
Working with Young Foreign National Prisoners

As with any other group of prisoners, Young Foreign National Prisoners are by no means a homogenous group and will include people from a range of backgrounds and experiences. However, they may have some factors in common

Identity

Some young FNPs who have lived in the UK for a large portion of their lives may not identify as a Foreign National. They have grown up in the UK and feel themselves to be British, though perhaps with an additional element such as 'British Somali' or 'British Jamaican', yet if they have not been naturalised as UK citizens their identity as British can seem to mean nothing once they enter the criminal justice system. This can be a frightening and confusing experience for a young FNP.

Young People and Deportation

A person who is under the age of 18 when they are convicted of an offence is exempt from deportation. However, a criminal conviction for a young person with temporary leave to remain is likely to impact on any future applications for further leave to remain.

Deportation or removal can be a frightening prospect for anyone, but for a young person there may be a number of reasons why it is a particularly frightening possibility.

Young people may be unrecognised victims of trafficking. If they are returned to their country they may at worst face reprisals from the trafficker or at best simply fall back into the hands of their trafficker and face re-trafficking.

Other young people may have spent a number of years in the UK, possibly having very little memory of their country of origin, and certainly not considering it their 'home country'. They may not speak the language, be unfamiliar with the country's systems or have little or no remaining family there. Deporting them may be the equivalent of dumping you or I in an unfamiliar country whose language we do not understand with no money or resources.

Some young people have come to the UK in difficult and traumatic circumstances, or fleeing violence and/or extreme poverty and may have a number of reasons why they do not wish to return. Research by Catherine Gladwell of Refugee Support Network monitoring the experience of young men returned to Afghanistan noted a number of issues including:

- Family may have incurred debts or sold valuables to facilitate the journey of the young person to the UK in the expectation that the young person would be in a position to send money back to their family. When they return without money they face the disappointment of their family and the possible consequences of indebtedness or further impoverishment.
- Having spent several years in a peaceful and affluent society, return to the poverty and insecurity in Afghanistan can precipitate anxiety and depression;
- While young people may have been able to access education in the UK, they return to Afghanistan with no education records and low levels of literacy in their own language
- Young returnees may be perceived as having been ‘westernised’, and have problems due to being seen to have lapsed in their practice of Islam. In some cases there were instances of young returnees being targets of violence and kidnapping due to perceptions that they must have money.
- Lack of knowledge or capacity among UK organisations to help returnees prepare for return.

Similar factors may affect young returnees to other countries.

Given all of this it is essential that any Young FNP facing deportation has a chance to access legal advice to assess whether they might fit into any of the excluded categories for deportation. In particular, there may be more weight given to strength of family and private life of a young person who has spent most of their formative years in the UK.

Preparation for deportation

In reality, there is no way to effectively prepare a young person for deportation to a country with which they are unfamiliar, where they have few or no contacts and to which they do not wish to return. However, if a young person in such a situation is deported then a little basic preparation might be the difference between surviving or not.

With those for whom there is a high probability that they will be returned to their country of origin, it would be wise to invest greater time than usual to work with them on the resettlement planning process as they are likely to find it particularly hard to plan for something that they do not want to happen. They are also more likely to be unfamiliar with their country of origin than older FNPs, and may not even speak the language.

Young FNPs should be encouraged to discuss the possibility of return to country of origin with any family that they have in the UK and to identify any family members that they may still have in country of origin. Resources such as the Red Cross Family Tracing service (see Resettlement Abroad for contact details [link to Resettlement Abroad]) can be utilised to try to find family for FNPs who do not know the whereabouts of family in their home country.

Family

Many Young FNPs lack family support while they are in prison.

There could be a number of reasons for this some of which are not necessarily exclusive to Young FNPs. Here are a few possibilities:

- They have no family in the UK, or , indeed, no known family anywhere;
- They are estranged from their family, possibly due to their offending behaviour or due to generational cultural differences;
- Their families feel unable to visit them in prison either due to fear (based in experience or expectations of prison) or because, due to their own immigration status, they lack suitable documentation to obtain entry to prison

As support from family can be crucial in resettlement (whether in the UK or abroad), if the Young FNP does have family, thought should be given to how their relationship with their family can be facilitated.