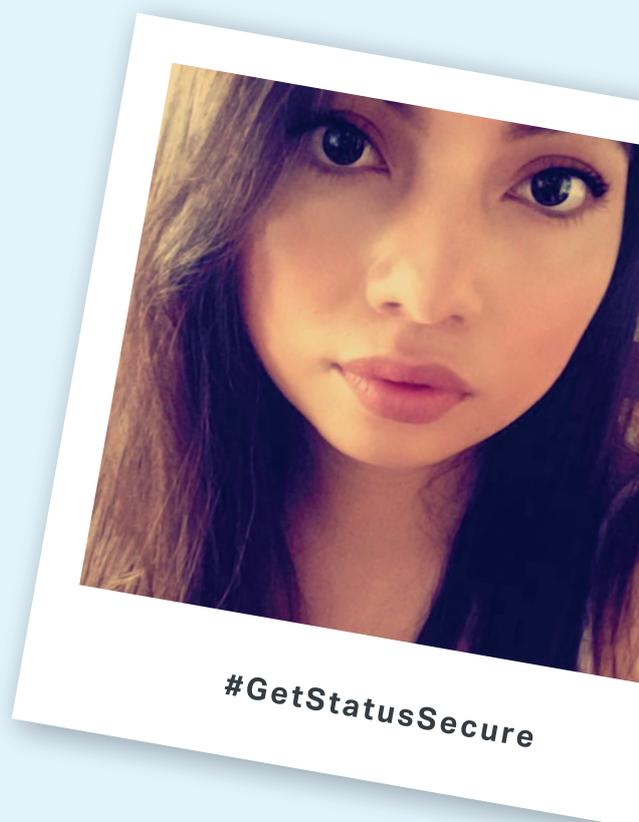


MAYOR OF LONDON



London's children and young people who are not British citizens: A profile

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Institute for Community Research and Development

Summary report

The Mayor of London is committed to supporting Londoners to access their rights to citizenship and routes to secure their status in the UK. To do this effectively, it is necessary to know the current number of undocumented Londoners struggling without immigration status. This summary report aims to provide robust, evidence-based estimates of the size of the undocumented population in London and the UK.

Undocumented Londoners (those without existing leave to remain in the UK) are legally restricted from accessing higher education, employment, healthcare and housing. They are unable to register to vote and face barriers to participating in daily life. In addition, Londoners who try to secure their status in the UK face a long, complex and expensive process.

Following successive Government policies since 2010, more individuals have risked becoming undocumented with fewer prospects to secure their status. Without much pre-existing data on the issue, it has been difficult to know the number of Londoners who need vital support to secure their status. This report also aims to provide robust, evidence-based estimates of the size of:

- the non-UK national population in London and the UK; and
- the population of European Economic Area+ (EEA+) national children and young people in London and the UK.

The research was commissioned as part of the Mayor of London's Citizenship and Integration Initiative (CII). The CII is a partnership established in 2017 between the Greater London Authority, independent funders, and civil society organisations. The research was undertaken by the Institute for Community Research and Development at the University of Wolverhampton.

Key findings

- The report's central estimates suggest that more than half of the UK's 674,000 undocumented adults and children live in London (397,000).
- There are now estimated to be 215,000 undocumented children in the UK. Research into the number of undocumented children in the UK was last undertaken in March 2011 and estimated that there were 120,000 undocumented children in the UK. This suggests that the population of undocumented children in the UK increased by almost 56% between March 2011 and March 2017.
- Of the estimated number of undocumented children (under 18), 107,000 are living in London and there are a further 26,000 undocumented young Londoners (aged 18-24).
- It is estimated that around half of all children with insecure immigration status were born in the UK.
- There are estimated to be 260,000 EEA+ children and 96,000 EEA+ young people living in London, EEA+ nationals do not currently require any form of permit to be lawfully resident in the UK. There is a risk that barriers to applying for Settled Status before the deadline of 30 June 2021 (31st December 2020 in the case of a no deal exit from the EU), will result in a significant proportion of this group becoming undocumented.
- Only around 10% of the estimated 215,000 undocumented children aged under 18 in the UK have applied to secure their immigration status. Since 2012 there have been only 15,177 applications to the Home Office for settlement on family life grounds, for children and young people, and 6,131 on private life grounds.¹

¹ Routes to regularisation of immigration status for undocumented children made on the basis of Private or Family life are dependent on a number of factors, including whether a child or young person was born in the UK and the length of time they have been continuously resident in the UK. Fees for these applications currently stand at £1033 per application, plus an additional £1000 Immigration Health Charge. Leave, if granted, lasts for a period of 30 months, after which a subsequent application will need to be made for a person to retain their immigration status.

Methodology and definitions

Estimating the size of the undocumented population can be a difficult process, due to the lack of official data. The report includes a review of past research and an analysis of available data to provide an updated estimate of the number of young Londoners who are undocumented, or have insecure immigration status. The report demonstrates that young Londoners who are not British citizens have a range of experiences and migration histories; entitlement to immigration status and eligibility for citizenship have changed over time and can vary for members of the same family.

Those who are undocumented include:

- Those who may have entered a country without the appropriate legal documents;
- Those who arrived with correct documents, but stayed beyond their permitted period - including those refused asylum or whose visas have expired; and
- Those born to parents who are not British nationals. For children and young people, this includes children whose parents fall within the first two categories, in addition to children who have been trafficked without formal documentation, and former unaccompanied minors granted temporary leave to remain until the age of 17 and a half who were then refused leave to remain upon reaching adulthood.

The final figures provided are not definitive, but as estimates within a likely range that are based on existing data sources. The report provides lower, middle and higher estimates, with detailed methodology outlined in the full report. This summary presents the mid-range or central estimates.

The undocumented population

The number of undocumented individuals can be difficult to establish due to the complexity and fluidity of this status, the hidden nature of the population, and the potential for different members of the same family to have differing immigration status or be unaware of their status. As outlined above, there are many ways in which individuals end up undocumented.

Table 1: Undocumented population in the UK

	Lower	Central	Higher
Undocumented individuals in the UK	594,000	674,000	745,000

A large proportion of the UK's undocumented population live in London

Table 2: Undocumented individuals in London

	Lower	Central	Higher
Undocumented individuals in London	350,000	397,000	478,000
(UK born) Undocumented children in London (<18)	94,000	107,000	120,000
Undocumented young people in London (18-24)	22,000	26,000	29,000

The available data suggests an uneven distribution of undocumented individuals living within London, with certain boroughs more likely to contain people who are undocumented, or at risk of becoming undocumented. The full report contains a more detailed breakdown by individual boroughs. The foreign-born population for an area does not appear to directly correlate to a high proportion of undocumented individuals. For instance, in Hammersmith and Fulham the top ten most common countries of origin for the foreign-born population did not include any of the most common countries of origin for undocumented groups. Meanwhile, 25% of the population of Newham were born in one of the most common countries of origin for undocumented individuals.

EEA national population

The report also looks at the number of EEA+ nationals in the UK, as a group who are at risk of becoming undocumented following Britain's departure from the EU. The report estimates that around 3.8 million EEA nationals are living in the UK. Since the data for this report was recorded, we estimate that number of EEA nationals in the UK has dropped to 3.5 million.²

Table 3: EEA+ and EU nationals in London

Category (London data) ³	Age 0-17		
	Lower	Central	Higher
EEA+ nationals	242,000	260,000	278,000
EU nationals	240,000	258,000	275,000
	Ages 18-24		
EEA+ nationals	89,000	96,000	102,000
EU nationals	89,000	95,000	102,000

² Ons.gov.uk. (2019). Population of the UK by country of birth and nationality - Office for National Statistics. [online] Available at:

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/datasets/populationoftheunitedkingdombycountryofbirthandnationality> [Accessed 18 Dec. 2019].

³European Union (EU) - The current 28 European Union (EU) countries are: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the UK.

European Economic Area (EEA) - The EEA includes all 28 EU countries, as well as Iceland, Liechtenstein and Norway. Citizens of EEA countries have the same rights to live and work in the UK as EU nationals. The EEA+ refers to all the EEA countries plus Switzerland, which is not in either the EU or EEA, but is in the European Single Market, and therefore its citizens have the same rights to live and work in the UK as EU and EEA nationals. For the purposes of this report, UK nationals are excluded from the population of EU, EEA or EEA+ nationals, because their right to live and work in the UK derives from their British nationality rather than EEA+ status.

Securing status for undocumented individuals

Available evidence suggests that there is a substantial gap between the numbers of undocumented children and young people who might be eligible to settle their status, and those who have actually applied.

There are a few existing routes to settlement for undocumented individual, within the immigration rules. However, a number of barriers prevent undocumented individuals from accessing settlement such as lack of knowledge, prohibitive cost of applications and lack of access to immigration advice. Although there are an estimated 215,000 undocumented children in the UK, since 2012 there have been only 15,177 applications for regularisation on family life grounds for children and young people, and 6,131 on private life grounds. In theory, the Government's Settled Status scheme should enable a significant population of EEA+ young people to avoid becoming undocumented. However, there is concern that existing barriers (such as lack of awareness) may lead to children and young people, who currently do not require any permit to be in the UK, being left unable to apply under the new scheme before the deadline of 30 June 2021 (31st December 2020 in the case of a No deal exit from the EU), and consequently becoming undocumented.

Conclusion

The central estimated number of undocumented individuals in London and the rest of the UK should be a cause of grave concern for policy-makers.

Of the 674,000 undocumented individuals estimated to be living in the UK, 215,000 are estimated to be children. Of these children, 107,000 live in London.

According to the report's estimates, around half of children with insecure immigration status were born in the UK. These are children who have known no other country, but their future prospects in the country of their birth remain uncertain.

Despite a number of existing routes for individuals to secure their status, various barriers have led to a low number of individuals accessing these routes over time; these include the rising cost of Home Office fees, increasingly complex immigration systems, reduced availability of high quality and free legal advice, as well as Government cuts to legal aid for most immigration cases.

Since 2012, only around 10% of undocumented children have applied to secure their immigration status. Being without secure immigration status places many children and young people at risk of being unable to access higher education, healthcare, employment and more.

The scale of this issue is likely to increase as we exit the EU, when more children and young people – including many born in the UK – will face the risk of becoming undocumented. Even small-scale failure of the EU Settlement Scheme would inevitably

increase the number of undocumented individuals. Just 5% of eligible EU citizens across the UK failing to get settled status would equal around 150,000 people being left in the UK without appropriate documentation.

These numbers are stark, but this is an opportunity for the Government and stakeholders to work collectively to ensure that the future of these children and young people is secured and they can thrive.

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