

30 January 2022

Refugee Council chief wants radical changes in UK asylum policy: Enver Solomon addressed the AEJ at an online meeting on 26 January

By Charles Jenkins, AEJ UK Secretary

Enver Solomon began by setting out what the Refugee Council sees as fundamentally wrong about the UK's policies on asylum seekers and refugees. First of all, those policies have not brought about the results the government wanted -- even though the refugee issue has, he says, been the focus of more meetings at Number Ten than any other major issue except the Covid pandemic. In his view the Borders and Nationalities Bill currently making its way through the House of Lords would make matters much worse unless major amendments are made. And Solomon said the legislation as currently proposed would drive a coach and horses through the 1951 Geneva Convention on Refugees, contradicting two key elements of that Convention - firstly the requirement for responsibility sharing among states and secondly the principle that the individual asylum seeker should have agency over where he or she seeks asylum.

One of the driving forces behind government policy was the promise made in the referendum campaign that leaving the EU would lead to "taking back control" of our borders, and the fear of a backlash from Leave voters if the government was not seen to be delivering on that promise. In the speaker's view that logic has led to a series of bad decisions. Secondly, the government wants to do everything possible to counter the alleged pull factor of any idea that Britain is seen as a favourable haven for refugees. The draft legislation would effectively treat asylum seekers in the same way as criminals, for example by the use of detention and tagging. In fact the government is far from starting out with lax policies as it seeks to make conditions for asylum seekers even harsher. On the contrary, draconian measures, designed to make life as tough as possible for those seeking refuge, such as the introduction of vouchers in place of cash support, have long been in place, introduced by past Labour home secretaries. And the ban on asylum seekers working for several years after arrival, which has also been in place for a long time, goes against practice that have been effective in some other European countries.

The bill now before parliament would mean that anyone trying to come to the UK across the Channel who had passed through third countries on the way would automatically be deemed illegal, and the aim would be to deport as many of them as possible -- although this will be difficult in practice as the UK post Brexit does not have return agreements with most countries. Those allowed to stay would only be given 30 months temporary protection, after which the Home Office could remove take that protection away. The government has floated the idea of processing claimants in countries as far away as like Albania, Ghana or Rwanda, although so far there is no sign of any willingness on the part of any of those countries to oblige.

There is a major lack of accommodation for asylum seekers awaiting decisions on their claims, with the result that at least 10,000 are already in hotels, including many recent arrivals from Afghanistan. Enver Solomon described the conditions in many of those hotels as "horrendous". After a five year-old boy died from falling out of a

window in a hotel in Sheffield, it became clear that no-one had done proper safety checks on the windows of a hotel where fifty children were staying at the time. Growing numbers and overcrowding have often led to poor mental health and to young people harming themselves. As their mobile phones are removed there is no way for them to keep in touch with relatives, track the progress of their cases or get legal advice. Despite the impression given by the government, about two thirds of those who ask for asylum are found at their initial hearing to have a good case to remain; and that number is higher after appeals have been heard.

One of the government's mantras is that the asylum system is "broken", and Solomon says that is all too true, given that there are 70,000 people waiting for more than six months for their cases to be decided, 30,000 for more than one year and 5,000 for several years. To its credit, the Home Office has doubled the number of case workers and decision makers to deal with the backlog. However, if the bill is passed, it is likely to add to the numbers waiting for a decision, and there are no adequate proposals to work with local governments to deal with the accommodation crisis.

Asked to spell out what concrete changes in asylum policy the Refugee Council wants to see, Enver Solomon said the most urgent priority was to prevent the bill becoming law -- especially the proposed ending of the right of all asylum seekers to be given a fair hearing in this country regardless of how they got here. Secondly, asylum seekers should be given the right to work. In this the Council has the support of former Conservative leader Iain Duncan Smith, who does not think public money should be spent on supporting asylum-seekers if instead they could work and support themselves. A concession had been made in that care workers have been added to a list of occupations exempt from the prohibition on working; other exemptions require technical qualifications which most refugees do not have. The Refugee Council believes they should be allowed to work in other professions without administrative delays. Thirdly, the UK must guarantee the right of refugees to be joined by close family members they have left behind, and drop proposals to curtail that right still further.

Internationally, he said, the UK should take its own initiatives to ensure "safe routes" for asylum-seekers and migrants so they could apply to come to the UK without undertaking highly dangerous journeys at the mercy of people smugglers and human traffickers. Solomon was adamant that it would never be possible to stop people from crossing the channel by boat by policing the waters. Instead other means must be created for them to claim asylum safely. The situation required intelligent cooperation between the French and British. He proposed that the UK should agree with France to establish facilities on the French side of the Channel so that UK officials can identify those seeking to come to the UK who do have meaningful British connections, and then provide them with safe passage to make their applications over here. The French should also improve their reception facilities, he added.

Enver Solomon pointed out that it was quite wrong to suggest that the UK was facing a larger influx of asylum-seekers than other European countries. On the contrary, France for example currently accepts about twice as many refugees per year as Britain does.

Solomon gave a fairly upbeat assessment of public opinion in relation to accepting refugees. He said that around 25-30% of the public are generally supportive of the Refugee Council and its approach, while 25-30% were firmly against and most of the rest open minded. Strong public sympathy for Afghans who had worked with the UK before the Taliban's return to power and were not trying to get to safety in Britain was reflected in the fact that the Refugee Council had been overwhelmed with offers of help in resettling the 15,000 or so who had already arrived here. The Refugee Council was one of three charities supported in the Christmas Appeal of Times Newspapers, and it had been the first choice of fully half of all the donors. He added that, in carrying out its work and campaigns, the Refugee Council has support from a wide range of businesses, local authorities, community groups and individual politicians from all political parties.