

Table 1: Summary of national laws, plan and strategy for immigration and asylum in the UK

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Broadly speaking, the UK government's stance is to try to control immigration, and as a result it has very strict immigration policies.

The UK prime minister Theresa May has spoken about the UK Government's view on immigration. The government aims to control immigration at the borders, to help "distinguish between refugees and economic migrants", to ensure that "refugees claim asylum in the first safe country they reach". The prime minister also states that the government is committed to "developing a better overall approach to managing economic migration which recognises that all countries have the right to control their borders and that all countries must commit to accepting the return of their own nationals when they have no right to remain elsewhere."

The government will also "work more closely with both source and transit countries and to... do more to help these countries prevent illegal migration and to return migrants who have no right to stay in EU countries"

The government also stresses that it is committed to providing humanitarian aid and supplies to war-torn countries such as Syria that need it and helping to make it safe for people to stay in their country of origin. (Gov.UK website)

"The UK asylum system is strictly controlled and complex. It is very difficult to get asylum. The decision-making process is extremely tough and many people's claims are rejected" (Refugee council)

"The UK's national laws are subject to the European Convention on Human rights and the UN refugee convention... the refugee convention has not been directly incorporated into UK domestic law, but its provisions influence the formulation of immigration rules, and practices contrary to the convention are not permitted" (Library of Congress website)

"The UK has extensive provisions in place to provide protection to persons seeking asylum while protecting the public from individuals who try to exploit the asylum system. The application process for asylum seekers starts at the border. A fast track process has been developed. which allows certain applications to be rejected upon receipt if the individual is from a country deemed safe by the UK. For all other applicants a decision is made on the well-established criteria of whether the individual has a well-founded fear of persecution or other harm. A new process has been introduced in response to the Syrian crisis, which accepts selected refugees from the Syrian region" (Library of congress website)

The Aliens restriction Act, the Immigration Act 1971 have set the precedent for the UK to control levels of immigration into the UK. In the 2000s there was an increase in the numbers of people seeking asylum, and the public responded negatively which led the government to introduce stricter measures on immigration. The numbers did decrease but then increased again. Due to the stricter policies and procedures and large numbers of applications, there is a large backlog of applications.

"As a general rule, asylum seekers may apply for asylum only after entering the UK. Asylum applicants who meet the application criteria receive refugee status. Applicants who do not receive refugee status may still be granted leave to remain in the UK for humanitarian or other reasons if there is a real risk that they would suffer serious harm after returning to their country of origin... Refugee status and humanitarian protection provide the individual with permission to reside in the UK for an initial period of 5 years with the right to work and access welfare benefits. Lawful residence in the UK for a continuous period of five years generally qualifies an individual to apply for UK citizenship. If a person does not qualify for refugee status or humanitarian protection but removal would breach the UK's human rights obligations...he/she may be granted temporary permission to remain in the UK. This leave will typically be subject to conditions. The UK offers very limited refugee resettlement programs whereby selected refugees are able to come and settle in the UK without having to go through the asylum process described above. Currently there is a program for vulnerable Syrian refugees" (Library of Congress website)

Biometric information must be provided when entering the UK and this is checked against other databases such as the Immigration Asylum Fingerprint system. (Library of Congress website)

Source: UK Government website, Library of congress website, Refugee council website

https://www.refugeecouncil.org.uk/policy_research/the_truth_about_asylum/facts_about_asylum_-_page_5

<http://www.loc.gov/law/help/refugee-law/unitedkingdom.php>

<https://www.gov.uk/government/speeches/pm-commons-statement-on-the-european-council-19-december-2016>

<https://www.gov.uk/government/speeches/pm-commons-statement-on-the-european-council-24-oct-2016>