the proposals on an informed basis.

The proposals will not achieve their stated goal of encouraging departure from the UK. The government's own evaluation of the Section 9 pilot in 2004-05, which similarly linked continuation of support to taking steps to leave, concluded that it did not increase returns and caused serious harm to families.

Withdrawing support does not make people leave; it makes them invisible to the services designed to protect them and produces fear, harm, and social marginalisation.

Finally, we note that these changes apply only to England and would enhance inequalities between the nations of the UK and risk driving internal displacement of families and young people as they seek support elsewhere. The Home Office must model and publish the cross-national impact of these proposals before proceeding.

References

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