

POLICY STRATEGY 2023

Introduction

Influencing the development of law, policy and practice is a fundamental part of the Helen Bamber Foundations (HBF)'s organisational strategy and a vital way of creating positive change for all survivors. Our organisational expertise, gathered through our in-depth and multi-disciplinary work with survivors of trafficking and torture, can provide significant practice and policy guidance both in the UK and internationally.

The UK government currently has a comfortable majority in parliament and has demonstrated extreme hostility towards those seeking protection in the UK, and survivors of trafficking, and a commitment to ramping up its 'hostile environment' agenda through what has been termed the 'politics of exhaustion'.¹ This can be seen in its New Plan for Immigration;² the Nationality and Borders Act which passed in 2022; and in the Prime Minister's prioritisation of further legislation to criminalise those arriving in the UK in small boats and prevent their accessing the asylum system. In its response to the war in Ukraine, the government made a clear separation between the need to support fleeing Ukrainians from other asylum seekers and has stuck rigidly to its prioritisation of those coming via resettlement routes and penalisation of those arriving by land and sea.

Securing systemic change for survivors in this climate is challenging. While we will continue to push for long term positive change over the course of the year, including engagement with opposition parties and efforts to influence future manifestos, much of our work will also be focussed on preventing a worsening of the current situation and on smaller improvements to reduce the harm caused by existing systems. HBF's influencing work will take a two-pronged approach:

¹ <https://www.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies/blog/2021/06/everyday>
<https://onlinelibrary.wiley.com/doi/full/10.1111/imig.12778>
<https://www.tandfonline.com/doi/abs/10.1080/1369183X.2018.1468308?journalCode=cjms20>

² See Helen Bamber Foundation's response at <https://www.helenbamber.org/resources/reportsbriefings/response-new-plan-immigration>

- 1) We will use our authoritative medico-legal expertise, alongside evidence from our frontline work and research, to secure ongoing policy change by:
 - Providing evidence (including research data) and recommendations to central government through reports, briefings, consultation responses, oral and written evidence to parliamentary select committees and parliamentary lobbying.
 - Ongoing direct engagement on improvements to policy and practice with civil servants in the Home Office, Department for Education and Ministry of Justice.
 - Undertaking strategic litigation.

- 2) We will work collaboratively with others in the sector to deliver systems change by:
 - Continued involvement with the Asylum Reform Initiative to coordinate parliamentary lobbying and in the 'Together for Refugees' coalition working to build public support for a fair and humane asylum system.
 - Supporting ongoing campaigns including '[Lift the Ban](#)' and '[Fight the Anti Refugee Laws](#)'
 - Articulating positive alternatives to the current asylum and trafficking systems, including via the [Commission on the Integration of Refugees](#), as well as articulating the negative consequences of the current systems and government proposals, and pushing for recognition and respect for international asylum, trafficking and human rights obligations – in 2023 we will explore organising a roundtable with Labour and the foundations to discuss key areas of concern.
 - Increasing our policy communications and sharing our research and evidence base with the wider human rights sector.

This work will be underlined by the following principles:

- All our policy work will be evidence-led, based on the experiences of survivors and/or HBF's research findings.
- HBF will further embed the voices of survivors in our research and support them to influence policy through engagement with policy makers, consultations and campaigning.
- HBF's policy advocacy will be supportive of the non-discrimination and anti-racism agenda where relevant.
- HBF's policy, advocacy and strategic litigation activities will be closely linked and mutually supportive.
- Part of HBF's communications strategy will aim to further our policy goals and to strengthen HBF as a source of authoritative medico-legal expertise.

This strategy will make increasing use of the expertise and experience of Asylum Aid staff in policy advocacy, particular for the 'Legal protection' policy priorities and in ongoing work on unaccompanied children seeking asylum.

Practice change

Practice change goes hand in hand with policy advocacy in terms of achieving impact on the lives of survivors. HBF will continue to generate guidance and toolkits for other practitioners to use as well as provide training to enable the implementation of best practice.

Programme for the prevention of re-trafficking

Delivering policy change is also a central component of HBF's programme for the prevention of re-trafficking. Reducing the risk of exploitation is a key rationale behind many of HBF's priority areas for policy advocacy. The Modern Slavery Core Outcome Set for Survivor Recovery and Wellbeing³ provides a useful framework for identifying areas for change that survivors themselves have identified as being necessary. It highlights the need for:

- Provision of trauma-informed services;
- Long term, consistent support;
- Secure and stable housing;
- Access to medical treatment;
- Access to education;
- Safety from any trafficker or other abuser; and
- Survivors enabled to find purpose in life and achieve self-actualisation.

Work on children and young people

In 2022, HBF took on the role of co-chair of the Refugee and Migrant Children's Consortium (and co-chair of its Age Assessment Subgroup) and HBF and Asylum Aid are working together on a number of key areas relevant to children towards the following aims:

- Age assessments: Children seeking asylum should only have their age assessed where there is significant reason to doubt they are the age they claim to be, and any assessment of age must be holistic, multi-agency and led by local authority employed social workers.
- Children in hotels: All children seeking asylum should be supported and accommodated under the Children Act 1989 and receive specialist care and protection from local authorities. No child should ever be accommodated in a hotel.
- Delays and decision making: Decisions on children's asylum claims and NRM referrals should be made within six months, and all decisions regarding length of leave must be made with full consideration of what is in the best interests of the child.

³ [Modern Slavery Core Outcome Set website](#)

Policy priorities

The table below outlines our priority objectives for policy advocacy, in order (top to bottom) of the areas where HBF has the greatest potential to add value. This is followed by further detail on the changes HBF wants to see and opportunities for pursuing those changes. **While the main priorities will remain fixed, this strategy should be seen as a living document, recognising that opportunities and actions will change and evolve over time.**

Legal Protection	A safe and supportive environment	Recovery and integration
<p>Identification and protection</p> <p>The identification of survivors of trafficking and torture is improved with equitable access to refugee protection and/or the NRM in line with international standards.</p>	<p>Quasi-detention</p> <p>The Home Office stops the use of mass institutional accommodation, including former military accommodation and hotels, for people seeking asylum and provides survivors with quality housing in the community.</p>	<p>Secure status</p> <p>All survivors are granted leave to remain in the UK that provides the security and stability necessary for them to recover and rebuild their lives.</p>
<p>Quality, timely decision making</p> <p>Decisions in the asylum and NRM system are quicker and of better quality, making effective use of MLRs and other clinical evidence, and following a process that does not cause harm.</p>	<p>Support and accommodation</p> <p>Survivors can access adequate financial support and accommodation to ensure their dignity, safety, and ability to recover from trauma and rebuild their lives.</p>	<p>Access to healthcare</p> <p>All survivors are offered timely access to appropriate healthcare services and evidence-based specialist therapeutic care with a recognised right to recovery and rehabilitation.</p>
<p>A fair and accessible asylum process</p> <p>All survivors have equitable and fair access to all stages of the asylum system and receive quality legal advice and representation.</p>	<p>Detention of vulnerable adults</p> <p>Survivors of torture and trafficking are not placed or held in detention.</p>	<p>Access to education and employment</p> <p>All survivors are able to access education, training and employment.</p>

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