

## Nationality and Borders Bill:

The following is an extract from the joint submission of Migrant Voice and Amnesty International UK to the Public Bill Committee on this Bill. It considers one of the primary objectives Ministers claim to be pursuing by this Bill. That objective is to “**save public funds.**”<sup>1</sup> Ironically, the Bill’s provisions include specific provision to add to costs to the public purse expressly in response to policies pursued by this Bill; and several other of its provisions will add significantly more such costs.

1. Delays, backlogs and dysfunction can be expected to increase not reduce public expenditure. Ironically, to achieve these calamitous ends, the Bill – and the plans it seeks to enable – has required Ministers to make express provision for other additional expenditure. For example:
  - a. Additional bureaucracy introduced by this Bill has required Clause 22 to provide for additional legal aid for legal advice and representation necessitated by that bureaucracy.
  - b. Clause 15 confirms the need for additional asylum support to cover the period in which a person’s asylum claim is delayed by Clause 14.
  - c. Clause 11 raises the prospect of increased expenditure on building, maintaining and operating accommodation centres in the UK.
2. Of course, all the additional work, delays and backlogs described above will also have to be paid for. As will the costs of prosecutions and sentences of people for exercising their right to seek asylum in the UK by reaching or entering the country without permission if the Government chooses to pursue this (Clause 37).
3. There is also the increased expenditure that will be required if the Government is to secure cooperation of other countries necessary for certain of the Government’s plans.
  - a. Clause 14 can only be operable if countries, many of whom already receiving far more people seeking asylum than the UK, agree to receive from the UK more people into their asylum systems. Ministers have given no explanation why they consider countries will be willing to do this. The UK has left the EU and so is no longer able to secure transfer of people seeking asylum under arrangements agreed between EU Member States.<sup>2</sup> While the UK is free to seek arrangements with the EU or individual countries, as has long been the case with the agreements it has reached with France for increased border security,<sup>3</sup> it can expect to pay for anything that others may be willing to offer. It cannot be expected that they will be willing to offer much if anything at all, but anything that is offered will surely come at a significant price.
  - b. Clause 26, by which Ministers propose to reach agreement with other countries to establish processing centres where people seeking asylum in the UK are to be sent, may well prove wholly impracticable. It would require countries to take responsibility for accommodating, potentially detaining, people seeking asylum with no guarantees as to if, when or how those responsibilities would be ended even in circumstances where

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<sup>1</sup> An aim emphasised at e.g. *Hansard* HC, Second Reading, 19 July 2021 : Col 705, 707 & 711 *per* the Home Secretary

<sup>2</sup> Formerly, the UK was a party to the Dublin Regulations, which are available here:

[https://ec.europa.eu/home-affairs/what-we-do/policies/asylum/examination-of-applicants\\_en](https://ec.europa.eu/home-affairs/what-we-do/policies/asylum/examination-of-applicants_en)

<sup>3</sup> See, for example that most recently announced in July 2021: <https://www.gov.uk/government/news/uk-france-agreement-strengthens-efforts-to-tackle-illegal-immigration>

there is no pre-existing connection between the country concerned and the people for whom it is to take responsibility. The model for what is proposed is said to be Australia. Quite apart from the terrible harm and cruelty that Australia's offshoring procedures have done to the relatively few people seeking asylum that it has subjected to this, the Australian experience highlights the enormous cost of what is proposed.<sup>4</sup>

4. In conclusion, this Bill is very far from designed to save costs. Many of its provisions would either be directly expensive, some very expensive, or cause additional work and delays that will have to be paid for.

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<sup>4</sup> Even in 2016, the financial costs per person cruelly subjected to this policy were astronomical: see Amnesty International's 2016 report drawing on information from the Australian National Audit Office: <https://www.amnesty.org.uk/files/2017-05/island-of-despair.pdf?ixQRwFFZA.DsEUHOwgrxwxTXQ029jASw>