



SUPPORTING AND
EMPOWERING
REFUGEES

Towards a National Refugee Strategy: Our vision for a fair and humane asylum system

JULY 2023

Summary

“The plan is working” was the claim made by Rishi Sunak, the Prime Minister, when asked about small boats crossing the English Channel on his way to the NATO summit in Lithuania on 11th July 2023. With more people having crossed the Channel in June 2023 than the same month the previous year, and with numbers overall almost the same, this is a highly questionable claim.

Nobody, with the exception of the smugglers making vast profits, wants to see people putting their lives at risk crossing the Channel to reach the UK. But the approach taken by the UK Government is destined to fail. It will fail because it ignores the evidence, including that of the Home Office, for why people make the decisions they do and take dangerous journeys to reach the UK. And it will fail because the centrepiece of the Government’s plans, as contained in the Illegal Migration Act and the Migration and Economic Development Partnership with Rwanda, are unworkable and will not do what the government continues to claim.

There is no one solution that will stop people taking dangerous journeys overnight. But there are practical and tangible actions that will make an impact, unlike the empty rhetoric of the Government’s current approach.

This paper sets out an alternative pathway to reducing the number of people taking dangerous journeys to reach the UK. It focuses on expanding the safe routes available to people who would wish to seek safety in our country, on meaningful partnerships with the French Government and EU partners, and on running a fair and efficient domestic asylum system.

This pathway should be part of an overall cross-government National Refugee Strategy that marks an end to the cost and chaos of the current system that has resulted in over 170,000 people waiting for an initial decision and people being accommodated in expensive and inappropriate hotels. Such a strategy would include the types of international cooperation set out in this paper, recognise the role of the Foreign, Commonwealth and Development Office in increasing stability for people around the world, ensure the domestic asylum system makes fair and efficient decisions while providing the right support to people throughout the process, and give the Department for Levelling Up, Housing and Communities responsibility for the integration of refugees.

Over
170,000

people are waiting for an initial decision.
Many are being accommodated in expensive and
inappropriate hotels.



Key recommendations

The Government should expand access to safe routes by:

- Expanding access to refugee family reunion
- Setting an ambitious, multi-year target for resettling refugees that significantly expands the current capacity of local authorities and communities
- Piloting a “refugee visa” that allows people to travel to the UK to apply for asylum

The UK Government should seek a bespoke agreement with the European Union that:

- Allows for the transfer from EU Member States to the UK for people with family members in the UK, or who have other humanitarian reasons to apply for asylum in the UK
- Allows for the transfer of people from the UK to EU Member States if they have previously made an application for asylum in an EU Member State
- Includes the UK in existing and future responsibility sharing mechanisms within the EU, where the UK agrees to the transfer of some people from EU Member States who are experiencing high numbers of applications
- Includes commitments to expand safe routes for those outside of Europe

Pending an agreement at EU level, the UK Government should seek an agreement with the French Government that allows for:

- The transfer of people who have applied for asylum in France but who have family in the UK
- Joint work on safe routes, including the piloting of a refugee visa

- Commitments to ensuring access to asylum systems on both sides of the channel
- The provision of information and advice for people so they understand and access their rights and entitlements in France and the UK
- The transfer of people from France to the UK in circumstances where someone has made a claim for asylum in France.

The UK Government must treat people fairly and with dignity when they arrive in the UK and give them access to a fair and efficient asylum system. To achieve this the Government should:

- Take immediate steps to tackle the backlog in asylum claims, including fulfilling the Prime Minister’s commitment to clearing the backlog of “legacy” claims by the end of 2023
- Introduce triaging at the front-end of the asylum process so that claims are dealt with effectively and efficiently
- Protect the rights of children arriving in the UK so that they are safeguarded and given the protection they need as children
- Ensure the provision of safe and decent accommodation in the community for people in the asylum system that is appropriate to their needs
- Put in place good quality reception arrangements for people arriving in the UK, ensuring access to health and therapeutic services and legal support
- Allow people who have been waiting longer than six months for a decision on their asylum claim to work

Background

In 2018, **271** people crossed the Channel in small boats to reach the UK. By 2021 the number had risen to **28,256** and then **45,746** in 2022.¹ The 2022 number includes over **7,000** children, and nearly **3,600** adult women.

A further **14,071** men, women and children have made the journey as of 19th July 2023.²

The tragedies that took place in November 2021 and December 2022 are stark reminders of the horrible consequences that can and do result from people feeling that their best option is to get in a small boat and try to cross the channel, even in the harshest weather conditions. Nobody takes that decision lightly.

For those who seek to cross the channel, their journey doesn't start in France. Instead, they will have spent time in other countries before being compelled to move onwards. Many will have travelled for several months, if not years before reaching the UK.

Many won't have set out with the intention of reaching the UK, while others may have family already living here, speak English or have other cultural ties. And it remains the case that the vast majority of people who are forcibly displaced remain within the borders of the country they live in, and those who do cross borders tend to be hosted by those countries immediately neighbouring the one they left.³

With the exception of the criminals who benefit financially, no one wants to see people putting their lives at risk crossing the channel. And small boats are not the only dangerous route people take to reach the UK.

In the year to March 2023, **less than half (44%)** of all asylum claims were made by people who had arrived by small boats.⁴ In the absence of safe routes to reach the UK, people will take various dangerous journeys, including stowing away in lorries.

The Prime Minister, Rishi Sunak, has included “stopping the boats” are one of his five key pledges for 2023. The Illegal Migration Act alongside arrangements such as the Migration and Economic Development Partnership with Rwanda form the main measures to try and achieve it.

We believe it will fail for two principal reasons.

First, it ignores the research about the reasons why people end up in the UK. While people often have preferences about where to go, their choices are restrained and severely limited, including by the lack of formal immigration pathways that are available. Research has consistently found that many people are prevented from making personal decisions about their destination due to the influence and coercion of organised criminal networks, and the information people have access to on their journeys is usually incomplete and inaccurate.

¹ Home Office statistics year ending March 2023, Irregular Migration to the UK, table Irr_D01

² Refugee Council analysis of Home Office transparency data, Migrants detected crossing the English Channel in small boats <https://www.gov.uk/government/publications/migrants-detected-crossing-the-english-channel-in-small-boats>

³ According to UNHCR, there are 53.2 million people internally displaced within their own countries and 27.1 million refugees across the world. Of that 27.1 million, 72% are hosted by countries neighbouring the one they have left, and low- and middle-income countries host 83% of the world's refugees. See <https://www.unhcr.org/about-unhcr/who-we-are/figures-glance>

⁴ Home Office, Irregular migration to the UK, year ending March 2023 <https://www.gov.uk/government/statistics/irregular-migration-to-the-uk-year-ending-march-2023/irregular-migration-to-the-uk-year-ending-march-2023#how-many-migrants-were-detected-arriving-in-the-uk-via-small-boats>

The Home Office's own research shows that people have little knowledge of the current economic conditions or migration policies in different countries. It concluded that restrictive migration policies are "unlikely to diminish asylum seekers' motivations in the longer-term" and are likely to increase the number of people with an irregular immigration status.⁵

The Refugee Council's analysis has shown that **two thirds** of the men, women and children who crossed the Channel in a small boat in 2022 would be expected to be recognised as refugees if the Home Office processed their claims. But to make an application for asylum in the UK, a person must be physically present in the country.⁶

There is no visa that allows someone to travel to the UK for the purpose of applying for asylum.


While the UK does provide a number of immigration routes that allow people who have been forcibly displaced from their homes to safely travel to the UK, they are limited in scale and in scope (except in the case of those aimed at Ukrainians).

In the year to March 2023, refugee resettlement schemes operating in partnership with UNHCR were **down 40%** on the previous year, while the scheme that allows refugees in the UK to be joined by their close relatives was **23% lower**. The low numbers are not because there isn't a need for resettlement or a demand for family reunion but are a result of a lack of places and lengthy delays in processing.⁷ By comparison, in the first three months of 2023, **13,494** people were granted visas under the Ukraine Family Scheme and the Ukraine Sponsorship scheme, with **13,000** people arriving.⁸

SAFE ROUTE	Resettlement arrivals / family reunion visas issued year to March 2022	Resettlement arrivals / family reunion visas issued year to March 2023	CHANGE	% CHANGE
Resettlement	1,651	1,002	-649	-39%
Family Reunion	6,000	4,612	-1,388	-23%

Source: Home Office statistics year ending March 2023, Asylum and resettlement summary tables, tables Res_01, Fam_01

- 5 See Robert Jenrick's response to Chi Onwurah <https://questions-statements.parliament.uk/written-questions/detail/2022-12-15/111581> and the reference research <https://freemovement.org.uk/wp-content/uploads/2022/11/Annex-A-Sovereign-Borders-International-Asylum-Comparisons-Report-Section-1-Drivers-and-impact-on-asylum-migration-journeys.pdf>
- 6 Section 14 of the Nationality and Borders Act 2022, and paragraph 327AB of the immigration rules
- 7 For example, the service standard for refugee family reunion applications was previously 60 working days. A report by the Independent Chief Inspector for Borders and Immigration published in February 2023 found that applicants were consistently waiting more than twice that period <https://www.gov.uk/government/news/inspection-report-published-a-reinspection-of-family-reunion-applications-september-october-2022>. As of July 2023, most applicants are waiting for at least nine months for a decision.
- 8 Home Office statistics year ending March 2023, Ukraine Visa Schemes tables UVS_02 and UVS_03. As the data is published for each week, the data does not correlate exactly to 1 January 2023 to 31 March 2023, but instead is for 4 January 2023 to 28 March 2023 for visa grants, and 3 January 2023 to 27 March 2023 for arrivals.



Secondly, the Illegal Migration Act' is unworkable on the Government's own terms. Despite claims that under the legislation people who arrive irregularly will be swiftly detained and removed, the Government has not yet said where the tens of thousands of people who will be impacted by the legislation each year will be detained and then removed to.

Our own analysis has estimated that in the first three years of the legislation coming into effect, between **225,347** and **257,101** people will have their asylum claims deemed inadmissible.⁹

This includes between **39,500** and **45,066** children. At the end of the third year, between 161,147 and 192,670 people will have had their asylum claims deemed inadmissible but not have been removed. They will be unable to have their asylum claims processed, unable to work and will be reliant on Home Office support and accommodation indefinitely.

There needs to be a more rational, sensible conversation. There is no one simple policy or measure that will end the Channel crossings – the individuals and groups making the journey are too diverse for that to ever be the case – but there are a series of measures that the Government can and should take to give those men, women and children other options, as well as provide better management of the asylum system. Critically, the right to claim asylum and have a fair hearing in the UK must be upheld.

These measures fall into **four** categories:

1. Safe access to protection in the UK
2. UK-EU cooperation
3. Reshaping UK-France cooperation
4. Fair and effective UK asylum processes

⁹ Refugee Council, Illegal Migration Bill – Assessment of impact of inadmissibility, removals, detention, accommodation and safe routes <https://www.refugeecouncil.org.uk/information/resources/illegal-migration-bill-impact-assessment/>



Safe access to protection in the UK

The only way to claim asylum in the UK is to first be physically present in the country. Except for people from Ukraine and those with Hong Kong (BNO) status,¹⁰ there are very few safe ways for refugees and their families to travel to the UK.

What routes do exist are either very small in terms of numbers or have a narrowly drawn eligibility.

For example, in January 2022 the UK Government announced the opening of the Afghan Citizens Resettlement Scheme with the intention of resettling **20,000** people over an unspecified number of years.¹¹ However, the 20,000 would include an unspecified number of people who had been evacuated under Operation Pitting in August 2021 and so were already in the UK.

As of 23 February 2023, **7,609** of the 20,000 places had already been given to those who arrived before the scheme was even announced. Additionally, other than for a small number of British Council contractors, GardaWorld contractors and Chevening Alumni, there is no way for an Afghan national to apply to the scheme.

Likewise, the UK Resettlement Scheme, which replaced a number of different resettlement programmes, including the one focused on people displaced by the Syrian conflict, has no application process. There is also currently no annual target and in 2022 only **1,185** people were resettled to the UK, **down 75%** from pre-Covid levels (**5,612** people in 2019).

Refugee Family Reunion provides a way for some refugees to be reunited with their close family members in the UK. However, the definition of family is very narrow, applying only to pre-flight spouses/partners and dependent children under the age of 18. In 2022, **4,427** people were issued family reunion visas to travel to the UK, **down 40%** on pre-Covid levels (**7,456** visas in 2019).

¹⁰ It is also important to note that neither of these schemes provide individuals with refugee status.

¹¹ Afghan citizens resettlement scheme - GOV.UK (www.gov.uk)



The UK Government should **expand safe routes** to the UK.

Specifically, the UK Government should:

1. **Widen eligibility to refugee family reunion by**

- Allowing children to join wider family members in the UK and removing the financial and other barriers that prevent that from happening
- Allowing refugees to sponsor their family members to join them, no matter how they themselves arrived in the UK
- Simplifying the existing rules to make it unambiguous that refugees in the UK are able to sponsor their dependent adult children to join them
- Allowing refugee children in the UK to sponsor their parents and siblings to join them

2. **Increase the number of refugees being resettled in the UK by**

- Setting an ambitious, multi-year target that allows local authorities, communities and support organisations to build expertise and capacity, maximising the existing global UK Resettlement Scheme.

3. **Introduce a “refugee visa” scheme,¹² similar to the visa schemes for Ukrainians, by**

- Introducing a year-long pilot visa process that allows people to apply for permission to travel to the UK in order to claim asylum.
- For the pilot, this should focus on those nationalities most likely to cross the Channel and also with high grant rates – Afghans, Iranians, Syrians, Eritreans and Sudanese.¹³ The pilot should aim to issue 10,000

visas for the first year while the process is worked through.

- For the pilot, individuals would need to have left the country they are seeking protection from prior to making an application. This is for two reasons. Firstly, if the individual was in their own country at the time of application, then they are not a refugee at that point. Secondly, there are significant risks relating to an individual seeking international protection while still in the territory of the country from which they are seeking protection.
- People would be able to apply for a visa either online or at specific Visa Application Centres in the region of those countries. Allowing people to apply for the visa close to the country they have left instead of making them available closer to the UK reduces the potential risk of travelling to the Visa Application Centre.
- Basic security and nationality checks would be undertaken. This would not require individuals to be in possession of a biometric passport. As is the case with refugee family reunion applications, identity can be established through documents including passports, travel documents, national identity cards or other official documents such as school ID cards. It could additionally include UNHCR documentation where available. Biometrics required would be the same as for a refugee family reunion application and consist of fingerprints and a digital photograph.

12 There are some examples where humanitarian visas have been used internationally. These include Brazil's scheme, which started in 2011 for Haitians (<https://reliefweb.int/report/haiti/iom-opens-brazil-humanitarian-visa-application-centre-haiti>), and was extended in 2013 to benefit Syrians fleeing conflict and also to Afghans in 2021 (<https://help.unhcr.org/brazil/en/information-for-the-afghan-population/>). Brazilian embassies were granted the power to authorise visas or laissez-passers, even for those without a valid passport. Other schemes have been found to restrict overall access to protection. For example, the implementation of humanitarian visas in Chile, Ecuador and Peru have been found to have created new barriers to legal entry instead of presenting additional protection (see Freier, L. F. and Luzes, M., 2021, “How Humanitarian Are Humanitarian Visas?,” Latin America and Refugee Protection: Regimes, Logics, and Challenges).

13 In 2022, 48% (20,837) of the people who crossed the Channel whose nationality was recorded came from one of those five countries. All those countries are in the top seven for nationalities crossing the Channel so far in 2023.



- Decisions on whether to grant, or not, a visa should take no more than 3 days, due to the limited checks involved. Anyone who is refused at this stage would be able to re-submit an application.
- Once a visa is issued, their travel would be facilitated to the UK as is the case with the UK Resettlement Scheme and Afghan Citizens Resettlement Scheme.
- On arrival in the UK, their asylum claim would be registered and processed through a shortened asylum process to provide a fast grant of refugee status avoiding the bottle neck in decision making that has contributed to the backlog of claims over recent years.¹⁴ Access to legal advice and appeals, if required, would be the same as for any other asylum applicant.
- The vast majority, if not all, of those who arrive on a refugee visa would be successful in their asylum claim. In the rare cases that someone is refused asylum, including after any appeal, then they should be removed to their country of nationality where safe to do so.¹⁵
- The pilot would be subject to an independent evaluation. The evaluation should include an equality and diversity audit to assess access to the scheme for different social groups.
- Anyone from these countries who enters the UK outside of this scheme would not be penalised for doing so and would have their asylum claim processed.
- We estimate that the cost of running the pilot for one-year would be £50.2m. This is equivalent to reducing the number of people being accommodated in hotels by 1,537 over the year, which is easily achievable by speeding up decision making.¹⁶

¹⁴ A shortened asylum process would allow for a quick grant of refugee status without needing to undertake a full substantive interview. Paragraph 339NA of the Immigration Rules allows the Home Secretary to make such a positive decision on an asylum claim on the basis of evidence that has already been provided. For the purposes of a humanitarian visa process, this would be information provided when applying for the visa and any additional information submitted when the individual's asylum claim was registered upon arrival in the UK. This would allow for the individual's identity and profile to be established. Given the focus of these visas on countries with very high grant rates, that profile would enable the claim to be considered manifestly founded and able to be granted quickly.

¹⁵ As people would apply for the visa close to their country of nationality, the inadmissibility scheme as per section 80B of the Nationality, Immigration and Asylum Act 2002 (inserted by the Nationality and Borders Act 2022), would not apply.

¹⁶ The £50.2m cost comprises: £1.44m for processing the 10,000 applications, based on the current £144 unit cost of processing "other overseas visas" – see https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1165129/Fees_tables_and_unit_costs_29_June_23.xlsx; £5m travel costs for 10,000 people issued visas, based on a cost of £500/person; £38.4m to accommodate 10,000 people for three months while their asylum claims are processed in the UK; £5.7m asylum support payments during those three months, based on the current weekly rate of £47.39 per person.



UK-EU co-operation

Any sustainable response to people crossing the Channel in small boats will include an agreement with the EU. In May 2020, during the negotiations on the UK-EU Future Relationship, the UK Government did publish two relevant draft legal texts on the transfer of unaccompanied children¹⁷ and on the return of people residing without authorisation¹⁸ (which included nationals of the UK/Member States and third-country nationals). There was not, at least publicly, a formal response from the EU negotiating team, European Council or Commission.¹⁹

Since May 2020, the UK Government has not publicly set out any further proposals for what an agreement with the EU should look like. At an EU level, the Council, Commission and Parliament have discussed reform of the Common European Asylum System (CEAS) for several years. In June 2023, the Council agreed a negotiating position on two key plans of the reforms. These reforms make no mention of the UK or any agreement with the UK. In the meantime, there have been yearly deals between the French and UK Government. These have focused on preventing small boats from leaving France, rather than any wider cooperation and agreement such as on the transfer of people.

Any proposal for an agreement between the UK and the EU should both increase safe access to protection and be politically viable. We recommend that the basis of an agreement should:

1. Include a workable mechanism for people who enter the UK having travelled through EU countries to be returned to the EU, in particular if it can be shown that an individual applied for asylum in a Member State;
2. Include a workable mechanism for people who have sought asylum to be transferred to the UK if they have a meaningful connection to the UK, starting with those who have family members in the country; and
3. Include a commitment that the UK will accept the transfer of people who have sought asylum in EU Member States who do not have the capacity to process that number of claims as part of a wider EU agreement. This reflects a key element of EU discussions since 2015 and is part of the new solidarity mechanism.

An agreement could potentially meet criteria (1) and (2) if it simply involved the UK becoming a member of the Dublin system once again.²⁰ However, given the current debates on the future of the Dublin system within Europe, and the low likelihood of the EU allowing the UK to sign up to only one part of the CEAS, it's not a realistic aim.²¹

17 See https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/886020/DRAFT_Agreement_on_the_transfer_of_unaccompanied_asylum-seeking_children.pdf

18 See https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/886021/DRAFT_Agreement_on_the_readmission_of_people_residing_without_authorisation.pdf

19 This may be because the EU's negotiating team had no mandate to negotiate on this issue from the Member States.

20 The Dublin system is one element of the EU's Common European Asylum System. It puts in place a criteria for determining which country should be responsible for determining someone's asylum claim. At the top of the criteria is family unity, followed by humanitarian considerations and then whether someone has previously applied for asylum (or has another form of leave) in a country other than the one they are currently present in. The Dublin system also contains a process for countries to request the transfer of individuals and their asylum claims based on that criteria, including for the purposes for family reunion.

21 Four non-EU countries – Norway, Switzerland, Iceland and Liechtenstein – are all signatories to the Dublin III Regulation. However, they are also all associate members of the Schengen Area as well as being part of various other elements of the EU's asylum and migration legal framework. Furthermore, the EU is currently going through a long process of replacing the legal framework of the CEAS. As part of this, the Dublin system is being replaced with a proposed Asylum and Migration Management Regulation. This proposed regulation includes much of the Dublin system, but with an added solidarity mechanism covering a range of circumstances. One of these includes a relocation mechanism for when one Member State is experiencing very high levels of asylum applications. The CEAS reform is taking a long time, which means it is very unlikely the UK Government would either be able to, or want to, negotiate to either re-join the Dublin System or be part of the new Asylum and Migration Management Regulation.

Therefore, the UK Government should seek a bespoke arrangement with the EU that would reflect many of the elements of the Dublin System and the proposed Asylum and Migration Management Regulation.

This agreement would cover:

1. **Transfers of people with family in the UK, or who have other humanitarian reasons to have their asylum claim heard in the UK:** separated children who have relatives who are legally present²² in the UK would be transferred to the UK if it is in their best interests; adults and families would be transferred to the UK if there is a family member who has been granted refugee status in the UK (or has been resettled under Pathways 1 or 3 the Afghan Citizens Resettlement Scheme), or a family member who is currently awaiting a decision on an asylum claim.
2. **Transfers of people who make an application for asylum in the UK but who have previously applied for protection in an EU Member State:** unless someone has a family member in the UK, or another humanitarian reason to remain in the UK, a person who has previously submitted an application for asylum in an EU Member State would be returned to that Member State. This would include whether that claim had been successful, was awaiting a decision, or had been refused. This would also require the UK to have access to Eurodac, the EU legislation and accompanying database requiring the fingerprinting of all asylum applicants over the age of 18, to enable the identification of those who would meet this criteria.
3. **The relocation of people who have applied for asylum in an EU Member State that is receiving a high number of applications, particularly first entry countries:** in the short-term, this would involve being part of the voluntary solidarity mechanism agreed under the French presidency of the EU Council,²³ with a view to being part of the permanent mechanism proposed within the Asylum and Migration Management Regulation. The numbers to be relocated to the UK would be based on the UK's population and GDP in comparison with other relocating countries.
4. **Commitments to expand safe routes:** the UK and EU Member States should agree to cooperate on the expansion of safe routes. This should include the joint-piloting of a Refugee Visa.

Both 1. and 2. would be reciprocal in the opposite direction of transfer.

²² "Legally present" would have the same meaning as applied to Dublin III cases and has a larger scope than legally resident. It includes those with outstanding asylum claims.

²³ The Voluntary Solidarity Mechanism was agreed by Ministers from Belgium, Bulgaria, Cyprus, the Czech Republic, Germany, Greece, Spain, Finland, France, Croatia, Ireland, Italy, Lithuania, Luxembourg, Malta, the Netherlands, Portugal, Romania, Norway, Switzerland and Liechtenstein in June 2022. The mechanism is coordinated by the European Commission and allows for the transfer of asylum applications from one country to another, where the former is receiving high numbers of applications – usually those countries on the Mediterranean. The first transfers under the mechanism took place in August 2022. https://home-affairs.ec.europa.eu/policies/migration-and-asylum/migration-management/relocation-eu-solidarity-practice_en#:~:text=In%20June%202022%2C%2021%20European%20countries%20signed%20the,asylum%20seekers%20and%20refugees%20or%20through%20financial%20contributions.



Fair and effective UK asylum processes


There needs to be an acceptance and honesty that any one individual policy or even a combination of measures is highly unlikely to result in no one entering the UK irregularly, whether by small boat or other means. When people do arrive in the UK they should be treated fairly and with dignity and have access to the asylum system.

This should include:

- 1. Immediate steps to tackle the backlog in asylum claims, including fulfilling the Prime Minister's commitment to clearing the backlog of "legacy"²⁴ claims by the end of 2023.** The Home Office should set a target for completing all outstanding legacy and flow cases from high grant countries by the end of September, with new applications receiving decisions within three months. The Home Office should also publish data as part of the quarterly immigration statistics on the outcomes of the Streamlined Asylum Process. This should include the return rate of questionnaires, the number of decisions that are made as a result of the questionnaire, the number of cases where an interview is still required and the number of asylum claims that are withdrawn as a result of questionnaires not being returned.
- 2. Introduce triaging at the front-end of the asylum process so that claims are dealt with effectively and efficiently.** As recommended by UNHCR in their submission to the UK Government in 2021²⁵ on how to reform the asylum process, this would allow for targeted and differentiated approaches depending on the particular circumstances of someone who has applied for asylum. In particular, this would allow for specific processes for claims that are clearly either manifestly founded – i.e. given the basis of the claim, and the ability to establish the person's identity, a full asylum process isn't necessary and a grant of asylum can be made quickly, e.g. they are from a high grant country; or manifestly unfounded – i.e. the person's asylum claim is not evidently related to criteria under the 1951 Refugee Convention and doesn't give rise to a protection claim, and so a quick decision can be made. It would also allow for resources to be better managed for other claims which are either complex or less-complex.
- 3. Uphold the rights of children arriving in the UK so that they are safeguarded and given the support they need as children under our existing obligations, i.e. the Children Act and the UN Convention on the Rights of the Child.** Children and young people seeking asylum in the UK should be treated as such throughout the asylum process, with safeguarding and respecting their rights as children being the priority. Separated children should have access to safe and secure accommodation and support from Local Authorities under the provisions of the Children Act 1989. Age assessments should only be carried out if absolutely necessary and only by a qualified professional working for a local authority.

²⁴ Legacy claims are those submitted prior to 28 June 2022, when most of the asylum related aspects of the Nationality and Borders Act 2022 come into force.

²⁵ UNHCR's Guide to Asylum Reform in the United Kingdom <https://www.unhcr.org/uk/media/unhcrs-guide-asylum-reform-united-kingdom-0>

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- 4. Ensure the provision of safe and decent accommodation in the community for people in the asylum system that is appropriate to their needs.** This should include the Government moving to a place-based approach, working in partnership with devolved governments, local authorities and civil society. Instead of running multiple schemes – such as asylum dispersal, the UK Resettlement Scheme, the Ukraine schemes and Hong Kong (BNO) scheme – each with different funding structures and housing requirements, there should be one overarching strategy. To develop this strategy, the Government should facilitate discussions with local authorities, housing providers, refugee and migration experts, and other bodies
 - 5. Put in place good quality reception arrangements for people arriving in the UK, ensuring access to health and therapeutic services and legal support.** Such sites should provide a safe space for people to receive the advice and support they need at the start of the asylum process, and to then be dispersed into housing within communities. Triaging could also take place within these sites. They should not be detained settings, and people should not be accommodated there for longer than 28 days. The existing and growing barriers to obtaining legal aid funded advice should be addressed as a priority
 - 6. Allow people who have been waiting longer than six months for a decision on their asylum claim to work.** This would allow people to maintain skills, support themselves and their families, and help them to integrate in their communities.

Conclusion

The cost and chaos caused by the UK Government's current approach is clear for all to see.

The recently passed Illegal Migration Act will only make things worse at huge human and financial cost. In this paper we have set out core strands of a National Refugee Strategy that would reduce the number of people taking dangerous journeys by providing more safe routes, result in meaningful international cooperation and make the asylum system fairer and more efficient.

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