



*Liquid children: reflections on the
movements forced migrant children make
towards their 'best interests'*

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Only ordinariness will save us

Ian McEwan 18th August 2012

He recalls, while researching *Atonement*, how he came across a letter in the Imperial War Museum from a young lieutenant to his fiancée written as his company was withdrawing from Belgium and all of France seemed on fire.

‘He wrote, “This is the end of civilisation. I don’t see how we are ever going to get out of this.” He’d just seen 20 or 30 orphans lying on the ground, killed by the shelling of the city centre. In a letter sent by the very last post available, he told her to go and see his father and borrow 80 guineas and buy the house they had seen. He said “**only ordinariness will save us**”.

‘It was a sort of proposal of marriage and reading that I thought something of my own parents and their generation – they seemed so timid and boring in their love of ordinariness and domestic life and simple things. That was why they went on about the new colour TV or the car they polished every Sunday, **the regular unthreatening life**. They’d seen things we’d never seen

This talk....

- Contextualises some key issues in Europe in 2015 and beyond....
- Focuses on children on the move, between places, over time, and across maturational domains
- Discusses Article 3 of the UN Convention on the Rights of the Child in the work of advocates and guardians in the UK offering protection and support to asylum seeking and trafficked children

Why 'liquid' children?

- Migration as a form of 'human global warming'.
'We' are melting and we live in liquid times
- From being locally embedded in communities, to moving within and across communities of experience
- Creating diffusion between 'us' and 'them' –
*'they are children, but they are not **our** children'*

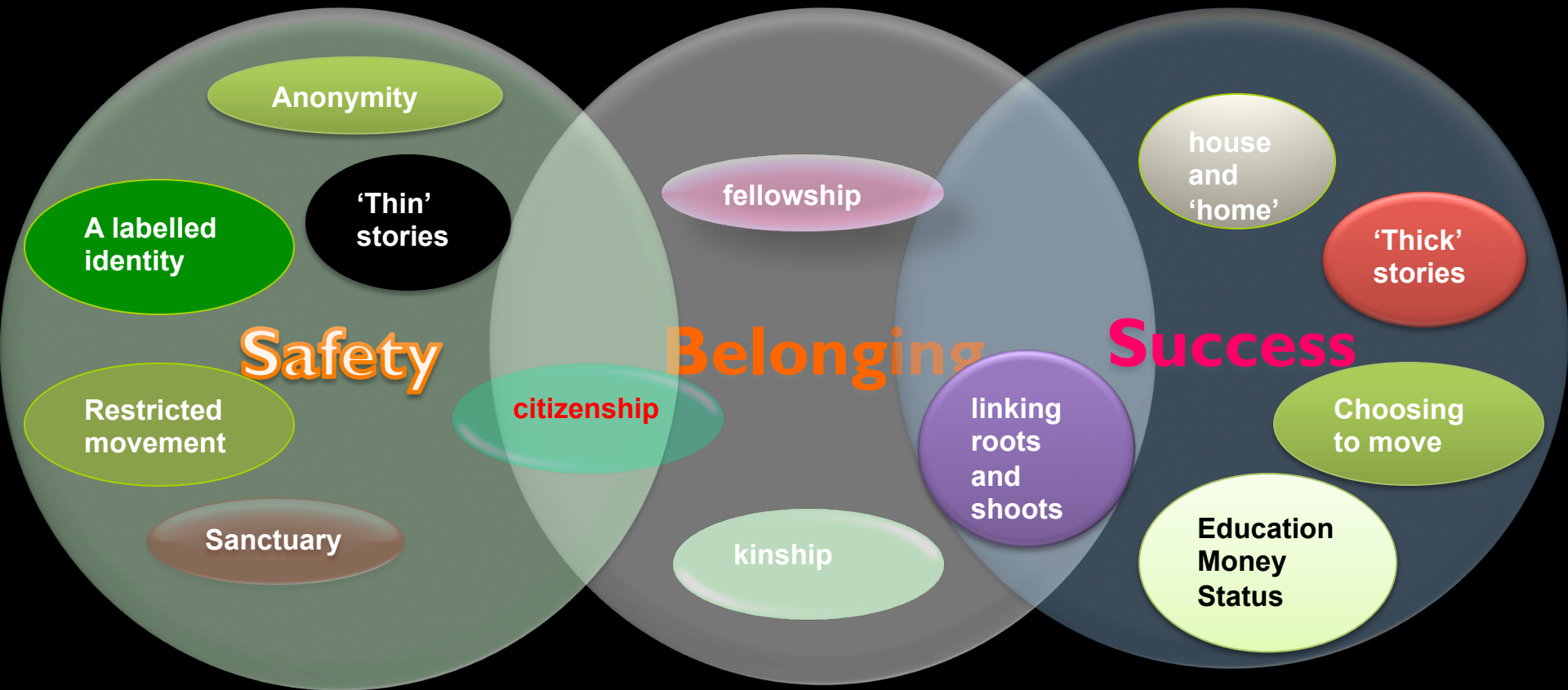
In summary

- A world more divided
- Aylan Kurdi's death
- The slow death of the Schengen Agreement
- The contributions refugees make
- They are 'like us' and 'no different to us'
- The need for humanity and reason
- An invitation to be 'the best that we can be..'
- Facts that resonate with humanitarianism

The pulse of seeking asylum alone

- **Paradox:** Move away because you are loved
- **Guilt:** Be safer, when the family may not be
- **Hope:** an honour and a punishment
- **Risk:** At risk and a risk to others
- **Investment:** a future return
- **Anonymity:** Silences and secrets
- **Bewilderment:** Chronic uncertainty and fear

The move towards an ordinary life



Geographical changes

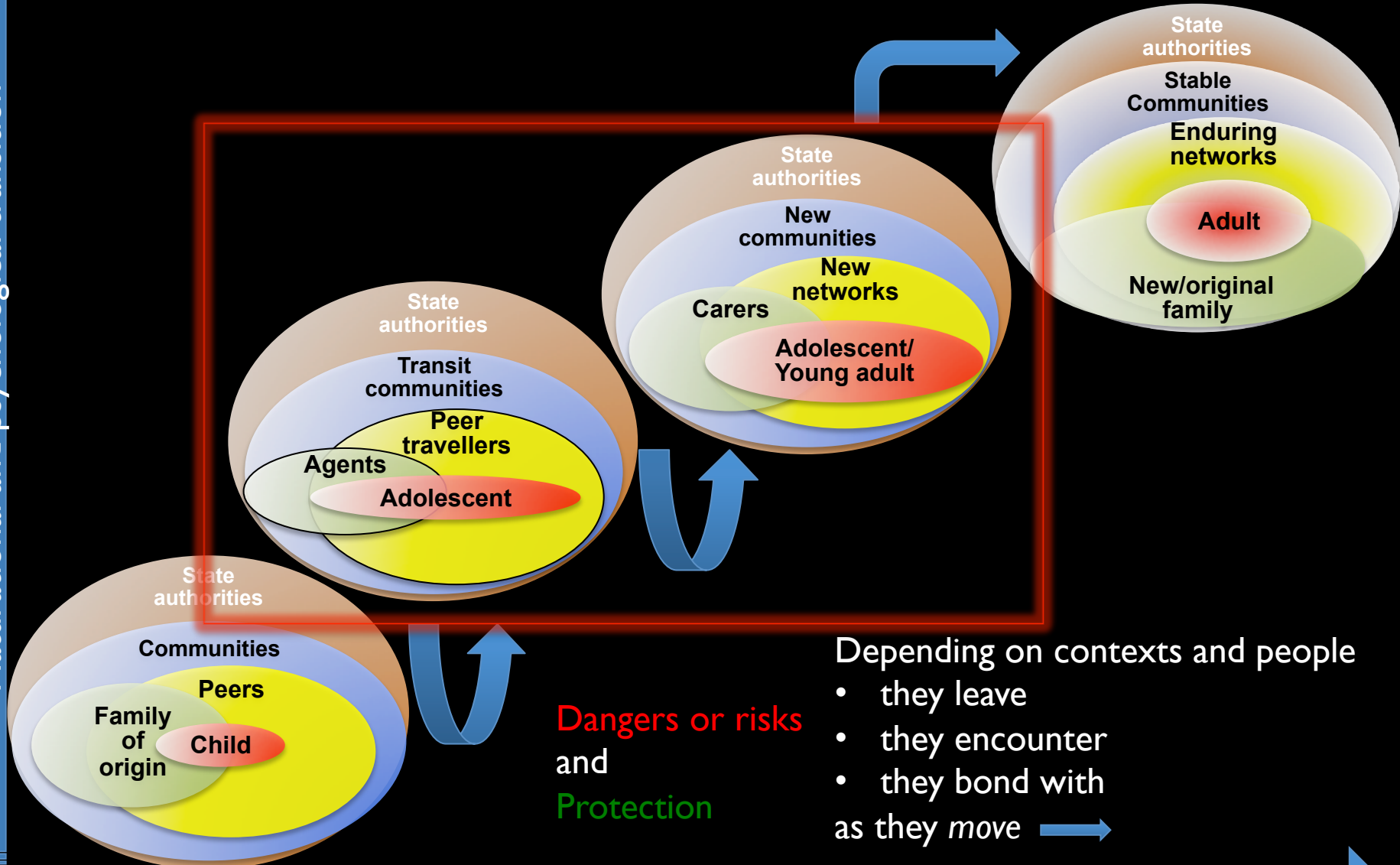
Country of origin

Transit countries

Country of asylum

Country of life long settlement

Maturation and psychological transition



Dangers or risks
and
Protection

Depending on contexts and people

- they leave
- they encounter
- they bond with

as they move →

The passage of time

Movement involves constant calibrations

- Stories - that are gathered, stored, ignored, told and retold, edited, segmented, subverted, sentimentalised, believed and disbelieved
- Orchestration and improvisation
- Integrating and disintegrating: fitting in, being a good citizen, being grateful, keeping tidy, being obedient
- Practising happiness

house
or
flat



Happy
Life

Parents

Food

Love

country

Looking
after

Joy
Full place

Care

Friends

Others

CRC/C/GC/14, paragraph 7 I

- When assessing and determining the best interests of a child or children in general, the obligation of the State is to ensure the child [has] such protection and care as is necessary [...] in relation to [...] the child's 'well-being' and development. Children's well-being, in a broad sense includes their basic material, physical, educational, and emotional needs, as well as needs for affection and safety

Article 3 and movement

- *The best interests of the child is a dynamic concept that encompasses various issues which are continuously evolving*
- Best interests is always contextual, bound by **who** is asking or telling, **where** it is being determined, **how** facts are interpreted, and **when** it is happening in a child's life, considering the past, present and future

Article 3 as an extended guarantee

- a whole life perspective on the child who will need to grow up safely in a context where they can fulfil their talents and ambitions based on a series of inter-linked actions over an extended period, allowing the child's trajectory to be planned in order to achieve stability into adulthood and older age.
- **Article 3 is a sequence, not an event.** It is more than a guarantee of the absence of immediate harm. It is also the presence of opportunity over time. Beyond the determination of a child's asylum status, it includes the provision of welfare, and the regeneration of social networks within which children can re-root. In other words, it has a liquid meaning

Examples of Article 3 in practice

- The Scottish Guardianship Service
- Independent Child Trafficking Advocates in England and Wales

An independent Guardian or Advocate
is

A safe adult who is

By their side

On their side

as they arrive, stay, or leave

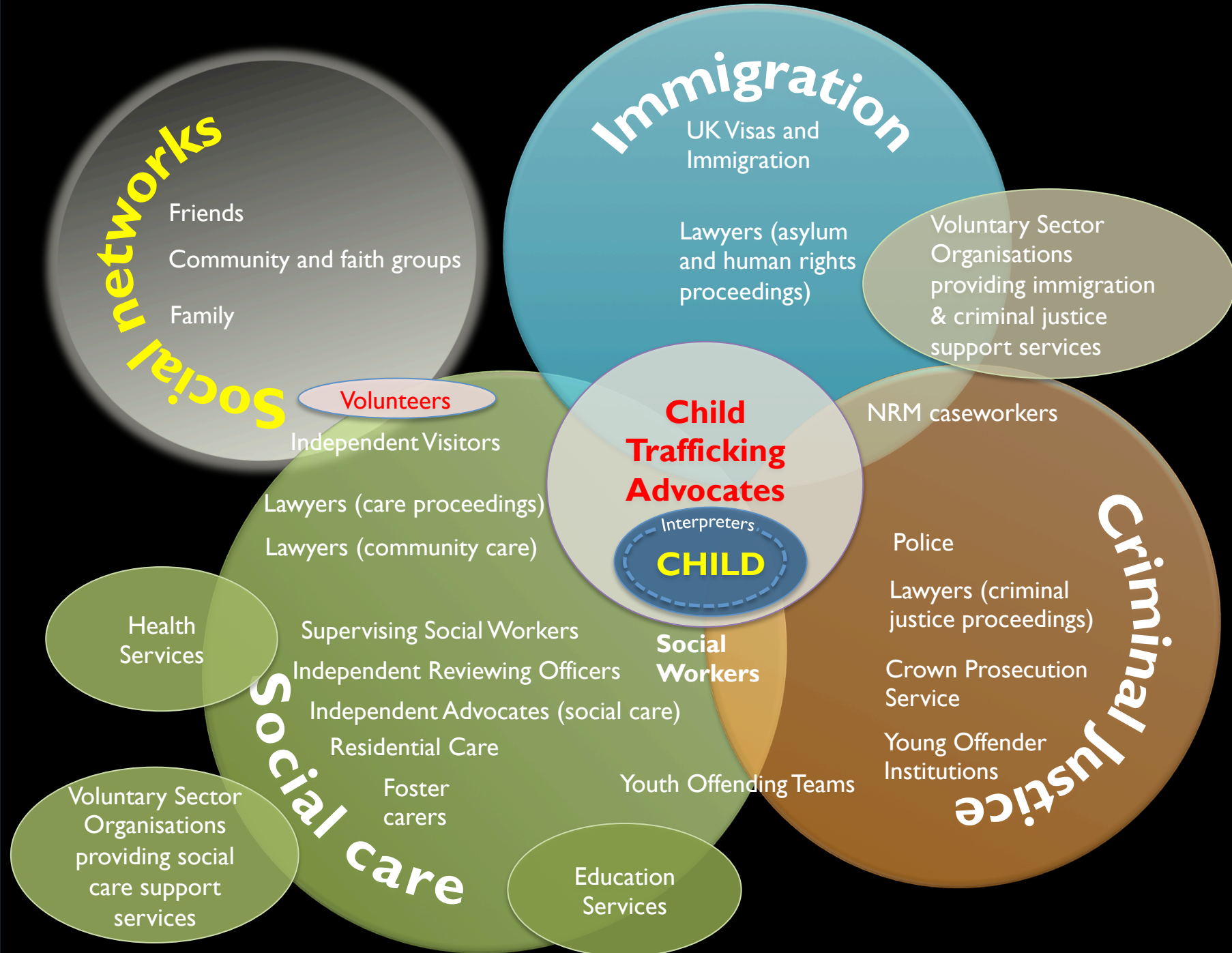
Aims

- To help asylum seeking and trafficked children understand what is happening to them, and speak up for them when necessary
- To enhance timely, clear and consistent decision making by stakeholders in criminal justice, immigration and social care services

Legal powers for guardians/advocates

- **England/Wales Modern Slavery Act (England & Wales) 2015**
 - **Northern Ireland Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015**
 - **Scotland Human Trafficking & Exploitation (Scotland) Bill**
- A: To ensure good quality legal advice
- B: To challenge public authorities to ensure high standards of protection and care

Domains of CTA work



Guardianship/advocacy practice

- **Time and companionship**
- **Constancy and endurance**
- **Trust:** honesty, clarity, reliability, kindness, warmth, attachment, precision
- **Order & safety:** the humanitarian advocate/fixer, guard(ian), elder, mentor
- **Peace & belonging:** witness, therapist, a history & memory holder, network generator
- **Rhythm & success:** protective confederate, friend or missing family member, an ethical subversive, and optimist, able to and allowed to see a complex world

Children's experiences of advocates

Children said that they were grateful for having someone on their side in meetings that would otherwise have been bewildering or frightening. Over time, they described the advocates as as people who could negotiate with other important people in their formal networks of care and protection. They shielded them:

Child: Because I always need somebody to defend me.

Interviewer: Do you have an example of when [the advocate] has defended you?

Child: She defends me anytime...It's also true that she understands my fears and concerns. It's true that my advocate listens to and understands the kinds of things make me fearful and keep me safe. In particular [the advocate] has tried to be an adolescent, to come to my level and reach the same wave length with mine and while at the same time, being an adult who will offer me the feeling of safety that I need, so it has been a perfect combination of covering both parts

Article 3 as a container of ordinariness

- Re-experiencing other people as safe and trustworthy
- Re-experiencing being in charge of one's life
- Being healthy, achieving, being successful
- Having solid hope and being loved
- Being unremarkable, or remarkable in a valuable way

'best interests'

Trust

Time

Belonging

Companionship

Safety

Dignity

Success

Sustainability

Ordinariness

Home