

Yesterday the Borders Bill passed the Commons

I thought I would reproduce the government's statement on its Borders bill, as some of you are complaining that the government is not doing enough to stop illegal migration and some are concerned about government intentions.

The Bill will be firm but fair: fair to those in genuine need, but firm to those who break the rules.

The principles behind the Bill are simple. Access to the UK's asylum system should be based on need, not on the ability to pay people smugglers; Illegal immigration should be prevented. Those with no right to be in the UK should be removed. Those in genuine need will be protected.

The case for change is overwhelming.

The system is broken. We stand by our moral and legal obligations to help innocent people fleeing cruelty from around the world. But the system must be a fair

one. In 2019, UK asylum applications increased by 21% on the previous year to almost 36,000 – the highest number since the 2015/16 European 'migration crisis'. The current appeals system is too slow. As of May 2020, 32% of asylum

appeals lodged in 2019 and 9% of appeals lodged in 2018 did not have a known outcome. Shockingly, the asylum system now costs over £1 billion a year to run.

The Bill – and the wider New Plan for Immigration – has three key objectives:

1. Make the system fairer and more effective so that we can better protect and support those in genuine need of asylum. Over the last six years the UK directly resettled 25,000 people from places of danger – more than any other country in Europe.

2. Deter illegal entry into the UK breaking the business model of criminal trafficking networks and saving lives. Small boat arrivals reached record levels this year, with over 3,700 people arriving in the UK this way in the first

five months of 2021. This is more than double the comparable figure for 2020.

3. Removing from the UK those with no right to be here. In 2019, enforced returns from the UK decreased to just over 7,000 (7,192), 22% lower than the previous year, and continuing a downward trend since 2013.

To make the system fairer and more effective, we will:

- Continue to resettle genuine refugees directly from places of danger, which has protected 25,000 people in the last six years
- Continue to offer refugee family reunion, which has seen a further 29,000 people come to the UK over the last six years
- Meet our statutory commitment to lay in report in Parliament on the outcome of the safe and legal routes review including family reunion for Unaccompanied Asylum Seeking Children (not in legislation but being taken forward alongside the Bill)

- Improve support for refugees to help them build their life in the UK, integrate and become self-sufficient members of our society.
- Introduce a new temporary protection status for those who do not come directly to the UK or claim asylum without delay once here but who have, in any event, been recognised as requiring protection. This status will afford only basic entitlements whilst still meeting our international law obligations.
- Introduce reception centres for asylum seekers and failed asylum seekers who require support (to replace hotels) so that they have simple, safe and secure accommodation to stay in while their claims and returns are being processed.
- Introduce a new and expanded 'one-stop' process to ensure that asylum, human rights claims, and any other protection matters are made and considered together, ahead of any appeal hearing. This will prevent repeated last-minute meritless claims that are simply designed to frustrate proper removal. Introduce a new legal advice offer to support individuals so that all relevant issues can be raised at one time.
- Strengthen the law to withhold modern slavery protections from serious criminals and those who pose a threat to national security, set out the circumstances in which temporary leave to remain should be granted to confirmed victims of modern slavery and clarify the decision making thresholds for potential and confirmed victims, in line with our international obligations.
- Reform nationality law to make it fairer and to address historic anomalies. To deter illegal entry into the UK, we will:
 - Introduce new and tougher criminal offences for those attempting to enter the UK illegally by raising the penalty for illegal entry from six months' to four years imprisonment and introducing life sentences for people smugglers.
 - Provide Border Force with additional powers to:
 - o Search unaccompanied containers located within ports for the presence of illegal migrants using them to enter the UK;
 - o Seize and dispose of any vessels intercepted and encountered including disposal through donation to charity if appropriate;
 - o Stop and divert vessels suspected of carrying illegal migrants to the UK and, subject to agreement with the relevant country such as France, return them to where their sea journey to the UK began.
 - Increase the penalty for Foreign National Offenders who return to the UK in breach of a deportation order from six months' to five years' imprisonment.
 - Implement an Electronic Travel Authorisation (ETA) scheme, similar to the USA ESTA programme, to block the entry of those who present a threat to the UK.
- To remove from the UK those with no right to be here, we will:
 - Confirm that the UK may remove people including criminals to a safe third country and declare as inadmissible those who come here from a country where they could have claimed asylum, so that they can also be removed to another

safe country

- Introduce expedited processes to allow rapid removal of those with no right to be here

- Introduce a power to impose visa penalties on countries that do not cooperate

on the removal of its nationals who do not have a right to be in the UK.

- Ensure that compliance with the asylum or removal process without good reason must be considered in deciding whether to grant immigration bail.

- Increase the length of the window in which Foreign National Offenders can be

removed from prison under the Early Removal Scheme for the purposes of removal from the UK.

- Place in statute a single, standardised minimum notice period for migrants to access justice prior to enforced removal, and confirm in statute that a new

notice period does not need to be re-issued following a previous failed removal,

for example where the person has physically disrupted their removal.

We need to act now.