



## **NAGALRO SUBMISSION REGARDING THE HOUSE OF LORDS EU HOME AFFAIRS SUB-COMMITTEE INQUIRY INTO THE ISSUE OF UNACCOMPANIED MINORS IN THE EUROPEAN UNION**

### **About Nagalro**

**Nagalro is the professional association for Family Court Advisers, Children's Guardians and Independent Social Workers.** It has approximately 760 full members in England and Wales who represent the interests of children in a range of public and private law proceedings. Members are senior, highly experienced children and family social workers and have experience of children being accommodated by local authorities, sometimes for a number of years, without any person or agency holding parental responsibility for the child.

Nagalro members work in a variety of roles including:

- Promoting the paramount welfare of vulnerable children who are involved in family court cases by enabling the child's voice to be heard in court proceedings, so ensuring compliance with Article 12 of the United Nations Convention on the Rights of the Child.
- Assisting family courts to reach decisions about plans that will safeguard the child's interests and best provide for their future welfare.
- Acting as Children's Guardians and Family Court Advisers for the Children and Family Courts Advisory and Support Service (Cafcass) where they work in tandem with children panel solicitors to represent the interests of children in care and other family proceedings.

### **The Connect Project**

Ann Haigh, Nagalro Chair is a member of the Connect Project (funded by the European Commission) which seeks to identify good practices and improve connections between professionals (referred to as Actors) involved in the reception and integration of unaccompanied children into Europe. Mrs Haigh has visited Scotland to gain knowledge of the Scottish Guardianship Project. She also meets with professionals from across the EU.

## **RECOMMENDATIONS**

### **1. Information sharing and common standards**

There is a need to promote the sharing of information and establish common procedures and standards. The Connect Project has identified the need for clear and rigorous standards to apply to unaccompanied migrant children who may have to engage with a wide range of legal procedures, courts and tribunals. Professionals sometimes fail to understand that they are part of a wider child protection system. Research by the Connect Project shows there are common tasks in many legal and judicial proceedings and there can be unnecessary duplication by professionals and

a failure of communication between different professionals working with the same unaccompanied migrant child.

## **2. Children's Court**

The development of a Children's Court to be responsible for all legal and judicial proceedings involving any individual unaccompanied migrant child would minimise duplication, concentrate expertise and most importantly be child centred and lead to a durable solution.

## **3. Independent Legal Guardian**

As a child does not ordinarily have legal capacity, every unaccompanied migrant child should be provided with an independent legal guardian accountable to an independent guardianship service as soon as he or she is identified. The independent legal guardian should have knowledge and experience of child protection systems, child development, child psychology, child trafficking and international human and children's rights. Many unaccompanied children disappear after arrival so the promptness of appointment of an independent legal guardian is essential. The independent legal guardian would locate an appropriate skilled and trained lawyer for each unaccompanied migrant child to assist throughout proceedings.

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