

Home Secretary opening speech for Nationality & Borders Bill

The British people have had enough of open borders and uncontrolled migration.

Enough of a failed asylum system that costs the taxpayer over a billion pounds a year.

Enough of dinghies arriving illegally on our shores, directed by organised crime gangs.

Enough of people drowning on these dangerous, illegal, and unnecessary journeys.

Enough of people being trafficked and sold into modern slavery.

Enough of economic migrants pretending to be genuine refugees.

Enough of adults pretending to be children to claim asylum.

Enough of people trying to gain entry illegally, ahead of those who play by the rules.

Enough of foreign criminals – including murderers and rapists – who abuse our laws and then game the system so we can't remove them.

The British people have had enough of being told none of these issues matter – enough of being told it is racist to even think about addressing public concerns and seeking to fix this failed system.

The British people have repeatedly voted to take back control of our borders.

They finally have a government that is listening to them.

Our priorities are the People's Priorities.

For the first time in decades we will determine who comes in and out of our country.

Our plan will increase the fairness of our system so that we can better protect and support those in genuine need of asylum.

It will deter illegal entry into the UK, and importantly break the business model of people smuggling gangs and protecting the lives of those they endanger.

And it will remove more easily from the UK those with no right to be here.

For years people have risked their lives to enter our country illegally.

Such as those crossing the Channel in dangerous small boats to claim asylum.

If there were simple or straightforward solutions, this issue would have been resolved by now.

But illegal entry to the UK and subsequent claims of asylum has become a very complex issue and nature of cases that arise.

I am clear that no one should seek to put the lives of their family and themselves in the hands of criminals to enter the UK illegally.

This Bill will finally address the issues that have resulted in the broken system of over a long period of time of illegal migration.

A system that has been abused for decades, allowing criminals to put the lives of the vulnerable at risk.

This Government is doing everything in its power to fix it.

A fair asylum system should provide safe haven to those fleeing persecution, oppression, or tyranny.

As a nation we have always stepped up to support refugees in need. This is a source of great national pride and will never change.

Since 2015, more than 25,000 refugees have been resettled in the UK from regions of conflict through formal schemes – more than any other European country.

In addition to that, more than 29,000 close relatives have also joined them in the UK in the last five years.

This country is not mean-spirited nor ungenerous towards asylum seekers, as some may claim, otherwise they would not be drawn to come to the UK.

Anyone claiming asylum in the UK receives accommodation, transportation, cash and subsistence support while their application is considered.

The system is generous – costing the taxpayer over one billion pounds each year – it's right we reform the system.

The very principle of seeking refuge has been undermined by those who pay their way to travel through safe countries to then come to the UK to claim asylum.

People should be claiming asylum in the first safe country they reach, and not using the UK as a destination of choice.

That is why our intention is to address this broken system so that we can support those in genuine need to resettle here.

We are strengthening the safe and legal ways in which people can enter the UK – adopting a fair but firm approach.

From today I am granting indefinite leave to remain to refugees resettled under our world-leading resettlement schemes.

Giving them the vital freedom to succeed from the moment they arrive in our country.

And importantly offering certainty and stability to help them rebuild their lives from day one.

Because that is the right thing to do.

Building on our proud record to support those in need.

Like the brave Afghan nationals who worked alongside our brave military – who are now benefitting from a bespoke resettlement scheme.

In addition to British Nationals Overseas from Hong Kong whose liberties were restricted, who are now able to live freely in the UK with a full pathway to citizenship thanks to the route we opened this year.

We will always give people coming through safe resettlement schemes the support they need, of course that is the right thing to do.

From learning English to gaining employment and training – they will gain the essential skills to build a new life in the UK.

New pilots to support refugees into work are already happening.

Community Sponsorship Schemes are helping local communities support refugees directly.

We want to do more, and we are empowering more schemes like these every day.

I am announcing that those displaced by conflict and violence will now also be able to benefit from to access to our global points-based immigration system.

To enable skilled displaced people who have had to flee their homes to come to the UK safely and legally through established routes.

We will work with the charity Talent Beyond Boundaries and other partners on this pilot project.

Up to 100 refugees in Jordan and Lebanon will be supported first to gain sponsorship from a UK employer.

These are the type of schemes that we will build upon.

This is in addition to our world leading resettlement schemes.

Providing greater support to refugees arriving safely will reduce the incentive to enter this country dangerously and illegally.

Because the British people object to illegal entry, and they are absolutely

right.

8,500 people arrived by small boat in 2020. 87% of them were men. 74% were aged 18 to 39.

Those who claim it is heartless to stop these illegal crossings have it the wrong way around.

It would be heartless and immoral to let them continue.

These journeys are dangerous. People have drowned in the Channel, and thousands have died in the Mediterranean.

It isn't just illegal sea journeys that are lethal.

One of my first and saddest tasks as Home Secretary was to respond to the devastating and preventable deaths of 39 Vietnamese people in a trailer found in Essex.

The judge described their deaths through suffocation as "excruciatingly painful".

This terrible crime was highly organised gang activity.

In recognition of the severity of this appalling crime, five members of the people smuggling gang were jailed, with the two ringleaders going down for 20 and 27 years respectively. Two lorry drivers were imprisoned on manslaughter charges, with sentences of 18 years and 13 years four months.

Such cases are not just heart-breaking.

They are truly evil and we have a moral duty to prevent them.

There is simply no justification for what is going on.

People smugglers are motivated by profit. They line their pockets with the takings – finance other crimes such as drugs and firearms trafficking.

They don't organise illegal entry by small boat or in the back of lorries out of kindness.

Three weeks ago, late at night, I received what I can only describe as a sickening call from Border Force officials at the Home Office.

They told me that there were reports of a family attempting to make their way across the Channel who had been separated.

They said people smugglers in Northern France had forced a mother and father to get into a small boat, at gunpoint.

They said they the family were told their two young daughters would be put into the next boat. As the parents refused to let their children be separated, the people smugglers threatened them again.

The anguish and distress of these parents is unthinkable.

Yet it is all too common for families to be put in these perilous situations by criminal gangs.

Organised gangs involved in exploiting and trafficking children and fuelling modern slavery.

Border Force is also hearing that facilitators use violence and the threat of violence – including rape – to control people. We are talking about unimaginable wickedness.

We cannot – in good conscience – fail to act.

We have a moral obligation to stop this vile trade. Because human beings are not cargo.

The status-quo is entirely unacceptable which is why we are considering all options to fix the system and save lives.

We are determined to smash the criminal gangs who cause such misery – and we will absolutely break their business model.

It is illegal to arrive in UK waters without permission. Those that bring them here and facilitate illegal entry will now face a life sentence.

This criminal and exploitative behaviour can now be punished with the severity it rightly deserves.

The maximum prison sentence for entering the country illegally will also rise from six months to four years.

We are sending a signal that there is increased risk to paying and propping up criminal gangs to get to the UK illegally.

This Bill will also give Border Force additional powers.

This includes the seizure of vessels used to facilitate illegal entry to the UK.

Border Force will also be able to search all freight for people suspected of seeking illegal entry.

To prevent illegal trafficking and facilitation, like the case of almost 50 minors who were recently found hidden in tiny crevices in the back of a lorry with no chance of escape.

This is what we are dealing with.

We are also making the border fully digital which will allow us to count people in and out, help us to stop dangerous people coming here.

Anyone who isn't a British or Irish citizen will need to provide more information about themselves before they travel, including any history of

criminality.

Electronic Travel Authorisations will be a major step up in our border security.

Carriers will check that passengers have this digital authorisation or another form of digital permission like a visa before they travel.

They will risk a civil penalty if they fail to deny boarding to those without permission.

We are also increasing the maximum penalty for hauliers caught entering the UK with an illegal migrant on board from two thousand to five thousand pounds.

In addition to the changes, we will introduce new accommodation and reception centres.

These are already used by many countries across Europe and elsewhere.

They will provide new accommodation for processing claims and speeding up claims. Asylum seekers will be allocated to accommodation centres by the Department and the Home Secretary, rather than dispersing people across the UK.

Currently detained appeals are subject to the same rules as non-detained appeals. There is no set timeframe in which decisions have to be made. This can result in appeals taking a long time.

We will reinstate an accelerated appeal process that is fast enough to enable claims to be dealt with from detention while ensuring that a person who is detained has fair access to justice.

This will expedite the removal of people without a legitimate need to claim asylum in the UK.

In recent years we have seen some of the most shocking cases of grown adults – mostly men – claiming asylum as children.

Through deception they have been able to access children's services and education – leading to the most worrying safeguarding issues.

This Bill will change how someone's age is assessed.

Many countries around the world and across the EU already employ safe scientific methods, and we will start doing so.

This will stop people falsely claiming to be children and protect genuine children from being moved into the adult asylum system.

The British people are incredulous that it is so hard to remove foreign criminals and failed asylum seekers from our shores.

We are therefore amending the Early Removal Scheme to help us remove foreign

criminals from the UK as early as possible.

The British people have also had enough of foreign criminals getting one over on us.

One Foreign National Offender first claimed asylum in 2001, choosing to leave the UK voluntarily in 2009. He re-entered in 2011 with his wife and child, claiming asylum for a second time.

He was deported in 2015 after a 15-month sentence for sexual assault on a child. He returned to the UK in breach of his deportation order in 2017 and was arrested and detained.

He then made a fresh asylum claim. He appealed that refusal and eventually exhausted his rights to appeal.

In detention he sewed his lips together, refused food or fluid and declined healthcare. In 2018 he was released on health grounds with electronic monitoring.

He appealed this decision through the Family Court, and a hearing was scheduled months later, acting as a barrier to removal.

In early 2018 he cut off his electronic tag.

In 2019, he was arrested on suspicion of murder after his estranged wife was found dead.

This is not justice.

Things cannot continue like this; we must change the law so that we can remove dangerous foreign criminals and ensure that justice is done.

This Bill raises the maximum sentence for any foreign criminal that returns to the UK in breach of a deportation order from six months to five years.

It speeds up appeals and stops the endless cycle of baseless claims.

People who are subject to removal action often wait until the very last minute to make a challenge, leading to cancelled flights and delayed removals.

Time and time and time again, we see murderers, rapists and child abusers launching numerous, new, last-minute claims to attempt to try and stay in the UK. This is simply not right.

These last-minute claims and appeals mean criminals can thwart removal from our country.

Even when they are on the tarmac ready to be removed from the UK. We have had to many cases like this and the British people are sick of this.

Through this Bill all protection-related issues will need to be raised upfront – in one go – including modern slavery.

This will stop the endless cycle of people raising repeated claims to frustrate their removal.

Our approach is of course, fair but firm.

The notice period of an intention to remove someone will be standardised.

And we will provide fair access to justice and legal advice for these individuals

Slavery is one of humanity's greatest evils – and it has never gone away.

We will continue to protect victims of modern slavery, by creating a statutory grant of leave for confirmed victims.

They need time to recover from their horrendous ordeals. And the authorities need time to bring perpetrators to justice.

But the law on modern slavery is being exploited.

There has been an alarming increase in the number of illegal entrants and Foreign National Offenders – including child rapists and people who pose a national security risk – seeking modern slavery referrals, to avoid immigration detention and frustrate removal from the UK.

One individual who was granted Indefinite Leave to Remain in the UK had that leave revoked following persistent offending that led to prison sentences adding up to more than 12 months.

They were subject to a Deportation Order – a decision upheld by the courts.

On the day they were due to be removed, they made an asylum claim.

Once that was refused, they claimed to be a victim of modern slavery – in relation to incidents from several years before they came to the UK.

This was referred to the National Referral Mechanism, which rightly identifies and supports victims of modern slavery. Decisions on these cases currently take around 12 months, with a low bar for postponing removal.

This person was released from detention and their removal was postponed. They subsequently absconded and went on to commit further serious offences.

This Bill contains vital measures to ensure victims are identified as quickly as possible, while making it is easier to distinguish between genuine and non-genuine accounts of modern slavery.

Help and support will be available to someone when there are reasonable grounds to believe the person “is” a victim, rather than that they “may be” a victim.

People claiming asylum or human rights protections will be required to provide relevant information relating to being a victim of slavery or human trafficking within a specified period. If they provide information outside of

that period, they will need to provide a statement setting out their reasons for doing so.

It is right we pour all our resources into helping genuine victims of modern slavery, and not allow dangerous foreign criminals who fake it to push them aside and abuse the system for their own despicable means.

We maintain a list of safe countries that consistently adhere to international human rights laws, to stop people delaying removal by falsely claiming their human rights are at risk.

Every EU country will be on that list, as they are all safe countries. Furthermore, we are taking a power to allow us to remove as well as add countries so the list can remain relevant and appropriate to our needs as our assessment change.

If someone's human rights claim is clearly unfounded, there will no longer be a right to appeal.

Whether someone has complied with the asylum or removal process will also be considered when deciding whether to grant immigration bail.

And other countries must co-operate in taking back those citizens who have no right to be in the UK.

If countries do not co-operate in the return of their own nationals, their access to our generous, fast, and open visa system may be at risk.

Every effort will be made to remove those who enter the UK having travelled through a safe country in which they could and should have claimed asylum.

For first time whether how you arrive in our country will impact how your claim is progressed.

Those whom we cannot remove, but whose claims prevail, will only receive temporary status with limited entitlements.

Anyone who arrives illegally will be deemed inadmissible and either returned to the country they arrived from or a safe third country.

People who do make a successful claim after arriving via another safe country may receive a new temporary protection status, without the same benefits and entitlements. This will be reassessed periodically.

This Bill also makes it easier to remove someone to another safe country while their asylum claim is processed.

We will recover taxpayers' money from lawyers where their unreasonable behaviour wastes the court's and the other parties' resources.

And on this point, we are closing a loophole that prevented the defence of some immigration decisions on the grounds of national security.

I am resolute that we must fix the terrible injustice suffered by the Windrush Generation and others who were denied British citizenship unfairly across successive governments.

I have already overhauled the Windrush Compensation Scheme and urge colleagues in the House to help us encourage people to come forward.

What happened to them must never be repeated.

That means fixing outdated nationality laws.

This Bill gives the Home Secretary power to grant British citizenship to people who would have become British citizens if not for unfairness and exceptional circumstances beyond their control.

For example, in one case an individual had to be refused citizenship due to an absence from the UK on a given day, in spite of many years of previous residence, even though it was of course no fault of his own.

The Bill provides further flexibility to waive residency requirements, to help members of the Windrush Generation and others acquire British citizenship more quickly.

And it will finally mean children unfairly denied British Overseas Territories Citizenship will finally be able to acquire citizenship as well as British citizenship.

Laws must be clear and easy to understand.

The Windrush Lessons Learned Review by Wendy Williams said that immigration and nationality law is very complex.

The Bill gives the Home Secretary the power to simplify and consolidate immigration law so we can address citizenship anomalies.

The British people are generous and compassionate.

They give billions every year in overseas aid. They embrace those in genuine need and want to see people succeed.

They simply want a system that is fair and firm.

Fair to the British people, fair for those in genuine need, but firm against criminals and those who exploit our generosity by gaming the system.

This Bill is critical to delivering that new fair but firm system.

It is central to our New Plan for Immigration.

It addresses decades of failure and goes to address decades of failure.

Our borders will be secure. The rules will be easy to understand.

We want to slam the door on foreign criminals, put organised crime gangs out

of business and give more help to those in genuine need.

Everyone who plays by the rules will encounter a new system that is fair but firm.

As representatives of the British people, we will finally be in control of many of these challenging issues – this government is committed to fixing this broken system.