



Home Office

Rt Hon Robert Jenrick MP
Minister of State for Immigration

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Dr Onkar Sahota AM
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27 March 2023

Dear Dr Sahota,

Thank you for your letter of 17 March to the Home Secretary about the Illegal Migration Bill. I am replying as the Minister of State for Immigration.

The volume of illegal small boat arrivals has simply overwhelmed our asylum system. The backlog of asylum claims has ballooned to over 160,000 with the asylum system now costing the British taxpayer £3 billion a year. Since 2018, some 85,000 people have illegally entered the UK by small boat – 45,000 of them in 2022 alone. All travelled through safe countries in which they could and should have claimed asylum. We have a duty to house them and the bill for hotel rooms has now reached £6 million a day. That is unsustainable. The small boats problem is part of a larger global migration crisis, but one that this Government is committed to tackling, including with international partners.

Aside from the huge cost to the British taxpayer, the risk remains that these individuals just disappear. When we try to remove those whose claims are dismissed, they turn our generous modern slavery laws against us to prevent removal. The need for reform has been obvious and urgent.

As you may be aware, stopping small boats crossing the Channel was one of the five promises the Prime Minister made to the British people in January 2023. The only way to stop the boats and deter illegal migration is to make clear that if you arrive here illegally you are not going to be able to stay here. Instead, you may be detained and promptly removed either to your home country or a safe third country. This is the only way to deliver the deterrent needed to stop people making these dangerous, unnecessary, and illegal crossings. These people-smuggling gangs who co-ordinate the crossings exploit the vulnerable and use their profit for other criminal activity such as drugs and weapons smuggling. By removing their clients we remove their profit and reduce their other activity.

There is, however, no single silver bullet answer to stopping the boats. This is why we are working internationally with France with whom we have agreed a new package. This package is supported by around £475 million of UK funding: £124 million in 2023-24, £167 million in 2024-25 and £183 million in 2025-26.

This deal will see an uplift of 500 law enforcement and human resources staff deployed in northern France, a new French retention centre built in Dunkirk to increase the number of returns from France and prevent reattempts to cross the Channel to the UK, and a Zonal Co-ordination Centre in Lille to enhance the operational response to prevent further small boat crossings.

We will also maximise the impact of returns agreements such as with Albania - a safe country and NATO ally from which many illegal migrants come to exploit our laws, and operationalising the Rwanda Economic and Migration Partnership. This ground-breaking partnership with Rwanda will provide individuals relocated with support to build new lives there, while disrupting the business model of people-smuggling gangs by removing their source of income. The Home Office has always maintained that this policy is lawful, and the High Court has upheld this. Our own assessment of Rwanda has found it is a fundamentally safe and secure country with a track record of supporting asylum seekers. We are committed to making this Partnership work – our focus remains on moving ahead with the policy as soon as possible and we stand ready to defend against any further legal challenge.

The new legislation introduced by the Home Secretary and Prime Minister on 7 March will ensure that if you enter the UK illegally:

- the Home Secretary will be under a new duty to remove you;
- you may be detained, with no recourse to immigration bail or judicial review, within the first 28 days. We can maintain detention thereafter so long as we have a reasonable prospect of removal;
- the number of appeals and challenges available to suspend removal will be radically narrowed. Only those medically unfit to fly, at real risk of serious and irreversible harm in the country we are removing them to or who claim that the Home Secretary has made a factual error in determining that they are an illegal entrant subject to the duty to remove, will be able to delay their removal. Under 18s will only be removed in limited circumstances ahead of them reaching adulthood, such as for the purposes of family reunion or where removal is to a safe country of origin;
- other human rights claims, including the right to private or family life, or other forms of Judicial Review cannot suspend your removal. They will be heard remotely, after removal;
- you will be disqualified from using modern slavery rules to prevent removal. If someone is identified as a potential victim of modern slavery, we will ensure they are safely returned home from where they were removed against their will, or to another safe country. Removal from the UK may only be deferred where a person is co-operating with law enforcement agencies in an investigation into the circumstances of their trafficking. This will mean that genuine victims are protected, while preventing people from abusing our modern slavery laws to thwart their removal from the UK;
- you will face a permanent bar on lawful re-entry to the UK and a permanent bar from securing settlement in the UK or from securing British citizenship through naturalisation or registration, subject only to very narrow exceptions.

As we reduce illegal migration, we will do more to help the most vulnerable who are at risk of war and persecution through safe and legal routes. Since 2015, the UK has offered safety to nearly half a million people from all over the world using our global routes as well as our country-specific routes for Syria, Afghanistan, Hong Kong and Ukraine. The Bill will introduce an annual cap, to be determined by Parliament, on the number of refugees the UK will accept, once illegal migration is under control.

This will allow us to plan for an orderly system, in conjunction with local authorities, that takes into consideration local capacity for accommodation, public services and support. This will help avoid a repeat of the use of hotels to accommodate people. The only way to come to the UK for protection should be through safe and legal routes. This will take power out of the hands of the criminal gangs and protect vulnerable people, including children.

The UK has a proud history of providing protection to those who need it, in accordance with our international obligations under the Refugee Convention and European Convention on Human Rights (ECHR). However, in the face of today's global migration crisis, our previous asylum laws are being systematically abused and are simply not fit for purpose. With 100 million people displaced around the world, our compassion to help may be infinite, but our capacity to do so is not. The British people are, above all else, fair. It is this sense of fairness that is so affronted by the queue jumping, the gaming of our system, and the flagrant law breaking in the small boats crisis. The British people are also patient. But their patience has run out. Enough is enough. We must stop the boats.

Yours sincerely,

A handwritten signature in dark ink, reading "Robert Jenrick". The signature is written in a cursive, slightly stylized font. The first name "Robert" is written in a larger, more prominent script, and "Jenrick" follows in a similar but slightly smaller script. There is a small horizontal line under the end of the signature.

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