St Vincent de Paul Society
England and Wales
Turning Concern into Action

JRS UNITED KINGDOM
JESUIT REFUGEE SERVICE

Eight things you should know about the Nationality and Borders Bill

What is the Nationality and Borders Bill?

The Nationality and Borders Bill would overhaul the UK's asylum system to make it as difficult as possible to get asylum in the UK. If this bill becomes law, thousands of people forced to flee their homes will not be able to find haven in the UK. The Bill would deny many refugees the chance to seek sanctuary here, criminalise many who try, and isolate refugees in harmful out-of-town institutions.

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1 How worthy of protection someone is will depend on how they were able to travel to the UK. This will deny sanctuary to the vast majority of refugees.

The Bill divides refugees into "Group 1" and "Group 2" depending on how they got to the UK. People who travel via another country, do not have documents or did not claim asylum immediately would be put in "Group 2". This group would find it hard to settle in the UK, living under threat of expulsion rather than getting a chance to rebuild their lives; have less chance to reunite with family, and be left at risk of destitution and poverty. Most refugees have no choice in how they travel. When you're fleeing for your life, you just have to go. There are also good reasons people can take a while to claim asylum.

Most refugees will be penalised under this system, and be denied the opportunity to rebuild their lives. Claiming asylum is a human right.

2 It will expand the use of detention-like accommodation centres

The Bill proposes to create large-scale accommodation centres. It would mean accommodating people seeking asylum in out-of-town institutions, rather than in the community where they can get the practical support and help they need. The asylum camp at Napier barracks is being used to trial asylum centres. Earlier this year, the High Court ruled that Napier was unlawful, partly because the accommodation was so bad.

JRS UK supports people at Napier. It is prison-like and isolated. Residents' mental health spirals rapidly while they are there. Most suffer from chronic sleep deprivation and anxiety. One man placed there said "I did not feel like a person when I was there. I felt I had lost who I was, like my personality had gone."

3 It will permit the use of offshore processing for protection claims

The Bill would allow asylum seekers to be removed from the UK and held elsewhere while their asylum claim is processed. Other countries have tried and failed to do this. Australia for example transferred thousands of asylum seekers to Papua New Guinea where people were detained in prison-like conditions, and banned them from receiving any visitors.

4 It will tear families apart

This Bill would further reduce family reunion rights. These restrictions will predominantly impact women and children, who currently account for 90% of those who receive family reunion visas. Refugees are often forced to leave family behind. Refugee family reunion however allows refugees to reunite with certain family members here in the UK. It is a vital lifeline, bringing people to safety, allowing refugees to rebuild their lives, and reuniting them with, in some cases, the only family they have left.

5 It makes asylum determination much harsher – even though it's already harsh

The process by which the government decides if someone needs international protection would be much harsher. For example, the Bill introduces the criterion of "Good Faith" by which to judge asylum claimants. It is very hard to qualify as acting in Good Faith. Did you forget the exact date on which something relevant happened several years ago? Did you struggle to talk about trauma the first time you spoke to a government official? Either of these could mean you're not acting in Good Faith.

6 It does not commit to resettlement

Refugee resettlement is the transfer of refugees from one country to which they have fled to another State. The Refugee Resettlement Scheme is one of the very few schemes provided by the UK Government to help people living in dangerous refugee camps abroad (for example Syrians living in refugee camps in Lebanon) to be able to come and live in the UK and rebuild their life here. The Bill could be an opportunity to expand resettlement. Instead, it contains no commitment to continuing it.

7 It does not create any safe routes to seek asylum

There is no formal mechanism for travelling to the UK to seek asylum – for example, no such thing as an asylum visa. The Bill does nothing to create one. The government says refugees should use "safe and legal" routes rather than informal ones. But this bill doesn't create any safe ways for people to seek asylum in the UK, rather, it makes dangerous routes worse, and punishes people for travelling in the only way available to them.

8 It will make people seeking sanctuary more vulnerable to trafficking and modern slavery

Because the Bill unfairly punishes refugees who arrive without documents, victims of trafficking will be scared of going to the police. Traffickers routinely tell their victims that if they go to the police, they will be arrested and detained. The government says it wants to combat trafficking but this Bill plays into traffickers' hands.

Learn more and take action

JRS UK and SVP have a number of resources to support you to advocate to stop this Bill from becoming law, alongside prayer resources to stand in solidarity with refugees and asylum seekers.

jrsuk.net/together-with-refugees

twitter.com/jrsuk

svp.org.uk/migrants-refugees-and-people-seeking-asylum

twitter.com/SVPEnglandWales