

## **DEPORTATION IN CASES WHERE THERE ARE CHILDREN WITH LONG RESIDENCE**

### **Introduction**

The purpose of this instruction is to define more clearly the criteria to be applied when considering whether enforcement action should proceed or be initiated against parents who have children who were either born here and are aged 7 or over or where, having come to the United Kingdom at an early age, they have accumulated 7 years or more continuous residence.

### **Policy**

Whilst it is important that each individual case must be considered on its merits, the following are factors which may be of particular relevance:

- a. the length of the parents' residence without leave;
- b. whether removal has been delayed through protracted (and often repetitive) representations or by the parents going to ground;
- c. the age of the children;
- d. whether the children were conceived at a time when either of the parents had a leave to remain;
- e. whether return to the parents' country of origin would cause extreme hardship for the children or put their health seriously at risk;

f. whether either of the parents has a history of criminal behaviour or deception;

3. When notifying a decision to either concede or proceed with enforcement action it is important that full reasons be given making clear that each case is considered on its individual merits.

**Enquiries**

4. Any enquiries about this instruction should be addressed to Enforcement Policy Group in Room 301, Apollo House, (☎ extension 8408/8409).

IS/94 51/290/1

Enforcement Policy Group  
March 1996