[Your address]

[MP’s name]

[MP’s address + postcode]

[date]

Dear [MP’s name],

I am writing to you to make you aware of my serious concerns about the Home Office’s New Plan for Immigration. The New Plan will have a devastating impact on asylum seekers and refugees in the UK.

Firstly, the New Plan will penalise asylum seekers based on their route of entry into the UK. The proposal states 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*’.

Within UK case law, there is already a precedent that asylum seekers do not have to claim asylum in the first country they enter, and that ‘some element of choice is indeed open to refugees as to where they may properly claim asylum’[[1]](#footnote-0). Additionally, 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. Denying asylum to people that have passed through or have a connection to a ‘safe’ country is unlawful, and there is a significant risk that asylum seekers will be considered inadmissible where the supposedly ‘safe’ country they passed through is not at all safe for them.

Secondly, the proposal propagates false information about the intentions and origins of refugees and asylum seekers, and the ‘burden’ they place on the UK. Chapter five of the proposal states that asylum seekers frequently make ‘unmeritorious claims’. However, more than a third of people are granted asylum on appeal in the UK - that is, as many as one in three initial rejections may be unfair[[2]](#footnote-1). This says more about the inadequacy of the current system than the legitimacy of those forced to navigate it, and suggests that those with genuine asylum claims are often failed.

Additionally, the burden of asylum seekers and refugees on the UK is not unduly high: there are currently fewer than 140,000 refugees in the UK (according to the government’s estimates), whereas Lebanon is home to over 1.5 million refugees, and Germany around 1.1 million. 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. However, these numbers are still tiny 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[[3]](#footnote-2). It is false to imply that the UK bears a particularly heavy burden of hosting refugees and asylum seekers.

Thirdly, the implication in the New Plan that resettlement is a viable alternative to the provision of safe routes into the UK is unsubstantiated. Resettlement schemes involve the transfer of refugees from the country in which they 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 Home Office uses the existence of these routes to justify disregarding its obligations towards those who claim asylum in the UK. In their current form, resettlement pathways are far too limited to provide an alternative to the provision of safe routes into the UK. Less than 1% of refugees worldwide are resettled each year[[4]](#footnote-3), and criteria are exceptionally stringent[[5]](#footnote-4). 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.

Fourthly, the New Plan states that a ‘one-stop’ asylum process will be implemented. This will not give asylum seekers a fair opportunity to make their case comprehensively. The ‘one-stop’ process will require asylum seekers to bring forward all relevant matters at the start of the process, with judges instructed to give minimal weight to any evidence provided later.

It is well documented that trauma affects both memory storage and recall[[6]](#footnote-5), and the effects of this on legal proceedings are well noted in academic literature[[7]](#footnote-6). Questions in asylum interviews demand very specific information about often traumatic events, which may have taken place months or years previously[[8]](#footnote-7). Many asylum seekers have been subjected to physical or sexual violence, including torture, or have fled lifelong oppression. It is not reasonable or fair to give asylum seekers who may have suffered serious trauma only one chance to remember and communicate important information about their asylum claim.

Additionally, asylum interviews are very detailed, and many asylum seekers lack understanding of the asylum system and the criteria for refugee status. There is no mention in the New Plan of any legal support to be provided to asylum seekers ahead of the ‘one-stop’ process. This means that there is a high chance that asylum seekers going into the process will not know which of their experiences are important to their asylum claim. Under these circumstances, it is unfair to deny asylum seekers the ability to introduce evidence later in the process, especially after receiving legal advice.

Fifth, the proposal puts children seeking asylum in the UK at risk of being treated as adults. 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[[9]](#footnote-8). The suggestion in the New Plan that social workers will be able to make ‘straightforward’ decisions regarding age ignores the complexities that are involved in assessing age[[10]](#footnote-9), with most experts agreeing that age assessment is an ‘estimated guess[[11]](#footnote-10)’, 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[[12]](#footnote-11).

Finally, the New Plan’s proposal to introduce reception centres has the potential to violate the human rights of asylum seekers. 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[[13]](#footnote-12). I 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.

I ask that you raise these very serious issues with the Secretary of State, and emphasise to her the duty of the UK government to uphold the rights of refugees and asylum seekers. I would also be very happy to meet with you to discuss these matters further.

You can contact me at [email] or [telephone]. Thank you for your help, and I look forward to your response.

Best wishes,

[Your name]

1. https://www.refworld.org/cases,GBR\_HC\_QB,3ae6b6b41c.html. [↑](#footnote-ref-0)
2. https://www.gov.uk/government/statistics/immigration-statistics-year-ending-september-2020/list-of-tables#asylum-and-resettlement [↑](#footnote-ref-1)
3. https://migrationobservatory.ox.ac.uk/resources/briefings/migration-to-the-uk-asylum/ [↑](#footnote-ref-2)
4. https://www.unhcr.org/uk/resettlement.html [↑](#footnote-ref-3)
5. https://www.unhcr.org/uk/protection/resettlement/558c015e9/resettlement-criteria.html [↑](#footnote-ref-4)
6. https://www.justice.gc.ca/eng/rp-pr/jr/trauma/p4.html [↑](#footnote-ref-5)
7. <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/jr/trauma/p4.html> [↑](#footnote-ref-6)
8. https://www.theguardian.com/world/2018/feb/11/asylum-interview-10-examples-of-absurdity-home-office [↑](#footnote-ref-7)
9. <https://www.theguardian.com/uk-news/2021/jan/25/teenage-asylum-seeker-in-uk-wins-legal-battle-over-unlawful-age-assessment>, https://www.childrenslegalcentre.com/revised-age-assessment-guidance/ [↑](#footnote-ref-8)
10. https://www.rcpch.ac.uk/resources/refugee-unaccompanied-asylum-seeking-children-young-people-guidance-paediatricians#age-assessment [↑](#footnote-ref-9)
11. https://www.refworld.org/pdfid/55759d2d4.pdf [↑](#footnote-ref-10)
12. https://downloads.unicef.org.uk/wp-content/uploads/2010/05/UNCRC\_united\_nations\_convention\_on\_the\_rights\_of\_the\_child.pdf [↑](#footnote-ref-11)
13. https://www.theguardian.com/uk-news/2020/dec/15/revealed-shocking-death-toll-of-asylum-seekers-in-home-office-accommodation#:~:text=Twenty%2Dnine%20asylum%20seekers%20have,crossings%20over%20the%20same%20period.&text=One%20of%20the%20most%20recent,%2C%2027%2C%20from%20Ivory%20Coast. [↑](#footnote-ref-12)