#### Dear UK Home Office,

We are writing as UK civil society, coordinated by SolidariTee, an international student-led charity with teams at over 60 universities worldwide, along with 52 co signatory organisations, to express our concerns and strong opposition to your 'New Plan for Immigration'<sup>1</sup>, dated March 2021. We have deliberately not named anyone in our address, as we recognise that this proposal was not developed by any single individual, and instead reflects a systemic denial of human rights and international law within the Home Office.

We condemn in the strongest terms any attempt to criminalise those seeking safety from violence and persecution, and see this proposal as especially damaging in this light. Though it is disguised by language implying that this policy seeks to act in the best interests of refugees and asylum seekers, the proposal's policies provide numerous ways to criminalise and undermine the rights of those fleeing persecution.

Many of the policies proposed in this document are founded upon harmful myths and baseless stereotypes. As this is an open letter, we wish to break down all of the reasons why this proposal is both factually unsound, and a highly damaging violation of human rights. We wish to be complete and thorough in our stance, to inform those members of the general public reading this letter who may not have come across these laws before, and highlight to the government the breaches of international law and lack of factual basis for these proposals. As such, further details have been included in relation to each of the below calls to action.

Signed, in solidarity,

SolidariTee Alex Bradbury

Climate and Ecological Bill Team

Action for Education Asylos

Aegean Boat Report

Bail for Immigration Detainees

Alan Bookbinder

Baroness Royall of Blaisdon

<sup>1</sup> https://www.gov.uk/government/consultations/new-plan-for-immigration.

Calais Food Collective

Cambridge Convoy Refugee

**Action Group** 

Cambridge Refugee

Resettlement Campaign

Chaitra Dinesh

Students for Global Health

Conversation Over Borders

CU Doctors for All

Derbyshire Refugee Solidarity

Distribute Aid

Edinburgh Interfaith Association

Empower Her\* Voice

Europe Must Act

Fabio Rossi

Somerville College JCR

Give Your Best

Hannah Barnes

West End Refugee Service

Hull Help for Refugees

Human Rights Observers

(L'Auberge des migrants)

InsideUni

Islington Centre for Refugees

and Migrants

Kent Refugee Action Network

(KRAN)

Koraki

Louder Than The Storm

May Armstrong

Fridays For Future Scotland

Médecins Sans Frontières UK

**Take Action Group** 

Migrants Organising for Rights

and Empowerment

OUI

People's Health Movement

Scotland

Philippa Carrick, CEO

**Tibet Relief Fund** 

The Phoenix Project

Race & Health

Rebecca Kay

University of Glasgow

Refugee Support Europe

Refugee Women Connect

Rosemary James

Screen Share UK

Stand For All

Steve Ali

Refugee Media Centre

Students Organising for

Sustainability (SOS-UK)

St Augustine's Centre, Halifax

Thousand 4 £1000 **UK Must Act** United Women Voices Without Borders The Washing Machine Project Young Roots Youth Stop AIDS

### We call upon the Home Office to take the following actions:

 Immediately and unreservedly retract any and all elements of this proposal which seek to penalise, criminalise, or otherwise disadvantage refugees and asylum seekers based on the way in which they enter the UK or the manner in which they present evidence.

These include but are not limited to:

- a. The criminalisation of irregular passage or entry into the UK by those with an intent to seek asylum.
- b. The "one-stop" process and the "good faith" requirement\* set out in Chapter 5 of the Plan, which place an unfair burden of responsibility on the asylum seeker who may be initially unable to make all claims due to trauma, fear, or lack of knowledge about the asylum process.<sup>2</sup>
- c. The introduction of "new temporary protection status with less generous entitlements and limited family reunion rights" for people unjustly and inappropriately deemed "inadmissible" as outlined in Chapter 4, another example of reducing rights based upon route of entry.
- 2. Withdraw all segments of the New Plan expressing intent to introduce "reception centres" and the powers to deport asylum seekers before their claims have been processed, per Chapter 4 of the plan, which will place the welfare of asylum seekers at imminent risk. Please also publicly commit to ruling out the use of offshore detention centres, or processing facilities.
- 3. Retract plans to place the age assessment process in the hands of those who are not social workers, and maintain the

<sup>&</sup>lt;sup>2</sup> The 'good faith' requirement is wholly distinct to the principle within the Vienna convention on p.5, and here refers to the requirement of asylum seekers to bring forward all aspects of their claim in one go.

- age for threshold of certainty as 'significantly over 25' instead of 'significantly over 18'.
- 4. Facilitate the provision of safe, formalised routes of entry to the UK, to prevent more needless deaths occurring in UK waters, and release your intentions to provide these publicly, before the end of the UK government's New Plan for Immigration 6 week online consultation process.<sup>3</sup>
- 5. Provide more clarity as to your intentions and targets for resettlement as a legal and regular form of refugee support, and publicly commit to significantly increasing the UK's resettlement capacity. We call upon you to publish your intended resettlement targets before the end of the consultation process. Without this information, it is impossible for members of the public to fully understand the government's intentions and commitments, and this must be part of the consultation process.
- 6. Participate in an open consultative process with the organisations who have signed this letter, including those with lived experience of seeking asylum and of the journeys you are so quick to criminalise.

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<sup>&</sup>lt;sup>3</sup> https://newplanforimmigration.com/en/projects/introduction-to-the-consultation-platform

### Objections to the New Plan

We would like to begin by sharing the definition of a refugee as per Article 1 of the 1951 Refugee Convention:<sup>4</sup>

"Someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion."

The Convention builds on Article 14 of the Universal Declaration of Human Rights, which recognises the right of persons to seek asylum from persecution in other countries. As a signatory to both the Refugee Convention, and the UDHR, the UK has a legal obligation to act in good faith in accordance with their terms. The New Plan flagrantly disregards these international obligations.

Our objections to the New Plan for Immigration Proposal include, but are not limited to, the following concerns:

1) The New Plan's intent to penalise asylum seekers based upon their route of entry into the UK breaches international law, and departs from established procedure within the EU and Europe.

Your proposal expresses an intent to 'ensure those who arrive in the UK, having passed through safe countries, or who have a connection to a safe country where they could have claimed asylum, will be considered inadmissible to the UK's asylum system'. This is not only to be a dangerous violation of human rights, but also a breach of asylum law.

## Firstly, the concept of an 'illegal' border crossing is not supported by any international law.

Article 31 of the 1951 Refugee Convention<sup>5</sup>, of which the UK is a recognised party, explicitly states:

"1. The Contracting States shall not impose penalties, on

<sup>4 &</sup>lt;a href="https://www.unhcr.org/uk/what-is-a-refugee.html">https://www.unhcr.org/uk/what-is-a-refugee.html</a>.

<sup>&</sup>lt;sup>5</sup> https://www.ohchr.org/en/professionalinterest/pages/statusofrefugees.aspx.

account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of article 1, enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence."

The Refugee Convention neither states nor implies that refugees must apply for asylum in the first country they reach which could be considered 'safe'. Further to this, within UK case law itself, there is already a precedent that asylum seekers do **not** have to claim asylum in the first country they pass through, and that 'some element of choice is indeed open to refugees as to where they may properly claim asylum'. As such, it can be concluded that the use of 'directly' in Article 31 of the Refugee Convention is not intended to be taken in the literal sense, and that no route of travel can be considered 'illegal'.

The continual reference to 'legal' and 'illegal' routes throughout your proposal is therefore not only unnecessarily inflammatory, but highly misleading, since international law clearly states that those arriving irregularly may not be penalised. Such terminology also deviates from the frameworks used by international agencies, including the UN, which refer to 'regular' and 'irregular' routes instead.<sup>7</sup> Departing from the terminology used in international frameworks only serves to promote fear mongering in the general population, rather than to uphold the rights of asylum seekers and refugees.

A person whose life is at risk due to their identity or beliefs in their own country often has just hours' or days' notice to flee their home and community. Many asylum seekers are forced to leave without any identification papers or their possessions. Under these circumstances, it simply is not possible to cross international borders in a way that the UK deems 'legal'. Additionally, the Vienna Convention on the Law of Treaties

<sup>6</sup> https://www.refworld.org/cases,GBR HC QB,3ae6b6b41c.html.

<sup>&</sup>lt;sup>7</sup> https://www.unhcr.org/cy/wp-content/uploads/sites/41/2018/09/TerminologyLeaflet EN PICUM.pdf.

states that 'A treaty shall be interpreted in good faith in accordance with the ordinary meaning to be given to the terms of the treaty in their context and in the light of its object and purpose'. The New Plan's proposal to penalise those arriving irregularly, is therefore both in direct contradiction of the Refugee Convention, and explicitly demonstrates a wilful lack of 'good faith'.

# Secondly, the 'safe third country' concept is not a widely endorsed principle, and not intended to be used outside of exceptional circumstances.

The 'safe third country' analysis is used to justify the 'admissibility' or 'inadmissibility' of asylum cases - in other words, to justify whether a person's asylum claim will be considered in the country in which they are seeking asylum, or whether their application will be dismissed without consideration. In essence, asylum seekers can, in certain cases, be sent back to a country through which they have previously passed that could be considered 'safe'. However, the concept of a 'safe' country is poorly defined and changeable; the definition of 'safe' varies from person to person based on a range of factors including race, religion, sexuality, and languages spoken.<sup>10</sup> It is important to note that this principle was intended to apply only in exceptional circumstances. The New Plan acts in bad faith, expanding this principle to shirk the UK's responsibilities to providing international protection

This principle can also be considered unlawfulin and of itself, given that the Refugee Convention states that no one should be penalised for arriving irregularly, as above. The New Plan continually conflates irregular arrivals with arrivals from a 'safe third country', and as such, the suggestion that everyone who reaches the UK has also passed through a country where it would be considered 'safe' for them to stay is false. An intent

<sup>8</sup> https://www.icc-cpi.int/RelatedRecords/CR2018 04585.PDF.

<sup>9</sup> https://www.unhcr.org/59632a847.pdf.

 $<sup>^{10}</sup>$  <u>https://www.france24.com/en/20200702-european-court-of-human-rights-condemns-france-over-inhuman-living-conditions-for-asylum-seekers.</u>

to implement a blanket policy of 'inadmissibility' is a significant departure from the intended purpose of the 'safe third country' principle.

2) The proposal propagates false information, lacking in evidence, about the intentions and origins of refugees and asylum seekers, and the "burden" on the UK. Under this proposal, the UK is turning its back on refugees and asylum seekers worldwide, and refusing to uphold its international responsibilities.

Not only does the UK have an international responsibility to take in refugees and asylum seekers, but the UK is also complicit in the conflicts from which these people flee. The proposal relies on myths around refugees and asylum seekers in the UK, which are not only false but highly damaging.

Chapter 5 states that those seeking asylum are commonly "making unmeritorious claims". More than a third of people are granted refugee status on appeal in the UK - in other words, one in three people who appeal their decision were initially rejected unfairly. This says more about inadequacies within the UK asylum process and the potential for outcome-altering information to be missed in the first instance than the legitimacy of those forced to navigate the process.

For simple geographical reasons, refugees fleeing many countries around the world will, in all likelihood, reach a country within Europe other than the UK first. Your assertion that refugees should therefore seek asylum only in these countries ensures that the UK plays very little part in the international effort to support those fleeing persecution or to process asylum claims. Though the New Plan refers to the fact that the UK is the country with the highest number of refugees hosted via resettlement schemes in Europe, these numbers are still incredibly small relative to the total refugee population by country, and far lower than expected for a country of our income. The UK ranks just 11th of the European countries in terms of number of refugees resettled relative to population size. 13

<sup>11</sup> https://www.gov.uk/government/statistics/immigration-statistics-year-ending-september-2020/list-of-tables.

<sup>12</sup> https://www.freemovement.org.uk/the-new-plan-for-immigration-asylum-fair-effective.

<sup>13</sup> https://migrationobservatory.ox.ac.uk/resources/briefings/migration-to-the-uk-asylum/, figure 10.

Similarly, we reject the notion that the UK is already 'doing enough'. There are more than 20 million refugees worldwide, of which 6.6 million originate from Syria alone, a country in whose conflict the UK has had a long-term involvement. By contrast, according to your own estimates there are fewer than 140,000 refugees in the UK, equivalent to 0.26% of the country's population, and 109,000 people currently seeking asylum in the UK. In Lebanon, 21.8% of the population are refugees (over 1.5 million refugees) 14, while Germany hosts a further 1.1 million refugees (1.3% of population). 15 These figures show that, even when considered relative to our population size instead of in pure numbers, the UK has simply not stepped up in supporting those who are seeking safety and peace.

You state that the UK asylum system is 'collapsing under the pressures of what are in effect parallel illegal routes to asylum'. Yet it is a system which deals with relatively very few people, whilst other countries in far weaker economic positions take on far larger responsibilities. The frequency of successful appeals shows that this is also a system which frequently fails to protect those with a legitimate claim to asylum.

<sup>14</sup> https://www.nrc.no/perspectives/2020/the-10-countries-that-receive-the-most-refugees/.

<sup>15</sup> https://www.unhcr.org/globaltrends2019/.

### 3) The New Plan continually conflates smuggling with trafficking.

The UK has consistently refused to provide safe, so-called 'legal' routes of travel to the UK in order to seek asylum. As such, people have continually been forced to turn to smugglers and deadly methods of reaching safety, because they have been left no other choice. Tragically, there have been almost 300 deaths in the English Channel over the last 20 years. There is significant evidence to show that deterrent policies simply do not work; Trankly, anyone willing to risk their life in a shipping container or small boat across the Channel would not do so were there any other option.

Smuggling has a distinct definition, and distinct ramifications, when compared to trafficking; however the New Plan explicitly fails to separate the two. Trafficking in persons, as defined by the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, is:18

'The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.'

The smuggling of migrants on the other hand, is defined in Article 3 of The Protocol Against the Smuggling of Migrants as:

'the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a

<sup>16</sup> https://www.theguardian.com/uk-news/2020/oct/29/almost-300-asylum-seekers-have-died-trying-to-cross-the-channel-since-

<sup>&</sup>lt;u>1999#:~:text=Almost%20300%20asylum%20seekers%20have%20died%20trying%20to%20cross%20the%20Channel%20since%201999,-</u>

<sup>&</sup>lt;u>This%20article%20is&text=Almost%20300%20asylum%20seekers%20including,first%20analysis%20to%20collate%20deaths.</u>

<sup>&</sup>lt;sup>17</sup>Czaika, M. & Hobolth, M. (2016) Do restrictive asylum and visa policies increase irregular migration into Europe?, <a href="https://www.migrationpolicy.org/article/criminalization-rescue-operations-mediterranean-rising-">https://www.migrationpolicy.org/article/criminalization-rescue-operations-mediterranean-rising-</a>

<sup>&</sup>lt;u>deaths?fbclid=lwAR2b8R0Pfs61N9iiCGQOm3yyBaBJuybOKNiLmz5dDIUGv2jMQ12M9\_613Ag.</u>

18https://www.ohchr.org/en/professionalinterest/pages/protocoltraffickinginpersons.aspx.

person into a State Party of which the person is not a national or a permanent resident.' 19

The key difference here is that trafficking is defined by controlling someone against their will for the purpose of exploitation, whereas smuggling involves a decision on the part of the person being transported, with payment frequently being required in exchange for aid crossing borders. The New Plan states that "Access to the UK's asylum system should be based on need, not on the ability to pay people smugglers" (Chapter 4). Whilst we agree that an individual's ability to flee persecution where their life is at risk should not depend on their ability to pay smugglers, the fact remains that without the provision of safe, and, in your words, 'legal' routes to seek asylum in the UK, smugglers will continue to be the only option for those who are forced to flee at short notice. You state that "people have died making these dangerous and unnecessary journeys" and yet your failure to provide safe routes into the UK is exactly why these journeys are unfortunately very necessary. You also state that you plan to "continue to encourage asylum" via safe and legal routes".

It is true that those crossing borders irregularly are at increased risk of being victims of trafficking<sup>20</sup>, but the criminalisation of those who cross borders only increases their vulnerability to exploitation.<sup>21</sup> A 'crack down' is not the answer, and it never has been; the only way to prevent people from making deadly journeys is to provide them with safer routes. In order to effectively protect the lives and welfare of those seeking refuge in the UK, steps must be taken to create safe routes, rather than using concern over dangerous journeys as a disguise for exclusionary and discriminatory policies.

Conflating smuggling - a voluntary act that someone undertakes with the intent to claim asylum, their internationally recognised legal right - and trafficking - which occurs against

<sup>&</sup>lt;sup>19</sup> https://www.unodc.org/e4j/en/tip-and-som/module-13/key-issues/international-legal-frameworks-and-definitions.html.

<sup>&</sup>lt;sup>20</sup> https://www.state.gov/wp-content/uploads/2020/06/2020-TIP-Report-Complete-062420-FINAL.pdf.

<sup>&</sup>lt;sup>21</sup> https://publications.iom.int/system/files/pdf/migrants and their vulnerability.pdf, p.30.

someone's will, for the purpose of financial or other gain to the smuggler via exploitation of the victim - is dangerous and misleading. Assuming that everyone who enters the UK irregularly is being trafficked allows a level of violence to be enacted at the border that is at odds with your statement that you plan to "continue to encourage asylum via safe and legal routes", and which will only increase refugees' and asylum seekers' vulnerability to trafficking.

Similarly, it should not be implied that those entering irregularly made a calculated choice to break UK law. This is simply not the case - as outlined above, crossing borders, by whatever means, is permissible in order to seek asylum, no matter the immigration laws of that country, and there is frequently a distinct lack of alternative options.

4) The implication that resettlement is a viable alternative to the provision of safe routes to seek asylum in the UK is unsubstantiated.

Resettlement schemes involve the transfer of refugees, from the country in which they sought and were granted asylum, to a third country. The aim of these schemes is to provide durable solutions to displacement for those in need. Until the end of 2020, the UK had four resettlement schemes which operated in partnership with the UNHCR and International Organisation for Migration (IOM). The largest of these (the Vulnerable Persons and Vulnerable Children's Resettlement Schemes) relocated vulnerable individuals displaced by the Syrian conflict. These schemes paused due to Covid-19, leaving many stranded. Whilst the Home Office has announced latent plans for a "New Global Resettlement Scheme", few details have been provided.

The Home Office exploits the existence of these routes as justification to offset its international obligations towards those who claim asylum once in the UK. In their current form, resettlement pathways will never be the solution to preventing asylum seekers travelling via irregular routes. Less than 1% of refugees worldwide are resettled each year<sup>22</sup>, and criteria are exceptionally stringent, with no guarantee of resettlement.<sup>23</sup>

Increasing resettlement within the UK is undoubtedly a good thing, but should not be used as a way to discredit those who seek asylum in the UK directly, or to imply that they had viable alternative options.

<sup>22</sup> https://www.unhcr.org/uk/resettlement.html.

<sup>&</sup>lt;sup>23</sup> https://www.unhcr.org/uk/protection/resettlement/558c015e9/resettlement-criteria.html.

5) Your intention to implement a 'one-stop' process fails to give fair or appropriate opportunity for asylum seekers to make their case comprehensively.

It is well documented that trauma affects both memory storage and recall,<sup>24</sup> and the ramifications of this on legal proceedings are well noted in academic literature.<sup>25</sup> Asylum processes are by nature complex legal proceedings,<sup>26</sup> and questions in asylum interviews demand very specific information about often traumatic events, which may have taken place months or years previously.<sup>27</sup> Many asylum seekers have been subjected to physical or sexual violence, including torture, or have fled lifelong oppression due to membership of a certain religious or ethnic minority, or identifying as LGBTQ+, and will be too traumatised to be able to retell their stories in such a way as to meet asylum interview criteria in a 'one-stop' situation.

Asylum interviews are highly detailed and many asylum seekers lack knowledge of the asylum criteria and their rights within the process. Tiny inconsistencies have been used to support the rejection of asylum seekers' claims, including the infamous 2018 UK Home Office example which stated:

'It is noted that you have been inconsistent ... as you initially state that you took sheep and goats to graze and then you stated that you took the sheep. This is a minor inconsistency however it has been noted.'

Everyone has a fundamental right to legal representation. And yet, there is no mention within the New Plan of what, if any, legal support will be provided prior to the 'one-stop'

<sup>24</sup> https://www.justice.gc.ca/eng/rp-pr/jr/trauma/p4.html.

<sup>&</sup>lt;sup>25</sup> https://www.cambridge.org/core/journals/the-british-journal-of-psychiatry/article/asylum-claims-and-memory-of-trauma-sharing-our-

knowledge/BDBD0282E250630BAA81C03D330AA141,

https://pubmed.ncbi.nlm.nih.gov/24799151/, https://www.justice.gc.ca/eng/rp-pr/ir/trauma/p4.html.

<sup>&</sup>lt;sup>26</sup> https://righttoremain.org.uk/toolkit/asylumiv/.

 $<sup>^{27}</sup>$  <u>https://www.theguardian.com/world/2018/feb/11/asylum-interview-10-examples-of-absurdity-home-office.</u>

process. Without adequate time to ensure the provision of legal aid and interview preparation, and to source appropriate translators, asylum seekers are set up for failure.

Aside from the moral implications of this, your approach only increases inefficiency within the asylum process: by not giving people adequate opportunity to represent themselves in the first instance, the number of applicants with legitimate claims who are unfairly rejected will increase, leading to more appeals, which could have been avoided by fair process. Economically, choosing to prioritise the removal of asylum seekers over the provision of proper support is also illogical: compare the £4.3 million spent deporting just 322 people, 28 to the £39.63 per week (£5.27/day) which asylum seekers are given to live on. 29

<sup>&</sup>lt;sup>28</sup> https://www.theguardian.com/politics/2021/mar/23/home-office-spends-13354-per-person-on-deportation-flights.

<sup>&</sup>lt;sup>29</sup> https://www.gov.uk/asylum-support/what-youll-get.

## 6) Your proposal puts children at risk of being treated as adults on arriving in the UK, putting them in a particularly vulnerable position.

The proposal that individuals who appear 'significantly over 18 years of age' (rather than 'over 25 years of age' as per current policy) will be treated as adults goes against UNHCR recommendations regarding the treatment of children or those who may be children. Age assessment methods used by the UK government have been repeatedly shown to be imprecise, with the government having lost court cases over the improper use of previous methods.<sup>30</sup>

The OHCHR Guidelines on Policies and Procedures in Dealing with Unaccompanied Children Seeking Asylum<sup>31</sup> states that the guiding principle regarding those who may be children is acting in the 'best interests of the child'.32 They clearly outline that the child should be given the benefit of the doubt if their exact age is uncertain. The UNHCR Submission to the UK Parliamentary Joint Committee on Human Rights Inquiry (2012) states that age assessments should be 'a measure of last resort' where documents and the child's own testimony have failed to establish their age.33 It emphasises that these assessments should not be routine and that the age assessment should be kept separate from the asylum process. Training front-line immigration officers to carry out age assessments clearly ignores this rule, and has the potential to create harmful conflicts of interest since unaccompanied minors are afforded different protections within the asylum process. Additionally, this document argues that the 'best interests of the child' should be prioritised up until the age dispute has been resolved - this requires those of dubious age to be treated as children until proven otherwise, rather than the reverse which the New Plan outlines.

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<sup>30</sup> https://www.theguardian.com/uk-news/2021/jan/25/teenage-asylum-seeker-in-uk-wins-legal-battle-over-unlawful-age-assessment; and

https://www.childrenslegalcentre.com/revised-age-assessment-guidance.

<sup>31</sup> https://www.unhcr.org/3d4f91cf4.pdf.

<sup>32 &</sup>lt;a href="https://www.legislation.gov.uk/ukpga/1989/41/section/1">https://www.legislation.gov.uk/ukpga/1989/41/section/1</a>.

<sup>33</sup> https://www.unhcr.org/uk/5756ec3e7.pdf.

The suggestion that social workers will be able to make 'straightforward' decisions regarding age ignores the complexities that are involved in assessing age,<sup>34</sup> with most experts agreeing that age assessment is an 'estimated guess',<sup>35</sup> and that there will always be a margin of error. To ignore this fact puts children at risk of being misidentified and ignored, violating their human rights and their rights according to the Geneva Convention and the 1989 Convention on the Rights of the Child.<sup>36</sup>

<sup>34 &</sup>lt;a href="https://www.rcpch.ac.uk/resources/refugee-unaccompanied-asylum-seeking-children-young-people-guidance-paediatricians#age-assessment">https://www.rcpch.ac.uk/resources/refugee-unaccompanied-asylum-seeking-children-young-people-guidance-paediatricians#age-assessment</a>.

<sup>35</sup> https://www.refworld.org/pdfid/55759d2d4.pdf.

<sup>36</sup> https://downloads.unicef.org.uk/wpcontent/uploads/2010/05/UNCRC united nations convention on the rights of the child.pd

## 7) The New Plan's intent to introduce reception centres has the potential to violate human rights.

Instances of gross negligence in meeting basic needs at the hands of the Home Office have already been evidenced at both the Napier Barracks and Penally camp, where refugees have been housed in extremely poor conditions, and the UK is the only western European country to have no maximum time limit on the duration people are forced to remain in Immigration Removal Centres (detention centres). In addition, more people died in asylum accommodation in the UK in 2020 than crossing the English Channel.<sup>37</sup> We have no confidence in the UK's ability to provide appropriate standards of provision for asylum seekers within reception centres, and fail to understand why such centres would be necessary.

<sup>&</sup>lt;sup>37</sup> https://www.theguardian.com/uk-news/2020/dec/15/revealed-shocking-death-toll-of-asylum-seekers-in-home-office-

 $<sup>\</sup>frac{accommodation\#:\sim:text=Twenty\%2Dnine\%20asylum\%20seekers\%20have, crossings\%20over\%20the\%20same\%20period.\&text=One\%20of\%20the\%20most\%20recent,\%2C\%2027\%2C\%20from\%20lvory\%20Coast.$ 

We understand that altering this initial proposal in favour of prioritising the upholding of human rights will be difficult. However, we have no doubt that taking an approach based on upholding human rights will be remembered as one of the most positive steps taken by this country amidst turbulent times.

Many of the values possessed by this country and its residents - values of home, love, family, and security - have been deliberately manipulated by successive government administrations, seeking to blame the "immigrant", the "refugee", the "other" for political gain. None of this could be further from the truth - the political scapegoating of those fleeing unimaginable violence must end now.

