



HOUSE OF COMMONS

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House of Commons,  
London,  
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**Re: Queen' Speech, Asylum Plans**

Dear Home Secretary,

I am writing to you on behalf of my many constituents, and local charities and organisations, who have written to me, raising concerns about your immigration plan and its impact on asylum seekers announced during this week's Queen's Speech.

The United Kingdom has a proud history of welcoming refugees. In the late 1930s, we took in 10,000 Jewish child refugees fleeing from the Nazis in Europe. Unfortunately, today, the UK has taken in just 0.003% of the world's refugees.

We as a nation are proud signatories of the 1951 Refugee Convention and its 1967 Protocol. Together they define the term 'refugee' and outline the rights of refugees, as well as the legal obligations of States to protect them. The core principle is non-refoulement, which asserts that a refugee should not be returned to a country where they face serious threats to their life or freedom. It also states that it is an international human right for anyone to claim asylum.

There are deep rooted concerns that your new immigration plans will not only be in contravention with the 1951 Refugee Convention and its 1967 Protocol, but will also further impede an already under-resourced, ineffective and delayed asylum system.

The issues that have been raised with me are wide ranging and relate to the consultation process; terminology; expansion of re-settlement schemes; the two-tier system; use of reception centres; the protection period; the 'one stop', single assessment; and the link between modern slavery and immigration policy.

The concerns raised with me are listed as follows:

**Consultation Process**

- The six-week consultation was shorter than usual. By government guidelines it should have lasted 12 weeks.

- The process coincided with an election period meaning those involved in local, mayoral and devolved nation elections were restricted in what they could say publicly.
- There was not an appropriate time lapse between closing the consultation and implementing policy. The Queen's Speech, at which the legislation was proposed, took place just four days after the consultation closed.

#### **Terminology**

- Terminology used in the consultation was inconsistent. Use of the term "illegal asylum seeker" is an oxymoron. The right to seek asylum is not illegal and is embedded in human rights legislation.

#### **Expansion of Re-Settlement Schemes**

- There is support for the expansion of re-settlement schemes but local authorities should be consulted with fully before the dispersal of resettled refugees. Only checking local infrastructure is not enough.
- Improving the safer routes via the re-settlement programmes should not be at the expense of cultivating other means of safe passage. Not all unsafe places have UNHCR refugee camps or similar and therefore are unable to facilitate re-settlement schemes and plans should acknowledge this.
- It should be reiterated that although re-settlement schemes are important, they are predominantly used for populations who have been displaced by war or those who have been in a refugee camp for a long time. The re-settlement scheme is not set up to help support the many asylum seekers who flee from countries which may be 'safe' for most people, but not those who have a well-founded fear of persecution because of their race; religion; nationality; membership of a particular social group; or political opinion. In this category, women who are at risk of being killed or harmed by their family or community through forced marriage or refusing FGM, etc. Another example would be someone who lives in a country where corruption is endemic and who may have resisted or upset a person with political or economic power, who can endanger their lives with impunity. Not offering support for people seeking safety this way would be in contravention of the 1951 UN Refugee convention.

#### **Two-Tier System**

- The two-tier system will mean that a person's right to safety and sanctuary will be solely based on the circumstances on which they arrive – not their actual need of protection. This makes it more difficult for some people arriving in the UK to claim asylum, even though they are in effect no different to anyone else fleeing for their lives. This is in contravention of the 1951 UN Refugee Convention.
- If claims made by asylum seekers who have arrived in the country illegally are automatically inadmissible, the existing under-resourced, ineffective and delayed system will be strained further, prolonging the process rather than improving it.
- People risk their and their children's lives for life and liberty. To travel by ordinary routes, they are required to obtain visas of which there are none available for those seeking asylum. People smugglers and perilous boat

journeys are the only choice left. Research tends to show that asylum-seekers know little of the asylum system in any individual country, including the UK, before arriving there. When asylum-seekers do decide they would prefer to reach a particular country to make an asylum claim, in most cases, family, community, and language connections are key factors in making that decision.

- Apart from via re-settlement schemes, it is hard to discern what other approved ways there would be of entering the country within this proposed legislation. It is difficult to see how this legislation will directly reduce trafficking and life-threatening journeys when those who are getting punished are the people making the journeys – the most vulnerable.
- The proposed offshore processing of asylum seekers threatens to undermine human rights of freedom from detention. Various organisations throughout the UK do their best to offer comfort in sorrow and misfortune, alleviation of distress, consolation, and relief for refugees – a long held British tradition of welcome for those seeking safety. So many asylum seekers will lose access to this support if they are forced to complete the asylum process offshore.

#### **Use of Reception Centres**

- Since the pandemic, when use of hotels increased, reception centres have been increasingly misused. Initially it was for three weeks with knowledgeable staff on site (e.g the Refugee Council offered support to obtain solicitors and assisted with accessing medical and legal care). Over time however, they have been used to house people for months on end with support staff having been replaced with guards or officers with little care and concern. Such reception centres closely mirror detention centres by another name.
- It is argued that as a priority, all asylum seekers, regardless of their circumstances, should be treated with respect and dignity. There are no assurances that this will be the case in the immigration plan.
- Housing people in large reception centres limits asylum seeker's ability to integrate into communities or access services which are provided within the said communities, leading to community cohesion issues.

#### **Protection period**

- Granting only temporary protection of 30 months to people who have established that they are fleeing persecution is a significant concern. During the temporary protection period, it is suggested asylum seekers will not have recourse to public funds, making destitution much more likely. Asylum seekers are often traumatised by what has happened to them which will only be compounded by the uncertainty caused by the temporary protection period.
- Asylum seekers will find it far more difficult to rebuild their lives, integrate, improve their English, build a career etc. Moreover, the prospect of regular reviews will have a detrimental effect on their emotional health, therefore reducing our chances of taking advantage of the wealth of knowledge, creativity and experience they bring to our shores.

#### **Ethics and Efficacy of the use of One Stop, Single Assessment**

- The use of 'one stop', single assessments at the beginning of the asylum

process raises ethical issues around helping traumatised people. According to research conducted by Solace, due to the nature of trauma and memory recall, the use of such assessments would be unreliable and potentially re-traumatising. Screening for evidence of the truth is problematic and involves looking for detail, chronological accuracy, internal and external consistency, and the way the story is told. When fleeing danger, it may not be possible to collect or maintain possession of documentary evidence. The interview may also be affected by questioning techniques and the quality of interpreters. There is also evidence that memory is not like a video recording to be retrieved easily. The ability to recall is impacted by emotional state and the context of the interview. Not everything experienced is remembered, especially small details, particularly in the case of trauma. It is very unlikely therefore that an asylum seeker will be able to provide a coherent and consistent account in one interview if they have been subjected to traumatic experiences.

- Questioning by a Home Office officer, an authority figure, can inadvertently trigger a range of trauma symptoms, including flashbacks. There is a high possibility that it could trigger such high levels of anxiety that the interviewee could be rendered speechless or unable to communicate coherently. Generally, people who have experienced trauma need professional psychotherapeutic support to be emotionally stable enough to access traumatic memories and engage effectively with the interview process.

#### **The link between Modern Slavery Policy and Immigration Policy**

- The link between modern slavery policy and immigration policy in practice discourages potential victims of slavery from identifying themselves due to fears that it may lead to deportation. There is evidence that the numbers of those referred into the National Referral Mechanism (NRM) is a considerably depressed figure compared to the potential number of victims, rather than, as this consultation suggests, a considerable overrepresentation of people who are 'vexatiously' claiming to be victims of trafficking and modern slavery.
- A significant number of victims of trafficking are only identified as such when in detention centres – very late in the day. The focus of these detention centres are immigration issues which, again, discourages victims from coming forward. Furthermore, detention centre staff are not properly trained in issues relating to modern slavery. The present system for identifying victims of slavery is characterised by confusion, contradiction, delay and lack of training for relevant staff and resources. The government should detach modern slavery policy from immigration policy and ensure that it is properly resourced and managed by people who are appropriately trained.

I should be grateful for your response to each of these concerns.

Yours sincerely



Alex Sobel MP