



asylum matters

Media Briefing

Border Security, Asylum and Immigration Bill ([Bill Presentation](#))

Last updated: 07 February 2025

Summary of the Bill

Top Lines

Background

Summary of the Bill

- Cap on numbers using resettlement routes
- Repeals the Safety of Rwanda Act and the 'duty to remove asylum seekers' aspect of the Illegal Migration Act 2023
- Continuing the ban on people who've survived slavery & exploitation who have criminal convictions from claiming modern slavery protections
- Counter-terrorism powers
- Additional powers to prosecute people seeking asylum with the expansion of offences

Top Lines

Continuity with failed anti-refugee laws

- The Government calls this an asylum bill - but it's **devoid of policies that would actually improve the asylum system.**
- Instead, it **doubles-down on the failed policies of the previous Government**, by fixating on border securitisation and criminalisation of people seeking sanctuary.

- Despite scrapping a few of the last Government's most harmful headline policies, this bill fundamentally represents **more of the same failed anti-refugee laws**, which fail on their own terms and cost lives.
- We know **this won't work because it has already been tried**. All these policies achieve is more deaths, more suffering and more delays. We all deserve better.

A better alternative

- The good news is, **a better system is possible**. By listening to experts in the asylum system, particularly those who've experienced it first hand, the Government has the chance to build a system that's **faster, fairer, and better for everyone**.
- Step one would be **ending irregular migration by creating safe routes into the country** - the only real way to save lives and destroy the business model of people smugglers.
- **Restoring the right to work** to people seeking asylum would allow people to get on with their lives faster, **boosting the economy by £333million** a year, helping people thrive in their communities and reducing the cost to the taxpayer.
- By focusing on **tackling the backlog and legal aid crisis** that leaves people waiting years to make their claims without proper advice, the Government could help people seeking asylum get on with their lives faster.
- By ensuring people are **housed in communities, not camps**, it could improve community cohesion and stop forking out millions to private companies to run these dangerous camps.
- Finally, **ending the hostile anti-refugee rhetoric** that has been prominent in political discourse over recent years and remains at the heart of this bill, the Government could stop contributing to a hostile environment that includes violence by far right groups, and instead **lead by example by promoting messages of compassion and welcome towards people seeking safety**.

Channel fatalities and failure on its own terms.

- Not only will this bill not improve the asylum system, it won't even achieve its stated aim of stopping small boats. Talking tough on borders and ramping up enforcement may play well with a vocal minority of anti-migrant voices. But it **won't stop boat crossings. It won't stop people smugglers. And it won't stop Channel fatalities**.
- UNHCR reflected that 2024 was **the most lethal year on record** at our border with at least 69 people killed. Further border securitisation will drive further deaths at our border. Each new, harsher policy approach to militarising our border has caused a rise in fatalities.
- We fear continuing with these failed policies will mean **further needless loss of lives**. More border violence, more Channel crossing deaths, more

vulnerable people being wrongly criminalised.

- Instead of creating safe routes, this bill would place an **arbitrary cap** on the number of people who can use the increasingly rare resettlement routes that still exist. This will not only **drive-up irregular migration**, but it represents us **abandoning our obligations to refugees often displaced by wars we started in countries we colonised**.

Criminalising vulnerable people

- What we know is that when the Government steps up its efforts to criminalise people smugglers and human traffickers, it's **more often than not the victims of these criminals that get caught** in the net.
- **At least 500 people, including unaccompanied children, have been arrested and incarcerated** for immigration offences including 'illegal arrival' since the Nationality & Borders Act of 2022. The **vast majority are seeking asylum and are from countries such as Sudan and Afghanistan**, which are high asylum grant rate nationalities. Many are **survivors of trafficking and acute physical violence including torture**. The introduction of these offences has not stopped people crossing in small boats, **nor has it deterred smugglers** from facilitating these journeys.
- This bill creates new offences that target individual migrants - so **it is likely to lead to yet more people unjustly imprisoned**.
- The last thing vulnerable refugees, torture survivors and trafficking victims need is **counter-terrorism powers wrongly being used against them**. We don't need more enforcement powers, we need **an efficient system of safe regularised routes to put smugglers out of business**.
- When Starmer's Labour opposed the disastrous Conservative Illegal Migration Act – Starmer pointed out that the legislation would **“drive a coach and horses” through protections for women trafficked to the UK as victims of modern slavery. This bill will ban those same survivors** from claiming modern slavery protections.
- The Government's safeguarding minister Jess Phillips claimed the erosion of modern slavery protections in the Illegal Migration Act were **“a trafficker's dream, a tool for their control” which this bill reinforces**.
- Punishing people who've been forced to make dangerous journeys for offences including **researching the route they have to take** will only make these crossings more deadly.

- The bill also includes powers to prosecute people for endangering the lives of others on small boats - we know this leads to the **criminalisation of vulnerable and desperate refugees** who may agree to 'man the tiller' for a discount from the smugglers.

Background

This document is designed to provide topline which we believe may be useful when communicating about the bill to the media and the general public, and is not a full summary of the legislation.

We'd like to offer our thanks to Victoria Taylor and the University of Oxford's Centre for Border Criminology & Border Criminologies and Maddie Harris and Humans for Rights Network for their expertise on the criminalisation aspects of the legislation. You can find their full briefing on this [here](#).

The Refugee and Migrant Children's Consortium briefing for the Second Reading in the House of Commons can be found [here](#).

Coram Children's Legal Centre has a summary of the bill [here](#).

Visit the [Fight For Asylum Rights website](#) for more on campaigning around this bill.