

The Detention Forum



Asylum Policy January 2021

This policy paper on asylum policy has been developed as a result of an open meeting held with members of Detention Forum on 14th January 2021. Our members sought to answer the key questions set out in this paper.

This paper sets out how our members believe an asylum policy should be implemented, and that the use of immigration detention should not have a part to play in any such policy. The Forum is keen to use this policy paper as the basis for our communications and campaigning work.

Our views on asylum policy

People are dying as they seek safety from their home country. It is therefore important that there are safe and legal routes to the UK for people who need international protection from violence and persecution. We believe that people seeking asylum should be welcomed in the UK and not placed in either detention centres or army style barracks; there should not be a policy of detention by default. People should have early access to quality independent legal advice to be able to make the case for protection. We believe that there should be an assumption of people being believed rather than starting from a position of disbelief. We think that decision-making should be swift, but that people should be supported to make their most effective case for protection.

We believe that people arriving in the UK by irregular routes should not be penalised for doing so, as there are so few safe and legal routes for people seeking protection.

We are concerned that people are forced to accept government funded accommodation on a no choice basis which is often inadequate, cold, cramped and insanitary accommodation including initial accommodation in hotels, and about the confiscation of personal items on arrival. We are also very concerned by how the lack of welcome to people arriving in the UK and lack of ongoing support can massively deteriorate their mental health.

We believe that the role of the voluntary sector is a crucial part of welcoming people seeking asylum in the UK. We can offer them independent, safe space at a time when so much is happening to them, to provide support and enable social connection. We are concerned at the continued use of large companies providing inadequate services so that they can make money out of reducing their costs to the absolute minimum.

We see that learning English is vital, and it is so difficult to access justice with poor English. We see that interpretation is very important but that there should be a use of proper, registered interpreters who are able to speak the correct dialect. We also want to see asylum decisions being made right first time given the astonishingly high rates of appeal success. ?

We believe that people seeking asylum should be able to live in the community, and not placed in detention or in army style barracks. We also think that people seeking asylum should not be housed in remote locations where the intention is clearly to isolate them and to make access to services difficult; we believe the principle of a right to connection is key.

We remain highly concerned about the human suffering caused by the policy of no recourse to public funds. The current pandemic has highlighted the absurdity of this position, and no one in this country should be forced to live without any means of supporting themselves.

We strongly see the need to welcome people and to help them to orientate to this new country. The words that we use are so important and it is vital to use respectful language, which is humane and shows understanding. We also need to highlight why people are forced to flee to the UK as a result of the consequences of war, conflict and persecution.

We think that people seeking asylum should have the right to work, but that they should be supported financially if that is not possible.

Above all we want to see a culture of welcome and support embedded across our communities for people seeking asylum.

Our policy calls on detention and asylum

We believe that the inhumane practice of detention should have no part in the asylum process (or indeed in a humane and fair immigration system)

We firmly believe that we should not lock up people, who have not committed a crime. We believe that this is a fundamentally important principle. The current system of detention ignores people's vulnerability, and by hiding people away in detention centres it exposes them to exploitative and abusive behaviour. We believe that any argument around promoting a hostile environment is redundant if, as is the case, your target audience is actually fleeing for their lives.

We believe that detention should be the absolute last resort. And we know that there is international evidence that if the process is seen to be fair and people are listened to that they are much more likely to engage with the process. This is why we believe that community-based case resolution is a far more effective way to conduct an immigration system than a lazy default setting of detention.

We want to see respect for the Rule of Law and that no-one should be locked up if they have not been convicted of a crime.

We believe that people seeking asylum should be supported in the community through a system of community based case resolution. We think that this support should also be offered to people who have no more appeal rights but maybe still have evidence to support their claim that they feel has not been listened to or who need help to explore their future options.