

Written evidence submitted by Migration Watch UK (CHA0057)

1. We make this submission after considering reports and official statistics that have been released about Channel crossings, asylum and enforcement in recent months. These include publications by the Home Office (HO), the National Audit Office (NAO), the House of Commons Library, the House of Commons Public Accounts Committee and the Independent Chief Inspector of Borders and Immigration (ICIBI). We summarise findings from surveys by opinion pollsters in paragraph 3. Also see our recommendations at paragraph 12 below.
2. The number of people reported as having entered the UK following crossings of the English Channel in small boats has increased significantly - year on year - over the past three years (2018-2020). Based on our estimate, the number of people reported arriving in 2020 so far (as of 20 November - 8,292) was *more than five times* the number that were reported as having arrived between 1 January 2019 and the third week of November 2019 (1,490).
3. Many members of the public are concerned about this, as indicated by the following opinion poll results:
 - **73 per cent** of respondents to a YouGov survey said they saw illegal Channel crossings as a '*serious problem*' (August 2020).
 - **63 per cent** of the public said those crossing should not be allowed to settle in the UK. This poll also suggested that, among those who do not want those crossing to settle here, half said they should be sent back to France and 36 per cent called for them to return to their home country. This poll also found that 73 per cent said the French should do more to stop people setting off on such trips, with 6 per cent disagreeing (Redfield and Wilton Strategy, August 2020).
 - **62 per cent** of the public thought those arriving illegally in this manner should be removed (Ipsos, August 2019).
 - **64 per cent** of respondents to an Ipsos poll (August 2019) believed the British government had not responded well to the crossings.
 - **60 per cent** believed the government was not taking sufficient measures to deal with the problem (May 2020 Deltapoll, commissioned by Migration Watch UK).
4. The problem of Channel crossings appears to have been seriously exacerbated by a deterioration in the effectiveness of immigration enforcement in recent years. The result has been to encourage criminal traffickers and would-be crossers in the belief that such trips will be successful, with those entering the UK via this route unlikely to be removed after arriving, even if their asylum claim fails. HO announcements suggest that only a tiny fraction of those who crossed since the beginning of 2019 have been returned to European countries.
5. We point to four concerning trends:
 - **Declining resources available to enforcement.** There was £47 million less in the 2019-20 overall net budget for enforcement than in 2015-16 ([NAO, 2020](#), p. 20) and the ICIBI has pointed to instances where resources are being stretched with a problematic impact on effectiveness ([ICIBI report](#), Nov. 2020). The ICIBI also said

that port staff had suggested that Border Force seemed to have been ‘*resourced to fail*’ by the previous government ([ICIBI report](#), Nov. 2018, p. 16).

- **A reduction in staff.** Between 2015-16 and 2019-20, Immigration Enforcement reduced its headcount by 5%. The volume of work means that ‘*some opportunities to apprehend people who are in the UK illegally, or to stop clandestine entry, may be missed*’. Meanwhile Immigration Compliance and Enforcement [or ICE] teams... ‘*completed fewer visits in 2019 than in the previous four years*’. NAO adds that ICE teams ‘*do not have the capacity to undertake all tasks requested of them*’ ([NAO, 2020](#), pp.32 & 47).
 - **Insufficient measures to prevent absconding.** As the government has [said](#): ‘*Detention plays a key role in securing our borders and maintaining effective immigration control*’. Given this, it seems contradictory for the HO to have [said](#) that it is ‘*delivering a reduction... in the numbers of those detained*’. Detention is vital for guarding against absconding and should be used more, not less. A 2017 ICIBI report [revealed](#) (p. 23 of link) that there were 55,974 absconders among the reporting population. The ICIBI also recently [said](#) some HO staff ‘*felt that more use could be made of detention for small boats migrants who were considered to be removable*’. The government spent £40 million (21%) less on detention in 2019-20 than in 2015-16. The detention estate has been reduced by 40% since 2015 ([NAO, 2020](#), p. 37). Also relevant is the failure to replace the detained fast-track appeal process which meant asylum claimants could be detained if a quick decision was likely. Appeals could be completed within 12 working days from the moment of the initial decision until conclusion of their First-tier Tribunal appeal. This process was suspended in 2015 following a court judgment. However, amended proposals were never enacted.
 - **A fall in removals of failed asylum claimants** - Declining use of detention may, with other factors, have helped to lower the number of removals of failed asylum claimants. Enforced removals of failed asylum claimants fell from 6,432 in 2009 to 1,742 in 2018 ([HO statistics](#)). The figures for 2019 and 2020 are not clear as the HO appears to have stopped separating its summary returns data into distinct asylum and non-asylum categories. Despite this, it seems likely that asylum-related removals fell further during 2019/20. In the year to March 2020 total enforced returns fell to the lowest level since records began (6,778) - 21% lower than the previous year ([HO statistics](#)). It is notable that only 24% of the total of 7,319 enforced removals in 2018 were asylum-related - a decline from when they accounted for more than half of total enforced removals during the period between 2004 and 2006 ([HO statistics](#)).
6. We are also concerned that this decline in the effectiveness of enforcement (especially since 2018) has occurred during a period in which our asylum system appears to face abuse from a number of ‘spurious’ claims (according to various statements by the Home Office) and has also witnessed a substantial increase in workload, with a rapid rise in the number of asylum applications awaiting initial decision between 2015-16 and 2019-20. This was revealed in HO’s latest release of [Immigration & Protection data](#) (August 2020). Claims awaiting initial decision rose from 11,797 in Quarter 2 2015 to 42,745 in Quarter 2 2020.

Reported nationalities of those crossing

7. We take note of a [letter from the Home Office to this Committee](#), dated September 2020, which revealed that 51% of the total of 4,611 reported crossing in the period Q1 2018

to Q2 2020 were understood to be Iranian (2,362), with Iraqis as the next most common nationality (accounting for 1,211, or 26%). It is also notable that the number of migrants from ‘other nationalities’ grew from just 7 in Q1 2020 to 245 in Q2 2020. The suggestion that a wider range of nationalities appear to have been crossing the Channel in small boats recently has been echoed both by the ICIBI and the leader of Kent County Council.

8. Grant rates differ significantly as the protection requirements of specific nationalities or individuals vary. Of those nationalities that commonly claim asylum in the UK, Libyans (98%) and Syrians (96%) typically have high grant rates at initial decision. The HO has said that nationals of Iran, Afghanistan, Eritrea, Vietnam, Sudan and Syria have a grant rate at the initial stage of more than 50%. Applicants from these countries are more likely than not to be granted protection at this stage. Meanwhile, nationals of India (3%), China (19%) and Bangladesh (16%) typically have low grant rates.

Risk of Channel route being used for illegal economic migration

9. Reports in the media suggest that the ‘other nationalities’ referred to by the Home Office include Egyptians, Algerians, Kuwaitis, Gambians, Bissau-Guineans, Malians, Bangladeshis, Somalis, Côte D’Ivoriens, Guineans, Turks, Ethiopians, Albanians, Indians and those from South Sudan. Some Channel migrants may have originally travelled into Europe across the Mediterranean - via Western and Central routes - from Libya, Morocco or Tunisia. In 2020 (by November), approximately 68,700 people were reported as having crossed via such routes into Spain, Italy and Malta ([UNHCR Mediterranean Tracker](#)).

10. The UNHCR has previously pointed to ‘economic reasons’ as the most prominent factor motivating people who were gathering in Libya in 2016 to originally leave their country. A report commissioned by the UNHCR stated in 2017: “*Foreign nationals coming to Libya are predominantly young, single men with a low level of education. **A majority report moving to or migrating through Libya for economic reasons.**” Points of origin for those departing their country for economic reasons included Niger, Chad, Sudan, Egypt, Tunisia, Nigeria, Guinea, Côte d’Ivoire, The Gambia, Senegal, Ghana, Mali and Cameroon ([Report commissioned by UNHCR](#), 2017, p. 15).*

11. According to media reports, a number of those crossing from Northern Europe to the UK via the Channel may have previously attempted to claim asylum in other European countries, particularly in Germany, but without success. If so, this may represent, in part, a secondary movement resulting from the EU migrant crisis that reached a peak in 2015 but which has seen around 1.9 million migrants cross irregularly via land and sea into Europe since the start of 2014. This is concerning since such a cohort may not be genuine refugees but instead may be looking to ‘asylum shop’ (e.g. in the UK) despite a previous claim or claims for protection having been turned down in another European country, and perhaps in multiple countries.

Suggestions for action

12. The current clear and well-documented decline in the effectiveness of enforcement needs to be reversed, while there needs to be a marked improvement in the efficiency of the asylum system. In order to turn things around, we suggest three goals:

- a) Speed up the consideration of asylum applications;

- b) Toughen up measures to prevent absconding, including:
 - i) increased investment in, and greater use of, fair and humane detention and; ii) restoration of the detained fast-track scheme (including a change in the law if necessary) to deal with cases that are, *prima facie*, of limited merit.
- c) Ensure better port security while delivering a greater number of removals of failed asylum claimants through greatly increased political, legislative, resource and staffing support. This is vital to ensure that our dedicated Home Office staff are able to perform their roles more effectively.

November 2020