

Age disputed children detained under the 'one-in-one-out' scheme: briefing note

May 2026

Summary

Since its commencement in August 2025, the one-in-one-out scheme has been wrought with systematic failures in screening and safeguarding, compounded by the rapidity of the process and the extreme difficulty of obtaining legal advice in detention. Against this background, **there are a high number of age-disputed children placed on the scheme, detained and sometimes removed.** This is despite the fact that children are excluded from the scheme, and government policy limits immigration detention of unaccompanied children to 24 hours.

Since its commencement in August 2025, we are aware of at least 141 age disputed young people detained under the scheme. At least 64 have subsequently either been found to be children by local authorities, or are in their care pending further inquiries. 18 have been removed to France. Factors contributing to this situation are:

- Children are misidentified as adults during initial screening processes. These occur the day of arrival off a small boat, and often at night, so children are exhausted and disoriented. Interpretation is often poor and some interviews are conducted by phone.
- Some children claim to be adults in this context, following coercion from smugglers.
- There are strong indications that, when children disclose their age at screening, they are often disbelieved by the Home Office and recorded to be adults without referral to a Local Authority.
- More recently some children are reporting that they did raise their minority ages during screening processes upon arrival, however there is no record of this visible in documents, and they were detained as adults regardless, with no referrals being made to the relevant Local Authority.
- In detention, the Home Office often fails to refer young people to the Local Authority when they disclose that they are a child.
- There are long waits for Local Authority age assessments, and these are conducted in detention, which fundamentally undermines them. Key factors include: the trauma of detention makes it more difficult for children to engage with the process and recount their experiences, and in detention communication and technological barriers make it more difficult to gather relevant evidence.

Briefing: Age disputed children detained under the 'one-in-one-out' scheme

There is a clear and increasing pattern of children being detained and removed to France under the scheme, but no discernible change in Home Office practice to address this.

Detention - which entails incarceration in prison-like conditions - is profoundly damaging to the children subjected to it and raises huge safeguarding concerns. We routinely observe serious impacts including deteriorating mental health, self-harm and self-isolation, and children are forced to share rooms with adult men. Furthermore, the overall context of detention is volatile and unsafe, with access even to healthcare being very limited. This whole situation is very dangerous and will only become more so if nothing is done to change it.

Recommendations

We defend the right to territorial asylum and we do not believe that one person's access to asylum should be dependent on another being denied it. We also do not believe anyone should be detained for immigration purposes. For as long as the one-in-one-out scheme continues to operate, urgent change is needed to protect children and ensure they are never placed on the scheme or detained.

Initial Screenings and Age Assessments as a whole

- Where a young person asserts they are under 18, they must not be detained. They must be treated as a child other than in truly exceptional circumstances (e.g., strong evidence that they are in their late 20s).
- Even where such circumstances are taken to exist, the person concerned must be referred to the Local Authority. Merton Compliant Age Assessments are known to have a negative psychological impact on children and should therefore only be conducted where necessary.¹ If a Local Authority deem it necessary to conduct a full age assessment, this should only take place in the community and not in detention.
- Where a person claiming to be a child is being treated as an adult and to be moved to detention, the Home Office should notify the relevant local authority so that they are aware that there is a putative child in their area.
- Notify relevant local authorities (LAs) when a purported child is treated as an adult by the Home Office.
- Ensure age assessments are Local Authority led and Merton compliant.

¹ For details of the impact of age assessments on children, see Helen Bamber Foundation, [*"They have to believe what we say. We have to chase our dreams. We have to be steady. We have to be alive": The psychological impact of the age dispute process on unaccompanied children seeking asylum in the UK*](#) (Mary 2024).

In and after detention

- A person must be released from detention into safe accommodation in the community as soon as their age is disputed:
- This should ideally be Local Authority care, but keeping a potential child in detention is never conducive to safeguarding, so where there are delays in arranging LA care, release to supervised community accommodation is preferable to maintaining detention.
- Where the Local Authority has conducted an initial screening and the young person is awaiting a fuller assessment, indicating that the individual may be a child, the young person should be released immediately.
- Age assessments must never be conducted in detention, as this fundamentally undermines their fairness and effectiveness.
- Having initially claimed to be an adult or otherwise having an age over 18 recorded at screening interview, should never be used as a reason to disbelieve a later disclosure of being a child, or dismiss concerns raised by someone else that a young person may be a child. There is compelling evidence that children are routinely misidentified as adults during initial screening on arrival in the UK, and sometimes say that they are adults due to coercion and misinformation, so this should not be treated as useful evidence.
- If intending to remove an individual under the 'One-in-one-out' scheme, the Home Office must make a mandatory referral to a local authority for an age assessment and ensure that the age assessment, where required is able to conclude in full in line with Merton guidance before any removal takes place.

A Merton Compliant age assessment is a holistic process by which appropriately trained local authority social workers determine the age of an unaccompanied or separated child, where their age is in dispute. It involves considering background, demeanour, social history, education, as well as the views of trained professionals who will interact with the individual such as teachers and accommodation staff. Age assessments should only be carried out where there is significant reason to doubt that the individual is a child. Age assessments should not be a routine part of a local authority's assessment of unaccompanied or trafficked children.

About JRS UK

The Jesuit Refugee Service (JRS) works with refugees and forcibly displaced people in over 50 countries worldwide. JRS in the UK specifically works with people in immigration detention and people who have been refused asylum, many of whom are pursuing fresh asylum claims. JRS UK runs detention outreach services to Harmondsworth and Colnbrook Immigration Removal Centres, providing practical, pastoral and casework support; and runs a legal project, activities and accommodation project for destitute asylum seekers. JRS UK conducts research and policy work across these areas. JRS UK's detention outreach team has supported people detained under the UK-France 'One-in-one-out' scheme since it commenced.

About Humans for Rights Network

Humans for Rights Network (HRFN) is a needs-led human rights organisation based in the UK and working across the UK and northern France. We provide high quality investigative casework across the UK to people placed at risk by the UK asylum system. We also engage in strategic litigation to directly challenge unlawful practices within UK asylum and migration systems as well as monitoring the impact of UK border policy at the UK/France border. For more information about our work, see <https://www.humansforrights.org>

The scale and shape of the problem

Unaccompanied children are not formally subjected to the one-in-one-out scheme and, under government policy, should never be detained indefinitely or in adult settings; unaccompanied children may only be detained for a maximum of 24 hours. However, the Home Office is routinely misidentifying children as adults, and detaining them for removal both upon arrival and due to flawed Home Office age decisions made whilst children are detained. Many are ultimately found by Local Authorities to be children, demonstrating Home Office failures. Others have wrongly been assessed as adults by the Local Authorities. We are aware of several age-disputed young people who have been removed under the scheme. Our concerns extend to those who are falling under the radar and removed without ever accessing advice or having an age assessment.

Since the scheme's commencement in August 2025, HFRN, JRS UK and other NGOs have supported at least 141 age disputed young people.² At least 64 have either been found to be children by local authorities, or are in their care pending further inquiries. At least 18 have been removed to France. A further 13 have been released into adult asylum accommodation either due to successful bail applications or due to being spontaneously dropped from the scheme. 36 are engaged in ongoing legal challenges and age disputes in relation to their ages, with many of these children still detained. The whereabouts of at least 10 are currently unknown. This is a fast-moving context in which communications is difficult, so these figures are a conservative estimation of the problem: Given that detention is a poor context for disclosure and identification, we are concerned that many children may be going under the radar entirely.

Very often, age-disputed young people removed have either been unable to access legal advice, and therefore challenge flawed Local Authority and Home Office age assessments, or were so deeply distressed by detention that they were unable to pursue a challenge; the fact they were removed does not suggest that they were, after all, adults.

Children seeking asylum being misidentified and treated as adults, and detained, is a longstanding and egregious problem that puts children at risk. It is rooted largely in a culture of disbelief and poor age assessment practices.³ Since the scheme began, HFRN and JRS UK have noticed a very significant increase in the number of age disputed children detained. Exact figures are difficult to determine because the issue is by its nature often hidden and inconsistently recorded when it comes to light.

² As of 13th May 2026.

³ See Refugee and Migrant Children's Consortium, [Lost Childhoods: the consequences of flawed age assessments at the UK border](#) (March 2025).

The detention of children occurs in the context that the 'one-in-one-out' scheme is harming and failing vulnerable people, and creating vulnerability. There are very serious problems with its operation:

- Asylum screening interviews occur the same day people arrive, often late at night, when people are exhausted, hungry and traumatised and unable to understand or meaningfully participate. They are sometimes remote, and interpretation is often either lacking or poor.
- People detained under the scheme very often cannot obtain legal advice or representation due to serious problems with the Detained Duty Advice Scheme (DDAS). Lawyers on the scheme frequently tell potential clients that they simply do not have capacity to take their case. Furthermore, initial meetings with lawyers are nearly always by phone, and interpreters are often not used when badly needed. Frequently, people report having spoken to a DDAS lawyer but not knowing who they were or whether or not they had taken on their case. Even where a lawyer agrees to represent, the quality of representation is often poor.⁴
- A high proportion of people detained under the Scheme are survivors of torture or trafficking, yet vulnerabilities are rarely identified before or during detention. Even where they are, detention is nearly always maintained, with removal being prioritised over protecting vulnerable people.⁵
- Healthcare in detention is severely inadequate. Rapid decline in mental health, sometimes leading to self-harm and suicidal ideation, are widespread among those detained on the scheme. Fear of return to France, past violence and exploitation there and elsewhere, lack of legal and medical support, and the perceived arbitrariness of detention and the Agreement all contribute to this.

⁴ For details, see JRS UK, [Accessing Legal Advice in Detention: becoming an impossibility](#) (July 2025). The situation is also attested by regular legal advice surveys from Bail for Immigration Detainees (BID) and, in our observation, has worsened further since the publication of this report, with the huge demand for urgent advice on the 'one-in-one out' scheme being a major compounding factor.

⁵ See further Medical Justice, [Politics over people? How the UK's "one in one out" knowingly harms and forcibly removes torture and trafficking survivors to France](#) (January 2026).

Failures in initial screening on arrival

- **Poor context for communication and disclosure:** Age is recorded during initial screening processes shortly after arrival in the UK, when young people are typically exhausted, hungry, and extremely disoriented. Sometimes, they are conducted by phone, so the interviewer recording age may not even see the young person. Interpretation can be lacking or of poor quality (including use of wrong dialects) and a lack of understanding of non-Gregorian calendars adds to confusion over the applicant's age. We know of a child who was unable to convert his date of birth from the Eritrean calendar, and the date of birth that was then recorded for him wrongly placed him over the age of 18.
- **Coercion from smugglers:** Many young people we have encountered on the scheme explain that they initially told the Home Office they were adults even though this was not true, on the advice of smugglers. HFRN have documented clear coercion by smugglers, including children being told not to disclose their true age because doing so could lead to removal from the UK, or placement in children's services with restricted freedom of movement. We are concerned this coercion may be linked to ongoing exploitation after arrival, including forced labour and the recovery of crossing debts.
- **Disclosure of age disbelieved by the Home Office:** Young people who inform the Home Office that they are under 18 are usually met with disbelief, with the onus on the young person to prove their age. We have supported children who explain they told the Home Office their actual age, but they were recorded as older and over 18 on Home Office documents. Anecdotally, this has been more common recently. A culture of disbelief is thus leading to a flawed screening process.

Despite a clear and increasing pattern of children being detained, we have seen no material change in Home Office practice to prevent recurrence. This raises serious concerns about the absence of safeguarding operations at the UK border, and about whether removal under 'one-in-one-out' is being prioritised over child welfare.

The Home Office took increased control of the age determination process for people seeking asylum under the previous government. This led to an increase in flawed decision-making. For context, in the six months between January and June 2024 in England and Scotland, the Home Office misclassified at least 262 children as adults, according to data from Local Authority age assessments.⁶ Plans to trial the use of Artificial Intelligence for “Facial Age Estimation” run a serious risk of compounding racial bias within age assessments⁷, and similarly previous plans for ‘scientific’ age assessments are counter to strong evidence that these are ineffective.⁸ Neither will improve the situation.

Failures to identify and protect children once in detention

There are huge barriers to children accessing a Local Authority Age assessment.

- If a young person discloses to the Home Office that they are a child, we notice that the Home Office often does not refer them to the Local Authority for an age assessment if the official they encounter happens not to believe them.
- Upon disclosure of age, the Home Office is deploying the same flawed policy it relies upon at the border, to determine these children’s age. In almost all cases, it is finding them to be adults, contradicted by the increasing number being found to be children by Local Authorities.
- Where a young person had said they were over 18 at their screening interview, this is counted against them later, but as noted, there are many reasons why children initially claim to be adults.

6 Refugee and Migrant Children’s Consortium, [Lost Childhoods: the consequences of flawed age assessments at the UK border](#) (March 2025).

7 [Artificially Intelligent, Genuinely Harmful: AI and Age Assessments in the UK Asylum System – Right to Remain.](#)

8 [BASW Statement on Biological Methods of Age Assessment | BASW.](#)

Most often, when children are identified in detention, this is due to intervention from an NGO or lawyers, but there are barriers to these kinds of support:

- Even where a child manages to access a legal consultation via the DDAS, these are nearly always by phone, so a lawyer is unlikely to notice if they are speaking with a child.
- There is a serious risk that the most vulnerable children do not come to the attention of NGOs offering support in detention or face increased delays before they do: accessing support requires proactivity, especially in a detention setting where movements and communications are restricted, and this can disproportionately be difficult for children. Many people detained contact JRS UK and HFRN after word of mouth referrals, but as children wrongly detained are often afraid to mix with detained adults, they are less likely to know what support is available. We are increasingly being contacted by children who have been detained for weeks, sometimes months, and only recently learnt about support from NGOs.

Even where a young person is referred to a local authority for age assessment, this does not guarantee they are protected:

- **Young people remain detained whilst waiting for Local Authority age assessments**, and the waiting time has significantly increased. Children are thus exposed to further trauma from extended detention that could and should have been prevented.
- **Age disputes do not always pause removal action.** We know of cases where the Home Office issued removal directions for an age-disputed young person who had not yet been seen by a Local Authority.
- **Age-assessments are conducted in detention, which is an inappropriate context.** First, age assessments are in general traumatic, and detention compounds this trauma. Second, being detained makes it harder for young people to gather evidence needed in age assessments – such as documents from relatives – because there are multiple technological and communication barriers in detention. Detention thus fundamentally undermines the age assessment process.
- Where the Local Authority has conducted an initial screening and referred the young person for a fuller assessment, the young person remains in detention. This is doubly problematic given that the Local Authority was sufficiently concerned they might be a child to refer them for a fuller assessment.

Impact on children

Almost invariably, the age-disputed children we support report and display a serious decline in mental health over their time in detention. This includes patterns of self-harm, withdrawal and self-isolation. This is in line with a wide body of evidence documenting the profound harm children suffer from immigration detention.⁹ The harmfulness of this situation is compounded by the severely inadequate healthcare in detention at present: Children are being incarcerated in a setting where they cannot access medical care when they badly need it.

After removal to France

It often proves difficult to keep in touch with children after they have been forcibly removed to France, which itself raises serious concerns that they may have fallen under the radar and be vulnerable to trafficking, exploitation, and abuse. Of those we have maintained contact with, we are aware that many face destitution.

9 See e.g. Priestley I, Cherian S, Paxton G, Steel Z, Young P, Gunasekera H, Hunt C. "The impact of immigration detention on children's mental health: systematic review." *Br J Psychiatry*. 2025 Dec;227(6):870-879. doi: 10.1192/bjp.2025.29. Epub 2025 Apr 10. PMID: 40207443; PMCID: PMC12628124.

Case Examples

Eden's case illustrates the real risk of children being rapidly removed under this scheme before either their age or wider safeguarding needs are properly identified.

Eden contacted HFRN on the 30/3/2026, stating that he was detained in an IRC, was subject to removal to France and was under the age of 18. At the time of contacting HFRN Eden already had removal directions to France on a date in early April. He had arrived in the UK around one month before contacting HFRN and had not been able to access any substantive assistance since his detention, having been detained immediately after his arrival. It was clear from our initial conversation with Eden that he had not known either how to, or had not felt able to disclose his age to the Home Office or staff in detention whilst in detention and had only done so on 31/3. Eden was in contact with his mother, however it does not appear that any steps were taken by the Home Office in contacting his mother to confirm his age dispute this being a potentially compelling line of inquiry to ensure a child was not removed under the scheme. Eden also informed HFRN that he had been detained in Libya for more than 1 year,

held to ransom, tortured and made to work without payment in horrific conditions. He was also exploited elsewhere in Europe on more than one occasion. He also confirmed that he had made the Home Office aware that he was a potential victim of trafficking, and had survived torture, however received a negative reasonable grounds decision from the National Referral Mechanism (NRM). HFRN urgently referred Eden to the relevant local authority, who visited him a few days later, at which point he was immediately accommodated as a looked after child and released from detention.

The National Referral Mechanism (NRM) is the government's system for identifying survivors of modern slavery and trafficking. When someone has indicators of trafficking, they should be offered referral into the NRM, which then has two stages of decision-making. First, a decision which states whether or not there are 'Reasonable Grounds' to believe that they are a victim of trafficking; and second, if the Reasonable Grounds decision is positive, a 'Conclusive Grounds' decision, which will accept or not accept the person as a victim of trafficking on the balance of probabilities.

Dawit's case demonstrates how detention, poor legal advice and rapid removal timelines can prevent even strong documentary evidence of age from being properly considered.

Dawit contacted HFRN on the 20/2/2026 stating that he was underage and in a detention centre, that he had a document that proved his age (from his country of origin) and that he had a 'ticket' to France in 5 days' time. Dawit informed the Home Office that he was under 18 within 1 day of being detained at which point a significantly over 18 decision was made by the Home Office finding him to be an adult. A few days later Dawit was able to access an identity document showing his minority age, which he provided to the Home Office. This document was not adequately considered, and he continued to be treated as an adult. At the time of contacting HFRN Dawit had been detained on two occasions, totaling almost three weeks. A bail application had previously been made by a solicitor from the DDAS, who had not provided sufficient legal advice to Dawit regarding his age, and had not referred him to the relevant Local Authority for the IRC, or to the Local Authority in which the accommodation he was subsequently bailed to was located. Once an inadmissibility decision was made by the Home Office, he was detained for a second time and taken to a different IRC, where he was rapidly issued with removal directions for only a few days time. Perversely the bail grant worked against Dawit, as no further action was taken on this case whilst he was in the community and therefore his removal progressed rapidly, further limiting his access to a fair age assessment and resistance to removal. HFRN urgently referred Dawit to the relevant local authority for an age assessment, and to a solicitor. His removal directions were deferred however, he remained in detention, and the local authority subsequently conducted a problematic brief 'age assessment' finding him to be an adult. Dawit's case progressed to an interim relief hearing where it was ordered that he should be released from detention due to new evidence of his age. He was subsequently moved to a hotel in the at which point HFRN referred him to a second local authority who have since confirmed that his age has been accepted without the need for an age assessment.

Concluding remarks

The clear pattern of children being detained under the one-in-one-out scheme points to severe failures in screening and safeguarding, both in general at the UK border, and specifically and acutely within the scheme. JRS UK and HFRN believe that the one-in-one-out scheme must end. For as long as it continues, urgent action must be taken to protect children and prevent them being placed on the scheme and detained.

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