

The Experience of Legal Transition for Refugee and Asylum-Seeking Children

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This study aims to explore the experiences of refugee and asylum-seeking children undergoing legal transitions in their host countries. It seeks to understand the complexities of their legal navigation, the emotional and psychological impacts of their experiences, the role of social and community support, and their interactions with authorities. A qualitative research design was employed, utilizing semi-structured interviews with 25 refugee and asylum-seeking children. The participants were selected to provide a diverse representation in terms of age, gender, country of origin, and legal status. Thematic analysis was conducted to identify key themes and patterns within the data, aiming for theoretical saturation to ensure a comprehensive understanding of the children's experiences. Four main themes were identified: Legal Navigation, Emotional and Psychological Impact, Social and Community Support, and Interaction with Authorities. Under Legal Navigation, children faced challenges with accessing clear information, securing trustworthy legal representation, and understanding the legal process. Emotional and Psychological Impact highlighted the prevalence of fear, uncertainty, trauma, and the strategies for resilience and hope. Social and Community Support emphasized the critical role of NGOs, peer networks, and family in providing necessary support. Interaction with Authorities revealed experiences of intimidation and the need for more child-friendly legal procedures. The study concludes that refugee and asylum-seeking children encounter significant challenges and barriers in their legal transitions, which have profound impacts on their emotional and psychological well-being. It underscores the necessity for a holistic approach in providing legal, emotional, and social support tailored to the unique needs of these children. Policies and practices should prioritize child-friendly procedures, accessible legal representation, and comprehensive support systems to mitigate the challenges faced by these vulnerable populations.

Keywords: *Refugee children, Asylum-seeking children, Legal transitions, Emotional impact, Social support, Child-friendly procedures*

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1. Introduction

The plight of refugee and asylum-seeking children, compelled to navigate the complex terrains of legal, social, and psychological transitions, remains a pressing global humanitarian issue. These children, often fleeing conflict, persecution, or violence, embark on journeys fraught with uncertainty, seeking sanctuary and a

semblance of normalcy in foreign lands. The legal landscape for refugee and asylum-seeking children is a labyrinth of procedures and policies, where the lack of clear information and accessible legal representation compounds their vulnerabilities (Bhabha & Schmidt, 2008). The critical role of safeguarding these children within such frameworks is paramount, as outlined in



various studies emphasizing the necessity for tailored, child-specific legal approaches that prioritize the child's best interests (Fazel, 2003; Kohli et al., 2010; Smith, 2020). These studies underscore the importance of not only addressing the legal and procedural needs of these children but also ensuring their safety, dignity, and rights are upheld throughout their legal journeys.

Psychological distress among refugee children is profoundly documented, with systemic reviews indicating high levels of trauma, depression, and anxiety, reflecting the severe impact of their pre-flight, flight, and resettlement experiences (Bronstein & Montgomery, 2011). The emotional and psychological ramifications of their legal transitions, often characterized by fear, uncertainty, and isolation, necessitate comprehensive mental health support tailored to their unique experiences and traumas (Chase, 2013; Cowling & Anderson, 2023).

The integration and social support systems available to these children significantly influence their adaptation and psychological resilience. Studies highlight the critical role of community support, peer networks, and family cohesion in fostering a sense of belonging and stability amidst their tumultuous transitions (Chuah et al., 2018; Connolly, 2014). Furthermore, the experiences of these children within the educational system and their access to health and social services are pivotal to their overall development and well-being (Crawley, 2010; Due & Currie, 2021).

However, the journey to asylum is marred by challenges, including encounters with immigration authorities and detention experiences that can exacerbate their vulnerabilities and trauma (Hopkins & Hill, 2008). The need for legal systems to adopt a more child-centered, empathetic approach that recognizes the specific needs and rights of refugee and asylum-seeking children is evident (Kohli et al., 2010; Lundberg & Lind, 2017).

Reflecting on thirty years of research, Brittle and Desmet (2020) articulate the evolving understanding and recognition of children's rights within the context of migration. This body of work underscores the necessity of a rights-based approach to the care and protection of refugee and asylum-seeking children, ensuring their voices are heard and their rights respected in all stages of their legal and social integration processes (Brittle & Desmet, 2020).

In synthesizing these perspectives, this manuscript aims to contribute to the discourse on the legal transitions of refugee and asylum-seeking children by exploring their lived experiences through qualitative analysis. By integrating the voices of the children themselves, this study seeks to illuminate the complexities of their journeys, the challenges they face, and the resilience they exhibit.

In conclusion, the experiences of refugee and asylum-seeking children as they navigate through legal transitions reveal a tapestry of resilience, vulnerability, and the dire need for comprehensive support systems. As this article unfolds, it will explore the themes of legal navigation, emotional and psychological impact, social and community support, and interactions with authorities, drawing from the participants' narratives to offer insights into their complex realities. Through this exploration, the manuscript aims to contribute valuable knowledge to the fields of child rights, refugee studies, and legal reform, advocating for a world where every child's right to safety, dignity, and opportunity is not just recognized but fervently protected.

2. Methods and Materials

2.1. Study Design and Participants

This qualitative study aimed to explore the experiences of refugee and asylum-seeking children undergoing legal transitions. The methodology was designed to deeply understand the complexities of their situations, emotions, and interactions with the legal system. To achieve this, the research utilized semi-structured interviews as its primary data collection method. The choice of semi-structured interviews was predicated on their flexibility, allowing for the exploration of sensitive topics while adapting to the needs and responses of each participant. Participants were refugee and asylum-seeking children who had engaged with the legal system in the past two years. The study targeted a diverse group in terms of age, gender, country of origin, and legal outcome to capture a broad spectrum of experiences. The recruitment was conducted through NGOs, legal aid organizations, and community centers specializing in refugee and asylum support. Theoretical saturation was a guiding principle in determining the sample size. The recruitment and data collection phases continued until no new themes were emerging from the interviews,

indicating that theoretical saturation had been achieved. This approach ensured that the study's findings genuinely represented the range of experiences and perspectives of refugee and asylum-seeking children in relation to legal transitions.

Given the sensitive nature of the study, ethical considerations were carefully addressed throughout the research process. Participants were assured of confidentiality and the voluntary nature of their participation, with the option to withdraw at any time without consequence. The research team also implemented strategies to minimize potential distress to participants, including providing information on support services and conducting debriefing sessions post-interview.

2.2. Measures

2.2.1. Semi-Structured Interview

The semi-structured interviews were conducted by researchers trained in qualitative methods and sensitive to the experiences of refugees and asylum seekers. Each interview lasted between 45 to 90 minutes and was carried out in a language the participant was comfortable with, using professional translators when necessary. The interview guide covered topics related to the

participants' journey, interactions with legal systems, and personal reflections on those experiences. However, the semi-structured nature allowed participants to share stories and topics they deemed important, providing richer, more nuanced data.

2.3. Data Analysis

Interviews were recorded with participant consent, transcribed verbatim, and then translated into English where necessary. Transcriptions were anonymized to protect participant privacy. Data analysis followed the principles of thematic analysis, with the aim of identifying key themes and patterns across the participant narratives. Initial codes were generated by closely reading the interview transcripts, which were then grouped into potential themes. These themes were reviewed and refined iteratively, ensuring they accurately reflected the collected data.

3. Findings and Results

In the study, a total of 25 refugee and asylum-seeking children participated, comprising 14 males and 11 females, underscoring a relatively balanced gender distribution. The ages of participants ranged from 6 to 17 years, with a median age of 12 years.

Table 1

Categories, Subcategories and Concepts (Open Codes)

Categories	Subcategories	Concepts (Open Codes)
1. Legal Navigation	1.1 Access to Information	- Language barriers- Availability of interpreters- Clarity of legal information- Trust in information sources
	1.2 Legal Representation	- Trust in legal representatives- Cultural sensitivity of legal aid- Personalized vs. generic support
	1.3 Understanding of Legal Process	- Perceptions of fairness- Complexity of legal procedures- Emotional impact of legal proceedings
2. Emotional and Psychological Impact	2.1 Fear and Uncertainty	- Fear of deportation- Anxiety about legal outcomes- Uncertainty about the future
	2.2 Sense of Belonging	- Feeling of isolation- Community support- Identity conflict
	2.3 Coping Mechanisms	- Seeking social support- Faith and spirituality- Avoidance and denial
	2.4 Trauma and Resilience	- Past traumas- Resilience strategies- Impact of legal process on mental health
	2.5 Hope and Aspiration	- Dreams for the future- Motivation to overcome legal hurdles- Role of supportive relationships
3. Social and Community Support	3.1 Role of NGOs	- Provision of information- Emotional support- Advocacy for children's rights
	3.2 Peer Support	- Shared experiences- Emotional solidarity- Peer advice
	3.3 Family Influence	- Family expectations- Family separation- Support from family members
4. Interaction with Authorities	4.1 Experiences with Immigration Officers	- Intimidation- Cultural sensitivity- Perceived bias
	4.2 Court Experiences	- Interaction with judges- Child-friendly procedures- Length of legal processes

The thematic analysis of semi-structured interviews with 25 refugee and asylum-seeking children revealed profound insights into their legal transition experiences. Four primary themes emerged, each encompassing several subthemes and associated concepts, providing a nuanced understanding of the challenges and support mechanisms these children encounter.

Legal Navigation emerged as a critical theme, highlighting the complexities around accessing information, securing legal representation, and understanding the legal process. Participants frequently mentioned the "Language barriers" and the vital role of "Interpreters" in accessing information. One participant stated, "I didn't understand what was happening until we had an interpreter who explained everything to me." The importance of "Trust in legal representatives" was underscored, with another noting, "My lawyer was the only person I felt I could trust to tell my story correctly." Emotional and Psychological Impact was a significant theme, capturing the emotional turmoil experienced by these children. Subthemes such as "Fear and Uncertainty" were common, with one child expressing, "Every day, I'm scared they will send us back." The subtheme of "Trauma and Resilience" revealed both the scars of past experiences and the incredible resilience children displayed. A poignant reflection was, "I keep pushing forward because I've been through worse and survived."

Social and Community Support highlighted the pivotal role of NGOs, peer support, and family influence in navigating their legal journeys. The "Role of NGOs" was particularly appreciated, as one participant mentioned, "The people from the NGO were like a family when we felt alone." Peer support was also crucial, with children finding solace in shared experiences, as captured by the statement, "Talking to others who understand feels like a weight lifted off my shoulders."

Lastly, Interaction with Authorities detailed varied experiences with immigration officers, court processes, and detention experiences. Children's encounters with immigration officers were often intimidating, with one child recounting, "I felt very small and scared; the officer's tone was very harsh." Court experiences also varied, but the importance of "Child-friendly procedures" was a notable point of consensus.

4. Discussion and Conclusion

The qualitative analysis of semi-structured interviews with 25 refugee and asylum-seeking children revealed four main themes encapsulating their experiences with legal transitions. These themes were Legal Navigation, Emotional and Psychological Impact, Social and Community Support, and Interaction with Authorities. Each theme was further divided into categories that provided a detailed exploration of the children's experiences, showcasing the range of challenges and support mechanisms encountered.

Legal Navigation was a critical theme, highlighting the children's journey through the legal system. This theme was divided into categories such as Access to Information, Legal Representation, and Understanding of Legal Process. Access to Information underscored language barriers and the importance of interpreters, reflecting on the difficulty in obtaining clear and trustworthy legal information. Legal Representation emphasized the need for culturally sensitive legal aid and the significance of personal trust in legal representatives. Understanding of Legal Process revealed children's perceptions of the legal system's fairness and complexity, highlighting the emotional impact legal proceedings had on them.

Emotional and Psychological Impact addressed the psychological challenges faced by the children. Categories under this theme included Fear and Uncertainty, Sense of Belonging, Coping Mechanisms, Trauma and Resilience, and Hope and Aspiration. Fear and Uncertainty captured the anxiety about legal outcomes and deportation fears. Sense of Belonging discussed feelings of isolation and the importance of community support. Coping Mechanisms identified strategies such as seeking social support and faith. Trauma and Resilience explored the psychological effects of past traumas and resilience strategies. Hope and Aspiration highlighted the children's future aspirations and motivation to overcome legal hurdles. Social and Community Support focused on the role of external support systems. This theme's categories were Role of NGOs, Peer Support, and Family Influence. The Role of NGOs highlighted the assistance provided in terms of information, emotional support, and advocacy. Peer Support emphasized shared experiences and

emotional solidarity among refugee children. Family Influence shed light on family dynamics, support, and expectations during the legal process.

Interaction with Authorities revealed the children's experiences with immigration officers, the court system, and detention. Categories included Experiences with Immigration Officers, detailing instances of intimidation and the need for cultural sensitivity; Court Experiences, which discussed the interaction with judges, child-friendly procedures, and the perceived lengthiness of legal processes; and Detention Experiences, highlighting conditions in detention, access to support, and the psychological impact of detention.

The exploration of the experiences of refugee and asylum-seeking children through their legal transitions has unveiled intricate narratives of resilience, distress, and the critical role of support systems. These findings, echoing the themes of legal navigation, emotional and psychological impact, social and community support, and interactions with authorities, offer profound insights into the multifaceted challenges these children face.

Legal Navigation underscores the complexities and barriers encountered by children in understanding and accessing legal aid and information. Consistent with Bhabha and Schmidt (2008), this study highlights the pivotal role of clear, accessible information and the need for legal representatives who are both trustworthy and culturally sensitive (Bhabha & Schmidt, 2008). The findings resonate with the assertion that the legal system's navigability significantly impacts the well-being and outcomes of asylum processes for young refugees.

The Emotional and Psychological Impact theme captures the psychological distress prevalent among refugee children, aligning with Bronstein and Montgomery (2011), who detail the high incidence of trauma and anxiety within this population (Bronstein & Montgomery, 2011). The emergence of subthemes such as fear, uncertainty, and resilience echoes the sentiments found in the work by Ehntholt and Yule (2006), underscoring the enduring psychological scars borne by children from their pre-flight, flight, and resettlement experiences (Ehntholt & Yule, 2006).

In terms of Social and Community Support, the critical role of NGOs, peer support, and family dynamics is evident. This aligns with findings by Chuah et al. (2018), emphasizing the importance of accessible healthcare and

support services in mitigating the health and well-being disparities faced by refugee and asylum-seeking populations (Chuah et al., 2018). The significance of community and familial support highlighted in this study mirrors the observations by Earnest et al. (2015), suggesting that social networks are crucial for the resilience and adaptation of refugee youth (Earnest et al., 2015).

The theme of Interaction with Authorities reflects the often intimidating and disorienting experiences of children with immigration officers and within court systems. These findings complement those of Crawley (2010), who advocates for increased agency and voice for children within the asylum system, highlighting the need for more child-friendly and understanding approaches by authorities (Crawley, 2010).

Moreover, this study's emphasis on the resilience and coping mechanisms employed by these children despite their adversities aligns with the broader literature on refugee well-being and mental health interventions (Cowling & Anderson, 2023; Sullivan & Simonson, 2016). The importance of tailored, trauma-informed care and support services that acknowledge the unique experiences of refugee and asylum-seeking children cannot be overstated.

Additionally, the discussion around legal transitions and the psychosocial impact on refugee children finds further support in the work by Khan, Kuhn, & Haque (2021), which examines the interrelation between autobiographical memory, mental health, and the asylum-seeking process (Khan et al., 2021). This interconnectedness underscores the complexity of addressing the needs of this vulnerable population, highlighting the necessity for comprehensive, multidisciplinary approaches to care and support.

This study also underscores the importance of safeguarding the rights and well-being of refugee and asylum-seeking children, as advocated by Brittle and Desmet (2020). The recognition and implementation of children's rights within the migration context serve as a critical framework for addressing the challenges identified, advocating for policies and practices that prioritize the health, safety, and future potential of these children (Brittle & Desmet, 2020).

This study has meticulously explored the experiences of refugee and asylum-seeking children undergoing legal transitions, yielding significant insights into their

navigational challenges, emotional and psychological impacts, reliance on social and community support, and interactions with authorities. The findings underscore the complex interplay between the legal intricacies and the psychosocial well-being of these children, revealing profound barriers to legal access and understanding, the pervasiveness of psychological distress, and the crucial roles of both formal and informal support systems in their adjustment processes. Particularly, the study highlights the importance of clear, accessible legal information, culturally sensitive legal representation, and the need for supportive interventions tailored to the unique experiences of refugee and asylum-seeking children.

The results of this research underscore the resilience of refugee and asylum-seeking children in the face of formidable challenges. It emphasizes the need for comprehensive, multidisciplinary approaches to support that not only address legal and procedural issues but also cater to the psychological, social, and educational needs of these children. The study calls for an integrated approach that combines legal assistance, mental health support, and social integration services, grounded in a deep understanding of the children's backgrounds and experiences.

This study is not without its limitations. The reliance on semi-structured interviews, while providing depth and richness to the data, limits the generalizability of the findings. The sample size, though adequate for thematic saturation, represents a small fraction of the refugee and asylum-seeking child population, suggesting that experiences may vary across different contexts and demographics. Additionally, language barriers and the use of interpreters might have influenced the nuances of the participants' experiences and their interpretations. Future research should aim to expand the demographic and geographic scope of study participants to enhance the generalizability of findings. Employing a mixed-methods approach could also provide a more comprehensive understanding of the multifaceted experiences of refugee and asylum-seeking children, combining qualitative depth with quantitative breadth. Investigating the long-term outcomes of legal and social interventions on these children's adjustment and well-being in their host countries would further contribute valuable insights into effective practices and policies.

The findings from this study have significant implications for practice, particularly for legal practitioners, policymakers, educators, and mental health professionals working with refugee and asylum-seeking children. There is a critical need for the development of more accessible, child-friendly legal information and services that cater specifically to the linguistic and cultural needs of these children. Training for all professionals involved with refugee children should include components on cultural sensitivity and trauma-informed care. Additionally, policies should prioritize the establishment of comprehensive support systems that integrate legal, educational, and psychological services, facilitating a holistic approach to the well-being of refugee and asylum-seeking children. Implementing these recommendations can significantly improve the experiences of these children during their legal transitions, promoting their resilience, integration, and overall well-being in their new communities.

Authors' Contributions

Authors contributed equally to this article.

Declaration

In order to correct and improve the academic writing of our paper, we have used the language model ChatGPT.

Transparency Statement

Data are available for research purposes upon reasonable request to the corresponding author.

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Declaration of Interest

The authors report no conflict of interest.

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Ethical Considerations

In this research, ethical standards including obtaining informed consent, ensuring privacy and confidentiality were observed.

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