

## Calling for a fair, person-centred asylum system

*"[T]he asylum process traumatised me. I'm not the same person now."*

JRS UK accompanies and serves people who have sought asylum in the UK, only to be denied sanctuary or justice, and subjected to prolonged destitution and detention. Time and time again in our work we witness the human cost of an asylum system that does not respect human dignity. For years, people seeking asylum have been subjected to hostility, and to a culture of suspicion and disbelief from the people who make decisions on their claims, and their future.

Over the last two years, the UK government has begun an overhaul of the asylum system aimed at making it even more hostile and denying sanctuary to refugees wherever possible. The Nationality and Borders Act 2022 punishes refugees for how they are able to travel, stripping thousands of the chance to settle in Britain, reunite with family, and rebuild their lives. The Illegal Migration Bill, if passed, would go even further, banning most refugees from claiming asylum here.

There are plans to hugely expand the use of immigration detention, roll out asylum camps akin to the one at Napier Barracks on a wide scale, and forcibly and permanently transfer people seeking asylum to Rwanda.

The current direction of travel is cruel and destructive. The asylum system has long been in need of reform. **This is not it.**

**Refugees express a desire for an asylum determination system that hears their story and strives to offer them protection; for an asylum system that allows them to flourish and rebuild their lives.**

## Recent changes to refugee law and policy

### The Nationality and Borders Act 2022

The Nationality and Borders Act, passed in 2022, abandons the principle of international protection and starts from a position of disbelief.

- The Act punishes refugees who arrived informally by denying them the chance to settle permanently in the UK, making it harder for them to reunite with family from whom they've been torn, and denying them access to public funds. This ignores the reality of forced migration and British law – most refugees have no choice in how they travel and there is no such thing as an asylum visa.

- The Nationality and Borders Act demands a higher standard of proof from refugees about their need for protection – despite the fact that this is inherently hard to prove.

## The Illegal Migration Bill

The Illegal Migration Bill is currently going through parliament. If it became law, the Bill would:

- Ban refugees from claiming asylum in most circumstances; if the Bill becomes law, the government would refuse to examine the asylum claim of anyone who had travelled via another country and either without leave to enter, or with leave acquired by ‘deception’ – and as there is no such thing as an asylum visa for the UK, anyone travelling here to claim asylum, including by plane, could well fall foul of this clause. **This Bill would virtually end the right to claim asylum in the UK.**
- Hugely expand the use of immigration detention; reduce oversight of detention; and reintroduce the indefinite detention of children of pregnant women.
- Strip modern slavery survivors of protection.
- Trap thousands in limbo, at risk of destitution and exploitation, with no way of resolving their status even when removing them proves impossible.

## Forced transfer to Rwanda

The government proposes to forcibly and permanently send some people who seek asylum in the UK to Rwanda, under a Migration and Economic Development Partnership between the UK and Rwandan governments. As part of the plan, the Rwandan government will then have responsibility for their asylum claims. It will process their claims and, crucially, if they are recognised as refugees, they will stay in Rwanda. This is part of a wider plan to remove people seeking asylum, without processing their claims. If the Illegal Migration Bill becomes law it would mean the Home Secretary had a duty to remove most people seeking asylum from the UK. This is likely to prove impossible in many cases, but it is also likely to mean many people being forcibly removed into danger, without due process. We have a responsibility to offer sanctuary to refugees. And yet the government is seeking to shirk that responsibility by forcing the transfer of asylum seekers to a much poorer and less stable country on another continent.

## Asylum camps and the expansion of the detention estate

By expanding the use of immigration detention and rolling out asylum camps on a wide scale, the government is putting people seeking sanctuary behind high walls, cut off from wider communities.

## Another world is possible: A person-centred approach

We have lost sight of human dignity in our thinking about the asylum system. We need to put human dignity at the heart of our response to people seeking asylum.

*Being Human in the Asylum System* envisages a just and person-centred asylum system. It offers a new set of **core principles for a radically reformed asylum system**: one founded on justice, designed for the welfare of refugees and not for their harm.

A newly reformed asylum should aim to:

### 1. Provide borders which are open to those in need of protection.

The earth's resources are for everyone, and that, to be just, migration management must account for this. This moves us away from a defensive approach to migrants and refugees, which pits 'our' good against 'theirs' and vilifies them. Instead, we must think about common humanity and human need.

An asylum policy with this core principle will not be shaped by concerns about immigration control.

### 2. Enshrine protection and transparency at the heart of the asylum determination process, in a culture where asylum claimants are seen and heard.

The asylum system is meant to be for extending protection to those who need it. It needs to be focused on ensuring that people in need can easily access protection, not on creating further barriers.

It must offer justice and openness, and be navigable. For this transparency and accountability are required.

### 3. Support asylum claimants and refugees to live in dignity, and participate fully in wider social, economic, and political life.

Repeatedly, we heard from refugees a desire for community, recognition of their humanity, and for the chance to spend time well. Plans for wider use of asylum camps is antithetical to this.

### 4. Foster a society that welcomes, protects, promotes and integrates those seeking sanctuary as our neighbours.

The current asylum system greets migrants and people seeking asylum with hostility, but they are our neighbours. We want a system that welcomes them, protects and promotes them, and supports them to participate fully in our communities.



## Join us in calling for an asylum system that is for the welfare, and not the harm of refugees

We need to tell politicians from all parties that we want a just, humane, and person-centred asylum system. As a General Election approaches, MPs will be particularly keen to hear what their constituents have to say. **You can make a difference.**

### Contact your MP

Write to your MP and ask them to defend refugees' right to asylum, and support and humane and welcoming asylum process.

Your MP is elected to represent you and all their constituents, and they are usually happy to help if they can. By getting in touch with them, you might even highlight an issue they are already interested in.

Be kind, polite and respectful – MPs are human beings like the rest of us. You may disagree: listen to them, and allow them to listen to you.

Some key points you might want to include:

- **Revoke the Nationality and Borders Act and abandon the Illegal Migration Bill. People who need it should be able to access protection. The asylum system should never penalise people for arriving spontaneously or without documents, or differentiate asylum claims on the basis of how people got here.** Refugees rarely have a choice of how they travel. To penalise people seeking sanctuary because of how they arrived in the UK is to abandon the principle of protection.
- **People who have come here seeking sanctuary should have safe and dignified accommodation within British communities.** Already, we can see from sites like Napier Barracks that placing refugees in large-scale, institutional accommodation, and in military and prison like settings, is cruel and subjects them to re-trauma. It isn't good for anyone, and obstructs integration. Plans to make places like Napier the new normal for asylum accommodation are deeply worrying.
- **Immigration detention is a profoundly traumatic experience with a long-term impact.** People who have survived torture regularly compare it to torture, as shown by research from JRS UK, among others. We should end the use of detention for the purpose of immigration control. Plans to vastly expand it and reduce its oversight will have a high human cost.
- **We need to make asylum decisions quickly and fairly.** The hostile culture of disbelief in asylum decision-making contributes to a huge backlog that destroys lives and does no one any good.
- **Lift the ban on work for those seeking asylum.** Most people seeking asylum desperately want to work but **are not allowed to**. Lifting the ban would allow them to support themselves and their families.