

***Humanity in the Home Office:
Deconstructing the Politicisation of
Asylum Policy & Recommendations for
Reform***

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1. Introduction

This report aims to provide a holistic evaluation of the UK's asylum system, understanding the most pressing challenges and providing recommendations for reform ranging from immigration legislation to refugee integration.

The research was undertaken in August and September of 2024, following the arrival of the new Labour government and a general election where immigration policy served as a focal point. The former Conservative government, under several Prime Ministers, put controversial 'illegal' immigration legislation at the forefront of their time in office, rendering immigration a highly divisive topic. Moreover, a study by Ipsos released on the 16th of August (2024, p.2) showed that immigration was seen to be the biggest issue facing Britain. Given the biased influence of rhetoric from politicians and the media on public opinion, this report considers what a fair asylum system should look like regardless of the policy's political capital and disregards the weaponisation of asylum policy as a vote-winning tactic.

The report offers both short- and long-term policy recommendations that, if adopted by the new government, would increase the efficiency of the asylum system, honour the UK's international obligations, and improve its humanitarian record. This report considers the new Home Office's plan and initial actions, targeting the suggested reforms to areas either neglected or not currently considered to the necessary extent by the Home Secretary, Yvette Cooper.

Given that in many areas of public discourse, immigration, and specifically irregular immigration, has been associated with frustration surrounding external issues such as a lack of council housing and a strain on public services, a preface must be made that those issues can and should be addressed irrespective of how many asylum-seekers the UK receives.

Finally, given the recent white supremacist riots around the UK, the study suggests methods for how to move towards a welcoming environment for people going through the asylum system, or after receiving refugee status.

While it is important to view asylum policy in the context of the UK's foreign relations, for the purposes of this research, the report will only address the country's response to admitting refugees and not the wider geopolitical factors that are involved in the creation of refugees. Although, the report acknowledges the importance of tackling upstream causes of influxes of asylum-seekers and supports targeting resources at working towards creating safety in the initial country, to prevent people from having to flee in the first place. The UK government has shown some interest in the Rome process (The Independent, 2024). However, currently the excess costs of the asylum system are coming out of the UK aid budget (Yeo, 2024), so the

efficiency of resources in the asylum system is vital to allow for preventing the need to seek asylum in the first place.

The study aims to bring compassion into the policy-writing sphere and emphasises the importance of humanity when considering the role of a system that's purpose is to offer sanctuary to often vulnerable people fleeing war, persecution and destitution, while remaining fair and realistic to what the country can offer. This human understanding sheds light on even small changes the Home Office could make to significantly improve its treatment of asylum-seekers and tackle the epidemic of mental ill-health amongst those stuck in limbo. The suggested redistribution of funding would allow for a more efficient use of the Home Office's resources.

2. Methodology

This report synthesises current literature surrounding how to legislate around asylum. It considers publications from all sides of the political spectrum including works from journalists, think-tanks, academic journal articles, political manifestos, foreign asylum systems, immigration barristers, and investigations conducted by the UNHCR and other bodies. It consults the works of NGOs and charities, advocating from a humanitarian perspective, as well as traditionally more conservative voices, in order to determine what a balanced, fair asylum system looks like while remaining realistic and highlights the best way to achieve it. The qualitative analysis includes interviews with people who work in different areas of the asylum system: advocates for asylum-seekers via various grass-roots charities, especially Derbyshire Refugee Solidarity, a local government official in charge of resettlement programmes and the logistics of asylum-seekers in demographically challenging areas, an Iranian interpreter, the former CEO of a national refugee employment charity, an immigration barrister and human rights policy advisor working for the UNHCR. The study is done in regular conversation with an immigration policy expert, Professor Thom Brooks. The study did not consult asylum-seekers directly due to the sensitive nature of the topic and to avoid jeopardising anyone's safety, though a strong personal sense was felt in the conduct of the study through stories given by people who closely support asylum-seekers and refugees.

3. The Legal Landscape and Political Context

3.1-What are the UK's relevant international obligations?

- The UK is a signatory to the **1951 Refugee Convention**, which provides an internationally recognised definition of a 'refugee' and provides the basic minimum

standards for the treatment of refugees, specifically the principal of ‘non-refoulement’: that a person cannot be sent back to a country where there are serious threats to their life or freedom (Convention Relating to the Status of Refugees, 1951). The 1967 Protocol, eliminates geographic limitations, universalising the Convention (Protocol relating to the status of refugees, 1967).

- The UK is also a signatory to **European Convention on Human Rights** (ECHR). It is enforced by the European Court of Human Rights (ECtHR), who has interpreted Article 3 of ECHR (the prohibition of torture) to mean that deportation, exile and the removal of someone to a country, where it can be reasonably believed that they will be subject to inhumane treatment, is prohibited. Article 4 of Protocol No.4 of the convention stipulates that signatories cannot collectively expel non-nationals, and each case must be individually heard. Article 8 protects an individual’s Right to Respect for Private and Family Life. Although the ECHR does not specify legislation on asylum, it has been interpreted by ECtHR to protect asylum-seekers in ensuring they have access to fair procedures where their rights are at stake (Convention for the Protection of Human Rights and Fundamental Freedoms, 1950).
- It is worth noting the **Dublin III regulation (2013)**, though not applicable to the UK post-Brexit, is vital in understanding European solidarity in tackling the refugee crisis (Official Journal of the European Union, 2013). It is a step towards the international cooperation required in responding to the increase of displaced people. The Dublin Regulation attempts to allocate responsibility amongst EU member states for each asylum applicant. When the UK was a part of the European Union, under the Dublin Regulation, they could return asylum-seekers to their first safe country of identification. The large increase in small boats is generally attributed to the UK’s exit from the Dublin Regulation, where there was no longer a need for the ‘clandestine’ entry that was common prior to Brexit (Brooks, T.).

3.2-What are the recent domestic laws on asylum?

The UK’s asylum laws are found in the amalgamation of different documents throughout recent legislative history. The framework’s complexity highlights one of the first issues in the stagnation of processing claims: how bureaucratic immigration law is. This makes asylum decisions difficult and turnover on appeals common.

- **The Immigration Act 2014 and Immigration Act 2016**, focused on cracking down on ‘illegal’ migration. They introduced lots of restrictions designed to make the lives of people who had arrived in the UK unlawfully very difficult. Rent, work and legal support

became more challenging to find and powers to increase deportation increased. It restricted access to appeals, bank accounts and the NHS. It was clear that this legislation was designed to increase the hostility towards asylum-seekers and those in the UK unlawfully.

- **The Nationality and Borders Act 2022** (NABA) introduced the ‘two-tier’ system for asylum. This Act concentrated the government’s approach to emphasise the routes that asylum-seekers take to determine the level of protection they receive on arrival. Those who arrive regularly, through the limited resettlement schemes that are offered are considered tier one and have more rights when they arrive. Those who arrive irregularly, most notably on small boats, are classified as tier two and have restricted access to public services. It also introduces the potential removal to a “safe third country”. Furthermore, it restricts rights for family reunification.
- **The Illegal Migration Act 2023** was introduced as an instrument to substantiate Rishi Sunak’s ‘stop the boats’ pledges. It became law on 20th July 2023. Its main purpose is to deter those entering through irregular means by greeting them with harsh consequences on arrival. The law means that those who pass through a safe country and arrive irregularly in the UK, had their asylum claim deemed inadmissible. Moreover, it facilitates the increased detention and removal of those who do not have an admissible claim to asylum under the new legislation.
- The UK signed **the Migration and Economic Development Partnership (MEDP) with Rwanda**, which meant that people who arrive on small boats would have their asylum claim heard there, instead of the UK. According to The Migration Observatory (2024), this scheme costed the government at least £318 million, though the actual figure is likely to be higher. The Rwanda offshoring agreement faced significant legal challenge. Firstly, by ECtHR, which cancelled the first flight set out to take to Rwanda, by the Strasbourg Court’s ruling under Rule 39, allowing for the asylum cases to be appealed (N.S.K. v United Kingdom, 2022). The UK’s High Court then challenged the Rwanda policy’s lawfulness (R v Secretary of State for the Home Department, 2022), which was ruled lawful until appealed and overturned by the Court of Appeal (R v Secretary of State for the Home Department, 2023). The judgement that the policy was unlawful was upheld by the Supreme Court which deemed Rwanda an unsafe country for asylum claims to be heard due to inadequacies in their system that could potentially lead to the refoulement of genuine refugees (R v Secretary of State for the Home Department, 2023). Significant human rights abuses in Rwanda influenced the court’s decision. This

includes a lack of civil liberties and legal representation. There was a 0% success rate for asylum seekers who were citizens of Afghanistan and Syria which by contrast have a 74% and 98% acceptance rate respectively in the UK (Walsh, 2024).

- The UK government responded to this legal challenge with the **Safety of Rwanda Act 2024**. The bill became law on 25 April 2024, declaring Rwanda a safe country. This significantly limits any legal challenge of offshoring asylum to Rwanda, appeals now only becoming eligible if there is an individual reason for why a specific person would be at risk if sent to Rwanda, not that Rwanda is unsafe in general. There is no evidence to suggest that the clear political intent and determination to implement the Rwanda policy was a deterrent, though as the plan was never fully realised one cannot be sure whether the actual implementation would deter. There is little evidence to suggest when looking internationally, that offshoring agreements act as a significant deterrent.

3.3- How politics frames asylum policy and what is true?

There has been a clear rhetoric from right-wing politicians that the drastic increase in asylum-seekers arriving by boat poses a significant threat to the country. The focus on ‘stopping the boats’ has been at the forefront of the former Conservative government’s campaign and discourse around irregular immigration has been extremely topical for many years. This has included the exaggeration or misinformation of figures around asylum, a prominent use of dehumanising language in many mainstream newspapers, and the former Home Secretary Suella Braverman’s description of irregular migrants as an “invasion” (Hubbard, 2022). A study by Cardiff University (2016) found that the British media coverage of the ‘migrant crisis’ was among the “most aggressive” portrayals in Europe. This has manifested in a rise in support for far-right populist parties such as Reform UK, which exploits and exacerbates xenophobia. However, the anti-immigrant rhetoric has become so endemic that many people of a more moderate political standing are increasingly concerned about a rise in asylum-seekers. There is a particular frustration amongst white-working class people that provision for asylum-seekers is the cause of a perceived increase in poverty amongst their own communities. While this anger is understandable the logic is incorrect; challenges that the working-class face certainly needs to be addressed however can be done so irrespective of asylum policy and the demonisation of immigrants. This report aims to deconstruct the excessive politicisation of asylum to understand what policies’ actual significances are, once implemented.

3.3.1-What is the fiscal impact of immigration and how many asylum-seekers does the UK support?

Apprehension around job security is the source of many people's justification in being anti-immigration, however, currently, the UK's economy is dependent on overseas workers, most notably in the care sector. Studies have shown that immigrants on average have a net-positive contribution to the UK's fiscal system, when considering how much they pay in tax versus receive in benefits (Vargas-Silva et al. 2024). This is largely due to the higher working-capacity that immigrants tend to have. A desire to reduce net-migration can only come in tandem with a less dependent population. Asylum-seekers account for 7% of immigration to the UK in 2023, and make up just 0.6% of the UK population, which is mostly long-term residents who have been in the country for more than a decade (Migration Observatory, 2024).

Though immigration in general is economically beneficial to the UK, the cost of providing asylum is not. However, it is important to recognise that the role of the asylum system is to provide sanctuary for those fleeing persecution and therefore should not be judged based on how advantageous it is for the country. The system's role is to preserve humanity and the hyper fixation on irregular immigration as a domestic policy issue ignores the bigger picture. The UK is part of a wider global, humanitarian response to protecting refugees and in comparison, internationally actually does not pull its weight.

According to data published by the House of Commons' Library on 10th September 2024, the UK ranked 17th in 2022 for number of asylum applications per capita in the EU27+UK, which fell to 20th place in 2023 despite being the second wealthiest country (World Population Review, 2023).

It is also untrue that the UK and Europe disproportionately cater for displaced people. 70% of the world's refugees are in a neighbouring country (International Organisation for Migration). In 2023, over 117 million people were forcibly displaced worldwide: three quarters of whom are hosted in low-and middle-income countries near their countries of origin (UNHCR, 2023, p.2). Around 7 in 10 initial decisions are grants of protection and almost half of those rejected taken to appeal are overturned (UK Government Home Office statistics, 2023). 99% of people arriving on small boats apply for asylum (UK House of Commons Library, 2024). This data shows that the majority of people applying for asylum are in genuine need of protection, so the characterisation of irregular arrivals as economic migrants is unfounded.

3.3.2- Deterrence policies and why current legislation in breach of international law.

The central argument for the hostility substantiated by recent legislation such as the MEDP with Rwanda and NABA is that this legislation will deter people from claiming asylum. There is no evidence to suggest that this legislation has deterred people, and even if it had, it is in breach of the UK's international obligations. The fundamental principle of non-refoulement that

underlines the Refugee Convention (of which the UK had a key role in formulating and pushing for) is undermined by the Safety of Rwanda Act. This is because if people's asylum claims are processed by Rwanda with the financial aid of the UK, people who would be granted protection in the UK are likely to be rejected in Rwanda and sent back to the perilous country of origin.

In a report published by the Policy Exchange, Sir Stephen Laws and Richard Ekins claim that what the government got wrong with the Illegal Migration Act was a failure to anticipate legal challenge and legislate around it (Ekins, R., Laws, S., 2023). They argue Rule 39 measures of the European Court of Human Rights "should have no effect on domestic law", but they do not consider the purpose of the ECHR as an international treaty, if the UK do not uphold certain aspects, then by that logic other countries can pick and choose what they want to adhere to, undermining the integrity of the convention. Moreover, the act breaches many forms of previous domestic legislation, such as the Human Rights Act 1998 and the Modern Slavery Act 2015, of which the authors advise that the legislation ought to "specify that the Modern Slavery Act 2015 does not apply in the context of the removals of a person arriving on small boats" as it will be used to delay the process. It is legal advice such as this which best depicts the normalisation of dehumanising asylum-seekers, many of whom are already victims of human trafficking, torture and violence. The main argument of the publication is to pre-empt litigation that frustrates removal rather than considering the importance of protecting human rights. It should be prefaced that this advocacy for offshoring is relating to cases of those who pass through a safe country, though there is no law that claims a person must seek asylum on entry to the first country of entry. Moreover, if a person is fleeing persecution and wishes to seek asylum in the UK, for example if they have familial or linguistic ties, and they are not a member of the extremely small number of people who can access a formal resettlement scheme, the only way for them to make their claim is to arrive on UK land. Given the desperation of people who are looking for sanctuary, they are likely inclined to take any way they can. The narrative from current legislation is exclusively focused on how to not make asylum-seekers their problem, without much if any thought to the humanitarian situation- this report argues that understanding the perspective of people who claim asylum is necessary in also preventing the waste of Home Office resources.

3.3.4-The current context

Table 1 shows the most common nationalities of those seeking asylum in the UK in 2015. One issue that was highlighted from interviews was the lack of education that some asylum-seekers have, many illiterate and so are not prepared for the bureaucracy of the asylum system. Even those with very high levels of education struggle to make sense of the inconsistencies they are confronted with by the Home Office.

Table 1: Source: Migration Observatory, 2024

Nationality of people seeking asylum in the UK: the top 15 most common in 2023

Country	Asylum seekers in 2023	% of people seeking asylum in 2023	Initial decision grant rate in 2023	% of 2019-21 applicants ultimately granted asylum or other leave	Trend, 2001-2023
Afghanistan	9,307	11%	99%	79%	
Iran	7,397	9%	86%	77%	
Pakistan	5,273	6%	55%	53%	
India	5,253	6%	9%	6%	
Bangladesh	4,258	5%	29%	34%	
Turkey	4,255	5%	88%	83%	
Iraq	3,985	5%	42%	49%	
Eritrea	3,870	5%	99%	91%	
Albania	3,898	5%	13%	32%	
Syria	3,772	4%	99%	91%	
Sudan	3,453	4%	98%	77%	
Vietnam	2,304	3%	54%	78%	
Brazil	1,857	2%	7%	11%	
China	1,378	2%	18%	24%	

Currently, the UK offers the UK Resettlement Scheme (UKRS) which has developed out of previous schemes such as the Vulnerable Persons Resettlement Scheme, targeted towards Syrians. This scheme functions by resettling UNHCR (United Nations Refugee Agency) identified refugees. If they arrive on UKRS, they are granted refugee status for 5 years before having to reapply. Currently around 1100 people are still waiting to depart, many have been waiting up to six years. 30 percent of refugees submitted for resettlement are survivors of violence and/or torture (UNHCR, 2024). However, only 485 people were resettled on this scheme in 2023 (House of Commons Library, 2024).

There are bespoke programmes available to some Afghans, particularly those involved in supporting British troops, community sponsorship programmes available to Ukrainians, and some provisions for BNOs (British Nationals Overseas) targeted to people in Hong Kong. Accounting for all resettlement programmes that the UK offers, a total of 736 people were resettled in 2023 (House of Commons Library, 2024). The low number is indicative of many of the problems in the accessibility of these programmes.

The experiences that asylum seekers endure to arrive in the UK for the chance at claiming asylum speaks to their desperation. Individuals are willing to pay as much as £13,500 to criminal gangs to make the perilous journey across the channel on extremely overcrowded boats (The Guardian, 2016). Often, they are not allowed to change their mind once seeing their mode of transport and there is a constant, profound fear of the criminal gangs, exacerbating their trauma.

2023 eventually saw the backlog start to come down and the number of caseworkers more than doubled (IPPR, 2024). At the end of December 2023, there were 98,599 claims still waiting for an initial decision. The Illegal Migration Act and Rwanda Plan has been forecasted to leave 115,575 people seeking asylum stuck in limbo, which is estimated to cost taxpayers up to £6.2 billion for accommodation costs alone (Refugee Council, 2024).

This report will make recommendations for the quickest way to clear the backlog and improve the system's efficiency, while improving the humanity of the system.

3.4-What does the new government plan to do?

The new Labour government has announced its plan for new immigration policy though no formal legislation has been released. Kier Starmer announced they will scrap the MEDP with Rwanda, which is forecasted to save 100 million pounds in future payments to Rwanda (Richard Chambers Immigration Barristers, 2024). The government plans to release its new Border Security, Asylum and Immigration Bill. The Home Secretary has announced her plan to crack down on border security by tackling criminal gangs. Labour have said the new bill will introduce counter-terror powers for the new Border Security Command, which will include access to more British intelligence. It is suggested that they will fast-track removals and have announced the opening of two new immigration detention centres, which has been met with criticism from refugee activist groups and charities.

The idea behind the new Border Security Command is to unite previously separate agencies targeting organised immigration crime for a joint initiative. It is suggested to include more stopping and searching at the border and likely will require repealing the Illegal Migration Act and parts of NABA, though it is not confirmed. The obvious determination to concentrate immigration policy on dismantling those who exploit asylum-seekers is welcomed, particularly by criminalising those who exploit desperate people rather than criminalising asylum-seekers themselves. Focusing on areas the government currently seems to be neglecting is integral to preventing more channel deaths, particularly providing the legal pathways that must be available to properly undermine the business model of people smugglers. The difficulty in taking down people smugglers is that they are ad-hoc in nature and not hierarchical structures. They pop up where a profiteer has an opportunity and dismantle just as quickly. Therefore, to truly tackle them, those willing to pay them must have other ways to access the UK legally.

Finally, Kier Starmer's recent trip to Berlin has shown an eagerness to work closely with Europe on irregular migration. This report will outline the best methods of European cooperation to optimise solidarity in supporting refugees in an economically feasible way.

Though the government has essentially made the most concerning parts of the Illegal Migration Act 2023 ineffective, it must also repeal the Act to ensure future governments cannot undo progress, and to substantially prohibit asylum offshoring.

4. Findings and Results

4.1- Humanitarian asylum routes grounded in international cooperation

This study advocates for the UK to improve the access, regularity and number of legal asylum pathways. This section argues that the UK's participation in a European asylum system would regulate arrivals and in the long term allow the country to have better control over who has a right to remain.

Given the UK's poor international record for its acceptance of refugees, particularly when considering its relative economic power, increasing its accessible humanitarian pathways will allow for more regulation and improve refugee integration, benefitting the economy in the long term, as explained in section 3.3. The focus on tackling criminal gangs without the introduction of safe routes to the UK essentially discards the country's obligation to accept refugees and can be an inefficient use of resources, because there is no single organisation that can be targeted; it is a constant battle to tackle every new chance at crossing, involving different people. Introducing legal pathways dismantles the opportunity for people smugglers.

Some policy analysts have argued against the expansion of safe and legal routes because if the UK became too accessible for people fleeing persecution it would result in a "tidal wave" which would overwhelm the country (Biggar, N., Finnis, J., Ekins, R., 2022). However, this argument entails that expanding routes for asylum-seekers is an all-or-nothing choice, contending that there are too many people who qualify as a refugee in the world for the Western world to cope with.

This does underline an important concept, that it is preferable to prevent mass groups of people from moving to the West, if only for their own wellbeing and to prevent the frustration of the far-right. Focusing efforts on creating safe spaces in the country of origin or neighbouring country is an important task and where possible should be the primary response, most refugees would prefer not to go too far from their home and everything they have known, with intention to move back when safe. Although often this is just not possible, and there should be a competent system in place to respond at these times, not left to the hands of people smugglers.

There is criticism that an asylum system run by the 'global community' is a figment of an idealist's imagination (Biggar, N., Finnis, J., Ekins, R., 2022). This offers a poor, rather nihilistic

perception of the possibility of humanitarian provision. The Western response to the influx of Ukrainian refugees shows the appetite for a compassionate outlook when the determination is there. There are international bodies that function legitimately that show a sense of international comradery. The European Union has been making legislative progress in attempting to create a fairer distribution of refugees amongst its members and the UK would benefit greatly from its participation.

The UK cannot be extrapolated from its geographical ties with Europe, and the nature of irregular migration makes European cooperation the only realistic solution to improving border control. The lack of any formal agreement since Brexit has entailed the chaos evident now. The spike in small boat arrivals coincides with the UK's exit from the Dublin Regulation. This is because under the formal agreement, those who are identified as having passed through France could be returned under the Regulation. Therefore, to get into the UK, one would have to be 'clandestine' in nature, such as arriving on the back of lorries. People putting themselves in such jeopardy at all costs to reach the UK is indicative of a genuine need to be here, and that need should be addressed as an issue itself, not just preventing people from making the journey.

A perhaps more realistic solution to a globalised system is a European one, as there is less of a chance of significant conflict and vast ideological differences that could be posed by a global system. There are two aspects that need to be addressed in the collaboration of UK and EU asylum systems: the implementation of humanitarian pathways and responding to those who make their own way to the EU.

4.1.2 UK-EU solidarity on asylum management

An international response to those who arrive irregularly to Europe is integral to having a fair asylum system. If the UK works in isolation, it has no control over who is going to come when, cannot adequately prepare, and spend lots of money on border security, all to end up with an overwhelmed asylum system, a long backlog, and the exacerbation of the PTSD of asylum seekers.

The European Union plans to replace the Dublin Regulation with the new Pact on Migration and Asylum (2024) which establishes a renovated common European asylum system (CEAS). The pact was approved by a slender majority (300 to 270) in European Parliament on the 10th April 2024 and is comprised of 10 legislative fields (Library of Congress, 2024).

It includes the formation of the **Asylum and Migration Management Regulation (AMMR)** which will be responsible for the determination of which country is responsible for an asylum

application. It also provides measures for improving solidarity, so that responsibility for applications is not thrust on any few Member States. The terms allow for flexibility for each member's participation, as they have a choice of the Member State meeting its quota of admitting applications, paying 20,000 euros for each non-admitted asylum seeker or paying that same amount on immigration related projects in the country of origin, helping the deportation of unsuccessful applicants, or providing technical measures or personnel to countries that need it. A minimum of 30,000 asylum seekers are to be resettled with distribution criteria based on the country's GDP, population and number of previous irregular arrivals.

- The pact aims to ensure an EU qualification regulation for refugee status, effectively harmonising national asylum systems. It also establishes clearer rules for asylum claims, simplifying the process.
- The procedure for non-EU nationals will fall under the Screening Regulation.
- The Crisis and Force Majeure Regulation which dictates a contingency procedure for times of crisis at the external border.
- It offers resettlement programmes through the Union Resettlement Framework which claims to regulate and provide a structured entry for refugees into Europe.
- Other objectives are to prevent secondary movement within Europe, so if a person is rejected in any European country, they cannot try again somewhere else, which should tackle irregular departures and willingness to pay people smugglers, which includes cooperation with Frontex.
- It aims to fight migrant smuggling with bespoke Anti-smuggling Operational partnerships with partner countries and UN agencies. The UK's participation would mean significant and unprecedented support in preventing perilous channel crossings.
- Finally, it implements a fully-fledged asylum and migration data base, Eurodac which records biometric data (European Commission, 2024).

There is a clear need for a formal agreement, that extends beyond diplomatic pretences, for a legislative tie between the sharing of data and responsibility.

The UK's participation in AMMR and the pact more generally would allow access to European intelligence so that the Home Office can more adequately prepare for arrivals of asylum seekers and most importantly, significantly reduce the number of small boat crossings. Under this agreement, there would not be attempts to cross the channel, as those who have a legitimate tie to the UK would be given a safe regular way to do so. Whereas those who have been previously identified by AMMR, would be heard in the country responsible, and if they are rejected, they cannot try somewhere else. Officialising the transport of asylum seekers allows

the country to reclaim power over criminal gangs and gives the control to the management system. It will likely result in an increase in people with a legitimate claim having their case heard in the UK, increasing numbers, however this only fulfils the country's humanitarian obligation, and solidarity with Europe strengthens the system's capacity. It also means that less money is required on border security for management within Europe as the cooperation makes cross-state journeys redundant, as their claim cannot be heard again.

What are the problems with the pact?

That is not to say however that the pact will be a perfect seamless transition into European solidarity. It will of course frustrate the far right and particularly will be accused of being against the sentiments of Brexit and the democratic referendum. However, taking into account the misinformation that was projected around the UK's immigration before the referendum, the only logical way for the UK to have genuine control over irregular arrivals is to be in formalised collaboration with its geographic neighbours.

Democratic agreement on issues so contentious has been hard fought, with 5 years of talks amounting to a consensus on only the Screening regulation and the updating of Eurodac. Talks on AMMR, CFMR and the common asylum procedure were only agreed upon in June and December of 2023, still with opposition from Poland and Hungary. This may pose to be problematic as Poland and Hungary are due to take the next consecutive turn in the European Council, so will not exactly advocate for the pact. The main disagreement came from Southern countries wanting more solidarity, as border states that tend to be the first point of entry for African asylum seekers, and reluctance from Eastern member states on the proportional quotas (Real Instituto Elcano, 2024).

Other problems with the pact are its technicality, being over 2000 pages, its lack of attention towards immigration in terms of labour shortages, only focusing on asylum, potential issues with the reformation of the Schengen area, and what the pact will mean for integration provision, as that still falls under the jurisdiction of the Member State forcing de facto, unregulated coordination. The pact has been criticised by humanitarian organisations and NGOs who are concerned that the pact will allow outsourcing asylum responsibilities to non-member states (particularly Italy and Albania), and at the continued use of detention facilities, though there is a maximum of 12 weeks. There is also concern that the pact will allow for human rights abuses at point of entry (International Rescue Committee, 2023).

All this means that the pact will face challenges in its implementation. There will likely be disaccord amongst Member States, and there is anticipated legal challenge from human rights organisations. However, while the pact has its many challenges, in the context of systems

which are already plagued with instability and overwhelm, the pact moves in the right direction of more solidarity. Secondary legislation should see the tightening of standards to ensure the protection of displaced people and the UK's entry to AMMR poses as a positive alternative to the chaos and division that can be seen now.

- ***The implementation of humanitarian pathway policy options.***

This section aims to evaluate the best methods of the implementation of safe and legal pathways, guided by the European Added Value Assessment (EAVA), conducted by the European Parliamentary Research Service (EPRS, 2018). The thorough cost-benefit analysis provides expert insight into the possibility of the EU's implementation of humanitarian visas. The report highlights the need for a CEAS as 90% of those granted international protection reach the EU through irregular means, which is indicative of the EU's failure.

"This EAVA argues that a formalised humanitarian visa system at EU level would have added value, by ensuring compliance with EU values, including fundamental rights. It would enhance mutual trust between Member States and confidence in the system for asylum seekers, would provide legal certainty, predictability, uniform application, and implementation of the rules. It would also result in the increased management, coordination, and efficiency of the asylum process" (EPRS, 2018, p.2).

It can be argued that offering safe routes will reduce irregular migration, though it is difficult to find data to predict to what extent. However, the nature of claiming asylum is inelastic, meaning that those who wish to claim asylum will do so regardless of a change in price, so officiating proper routes will only make an already inevitable journey safer. It means that less money must be directed to border security measures and surveillance. Furthermore, member states without humanitarian visas under CEAS would have to send more money to border states who are overwhelmed by irregular migration. It is argued that the increased number of refugees entering the EU, who previously couldn't afford to pay smugglers would be small, because there are still many costs that must be paid with humanitarian visas. Although, a humanitarian visa scheme should be piloted with a refugee-producing country in order to get a valid understanding of the number of people who would take up the scheme.

The EAVA proposes 3 shortlisted policy recommendations: a visa waiver approach, limited territorial visa, and EU-wide international protection application permit. Although this report would argue in favour of the latter two, as a visa waiver approach would pose quite a threat to security and could have potentially detrimental political ramifications, particularly with the volatility of nativities parties in the current political climate.

- The Limited Territorial Visa policy option (LTV) would mean that each Member State issues a temporary visa to allow access to the territory. “This would be carried out according to a dedicated legal instrument that harmonises issuing criteria and procedures, in line with the good administration and effective remedy standards set in Articles 41 and 47 CFR” (p.14).
- Alternatively, an EU-wide (plus other geographically linked countries such as UK and Switzerland) international protection application on travel permits. This would entail full centralisation of decision-making and distribution of applicants. However, the technicalities of this agreement would have to be legislatively addressed in the new Pact.

In terms of the UK’s participation, this policy document advocates in favour of LTV, as a more realistic option that would not threaten the UK’s immigration autonomy. Particularly with the potential rise of anti-immigration and nationalist parties across Europe, the LTV policy option seems like the option that leaders would be most willing to accept.

The LTV option would improve the protection of human rights for asylum-seekers, reduce irregular migration, allow for security control, and save money elsewhere. The predictions for the introduction of humanitarian visas are based on how asylum seekers are expected to react to policy change. The implementation of a humanitarian visa would reasonably expect a substitution to happen for those arriving irregularly, to regularly though this is dependent on the accessibility of the visa and how successfully it is implemented.

The collaborative aspect of this scheme will encourage countries to hold each other accountable and incentivise successful implementation, as opposed to the stagnation evident from UKRS.

Finally, increasing the number and accessibility of resettlement programmes is a relatively easy way to increase the number of displaced people settled; no new legislation is required, and the Syrian scheme can be used to map new schemes.

4.2- System Reform

This section analyses the problems with the current asylum system, understanding why it is so inefficient, making recommendations for reform to tackle the backlog. The second objective is to explain the most distressing aspects for those going through the asylum system currently as found by interview participants and simple measures that could be taken to create a more compassionate and humane experience.

4.2.1: Clearing the backlog

A 2024 audit of the UK asylum system conducted by the UNHCR brought to light the most time-wasting procedures and faults within the system that was causing the inefficiency. This section provides recommendations for tackling the backlog, using other in-depth investigations and publications, as well as this report's primary research in the form of qualitative analysis.

- **Streamline the application process:**

Inconsistencies in the Home Office have made the quality of the initial screening process often unreliable. Some efforts to address this such as the introduction of questionnaires have sped up the initial process, but there is still further to go. Triaging cases into different processing streams is a relatively easy way to tackle the backlog, particularly with cases that come from a country of origin with a very high success rate. However, this should be caveated as though this would address many people stuck in limbo, the Home Office should not carry on the pattern of neglecting the processing stream of more complicated cases. Especially, as these cases often involve people with complex health needs and often are victims of other traumatic experiences such as human trafficking. Focusing on bringing down numbers in the backlog should not result in the neglect of more time-consuming cases.

A report shows measures Germany, Italy and Sweden take to streamline asylum procedures (Moniz, T., Talwar, S., and Vindrola-Padros, C., 2023). For example, France imposes a 90-day limit on filing for asylum before the case is automatically tracked under its accelerated procedures. A fairer distribution system would be useful like the German BAMF (system that manages the initial distribution of asylum seekers) and allocates places based on size and economic strength of the region. They have set up arrival centres, which streamline registration, reception and returns processes and locate services involved in processing under one roof. Sweden uses a five-track system to triaging asylum seekers based on an initial likelihood of acceptance, though Germany abandoned this system.

- **Update software and improve digitalisation:**

If the UK were to participate in the immigration data-sharing base, Eurodac, administered by joining the pact, the Home Office could be much better prepared for the processing of claims. It would also reduce the waiting time in the initial stages of an application as some of the necessary data will have already been collected. The audit conducted by the UNHCR (2024) suggests that the Home Office needs to update its software to prevent the duplication of work- currently the same questions are asked at

different stages of the asylum process, and often the answers are difficult to access or verify.

- **Fund the First-Tier Tribunal Court and ensure adequate legal representation:**

The doubling of the number of asylum caseworkers has resulted in the number of claims being processed finally starting to quicken, and the backlog starting to come down after its peak in June of 2023. However, this will inevitably result in an increase in appeals. Clearly, pre-emptive measures should be taken to ensure the quality of the initial decision as almost half of decisions are overturned on appeal. Therefore, rather than investing in even more caseworkers, this money is likely better off to increase the capacity of the First-tier Tribunal Court, which oversees appeal claims. A person waiting even longer for an appeal claim only detracts their ability to participate in citizen life or means that the government must spend more money accommodating people who may not have a right to claim asylum. Ensuring the efficiency of this procedure will reduce costs elsewhere, as well as reducing the distress that going through the judicial system without much legal aid can cause asylum-seekers.

This must also ensure that every person has adequate legal representation. Many asylum-seekers have faced extreme difficulty in finding lawyers qualified to handle their cases. This has resulted in many people not having a fair trial, some even going through without any legal representation, having to navigate a foreign legal system without support and without the tools required to present a fair case for themselves.

- **Properly train staff**

With the new intake of a large new number of asylum decision makers, better training is required. This should be focused on interview skills and thematic training on different applicant profiles. Some worry was expressed in this study at decision-makers knowledge of countries of origin. There is a clear need for higher quality decision making- in the first quarter of 2024 there was a 330% increase in appeals to the First Tier Tribunal (UNHCR, 2024).

- **Make the legislation clearer**

One problem raised in the study was the complexity of immigration and asylum legislation. A consultation should be done with immigration lawyers to codify the law, to make asylum-decision making easier while remaining in compliance with the law. While primary legislation like the IMA 2023 should be repealed in the long-term, in the short-term the UNHCR advises decision makers to “use powers under section 30(4) of the

Illegal Migration Act to grant temporary leave to remain to those who receive positive decisions”.

4.2.2: Ensuring a compassionate system

This section provides measures that would significantly improve the experience of asylum seekers in the UK and help to mitigate the mental health problems, particularly, PTSD, acute anxiety and depression, that are exacerbated by the hostility of the asylum system. They do so without compromising security or causing a significant increase in work or demand for funds for the Home Office.

- **Providing a preliminary timeline:**

One of the major factors found by the interviews causing profound worry, was the instability of not knowing the status of a claim. The Home Office procedures currently undervalue the impact of giving a preliminary timeframe of when an application will be looked at. The idea given by interviewees was that asylum seekers would be much happier to wait the sometimes years for their claim to be processed, if they were told in the beginning it would take that long to review the application, providing “light at the end of the tunnel”. This was particularly prevalent in the case of those who have received refugee status and are applying for a family reunification visa. The general experience when trying to find out what stage an application was that every week people phone and every time get an answer machine saying they were receiving a high volume of calls. The turmoil that being separated from family, especially parents from children was emphasised in interviews, with one refugee supported having not seen his eight-year old daughter since she was four, and still having no idea when his application will be processed or even looked at. This is one aspect contributing to a cold and clinical system. Attention to the Home Office’s administrative system could provide a world of relief and sanity to people who have already been going through a distressing experience for years.

- **Stop the focus on self-reporting:**

Currently, there is rather arbitrary criteria for asylum seekers who have to self-report. Some do and some do not, though there is a plethora of ways that the Home Office can have assurance on an applicant’s whereabouts without self-reporting: online or phone calls could be made, liaising with hotel staff and Serco, Mears and Clearsprings (the organisations that oversee immigration detention and accommodation, of which the

Home Office already pay billions to in their contracts). Self-reporting treats asylum seekers like criminals and is one of the ways which causes anxiety making them “always feel like they’re on the back foot” and constantly made to feel like they must prove their innocence, for months if not years on end. Often, they are not given proper notice and must rely on public transport.

- **End indefinite detention**

The UK is currently the only country in Europe with no time limit on immigration detention (Detention Forum, 2020). Immigration detention should only be used as a last resort, they are an incredibly expensive way to be cruel. The cost of immigration detention in 2022 was £107 per person per day (Migration Observatory, 2022). The main reasons for immigration detention according to Bail for Immigration Detainees (BID) are: fear that a person will abscond if released, the Home Office needs to establish a person’s identity, or they are shortly to be removed from the UK. They are not detained because they have committed a crime. “BID’s experience is that vulnerable people are routinely detained, often without access to appropriate or adequate medical help. BID regularly encounters people held in detention in spite of having evidence of being tortured, people with severe mental and physical health problems, and survivors of rape.” People have spoken of racist and disrespectful attitudes of staff, poor-quality healthcare and a “culture of disbelief”. Immigration detention also costs the Home Office lots of money in legal fees and compensation that must be paid due to wrongful detention (£56.8 million in the last five years accounting for 2,700 wrongful detention cases), which is not included in the £107 figure (BID). Detention should be used as an absolute last resort and never without a time limit, hundreds of people whose claims had not been heard were detained in a surprise initiative, in preparation to be sent to Rwanda, though they have since been released with the arrival of the new government. Records have shown how the Home Office immigration officers used force 60 times in just over two weeks (The Guardian, 2024). A recent report from the Guardian revealed during this detention a man tied his coat around his neck while screaming and crying, and in two other cases people were banging their heads against the wall of the deportation van. There are many stories of people even more severely distressed during the Rwanda detention raids. Finally, inspectors have said conditions inside Harmondsworth, an immigration detention centre near London, were the worst they have ever seen. This use of detention was entirely futile, resulting in no involuntary removals to Rwanda, and is one of inhumane examples of how asylum seekers are the

victims of the politicisation of migration. The new government must put an end to using asylum seekers as political pawns.

- **Clear separation of border security and asylum**

Officers from the UK Border Force may carry out the screening interview of those who arrive at the border and make an application for asylum. They also sometimes carry out age assessments at the border, despite not having the qualifications to do so. This sometimes leads to inappropriate accommodation for people, some young teenagers living with adult men. To properly assure the correct standards for human rights protections, the border force should refer asylum applicants to the asylum system and their separation should be clearer.

- **Attention to safeguarding issues in hotels**

Interviews suggested unpleasant conditions for asylum seekers living in hotels. Reports of sexual abuse and children being put at risk. There have also been reports of racism and hostility from hotel staff, on top of all the white-supremacist riots and xenophobia that were present from the past few months. One example of hostility given was the intentional removal of a painting that celebrated world refugee day. Harmless things to try and brighten the hardship of seeking asylum, were met with contempt. There should be adequate efforts to uphold the human rights of asylum-seekers at all times. ICAI reported anecdotal evidence of safeguarding lapses of women and girls, who are at risk of gender-based violence while in hotel accommodation. ICAI has also found that the Home Office has not been effectively overseeing that accommodation and support contracts ensure value for money (ICAI, 2024).

4.3- The role of education

One of the glaring observations found by the study was how many problems could be solved if there was sufficient education around the asylum system for both applicants and the British public.

Firstly, many of the discriminatory practices that asylum-seekers face could be mitigated if politicians did not fuel the polarisation that the British media exploits asylum for. One famous image of a deceased Syrian toddler, Alan Kurdi, who washed up on a beach in Turkey, catalysed a global humanitarian response, prompting initiatives from governments and local people to provide sanctuary for displaced people. The story of Alan Kurdi is one amongst millions, if there was a more humane portrayal in the media of the experiences of asylum-seekers, politicians

could not weaponise hostility. Under the vilification of asylum-seekers, Alan Kurdi and his family would be one of many 'illegal immigrants', criminalised for seeking safety.

Secondly, there is a need to tackle miscommunication in countries of origin. On speaking to advocates of asylum-seekers, it became clear that some people were completely unaware of what the process for asylum is like in the UK before they made the journey, many believing the lies fed by people smugglers. Some believed they would be given a council house, healthcare and education straight away with little hassle. In some cases, this has caused people to change their mind after witnessing the stark reality on arrival. An information campaign could present people's likelihood of acceptance, so people make more informed decisions. The government should try to remain steps ahead of criminal gangs who are exploiting vulnerable people in desperate situations. Secondly, they should better advertise the voluntary returns scheme, which means that the Home Office will pay to return people who decide to remove their application, without putting them in harm. This should not be done in the same manner as under Theresa May's government, with the "Go home or face arrest" advertisement on the side of vans, which obviously overlooks the sensitivity of such a decision and further fuels the demonisation of asylum seekers.

Moreover, some challenges could be solved by information booklets for asylum-seekers on arrival. Some people arrive without an understanding of how the UK works, and things such as how to get children into schools, and even things that may seem trivial, like when to use emergency phone lines, seemingly obvious to a citizen but can cause integration problems for refugees. Better signposting to local charities and NGOs that offer support is also needed. Finally, resources for English language education while waiting for an application to be processed would mean that once successful they are much better prepared for civilian life and employable, but also helps tackle the isolation and mental health problems of people stuck in limbo.

4.4- Integration and Employment

This section makes recommendations for how to improve the integration of refugees both pre- and post- status.

4.4.1-Devolve more power

The common theme found from the interviews was that the Home Office tend to have a domineering attitude towards the placement of refugees in resettlement programmes. Although the UK government consults local authorities, it often does not listen to them. This has resulted

to integration issues further down the line, for example, houses on certain streets being declared inappropriate to house refugees due to animosity. This then results in people having to move and refugees experiencing a greater deal of hostility, which could have been avoided if the expertise of local government was properly valued.

Secondly, refugees and asylum-seekers tend to be housed in the cheaper areas, with the North East of England disproportionately resettling more people, up to ten times as many as the South East and South West (NIHR,2024). This also tends to be demographically a very white British area and normally working-class, which can make integration very difficult, especially in an age where populist anti-immigrant rhetoric is so prevalent. One does not need to look further than the attempted arson of a hotel housing asylum seekers in Rotherham.

On interview with a local government official in County Durham, which has some areas that are up to 98% white British, they have found some measures that allow for a smoother transition period. Phased resettlement worked well in placing Syrian refugees. They resettled around 6 families at a time, that were in proximity to one another but not on the same street, they also reevaluated the facilities of the County, looking at for example, the lack of halal shops in the area. This scheme can act as a pilot for the government to introduce more humanitarian resettlement pathways. It shows the possibility of how it can be done even in areas that lack diversity when accounting for the value of local knowledge. Integration programmes should be locally driven.

4.4.2-Shorten the wait period to work to 6 months or less

The UK is the only country in Europe that does not allow asylum-seekers to work after six months. It is difficult to overstate the impact of living in isolation. Currently, an asylum-seeker is only eligible to work in the UK if they are on the skills-shortage list and have been waiting for over a year. Not only is this cruel, it also detracts the UK economy. Allowing someone to work gives them the independence required to not be reliant on the state. Allowing for legal work would make for a safer environment, as the unofficial labour market is very exploitative of migrants.

Secondly, on interview with the former CEO of a refugee employment charity, the study found anecdotally, that the greatest barrier to the employment of refugees post-status is they have had to go years without job regularity. This damages employability and adds more barriers to integration.

One challenge of shortening the wait period is that employers are unlikely to hire someone without a status, meaning that it will likely be low-skilled work that fill labour shortages.

However, this is still better than sitting in the accommodation all day battling isolation and is a measure to combat the lack of recent work experience, improving employability.

4.4.3-Improve refugee integration provision with measures of attainment

This section advises the Home Office to consult more specialists with experience in integration programmes to improve the standard of integration provision. The current Refugee Employability Programme wastes government money, as there are many loopholes for businesses to exploit funding. The government should invest in a review of funding mechanisms and reform of this programme to save money and support more refugees.

This study finds varying attitudes towards the quality of English language classes for refugees, and support in finding housing and careers, with many refugees entering homelessness. One of the major issues highlighted was the separation of different departments; the Department for Work and Pensions act in isolation to the Department for Housing who act in isolation to the Department for Education. The intersectionality of the areas, particularly in the case of someone who needs help in every aspect and has never lived in the UK, should be addressed with the introduction of a holistic integration problem. Many refugees have great difficulty trying to navigate the different departments, particularly if there is a language barrier.

The disparity in quality of integration access between refugees who arrive on a resettlement scheme and those who go through the asylum-system should be addressed. The two-tier attitude that starts in the legislation also materialises further down the line in the quality of integration provision, despite all people being recognised as the same status under the refugee convention.

5. Conclusion

This study recommends to following policy options:

- Repeal the Illegal Migration Act 2023.
- Increase the number of number and accessibility of humanitarian pathways.
- Enter a formalised agreement with the EU to commit to ambitious resettlement targets and a European Asylum System.
- Implement a Limited Territorial Visa scheme with the EU to make asylum applications more accessible.
- Refrain from entering into any offshoring of asylum agreements.
- Where possible, increase efforts to create safe spaces in countries of origin, to prevent mass unnecessary movement to Europe.

This study recommends the following actions to improve the efficiency of the asylum-system, and the experience of those seeking asylum in the UK. It recognises the importance of tackling criminal gangs and deporting those who no longer have a right to remain, to maintain the integrity of the asylum system, however, the new government have taken steps to show that this will be prioritised, the following actions tackle areas that have not yet been addressed properly.

- Streamline the application process.
- Update software and improve digitalisation.
- Increase funding to the First-Tier Tribunal Court and ensure adequate legal aid.
- Improve staff training.
- Make the legislation clearer to prevent incorrect decisions.
- Provide a preliminary timeline for applicants and renovate the Home Office administration.
- Stop the focus on self-reporting.
- End indefinite detention.
- Separate border security from asylum.
- Address safeguarding issues in hotels.
- Tackle misinformation about irregular immigration.
- Implement information booklets on arrival for asylum-seekers.
- Publicise the voluntary returns scheme better, though in a less hostile way.
- Devolve more power in resettlement programmes.
- Shorten the waiting period to work to 6 months or less.
- Harmonise different departments that address refugee integration.
- Ditch the two-tiered attitude towards refugees based on means of arrival.

6. Bibliography

- BID (n.d.). About immigration detention. [online] Bail for Immigration Detainees. Available at: https://www.biduk.org/pages/About_Immigration_Detention.
- Biggar, N., Finnis, J. and Ekins, R. (2022). From the Channel to Rwanda Three essays on the morality of asylum. [online] Available at: <https://policyexchange.org.uk/wp-content/uploads/2022/12/From-the-Channel-to-Rwanda.pdf> [Accessed 18 Sep. 2024].
- Cardiff University (2016). British media coverage of 'migrant crisis' amongst the most aggressive in EU. [online] Cardiff University. Available at: <https://www.cardiff.ac.uk/news/view/222869-british-media-coverage-of-migrant-crisis-amongst-the-most-aggressive-in-eu>.

- Detention Forum (2020). Time Limit for Immigration Detention. [online] Available at: <https://detentionforum.org.uk/wp-content/uploads/2022/04/Briefing-paper-Time-Limit-final.pdf>.
- Ekins, R. and Laws, S. (2023). How to legislate about small boats. [online] The Policy Exchange. Available at: <https://policyexchange.org.uk/wp-content/uploads/2023/02/How-to-legislate-about-small-boats.pdf>.
- European Commission (2024). Pact on Migration and Asylum. [online] home-affairs.ec.europa.eu. Available at: https://home-affairs.ec.europa.eu/policies/migration-and-asylum/pact-migration-and-asylum_en.
- European Parliamentary Research Service (2018). Humanitarian Visas. [online] Available at: <https://www.europarl.europa.eu/cmsdata/150782/eprs-study-humanitarian-visas.pdf>.
- House of Commons Library (2024). Asylum Statistics. [online] commonslibrary.parliament.uk. Available at: <https://commonslibrary.parliament.uk/research-briefings/sn01403/>.
- Hubbard, P. (2022). Suella Braverman’s talk of a refugee ‘invasion’ is a dangerous political gambit gone wrong | Feature from King’s College London. [online] www.kcl.ac.uk. Available at: <https://www.kcl.ac.uk/suella-bravermans-talk-of-a-refugee-invasion-is-a-dangerous-political-gambit-gone-wrong>.
- ICAI (2024). ICAI follow-up: UK aid to refugees in the UK - ICAI. [online] ICAI. Available at: <https://icai.independent.gov.uk/html-version/icai-follow-up-uk-aid-to-refugees-in-the-uk/#:~:text=ICAI%20also%20noted%20serious%20shortcomings> [Accessed 18 Sep. 2024].
- International Organisation for Migration (n.d.). World Migration Review. [online] World Migration Report. Available at: <https://worldmigrationreport.iom.int/what-we-do/world-migration-report-2024-chapter-2/refugees-and-asylum-seekers>.
- International Rescue Committee (2023). What is the EU Pact on Migration and Asylum? | International Rescue Committee (IRC). [online] www.rescue.org. Available at: <https://www.rescue.org/eu/article/what-eu-pact-migration-and-asylum>.
- IPPR (2024). The asylum backlog: Job done? [online] IPPR. Available at: <https://www.ippr.org/articles/the-asylum-backlog-job-done#:~:text=The%20number%20of%20asylum%20caseworking> [Accessed 18 Sep. 2024].
- Ipsos (2024). Ipsos Issues Index August 2024. [online] p.2. Available at: <https://www.ipsos.com/sites/default/files/ct/news/documents/2024-08/ipsos-issues-index-august-2024-charts2.pdf>.
- Library of Congress (2024). *European Union: New Pact on Migration and Asylum enters into force*. Available at: <https://www.loc.gov/item/global-legal-monitor/2024-06-12/european-union-new-pact-on-migration-and-asylum-enters-into-force/> (Accessed: 18 September 2024).
- Migration Observatory (2022). Immigration Detention in the UK. [online] Migration Observatory. Available at: <https://migrationobservatory.ox.ac.uk/resources/briefings/immigration-detention-in-the-uk/#:~:text=In%20Q1%202022%2C%20the%20average>.
- Migration Observatory (2024). Asylum and refugee resettlement in the UK - Migration Observatory. [online] Migration Observatory. Available at: <https://migrationobservatory.ox.ac.uk/resources/briefings/migration-to-the-uk-asylum/#:~:text=Asylum%20seekers%20accounted%20for%207> [Accessed 18 Sep. 2024].
- Moniz, T., Talwar, S. and Vindrola-Padros, C. (2023). METHODS USED BY FRANCE, GERMANY, ITALY AND SWEDEN TO STREAMLINE ASYLUM PROCEDURES. RAPID EVIDENCE BRIEF. [online] Available at: https://www.cape.ac.uk/wp-content/uploads/2023/07/Dated-POST_RREAL-Asylum-review.pdf.
- NIHR (2024). Exploring the health and care needs facing asylum seekers and refugees in the North East of England - ARC. [online] National Institute for Health and Care Research. Available at: <https://arc-nenc.nihr.ac.uk/evidence/exploring-the-health-and-care-needs-facing-asylum-seekers-and-refugees-in-the-north-east-of-england/> [Accessed 12 Sep. 2024].
- Real Instituto Elcano (2024). The EU Pact on Migration and Asylum: context, challenges and limitations - Elcano Royal Institute. [online] Elcano Royal Institute. Available at: <https://www.realinstitutoelcano.org/en/analyses/the-eu-pact-on-migration-and-asylum-context-challenges-and-limitations/#:~:text=The%20EU%20Pact%20on%20Migration%20and%20Asylum%3A%20context%2C%20challenges%20and%20limitations> [Accessed 02 Sep. 2024].
- Refugee Council (2024). Cost, chaos and human misery – the impact of the Illegal Migration Act 2023 and the Rwanda Plan. [online] Refugee Council. Available at: <https://www.refugeecouncil.org.uk/wp-content/uploads/2024/04/Cost-chaos-and-human-misery-the-impact-of-the-IMA-2023-and-the-Rwanda-Plan-April-2024.pdf> [Accessed 12 Sep. 2024].
- Refugee Law Initiative (2023). Does the UK’s Illegal Migration Bill breach the Refugee Convention? [online] Refugee Law Initiative Blog. Available at: <https://rli.blogs.sas.ac.uk/2023/03/16/does-the-uks-illegal-migration-bill-breach-the-refugee-convention/>.
- Richard Chambers Immigration Barristers (2024). The New Border Security, Asylum, and Immigration Bill Explained. [online] Richmond Chambers. Available at: <https://immigrationbarrister.co.uk/the-new-border-security-asylum-and-immigration-bill-explained/>.
- The Guardian (2016). Smugglers tariffs to get migrants to the UK. [online] the Guardian. Available at: <https://www.theguardian.com/uk-news/2016/apr/12/smugglers-tariffs-for-getting-migrants-to-the-uk>.
- The Independent (2024). Starmer shows “great interest” in Italy’s offshore asylum plan, says Meloni. The Independent. [online] 16 Sep. Available at: <https://www.independent.co.uk/news/uk/politics/starmer-italy-asylum-offshore-meloni-b2613670.html> [Accessed 04 Sep. 2024].

- UK Government Home Office Statistics (2023). How many people do we grant protection to? [online] GOV.UK. Available at: <https://www.gov.uk/government/statistics/immigration-system-statistics-year-ending-june-2023/how-many-people-do-we-grant-protection-to#:~:text=As%20at%20the%20end%20of.>
- UNHCR (2023). GLOBAL TRENDS FORCED DISPLACEMENT IN 2023. [online] Available at: <https://www.unhcr.org/sites/default/files/2024-06/global-trends-report-2023.pdf>.
- UNHCR (2024). UNHCR's Recommendations to the Government of the United Kingdom. https://www.unhcr.org/uk/sites/uk/files/2024-07/unhcr_recommendation_to_uk.pdf.
- Vargas-Silva, C., Sumption, M. and Walsh, P.W. (2022). The Fiscal Impact of Immigration in the UK - Migration Observatory. [online] Migration Observatory. Available at: <https://migrationobservatory.ox.ac.uk/resources/briefings/the-fiscal-impact-of-immigration-in-the-uk/>.
- Walawalkar, A. (2024). 'Inhumane' treatment of migrants rounded up in UK's failed Rwanda plan revealed. [online] the Guardian. Available at: <https://www.theguardian.com/world/2024/sep/14/revealed-inhumane-treatment-of-migrants-uk-failed-rwanda-plan-laid-bare> [Accessed 14 Sep. 2024].
- Walsh, P.W. (2024). Q&A: The UK's policy to send asylum seekers to Rwanda. [online] Migration Observatory. Available at: <https://migrationobservatory.ox.ac.uk/resources/commentaries/qa-the-uks-policy-to-send-asylum-seekers-to-rwanda/>.
- World population Review (2023). Richest European Countries 2021. [online] worldpopulationreview.com. Available at: <https://worldpopulationreview.com/country-rankings/richest-european-countries>.
- Yeo, C. (2024). Repairing the United Kingdom's Asylum System. Political quarterly. doi:<https://doi.org/10.1111/1467-923x.13414>.

Legislation

- *Convention for the Protection of Human Rights and Fundamental Freedoms* (1950) as amended by Protocols Nos. 11 and 14, 4 November 1950, ETS No. 5. Available at: https://www.echr.coe.int/Documents/Convention_ENG.pdf (Accessed: 01 September 2024).
- *Convention Relating to the Status of Refugees*, 28 July 1951, UN Treaty Series, vol. 189, p. 137. Available at: <https://www.unhcr.org/3b66c2aa10> (Accessed: 01 September 2024).
- Council of the European Union, 2008. *European Pact on Immigration and Asylum*. [online] Available at: <https://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2013440%202008%20INIT> [Accessed 19 Sep. 2024]
- *Human Rights Act 1998*. Available at <https://www.legislation.gov.uk/ukpga/1998/42/contents> (Accessed 30 August 2024)
- *Illegal Migration Act 2023*. London: The Stationery Office. Available at: <https://www.legislation.gov.uk/ukpga/2023/xx/contents/enacted> (Accessed: 01 September 2024).
- *Immigration Act 2014*. Chapter 22. London: The Stationery Office. Available at: <https://www.legislation.gov.uk/ukpga/2014/22/contents/enacted> (Accessed: 03 September 2024).
- *Immigration Act 2016*. Chapter 19. London: The Stationery Office. Available at: <https://www.legislation.gov.uk/ukpga/2016/19/contents/enacted> (Accessed: 02 September 2024).
- *Migration and Economic Development Partnership with Rwanda (2023)*. Available at: <https://www.gov.uk/government/news/uk-rwanda-partnership> (Accessed: 02 September 2024).
- *Modern Slavery Act 2015*. Available at <https://www.legislation.gov.uk/ukpga/2015/30/contents> (Accessed 30 August 2024)
- *Nationalities and Borders Act 2022*. Chapter 36. London: The Stationery Office. Available at: <https://www.legislation.gov.uk/ukpga/2022/36/contents/enacted> (Accessed: 17 September 2024).
- Official Journal of the European Union, 2013. *Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast)*. [online] Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32013R0604>[Accessed 08 Sep. 2024].
- *Protocol Relating to the Status of Refugees*, 31 January 1967, UN Treaty Series, vol. 606. Available at: <https://www.unhcr.org/3b66c2aa10> (Accessed: 07 September 2024).
- *Safety of Rwanda (Asylum and Immigration) Act 2024*. Available at <https://www.legislation.gov.uk/ukpga/2024/8/enacted> (Accessed 30 August 2024)

Cases

- 'AAA and others v. Secretary of State for the Home Department' (2022) The High Court, Neutral citation number: [2022] EWHC 3230 (Admin). Available at: <https://www.judiciary.uk/wp-content/uploads/2022/12/AAA-v-SSHD-Rwanda-judgment.pdf> (Accessed 28 August 2024)
- 'N.S.K. v. United Kingdom' (2022) European Court of Human Rights 197, Application no. 28774/22, Available at: https://www.google.co.uk/url?sa=t&source=web&rct=j&opi=89978449&url=https://hudoc.echr.coe.int/app/conversion/pdf/%3Flibrary%3DECHR%26id%3D003-7620973-10489477%26filename%3DCourt%2520gives%2520notification%2520of%2520case%2520concerning%2520asylum%2520seeker&ved=2ahUKewjgrbujrMylAxXEEFAHXDuD5gQFnoECDDQAO&usq=AOvVaw0DA3AxVrs_95WAF3HIT2Mi

- 'R(AAA) v. Secretary of State for the Home Department' (2023) The Court of Appeal, Neutral Citation Number: [2023] EWCA Civ 745. Available at: <https://www.judiciary.uk/wp-content/uploads/2023/06/AAA-v-SSHD-judgment-290623.pdf> (Accessed 28 August 2024)
- 'R(on the application of AAA and others) v. Secretary of State for the Home Department' (2023) The United Kingdom Supreme Court, Case Number: 2023/0093. Available at: <https://www.supremecourt.uk/cases/docs/uksc-2023-0093-etc-judgment.pdf> (Accessed 28 August 2024)