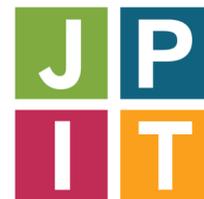


UK asylum and migration policy

A briefing from the Joint Public Issues Team

January 2023



Asylum has been a hot political topic in recent years. However, debates often seem to focus on refugees and asylum seekers as a problem to be managed or dealt with, and forget that at the heart of the matter are people on the move, who are often highly vulnerable.

This briefing seeks to put the current debates in context, explore what a Christian response to these issues might look like, and point towards the steps that could be taken to build a fairer and more compassionate asylum system.

Who is a refugee?

The definition of a refugee according to the 1951 United Nations Refugee Convention is:

“A person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.”

A person seeking asylum is someone who has left their country of origin and formally applied for protection in another country. They are awaiting the outcome of their application.

A migrant is a person who has moved to another country for any other reason, such as to find work or join family abroad.

Key issues

More refugees globally

According to the UN High Commission for Refugees, at the end of 2021, the total number of people worldwide who were forced to flee their homes due to conflicts, violence, fear of persecution and human rights violations was 89.3 million.¹ This is more than double the number of people who were forcibly displaced a decade earlier, and the most since World War II.

Much of this movement has been driven by

conflict, especially in Syria, Afghanistan, and most recently Ukraine. The UK government responded by setting up particular schemes for refugees from Syria, Afghanistan and Ukraine, but there are many other people around the world who are forced from their homes who are not eligible for these programmes, but who do have the right under international law to come to the UK to seek protection and sanctuary as a refugee.

89.3 million people were forcibly displaced by the end of 2021.

The UK is home to apx.

1%

of the world's refugees.



72,027 asylum claims were made in the UK between Sept 2021-Sep 2022



101,400 asylum claims were awaiting an initial decision as of June 2022.

9 / 10,000 In 2021, there were apx. 9 asylum applications for every 10,000 people resident in the UK.



85% of small boat arrivals who had received an initial decision on their application had been granted asylum or another form of humanitarian protection as of October 2022.

76% of asylum claims resulted in a grant of asylum or humanitarian protection on initial decision in the year ending September 2022.

Almost 44,000 people entered the UK in a small boat crossing the channel by November 2022.



By June 2022, 90,000 people had been waiting for over 6 months for an initial decision on their asylum application.

Asylum seekers made up apx.



of immigrants to the UK in 2022.

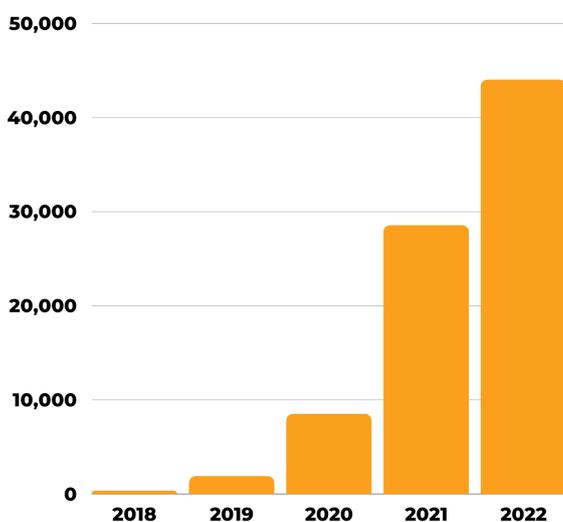
Between January and September 2022, the top countries from which people claimed asylum in the UK were:




Asylum seekers are given **£45** per week to cover all their essential costs.

Channel crossings

The number of people crossing the English Channel to seek sanctuary in the UK has grown from around 300 in 2018 to 44,000 by the end of November 2022.¹⁴ While partly a result of rising numbers of people being forcibly displaced globally, the increased securitisation of other routes and the UK's withdrawal from the EU Dublin Regulations have also contributed to desperate people resorting to desperate measures on the English Channel.



*Graph 1: Number of people recorded as having entered the UK in small boats. Ref: House of Commons Asylum Statistics, Dec 2022.*¹⁵

The UK Government's focus has been on reducing these crossings, particularly by increasing deterrence measures. Policies to 'push-back' and dissuade refugees from travelling to the UK to claim asylum have been introduced, rather than expanding safe routes by which people can seek sanctuary in the UK. High-profile policies have included an agreement with Rwanda to deport asylum seekers to that country, stricter border patrols on the English Channel, and increased inadmissibility measures.

Recent governments have taken further measures to increase the criteria by which an

asylum claim can be considered 'inadmissible'. Since the implementation of the Nationality and Borders Act 2022, inadmissibility applies to people "who were previously present in or have another type of connection with a "safe third State"". ¹⁶ This means:

- Someone who has already been granted refugee status or international protection in another country;
- If someone already has an outstanding or refused claim for asylum in another country;
- If someone has previously been present in another country and failed to claim asylum there, if it would have been reasonable to expect them to do so;
- In certain circumstances, if it would have been reasonable to expect someone to claim asylum in a country other than the UK.

Being declared inadmissible means the Home Office can remove a person to any safe third state that agrees to receive them, without first having to consider the asylum claim. This includes Rwanda, under the UK's Migration and Economic Development Partnership with the country.

Much of this legislation relies on an interpretation of Article 31 of the 1951 Refugee Convention, which states that penalties should not be imposed on people who have come 'directly' to a country in order to claim asylum. Whilst the UK's rules interpret directly as without having passed through another country, the UNHCR rejects this interpretation as it suggests this is a "fundamental misapplication" of Article 31, and that asylum does not have to be claimed in the first safe country a refugee may reach.¹⁷

Two tier system

The Nationality and Borders Act 2022 introduced a differentiation of asylum seekers into two groups, with different permissions and access.

Group 1 refugees are people who travelled directly to the UK from the country they were fleeing and claimed asylum without delay. This could include people who come via resettlement routes. If their asylum applications are accepted, people in this group will be granted full refugee status, and will have access to family reunion rights and welfare support.

Group 2 refugees are people who do not meet these criteria, for example if their claim is considered inadmissible because they travelled via a safe third country. This group can be granted temporary protection status, but will have no access to family reunion (unless it would break the UK's international obligations) and no recourse to public funds.

Numbers of migrants in the UK

Some people express unease about the numbers of migrants in the UK, and the impact this is having on local communities. Concerns about levels of immigration were a significant factor in the Brexit referendum in 2016. Net-migration targets (the balance of people leaving and entering the UK for residence) have long been a contentious political issue, and governments since the 1990s have introduced different measures to respond to this. In the year ending June 2022, 1.1 million people migrated into the UK, and 560,000 people emigrated from it, resulting in a net migration figure of 504,000 people.¹⁸ In the same period, about 16% of immigration was accounted for by asylum seekers and refugees. These included 75,000 people who claimed asylum in the UK, 12,000 relocated Afghans and 89,000 Ukrainians.¹⁹

Often, political conversations about managing migration are accompanied by concerns about scarcity, and a lack of resource to support additional residents in the UK. After Brexit, a points-based immigration system was introduced, giving preference to high-paid and

skilled workers. The rising cost of living in the UK has seen an increase in political discourse around managing migration.

In 2021, there were around 6 million people of non-British nationality living in the UK.²⁰ A series of measures, known since 2012 as the 'hostile environment' policies, are designed to make life so difficult for people who cannot prove they have the right to live in the UK that they will choose to leave. However, they also had the effect of catching out many UK citizens, such as the 'Windrush generation', and of institutionalising discrimination.²¹

Treatment of asylum seekers

In 2021, the treatment of asylum seekers in the UK came under the spotlight after a series of crises at processing centres. In March 2021, Napier Barracks, a former army base used to detain asylum seekers, was scrutinised by government inspectors for forcing people into unsafe, unclean and unfit accommodation. Failures of planning, training and oversight meant that Covid-19 outbreaks and mental health challenges were frequent in the centre.

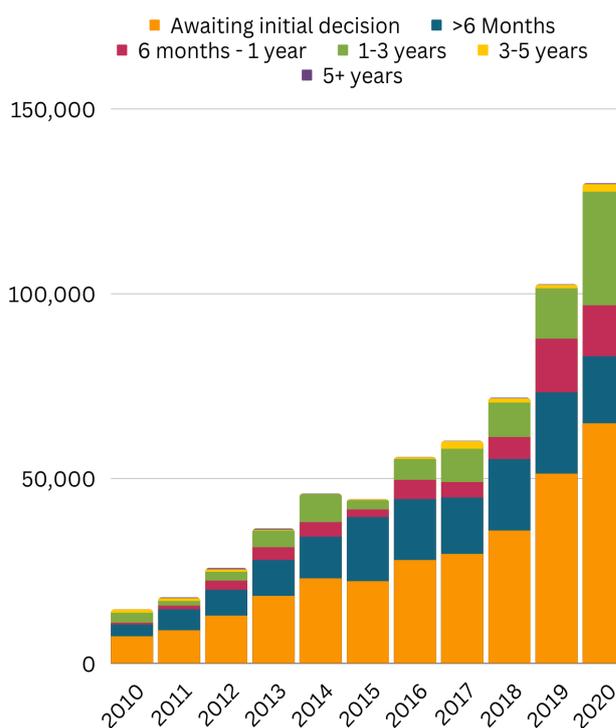
Whilst Napier Barracks is no longer used for accommodation, the crisis at Manston Airport processing centre in October 2022, where people were kept longer than planned in ill-planned, unsafe and overcrowded accommodation, suggests that the inadequacy of conditions in processing centres has not been dealt with.

After their claim has initially been filed, asylum seekers are often dispersed from processing centres to accommodation across the country to await the final outcome of their application. Accommodation includes B&Bs, hotels, bedsits and house-shares. Whilst their claim is being processed, they are given £45 per person per week to cover all of their essential costs, under Section 95 provision.²² However, this figure is inadequately calculated, set at 25% less than the income of the poorest 10% of the UK population. This leaves thousands of families unable to eat healthily, buy appropriate sanitary products and maintain a decent standard of wellbeing. In the meantime, asylum seekers are banned from working, unless they meet a very restricted role on the shortage occupation list.²³

Whilst the government expect that asylum claims should be processed in less than six months, the reality is that many people wait for years before they receive an outcome on their claim. In June 2022, 101,400 people were still awaiting an initial decision on their application.²⁴ This makes up the largest contribution to the asylum caseload facing the Home Office. This number has risen rapidly, increasing threefold since June 2017, in part due to the pandemic but also due to slow processing at the Home Office, as concluded by the Home

Affairs Select Committee.²⁵

Asylum applicants are also waiting for longer whilst their claim is being processed. In June 2022, over 70% of people (almost 90,000) had been waiting over six months, a 43% rise on June 2017.²⁶ This long wait time has serious consequences on the welfare of people claiming asylum, as they are held in substandard conditions. It also costs a significant amount of money, as the government has a statutory responsibility to prevent destitution for applicants and their dependents. The Refugee Council estimated in 2021 that the cost of support people who had been waiting for more than six months was £220 million per year.²⁷



Number of people awaiting an initial decision on their asylum claim. Ref: Refugee Council Living in Limbo report.

The Home Office have recruited more staff and introduced other measures to address the backlog, however many argue that a full-scale overhaul at the Home Office is required as a long term solution.

What does Christianity have to say?

‘When a foreigner resides among you in your land, do not mistreat them. The foreigner residing among you must be treated as your native-born. Love them as yourself, for you were foreigners in Egypt.’ - Leviticus 19:33-34

The story of the people of God is full of experiences of journeying and of exile. Perhaps because of this, a deep ethic also developed about how travellers and foreigners were to be welcomed. The Biblical instructions to ‘love the stranger’, respect the rights of foreigners, ensure the fair treatment of those at risk of oppression, and the reminder ‘that you were once strangers in Egypt’, mean that migrant protection is the most-repeated commandment in the Bible.²⁸

There are perhaps two main reasons for this. The first is that it is important – important to God and important because to be an exile on the move is to be in one of the most vulnerable human situations possible.

The second reason is that human beings are very bad at keeping this commandment, so we need to be reminded of it again and again. It is far easier to shut the door, close the borders, view migrants as a threat and deny them their rights, than it is to offer welcome.

Yet the blessing given to those who offer hospitality is well-known (Hebrews 13:2). And in the Gospels we read that Christ himself is there, in the place of the stranger (Matthew 25:35). By welcoming the stranger, we welcome Christ.

As Churches we approach the question of migration first and foremost with the understanding that we are all children of God.

We highlight the ongoing plight of refugees and displaced people affirming a human response to the crisis. We emphasise the importance of treating people with decency whatever our immigration policy.

Many churches and church members are involved in offering practical support to people in need in our asylum system – be that through Community Sponsorship projects and the Homes for Ukraine scheme, providing services for refugee integration, initiating multi-faith dialogue and cooperation around refugee support, and providing for the immediate needs of those experiencing poverty because of the asylum system – so have first-hand experience of its impacts on people. We have also witnessed directly the positive impact that refugees can have on local communities.

Our Churches want to see the UK playing its part in meeting its international responsibilities and responding positively to the needs of those fleeing persecution and conflict around the world.

Why not read...

‘Sanctuary: The Hospitality of Host, Guest and Stranger’, produced by Churches Together in Britain and Ireland for the Church of Sanctuary scheme.

[Click here to find the resource.](#)



What would an improved approach to asylum and migration look like?

Stop threatening to deport asylum seekers to Rwanda: Everyone has the right to seek asylum where they choose. Many people seek asylum in the UK because they want a chance to rebuild their lives where they feel safe, where they have family, or where the language is familiar. Under the Rwanda policy, instead they will be forcefully removed to a country they have no connection to, to make their asylum claim there, with no way back. This is a denial of the UK's responsibilities, and of the rights and dignity of refugees. It will tear families apart, destroy lives, and undermine the principles of the UN Refugee Convention which the UK helped to create after the horrors of the Second World War.

“If asylum seekers had a choice and were offered a legal route, they wouldn't risk their lives taking a dangerous journey to seek safety. I can't believe that the UK claims that it is at the forefront of human rights, promotes individual liberties and the rule of law and equality, yet has a brutal immigration system, and implements such an evil plan.”

Bsmah, shared by Refugee Action²⁹

End the two-tier system: The Nationality and Borders Act 2022 undermines the longstanding and widely understood expectation that asylum applications should be decided on the individual merits of each case, and whether a person would face serious threats to their life or freedom if they were not to be granted refugee status. We believe it is immoral to criminalise and punish vulnerable

asylum seekers who have little choice but to arrive in the UK through 'irregular routes' because so few safe routes are available, and the majority of recent arrivals have been able to prove that they have a legitimate basis for their asylum claim.

Create more safe routes for asylum seekers to come to the UK: While the stated purpose of the Rwanda policy is to deter people from making dangerous journeys across the channel, it is the government that has created the situation where people are forced to take unsafe routes if they want to seek asylum here. The government should be cooperating internationally to expand the number of safe routes and resettlement programmes that will enable people in need of protection, including unaccompanied children, to seek sanctuary in the UK. This should include the expansion of family reunion rules for all asylum seekers, not only those from Ukraine.

Build a system with fairness and dignity at its heart: It is widely agreed that the current asylum system is ineffective and inefficient. People are often forced to wait for years before a decision on their asylum claim. Cases need to be determined more quickly and with more care, and that will require additional resourcing. It also means ensuring asylum seekers are accommodated in decent conditions, and are provided with adequate levels of financial and social support while they await a decision on their applications.

Give asylum seekers the right to work: Allowing people to work while they wait for a decision on their asylum claim would enable them to support themselves and live in dignity, contribute to society, and integrate into their new communities. Public polling from Refugee Action shows that 81% of the public support asylum seekers having the right to work.³⁰ It would help integration, bring the UK in line with other countries and reduce the cost of the asylum system. We've been campaigning for the right to work since 2018, with hundreds of other organisations. [Click here to find out more.](#)

81%

of the public support the right to work for people seeking asylum in the UK.

YouGov Polling, March 2022

Ensure new arrivals are properly settled: The government rightly recognised its responsibilities by accepting into the UK many Afghans who had to flee the country after the Taliban takeover in August 2021. However, as of November 2022, 9,242 of these traumatised people, around half of whom are children, are still languishing in temporary accommodation.³¹ They may be safe, but they're far from settled. Some report being isolated from wider society, cooped up for months on end in one room for the whole family. Many are unable to cook for

themselves and lack liberty of choice over many areas of their lives. Others are desperate to be reunited with family members, but the current safe routes from Afghanistan do not allow for family reunion. The government must urgently ensure Afghans who have escaped to the UK have the accommodation and support they need to begin rebuilding their lives here.

Similarly, concerns have been raised about the lack of long-term planning for the Homes for Ukraine scheme and what support will be in place for Ukrainian refugees when the initial hosting arrangements come to an end.

“We don't know what will happen to me. When will I be interviewed, will it be positive? Negative? It's like I am sitting in a car, being told to drive but I have no idea where to go. Every day it hurts. Being apart from my family for so long – early two years - and I don't know how much longer it will be. I am just waiting, waiting in limbo.”
Kemal, shared by Refugee Council UK³²

End the hostile environment: Churches have spoken out against the 'hostile environment' policies because they deliberately inflict destitution, are discriminatory, and build a culture of suspicion and distrust. We believe this approach should be ended immediately. [Click here to read more about the Hostile Environment.](#)

What safe routes already exist by which people can claim asylum in the UK?

Safe routes by which people can claim asylum in the UK include routes for resettlement and other visa schemes. The current routes which exist are:

- The UK Resettlement Scheme, UKRS (2021-Present) – For vulnerable refugees in refugee camps in neighbouring countries where there is conflict or instabilities.
- Community Sponsorship (2021-Present) – Matching refugees with communities who have volunteered to support integration in the UK.
- Mandate Resettlement Scheme (1995-Present) – A limited scheme for refugees who have a close family member in the UK who has permanent permission to stay (or a route to permanent status) and will accommodate them.
- Refugee family reunion visa routes – available to people with immediate relatives who have been granted refuge in the UK
- The Afghan Relocation and Assistance Policy (2021-Present) and the Afghan Citizens Resettlement Scheme (2022-Present)

In March 2022, the UK opened two routes by which people from Ukraine could safely travel to the UK. Since then, 125,900 people have come to the UK from Ukraine.³³

The Vulnerable Persons Resettlement Scheme, which relocated people from Syria, closed in 2020 when it hit its cap of 20,000 people.³⁴

Between June 2021 and June 2022, 1,622 people came to the UK through a refugee resettlement scheme and 5,290 people came through refugee family reunion rules. Most of these people were Syrian, Iraqi and Sudanese.³⁵

Between January and October 2022, 11,300 people had been granted indefinite leave to remain under the bespoke schemes for Afghan nationals and family members.³⁶

The British National Overseas Visa was opened to people coming from Hong Kong in January 2021, and 133,124 visas have been granted since. However, these people do not count as refugees under international law, as their visa does not require an asylum application to be processed.³⁷

“People should understand what we go through. People say that we get Government money, but this is not what we want. This isn’t life – someone giving you money like you’re a beggar. If asylum seekers got the permission to work, our lives would be completely different. We can contribute to society, contribute to the country, pay tax and we will feel like human beings.”

Anju, shared by Refugee Action



What can you do?



Talk to your MP:

How we treat asylum seekers and refugees in the UK is an ongoing issue in parliament.

The UK government are considering further legislation in this area, and parliamentarians have the chance to raise concerns and make suggestions on a regular basis. Write to your MP or arrange a meeting to share some of your questions and concerns, and seek their support for a fairer and more just asylum system.

Keep an eye on the JPIT website for current campaigns or suggestions for issues you could raise with your MP. [Click here to visit our website.](#)



Join the Church of Sanctuary movement: In the face of increasing hostility against asylum seekers and refugees, churches are called

to create spaces of safety and solidarity within our communities. The Church of Sanctuary movement invites churches to make a commitment to education, solidarity and safety in their communities, to offer a full welcome to refugees and asylum seekers in their communities. [Click here to find out more about Church of Sanctuary.](#)



Campaign: You can get involved with ongoing campaigns to create a fairer and more just asylum system

with Together With Refugees. All of the

denominations in JPIT are part of this UK wide movement to campaign for a better asylum system. [Click here to visit the Together With](#)

[Refugees website.](#)



Get involved in

resettlement: One of the most powerful ways we can show solidarity with people

seeking sanctuary in the UK is by getting involved in resettlement projects. Community Sponsorship offers a way for communities to work together to resettle a refugee or refugee family in their community, working in partnership with the government. [Click here to find out more about Community Sponsorship.](#)

The Homes for Ukraine scheme has also offered an opportunity for people to host people from Ukraine in their homes. Both the Methodist Church and Baptist Union are offering support for church members looking to host a Ukrainian in their home.

Find out more here:

[Click here to visit The Methodist Church Homes for Ukraine website.](#)

[Click here to visit The Baptist Union Ukraine programme website.](#)

Notes

1. [UNHCR Global Trends](#)
2. [UNHCR Figures at a Glance](#)
3. [Refugee Council Top 10 Facts](#)
4. [House of Commons Asylum Statistics—December 2022](#)
5. [Refugee Council—The Truth About Asylum](#)
6. [House of Commons Asylum Statistics—December 2022](#)
7. [House of Commons Asylum Statistics—December 2022](#)
8. [Refugee Council Top 10 Facts](#)
9. [House of Commons Asylum Statistics—December 2022](#)
10. [Institute For Government— Asylum Backlog](#)
11. This payment was increased in December 2022 after the High Court Ruled the level of payment as unlawful: [BBC Article on Court Ruling](#)
12. [House of Commons Asylum Statistics—December 2022](#)
13. [House of Commons Asylum Statistics—December 2022](#)
14. [House of Commons Asylum Statistics—December 2022](#)
15. [House of Commons Asylum Statistics—December 2022](#)
16. [House of Commons Briefing on the Rwanda Plan – December 2022](#)
17. [House of Commons Briefing on the Rwanda Plan – December 2022](#)
18. [House of Commons Migration Statistics—November 2022](#)
19. [House of Commons Asylum Statistics—December 2022](#)
20. [House of Commons Migration Statistics—November 2022](#)
21. [You can read more about the Hostile Environment in our 2018 report](#)
22. This payment was increased in December 2022 after the High Court Ruled the level of payment as unlawful: [BBC Article on the Court Ruling](#).
23. [Find out more about the inadequacy of asylum support here.](#)
24. [House of Commons Asylum Statistics—December 2022](#)
25. [Institute For Government— Asylum Backlog](#)
26. [Institute For Government— Asylum Backlog](#)
27. [Refugee Council, ‘Living in Limbo’: A decade of delays in the UK asylum system, July 2021](#)
28. See, for example, Exodus 22:21, Leviticus 19:34, Deuteronomy 10:19, Hebrews 13:2
29. [See the original story on Refugee Action’s blog.](#)
30. [YouGov Polling shared by Refugee Action.](#)
31. [House of Commons Briefing on Afghan Resettlement Routes – December 2022.](#)
32. [Refugee Council, ‘Living in Limbo’: A decade of delays in the UK asylum system, July 2021](#)
33. [House of Commons Briefing on Safe and legal routes – October 2022](#)
34. [House of Commons Briefing on Safe and legal routes – October 2022](#)
35. [House of Commons Briefing on Safe and legal routes – October 2022](#)
36. [House of Commons Briefing on Safe and legal routes – October 2022](#)
37. [House of Commons Briefing on Safe and legal routes – October 2022](#)