

Home Affairs Committee

Oral evidence: Asylum and Returns Policy, HC 1579

Tuesday 16 December 2025

Ordered by the House of Commons to be published on 16 December 2025.

Watch the meeting

Members present: Dame Karen Bradley (Chair); Lewis Atkinson; Ben Maguire; Robbie Moore; Margaret Mullane; Chris Murray; Peter Prinsley; Jo White.

Questions 1 - 55

Witnesses

[I](#): Meghan Benton, Director for Global Programs, Migration Policy Institute; Dr Mihnea Cuibus, Researcher, Oxford Migration Observatory; and Dr Rakib Ehsan, Senior Fellow, Policy Exchange.

[II](#): Zoe Bantleman, Legal Director, Immigration Law Practitioners Association; Vicky Tennant, UNHCR Representative to the United Kingdom; and Sohini Tanna, Policy & Advocacy Manager, British Red Cross.

Examination of witnesses

Witnesses: Meghan Benton, Dr Mihnea Cuibus and Dr Rakib Ehsan.

Q1 Chair: I would like to welcome our witnesses today. We are conducting a one-off session looking at the asylum reforms that the Government have announced and what the implications may be. We realise of course that a lot of them are being consulted on and, as a Committee, we are very keen to make sure that we can feed into that consultation. We are very grateful to you for being here.

If you could introduce yourselves, and then we will start questions.

Dr Cuibus: Good afternoon, I am Mihnea Cuibus. I am a researcher with the Migration Observatory at the University of Oxford.

Dr Ehsan: Hello, everyone. I am Rakib Ehsan, a senior fellow at Policy Exchange. I specialise in matters of integration and security.

Meghan Benton: I am Meghan Benton. I am director of global programmes at the Migration Policy Institute.

Chair: Thank you very much. We will start our questions with Lewis Atkinson.

Q2 Lewis Atkinson: Thanks for coming in this afternoon. We know that the number of asylum claims in the UK increased by 15% in the year to June 2025, but that claims in the EU decreased by 22% in the same time. Could you share your assessment of what is driving the rise in UK claims, particularly in the context of falls in European claims?

Dr Cuibus: It is difficult to pinpoint exactly the reason we are seeing these trends. If we look at the last three to four years, numbers have been moving up and down for no particular or obvious reason. However, recent declines in the EU are likely due to a halt in irregular arrivals. We have seen big declines in the number of unauthorised arrivals into the EU, which is connected to the number of deals that the EU has reached with neighbouring countries on enforcement.

As you say, when we look at the UK, numbers have moved up. That is due to a combination of sustained arrivals by small boat, as well as continued applications from people coming in legally on visas. It is hard to say exactly what is happening, but it is likely that there might be a lag effect happening as well, because we know there were record arrivals into the EU in 2022-23. A significant number of those people might try to get status in the EU and then decide to move onwards to the UK, so we might expect a small lag there.

Meghan Benton: Just to echo that. I see the same thing: that there is a delay effect. We would not expect the irregular arrivals to be on exactly the same timeline, especially when you think about the implications of



HOUSE OF COMMONS

Brexit and the fact that some people in northern France see coming to the UK as the last resort after having exhausted opportunities in the EU.

It is also important to note that there are a lot of miniature stories underneath that headline. Some countries have seen a rise in arrivals. For instance, there is a rise in Venezuelan applications to Spain; a lot of Congolese going to France. It is a dynamic situation. While there has been a big drop in Syrian arrivals this year and, as you pointed to, the partnerships with northern African countries are certainly having a significant impact on enforcement in preventing people from crossing the Mediterranean, and a lot could change there.

I would also finally point to the contrast between those partnerships with northern African countries, the enforcement there keeping people back, compared with France, where interception in the water is still a very persistent challenge.

Q3 **Lewis Atkinson:** That is really interesting. The Government have recently described that the generosity—in its words—of our asylum system acts as a pull factor to people who may otherwise claim asylum elsewhere. How far do you agree with that assessment?

Dr Ehsan: One point to make is looking at the acceptance rates across Europe. Traditionally, the acceptance rates for asylum claims in the UK have been higher compared with a number of other European countries. Ultimately, there is the possibility that the calculation is being made, as Meghan raised, that if you have asylum applications rejected in other European countries, naturally the UK would be the final option. There is also the attractiveness that acceptance rates are traditionally higher in the UK compared with other European countries. That would be an important point to make.

Dr Cuibus: Although it is important to point out that, while it is true that back in 2022 we ended up having much higher grant rates than the EU, that is no longer the case, because we saw grant rates fall very sharply in the last two years. That is similarly the case with refugee family reunion.

When we looked at other aspects, such as the generosity of welfare or work rights, there is no clear evidence that the UK is more generous than some other European countries. It is much more of a mixed pattern, depending on what aspect of policy we are looking at specifically.

Meghan Benton: Also, generally speaking, there is limited evidence that asylum seekers are using generosity of benefit systems and things like that to make decisions about where to move. It is far more about language, networks and possible economic opportunities. The UK's flexible labour market and formal economy has been more of a pull factor than the package.

Q4 **Lewis Atkinson:** Denmark has been widely cited by the Government as an example of a country that has reduced pull factors in recent years.



HOUSE OF COMMONS

Could you say a little about the evidence you have seen there and how that contrasts with the UK?

Dr Cuibus: If we look over the last decade, we saw that numbers in Denmark fell substantially. Indeed, there were lower asylum applications in Denmark, close to a 40-year low if we look outside the pandemic. However, if we dig into the actual numbers, it seems that a lot of that decline in asylum applications in Denmark happened before 2019, which is when some of the tightest restrictions were introduced by the Danish Government.

On the whole, it is likely that those restrictions had an impact in driving down numbers in Denmark, but there are other factors to consider and, very importantly, there is no guarantee that just because some policies had a certain effect in Denmark, they will have a similar effect in a very different context such as the UK.

Dr Ehsan: Another point I would add about the Danish model is that there are serious limits in terms of refugee family reunification, where if a certain percentage of a neighbourhood falls into a category of non-western backgrounds, those routes to refugee family reunification are cut off. Naturally, that could contravene existing equalities legislation in the UK, where nationality and ethnic origin are enshrined as protected characteristics in the Equality Act 2010.

I would guard against directly integrating Danish measures and policies in the UK context. You also have to be aware of the domestic legal situation here in terms of implementing such policies.

Q5 **Lewis Atkinson:** Zooming back out—Ms Benton, you touched on this before—could I finally ask where the evidence points in terms of the overall drivers of the number of irregular entries and the number of people seeking asylum in the UK? What do you think the evidence points to as the key factors that would influence those numbers?

Meghan Benton: I think it is people in northern France who feel that they do not have alternative opportunities. They may have a return order even from a different EU member state. They do not see opportunities in France. They have not been supported or encouraged to claim asylum. It is the pull factor in the sense of the English language, networks in the UK. We have hundreds of autonomous communities here, a huge diversity of diaspora communities that do not exist in Denmark. While you can make tweaks to different EU countries, and therefore change the way that people are thinking about secondary movements within the EU, it is just a different kettle of fish when it comes to decisions about moving to the UK.

Q6 **Lewis Atkinson:** Just to check, are you suggesting that, with the UK obviously not being part of the EU agreement anymore, that has potentially contributed to the attractiveness of seeking asylum in the UK?



Meghan Benton: I do think that. It is really hard to get good evidence on this. We do not know a lot about the population of people in northern France and whether or not, for instance, they have a pending asylum claim elsewhere or a return order. There are some interviews with people where they say things like, "Well, I do not want to get Dublined". It has clearly become part of the narrative that they see the UK as a second bite of the apple.

Q7 **Jo White:** You are suggesting that Britain is seen as a last resort, rather than people leaving their country of origin and trekking thousands of miles across continents in order to arrive here—that their target is Britain. You are saying this is where they are ending up because they cannot go anywhere else.

Meghan Benton: It is a bit of a mix. Certainly, the evidence suggests that people change their decisions during journeys, so they have different destinations in mind. There are definitely a lot of people who want to move here because they have family here. It is a big indicator of integration, so you can see that as a strength as well. Also the English language and the flexible labour market. There are lots of pull factors, but that Brexit layer has added a new dimension.

Q8 **Chris Murray:** Can I just pick up on a few things you said there? I want to test a hypothesis on you. Cross-channel asylum crossings are supply and demand. The demand is that people are fleeing war and persecution, we speak English and there is a flexible labour market. What do you think about the argument that the demand is inelastic, and that there is nothing we could do, like opening safe routes and putting in deterrents, to eradicate the fact that there will always be a level of demand. Therefore, it is better for the Government to focus on supply—the boats, targeting the gangs, the facilitation and social media. What do you think about that argument?

Dr Cuibus: There are two elements. Targeting supply is difficult. As we have seen over the last year, we know that smuggling gangs are incredibly adaptable when it comes to responding to challenges from authorities. Every time the authorities put in place new measures to address this, the gangs are very responsive and very flexible, so it can be challenging to target supply.

I would push back slightly on the idea that demand is perfectly inelastic. Of course, it is relatively inelastic and hard to affect, but if we take a hypothetical example, and we take the UK-France deal, we would assume that everyone who arrives in the UK would be shortly returned back to France, that the probability of being sent back would be 100%. That is likely to have an immediate deterrent effect. While it may be difficult to affect demand, it is not necessarily much easier to affect supply either.

Dr Ehsan: Just to build on those points, the argument that you could drive down the number of small boat migrants arriving in the UK, primarily by smashing the gangs, underestimates how complex some of



HOUSE OF COMMONS

these networks are. They span countries, if not continents. A variety of policies will need to be implemented even to try to reduce the number of small boat migrants.

Also, we need to look at what I would more broadly call the legal migration industrial complex. Along with the people-smuggling infrastructures, you could look further down the line. You could look at illegal employers operating the black economy, but also at unscrupulous landlords who are profiting a great deal from our illegal immigration crisis. The maximum sentence, for example, for an illegal employer knowingly employing an illegal migrant, I think, is five years. There is an extremely high threshold because of the “knowingly” element.

We need to enforce those laws a lot more strongly. I would personally support an extension in terms of the maximum sentences when it comes to illegal employers and unscrupulous landlords, who are certainly benefiting from illegal migration into this country.

Meghan Benton: I have lost access to my notes, but I would love to jump in on this. The best example we have in recent years of where creating pathways has reduced subsequent arrivals has been what the Biden Administration did with the Cubans, Haitians, Nicaraguans and Venezuelans programme, the safe mobility officers, the CBP One app, which funnelled people into ports of entry, and then also ramped up enforcement with Mexico. It is hard to know what made the biggest difference, but certainly there was not unlimited demand. There was a cap, and people still stayed within the system and waited to be chosen in the CHNV lottery because they perceived it as a viable, regular system.

I think stuff could be done with the behavioural piece. A lottery would have been a really sensible thing to do with the UK-France pilot, for instance. Certainly there are things that can be done to deal with the argument that an unlimited number of people want to come.

Q9 Chris Murray: That is interesting, and it was going to be my follow-up question. I want to ask about international comparisons, especially Denmark, which we have talked about. Dr Cuibus, you said that a lot of the changes in Denmark predate the toughening of its immigration policies. Could you go into a bit more about that? What were the factors that led to Danish numbers going down?

Dr Cuibus: There are always a lot of factors coming into play. If we look at numbers, Danish asylum applications peaked in 2015, around the time of the European refugee crisis. There were very high numbers in 2015-16. That is when the Danish Government started introducing restrictions such as the jewellery law to confiscate assets in 2016, trying to send a message. Numbers came down quite swiftly in 2016-17 and stayed relatively low.

New restrictions, a lot of the things that the UK Government are now taking up when it comes to shifting to a temporary protection model,



were introduced in a legislative package in 2019. If we look at numbers in 2019, they were already much lower than they were in 2015-16.

Going forward another five years, we saw a subsequent decline. Again, it is not saying that the policies did not have an impact, just that there are myriad factors, including the policies of other countries in the area, such as Germany and Sweden, which might have influenced that decline. It is hard to say the decline was due to the policies. It is hard to disentangle how big the impact of those policies has been compared with everything else.

- Q10 Chris Murray:** One aspect of the Danish system, which the Home Secretary was clear that she will not be taking up, is the seizure of jewellery. Are you saying that might be one of the things that made the difference in Denmark?

Dr Cuibus: It is impossible to say that. If we look in practice, the key role of that policy was more about sending a message and what some scholars call negative nation branding—this idea of sending a message that asylum seekers are not welcome in Denmark. The practical impact of that law, despite all of the attention, has been quite minimal. Very few people had any assets confiscated. It is perhaps more about building a narrative than the actual impact of that specific policy.

Dr Ehsan: One thing I would say, very quickly, is that the refugee policy in Denmark is quite different from the UK. In recent times, there has been an introduction of tougher residency rights for those granted refugee status. On top of that, there are certain conditions that have to be met before you can go on the process of refugee family reunification. For example, there are Danish language proficiency tests, having to be in full-time employment and meeting an earnings threshold, and active citizenship, in the sense that it demonstrates being civically integrated into Danish society.

It is impossible to tell which particular policy measure led to a reduction in numbers or how much of an impact it is having, but it is very important to make the point that, ultimately, permanent settlement in the UK has over time almost become normalised in the sphere of refugee policy, while Denmark over time has tried to push towards a more temporary model of regularly reviewing the situation in countries and regions of origin, designating particular areas as safe in order to facilitate returns of those who may have been granted refugee status. The situation in Denmark is vastly different from the UK.

- Q11 Chris Murray:** Coming back to that point that you were making about the US, Ms Benton, do you think there are other international examples that the UK should be looking at? Obviously, US asylum policy has changed drastically over the last four or five years. Do you think that is a model we should be looking at? Could we look at it? Are the situations analogous?



HOUSE OF COMMONS

Meghan Benton: It is worth looking harder at what the Biden Administration was trying to do. The sequencing was a challenge there, and the messaging was a failure. I like to say that they did not show their working out. They did not communicate what they were doing, which was trying to restrict asylum. They tried twice to ramp up enforcement. They tried to do regional co-ordination across Latin America, and they tried to intervene much earlier in routes with safe mobility officers to connect people with multiple pathways in multiple countries.

The vision was labour, family, resettlement in multiple different countries. That did not actually get anywhere. The resettlement piece did, but the vision was not realised. They did not communicate it well to the public. As we have seen, that had a huge backlash.

There are other countries that are also shifting towards a more managed protection system that emphasises pathways and resettlement over territorial asylum being the primary way in which people get protection. Obviously Australia, but also places like Italy. They have things like humanitarian corridors and are trying to ramp up refugees accessing labour pathways because they have huge skills shortages.

Right now, Spain is an interesting example to look at. For instance, I mentioned Venezuelans being high in the asylum numbers in Europe. In Spain, they come through visa-free travel and then switch into a form of temporary protection. There are also people coming from Colombia through visa-free travel and then, after two years, can get what is called an arraigo, which is regularisation.

Spain is seeing this as a mash-up between protection and a labour pathway. It is meeting their labour needs, but it is also a slightly more managed way to deal with protection that does not have the visibility of small boat arrivals that we know the public really do not like.

Q12 **Chair:** I was going to ask you about Italy, so you have covered that. I want to touch on how easy it is to work in the UK. We keep being told that we need mandatory digital ID, because that is the way we are going to clamp down on illegal working. Is this true? Is it easier to work illegally in the UK than it is in, say, France, where they do have ID?

Dr Cuibus: It is important to draw a distinction between the statutory framework, on one hand, and the rules relating to illegal working. There is not a lot of difference when we look at countries like France, for example. We have sanctions in place, and employers have a legal obligation to check immigration status using e-visas. You have the sanctions mentioned earlier for employers as well as landlords. The question is that, when it comes to practical enforcement, it is hard to evaluate what has happened. By definition, looking at the black economy, it is difficult to compare what is happening.

Are those frameworks better enforced in Europe than here in the UK? Would digital ID help with enforcement? It is difficult to compare that.



Although, when we look at the overall size of the underground economy, for example, there is no clear evidence that it is in any way larger than some European countries like France. It is important to take with a slight grain of salt that it is so much easier to work illegally here than it would be in France.

Dr Ehsan: Saying that, Dame Karen, we are very much an anomaly in terms of being an advanced industrialised society that has neither a national residency register nor a citizenship ID system. In that sense, we are very much an outlier compared with other advanced industrialised democracies.

Q13 **Robbie Moore:** Sticking with the reference to temporary status, and this is a question to all of you: what potential unintended consequences may arise from the potential shift to temporary status and reduced family reunion rights?

Dr Ehsan: One point I would make is that, in principle, I do not think it is necessarily a bad idea. The issue is if someone has been granted refugee status and they have been here for a long time, they have ended up marrying a British national, they have built a family with a British national, then 10 years down the line you say, "Actually your country is looking quite safe now. Maybe it is time for you to return". I do not think most people would possibly support something like that.

We have to look at it in terms of, if we want to move towards a more temporary model of sanctuary where we are regularly reviewing the situation in countries of origin, indeed regions of origin, we have to bear in mind that once you provide refugee status, someone could end up contributing very well in a social, economic and civic sense in the country. In my view, the ultimate indication of integration would be marrying a British national and then raising children in the UK. It would be hugely unfair towards that particular individual and their family if you propose a form of family separation because of that temporary model of sanctuary.

Dr Cuibus: It is important that there might be a trade-off here between this idea that, by doing this, we are deterring people from coming, and the degree of integration for those people who do come in. If you look at it in theory, strict rules for settlement and spending long periods of time on temporary status can disincentivise people from investing in skills, including language skills, because of that uncertainty. There is also some evidence that employers—at least some of them—may be more reluctant to hire people who do not have permanent status or citizenship.

On the other hand, having some of these tight requirements modelled on Denmark might create some incentives for people to meet those conditions, such as by working. There is mixed evidence when it comes to permanent versus temporary status. We have stronger evidence on citizenship, which permanent settlement is a prerequisite for, and we



HOUSE OF COMMONS

know that citizenship really helps with labour market integration. That is something to consider.

Meghan Benton: I agree with that, but one major question mark is the idea of lane changes, as we sometimes call it, so that you can move to an economic route, a labour route, in order to get swifter access to permanent residence. That makes sense from an integration perspective and solves some of those challenges you were pointing to, which is that it creates incentives to enter work, but also means that employers do not have the doubt of whether you will be in the country in the long run.

I think, though, that it will be extremely important to make sure that there is support available. The UK, compared with international examples as we were talking about, has not really invested in labour market integration. It has not had a big integration strategy in the way that other countries have. It has not had the credential recognitions, the skills training, the mentoring programmes, the subsidised labour or the subsidised work experience. Those are all things that the Danes have done. This is a good opportunity to think about how integration would overcome some of those unintended consequences.

I will say that, on the temporary protection issue, there is some evidence that people are more likely to go home if they get permanent status. That applied to Bosnians, for instance. They were more likely to return if they had got their status in the reconstruction moment. Then on the family separation implications, there is quite robust evidence that that has mental health challenges. There was a study of fathers, but there is also an impact on children, even children in schools, when they were finally able to unify, around language acquisition and things like that.

Q14 **Robbie Moore:** Picking up on opportunities, you have all mentioned skills integration, employment integration and community integration. Ms Benton, you mentioned opportunities. How do you think policy should change or adapt to identify the challenges you touched on?

Meghan Benton: Do you mean specifically the idea of switching from an asylum route to a labour route and what the opportunities could be there?

Robbie Moore: Yes.

Meghan Benton: It makes sense that people who arrive in the UK are not treated as separate streams and as doing double duty, if that does not sound too transactional. There is increasingly a bit of an elision between protection and labour that we are seeing worldwide. Given public distrust of refugees and immigration right now, it makes sense that protection should, as far as possible, be in the interests of the British public in this case.

I like the idea of being able to encourage people who arrive on an asylum route to meet care needs for instance, but maybe an easier way to think



about that would be to think through creating pathways so that people do not have to take those dangerous journeys that are accessible to refugees or to people from displacement contexts, where they can also fill those labour gaps. That is what I would like to see here: a more strategic look at the use of safe and legal routes from an economic perspective, as well as a protection one.

Dr Ehsan: Very quickly, integration is my bread and butter. You could design beautifully crafted integration policies. Quite often what determines integration is the resources you have on arrival. I know that people might think you can have policies to encourage integration, but things like having English language proficiency, skills and resources on arrival, a naturally positive orientation towards British democracy and cultural values, especially towards the treatment of women and girls. Those are the resources—cultural, economic and social—that you can have on arrival that can facilitate integration.

When we look at integration policy, of course you can design policies to encourage integration. We should look at that. Meghan is absolutely right. We have not had a meaningful national integration strategy for some time in this country. We also have to be aware that, quite often, integration is determined by resources one may have when arriving in the UK. There is a limit to what you can achieve in terms of policy once people have arrived in the UK.

Q15 **Robbie Moore:** The Home Office has outlined a proposal on processing. How practical do you think it is for the Home Office to review asylum claims every 30 months for 20 years?

Dr Cuibus: It boils down to how it is implemented, because if we look at Denmark, which is the actual example, what we have seen in practice is that review processes were only put in place when conditions changed in countries of origin. We saw some changes with regard to Syrian refugees after Damascus was declared safe and following the fall of the Assad regime. In theory, the Government could be selective in terms of how many and which of these people are reviewed. It depends on what the intent is, which we are not very clear about at this point.

Meghan Benton: Even if it is quite a light-touch system, it is still a big bureaucratic load at a time when we are already struggling with backlogs. I think there has been evidence from Denmark and Sweden that it had administrative implications.

Q16 **Margaret Mullane:** Could I ask you a question as the non-politicians in the room? One of you mentioned that the public are obviously not happy with the boats. That is rolling on, and they are all a bit baffled. Do you think the decision to consider this policy is a result of the boats, and do you think it would be successful?

Dr Cuibus: When we look at the whole package of measures and its intent, it is important to remember that small boats account for only a



minority of all asylum applications. Looking over the last five years, it is about 30% to 40% of all asylum applications here in the UK. A big part of the story, and a big part of the reason we have so much pressure on the UK's asylum system, is people coming in legally, where a completely different set of considerations are in place.

We have seen record numbers of asylum applications from Pakistani and Bangladeshi citizens coming in on work, study or visitor visas, and it might seem likely that the Government are trying to address both sides of this debate, and it is not just a conversation about enforcement and small boats by itself.

Meghan Benton: This touches on an interesting question, though, which is what the Government should be prioritising. Because this package of measures is designed to fix some issues with, for instance, students applying for asylum towards the end of their student visa. I do not know if it does that much to tackle the most visible challenge in the system, which is the small boat arrivals. Small though they are, they are creating a distorted effect on public opinion.

There are aspects that are also designed to think through the asylum hotels challenge, which is another big visible aspect of the system. My sense is that the Government should be prioritising the things that people—the really visible signs of loss of control, of which small boats are the top. If you look at the polling of More in Common, for instance, it found the public are broadly in line with or would be supportive of something like this package of measures in terms of what they think a fair system would look like. They find that people need to see more control in the system right now, and that that should be balanced against more compassion.

We have not spoken yet about the safe and legal routes that were proposed as part of the package. It will be important that those are real, that they are not just tokenistic, and that there is real community buy-in. That will help to create the conditions for restoring public trust.

Dr Ehsan: Building on that concept of community buy-in. A big problem, more generally, is the use of hotels as part of the asylum accommodation system. Traditionally, the dispersal of asylum seekers has been to poorer parts of the country, and that has been justified on the grounds that accommodation there is cheaper and saves money for the British taxpayer.

If they are being dispersed to parts of the country that have not been truly invested in for decades, and there is a limit in decent-quality social housing available, that is going to create resentment in local communities. Hotels are places where established local communities have wedding receptions, birthday parties and other special family-oriented occasions. I think a significant impact of the small boats emergency is the deprivation of those much-valued local civic assets.



The one thing that I thought was quite good about the asylum paper published by the Government last month was that it is trying to move towards a model of community sponsorship. If you continue to use hotels as an integral part of the asylum accommodation system, that has the potential to do considerable damage to public support for having an asylum system more generally.

A big part of it is how people are actually rehomed in the country. More generally, moving towards a community sponsorship model that can give what Meghan mentioned, these autonomous communities that have been well settled for some time, and provide the financial support, psychological support and employment opportunities, while also helping if there are language barriers. I am broadly supportive of moving towards a community sponsorship model when it comes to refugee resettlement.

Q17 Margaret Mullane: We have had a presentation, and we were told the one-in, one-out deal with France was a trial to see how it goes. What level of returns do you think are going to be needed to have the massive deterrent effect people are hoping for?

Dr Cuibus: One easy way to think about it is from the perspective of individual asylum seekers, because we are talking about weighing the risk of being returned against the cost and risk of making the crossing. The point is that the risk needs to be high enough. There is no magic number of, say, 50%, and then there will be a deterrent effect. It is hard to pinpoint one exact reason, but that probability, the share of people who are returned, would need to be fairly high because we need to consider that these are people who have taken an enormous amount of risk already. They are risking their lives to cross the channel. Anything that moves the needle in terms of their decision to cross or not would have to be quite substantial. We are talking about a high probability. I do not think it is especially useful to think there is a magic threshold, but a significant share of the total would need to be returned.

Meghan Benton: Close to everyone, I think. Our understanding of where safe third-country agreements have worked best is that it is when there is a sense that everyone is going to get returned, and that there is a guarantee of that. Of course, that does not need to mean that there are lots of returns, because if you have that system in place and you are also selecting people for pathways, then you no longer need to be doing as many returns. Certainly, it needs to be scaled up much more significantly.

I understand why it was framed as a pilot initially, but I do not think it was perceived on the ground as something that was likely to happen. There were mistakes made in the way the pathway was messaged and a lack of involvement of NGOs on the French side, a lack of communicating it very clearly. I pointed earlier to the Cubans, Haitians, Nicaraguans and Venezuelans programme and the fact that it used a lottery. There was an opportunity to say, "This is a pilot but hang tight, you may be selected



HOUSE OF COMMONS

further down the line when we do scale this up". That has been one of the challenges.

Q18 Margaret Mullane: Apart from anything you have mentioned, are there any other models of co-operation that you think would help us?

Dr Ehsan: The issue is that you could have returns agreements with prominent countries of origin. The issue is how safe those countries are, and how that works with our international obligations.

Naturally, if you look at the prominent countries of origin—you have Afghanistan, Sudan, Somalia, Iran—it is difficult. There is a limit to how much international co-operation we can really do with the regimes in those countries. A lot of it depends on the appetite of any Government of the day. To what extent would you want to co-operate with those countries to begin with?

People might make the pragmatic argument that, if you want to secure a considerable number of removals, one thing you would do is designate some of these countries as safe, but how credible would that be?

The one thing I would say, not entirely helpfully, is that it is very difficult, because if you want to secure a high level of deportations, that will mean international co-operation with countries that we consider to be hubs of terrorism, for example. That is very difficult.

Q19 Margaret Mullane: What about France and other parts of Europe? You do not see any—

Dr Ehsan: Unfortunately, I just think that the number of returns to France is going to be small, and I do not think they are going to make much difference in terms of public opinion on the matter. More than anything, I think people might become even more frustrated with the ongoing situation.

Meghan Benton: There is more co-operation that could be done along routes, though. I was looking at the western route to Spain and the real drop in arrivals to the Canary Islands. The Spanish attribute that to many things. They have a deal with Mauritania, and so does the EU. There is money for investing in upskilling and lots of things in that package. The Spanish offered a small pathway for Mauritanian nationals. That is in return for their immigration co-operation. The pathway, as part of this, does not have to be providing an alternative to irregular routes. That would be the ideal goal. It is also a diplomatic tool, and we could be using more of that one.

Q20 Chair: We recently visited northern France, and it struck us that, actually, if it was 100% returns to France, and there was an agreement with France that if you arrived on a small boat you were immediately taken back to France and processed there, and there were safe and legal routes—this is about killing the business model of the smugglers—is that feasible?



HOUSE OF COMMONS

Dr Ehsan: It would be extremely difficult. As I was saying earlier, the people-smuggling infrastructures are so complex, and they span countries and continents. Of course, you could have a strong degree of international co-operation between the National Crime Agency and their European counterparts, for example, but it would be very difficult to shatter that model and see that as the primary way of ultimately cutting down the number of small boat arrivals into the UK.

Q21 **Chair:** If it were the case that you could not get asylum if you came on a small boat, and if you were immediately taken back to France and processed—if you had to apply in France and there was a safe and legal route from France—is that feasible?

Dr Cuibus: In theory, if you could get the French Government to agree and you could get the logistics sorted, yes. The question is: can we reach an agreement with the French Government that will allow us to return not 150 people, but 15,000 people? The challenge is much more on the political side of things, rather than just logistics. Although scaling up the scheme might run into its own logistical issues, it is, at the end of the day, more of a political challenge.

Chair: That was certainly the message we got while we were there.

Q22 **Chris Murray:** I want to come in on the point about making the one-in, one-out deal a lottery. The criteria for which people come are pretty opaque. In a sense, it is a lottery in many ways, because it is not predictable who will be eligible if they apply. Why do you think that would be such a game-changer?

Meghan Benton: A lottery, in the sense that it was communicated in that way. It is extremely opaque, and it was not communicated in any way what the vision was to people who might potentially use it. Certainly, there was not a lot of outreach with NGOs, who are the ones who are currently messaging it to the migrants they support. There could be more to think through the behavioural piece, like how do you get buy-in in the pathway system, but I agree that what Dame Karen was describing is the best model we have. Essentially, it is for 100% of people to be returned, as well as a safe third-country agreement that selects people safely from a different territory.

That is the direction of travel. You see the Europeans talking about safe third-country agreements, about processing in partner countries. We need to distinguish the operational challenges there. I have lots of thoughts on that. Is this the right vision? I think it is the right vision.

Q23 **Chris Murray:** That is interesting. You mentioned in your earlier comments that migrants say they do not want to be Dublinised, which is why they come to the UK. With the one-in, one-out deal, what is your view on how much these individuals understand the policy context in which they are operating? On the one hand, the evidence we are hearing is that they are following the twists and turns—you would almost think



they had to be listening to this Committee session, the way people talk. On the other hand, I cannot believe that is true. These people are incredibly vulnerable, incredibly far from home, incredibly isolated. Is it through the smuggling networks they are getting this information? What is their information assessment?

Meghan Benton: I see the same disconnect. I think our research has not kept up with a TikTok age in which information is being filtered through social media messages. Most of the research we point to is pre-social media. In this case, you also have the NGO layer and the fact there was a lot of information transfer without buy-in from French NGOs—there was at one point a rumour that they were saying, “Oh, you might as well just cross the channel. It is going to be more predictable, more guaranteed. You might as well just take a small boat”. That is a real problem if you do not have buy-in from your sector.

It is partly that smugglers are mediating the information, and it is partly that there was not that work to make sure it was being messaged. Also the platform itself was not designed very well with communication and the behavioural piece that I mentioned.

Q24 **Peter Prinsley:** I am Peter Prinsley, MP for Bury St Edmunds, and Stowmarket. I have enjoyed listening to your responses. Do you think there are any safe countries that people come here from? For instance, if you are a migrant seeking asylum who has come from Vietnam or Pakistan, do you think that we could just send you straight back to Vietnam or Pakistan?

Dr Ehsan: I recently came back from Bangladesh, which is my country of origin. We have this interesting situation where we really want to develop our ties with Commonwealth partners such as India, Pakistan and Bangladesh in terms of asylum applications. Pakistan, India and Bangladesh are high up the list. We need to have a debate on how, if we see these Commonwealth partners as very good for investment, building trade relations and all the rest of it, it should also shape our asylum policy in terms of how we view these countries. Are they safe countries or not?

It comes to the point where many people will say, “You have to look at now”. For example, if you look at Christian communities in parts of Pakistan, they have suffered religious persecution for a long time. There is a case that members of certain ethnic and religious communities within a particular country could have a credible asylum claim, and then we have to really dig into who is actually claiming asylum from those countries. Many people naturally argue that countries in the Indian subcontinent, for example, compared with many other parts of the world, are relatively safe, so they ask why we are even in the business of dealing with so many asylum claims from those countries where, quite often, people who are claiming asylum initially arrived in the UK via work or study visa routes and before transitioning into the asylum process. There are many things to look at on those fronts.



HOUSE OF COMMONS

Q25 Peter Prinsley: I meet constituents who have been on holiday to Vietnam, for instance, and they say to me: "How is it that there are asylum seekers coming from Vietnam? I like to go to Vietnam for a holiday". I would like to go to Vietnam. They just cannot understand why there could be any, or hardly any, asylum seekers from some of these countries. Bangladesh is another example.

Dr Cuibus: If I may interject. Once we go outside Europe and our immediate neighbourhood, it is difficult to make blanket statements about safety. When you look at particular groups and the history, or if you look at the political dynamics in Bangladesh in recent years, there is always a risk that, by sending someone back without taking their claim into consideration, you are falling far from our obligations under the refugee convention.

Where co-operation really needs to improve is less on this idea of not hearing those claims, but on making sure that when we hear a claim and reject it, we can send people back to those countries of origin. That is where we have had a lot of challenges because, even though the asylum grant rate for countries like Bangladesh is quite small, reflecting some of the safety concerns you are pointing out, it is very difficult to send back someone with a rejected asylum claim because Governments do not co-operate.

Meghan Benton: I think we need to distinguish between safe third countries and safe countries of origin. For safe countries of origin, the challenge is whether they are co-operating in taking people back. My understanding is that co-operation with Vietnam has been a little suspended because they have their own political challenges. That is where the idea of labour pathways and diplomatic tools can potentially come in to secure that co-operation. We were also talking about France, but there are potential networks of other safe third countries that could be identified further afield than the channel. There we are talking about transfers.

For a safe country of origin, the question would be, for instance, whether it is okay to have expedited asylum processing, a more light-touch asylum processing, to facilitate rapid returns.

Q26 Peter Prinsley: What would be your definition of a partner country?

Meghan Benton: I mentioned some of the EU's partner countries: Tunisia, Libya, Mauritania. Uganda is currently in discussions with the Netherlands about creating a returns hub. So somewhere where people who cannot be returned to their country of origin could be returned on an interim basis and then given a voluntary return package. It would be a transit hub. Those are all non-ideal partners, but they are the best partners we have.

Dr Ehsan: I will just make it very quick. As a country, we have had a strong debate in terms of who gets prioritised when it comes to refugee



HOUSE OF COMMONS

policy in our asylum system. People would argue that it should be people who are affected in conflict-ridden territories. For me, an argument I have made for a long time is that the people who should be prioritised are actually women and girls at immediate and serious risk of sex-based violence in insecure displacement camps and conflict-affected areas.

If you look at the sex-based composition of those who are claiming asylum, and especially of small boat migrants, I am sorry to say that is not reflected. If you look at in the first three quarters of 2025, more than two in three small boat migrants, around 68%, were men aged 18 to 39. I am not saying that we should not have any male refugees—that is not what I am arguing for—but we have to have a very clear debate that, in order to have a hard-headed and responsible asylum policy, it requires a degree of discrimination, to put it bluntly. For me, in the asylum system, we should primarily be prioritising women and girls in conflict-affected territories who are at serious risk of sex-based violence.

Q27 Peter Prinsley: I agree. When we were in northern France, we saw the men you describe. That is exactly what we saw. Men between 18 and about 30. We did not see women and girls. If there were some, there were very few and they were in tents out of sight.

Dr Ehsan: If I am being blunt, it is those women and girls who are being left by the wayside, because we have an overburdened asylum system. Some of that feeds into the male-dominated asylum camps that we face.

Peter Prinsley: That is exactly what our constituents notice when they look at their television screens.

Q28 Robbie Moore: Ms Benton, you have referred several times to safe third countries, and you also explained that the Netherlands and other European countries are looking at different safe third countries. Should the Rwanda policy not be brought back to the table, with the Government giving that serious thought not only as a deterrent, but as a safe third country?

Meghan Benton: The UK-Rwanda model was interesting because it launched a whole wave of innovation in the EU. It is all called innovative approaches, which is a euphemism for externalising aspects of asylum policy. UK-Rwanda is the red line that no European will go near because the model there was to take people before they had their application assessed, transfer them to Rwanda and then they would stay in Rwanda, even if they were deemed to have a positive claim.

Things like the Italy-Albania model, which came out a few years ago, was about processing people in Albania and then ultimately giving them access to Italy. I think there is a real shift in the type of model, because instead of pushing the burden on to third countries, it is thinking about using third countries to facilitate external processing that prevents people from taking dangerous routes.

Q29 Robbie Moore: Finally, when we were in northern France just recently, a



HOUSE OF COMMONS

huge amount of political pressure was being put on their Members of Parliament, and so on. It was very much communicated to us that many representatives were saying, "Why on earth should we stop those going across the channel to the UK? If we let them go across the channel, it is the UK's problem not ours". Should we therefore not be encouraging the Government of the day at least to look at the progress that was made with the legislative framework associated with the Rwanda policy, and have a national discussion again about that route or that model being considered?

Dr Ehsan: I have to agree. We heard about the UK-France deal. The question is whether it is in the French national interest to accept all those people coming back to France. I just do not think it is. I think the UK would be better off looking at striking migration partnerships with so-called third countries. It has to look at the possibility of striking returns agreements with prominent countries of origin. We might consider those countries to be quite unsavoury. People will argue that is something you have to do in the British national interest.

Q30 **Jo White:** This is a very interesting session. We have addressed a lot of this, but obviously one of the biggest challenges is how we return the failed asylum seekers. Obviously, most of them get lost in the system. What is your analysis of the Government's proposals on how we deal with this?

Dr Cuibus: What we have seen is a number of different measures aimed at streamlining the returns process, making it easier to reject an asylum appeal, making it harder to make human rights or modern slavery claims, and having a series of different measures aimed at doing that.

The question is, will it work? In theory, streamlining all these processes will make it easier for the Government to get to the point of deporting people. The challenge is, first, can this actually succeed? If we look at the last 20 years, previous Governments have repeatedly tried to streamline these processes, and we are very much at the point where these legal challenges and administrative barriers are still a challenge, despite all these previous efforts.

It is also important to point out that, even if we solve the administrative or legal barriers, some of the biggest challenges with returns are getting co-operation from countries of origin and making sure we can get identification papers to send people back and that countries of origin agree. Unless more progress is made with regards to that, it will be difficult to meaningfully ramp up deportation numbers, although we have seen numbers trend upwards over the last couple of years under both this and the previous Government.

Meghan Benton: Echoing that, increasing returns has to come through doing things earlier. It is about making sure that people are processed very quickly and returned after that. There are proposals in the package on streamlining for manifestly unfounded cases, which would facilitate



rapid returns. If that does not happen, a lot more emphasis needs to be placed on voluntary return, which a lot of EU countries, including Denmark, are currently investing in, and we know that is the gold standard when it comes to returns working well.

If those two things do not work, the third one is prioritising the people who pose the biggest harm. The streamlining of foreign criminals makes sense, and certainly places like the US that had a much larger unauthorised population, prior to the Trump Administration, had prioritised those who have been convicted of a criminal offence.

Q31 Jo White: Obviously there are people who use the ECHR to potentially slow down their claims or create the reasons for why they should remain. How significant do you think that is in slowing down claims or people using it as a right to remain?

Meghan Benton: This has been a little overstated by the press. There was a really good report by the Bonavero Institute of Human Rights where they looked through a lot of the biggest media stories, including the famous chicken nuggets example. A lot of them were actually not true. They had been subsequently overturned, or it was not the main reason the appeals had been accepted.

I do think the ECHR is a very live debate right now. There is a lot of interest across the EU as well, but it has become a bit of a proxy battleground for other issues. I am not sure what the political declaration that countries are working towards will achieve, or whether it will make a huge difference compared with some of the other things that we have been discussing. Expedited processing, redesigning the appeals system and the administrative stuff will make a bigger difference there.

Dr Ehsan: I agree. We tend to externalise blame. The reality is that we have to look at our own human rights architecture. I know that is influenced by provisions within the ECHR, but there are also things that we can do within the UK in terms of passing legislation to remould our human rights architecture.

We have a legal culture that is reflective of our traditional culture, where there is a strong emphasis on individual rights. If you look at it, we need to do some rebalancing in the UK where collective security is prioritised over individual rights. There have to be stronger notions of citizenship that come through within our human rights architecture as well.

I know there is a great deal of debate about whether or not we should withdraw from the ECHR, but there is a great deal that we can achieve, and we have discussed that over the session, especially when it comes to laws to tackle unscrupulous landlords and illegal employers who are operating in the black economy. While a lot of our political discussion is on the ECHR, we should actually focus on what we can do domestically in terms of resolving the issue.



Q32 Jo White: We have already touched on safe and legal routes to reduce irregular migration. We also touched on community sponsorship as a viable core model for delivering settlement. What do you think are the limits to community sponsorship?

Dr Cuibus: In general, it would be a step in the right direction if community sponsorship was to become the norm for the reasons I discussed earlier, such as the degree to which hotels and HMOs are part of the asylum accommodation system. There are cases where community sponsorship has been successful, such as the Afghan Shia Hazara community in cities like Oxford and Southampton. Community sponsorship is successful if the diaspora communities you are referring to are well-integrated themselves. I know that sounds like an obvious point, but if you want community sponsorship to boost integration outcomes for refugees, newcomers who have arrived in the country, then those communities have to be well-integrated themselves in an educational and economic sense.

The limits are that if you look at asylum claims by nationality, as we were discussing earlier, Pakistanis and Bangladeshis are quite high up. There are very encouraging signs of upward social mobility in those communities, and positive signs of integration. People would argue that certain sections of those populations are still quite segregated, especially in post-industrial northern towns. The question is, how successful could community sponsorship be if the communities that the newcomers are meant to be integrated into are not well-integrated themselves?

The one thing I would say is that it has to be clear that, if we are empowering civic associations and community groups to take on the challenges of community sponsorship, there needs to be robust due diligence and background checks on those organisations as well. Crucially, we do not want the community sponsorship route to be exploited by those who are looking to bypass existing work visa and family visa routes. We have to bear in mind, if you are looking at ethnic-based businesses in ethnic enclaves, and also more familial, clan-based networks, we have to make sure that the community sponsorship route is used in a good and proper way, and is not used to bypass more conventional routes, which may be more competitive in nature.

Q33 Jo White: One of the things I am interested in—and something I have been talking about to other people—is that you create those safe and legal routes at the nearest point of safety, perhaps in the horn of Africa or in the Middle East, and perhaps being handled by visa centres, or centres run by the UK, with the claim being processed here in the UK. For me, that would break the whole trade of the smugglers and gangs. What is your view of that system of creating a safe and legal route?

Dr Ehsan: I am generally supportive of that. You could involve our intelligence communities and non-governmental organisations in those parts of the world, because they might have special knowledge of what groups are most at risk of gender-based, religious or ethnic persecution.



Co-operating with those organisations and having applications processed there could be a step in the right direction.

Dr Cuibus: I am slightly more sceptical of the idea that building up these safe and legal routes can have an effect on bringing down illegal arrivals. The simple reason for that is scale. If you have large or uncapped routes, like we had for Ukrainians, of course that will have an effect. If you have smaller routes, and perhaps more realistic ones from a political standpoint, like we had for Afghans—we had 36,000 Afghans coming in, yet Afghan nationals were still one of the top nationalities among asylum seekers and small boat arrivals—it is challenging to create safe and legal routes at a scale that they would have a meaningful impact on irregular arrivals.

Meghan Benton: I agree with all of that, but there is also an opportunity to think it through. You mentioned the horn of Africa, and we have seen that Uganda said it will not give status to Ethiopians, Eritreans and Somalians. There is a risk right now that refugee-hosting countries will not continue to do that because of all the aid cuts. Joining up, offering pathways, community sponsorship, thinking about infrastructure, connecting it to funding conditionality that tries to incentivise refugee inclusion in those places is a smart play right now.

Chair: Thank you very much. I will bring this panel to a close because we have reached 3.30 pm and I promised I would get you out by that time.

Examination of witnesses

Witnesses: Zoe Bantleman, Sohini Tanna and Vicky Tennant.

Q34 **Chair:** We now come to our second panel of this one-off session on the proposals that the Government have announced on reforming asylum accommodation. Could the panel introduce themselves?

Vicky Tennant: I am Vicky Tennant, the UNHCR's representative to the UK. The UNHCR is the United Nations refugee agency.

Zoe Bantleman: I am Zoe Bantleman, the legal director of the Immigration Law Practitioners' Association.

Sohini Tanna: I am Sohini Tanna, policy and advocacy manager at the British Red Cross.

Q35 **Robbie Moore:** It is good to see you, panel. I will start by asking an open question to all of you on your biggest concerns about the reforms set out in the asylum and returns policy statement. Are there any elements in the reforms that you welcome?

Sohini Tanna: I think this is a huge policy statement, and there are a few things that we can welcome on safe routes, but what we are concerned about is unintended consequences. While we all want to see a fair system—one that is effective and compassionate—we do not think



HOUSE OF COMMONS

this policy statement is likely to achieve its aims. Instead, what we are concerned about is the anxiety and fear it is already causing among the people we support. We support over 35,000 refugees a year, and they are already calling us with so much anxiety because of the unknowns about how this will be implemented.

We are concerned about the impact it will have on integration. We have heard from the previous panel that this will hinder integration. We are also concerned about keeping families separated. This will primarily keep children separated for a very long period of time. Instead of bringing families together and helping the integration process, we will see a lot of people suffering and having more mental health impacts because they cannot bring their family to stay with them.

We are concerned that core protection and the 2.5 years, that temporary status and the uncertainty it causes, will impact how someone perceives their life in the UK and how they can contribute to society. We have seen live examples of this with Ukraine schemes. Ukrainians have temporary protection, and we released a report last week showing the impact that has on people. They go through a lot of uncertainty, they do not understand what is happening to them and they struggle to get jobs. We are concerned that bringing in the temporary protection and the 2.5 years will exacerbate the issues that were highlighted by last week's National Audit Office report, which you all saw.

The report talked about the bureaucracy, the backlog and all the inefficiencies that exist in the current system. On top of that, the statement wants to add in more reviews, more uncertainty and more routes for these people. We think it will cause more bureaucracy and not work for people who need integrating into society.

Zoe Bantleman: While we welcome the commitment to safe routes, we have three overarching concerns about the rest of the statement. First, we are concerned that the policy proposals risk either eroding or failing to respect in full the fundamental human rights of individuals seeking asylum and their family members. Secondly, at a human and a societal level we, like the British Red Cross, are concerned that designing a system in which individuals are left with precarious status for decades, with a fear that it may be taken away from them, unable to be reunited with their families, will result in their segregation rather than integration in our communities and our society.

Thirdly, and finally, one of our primary concerns is that the proposals pay insufficient regard to fairness and ensuring that individuals are able to access justice. Many of the key proposals, including the new 20-year core protection route and the switch to the protection, work and study routes, seem bound to increase the demands on every part of an already overburdened system, from the Home Office and the appeals body to legal practitioners, the voluntary sector and the judiciary.



Vicky Tennant: I will kick off by saying that, at UNHCR, we very much share the Government's concern about dangerous journeys, about the abuses perpetrated by smugglers and gangs, and about the challenges this presents to Governments, not only to the UK. Although support for hosting refugees, including in the UK, remains relatively high among the British public—Ipsos is telling us around 71%—there is concern about the perceived lack of control, and the panel we heard earlier exemplified that.

We, at the UNHCR, very much see the importance of sustaining public confidence as the underpinning of a successful asylum system. The asylum reform statement is high level, and certainly a lot depends on how the substance is elaborated. At the UNHCR, our job is to work with the Government, and we have been engaging quite a bit with the Government, and we will engage as it is elaborated and implemented. Our perspective is that, having supervisory responsibility for the refugee convention, we will be looking to see that the statement is implemented in line with the refugee convention, while also bringing to bear expertise in terms of our international presence and what we know about refugee flows, and what the policy options might be.

We should not look at the statement in isolation. There has been a lot of good work done over the last 18 months, particularly on reform to the asylum system, and we do see a functioning asylum system that also includes returns of rejected cases as absolutely critical to public confidence. We welcome the statement's reference to returns of rejected cases, and the willingness to lean in and look at options. We very much welcome that there is an express commitment in the statement to respecting the principle of non-refoulement, which for us is obviously absolutely critical.

As with my colleagues, the area where we have concerns and where we will be engaging most closely is on this issue of both the quality of refugee status, remembering that these are people who have gone through a process, who have been confirmed to be refugees, so the quality and the rights associated with that status, but also the durability. This brings us back to the temporary nature of the status, the long pathway to settlement unless you manage to switch on to the labour or education routes. Of course we welcome the commitment to safe, regular routes. We will have to see how that plays out in practice but, again, we are very much engaging with the Government on that.

Q36 **Robbie Moore:** Addressing the pull factors, there is obviously a narrative that has quite rightly been advocated by the Government as something needing to be addressed to try to reduce the journeys that are being taken. How convinced are you—and this is a question to all of you—by the Government's argument that they need to address those pull factors for asylum seekers to reduce irregular migration?

Vicky Tennant: It is a partial perspective. What we would encourage is a bit of zooming out and looking at the wider drivers of onward movement of refugees, but also movement of migrants who are availing themselves



HOUSE OF COMMONS

of the asylum system as what they see as the only way to remain in the UK. The starting point, of course, is that most refugees are not coming to the UK; 71% in lower and middle-income countries, 66% remaining in countries next to their own. Those who do choose to move onwards are often driven by very compelling reasons and tough decisions. Often it is a failure of protection or a lack of access to stability opportunities where they are.

As you heard from the previous panel, the aid cuts are now beginning to bite, and we are seeing a very tangible impact on the ground. For example, we are seeing Sudanese moving onwards from countries like Chad and Egypt. We are now also seeing Sudanese appearing in the top nationalities crossing the channel, so there is a clear link. That investment in first countries of asylum is key.

We also very much encourage analysis and engagement in transit countries. If I could take another route, looking for example at the western Balkans route, which is one that is again relevant for the UK. Why are refugees and migrants not availing themselves of possibilities to stay in those countries? The reality is that those opportunities simply are not available. What our monitoring tells us, and this is something we did towards the end of last year, is that 44% of the people we monitored in the western Balkans said they are willing to permanently stay in their current country under certain conditions: if they had legal status, if they had the right to work, if they had assistance, and if they had the opportunity to reunite with their families.

This package of reforms is relevant, but it is a partial perspective, and you need to look upstream as well.

Q37 Jo White: Thank you very much for coming to this session. The Government have determined that we should now have a core protection model. How do you think this will impact the asylum system as a whole?

Vicky Tennant: Well, this is the area where we will be engaging most closely as the plans are elaborated: the temporary nature, the long route to settlement, the changes to family reunion are the areas that we feel merit scrutiny. To reiterate what has already been said, we are concerned that the shortened leave to remain creates uncertainty, it presents additional challenges when it comes to integration, but we are extremely concerned that it is indeed simply placing additional administrative burdens on the asylum system in the sense that it will require a machinery of decision making, which could be better deployed in other ways.

Of course, the way refugee status is managed in the UK at the moment is temporary; it is a grant of five years. There was then a safe return review conducted—it is fairly light touch—at the end of the five years, and then the pathway to settlement is there. What we see is that, in fact, through those safe return reviews, few are identified as potentially returnable. That administrative element ties up resources and it is costly, and what



HOUSE OF COMMONS

we will be saying as we engage with the Home Office is, "If you have this kind of review, make it light touch and concentrate on assessing cases where there are very strong reasons to believe that protection status may no longer be required".

We have examples from elsewhere, where Governments have tried this, and they have concluded that it made no sense. Australia is an example. There has been a recent report, produced by the University of New South Wales. In 2023, the Australian Government abolished temporary protection visas because they found that the machinery of making it work simply did not make sense. There are specific legal requirements attached to the decision to cease refugee status, so it is possible within the scope of the convention, but there is a threshold that needs to be met. We are looking at situations where there has been a fundamental and durable change in countries of origin. From that administrative perspective, we would also say it is something that we need to look at very closely.

On the longer route to settlement, clearly the aim is to get people off the core protection route, but if it remains at 20 years for even some of those granted status, we are concerned that it creates a disparity between refugees and other migrants. That is not what is envisaged by the convention. The convention envisages the opposite; it envisages an expedited route to naturalisation for refugees, recognising that they have lost the protection of their own country, that they cannot return and that they cannot avail themselves of their own citizenship. In terms of compliance and consistency with the convention, we will certainly look at the article 34 aspect quite closely.

Sohini Tanna: I touched on it at the beginning, but we are concerned about the uncertainty this will cause. To home in on a live example of what Ukrainians are experiencing, there are three things they struggle with: their mental health and their wellbeing has deteriorated because they do not have long-term status here; they are struggling to get into employment opportunities; and they are unable to secure long-term accommodation. If we think about the fact that core protection is trying to bring in a new system of 2.5 years, with a perpetual loop unless you can move on to a protection, work or study route, you will be stuck on these 2.5-year reviews.

To reach 20 years is eight reviews, which is a long time to feel uncertain. We are concerned that people's mental health will deteriorate, and that it will negatively impact their ability to move on to that protection route. If you look at employment opportunities, we have spoken to a lot of Ukrainians who have been rejected from jobs, despite being well qualified, because they have been told, "But your visa runs out in six or seven months. Why should we hire you?" We have a Ukrainian who helped us with a report that we lodged last week, and she said something simple that I had never thought about before: when you apply for a job, one of the first questions on an application form is, "Are you a British



citizen? Are you settled? Do you have indefinite leave to remain?" If you say no to those, that is it—there is no opportunity. The 2.5 years is not giving people what they need to move on.

If you look at the Home Office's data on employment, which they published at the end of their asylum policy statement, it shows only about 26% of refugees get into employment within the first year of being granted status, and it takes about two years for half of them. If you reduce that to 2.5 years' leave, who will employ you at the two-year mark if you have only six months left? So we are concerned that this core protection model is not giving the tools that refugees need to rebuild their lives, to have the right to contribute to society. As I said earlier, we are concerned about the impact this will have on family reunion. We know that men are twice as likely to suffer from depression without their family here. That inhibits their ability to move to a protection or work route. As much as I understand they are trying to reduce it and incentivise people to move to a work route, we think it will disincentivise people to do that and actually keep them in this loop.

On long-term independent accommodation, we have heard from a lot of landlords that they do not feel confident securing long-term tenancies for people with short-term visas.

Q38 Jo White: Where refugees have been granted protection and the situation in their home country has changed, when is it justified to return them?

Vicky Tennant: Perhaps I can speak to the cessation clauses in the convention. We have articles 1C(5) and 1C(6), which envisage exactly this. It talks about a situation where the circumstances that had previously given rise to a person's recognition as a refugee have ceased or no longer exist. There is quite a lot of doctrine on how this should be interpreted but our position is very much that cessation proceedings should be initiated only where a high threshold of credible, detailed evidence is met that indicates the fundamental and durable nature of the changes. That requires an individual investigation of the basis of the claim.

There is also a carve-out, which talks about situations where, because of the compelling nature of the case arising from previous persecution, persons that fall into that category should not be subject to the application of a cessation clause even if there has been a change in the general situation. It requires a level of individual scrutiny beyond a simple blanket statement, "Well, okay, the situation is better in country A, B, C or X, Y, Z and, therefore, we can send everyone back". Of course the live conversation at the moment is around Syria. UNHCR's position is certainly not in favour of enforced returns to Syria, but we know that there are a number of Syrians whose settlement applications are now pending and the Government are looking at that. We are engaging quite closely in that process and providing advice on that.



HOUSE OF COMMONS

It is not simply change of Government one day, ceased circumstances the next. There needs to be evidence that the change is durable and is relevant to the individual circumstances of the person affected.

Q39 Chris Murray: I will come back to the Ukrainian scheme and how that is a model. I absolutely understand that it can be challenging for Ukrainians in the UK, and before I was elected I worked on resettling Ukrainian refugees. I worked for the Refugee Survival Trust, so I do get the challenges. There is also the reality that the Ukrainian scheme was the most generous refugee scheme the UK has set up, where it was uncapped, there was integration into communities, there was the right to work on arrival. One of the critiques we have heard of the Ukrainian scheme is that it is unfair that it was available only to Ukrainians and no other nationalities, and that the Government was picking favourite nationalities in opening it. Do you think that, in order to address the challenges you have laid out, the Government should design a refugee policy that is so broad and generous that it obviates those challenges? I do not see how you could have any progressive system that did not have those challenges within it.

Sohini Tanna: In terms of employment and accommodation?

Chris Murray: Yes, and the open-ended ability to stay and open-ended access to the labour market, with no restrictions at all.

Sohini Tanna: I think what we need to take from Ukraine schemes is the learnings from it. We are not saying to replicate it again. This comes back to having a wider safe route where there is not that one silver bullet, one safe route or one Ukraine scheme that could work for everyone. We need a number of safe routes. Going back to the challenges I outlined, I was using the Ukraine example because they have temporary status, and that could happen to everyone who would now get 2.5 years.

We are not saying to go back to giving them unlimited leave; we are saying to go back to five years. The five years is still temporary, as we have already laid out. It is not that it is not temporary, but it gives them that longer-term certainty and opportunity to integrate. When it comes to a system, we are talking about the barriers and how we can give people employment support. Their qualifications are not recognised because they are international qualifications, so how can we work on that? That is the kind of policy we want to see.

How can we work on improving English classes? We hear from the people we support that they want to learn English, they want to contribute, but they do not have the resources. They cannot attend English classes as they are not sufficient enough. We need to look at it not from how we can replicate a different scheme; it is about how can we learn from the Syrian Vulnerable Persons Resettlement Scheme, the Ukraine schemes, the Afghan schemes, the model that we have at the moment—what is working and what is not working—and think about this whole-system approach. How do we increase safe managed routes? How do we ensure



an effective asylum system that gets that decision making right the first time? How can we ensure that people can integrate? Where are those barriers?

Some of them are physical barriers that we can work to reduce and give people the opportunity to show us that they can work and contribute to society. Bringing it back to my last point, we would say that family reunion should not be restricted, and that people should be able to bring their family over here because they play such an integral role to people feeling whole again and able to integrate into society.

- Q40 Peter Prinsley:** I am Peter Prinsley, the MP for both Bury St Edmunds and Stowmarket. Thanks for coming this afternoon. The Government have paused the refugee family reunion scheme and are planning for this to be much more difficult in the future. How does this decision accord with our international obligations?

Zoe Bantleman: There are a few clear impacts that the proposals will have. First of all, it will clearly have discriminatory impacts if refugees must switch from the core protection route into the protection, work, and study routes in order to access reunion. For example, refugees who cannot switch routes because they have a disability will be denied their essential right to family reunion, denied the ability to rebuild and resume their life with their family and cohabit with their spouse and children. The fundamental right to family life is contained not only in the European convention on human rights, which I know is a popular discussion point, but also in article 17 of the international covenant on civil and political rights.

There is a broad international legal framework that the UK has agreed to be bound by. While it appears in vogue for the UK to copy Denmark, in a 2021 case, *MA v. Denmark*, the Grand Chamber of the European Court of Human Rights found that a three-year waiting period for a person in receipt of temporary protection—so not a refugee, but someone in receipt of temporary protection—violated their human rights. Here on the core protection route what we are contemplating is a prolonged separation of more than 20 years for someone who has been recognised as a refugee. There are likely to be clear breaches of fundamental human rights if the proposals are applied in a stringent manner.

- Q41 Peter Prinsley:** What about what we are doing in comparison with other countries?

Zoe Bantleman: I have given the example of Denmark, which tried to have a three-year waiting period for people with temporary protection. A couple of weeks ago I gave evidence to the House of Lords Justice and Home Affairs Committee on the issue and pointed to the fact that a number of our closest neighbours—including France—have much swifter routes to family reunion for refugees. They are entitled to family reunion upon being recognised as a refugee. In many countries, refugees also



HOUSE OF COMMONS

receive settlement outright, if not within a brief period of time of three to five years. These proposals would make the UK an outlier in Europe.

Sohini Tanna: In the EU you also have the family reunion directive that makes it clear that people who have refugee status need access to family reunion, and it really recognises that. The family reunion routes were overwhelmingly used by children. Fifty-six per cent of all such visas granted from 2010 to date were for children, and 35% were for women. We are talking about women and children who are living in dangerous situations. We published a report on family reunion that spoke to people with lived experience to understand how they feel and what the family reunion route is for them. What we found is there are more children and women stuck in dangerous situations. Out of the family reunion services that we support, 31% of them are still living in conflict zones.

We spoke to one man, and he said he was so lucky he got the appointment for his child's visa application at 7 am. His child left the village, and at 10 am that village was raided and most people died. We are talking about life and death situations here, so prolonging family reunion is not the answer. These are people who are in dangerous situations. It also has a negative impact on integration. Refugee fathers, as I said, are twice as likely to suffer from mental health conditions; this was a study done in Denmark. Also the people we were speaking to in this report were telling us, "It is hard to go and study, it is hard to concentrate, it is hard to be part of that community when you are constantly worrying about where your family is, whether they are safe and how I can bring them here."

Bringing it back to the people who are here, this could increase dangerous journeys. We are concerned that families will find another way to reunite that will push them into more dangerous journeys. We do not want to see more people crossing the channel. We want to see a reduction in that, and I do not think refugee family reunion being suspended, reduced, or restricted will achieve that.

Q42 **Peter Prinsley:** What would you like to do with family reunion? What would you change, suppose you were in charge?

Sohini Tanna: We want to see a family reunion system that is accessible, that is fair and that meets the criteria that refugees face. When you are looking at family reunion, you have family migration that works for everyone in the UK, but refugees have unique circumstances. They are fleeing persecution, war and conflict, and their families are still in these situations. We have to approach the visa route from that point of view. We would ask for it to be extremely accessible and not to have requirements such as has been outlined in the White Paper in May where they were proposing English requirements.

Let us take an Afghan woman, for instance. They are not permitted to study in Afghanistan. How is that wife, spouse or mother supposed to study English or go to a visa centre that does not exist in Afghanistan? It



exists in Iran or Pakistan, but it is hard to get visas even to cross the border to get there. Then to go back, wait for a result and then return to apply for family reunion, these are not accessible routes for people. We need to make it accessible. We want to see a family reunion system that ensures that children and spouses can reunite safely. That is where our minimum standards are. We are also talking about unaccompanied children outside the UK whose sole surviving family member is in the UK. They should not have any restrictions.

Vicky Tennant: I very much endorse much of what has been said, and this is one of the areas where we have real concerns. We have already shared concerns in writing with the Government, and we will continue to engage and to look at ways of mitigating the impact, if this path is pursued.

There is no right under the refugee convention to refugee family reunion, but it was explicitly mentioned in the final act of the negotiators who adopted the convention, and of course it has been given substance through human rights law, ECHR, and so on. It is a universally acknowledged right. The issue with refugees, of course, is that they do not have the option of enjoying that right elsewhere because they have lost the protection of their own country. In most cases, there is not an alternative option.

If the UK were to go down the route of 10 or 20 years until settlement and family reunion, it would make us very much an outlier. A number of European states have a provision that requires refugees to apply within the first three months, so they take the opposite approach. They think it is good to get families here earlier. The one thing I would say about family reunion is that it is one aspect of the asylum system that was working. It was functioning well. It was providing a safe, regular route mostly for women and children—I think 90% of people coming to the UK through family reunion, before it was suspended, were women and children.

I would certainly endorse what was said by some of the previous panellists on the importance of designing an asylum system that allows women and children to come. They are mostly coming directly from conflict zones or from neighbouring countries where they are living in difficult conditions. We would like to see automatic family reunion reinstated. If that is not pursued, we will be looking to see how the impact could be mitigated.

Q43 **Peter Prinsley:** Family reunion is presently suspended?

Vicky Tennant: The specific route for refugees, yes.

Q44 **Peter Prinsley:** Do you have specific examples of the harm that has come to families as a result?

Vicky Tennant: It has been fairly recent. I would like to speak to one case that I am aware of, which I find very tragic. I interviewed two



HOUSE OF COMMONS

refugees in my office who had come from a country that is absolutely devastated by war. They had strong refugee cases. They arrived on the same day, under the same claim and with the same method of entry to the UK. They went along for their first asylum interview, one was interviewed and his case was so strong that he was granted refugee status on the spot. He was able to make the family reunion deadline and was able to apply to bring his family in.

The second person went to be interviewed on the same day. The interpreter did not show up, so the interview was postponed. He still has not been interviewed, so he does not have his refugee status yet. He is subject to this suspension of family reunion, and he is now left in a situation where he simply does not know—it may be years before he is able to have his family join him. In the meantime, his wife and children are left behind in the country in a very, very unsafe and unstable situation. It shows the human impact of a decision like this.

Sohini Tanna: We are seeing exactly the same examples. We run a national enquiry service across the UK for families, and it is completely inundated with people with real concern about how they can reunite with their family. Another negative impact we saw was, when the suspension was announced on 1 September and introduced on 4 September, there were people who applied in that in-between time. Because they did not have time to get legal advice and the system is not that easy to access, they only put in one application because they thought it is one application per family. It is not; it is one application per family member.

So now we have a situation where you have an application for your spouse but not your children. Because in the spouse's application you list the dependents, they thought they were listing their children. There is no route for them. That route, which is appendix FRP, does not exist. Those families are calling us, absolutely distraught, because they cannot even pursue a family reunion application and they are in exactly the same situation. Their mental health is deteriorating, they have no idea what to do because they cannot apply for their children. They have applied only for their spouse, but they will not separate the two.

Q45 **Chair:** I am very conscious of time, and I know we have lots of other questions, but are you seeing any evidence that refugees are going elsewhere, that they are leaving the UK to go to countries where it is easier to get family reunification?

Sohini Tanna: We have not seen that.

Chair: So it is not having that effect.

Q46 **Jo White:** What changes does the Home Office need to make to ensure that the asylum system is functioning effectively, efficiently and fairly to reduce the pressures on the appeal system?

Vicky Tennant: We at the UNHCR have been engaging for a long time with the Home Office on the quality and effectiveness of the asylum



system, and we have a longstanding partnership in that regard. We made recommendations 18 months ago when the new Government took office, and one set of recommendations was around the asylum system. We have been encouraged by the progress that has been made and, in particular, the work around the quality of information that is collected at that initial screening stage. If you get the right information at that stage, it allows you to channel asylum seekers into different processes, which is a much more efficient and effective way of examining different types of claims.

We are definitely seeing a move away from a one-size-fits-all approach to asylum processing, which we think is good. That can include, as we have said—and as we have seen—streamlining the process for people who are manifestly in need of protection, so we do not put them through a long series of interviews if it is not necessary. It can also mean accelerated processing for manifestly unfounded claims as well. That work is positive, and we think it needs to continue.

In terms of the remaining challenges, which of course are huge, asylum reform takes time. It needs investment and political will, and I think what we are seeing is that there is a lot of change going on in the Home Office at the moment, and a lot of that is indeed quite innovative. It is important that it is joined up so that the policy people are speaking to the ops people, that the different pilots are speaking to each other, and that the lessons are then being used to inform systemic reform.

We also think there is a need to keep looking at the quality of decision making. That links to efficiency, because an efficient decision is one where you get it right first time, not after multiple interviews or after a long wait for an appeal and so on. At the moment, around 40% of decisions are being reversed at appeal, so we think it is important to focus on that pre-appeal stage in the process. It needs a whole range of interventions, but we think that not enough decisions are having a second pair of eyes on them before they are issued. It is not that every decision can or should be reviewed a second time before it is finalised, but we certainly think a higher percentage needs to be reviewed before the decisions go out.

So, yes, lots to be done, and certainly as UNHCR we continue to engage with the Home Office on that.

Zoe Bantleman: I agree with much of what Ms Tennant has said. I think our asylum system should be centred on fairness and ensuring that the Home Office makes the right decision the first time. In that way, efficiency can be improved without sacrificing fairness. We also need to acknowledge that, try as they may, no person or decision maker is infallible. For that reason, there needs to be checks and balances to ensure that the final decision is correct and fair, which means that a single bite of the cherry will not do. These appeals involve matters of life and death, fundamental human rights, so we cannot oust the jurisdiction



HOUSE OF COMMONS

of our higher courts in reviewing a first decision. It is concerning to me that the policy statement indicates that may be the case in its reference to Denmark.

I have a couple of other specific concerns with the policy statement in relation to appeals. First, while the Government have said that adjudicators will remain fully independent, it is unclear if adjudicators will remain completely independent of Government in the way that our judiciary is now, and whether they will be professionally trained and qualified, as our current specialist judges are, and have an independent committee that makes the tribunal procedure rules.

Secondly, the policy statement says that early independent legal advice will be a core part of system reforms, but it does not mention legal representation at all, and that concerns me. I do not know if that is a drafting error or whether there is a distinction it is trying to draw between advice and representation. Representation is crucial throughout the appeal process; it is what enables someone to prepare their claim, to put forward all of their evidence and witness statements, to instruct experts and to provide everything the appeals body also needs to make the best decision that it can when it is seized with a case.

It is also important because, if we get rid of legal representation in the tribunal, it could potentially mean our independent Bar is at threat and, therefore, the track to our judiciary could also be at threat. Many of the proposals need to be carefully reviewed from an access to justice perspective, and I think that links back perfectly to what the National Audit Office said in their report published last week, that there needs to be a sustainable and whole of Government approach in designing an end-to-end system across the asylum system. That does not only involve the Home Office; that involves every other part of the system—the Ministry of Justice, the Legal Aid Agency and MHCLG. Many different Departments need to be part of that policy design, rather than one Department dictating what the policy is and everyone else trying to keep up with those policy changes and still ensure that there is access to justice and, thereby, fairness in our system.

Q47 **Chris Murray:** I will ask a small follow-up on the specific type of asylum cases that we are seeing. There has been an increase in people coming to the end of their student visas, applying for asylum at the point it runs out and moving from student accommodation into an asylum hotel. There is a lot of public mistrust around why it is at that exact point in the system someone decides to apply for asylum. What is your analysis of the phenomenon we are seeing, and what would you recommend the Government do to respond to it?

Zoe Bantleman: There are a few different things that might be leading to the phenomenon. Obviously no two refugees have exactly the same case. One thing that is important for people to remember, and certainly something that I saw in practice when I was a barrister, is that lots of people who might be entitled to be recognised as refugees do not even



HOUSE OF COMMONS

conceive of themselves as refugees. First and foremost, they are trying to study and create a professional life and career here, and it is only at the point when their leave is expiring and they might then be in breach of our immigration laws that they are trying to do the right thing by thinking about how they can lawfully extend their stay because they are afraid to go home and face serious harm there.

It is at that point when they have to decide about whether to go home and be tortured, or face serious harm or death, or whether to stay here and try to seek protection rather than, for example, switching into a work route. I think many people would have rather switched into a different kind of route rather than into the asylum system.

Something else to remember, which I have asked the Home Office about a number of times but is not detailed in either the Immigration White Paper from May or the more recent policy statement, is the question of surplus refugees. That is a refugee whose reason for persecution arises only after they are already here. Let's take, for example, a student who does not realise that they are, for example, gay at the time they come to study in the UK. During the course of their studies, they realise this and they know what happens to people who are gay back home. For that reason, their refugee convention reason, and their fear of persecution, arises during their studies here. It is not that they came to the UK with the intention of claiming asylum. Sometimes their refugee convention reason arises only during their time here. That could be because of their involvement in political things here; it could be what happens in relation to their country. I know the Home Office is particularly concerned with cases where the country conditions have not changed.

Something to always remember is that the safety of a country is not about safety in general; it is about the safety for that specific person. That specific person is likely to be a minority with a refugee convention reason for why they fear persecution, if they are seeking asylum here. The reason they fear persecution might be a reason that the majority of people in their country do not fear persecution.

Q48 Chris Murray: I hear and understand that people might realise they are gay when they come to the UK, or their home country might go to war during their course year, but do you accept that there is also a likelihood, or at least a possibility, that it is people trying to use the asylum system as a mechanism to stay in the UK beyond their visa, or as an alternative visa route that they can access? Should the Home Office be looking to check whether that is the case? Do you accept that is a possibility?

Zoe Bantleman: I do not accept it is the reality until we have the hard evidence, and I do not want to speculate and make presumptions. I think what the Home Office should do, given that they substantively interview nearly every person who is claiming asylum, is to try to probe the reasons that they are claiming asylum and when those reasons came to be. I would suggest that will become apparent in most substantive interviews that the Home Office conducts, so they could scrutinise the



data they already have and determine why people are claiming asylum at the point that they are.

Q49 **Chris Murray:** Do you think they should be looking at who comes in through the student visa route?

Zoe Bantleman: I think we already do look at who comes into the student visa route because we have a requirement that people be genuine students. They are granted a student visa only if they have satisfied the Home Office that they are, in fact, a genuine student. I do not think it is mutually exclusive for someone to be both a genuine student and a genuine refugee.

Vicky Tennant: From the UNHCR perspective, we would say the response to this is to bear in mind that some of these claims may indeed be valid claims for protection, so every claim needs to be looked into individually. If you have a functioning asylum system that is able to determine claims quickly, and if you have a functioning return system, which means bilateral co-operation with countries of origin—and that can be key countries of origin where there are high numbers of rejected claims—that is the most efficient and robust way of dealing with any sense that there is an overload on the system coming from people seeking to use it as a way to extend their stay.

As I have said, there are ways of processing claims where you do it in a differentiated way, depending on whether a case is clearly well founded or whether there are elements that point in the direction of it being manifestly unfounded. There are different ways of dealing with cases. It comes back to this issue of having a fair and efficient asylum system, which is at the core of all of this.

Q50 **Ben Maguire:** What are your views on the Government's proposals to increase returns to countries specifically where this was not happening before?

Vicky Tennant: As I have said, this issue of returning rejected cases, and acknowledging that these are individuals who have been through a full, fair process and whose claim has been looked into—certainly the inability to effect returns is in a sense undermining the integrity of asylum systems, and not only in the UK. That is why, as you heard earlier, a number of Governments are looking at this and how they can step up returns. These are returns of people who have been found not to be refugees, so they are not formally within our mandate, but given that this element is so critical, we have been offering advice to Governments on how they might deal with it. We have been engaging, for example, on the discussion around returns hubs with a number of European Governments, including the UK, and what the parameters of that kind of arrangement might be.

We are concerned about the mention of Syria in the policy statement. It is given as an example that consideration is being given to ramping up



returns. We would very much endorse the observation made earlier that leaning into voluntary returns, wherever possible, is often both the most cost-effective and the most efficient way of effecting returns. We are pleased to see that there is work going on in this area, but it needs to be managed in a way that respects people's dignity and ultimately achieves the objective of having a functioning asylum system, which includes the ability to enforce decisions made through that system.

Q51 Ben Maguire: Picking up on your comment on returns hubs, what consideration do you think the Government should have when they are considering these countries for returns hubs?

Vicky Tennant: First and foremost, as I said, these need to be individuals who have gone through the consideration of their claim, so it is quite a different situation from where you are transferring someone to have their asylum claim looked at elsewhere. These are people who have gone through the process. Clearly, what you are looking at is ensuring no risk to rights in the host country, and in particular the right to non-refoulement, to sending people back to a place of danger.

We would encourage that it be used in situations where this is a temporary arrangement and it is still envisaged that the person will be able to return home—often it is an administrative issue around documentation, and so on. It needs to be possible that a returns process can be pursued in the third country. Clearly they need to have access to some kind of legal status while they are there, and appropriate reception conditions. Then you also need to cater for a situation where maybe they are not eventually able to return home. That scenario also needs to be catered for, such as whether it is through a legal stay in the returns hub country.

It is certainly something that Governments are looking into. You heard from the earlier panel some of the examples in that regard, but it clearly needs a lot of careful working through, and it is certainly not the silver bullet that will solve this issue. It is one tool in the toolbox—that is how we would describe it.

Q52 Ben Maguire: The Government plan to commence the removal of families with children. How can the Government do this in a way that is consistent with the rights of those children?

Vicky Tennant: These are obviously cases that have gone through a refugee status determination. One aspect is, where you have a very long process that results in families, including children, becoming part of a local community, how do you do that—in a way that is compliant with rights and with obligations to children under other international instruments, including the convention on the rights of the child—without inflicting a lot of damage on those children? That is obviously a challenge. What we would say is, whatever direction this goes in, it is important that the strategies deal humanely with individuals, including children, and follow human rights law, including specific provisions related to the



protection of children. Of course children have specific needs and specific vulnerabilities, and there are specific considerations that apply in those cases.

Q53 Chris Murray: One of the things that the Home Secretary mentioned recently was the creation of safe and legal routes, which is something the refugee rights sector has been calling for, for a very long time. Do you welcome that announcement? What will you be looking for it to include? What kind of number should we be looking for? Obviously, it cannot be completely uncapped, but what kind of cap do you think would make a substantive impact on the UK's ability to offer humanity and protection?

Sohini Tanna: As you said, the sector has been calling for safe routes for a long time, so we welcome that in the asylum policy statement. We are concerned it is not going far enough, and it is not coming at the right time. It does say that, once order is restored, we will create these safe routes. As I said earlier, safe routes have to be part of an effective asylum system. It cannot come at a later stage. We are concerned that it is not happening in tandem with all the other proposed changes.

We welcome the focus on bringing in the community and looking at resettlement, but that does not go far enough. If we want to reduce dangerous journeys and give people a realistic, viable option when they are on the move and are fleeing, we need to look at a number of safe routes. It was mentioned in the previous panel, and it is that learning from what the Biden Administration did, which was a suite of safe routes. It was not one silver bullet, which does not exist. What we want to see is the expansion of that UK-France deal, of what we would say is a humanitarian visa pilot.

It is the ability to register, from a safer third country, your claim for asylum, have that initial screening interview abroad and then be brought to the UK, have your asylum claim assessed and then integrated into society. That is a much safer way for people to come here than to have a few safe routes that are capped or are restricted to resettlement or people under UNHCR's mandate. We know not everyone can meet that, and I am sure Vicky will speak to this stat, but we do know from UNHCR that less than 1% of the world's refugees are ever resettled. That will not be enough; we need to look at a number of safe routes, so we would want to see a humanitarian visa system piloted. That would ensure people have that realistic option to apply.

Vicky Tennant: That aspect of the statement was fairly high level, so we are keen to work and unpack that with the Government. We were pleased to see a reference retained to protection-led resettlement pathways, and that is something UNHCR has been working with the UK and other Governments on for many years. It is not only about giving a pathway to refugees who remain at risk in their countries of asylum—that is essentially who it is aimed at—but it is also an important gesture of commitment to sharing responsibility for refugees with Governments in the host countries that are receiving large numbers of refugees.



HOUSE OF COMMONS

It sometimes sounds a bit counterintuitive, and you think, “Well, the numbers are relatively small,” if you look at the resettlement numbers. I can tell you from my own experience in refugee operations and from recent conversations with UNHCR representatives in the field, it does sometimes help unlock discussions with Governments around protection and around their continued willingness to receive and to host refugees. Let us not discount that element of what it signals to those large refugee hosting countries.

It is great that there is a willingness to lean in and be innovative around sponsorship, labour mobility and education pathways. What we would say is do not lose what is already there, because there is an incredible amount of expertise and capacity, including at local authority level and at national Government level on these core resettlement schemes. If you simply push it all into the community sponsorship space, you risk losing that capacity. We always encourage a whole-of-society approach to supporting resettled refugees to integrate.

The experience with community sponsorship so far has, indeed, been in terms of using it as an integration support mechanism. Refugees can be referred for resettlement by UNHCR, and the UK Government do all their checks and decide, “Yes, we will accept these people”. They then work with the local authority to place them, and community sponsorship groups then come in to support the integration. We think that has worked well. It would be great to see it brought to scale even further. We are keen to work with the Government on this.

We think approaching it as a sort of alternative to people arriving and claiming asylum directly is the wrong way to go. Indeed, the evidence is very much that unless you do something big at scale, the way the Biden Administration did or the way the UK did with the Ukrainians—setting those big programmes aside—the evidence that it has an impact on the number of people taking dangerous journeys is a bit limited, but there is scope to look a bit creatively at that and look at where you resettle refugees from. Could you work along the routes where refugees are moving and the routes that are particularly relevant to the UK? Could you offer a safe pathway as an alternative to continuing in the hands of a smuggler, and you accompany that with a programme that allows access to protection, livelihoods, opportunities in the transit country, so you offer a range of options. That is something we have been leaning into and talking to a lot of Governments about, and there are good examples of that beginning to take shape.

Chair: Are you okay for a few more minutes while we cover asylum accommodation and support? Thank you.

Q54 **Chris Murray:** I have one more question if that is okay. Thank you, Chair. One of the things that was also announced when the Home Secretary was in Parliament a fortnight ago was the toughening of the support given to asylum seekers. What is your view on moving from a



duty to a power to provide support to asylum seekers? What will that mean on the ground in communities?

Sohini Tanna: We are more concerned about the scenarios in which the Home Office can revoke someone's asylum support, so that move from duty to discretionary power and how they will use that power. They have put two examples in the asylum policy statement about which we are concerned. The first is being disruptive in asylum accommodation, and the second is refusing to relocate to a different accommodation site.

This Committee did a big report on asylum accommodation and has also heard our evidence on this already, so I will not reiterate all of that. The concern we have—and you have noted this in your accommodation paper—is that the definition of “disruptive” is broad. The asylum accommodation contractors deem what is disruptive in a quite different way from what we would say is disruptive. We have seen asylum seekers seeking help, asking for support or better food, or living in unsanitary conditions, and they are being deemed disruptive. We are concerned that asylum support will be taken away from people who need it, and who will not be able to support themselves, because of that lack of oversight from the Home Office. For this to work, the Home Office must have oversight of those contracts and asylum accommodation providers, which we know currently is not working and will not change overnight. We want to see that removed from the discretionary power.

On refusing to relocate to different accommodation sites, it is again looking at that individualised claim. People may not want to move because they have palliative care or support in a certain area. We also know from the evidence we gave to the Committee earlier in the year that people are being told they are moving within hours. They have not had time to prepare for it. If their asylum support is going to be revoked because of those reasons, we are concerned it will lead to more destitution and homelessness, and that is also not what the Government intend.

It is not about the duty moving to a discretionary power; it is more about how they will use that power that concerns us, and we want to make sure it is done in a fair way and that they are not revoking people's support without—

Q55 **Chris Murray:** You touched on one of the points I wanted to address.

Sohini Tanna: Yes, sorry.

Chris Murray: No, not at all. Do you think this will have an impact on homelessness, especially for recognised refugees? There is a housing emergency everywhere across the country; there is a homelessness challenge everywhere. I know it from my own city of Edinburgh. How do you see this intersecting with the homelessness challenge we have?

Sohini Tanna: When they are an asylum seeker or a refugee?



HOUSE OF COMMONS

Chris Murray: An asylum seeker, for whom there is a power to provide support. Is there a possibility that they will become homeless, or refugees who have been recognised? So both.

Sohini Tanna: On asylum seekers, we need to see the detail because the asylum policy statement has not given us that, but it could lead to a lot of people being homeless. They have also said that, if you have the right to work, you should not be getting asylum support, but how will they assess that? Is it once someone is in work, or not? If they take the view that it has to be someone who has the right then, yes, we will see a lot more people who are homeless, destitute and require local authority support. It is moving from the Home Office to local authorities. It is not solving any problems.

There is a concern that refugees will also be homeless. One of the things that the asylum policy statement has said they will consult on is whether or not refugees will have access to benefits. That consultation will be launched next year, although I do not think there was a date. But that is also concerning because we know that, through the move-on period, once you are on asylum support you have not worked since you came into this country—you cannot set up and go to work the next day. We are concerned that there will be a period of homelessness, and that will impact the sector.

Chair: Thank you so much. Sorry to keep you five minutes longer, and we appreciate it. It has been incredibly useful. We will be contacting the Home Office, and we will have the Home Secretary before us in the new year, and all of this will help inform that. It will also help inform any future inquiries. Thank you once again for your time.