

New Plan for Immigration: Public Technical questionnaire

<p>This pdf version of the online questionnaire allows you to download the questions as a whole to help you formulate your responses to the online questionnaire.</p>		
<p>Chapter 1: Overview of the Current System</p> <p>This question relates to the Overview of the Current System in the New Plan for Immigration, should you wish to refer to this before answering.</p>		
1	<p>Please use the space below to give further detail for your answer. In particular, if there are any other objectives that the Government should consider as part of their plans to reform the asylum and illegal migration systems.</p>	Open question
<p>Chapter 2: Protecting those Fleeing Persecution, Oppression and Tyranny</p>		
2	<p>In maintaining clearly-defined safe and legal routes, how important, if at all, are each of the following practical considerations? Please select one response for each statement.</p> <ul style="list-style-type: none"> • Linking the numbers of refugees the UK resettles to the capacity of local areas to provide help and support. • Prioritising refugees on the basis of their vulnerability or risk. • Prioritising refugees based on their potential to integrate in the UK (e.g. English proficiency, pre-existing ties to the UK, or skills). • Prioritising refugees from persecuted minority groups. • Prioritising the family members of refugees already in the UK. 	<ul style="list-style-type: none"> <input type="radio"/> Very important <input type="radio"/> Fairly important <input type="radio"/> Not very important <input type="radio"/> Not at all important <input type="radio"/> Don't know
3	<p>The intention is to continue to provide support to all those granted refugee status so that they are equipped to properly integrate and contribute to society when they arrive in the UK.</p> <p>How far do you agree or disagree that each of the following proposals will help to meet this aim of developing refugee support?</p> <p>Please select one response for each statement.</p> <ul style="list-style-type: none"> • An integration support package should focus on progress to employment (including self-employment). 	<ul style="list-style-type: none"> <input type="radio"/> Strongly agree <input type="radio"/> Agree <input type="radio"/> Neither agree nor disagree <input type="radio"/> Disagree <input type="radio"/> Strongly disagree <input type="radio"/> Don't know

	<ul style="list-style-type: none"> • An integration support package should consider elements such as well-being, language, employment and social bonds. • An integration support package should be delivered at local level to national standards (to an agreed mandatory framework), so that all refugees receive the appropriate level of support, delivered in a way that is appropriate to where they live. 	
4	<p>Please use the space below to give further feedback on the proposals in chapter 2. In particular, the Government is keen to understand:</p> <p>(a) If there are any ways in which these proposals could be improved to make sure the objective of providing well maintained and defined safe and legal routes for refugees in genuine need of protection is achieved; and</p> <p>(b) Whether there are any potential challenges that you can foresee in the approach the Government is taking to help those in genuine need of protection.</p> <p>Please provide as much detail as you can.</p>	Open question
<p>Chapter 3: Ending Anomalies and Delivering Fairness in British Nationality Law</p> <p>These questions relate to chapter 3 of the New Plan for Immigration. Please refer to this chapter for more information.</p>		
5	<p>The Government wants to change the registration route for stateless children, who were born in the UK and have lived here for five years.</p> <p>The Government wants to ensure that those who are genuinely stateless can benefit. People should not be able to acquire these benefits if they purposely fail to acquire their own nationality for their child.</p> <p>To what extent, if at all, do you agree that this is the right approach?</p>	<ul style="list-style-type: none"> <input type="radio"/> Strongly agree <input type="radio"/> Agree <input type="radio"/> Neither agree nor disagree <input type="radio"/> Disagree <input type="radio"/> Strongly disagree <input type="radio"/> Don't know
6	<p>The law currently allows some discretion around naturalisation, to account for exceptional circumstances. However, it is currently an un-waivable requirement that a person must have been in the UK on the first day of their 5 (or 3) year residential qualifying period.</p>	<ul style="list-style-type: none"> <input type="radio"/> Strongly agree <input type="radio"/> Agree <input type="radio"/> Neither agree nor disagree <input type="radio"/> Disagree <input type="radio"/> Strongly disagree <input type="radio"/> Don't know

	<p>The Government is seeking to change the law so that discretion can be exercised when a person was not in the UK on that day in appropriate cases, whilst maintaining the principle that people should have completed a period of continuous residence.</p> <p>This might be used, for example, where a person was a long-term resident of the UK but had been prevented from returning to the UK after a trip overseas five years ago by mistake, as was the case for a number of the Windrush generation, or due to unforeseen compelling circumstances.</p> <p>To what extent, if at all, do you agree that this approach provides sufficient flexibility to allow people with a strong connection to the UK to qualify for naturalisation?</p>	
7	<p>Please use the space below to give further feedback on the proposals in chapter 3. The Government is keen to understand:</p> <p>(a) If there are any ways in which these proposals could be improved to make sure the objective of correcting historic anomalies in our nationality laws is achieved; and</p> <p>(b) Whether there are any potential challenges that you can foresee in the approach being taken to reform nationality laws.</p> <p>Please provide as much detail as you can.</p>	Open question
<p>Chapter 4: Disrupting Criminal Networks and Reforming the Asylum System</p> <p>These questions relate to chapter 4 of the New Plan for Immigration. Please refer to this chapter for more information.</p>		
8	<p>The UK Government intends to create a differentiated approach to asylum claims. For the first time how somebody arrives in the UK will matter for the purposes of their asylum claim.</p> <p>As the Government seeks to implement this change, what, if any, practical considerations should be taken into account?</p>	Open question
9	<p>The UK Government intends on introducing a more rigorous standard for testing the “well-founded fear of persecution” in the Refugee Convention.</p>	Open question

	As the Government considers this change, what, if any, practical considerations should be taken into account?	
10	<p>The Government is aware that currently it can take many months to consider asylum applications and intends to ensure that claims from those who enter the UK illegally are dealt with swiftly and efficiently.</p> <p>To help achieve this, in your view, which of the following steps would be the most important? Please rank the following statements from most to least important.</p> <ol style="list-style-type: none"> 1. To use asylum processing centres to accommodate those who enter the UK illegally, whilst they await the outcome of their claim and / or removal from the UK. 2. To have an expedited approach to appeals, particularly where further or repeat claims are made by the individual. 3. To ensure there are set timescales for considering claims and appeals made by people who are in immigration detention, which will include safeguards to ensure procedural fairness. This will be set out in legislation. 4. To ensure those who do not qualify for protection under the Refugee Convention, but who still face human rights risks, are covered in a way consistent with our new approach to asylum. 	Drag and drop to rank options
11	<p>The Government is committed to strengthening the framework for determining the age of people claiming asylum, where this is disputed. This will ensure the system cannot be misused by adults who are claiming to be children.</p> <p>In your view, how effective would each of the following reforms be in achieving this aim?</p> <ul style="list-style-type: none"> • Bring forward plans to introduce a new National Age Assessment Board (NAAB) to set out the criteria, process and requirements to be followed to assess age, including the most up to date scientific technology. NAAB functions may include acting as a first point of review for any Local Authority age assessment decision and carry out direct age assessments itself where required or where invited to do so by a Local Authority. • Creating a requirement on Local Authorities to either undertake full age assessments or refer people to the NAAB for assessment where they have reason to believe 	<ul style="list-style-type: none"> <input type="radio"/> Very effective <input type="radio"/> Fairly effective <input type="radio"/> Not very effective <input type="radio"/> Not at all effective <input type="radio"/> Don't know

	<p>that someone’s age is being incorrectly given, in line with existing safeguarding obligations.</p> <ul style="list-style-type: none"> • Legislating so that front-line immigration officers and other staff who are not social workers are able to make reasonable initial assessments of age. Currently, an individual will be treated as an adult where their physical appearance and demeanour strongly suggests they are ‘over 25 years of age’. The UK Government is exploring changing this to ‘significantly over 18 years of age’. Social workers will be able to make straightforward under/over 18 decisions with additional safeguards. • Creating a statutory appeal right against age assessment decisions to avoid excessive judicial review litigation. 	
<p>12</p>	<p>Please use the space below to give further feedback on the proposals in chapter 4. In particular, the Government is keen to understand:</p> <p>(a) If there are any ways in which these proposals could be improved to make sure the objective of overhauling our domestic asylum framework is achieved; and</p> <p>(b) Whether there are any potential challenges that you can foresee in the approach being taken around asylum reform.</p> <p>Please provide as much detail as you can.</p>	<p>Open question</p>
<p>Chapter 5: Streamlining Asylum Claims and Appeals</p> <p>These questions relate to chapter 5 of the New Plan for Immigration. Please refer to this chapter for more information.</p>		
<p>13</p>	<p>The Government believes that all those who are subject to the UK’s immigration laws, including those who have arrived here illegally or overstayed their visa, should be required to act in good faith at all times. Currently, the system is susceptible to being abused and there has to be an onus on individuals to act properly and take steps to return to their country of origin where they have no right to remain in the UK. This duty will apply to anyone engaging with the UK authorities on an immigration matter.</p> <p>As a part this requirement, to what extent do you agree or disagree with each of the following principles:</p> <ol style="list-style-type: none"> 1. Individuals coming to the UK (as a visitor, student or other legal means) should leave the country on their own accord, by the time their visa expires. 	<ul style="list-style-type: none"> <input type="radio"/> Strongly agree <input type="radio"/> Agree <input type="radio"/> Neither agree nor disagree <input type="radio"/> Disagree <input type="radio"/> Strongly disagree <input type="radio"/> Don’t know

	<p>2. Individuals seeking the protection of the UK Government should bring their claims as soon as possible.</p> <p>3. Individuals seeking the protection of the UK Government should always tell the truth.</p> <p>4. Failure to act in good faith should be a factor that counts against the individual, when considered by the Home Office or judges as part of their decision making.</p> <p>5. Where an individual has not acted in good faith, this will be a relevant and important factor which decision makers and judges should take into account when determining the credibility of the claimant.</p>	
14	<p>The Government propose an amended 'one-stop process' for all protection claimants. This means supporting individuals to present all protection-related issues at the start of the process. The objective of this process is to avoid sequential and last-minute claims being made, resulting in quicker and more effective decision making for claimants.</p> <p>Are there other measures not set out in the proposals for a 'one-stop process' that the Government could take to speed up the immigration and asylum appeals process, while upholding access to justice? Please give data (where applicable) and detailed reasons.</p>	Open question
15	<p>Please use the space below to give further feedback on the proposals in chapter 5. In particular, the Government is keen to understand:</p> <p>(a) If there are any ways in which these proposals could be improved to make sure the asylum and appeals system is faster, fairer, and concludes cases more effectively;</p> <p>(b) Whether there are any potential challenges that you can foresee in the approach the Government are taking around streamlining appeals.</p> <p>Please provide as much detail as you can.</p>	Open question
<p>Chapter 6: Supporting Victims of Modern Slavery</p> <p>These questions relate to chapter 6 of the New Plan for Immigration. Please refer to this chapter for more information.</p>		
16	<p>Please use the space below to give further feedback on the proposals in chapter 6. In particular, the Government is keen to understand:</p>	Open question

	<p>(a) If there are any ways in which these proposals could be improved to make sure the objective of building a resilient system which accurately identifies possible victims of modern slavery as quickly as possible and ensures that support is provided to genuine victims who need it is achieved; and</p> <p>(b) Whether there are any potential challenges that you can foresee in the approach the Government are taking around modern slavery.</p> <p>Please provide as much detail as you can.</p>	
<p>Chapter 7: Disrupting Criminal Networks Behind People Smuggling</p> <p>These questions relate to chapter 7 of the New Plan for Immigration. Please refer to this chapter for more information.</p>		
<p>17</p>	<p>This question relates to the proposals to overhaul the Clandestine Civil Penalty Regime in chapter 7 of the New Plan for Immigration.</p> <p>The Government recognises that there is an ongoing threat posed to the haulage sector by those who view clandestine concealment in goods vehicles as a means to enter the UK illegally.</p> <p>Efforts to improve lorry security will assist in protecting the industry and borders, and yet the Government is still encountering large volumes of vehicles which do not meet the minimum-security standards set out in the Civil Penalty: Prevention of Clandestine Entrants Code of Practice (which can be accessed on GOV.UK).</p> <p>How far do you agree or disagree that improving levels of goods vehicle security is an important step towards reducing illegal entry by clandestine migrants?</p>	<ul style="list-style-type: none"> <input type="radio"/> Strongly agree <input type="radio"/> Agree <input type="radio"/> Neither agree nor disagree <input type="radio"/> Disagree <input type="radio"/> Strongly disagree <input type="radio"/> Don't know
<p>18</p>	<p>This question relates to the proposals to overhaul the Clandestine Civil Penalty Regime in chapter 7 of the New Plan for Immigration.</p> <p>The Government aims to provide a fair and transparent charging framework that addresses more severe breaches of the Clandestine Entrant Civil Penalty Code. The Government proposes an increase in the level of penalty.</p>	<ul style="list-style-type: none"> • The current maximum penalty (£2000 per clandestine migrant) • Other amount (please specify) • Don't know

	What level of fine (per clandestine migrant) do you think is appropriate?	
19	<p>Please use the space below to give further feedback on the proposals in chapter 7. In particular, the Government is keen to understand</p> <p>(a) If there are any ways in which these proposals could be improved to make sure the objective of defending the UK border and preventing illegal entry is achieved; and</p> <p>(b) Whether there are any potential challenges that you can foresee in the approach the Government are taking to defend the border.</p> <p>Please provide as much detail as you can.</p>	Open question
<p>Chapter 8: Enforcing Removals including Foreign National Offenders (FNOs)</p> <p>These questions relate to chapter 8 of the New Plan for Immigration. Please refer to this chapter for more information.</p>		
20	<p>This question relates to the proposals around providing prior notice of a set period (known as the notice period) before the individual is removed. This notice period provides the opportunity to seek legal advice and bring legal challenges ahead of removal.</p> <p>In your view, should this notice period be:</p> <ol style="list-style-type: none"> 1. A minimum of 72 hours, as is currently the case 2. 5 working days 3. 7 calendar days 4. Other length of time (please specify and explain your answer) 	Open question
21	<p>Please use the space below to give further feedback on the proposals in chapter 8. In particular, the Government is keen to understand</p> <p>(a) If there are any ways in which these proposals could be improved to make sure the objective of enforcing and promoting compliance with immigration laws, ensuring the swift return of those not entitled to be in the UK is achieved; and</p>	Open question

	<p>(b) Whether there are any potential challenges that you can foresee in the approach the Government is taking around removals.</p> <p>Please write in your answer in full, providing as much detail as you can.</p>	
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