

**SWVG - FREQUENTLY ASKED QUESTIONS (FAQ’s) – December 2021**

The Spectator article (link below) puts the sort of negative case against migrants and refugees that we may encounter:

https://www.spectator.co.uk/article/turning-the-tide-how-to-deal-with-britains-new-migrant-crisis

These answers to FAQ’s have been prepared by SWVG’s campaigning group for guidance. They are not definitive answers, you may have better ones!

See also Amnesty International’s [the truth about...refugees](https://www.amnesty.org.uk/truth-about-refugees?fbclid=IwAR0Gwsj7xKA5j0SgHf017BfUOF9yaCeC6-NOZZl5Og4pTxi9EydHSmbZfV4) and also [#Borders Bill Fact Checker](https://www.amnesty.org.uk/nationality-borders-bill-truth-behind-claims)

**1. Isn’t there a refugee crisis in the UK?**

The UK takes relatively few refugees compared to other European countries. France takes about 3 times as many. The numbers of people coming to the UK to seek asylum has reduced in the last few years. The main problem is the slow Home Office system for assessing asylum claims and the poor quality of their initial decisions which means that people get trapped in the system for months or years.

**2. Why don’t people stop in the first safe country they get to?**

Most people do, only a small percentage come to the UK, we take less than our “fair” share of those coming to Europe.

The UK is 14th in Europe, for the number of refugees relative to the size of our population.

[see House of Commons Briefing Notes:

*“In 2020, there were around 6 asylum applications for every 10,000 people living in the UK. Across the EU27 there were 11 asylum applications for every 10,000 people. When compared with EU countries, the UK ranked 14th out of the individual countries in terms of the number of asylum applications per capita. ”*

[*https://commonslibrary.parliament.uk/research-briefings/sn01403/*](https://commonslibrary.parliament.uk/research-briefings/sn01403/) *]*

**3. Why do people want to come to the UK?**

People seeking asylum come to the UK for various reasons such as family connections, ability to speak some English, cultural affinity, a belief that the UK will offer sanctuary and a better life, bad experiences in other European countries (destitution, homelessness, police brutality, no access to jobs etc).

On the other hand, some people are trafficked by criminals to be exploited.

**4. It’s very dangerous to cross the English Channel in a rubber dinghy, surely this should be stopped?**

We agree that people should not take extremely dangerous journeys in freezer trucks or rubber dinghies. They do this because our Government does not provide any a safe and legal route to get to the UK from France.

Evidence provided to the Home Affairs Select Committee by Home Office’s own officials in September 2020 confirmed that the majority of people entering the UK on small boats from Calais are extremely likely to be recognised as refugees.

[ based on JCWI Briefing note on the Borders Bill second reading:

<https://docs.google.com/document/d/1w-y4L301AKraHLPPhY5VCE_30jMKces80KflFwHdTSI/edit>].

The Home Office should provide a consulate in France where people who have reasonable *prima facie* grounds to come to the UK and apply for asylum can apply to travel here safely. Neil Coyle MP has proposed that such people should receive humanitarian visas.

Twelve CoE bishops have written an [open letter to the government](https://premierchristian.news/en/news/article/bishops-say-government-s-refugee-policy-criminalises-the-good-samaritan?fbclid=IwAR2bxj68G1c7npF8T-JoIx3FSe_PNQ0cJ7GS_L4gMDrP0nvxbjfxezzEuJM" \l ".YUT5jJyNpJk.twitter) about this.

The Bishop of Manchester, the Right Reverend David Walker has said:

"There should be ways to process people on the other side of the channel or even earlier, before they get into the hands of the criminal gangs. I mean, what laws attempting to criminalise have done, they simply incentivise the criminal gangs who traffic people. If this is a policy that's meant to deter those who don't have a legitimate case for seeking asylum in this country, then it really isn't working with a system that's fit for the 21st century."

**5. Why doesn’t the Home Office send people back to Europe?**

According to the government’s “Inadmissibility” rules post Brexit, people who arrive from another European country and claim asylum in the UK will be removed back to mainland Europe. However in practice very few people are removed. The UK government does not yet have an agreement with other countries to do this and it seems unlikely that they will get one.

**6. What’s wrong with sending people to somewhere offshore while their case is being considered?**

The Australian policy of offshoring people on remote Manus and Nauru islands is sometimes cited by advocates of this. [This policy](https://publications.parliament.uk/pa/cm5802/cmpublic/NationalityBorders/memo/NBB41.htm) was hugely damaging to Australia's reputation and to the people who were imprisoned, abuse was rife, it has been [hugely expensive](https://www.theguardian.com/australia-news/2021/nov/07/cost-of-australia-holding-each-refugee-on-nauru-balloons-to-43m-a-year) .

The UK has not come up with any plausible location (Albania, Ascension Island, Rwanda….?). It would be very expensive, it would be prone to terrible abuses and would be hugely damaging to refugees. It would lead to an intractable problem of what to do with people in the end (you cannot just leave them there for ever…?), it would be hugely damaging to the UK’s reputation and would be in breach of the UN Refugee Convention.

**7. What about Foreign National Offenders?**

The Home Office and some MPs have been very concerned about the apparent difficulty they have in deporting FNOs. This is not a topic that we have a particular knowledge of and is not really connected to asylum. The people that we assist are ordinary decent people who need sanctuary.

**8. Why shouldn’t people be removed or deported if their asylum claim has been rejected?**

We do not disagree with this in principle, provided that the person has had a fair hearing and has had decent legal advice and support. However we note that many people do not receive a fair assessment from the Home Office and are subject to arbitrary detention and removal without proper legal representation or process. Furthermore, for many people it is too dangerous for them to return to their country of origin even if they do not meet the HO criteria for refugee status. People are not presently being deported to Iraq, Iran, Afghanistan.

**9. What about the Refugee Convention?**

The UN Refugee Agency (UNHCR) has taken the unusual step of strongly and publicly opposing the plans, stating in its response to the consultation on them “UNHCR is concerned that the plan, if implemented as it stands, will undermine the 1951 Convention and international protection system, not just in the UK, but globally.”

[ based on JCWI Briefing note on the Borders Bill second reading].

**10. Will it break the smugglers’ business model?**

There is no evidence for this.

In 2019, the Foreign Affairs Select Committee warned that “a policy that focuses exclusively on closing borders will drive migrants to take more dangerous routes, and push them into the hands of criminal groups."

It will make people more vulnerable to exploitation if they come to the UK and cannot get asylum here.

It is the Government’s prevention of safe and legal routes to the UK from Europe that has created the “business model” for people to be smuggled to the UK. The Government’s policies make money for smugglers.

[See the JCWI Briefing Note for more details.

<https://docs.google.com/document/d/1w-y4L301AKraHLPPhY5VCE_30jMKces80KflFwHdTSI/edit> ]

[See also the SESPM’s response below]

**11. Prosecution of people crossing the Channel.**

Evidence provided to the Home Affairs Select Committee by Home Office’s own officials in September 2020 confirmed that the majority of people entering the UK on small boats from Calais are extremely likely to be recognised as refugees.

The Bill introduces severe new sentences for irregular entry to the UK and for smuggling offences.
While purportedly aimed at people endangering life by facilitating illegal entry to the UK, in reality,
punitive sentences for irregular entry are being intentionally used to unjustly penalise people
exercising their right to seek asylum and do nothing to combat dangerous criminals.

**12. Why doesn’t the government go after the kingpins who organise the smuggling?**

Three of the kingpins in operations to smuggle thousands of asylum seekers across the Channel in small boats are living and working freely in the UK and have evaded detection by the Home Office and law enforcement agencies, migrants interviewed by the Guardian have claimed.

“Priti Patel doesn’t understand how the smugglers at the top work. They could be living in the same neighbourhood as her. The police and government in the UK have not stopped them. The smugglers are bad but they are helping us survive after we ran for our lives.”

<https://www.theguardian.com/uk-news/2021/jul/24/kingpins-in-channel-smuggling-operations-living-freely-in-the-uk-say-migrants>

**13. Why do people need to submit “fresh evidence”?**

People may be traumatised when they first make an asylum claim, they may not understand or trust the person who interviews them, they may have had poor legal advice, they may not have had documents available to validate their claim.

**14. What happened to consultation on the Home Office’s New Plan for Immigration?**

The Home Office published their [response](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005042/CCS207_CCS0621755000-001_Consultation_Response_New_Plan_Immigration_Web_Accessible.pdf) in July 2021- a few short paragraphs in 13 pages - which appears to dismiss the matters raised by the thousands of consultees. The “consultation” appears to have been a sham.

**15. What will be the effect of the Borders Bill on Local Authorities?**

The South East Strategic Partnership for Migration (SESPM) raised serious concerns about the impact of the Home Office’s proposed policies in its response to the New Plan for Immigration.

Page 1: *“Our partners includes local authorities (of which there are seventy-four), the police, health authorities, fire and rescue services and voluntary sector organisations.”*

Page 3: *“**Some of the proposals if put into operation would be divisive and run counter to current efforts being made to promote integration and community cohesion. Several of the proposals are impractical and would present major challenges for SESPM partners, both in terms of resources that they would need and in the imposition of more responsibilities being placed upon local service providers.”*

Page 10: *“**SESPM partners think that these proposals would make the situation for vulnerable people worse, rather than better, and would encourage people to take more risks, including dangerous journeys and be subjected to more exploitation.”*

**16. What does the public think?**

Three in five voters say all refugees who come to the UK to seek safety should be treated the same, regardless of how they arrived in the UK.

Results from MRP polling of more than 8,000 adults, carried out by pollster focaldata on behalf of Refugee Action, revealed the same proportion of voters in Prime Minister Boris Johnson’s constituency of Uxbridge also agreed.

The MRP polling estimates just 17 per cent of people think refugees should be treated differently depending on how they arrived in the UK.

The results suggest most voters disagree with Government plans to create a second-class refugee status for the many people who arrive to the UK independently, such as refugees who cross the Channel in boats.

[[Refugee Action press release 15-Nov-21](https://www.refugee-action.org.uk/treat-refugees-the-same-public-urge-ahead-of-vote-on-anti-refugee-bill/)]

**17. Isn’t there a better way to manage Asylum?**

Yes, and these are being published by members of Together with Refugees. See for example JCWI’s response to the Bill.

Collectively, this is being prepared by the Asylum Reform Initiative (ARI). Ben Jackson of ARI will be speaking at SWVG’s AGM in December.

**18. The Bill: What are the particular clauses and what changes are needed?**

See the Refugee Action Report November 2021: [All Punishment No Protection](https://www.refugee-action.org.uk/wp-content/uploads/2021/11/All-Punishment-No-Protection-Report.pdf)

Together with Refugees has assembled [Briefings from member organisations](https://drive.google.com/drive/folders/1zB0rulDWH2TlabNzCGoUEnRZnxuH7hU8?usp=sharing).

See for example [JCWI’s response to the Bill.](https://drive.google.com/file/d/124lpy2eG_j_4UiRQG058S5cNJDDNe2nC/view?usp=sharing)

And [Freedom from Torture’s response.](https://drive.google.com/file/d/10jVjeNpYYJzrXJZhuJIX8daERXSoIr66/view?usp=sharing)

Note however that the Home Secretary has added a new Clause 9 to the Bill, to enable her to revoke a person’s British nationality without necessarily having to notify them, if they are difficult to contact, so numbering has changed.

**19. Some statistics**

People often switch off if you quote statistics, it is better to talk directly from your own experience and feelings. However these ones are important and do make interesting reading.

<https://www.theguardian.com/uk-news/2021/nov/27/asylum-in-the-uk-the-key-numbers>

**20. Do all Conservative MPs think the Home Secretary has got is right?**

No, many think that her policies are “un-conservative”.

Caroline Nokes MP, former Immigration Minister, has spoken out strongly against it.

David Davis MP, former conservative Secretary of State for Exiting the European Union and former shadow Home Secretary has said it is “doomed to fail”.

https://www.theguardian.com/commentisfree/2021/dec/04/priti-patel-plan-to-offshore-refugees-costly-wrong-doomed-to-fail

“While no one thinks irregular migration should continue unchecked, the Government's Nationality & Borders Bill is not the answer.”

“There is no magic solution, but the current proposal will do little to tackle the push factors driving people out of their home countries or the pull factors that attract them to the UK, such as speaking English or a desire to be reunited with their families. Crucially, it will not deter refugees from attempting to reach the UK; they will always look for other ways.

Instead of a policy built solely on keeping people out, the government should consider creating a legitimate route in for genuine refugees. Many will be surprised to learn that the UK does not have a proper scheme in place that allows people to exercise their right to seek asylum. Migrants fleeing repression in Iran or famine in war-torn Yemen are not able to apply at British embassies. They are not allowed to board flights without guaranteed permission to enter the UK. The only options available to them are either illegal or dangerous or both.

Creating new legal and safe routes would be a constructive rather than destructive deterrent. It would give people a chance to make their case and to think again about crossing the Channel. It would send the message that Britain is firm and fair, realistic and compassionate. Only then will we truly take back control.”

[David Davis on why he opposes the Government's "draconian” and “un-conservative” plans for offshore processing of asylum applications](https://www.telegraph.co.uk/news/2021/11/30/lorry-drivers-face-2000-fine-every-stowaway-migrant-even-security/)

Conservative MP [David Simmonds](https://www.politicshome.com/thehouse/mp-directory/david-simmonds.htm) [writes in Politics Home](https://www.politicshome.com/thehouse/article/safe-and-legal-routes-must-be-a-pillar-of-our-asylum-system) calling for more people seeking safety to be offered resettlement and the right to work for people in the asylum system.

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