



West End Refugee Service - Our reflections on the New Plan for Immigration

We are deeply concerned about the government's proposals for Immigration Reform. The plans are harmful and inhumane: they present multiple, significant changes to policies that pose real threats to the basic human rights of people seeking sanctuary in the UK, whilst promoting misleading rhetoric around what the real issues are.

We agree that reform is needed on many levels:

- More than 60000 people seeking asylum (76%) are now waiting more than 6 months for a decision on their claim.
- Significant issues exist with substandard asylum accommodation and support.
- There is limited access to independent legal advice.
- The decision making process is flawed - around 50% negative decisions are overturned at appeal.
- Indefinite detention continues to be used.
- The system results in destitution where lives are lived in fragile limbo.

The myth of an immigration crisis:

The government continues to talk of an immigration crisis. Whilst more people are currently making perilous journeys across the channel, these numbers are relatively low. The reality is that overall asylum claim numbers are down: Last year claims fell by 18% compared to 2019, 50% less than the number of claims made in the early 2000s and let's not forget the bigger picture, that the UK processes less than 1% of asylum claims globally. The number of people waiting for asylum decisions for over 6 months is now over 60,000, yet this is not due to an immigration but a crisis of the Home Office. What is needed is a radical overhaul of the Home Office in how it is resourced and run.

No human is illegal:

The plans propose a three tier system:

- Resettlement
- 'Regular' entry ('safe and legal routes')
- 'Irregular' entry ('illegal routes')

By stressing that people must take 'safe and legal routes only', the plans not only create a dangerous and unfair distinction between 'good' and 'bad' refugees, they also pose a clear threat to the basic human rights of people seeking sanctuary as outlined in the 1951 Refugee Convention (of which the UK is of course a signatory).

Article 31 of the 1951 Convention relating to the Status of Refugees: Non-penalization, Detention and Protection, states that "refugees shall not be penalized solely by reasons of unlawful entry".

This is international law and many legal experts are confidently challenging this part of the proposal. The reality is that if you are fleeing an oppressive regime, where you fear for your life, you cannot 'apply' to that regime for a visa or papers to travel.

We support over 500 people at WERS every year. A large proportion of these people did not and could not have arrived by a safe route, and a large proportion have made successful asylum claims in this country.

- If you are fleeing the Taliban you cannot apply to them for a visa to leave.
- If you are victim of trafficking then by the very nature of your situation, you do not have the right papers.
- If you are fleeing your home because of your sexuality, the same authorities who are persecuting you will not provide you with the documents you need to escape.

Lack of justice and lack of support:

Under these plans, people seeking asylum who make the journeys outside of the 'safe routes' will have their cases looked at differently, be treated differently, receive different support, receive only limited leave to stay and have very limited access to welfare support.

The plans involve an overall reduction in the levels of support the UK government currently offers to people seeking asylum, alongside a general move towards more power being held by home office and boarder officials, and less opportunity and time for individuals' evidence and cases to be considered. The system is very

likely to result in a significant rise in destitution and in people living outside of the system, underground and therefore more vulnerable.

No detail on safe and legal routes:

Whilst more safe and legal routes is a positive proposal, there is a lack of detail in the plans of how this could happen or what the numbers would look like. There is talk of returning people to a third safe country, however, this will require the cooperation of our European and international counterparts and so far, there are no agreements in place. Leaving the EU means an end to the Dublin Convention, an agreement that enabled countries to, in theory, return people seeking sanctuary to the first safe country they passed through. The plans look like an attempt to shun our (global) responsibility to offer asylum to people seeking sanctuary and to push this onto our European neighbours.

More people become more vulnerable:

The result will be, as we see already at WERS, more people living destitute. These people live with no status, no state support, in limbo, as they have been refused asylum here but cannot safely return home or to a third country, through no fault of their own.

People who fear for their safety will still make dangerous difficult journeys and then go on to potentially experience the devastating effects of destitution. There is ultimately no commitment to ending the suffering of these people - whilst the government's narrative surrounding these plans stirs up further division and hostility amongst some of our communities, ultimately galvanising more support to step up the hostile environment policies in the longer term.

Lack of compassion:

Last but not least, these plans lack compassion.

They seem to be based on the assumption that most people claiming asylum here are not to be believed, that they are here to take something from us and that they are not to be treated as humans but as numbers.

We need to start listening to each story as a human story, with empathy, compassion and without judgement. We need treat people with dignity and respect.

Have your say:

It feels more important we stand together, against these plans, and that all our voices are heard. If you feel you can, and would like to, participate in the public consultation, this is open until 4th May. You can access it here:

[New Plan for Immigration - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Before completing the consultation, there is some useful reading to support the way you can respond. This document, produced by Asylum Matters, is a good start:

[Responding to The New Plan For Immigration consultation - guidance document - Google Docs](#)

It includes two really informative links:

[A first look at the "New Plan for Immigration" | Free Movement PowerPoint Presentation \(cityofsanctuary.org\)](#)

It also includes a useful guide to completing the consultation, which in itself, is problematic in parts. Some of the questions can be seen as leading, particularly in the multiple choice sections, and it recommends only completing the sections that you feel comfortable doing.

You can continue to check out freemovement.org and the **Independent** and the **Guardian** coverage, both have valuable coverage on this, which makes useful reference material.

A welcome development is the **Asylum Reform Initiative**, a collaboration between Asylum Matters, the British Red Cross, Freedom from Torture, Refugee Action, Refugee Council, and Scottish Refugee Council that aims to build a more joined up, effective influencing of British government policy and practice on asylum-seekers and refugees. WERS has signed up to support this initiative and we will share more details of this as they develop.

WERS on social media: We are also continuing to post updates and new resources and articles on these plans on social media platforms: You can follow up on facebook and twitter @WestEndRefugee

And lastly - a huge thank you!

We would like to say a big thank you to all our supporters and funders who make it possible for WERS to continue to offer support, opportunities and to stand up for the people we work with, and to raise awareness of the challenges people face seeking sanctuary here in the UK.