

Care for every child: Duties to care for children must apply equally to all children
Joint statement in response to the Illegal Migration Bill

Every child is unique, special and equally entitled to our respect, care and protection, no matter who they are, where they were born or how they came to be in a particular part of the UK. The Children Act 1989 is the legal foundation for protecting all children in England and Wales equally. Removing any group of children from any of its provisions profoundly undermines it, and creates an unacceptable segregation between those children who are entitled to the full care, support and protection of children's legislation and other children who have been placed outside of it. To remove rights for some children is to deny the intrinsic rights of all children.

Through the Illegal Migration Bill the Home Secretary plans to seek a range of powers in respect of unaccompanied children which gravely concern us, including powers to directly accommodate them on arrival and subsequently transfer them. This legal change would leave some of the world's most vulnerable children outside of the very system designed to give children in their circumstances a home, safety, recovery from their trauma and support to reach their unique potential.

As children's organisations we disagree in principle with this prospect, out of profound concern for the children it would affect, and for the long term implications of undermining the universality of protection provided by the Children Act 1989, and the UK's fulfilment of its international obligations under the United Nations Convention on the Rights of the Child.

The practice of the Home Office putting unaccompanied children in hotels, from which hundreds are disappearing, must stop. Attempting to set it on more solid footing through legislation runs counter to the Government's commitment to end the use of hotels and will only worsen and prolong the huge child protection failure already unfolding.

Many of us have warned since 2021 against this dangerous temporary measure, recognising that the real solution is to invest in local authorities so that they can fulfil their duties to these children under the Children Act. Two years later, hundreds of children have gone missing from Home Office-run hotels, and over 200 remain untraceable. The Home Office has not only failed to ensure children have the health, education and legal support¹ that a corporate parent is required to provide, but it has lost many of the children in its 'care', and appears unwilling to take responsibility for finding them².

We will resist any attempt to formalise such practices and we are united in urging that the Government instead focuses on ending the use of hotels altogether, finding the missing children, and resourcing councils properly to provide the standards of care and protection to which every child is entitled.

Signed:

¹ [An inspection of the use of hotels for housing unaccompanied asylum-seeking children \(UASC\) March - May 2022](#) by the Independent Chief Inspector of Borders and Immigration

² Hansard, [Commons debate](#) 24th January 2023

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