

**The Children's Commissioner's response to the Home
Office consultation on changes to the provision of
support for failed asylum-seeker families**

June 2026

The page features a dark blue background with large, abstract, overlapping shapes in white and green. In the top right corner, there is a large white circular shape. In the bottom left, there is a smaller white circle and a green ring. In the bottom right, there is a large, complex graphic consisting of multiple overlapping green and white shapes, including a large green circle and a white ring.

Table of contents

The Children's Commissioner's response to the Home Office consultation on changes to the provision of support for failed asylum-seeker families.....	1
Foreword from Dame Rachel De Souza	3
Summary of the proposals	5
Number of children impacted	5
Measure 1: Reducing support for families with a failed asylum claim.....	7
Failed asylum claims	9
Defining 'genuine obstacles'	9
Measure 2: Reducing support for care leavers with a failed asylum claim	11
Measure 3: Legislating the use of physical interventions on children during enforced removals proceedings	13
Detention and enforced returns.....	14
Annex A: Table of Recommendations.....	16
Annex B: Children's Commissioners Office response to questions set out by the consultation.....	18

Foreword from Dame Rachel De Souza



As Children's Commissioner, I have a statutory duty to protect and promote the rights of children – that includes all children who arrive in this country, no matter how they get here or what their asylum status is.

I have always been clear that it is for government to determine the right rules and levels of immigration. My role is to make sure that, in enforcing those rules, children's rights are respected and that they receive the protection of the Children Act 1989 that they are entitled to.

This is the approach I have taken with every Government decision on immigration policy. When the Illegal Migration Act moved through parliament in 2023, I visited both accompanied and unaccompanied children in hotel accommodation to better understand their experiences and to highlight their needs to government. I have also long advocated for the needs of unaccompanied asylum-seeking children and set out the support and care they deserve in my report *Unaccompanied Children in need of care*.

This is a written response to the Home Office's consultation on family removals and changes to the support for failed asylum-seeker families which proposes a number of changes for families, including children, when they are not granted asylum in the UK.

At the moment, all three of the proposals will put children at risk of harm. The Children Act is clear that children's best interests should always be at the centre of decisions about their lives. And I am clear that includes every child in the country – with no exceptions.

That isn't an abstract idea, it's a very practical one. It means that children's safety and welfare should be the primary consideration whenever they interact with the state. Whether that is a school, in a hospital, or with immigration enforcement.

It means that no child should be left destitute because of their migration status. While it is right that families with failed asylum claims are returned, the system must work swiftly, fairly, with appeals and children cannot be left without support due to bureaucratic delays.

It means that any force used against a child is an absolute last resort, something which is used to protect them or others from harm and done so with the upmost gravity by trained professionals, acting transparently and with accountability. We wouldn't accept any less of the police and we shouldn't expect anything less for these children.

It means that all children who have been in the care of the state should have the same ongoing support as they reach adulthood. I have a special responsibility to children who are care-experienced. For all those children, leaving care is often a cliff-edge moment. That precipice is even greater for children who are also facing a failed asylum claim. Providing care leavers with just 3 weeks to appeal, make arrangements to leave the UK or to find alternative support is simply insufficient for young people already facing a mountain to climb. This response makes recommendations to address those concerns.

A theme running through my response, is that it is essential that we know how many children this may impact, where they live, and what support they might need. Despite my requests, the Home Office cannot assure me of the scope of the impact that this will have on children and families.

As Children's Commissioner, my priority will always be to ensure that the rights and welfare of all children in England are protected. I will continue to press for clear safeguards so that no child is subject to unnecessary distress, detention, or force, and that their best interests are fully considered in any decision affecting them.

Summary of the proposals

The Home Office consultation sets out a range of measures which seek to increase the number of families and adult care leavers who leave the UK to either their home country or a third country following the receipt of a final decision on a failed asylum claim. This is sometimes referred to as ‘family removals’ policy. The Home Office proposes that this is achieved by three separate mechanisms:

1. Reducing/removing support for families with a failed asylum claim
2. Reducing/removing support for adult care leavers with a failed asylum claim
3. Legislating the use of physical interventions on children during enforced removals proceedings

The consultation assumes that the proposals would only apply to the scenario where every appeal option has been exhausted and that the family is deemed to have no ‘genuine barriers’ preventing them to leave the country. See the section on ‘genuine barriers’ under ‘Measure 1’ for further details and the Children’s Commissioner’s comments on this.

This response sets out concerns with the proposals set out in the consultation across each of the three proposed measures. The specific questions asked by the consultation do not facilitate wider commentary or recommendations, and so this is a narrative response aiming to inform and improve the Home Office’s ongoing strategy. A summary of the recommendations made in this consultation can be found at **Annex A**. Responses to the specific questions set out by the Home Office can be found at **Annex B**.

Number of children impacted

The Home Office has not undertaken an impact assessment to identify how many children would be affected by the proposed changes, leaving a significant evidence gap. On 13th April 2026 the Children’s Commissioner’s office requested data from the Home Office about the number of children impacted, however they were not able to provide this data prior to the closure of the consultation. We have therefore reviewed publicly available data to produce our own estimates, as estimates of the likely scale of the impact, as follows:

Around 14,000 family groups in the UK, made up of nearly 47,000 people, were receiving Home Office support as asylum seekers at the end of 2025.¹ General population data suggests that each family group is made up of at least two children.² Almost all Home Office asylum support is delivered through Section 95 (101,500 of the 107,000 claims granted were for Section 95 support).³ By these principles, the Children's Commissioner's office estimates that around 27,000 children could be receiving Section 95 support.

To understand how many of those children may be impacted by these proposals, we determined what proportion of those receiving Section 95 support have a failed asylum claim. In 2025, 12,222 children arriving in families had their asylum claim refused.⁴ In the same year, over 3,000 children left the UK either through voluntary or enforced removals.⁵ We can therefore estimate that at least 9,000 children could have remained in the UK with a failed claim.

Both figures indicate that substantial numbers of children would be directly affected by the proposals if implemented.

¹ Home Office. 2026. [How many people are in the UK asylum system? - GOV.UK](#) Accessed 11/05/26.

² United Nations. 2025. World Fertility 2024. [Link](#). Accessed 11/05/26.

³ Home Office. 2026. [Asylum seekers in receipt of Home Office support detailed datasets, year ending December 2025](#). Accessed 11/05/26.

⁴ Home Office. 2026. [Asylum summary tables, year ending December 2025](#). Accessed 11/05/26.

⁵ Home Office. 2026 [Immigration system statistics data tables - GOV.UK](#)

Measure 1: Reducing support for families with a failed asylum claim

People applying for asylum in England are entitled to Section 95 support (usually provided in the form of accommodation, a small weekly cash allowance, access to NHS services and education) while their application is being processed.

Families with children in the UK who receive a failed asylum claim currently continue to receive Section 95 support after a decision is reached. However, the proposals set out that this support should be limited to 90 days, during which time families should either make arrangements to leave the country or apply for Section 95A support, which they will only be eligible for if they would otherwise be destitute **and** face a 'genuine obstacle' to leaving the UK.

The consultation also proposes that decisions regarding Section 95A support will have no statutory appeals process. Given the potential nuance within the definitions of 'genuine obstacles' to returning, this is concerning and could result in families being forced into destitution as a result of administrative errors. An appeals process would safeguard against this.

Recommendation: If Section 95A support is implemented, the Home Office must introduce an appeals mechanism for decisions not to offer support.

Proposals set out to end support for families 90 days after they receive a failed asylum decision do not provide enough time to ensure appropriate legal avenues can be explored in the current legal aid landscape. Forcing children into destitution at the end of this period is an unethical and unacceptable 'enforcement measure' and a clear violation of their rights.

This is particularly worrying when we look at the timescales set out in the Family Returns Pilot which offers families up to £40,000 to return to their home country, with only seven days to decide on whether to take this up. This is simply not enough time for families to seek legal advice and action further appeals. The Home Office should therefore extend the time offered to families to make this decision, and to consult with those with expertise in immigration justice to determine a more appropriate timescale.

When all legal avenues have been explored and families are determined to have no further rights to appeal and so it is determined they can no longer legally reside in the UK, they should be supported in their transition to leaving the country. The Family Returns Pilot may provide an opportunity to improve this process, and so the Commissioner recommends that any further measures for family returns, such as those outlined in this consultation, are not brought into force until an evaluation of the pilot has been carried out.

Recommendation: A thorough evaluation of the Family Returns Pilot scheme should be completed before any further family returns measures are considered.

The consultation outlines that the Home Office plans to work with failed asylum-seeker families to help them understand their options and identify any obstacle preventing their departure from the UK. Further detail is needed about what this support would entail.

Recommendation: The Home Office should continue to provide Section 95 support to children indefinitely while the next stages of their asylum claim are agreed. Forcing children into destitution should never be used as an enforcement measure.

Section 17 support

The consultation proposes a change in the way local authority support is provided, contradicting the arrangements currently set out in the Children Act 1989. It sets out that, in some scenarios, local authorities could still provide Section 17 “child in need” support to families, but not for the sole reason of preventing destitution. There would be no obligation on a local authority to support a family if they are destitute because they are in the UK with no immigration status.

This would result in the Home Office setting criteria for receiving local authority support. This is a marked change in that the framework for assessing the needs of children would be held by the Home Office, where it would normally be held by local authorities and those working most closely with the child and their families. There is a risk that families with a genuine need for, and right to, Section 17 support do not receive it as a result of these proposals. Children’s needs should be assessed by those who work most closely with them in their local context.

The Children Act 1989 sets out the very foundations of how we care for children in England. It places the best interests of children at the heart of decision making and applies to all children in England. Local authorities must not be impeded from enacting the duties placed upon them by the Act.

Recommendation: Section 17 duties outlined in the Children Act 1989 to provide families with support must not be impeded by Home Office processes. The decision to offer a family child in need support as set out by section 17 should remain open to local authorities.

Failed asylum claims

The consultation proposes that the measures set out would be actionable on all families with a failed asylum claim. However, issues with access to justice in relation to asylum claims, particularly in the current legal aid crisis,⁶ may mean that families have not had adequate legal representation in their claim or been able to exercise their appeal right. In others, where time has passed, families may not have had a chance to put forward new evidence which could impact their claim. We therefore recommend that steps are built into the removals process to ensure that families have been given time and resources to seek proper and complete legal advice.

Recommendation: No family should be subject to removals proceedings until the Home Office is clear that they have been afforded their full legal rights and that they have received adequate legal advice.

Defining 'genuine obstacles'

The consultation sets out that families/care leavers would be exempt from the proposed changes if they face 'genuine obstacles' to leaving the UK. The proposals define a 'genuine obstacle' as:

- unable to leave the UK by reason of a physical impediment to travel or for some other medical reason (which must be supported by such medical evidence as is reasonably required);

⁶ Migrants Organise. 2026. [A View from the Frontline of the Legal Aid Crisis](#). Accessed 11/05/26.

- unable to obtain a travel document to facilitate departure from the UK despite having taken all reasonable steps to do so;
- unable to leave the UK because, in the opinion of the Secretary of State, there is currently no viable route of return available; or,
- unable to leave the UK for some other reason which, in the opinion of the Secretary of State, means the person should be allowed exceptionally to remain for the time being in the UK.

Concerningly, the consultation goes on to say that the following factors will not automatically be considered a genuine obstacle to leaving:

- The fact that the individual may be receiving ongoing medical treatment in the UK;
- The unavailability, or possible unavailability, of medical treatment in the country to which the person is to return;
- The undesirability or inadvisability of leaving the UK for medical reasons.

Children have a right to the best possible standard of healthcare, and these provisions paint a troubling picture with regard to the narrow definitions which will be applied regard to a physical impediment or other medical reason. It is the Children's Commissioners view that the Home Office should remove these exclusionary criteria.

Recommendation: The Home Office should deem children undergoing ongoing medical treatment as having a genuine obstacle to leaving and treat them and their families as such.

The process for identifying which families may have a genuine obstacle to leaving the UK has not been outlined by the consultation. Whatever the final agreed definition, it is important that any such assessment is carried out without bias and in a timely manner to give families time to appeal decisions if needed. Continuing to offer section 95 support without a time limit will help to mitigate the risk of families becoming destitute as a result of process delays.

Measure 2: Reducing support for care leavers with a failed asylum claim

It is also proposed that care leavers with a failed asylum claim will no longer be eligible for ongoing Section 95 support or tailored local authority support usually offered to care leavers after they turn 18, following a 21-day buffer period after receiving their final decision and the outcome of any subsequent appeals. In reality, this will mean for some care leavers that all support they receive is withdrawn 21 days after their 18th birthday.

Currently, young people who turn 18 having been in local authority care become care leavers, with specific support from the local authority. There is provision for local authorities to assess removing care leaver support for some young people without status in the UK through human rights assessments, but if this process is not initiated, they have the same support as care leavers with a legal right to remain in the UK.

For any child, leaving care is often described as feeling like a 'cliff edge'. These proposals seek to remove almost all the scaffolding and support which mitigate against this, such as being assigned a PA, support with accommodation, education and finances. Care leavers with ongoing immigration issues may also require additional support from their local authority, due to having restricted eligibility for benefits and restricted rights to work and rent. The proposals set out by this consultation seek to remove all of this.

There is a suggestion in the consultation that the local authority may wish to carry out a human rights assessment to determine if they should provide alternative further support. However, the process of initiating, performing and concluding such an assessment in already-stretched local authorities is unlikely to be possible in the 21-day timeframe outlined. As a result, even care leavers who are assessed as needing ongoing support via the Human Rights Act are likely to lose continuing care and the stability and relationships which we know matter so much to care leavers.

Schemes offered to adults, and the recent Family Returns pilot scheme, can be difficult for care leavers to access, due to their age, the impact of trauma and the legal aid crisis meaning that they may have

had to navigate the asylum system as a child without legal aid. As a result, they are likely to be caught in uncertainty without support or a safe route out of the UK.

Providing care leavers with just 21 days to appeal, make arrangements to leave the UK or to find alternative support is simply insufficient. Given that care leavers are not included in the Family Returns Pilot, despite their potential vulnerabilities, there is an increased risk that this cohort will be pushed into homelessness and destitution, increasing their risk of criminal exploitation.⁷ This is a growing problem; recently published statistics show record levels of modern slavery in the UK.⁸ Some of the largest populations of those seeking asylum are reflected in the data, with Eritrean nationals forming 13% of victims of modern slavery, and Vietnamese nationals forming 9%.

The Home Office has not provided evidence that destitution is effective in motivating those with a failed asylum claim to leave. Instead, the proposals are likely to result in a cohort of young people living in communities across England who are forced into homelessness and at risk of criminalisation, without any access to support to make their lives better or to engage positively with their local area.

It is right that when unaccompanied children arrive in the UK seeking asylum they are cared for by the local authority, given safety, stability and the chance to recover and grow. To then withdraw that support the moment they turn 18 is not only unethical but counterproductive. It cuts against years of work by children's services to soften the cliff edge for care-experienced young people and denies these young people the continuity they need as they move into adulthood, whether that is in the UK or elsewhere.

Recommendation: The Home Office and Department for Education should ensure that care leavers with a failed asylum claim maintain their care leaver status until a human rights assessment has been carried out by the local authority, in line with current arrangements.

Recommendation: Asylum support for care leavers is provided in line with support for families. Recommendations that the CCo has made regarding Section 95 support, including that this should not be time limited, therefore also apply to care leavers.

⁷ ECPAT UK. Government proposals risk pushing vulnerable care leavers into exploitation. [Link](#). Accessed 07/05/2026

⁸ The Independent Anti-Slavery Commissioner. Anticipating Exploitation. [Link](#). Accessed 05/05/2026

Measure 3: Legislating the use of physical interventions on children during enforced removals proceedings

This part of the consultation refers to a scenario in which the process to arrange a mutually agreed exit from the UK (either with or without support) has not been successful and the decision has been taken to undertake a forced removal.

Currently, Immigration Officers and Detainee Custody Officers are not permitted to use physical interventions on children when carrying out their duties. This consultation proposes to permit both groups to physically intervene where an accompanied child (i.e. a person under the age of 18 within a family group) does not comply with a requirement to leave the UK, for the purposes of effecting their removal.

The proposal sets out that a continuum of interventions should be used, ranging from level 0 (non-physical measures) to level 3 (which includes the use of handcuffs). The onus would be placed on officers to use their own professional judgement as to which level of force to use and sets out this should always be the minimum level needed. However, there is no detail as to what training such officers will be provided with, and this cohort of professionals are not trained to work with children as standard.

The Children's Commissioner is deeply concerned about the use of force against children in any scenario other than to keep them and other people safe. Her recently published report *Police powers and children – strip searching and use of force*⁹ examined the use of force by police in strip searches. Alarming, it highlighted a clear ethnic disproportionality in why officers say force was needed: White children are more likely to be described as having a mental health need, while for Black children the reason identified is simply their size or build. Given that the cohort of children most likely to experience immigration removals are ethnic minorities, we are concerned that this disproportionate use of force could be replicated in the immigration removal system if the use of force is introduced.

⁹ Children's Commissioner for England. 2026. Police powers and children – strip searching and use of force. [Link](#).

The consultation as it stands does not provide enough information about the safeguards which would be applied if introduced to make sure that all staff who could use force against a child are trained to the highest standards and are able to apply clear thresholds for use which are specific to the potential escalating scenarios which could arise. The Children's Commissioner therefore does not support the proposals to use force against children during enforced removal proceedings.

If the Home Office moves forward with this proposal, they must set out that reasonable force should only ever be used as a last resort, that there must be a clear legal basis for using it and the thresholds for its use must be set out very clearly within the specific context of immigration removals. Any decision to use force should have sign-off at an appropriate level of seniority. There must be clear requirements to record every instance of use of force, including the reason for its use, what methods for deescalation were first deployed, details of the child, and details of who used force. There must also be clear review mechanisms, and inspectorates must have the data made available to them.

Immigration and Detainee Custody Officers do not all currently receive training specific to working with children. The Home Office should prioritise training these staff in non-physical deescalation interventions before considering whether the introduction of the proposed policies is proportionate or necessary.

Recommendation: The Home Office should not action proposals to permit Immigration and Detainee Custody Officers to use force against children. Any future decisions regarding the use of force against children should be consulted upon alongside a clear, structured and detailed framework which outlines the legal basis and lines of accountability for any such use of force.

Detention and enforced returns

A further potential unintended consequence of increasing family removals is increased immigration detention of children. According to published Home Office statistics,¹⁰ detention was used to facilitate the majority (97%) of enforced returns in the year ending December 2025.

¹⁰ Home Office. 2026. How many people are detained under immigration powers in the UK?. [Link](#). Accessed 11/05/26.

In 2025, 27 children overall were detained for immigration purposes. Three of those children were returned, with one of them staying in detention for over a week. It is the Children's Commissioner's ultimate ambition that no child is detained. In the very rare cases where this needs to happen, it should be because there is an immediate risk of harm to the child or those around them.

The Home Office's ambition to increase the number of families being returned raises concerns about potential increases in the number of children who are detained for the purpose of immigration removals. The Children's Commissioner urges the Home Office to consider and mitigate for this risk to ensure that the detention of children does not increase as an unintended consequence of the proposed changes.

Annex A: Table of Recommendations

The recommendations set out in this consultation response to the Home Office are summarised below:

1	No family should be subject to removals proceedings until the Home Office is clear that they have been afforded their full legal rights and that they have received adequate legal advice.
2	The Home Office should deem children undergoing ongoing medical treatment as having a genuine obstacle to leaving the UK and treat them and their families as such.
3	If Section 95A support is implemented, the Home Office must introduce an appeals mechanism for decisions not to offer support.
4	The Home Office should conduct a thorough evaluation of the Family Returns Pilot scheme before any further family returns measures are considered.
5	The Home Office should continue to provide Section 95 support to children indefinitely while next stages of their asylum claim are agreed. Forcing children into destitution should never be used as a political enforcement measure.
6	Section 17 duties outlined in the Children Act 1989 to provide families with support must not be impeded by Home Office processes. The decision to offer a family child in need support as set out by section 17 should remain open to local authorities.
7	The Home Office and the Department for Education should ensure that care leavers with a failed asylum claim maintain their care leaver status until a human rights assessment has been carried out by the local authority, in line with current arrangements.

8	The Home Office should provide Asylum support for care leavers in line with support for families. All of the recommendations made above therefore also apply to care leavers.
9	The Home Office should not action proposals to permit Immigration and Detainee Custody Officers to use force against children. Any future decisions regarding the use of force against children should be consulted upon alongside a clear, structured and detailed framework which outlines the legal basis and lines of accountability for any such use of force.

Annex B: Children's Commissioners Office response to questions set out by the consultation

Many of the questions set out by the consultation do not provide an opportunity to comment more widely on the proposals. However, the responses below have been submitted to the consultation platform as supplementary to the narrative response set out in this document.

Question	Children's Commissioner's response
Questions 1 – 10 do not relate to the content of the consultation so have not been responded to.	
Question 9: To help manage the transition for those currently receiving section 4 support and failed asylum-seeker families currently receiving section 95 support, how can the Home Office best communicate the changes to those affected?	N/A – the Commissioner does not support the proposed changes and therefore does not have a view on how they should be communicated with those affected.
Question 10: Are there any other measures the Home Office should consider to help manage the transition for these cases?	No
Question 11: Do you agree with the proposed length of the grace period being set at 90 days for families with children in their household?	No- see recommendation 5 .
Question 12: If late applications (outside of the grace period) for section 95A support were to be	N/A- see above

<p>considered, what circumstances should be taken into account?</p>	
<p>Question 13: If an asylum caseworker is satisfied that there is already evidence that a family on section 95 support meets the eligibility criteria for section 95A support, do you agree that the family should be automatically transitioned to section 95A support (i.e. once the regulations come into force, the family will not need to make a new application for section 95A support themselves)?</p>	<p>N/A- see above</p>
<p>Question 14: Do you agree that an application process for section 95A support should be implemented for all new cases not currently in receipt of asylum support?</p>	<p>No- see recommendation 5.</p>
<p>Question 15: What actions do you agree that caseworkers should take to ensure children's welfare when considering discontinuation of support for failed asylum-seeker families?</p>	<p>N/A- see above.</p>
<p>Question 16: Do you agree with the proposal to transition failed asylum-seeker families, who have remained on section 95 support, onto section 95A support?</p>	<p>No- see recommendation 5.</p>

<p>Question 17: In addition to the examples proposed at paragraph 19, is there anything else that could be considered a genuine obstacle that might temporarily prevent a family from leaving the UK?</p>	<p>Yes- see recommendation 2. The Home Office should engage further with the sector in developing any such definitions further.</p>
<p>Question 18: What evidence should be required from applicants to demonstrate a 'genuine obstacle'?</p>	<p>N/A- the Home Office should first revise the definitions of a genuine obstacle.</p>
<p>Question 19: Are there any other conditions that you think should be required for the continued provision of section 95A support?</p>	<p>N/A- see recommendation 5.</p>
<p>Question 20: For failed asylum-seeker families, do you agree that an application for leave to remain in the UK must be on the basis of Article 8 ECHR as set out in paragraphs 26- 27?</p>	<p>Yes</p>
<p>Question 21: For failed asylum-seeker families, do you agree with the proposed factors that the local authority must and must not take into account when considering if condition E is satisfied as set out in paragraphs 26 and 28?</p>	<p>No- see recommendation 6.</p>
<p>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</p>	<p>No- see recommendation 7.</p>

into account when considering if condition D is satisfied as set out in paragraphs 31-32?	
Question 23: For adult care leavers with no legal status, do you agree with the proposed proposals set out in paragraphs 33-35?	No- see recommendation 7.
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 36?	No- see recommendation 7.
Question 25: Are there other principles that should be considered?	N/A
Question 26: Do you agree with the proposals set out in paragraph 37?	No- see recommendation 7.
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 38?	No- see recommendation 7.
(Section 2) Q8. Do you support or oppose the broad proposal to enable officers to physically handle a child for the purposes of lawfully removing them from the UK?	Strongly oppose- see recommendation 9.

<p>(Section 2) Q9. Do you think that the physical interventions listed in paragraphs 6 – 8 strike the right balance between ensuring the effective functioning of the immigration system and meeting the particular needs of children?</p>	<p>No- see recommendation 9.</p>
<p>(Section 2) Q10. Do you think that the physical interventions listed in paragraphs 6 – 8 are appropriate for responding to a situation in which non-compliance is occurring because a parent is firmly holding onto their child (under the age of 10) and refusing to move?</p>	<p>No- see recommendation 9.</p>
<p>(Section 2) Q11. Prior to enforcement action, the factors we think officers should consider when determining whether, and if so how, physical handling should be used for the purpose of removing an accompanied child are set out in paragraph 9. We welcome views on this list, including whether any additional factors should be included.</p>	<p>N/A- see recommendation 9.</p>
<p>(Section 2) Q12. During enforcement action, the factors we think officers should consider as part of the dynamic risk assessment prior to any physical handling for the purpose of removing an accompanied child are set out in paragraph 10. We welcome views on this list, including whether any additional factors should be included.</p>	<p>N/A- see recommendation 9.</p>

<p>(Section 2) Q13. Do you think there is a risk of unintended consequences arising due to families being made aware that an officer may physically handle their child in order to counter non-compliance?</p>	<p>N/A- see recommendation 9.</p>
<p>(Section 2) Q14. Are there any reporting requirements that you think should be put in place in addition to those set out in paragraph 11 which should be considered following a physical handling incident involving a child?</p>	<p>As per recommendation 9, physical handling should not be used as a part of immigration proceedings. However, should the Home Office enact the proposals set out in the conversation, further work must be done to determine reporting requirements, training standards and independent monitoring.</p>
<p>(Section 2) Q15. Are there any safeguards in addition that you think should be put in place to those set out in paragraphs 12 – 15 if the physical handling of children by officers is permitted to overcome non-compliance?</p>	<p>As above.</p>
<p>(Section 2) Q16. What alternatives should be prioritised before resorting to physical handling to overcome non-compliance involving a child?</p>	<p>As above.</p>
<p>(Section 2) Q17. In light of potential cultural and language barriers, how should officers assess and interpret whether a physical intervention is causing a child considerable discomfort, and how should they respond?</p>	<p>As above.</p>

<p>(Section 2) Q18. In relation to the proposed independent annual audit of all physical handling incidents involving a child [paragraph 16], what should the audit focus on, how should it be conducted, and by whom should it be carried out?</p>	As above.
<p>(Section 2) Q19. Do you have views on the approach set out in paragraph 17 for communicating with children and families before, during and after any physical handling incident?</p>	As above.



**11th Floor, 64 Victoria Street
London, SW1E 6QP**

www.childrenscommissioner.gov.uk

 [@childrenscommissioner](https://www.instagram.com/childrenscommissioner)

 [@ChildrensComm](https://twitter.com/ChildrensComm)