



**Border Security, Asylum and Immigration Bill
Public Bill Committee**

**Safe routes – New Clauses 1 & 6
March 2025**

Pete Wishart

NC1

To move the following Clause—

“Duty to publish a strategy on safe and managed routes

(1) The Secretary of State must, within six months of the passing of this Act, publish a strategy on the Government’s efforts to establish additional safe and legal routes for persons to seek asylum in the United Kingdom.

(2) A report under subsection (1) must be laid before Parliament.”

Member's explanatory statement

This new clause would require the Secretary of State to publish and lay before Parliament a strategy on the development of safe and managed routes for people to seek asylum in the UK.

Lisa Smart
Susan Murray
Mr Will Forster

NC6

To move the following Clause—

“Additional safe and legal routes

The Secretary of State must, within six months of the passage of this Act, make regulations specifying safe and legal routes through which refugees and other individuals requiring international protection can enter the UK lawfully.”

Member's explanatory statement

This new clause would require the Secretary of State to make regulations specifying additional safe and legal routes, under which refugees and others in need of international protection can come to the UK lawfully from abroad.

BRIEFING:

In giving evidence to the Committee, the Minister for Border Security and Asylum stated her position on safe routes:

“I am personally sceptical that [such routes] would stop people wanting to come across in boats. If one takes the example of our Afghan scheme – a safe route for particular people from Afghanistan who have been put in danger by supporting UK forces – that

is a legal route that is safe. At the same time, last year the largest nationality represented among small boat arrivals was Afghans. We have people arriving on small boats who come from countries where we have visa regimes, so I am not convinced that we could provide enough places on safe routes to prevent people smugglers benefiting from that kind of demand.”¹

There are several errors in the Government’s position – including as it has been advanced to the Committee. First, although establishing safe routes cannot be expected to end *all* unsafe journeys, that is not the appropriate test. Ministers do not make ending *all* people smuggling and human trafficking the test of their policy of smashing gangs and stopping boats. They speak of *reducing* unsafe journeys, of *reducing* exploitation and crime, and of saving lives.² There is no good reason for a more absolutist approach to the merits of safe routes.

Second, in support of their narrow preference for deterrence and prevention of journeys, ministers emphasise that disrupting smugglers before a journey occurs saves lives.³ They do not pause to consider whether a different unsafe journey with a different or the same smuggling gang is merely substituted for the journey that is prevented. Still less do they reflect on whether the people who would have made the prevented journey are thereby subjected to any new or continued abuse and harm by having their potential route of escape blocked or delayed. If it is right to reason in such reductive terms as ministers do when speaking of preventing a dangerous journey, there is no good answer to the demand for safe routes to enable some people to avoid that journey. Anyone enabled to avoid such a journey avoids exploitation and danger, including potentially fatal harm. If, however, it is not right to reason so reductively, then ministers must interrogate their favoured policies (on deterrence and prevention) no less than those advanced by others (such as on safe routes).

Third, a holistic understanding and response to irregular and forced migration, and how these are exploited, is needed. This has long been recognised far more widely than by those NGOs who take a particular interest in the circumstances of refugees or victims of modern slavery. For example, in May 2015, the EU published its 2015-2020 Action Plan against Migrant Smuggling (“the Action Plan”) making explicit the need for a holistic approach that included provision of safe routes alongside other measures.⁴ The House of Lords European Union Committee’s enquiry into that plan reached the same conclusion.⁵ Regrettably, government in the UK and across the EU has generally preferred to narrowly focus on prevention and enforcement. This has perpetuated the conditions in which people are dependent on dangerous journeys and smuggling gangs to have any prospect of securing asylum from persecution, reuniting with family, and escaping situations of severe exploitation, deprivation, and other harm. As predicted by the Action Plan, with which the Committee concurred, failing to provide safe routes has simply advanced the interests of smuggling gangs.

Fourth, it is insufficient to emphasise the need for international cooperation while failing to identify and promote the need and obligation to share responsibility for delivering on the right to asylum. Safe routes ought to be at the heart of this. Instead, government policy promotes international cooperation merely on its own agenda of deterrence, prevention and enforcement.⁶ This exponentially aggravates the bad consequences of the government’s

¹ *Hansard* HC, Public Bill Committee, Second Sitting, 27 February 2025 : Col 62

² e.g., *Hansard* HC, Second Reading, 10 February 2025 : Col 63 *per* Home Secretary; and the evidence received from the National Crime Agency, Crime Prosecution Service and National Police Chief’s Council reflected that too: see *Hansard* HC, Public Bill Committee, 27 February 2025 : Col 30.

³ *Hansard* HC, Public Bill Committee, Fourth Sitting, 4 March 2025 : Col 127 *per* Minister for Border Security and Asylum

⁴ [COM\(2015\) 285 final](#), 27 May 2015

⁵ House of Lords EU Committee, [4th Report of Session 2015-2016](#), HL Paper 46, November 2015

⁶ As, for example, described by the Minister at Second Reading: *Hansard* HC, 10 February 2025 : Col 131.

narrow approach. Just as the UK seeks to deter and prevent journeys to the UK – even by refugees who have the strongest family or other connection here – so it encourages countries across the EU, and elsewhere to do likewise. This is even more harmful than failing to share asylum responsibilities. It undermines others’ will and capacity to meet those responsibilities. It encourages and licences them also to fail or refuse to share responsibility. People compelled to depend on smugglers and dangerous journeys are thereby made less safe, their need to attempt journeys increased and their dependence on smuggling gangs made more complete.

It is also, with respect, difficult to credit the specific objections to safe routes advanced by the minister to the Committee. That Afghans were so highly represented among the people making journeys across the Channel in 2024 reflects the heightened risk of persecution in Afghanistan. It reflects a growing antipathy across Europe and elsewhere to providing them asylum. It also reflects the connection to the UK of people – some of whom with family and friends in the UK, some of whom having worked with or for the UK or its Armed Forces in Afghanistan, and others of whom familiar with the UK due to this country’s recent and more distant involvement in that country. Even people whom the Minister identifies as having a safe route have found it inaccessible to them,⁷ while many people do not have such a route notwithstanding even strong family connections here.⁸

Safe routes cannot be expected to end all dangerous journeys or exploitation by smuggling gangs; and their capacity to reduce these depends on their accessibility. There are always likely to be circumstances in which a person cannot access a safe route, even if these are made formally available to them. In part, this is because no government is entirely free to devise and operate any safe route it may offer since the route must start in a place that is not within that government’s control. The person in need of the route may be unable to access it – either in a place where they are at risk of persecution, a place where they are controlled or influenced by those they have had to rely on to escape persecution, or in a place where their presence is neither welcomed nor tolerated by authorities or others.

Nonetheless, safe routes save lives. The more available and accessible they are, the more they will do so. They undercut smuggling gangs. The more available and accessible they are, the more they will do so. However, a serious commitment to providing safe routes is the means to achieving far more. Safe routes offer opportunity to engage in international cooperation that truly shares responsibility. The most striking examples over the past three decades have been limited and short-term, though still worthy, arrangements to share responsibility with France for people at Sangatte in 2002⁹ and more recent arrangements, particularly with France and Greece, for receiving some unaccompanied children to the UK.¹⁰ The latter contrasted very unfavourably with the UK’s general avoidance of responsibilities that EU Member States were then receiving. The former, however, did not suffer from such a contrast; and it encouraged the French authorities to ensure the greater number of people gathered at Sangatte, who were not received by the UK, secured admission into the French asylum system. A serious policy on safe routes, therefore, reduces dangerous journeys and undercuts smuggling gangs – not only by providing a safe journey to some people, but also by encouraging other countries to take their responsibilities to many more people. Both the people provided the safe journey and the people admitted to another country’s asylum system are relieved of any further need to attempt a dangerous journey or be exploited by a smuggling gang.

⁷ The most notorious example of this concerns the circumstances of 2,000 Afghan commandos. See, e.g., ‘Special Forces rejected 2,000 credible asylum claims from Afghan commandos, MoD confirms’, [BBC News, 17 February 2025](#). However, there are many other circumstances in which such schemes have been inaccessible for reasons that give no such suggestion of deliberate obstruction.

⁸ Amnesty UK has long called for a primary focus on providing safe routes to enable people fleeing persecution, who have close family connections in the UK, to seek and receive asylum in the UK.

⁹ See, e.g., *Hansard* HC, 16 December 2002 : Cols 633W & 641W *per* Minister for Immigration

¹⁰ Arrangements made under Immigration Act 2016, section 67 (referred to as the Dubs amendment).