

Taskforce for Victims of Trafficking in Immigration Detention 'Illegal Migration' Bill - Second Reading Briefing

10 March 2023

Introduction

The Taskforce for Victims of Trafficking in Immigration Detention (Detention Taskforce)¹ is deeply concerned by the government's latest cruel and unworkable legislation that will result in huge numbers of survivors of trafficking and modern slavery being blocked from protection and support; left in long periods of living in limbo; being locked up; and facing the threat of removal. **This Bill will do nothing to save the lives of those forced to take the desperate journey over the channel.** Rather, it is an **actively dangerous Bill that will lead to harm, death and significant suffering if enacted.**

Victims and survivors of trafficking will continue to come to the UK by irregular routes – including but not limited to people who have arrived crossing the English channel - because a core aspect of human trafficking is the movement of people and the use of threat, force or fraud and the abuse of vulnerability to do so, others will continue to travel to seek safety and may be trafficked during, or following their journey. **Preventing victims of trafficking from entering the National Referral Mechanism (NRM) and having access to the asylum system plays into the hands of traffickers, who will use this as a way to trap those already in exploitation or cause further exploitation.**

The Government has increasingly closed and failed to establish safe routes, and through their draconian anti-migrant policies have **empowered traffickers to drive people into and continue exploitation.** Ultimately, they have **increasingly frozen victims and survivors of protection out of support in doing so, preventing people escaping exploitation and reporting to the authorities and increasing the risks of re-trafficking.** There is no evidence that the current inadmissibility policy under the Nationality & Borders Act 2022 is acting as a deterrent. Indeed there is a wealth of research that indicates that harsh immigration policies are proven not to work as intended.

Not only will **the plans outlined in the 'Illegal Migration' Bill contravene international law,** for instance the Refugee Convention 1951, the Council of Europe Convention on Action against Trafficking in Human Beings and the European Convention on Human Rights. This Bill will

¹ Detention Taskforce members: Helen Bamber Foundation (Chair); Focus on Labour Exploitation (Coordinator); After Exploitation; Anti-Trafficking & Labour Exploitation Unit (ATLEU); Anti-Slavery International; Association of Visitors to Immigration Detainees (AVID); Bail for Immigration Detainees (BID), Detention Action; Duncan Lewis Solicitors; ECPAT UK; Jesuit Refugee Service; Medical Justice; Unseen.

continue to **undo years of protections of victims of modern slavery** which the UK relied on to claim that it was '*lead[ing] the way in defeating modern slavery*'.²

Blocking survivors of trafficking from protection and support

Roughly three quarters of all survivors of trafficking in the UK are not British nationals and many will be in the country without leave to remain.³ In order to get some form of protection in this country, they can be referred into the NRM - the framework designed to identify and protect victims of trafficking and of modern slavery - and/or will claim asylum. The trafficking experience of survivors, and risk of being re-trafficked if returned to their country of origin, can form part or all of the grounds for their asylum claim. It is through these systems that survivors will be able to access any form of support, assistance and protection. There is no published data on how many people seeking asylum are survivors of trafficking nor on how many are in both the asylum system and NRM, but 93% of Helen Bamber Foundation clients who are survivors of trafficking are in both systems.⁴

The 'Illegal Migration Bill' **blocks anybody entering the UK via an 'irregular' route of entry from claiming asylum or benefitting from the modern slavery protections and leaves them subject to detention and removal from the United Kingdom, in violation of international law.**⁵ The Bill places a duty on the Secretary of State to remove a person who came to the UK on or after the 7th March 2023 if they:

1. Arrived in the UK without leave to enter, and requires leave to enter or remain in the United Kingdom but does not have it, or has leave to enter but is considered to have obtained it by means of deception
2. Did not come directly to the United Kingdom from a country in which their life and liberty were threatened

People meeting the criteria above will have their asylum and human rights claims deemed 'inadmissible' – so not considered at all – and will be disqualified from any protections to prevent or delay their removal as victims of trafficking in the NRM. This will completely freeze many victims and survivors of trafficking out of modern slavery protections and support.

However, on a practical basis they can not be removed from the UK unless they are a national of a specific list of 'safe countries', or can be removed to Rwanda. Therefore, at present, the majority of people whose claims are deemed inadmissible will remain in the UK, unable to move on with their lives and either in detention or reliant for long periods on Home Office provided

² <https://www.gov.uk/government/speeches/defeating-modern-slavery-theresa-may-article>

³ [Modern Slavery: National Referral Mechanism and Duty to Notify statistics UK, end of year summary 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-end-of-year-summary-2022)

⁴ Of the 83,236 people that arrived in the UK on 'small boats' between 1 January 2018 and 31 December 2022, 7% (6,210 people) were referred to the NRM. Most of these individuals (5,897 or 95%) also had an asylum claim lodged. See: [Irregular migration to the UK, year ending December 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/irregular-migration-to-the-uk-year-ending-december-2022)

⁵ <https://www.unhcr.org/uk/news/press/2023/3/6407794e4/statement-on-uk-asylum-bill.html>

support and accommodation. In the cases of victims of trafficking or modern slavery this state of limbo will compound both the trauma of their trafficking and causes of vulnerability such as family members being threatened over debt. **The significant risk of people being re-trafficked or subject to further exploitation can not be overstated.**

Mass detention

The Bill dramatically increases the government's powers to detain people⁶. **They can be detained with no recourse to immigration bail or judicial review for 28 days**⁷. After that period a person can continue to be detained by the Home Office for as long as there is a reasonable prospect of removal⁸. The bill replaces the principle that it is for the courts to decide what is a 'reasonable' period of detention and transfers this power to the Home Secretary to decide, with survivors having no ability to use modern slavery rules to challenge a decision.⁹ So far the Home Secretary has only confirmed a returns agreement with Albania,¹⁰ with returns to Rwanda currently delayed due to ongoing legal proceedings. Even if the Government proceeds, it has stated that Rwanda has initial capacity to receive 200 forcibly removed people.¹¹ As such, **we expect tens of thousands of individuals will be indefinitely detained in immigration detention facilities, with the current already overstretched detention estate being unable to hold anywhere near the numbers anticipated.**¹²

Immigration detention typically causes profound long-term trauma.¹³ **For trafficking survivors, immigration detention increases the risk of re-traumatisation and negative long-term physical and mental health outcomes;** further, the Royal College of Psychiatrists holds that survivors of torture and trafficking are *"at greater risk of harm, including deterioration in mental health and increased risk of anxiety, depression and PTSD, than would be experienced in the general detained population."*¹⁴

The Government has attempted to justify the denial of support and protection for victims and survivors of trafficking by using the public order exemption under Article 13 of the Council of

⁶ Clause 11

⁷ Clause 13

⁸ Clause 12

⁹ Clause 21

¹⁰

<https://hansard.parliament.uk/Commons/2023-03-07/debates/87B621A3-050D-4B27-A655-2EDD4AAE6481/IllegalMigrationBillhighlight=trafficking#contribution-A9618295-3E35-4084-B7BD-C73A21273895>, Columns 151-152.

¹¹ <https://questions-statements.parliament.uk/written-questions/detail/2022-11-28/97762>

¹² At the time of writing the detention estate can hold approximately 2,280 people. There has been strong opposition to the increase in and conditions of detention centres from a cross-sector of groups and parliamentarians. See: <https://www.refugeewomen.co.uk/local-leaders-oppose-hassockfield/>; <https://www.bbc.co.uk/news/uk-england-tyne-64013107>; <https://news.sky.com/story/conservative-mp-sir-roger-gale-says-situation-at-manston-migrant-centre-a-breach-of-human-conditions-12734816>; <https://hansard.parliament.uk/commons/2022-09-23/debates/ADB16857-18FF-4BBF-AD5E-A478A9C303FE/CampsfieldHouseImmigrationRemovalCentre>.

¹³

https://www.jrsuk.net/wp-content/uploads/2020/06/Detained-and-Dehumanised_JRS-UKReport_28.06.2020_FINAL-1.pdf

¹⁴ [Detention of people with mental disorders in immigration removal centres \(IRCs\)](#), p.13.

Europe Convention on Action against Trafficking in Human Beings (ECAT).¹⁵ However, this seemingly blanket policy of saying that someone's arrival through an irregular route means that they present a threat to public order is **in breach of the non-punishment principle contained within ECAT**.¹⁶ The Article 13 exemption cannot be applied to convictions for activity the person was compelled to do as a victim of slavery or human trafficking, and moreover, an individual risk assessment should be conducted. It cannot simply be said that individuals present such an ongoing risk to public order as to come under this exemption by the mere fact that they arrived in the UK through an irregular route. Further, the prohibition on removal linked to the 'Reflection and Recovery' period, as well as the requirement to provide support all fall within the scope of Article 4 of the ECHR (Prohibition of slavery and forced labour).¹⁷ No exceptions can be made to these requirements. Moreover, it should be noted that Article 4 is non-derogable under Article 15 of the ECHR (Derogation in time of emergency).

'Cooperating with public authorities'

Clause 21(3) of the Bill suggests that potential victims of human trafficking or slavery will not have arrangements made for their removal from the UK if they are "*cooperating with a public authority in connection with an investigation or criminal proceedings in respect of the relevant exploitation.*" But this is only if "*the Secretary of State considers that it is necessary for the person to be present in the United Kingdom to provide that cooperation*" In any event this clause does not save the Bill from undermining the work of the authorities to investigate and prosecute traffickers or exploiters. This is because the Bill will increase fear of any contact with authorities and the potential for exploiters to use this to prevent victims from coming forward.

Driving Exploitation

The process of being identified as a victim of trafficking or modern slavery in the UK is already increasingly narrow and unattractive to people who may be potential victims. Changes to the UK's identification and support system (NRM) are certainly needed in order to make sure the system offers victims a safe way to come forward and an alternative to exploitation. This Bill does the opposite. It will keep people trapped in exploitation. **It is eradicating protections that are clearly needed to enable a person to feel able to escape and recover from exploitation.**

People who are in exploitation who approach the authorities for help will already be at great risk of not being believed or being seen first and foremost as an 'immigration offender'. Their evidence will be viewed with cynicism through the prism of understanding what they had 'to gain' through working with the authorities, risking that even those who do come forward will not

¹⁵ Paragraph 135, explanatory notes.

¹⁶ ECAT, Article 26 'Non-punishment provision'.

¹⁷ See: *VCL v. the United Kingdom; Chowdhury v. Greece*.

be believed and important information will be lost, undermining justice and allowing exploiters to continue with impunity.

Where migrants do not have secure migration status, they will often feel unable to report instances of abuse and exploitation to the police (or other authorities, such as labour market enforcement) due to the fear that authorities will prioritise their immigration status over the crimes that they have faced or wellbeing. **This acts to heighten their vulnerability, with abusers able to take advantage of this dynamic, and act with impunity.** This will be compounded by the Bill despite the inclusion of Clause 21(3) which offers no guarantees to victims that they will be believed, be considered a victim, or that there will be any investigation of their case. This may be due to factors well outside of their control including if their exploiter is still in the UK, availability of supporting evidence and policing priorities. Nor does it offer any long-term security, including against being made dependent again on the very traffickers an individual has made disclosures about.

Ultimately, as victims are made too fearful to come forward, the police are unable to prevent and address serious crime, like labour exploitation, without access to the intelligence needed to identify and prosecute perpetrators. Where immigration enforcement is prioritised, migrant victims of crime are unable to avail of safety and justice, and offenders are able to continue to drive others into exploitation. This undermines public safety as a whole. The extremely narrow and insufficient exception contained in Clause 21(3) (as outlined in greater detail below) remains wholly inadequate to address this concern. When a victim is arrested, detained or removed on the back of the police sharing their insecure migration status with immigration enforcement, the message that is being sent out to other migrants is that they are not safe to report their abuse, something that a trafficker will often threaten will happen.

“I would raise a complaint if I was protected in some way against deportation.”
Renata (Brazilian survivor of labour exploitation in the UK)¹⁸

These provisions contained in this Bill will act to empower traffickers, who will have an additional weapon in their arsenal to coerce victims. We have seen this in relation to the children who were coerced into exploitation directly through reference to the removal schemes that the Government is seeking to extend through this Bill. Speaking in relation to the children who went missing from Home Office run accommodation earlier this year, one source stated that *“traffickers tell them they’ll be sent to Rwanda if they stay in the hotel.”*¹⁹

Unevidenced claims of ‘abuse’ of the system

¹⁸

<https://www.labourexploitation.org/publications/preventing-and-addressing-abuse-and-exploitationguide-police-and-labour-inspectors>, p.9.

¹⁹

<https://www.theguardian.com/uk-news/2023/jan/21/they-just-vanish-whistleblowers-met-by-wall-of-complacency-over-missing-migrant-children>

The government's unevidenced claims and inflammatory rhetoric have been roundly criticised by a number of United Nations Special Rapporteurs;²⁰ the former Independent Anti-Slavery Commissioner Dame Sara Thornton; the Office for Statistics Regulation, the Gangmasters and Labour Abuse Authority and by the anti-trafficking sector. The relevant quotes are contained within the annex below.

While survivors of trafficking brought to the UK are struggling to receive the support they need to recover and rebuild their lives, political rhetoric about them has become increasingly hostile, with the Government frequently claiming that victims of slavery are 'abusing the system'.²¹ These allegations bear no relation to reality nor the Government's own data. The Statistics Regulator publicly reprimanded the Home Office for misusing modern slavery data,²² following a sector-wide letter,²³ stating that the available figures did not support the claim that people were 'abusing' the UK's framework for recognising trafficking survivors.²⁴ Instead, rising trafficking cases were more likely to indicate growing awareness of the system among 'first responder' organisations like the police.

Those working on the frontline see cases every day where people who have been trafficked have not been identified and have been treated as criminals rather than victims and locked up, suffering significant physical and mental harm as result. One case shared in the report '*Abuse by the System: Survivors of Trafficking in Immigration Detention*'²⁵ involved a young man detained and being subsequently trafficked following his release despite there being clear indicators of him being a victim of trafficking. He was detained following a further two year period of detention and his mental health suffered to the point that he was placed on suicide watch. He was eventually recognised as a victim of trafficking and granted refugee status and awarded substantial damages following a claim for false imprisonment based on the impact the detention had had on him.

The anti-trafficking sector entirely rejects the unevidenced claim that people are fraudulently referring themselves into the NRM. Firstly, it is not possible to refer yourself into the NRM. Rather, you must be referred by a designated First Responder Organisation after they have identified them as a potential victim of trafficking²⁶. Secondly, an increasing number of

²⁰

<https://www.ohchr.org/en/press-releases/2022/12/uk-un-experts-condemn-attacks-credibility-slavery-and-trafficking-victims>

²¹ BBC News, [Home Secretary Suella Braverman to change law to stop channel migrants](#), 4 October 2022

²² [Ed Humpherson to Maya Esslemont and Anna Powell-Smith: Modern slavery data – Office for Statistics Regulation \(statisticsauthority.gov.uk\)](#)

²³ [Maya Esslemont and Anna Powell-Smith to Ed Humpherson: Modern slavery data – Office for Statistics Regulation \(statisticsauthority.gov.uk\)](#)

²⁴ [Ed Humpherson to Jennifer Rubin: use of National Referral Mechanism statistics – Office for Statistics Regulation \(statisticsauthority.gov.uk\)](#)

²⁵ [Abuse by the system: Survivors of trafficking in immigration detention | Helen Bamber](#)

²⁶ An organisation authorised to refer a potential victim of human trafficking or modern slavery to the National Referral Mechanism. First responders receive specialist training to enable them to identify indicators of trafficking and make appropriate referrals into the NRM, subject to the persons consent (in the case of an adult). There are currently 19

individuals are actively refusing their consent to enter the NRM,²⁷ likely due to the already limited support and protection available. 2022 marked a 43.57% increase from 2021 in the number of people actively refusing their consent to enter the NRM - this was the highest annual number since the NRM began in 2009. 63% of these refusals were recorded by the Home Office.²⁸ Eritreans and Albanians were the first and second highest nationalities of those who did not consent to be entered into the NRM despite being identified as a potential victim by a First Responder Organisation. It should be no surprise that many people do not consent to enter an identification system which does not appear to work in their best interests; identification decisions are intended to take around 6 weeks. In fact it is not unusual to meet people who have been waiting in the system, in limbo, for years. Those who do not have the appropriate immigration status are not given permission to work. This means the system expects people who may be in debt bondage or who have been pushed into exploitation due to poverty to put their lives on hold indefinitely, compounding the impact of their trafficking and their trauma. Rather than endemic misuse and abuse, we are seeing too few people entering the NRM than should be, due to the Government's refusal to ensure the system provides meaningful protection and support to victims and survivors of trafficking.

At the moment people are still being identified as trafficked against the odds. **This bill will prevent the identification of anyone who entered the UK irregularly, despite many having no real influence or even knowledge over the process of travel.** This will actively keep people in exploitation, unable to seek help from the authorities. A government which has declared it is 'taking back control' is pushing people out of the Home Office systems and out of sight. This is the opposite of law and order. The implications of this are horrific and inhumane.

Conclusion

The 'Illegal Migration' Bill is a cruel, violent and unworkable piece of legislation which will prevent untold numbers of victims and survivors of trafficking from accessing the protection and support they need. Tens of thousands of people will be locked away in the already stretched detention estate for an undetermined period of time, something that research shows has a deeply negative impact on a person's mental health. Many others will be kept irregular, due to fear of immigration detention or removal if they make contact with authorities, creating significant increased risk of being re-trafficked or further exploited.

statutory and non-statutory first responder organisations in England and Wales, including local authorities, specified NGOs, police forces and government agencies.

²⁷ Public authorities have a statutory duty to notify the Home Office when they come across potential victims of modern slavery. When individuals refuse to be entered into the NRM, public authorities record this in a Duty to Notify report (DtN).

²⁸ UK Visas and Immigration: 2,624 (57%); Immigration Enforcement IE: 221 (5%)

Annex

Data on survivors of trafficking

Home Office officials recognising vast majority of referrals as positive

In 2022, 16,938 potential victims of modern slavery were referred to the NRM. The competent authorities issued the highest number of first stage (reasonable grounds) and final (conclusive grounds) decisions in 2022, with almost 17,000 reasonable grounds and just over 6,000 conclusive grounds decisions made; of these, 88% of reasonable grounds and 89% of conclusive grounds decisions (which are all made by staff within the Home Office) were positive.²⁹

Referrals of people who arrived in the UK via a ‘small boat’

Between January and November 2022, only 6% of individuals who arrived in the UK via a ‘small boat’ were referred into the NRM.³⁰ **82% of these individuals were identified and referred by the Home Office themselves.**³¹ It is important to reiterate that people cannot refer themselves into the NRM. Despite the Home Office’s cynical attempt to portray a dramatic increase in NRM referrals from detention, the difference in increase from people who arrived via ‘small boat’ crossing who were entered into the NRM was a mere 2%.³²³³ The increase in referrals from detention is indicative of an improvement in identification and referral processes (which backslid in 2022) as opposed to misuse and abuse, something the Home Office previously accepted in their own press release³⁴. As previously highlighted, it is of serious concern that such a large number of survivors are not identified before a decision is made to detain them.

Quotes for Second Reading

UN Special Rapporteurs:

- “Demonising victims of trafficking and contemporary forms of slavery erodes public sympathy for measures to protect them and may lead to attacks on these groups by extremists.”

²⁹

<https://www.gov.uk/government/statistics/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-end-of-year-summary-2022/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-end-of-year-summary-2022#:~:text=2022%20was%20a%20record%20year.from%203%2C193%20to%20reach%204%2C580>.

³⁰ FOI data obtained by University of Nottingham Rights Lab - FOI 73239

³¹ *Id.*

³² 4% in referrals in 2021 in comparison to 2020; 6% increase in referrals in 2022 in comparison to 2021

³³

<https://www.gov.uk/government/publications/modern-slavery-referrals-for-people-detained-for-return-after-arriving-in-the-uk-on-small-boats/modern-slavery-referrals-for-people-detained-for-return-after-arriving-in-the-uk-on-small-boats>

³⁴ <https://www.gov.uk/government/news/modern-slavery-victims-to-receive-longer-period-of-support>

- “We are alarmed by the rise in unsubstantiated claims by public officials and Government departments regarding persons seeking protection under the Modern Slavery Act and the National Referral Mechanism in the past days and weeks.”
- “There is little evidence to support these claims and generalising them is dangerous and regressive”
- “This has a chilling effect on those willing to come forward as victims and those willing to provide legal representation to victims, impeding efforts to identify and protect victims and persons at risk of trafficking and hold perpetrators accountable”³⁵

Chief Executive of the Gangmasters & Labour Abuse Authority

- “We don’t see people gaming the system. That’s not our experience... What we see is vulnerable people who are being exploited by opportunists and criminals”³⁶

Former Independent Anti-Slavery Commissioner

- Government “totally misguided in attacks on rights of slavery victims”³⁷
- Dame Thornton and Vera Baird (former Victims Commissioner) said that according to Jenrick, people smugglers were luring minors across the Channel, which they said “perfectly describes child trafficking”.³⁸
- “[the Bill] puts UK with group of countries that don’t want to uphold human rights”³⁹
- “And what we’re saying is we want to pass legislation, which would basically drive a coach and horses through [the UK’s ECAT] obligations.”⁴⁰

Director General for Regulation - Office for Statistics Regulator

- “The number of potential modern slavery victims referred to the NRM has indeed increased severalfold over recent years, rising from 2,337 in 2014 to 12,727 in 2021, according to the latest end-of-year NRM statistics. The Office for National Statistics argued in its Modern Slavery in the UK publication that this may reflect changes in awareness and identification of potential victims by designated ‘first responder’ organisations, but greater gaming of the system is another potential contributor. However, policy officials in the department could not point to any specific evidence for this when we enquired. What is more, the proportion of referrals deemed by the Home Office to be genuine cases of modern slavery in its ‘conclusive grounds decisions’ has

35

<https://www.ohchr.org/en/press-releases/2022/12/uk-un-experts-condemn-attacks-credibility-slavery-and-trafficking-victims>

36

<https://www.theguardian.com/uk-news/2022/oct/09/watchdog-disputes-bravermans-claim-migrants-gaming-slavery-laws>

37

<https://www.standard.co.uk/news/politics/government-sara-thornton-suella-braverman-home-secretary-home-office-b-1030251.html>

38 <https://www.thetimes.co.uk/article/suella-bravermans-child-migrant-rules-a-gift-to-gangs-6gqpfq6d>

39 <https://www.thetimes.co.uk/article/suella-bravermans-child-migrant-rules-a-gift-to-gangs-6gqpfq6d>

40 <https://www.lbc.co.uk/radio/presenters/andrew-marr/new-asylum-law-puts-uk-odd-group-countries/>

risen year by year from 58 per cent in 2016 to 91 per cent in 2021, which does not suggest in itself that gaming is a growing problem.”⁴¹

Figures for Second Reading

- In 2022, 16,938 potential victims of modern slavery were referred to the NRM. 89% of people referred to the National Referral Mechanism as potential victims of trafficking are subsequently confirmed as victims by officials who sit within the Home Office.⁴²
- Between January and November 2022, only 6% of individuals who arrived in the UK via a ‘small boat’ were referred into the National Referral Mechanism. 82% of these individuals were identified and referred by the Home Office themselves.⁴³
- In 2022 there was a 43.57% increase from 2021 in the number of people actively refusing their consent to enter the NRM - this was the highest annual number since the National Referral Mechanism began in 2009. 63% of these refusals were recorded by the Home Office.⁴⁴
- Only 7% of confirmed victims were granted leave to remain between April 2016 and June 2021.⁴⁵
- There is no published data on how many people seeking asylum are survivors of trafficking nor on how many are in both the asylum system and National Referral Mechanism, but 93% of Helen Bamber Foundation clients who are survivors of trafficking are in both systems.⁴⁶ Of the 83,236 people that arrived in the UK on ‘small boats’ between 1 January 2018 and 31 December 2022, 7% (6,210 people) were referred to the NRM. Most of these individuals (5,897 or 95%) also had an asylum claim lodged.⁴⁷

⁴¹

<https://osr.statisticsauthority.gov.uk/correspondence/ed-humpherson-to-jennifer-rubin-use-of-national-referral-mechanism-statistics/>

⁴²

<https://www.gov.uk/government/statistics/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-end-of-year-summary-2022/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-end-of-year-summary-2022#:~:text=2022%20was%20a%20record%20year.from%203%2C193%20to%20reach%204%2C580.>

⁴³ FOI data obtained by University of Nottingham Rights Lab - FOI 73239

⁴⁴ UK Visas and Immigration: 2,624 (57%); Immigration Enforcement IE: 221 (5%)

⁴⁵ Scottish Refugee Council (2022), New FOIs reveals chronic slowness of the UK’s asylum system. Available at: <https://www.scottishrefugeecouncil.org.uk/new-fois-reveals-chronic-slowness-of-the-uks-asylum-system/>

⁴⁶ Of the 83,236 people that arrived in the UK on ‘small boats’ between 1 January 2018 and 31 December 2022, 7% (6,210 people) were referred to the NRM. Most of these individuals (5,897 or 95%) also had an asylum claim lodged. [Irregular migration to the UK, year ending December 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/irregular-migration-to-the-uk-year-ending-december-2022)

⁴⁷ [Irregular migration to the UK, year ending December 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/irregular-migration-to-the-uk-year-ending-december-2022)

- The difference in increase from people who arrived via 'small boats' who were entered into the NRM was a mere 2% (4% increase in referrals in 2021 in comparison to 2020; 6% increase in referrals in 2022 in comparison to 2021).⁴⁸
- Of the 83,236 people that arrived in the UK on 'small boats' between 1 January 2018 and 31 December 2022, 7% (6,210 people) were referred to the NRM. Most of these individuals (5,897 or 95%) also had an asylum claim lodged.⁴⁹

For more information on the issues contained in this briefing, please contact:

peter.wieltschnig@labourexploitation.org

beth.mullanferoze@helenbamber.org

⁴⁸ FOI data obtained by University of Nottingham Rights Lab - FOI 73239

⁴⁹ [Irregular migration to the UK, year ending December 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/irregular-migration-to-the-uk-year-ending-december-2022)