

New Plan for Immigration: Stakeholder 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>Foreword</p>		
<p>1</p>	<p>The foreword provides a high level outline of the New Plan for Immigration, including reforms to make the system fair, but firm.</p> <p>Overall, how far do you support or oppose what is being said here?</p> <p>Please refer to the foreword of the New Plan for Immigration to support your answer to this question.</p>	<ul style="list-style-type: none"> <input type="radio"/> Strongly support <input type="radio"/> Tend to support <input type="radio"/> Neither support nor oppose <input type="radio"/> Tend to oppose <input checked="" type="radio"/> Strongly oppose <input type="radio"/> Don't know
<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>		
<p>3</p>	<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> <p>Under our international obligations to human rights and asylum-seekers, people have a right to claim asylum in the UK. It is not a requirement for them to claim asylum in the first safe country they reach, as implied in the proposals.</p> <p>There are a number of reasons why people might choose to claim asylum in the UK, such as:</p> <ul style="list-style-type: none"> • Our imperial and colonial history, and our ongoing military and economic interventions e.g. the war in Iraq, which means that people come into contact with British authorities, businesses and language. • Inhumane policing practices against migrants in other so-called safe countries such as Greece. In 2011, the landmark case of <i>MSS v Belgium and Greece</i> concluded that conditions in Greece were so dire, asylum seekers' human rights would be breached if returned. Sources: https://www.freemovement.org.uk/returns-to-greece/ https://reliefweb.int/report/greece/issue-brief-blocked-every-pass-how-greece-s-policy-exclusion-harms-asylum-seekers-and • People may have family and friends in the UK. • The UK portrays itself as a global player, a prosperous 	<p>Open question</p>

nation, and a place of many opportunities.

Some people also do not choose the UK – some are taken by people traffickers and do not know where they are going.

We are strongly opposed to the distinction the government is proposing to make between people who arrive through safe routes and those who arrive by unsafe and irregular routes. We say more about this in our answer to Q21.

The fact that the majority of people arriving through unsafe and irregular routes are men should not be used as evidence that their claims are unworthy of consideration. Men are targeted in many countries (e.g. by conscription), and women may be more likely to consider the journey too dangerous, with good reason.

The government's presentation of the statistics is misleading. The UK only takes a small percentage of the world's asylum-seekers and has fallen behind other European countries in recent years.

In the Quaker statement on migration, we propose a model for migration justice.

https://quno.org/sites/default/files/timeline/files/2020/AQuakerStatementOnMigration.Final_.pdf

The government must embed human rights into the immigration and asylum system. People's physical and mental safety and wellbeing should be at the heart of the system. There should be a culture of belief rather than disbelief. Asylum seekers must receive culturally-aware support that allows people to heal and guarantees no repetition of the circumstances they have gone through.

<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>		
21	<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> <p>We are strongly opposed to the distinction the government is proposing to make between people who arrive through safe routes and those who arrive by unsafe and irregular routes.</p> <p>It does not align with the 1951 Refugee Convention, which defines a refugee on the basis of the circumstances they left, rather than their means of travel. It would create an unfair distinction between those able to access resettlement schemes and those unable, some of whom may be from the same country.</p> <p>To remove the safety net from underneath people who arrived via unsafe and irregular routes risks inflicting destitution on people who are already vulnerable and traumatised.</p> <p>This proposal is incompatible with the Quaker testimonies to equality and justice, and our belief in ‘that of God in everyone’.</p> <p>The government must do all it can to ensure that every refugee in the UK is assisted as quickly and effectively as possible, regardless of how they entered the UK. This would benefit everyone in our society.</p>	Open question
22	<p>The UK Government intends on introducing a more rigorous standard for testing the “well-founded fear of persecution” in the Refugee Convention.</p> <p>As the Government considers this change, what, if any, practical considerations should be taken into account?</p> <p>We are strongly opposed to raising the threshold</p>	Open question

for establishing whether someone has a “well-founded fear of persecution”. This would bring the UK out of line with the internationally-acknowledged criteria for deciding who is a refugee. It would undermine the UK’s commitment to asylum, necessitate litigation and encourage other countries to withdraw from their own asylum commitments.

The Quaker statement on migration says: “Respecting the right to asylum requires borders to operate as open ears and arms...”. Our asylum system should be based on a culture of belief.

<p>25</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>We reject the distinction between those who arrive via safe means and those who arrive by so-called “illegal” means. Under international law, people fleeing persecution have a right to seek asylum in the UK however they arrived. Many people do not have access to safe and legal routes. This does not mean they do not have genuine reasons for seeking asylum.</p> <p>In these proposals, the government links “illegal immigration” with drug and firearms trading and serious violent crimes. Desperate people fleeing persecution who are smuggled into the UK should not be equated with the perpetrators of these crimes.</p> <p>The government says that asylum claims have “outstripped any ability” to make the system work effectively. But the UK government should devote resources to ensuring its asylum system is efficient and humane. The solution to the current inefficiency of the system should not be to deny people their right to seek asylum. The solution should be to ensure that Home Office decision-making is fair, clear and efficient.</p> <p>We are strongly opposed to the practice of detaining asylum-seekers and other vulnerable migrants. We believe that this cruel practice is harmful to the whole of society. We reject the government’s proposals to expand its asylum estate, introduce reception centres and maintain immigration removal centres.</p>	<p>Open question</p>
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Chapter 5: Streamlining Asylum Claims and Appeals

These questions relate to chapter 5 of the New Plan for Immigration. Please refer to this chapter for more information.

<p>29</p>	<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> <p>We do not agree with these proposals.</p> <p>The government must consider the risk to individuals if they are returned to a country where they were facing persecution. The system for establishing whether someone has a valid claim to asylum should therefore be extremely thorough.</p> <p>In the year ending June 2020, 2,932 people had an appeal allowed following an initial refusal of asylum. That’s one every three hours. https://www.gov.uk/government/statistics/immigration-statistics-year-ending-june-2020/how-many-people-do-we-grant-asylum-or-protection-to</p> <p>Many decisions are overturned on appeal, showing the faulty nature of the initial decision-making. The government should focus on improving the quality of its decision-making processes.</p> <p>We do not think it will be fair or effective to expect individuals to present all protection-related issues at the start of the process. Many traumatised people are not able to give all their evidence at the beginning to a lawyer who they have only just met, in a system they find intimidating and confusing. They need proper emotional and legal support, including legal aid. These proposals appear designed to increase the hostility of the environment towards migrants.</p>	<p>Open question</p>
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Chapter 7: Disrupting Criminal Networks Behind People Smuggling

These questions relate to chapter 7 of the New Plan for Immigration. Please refer to this chapter for more information.

<p>37</p>	<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>Open question</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> <p>We are concerned about the further criminalisation and harm of people fleeing persecution. The Quaker statement on migration says: "Criminalisation of irregular entry or stay is a policy choice that causes harm and deliberately increases human insecurity. We reject the criminalisation of migration and we call for irregular entry and stay to be decriminalised."</p> <p>Smuggling exists because people often have no other way of escaping harms such as persecution, violence and family separation. Ignoring the root causes of smuggling has empowered smugglers and made journeys more dangerous.</p> <p>We believe that increasing safe legal routes to claim asylum in the UK would be much more effective at decreasing people smuggling than punishing those who are smuggled.</p>	

<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>		
41	<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> <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> <p>We believe the government’s current approach to removals is inhumane and we believe these proposals will make it more so. Many people who the Home Office has decided to remove have later been found to have a legitimate claim to remain in the UK.</p> <p>The government must improve the asylum system so that it is compassionate and humane, and gives people the best opportunity to prove their claim. The emphasis should not be on “enforcing compliance” or “swift return”, both of which are dehumanising and therefore incompatible with Quaker values.</p> <p>People who have a right to remain in the UK and who have committed a crime should be treated like anyone else who has the right to remain in the UK. They should be supported to rehabilitate and re-integrate into their community. They should not be punished further by being returned to a country in which they may not be safe.</p>	Open question
<p>Public Sector Equality Duty (and other general questions)</p>		
45	<p>Is there any other feedback on the New Plan for Immigration content that you would like to submit as part of this consultation?</p> <p>Our comments on the consultation itself:</p>	Open question

We are extremely concerned about the way these proposals were developed and consulted on.

The proposals appear to have been developed with little input from people with lived experience of seeking asylum and the organisations who support them. The consultation survey does not invite people to share their experiences from this perspective.

The consultation survey is difficult to access, confusing, and inaccessible to people who do not speak English or Welsh as a first language or who have other accessibility needs.

The government left stakeholders with fewer than six working weeks to share their views, in a time period that included Easter, Ramadan, a May bank holiday, and an election period.

The government has not shown a genuine willingness to engage with the public on these proposals.

Our comments on the policy proposals overall:

We are strongly opposed to the approach set out in the New Plan for Immigration. We support the government's stated aim of creating a system that is fair to all. But these proposals will increase hostility towards those seeking asylum and other people from migrant backgrounds. This is incompatible with Quaker values and the Quaker statement on migration.

In order to create a fair and just system, the hostile environment would need to be completely deconstructed, and replaced by a compassionate, human rights-based approach to those who need a place of sanctuary.

This needs to be sincerely held within a culture of belief and support, so that we as a society do not abandon those who come in need.

We wish to work with the government and others to build a more secure and equal world where people are not forced to migrate due to climate breakdown, war, injustice or inequality.