

What do we know about
homeless children?

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Children's Legal Centre

- Mission: to promote implementation of the rights of the child through the use of law;
- Staffed by lawyers and social workers
- Takes children's cases from all over England
- Contracts from the LSC
- Child law helpline funded by DSCF
- Website – Lawstuff.org.uk

What do we know about homeless children?

- Became concerned about 5 years ago at the numbers of presenting homeless children;
- These are children in crisis: about 70 a year referred
- No accommodation, usually no money, cannot access education, some have moved about for a time, vulnerable to offending, mental health episodes, rough sleeping, drugs and sexual exploitation.

Government policy

- 2005 – package of measures to ‘further prevent and tackle youth homelessness’
- Commitment- no B&B for 16/17 yr olds by 2010
- Universal expectation of mediation
- Supported lodgings scheme across the country providing accommodation, support and mediation
- New youth homelessness scheme led by YMCA and Centrepoint
- In 4th quarter 2009, 38% of acceptances for housing were children aged 16-24.

A new issue?

- Not a new problem, but:
- Government policy has had little impact on reducing numbers or the approach of Las to the problem
- Addition of children of uncertain status/illegal who have no recourse to public funds;
- New problem: leaving care children in education whose funding is cut at 21.

Research

- Grant from Nuffield to investigate our case load
- Took a case sample of 40 cases (41 children) to see if we could determine trends, predicting factors and challenges to helping these children.

What do we know about our sample?

- 35 x 'Domestic' children,
- 8 x UASC children/ uncertain status children:
- Care leavers (usually but not always over 18)
- 1 x 12, 1x 13 years old , 4 x 14, 14x 15, 11 x 16, 8 x 17, 3 x 18
- Youngest left home at 11, lived with sister

Trends?

- Presenting trigger factor is sudden breakdown in family relationships BUT, in reality, long term problems in the family or a placement that doesn't work;
- 29 previously known to children's services
- 14 previously in foster care/children's home, 7 immediately before becoming homeless
- 9 of the sample had step-parents;
- 5 had who were alcoholics or drug addicts
- 32 had parents who had separated.

Statistics

- Almost equal numbers of girls and boys
- 10 were asked to leave/thrown out of the home
- 3 were abandoned
- 14 of the children from overseas, status not always clear
- The rest just left – couldn't take it any more!

What happened to the children?

- In all of the cases the LA were initially resistant to taking action: children told to go home or present to housing
- In 4 cases, there was an inter-LA dispute
- In 30 of the cases a letter before action was sent
- In 6 cases the matter went to the High Court, usually only as far as permission followed by a consent order;
- 18 were accommodated under s.20 CA 89
- 11 placed in foster care, 3 in children's home, 12 in B&B (even when s.20), but this year no use of B&B for cases in London

Case study – children 5 and 6

- Girls aged 15 and 17 from Jamaica, 17 yr old has sickle cell anaemia. M mentally ill/violent,
- Present to CS – referred to housing – emergency B&B – had to share bedroom with 3 other people, felt unsafe – stayed 2 weeks
- Offered unsuitable accommodation miles away – unfit for habitation and could not reach school.
- 17 yr olds health deteriorating – Letter before action
- Offered supported housing close to school – no financial support for 3 months
- Refusal to accommodate, s.17 only

Child 43

- Nigerian, placed with private foster parents since the age of 3 – now 17
- Referral to social services when child 8 – physical abuse, closed case;
- History of violence, child ran away.
- LBC – 3 options: return to mother in Nigeria; look after yourself; go back to carer
- Pushed for s.20 – child told that they would need to refer her to the Home Office as she was illegal and would be deported
- Child disappeared.

Continuing issues

- Time taken to reach resolution of homelessness – delay leads to children disappearing, mental health issues, offending and sexual exploitation
- Children need to be s.20 rather than s.17 unless very able – much better since G v Southwark, but still try and send child to housing
- Continued use of inappropriate accommodation?
- Children of uncertain status are frightened by LA
- Insufficient refuges
- Too quick to end care episodes and close case?

Follow up

- Children go missing and cannot be found
- Children have ended up in YOI – usually where in B&B (boys) and when there is delay
- Children not provided with adequate funding – being short of money is dangerous
- Tendency for girls to become pregnant before they reach 18
- Age assessment children still inappropriately accommodated

Limitations

- Limit to what we can do
- JR is the only mechanism and difficult to get s.20 order through this route
- LAs just say 'don't have the accommodation'
- S.37 CA 89 not helpful as rarely family proceedings
- S.7 CA 89 not helpful either as nothing to 'be considered'
- Would like to be able to make an application under s.20 for child to be accommodated, or for enforcement of care plan/revision of care plan