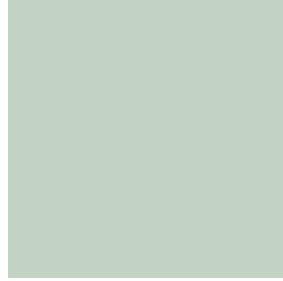


UPDATE ON 2025



UNITED KINGDOM



COUNTRY REPORT

MARCH 2026

Acknowledgements & Methodology

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The information in this report is up to date as of 31 December 2025 unless otherwise stated.

All conversions from pounds to EUR on based on the exchange rate of the European Commission as of December 2025.

The Asylum Information Database (AIDA)

The Asylum Information Database (AIDA) is managed by the European Council on Refugees and Exiles (ECRE). It aims to provide up-to date information which is accessible to researchers, advocates, legal practitioners and the general public through the dedicated website www.asylumineurope.org. It covers 27 countries, including 21 EU Member States (AT, BE, BG, CY, CZ, DE, ES, FR, GR, HR, HU, IE, IT, MT, NL, PL, PT, RO, SE, SK, and SI) and 6 non-EU countries (Egypt, Serbia, Switzerland, Türkiye, Ukraine and the United Kingdom). The database also seeks to promote the implementation and transposition of EU asylum legislation reflecting the highest possible standards of protection in line with international refugee and human rights law and based on best practice.



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Glossary

Country guidance case	Decision by the Upper Tribunal (Immigration and Asylum Chamber) on a specific country, with binding effect on other cases
Discretionary leave to enter/remain	Residence granted on humanitarian grounds
Humanitarian Protection	Subsidiary protection in the meaning of the Qualification Directive 2011/95/EU .
Immigration Bail	An alternative to detention granted to people who are in the UK without permission, i.e. who do not hold leave to remain, including people seeking asylum. It replaced the previous term of 'temporary admission' as well as Immigration Bail which was previously only applied to those people who had been detained.
Judicial Review	A specific legal challenge to the legality of a decision, act or failure to act made by a statutory authority. This process is separate for the appeal process. Judicial review proceedings do not consider the merits of a decision, but only whether the decision maker has approached the matter in the correct way. A request to have a decision judicially reviewed will be made to the High Court (England and Wales), the Court of Session (Scotland) and High Court (Northern Ireland). If the decision challenged was immigration related the case may be heard in the Tribunal but the process is the same as if it were heard in the High Court or Court of Session.
Leave to remain	A temporary grant of permission to stay in the UK, for recognised refugees this is granted for five years for claims made before 2 March 2026, two and a half years for claims made on or after 2 March 2026.
Legal representative	Legal representative in this report means a lawyer or another person who is providing legal assistance.
Rule 35 report	Relevant to Detention . Rule 35 of the Detention Centre Rules provides that, where there is evidence that a detainee has been tortured, or for any other reason their health would be injuriously affected by detention, a report should be made to the caseworker for release to be considered.
Section 4 support	Relevant to Reception Conditions . Section 4 of the Immigration and Asylum Act 1999 provides support to a former asylum applicant, now appeal rights exhausted, on the basis that the individual (and their dependants) have a temporary legal or medical reason for being unable to return to their country of origin. Conditions are set out in regulations (secondary legislation).
Section 95 support	Relevant to Reception Conditions . Section 95 of the Immigration and Asylum Act 1999 provides that support is given to adults and their dependants with an outstanding asylum claim or appeal and who are accepted to be destitute or will be destitute within the next 14 days.

Section 98 support

Relevant to [Reception Conditions](#). Section 98 of the Immigration and Asylum Act 1999 provides mainly for non-cash assistance to applicants during the asylum procedure.

List of Abbreviations

ACRS	Afghan Citizens Resettlement Scheme
APPG	All Party Parliamentary Group/s
ARAP	Afghan Relocations and Assistance Policy
ARE	Appeal Rights Exhausted
ASAP	Asylum Support Appeals Project
AIU	Asylum Intake Unit
ASU	Asylum Screening Unit
AVID	Association of Visitors to Immigration Detainees
BID	Bail for Immigration Detainees
BRP	Biometric Residence Permit
CIO	Chief Immigration Officer
CJEU	Court of Justice of the European Union
DFT	Detained Fast Track System
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
EWCA	England and Wales Court of Appeal
EWHC	England and Wales High Court
FOI	Freedom of Information
FFT	Freedom From Torture
FTT (IAC)	First-Tier Tribunal Immigration and Asylum Chamber
HMIP	His Majesty's Inspectorate of Prisons
ICIBI	Independent Chief Inspector of Borders and Immigration
IMB	Independent Monitoring Board
ILR	Indefinite Leave to Remain
IRC	Immigration Removal Centre
NAAU	National Asylum Allocation Unit
NGO	Non-Governmental Organisation
NHS	National Health Service
NSA	Non-Suspensive Appeal
NTS	National Transfer Scheme (for unaccompanied children)
OSS	One Stop Services
STHF	Short-Term Holding Facility
UKBF	United Kingdom Border Force
UKCISA	United Kingdom Council for International Student Affairs
UKHL	United Kingdom House of Lords (highest appellate court, now UKSC)
UKSC	United Kingdom Supreme Court
UKVI	United Kingdom Visas and Immigration
UT (IAC)	Upper Tribunal Immigration and Asylum Chamber

Statistics

Overview of statistical practice

Statistics on asylum are published as part of a package of immigration statistics on a quarterly basis by the Home Office.¹ Where statistics are not made available, they are requested directly from the Home Office. Difficulties have also been encountered with regard to Home Office responses to freedom of information (FOI) requests.² The numbers include dependants.

Applications and granting of protection status at first instance: figures for 2025

	Applicants in 2025 (1)	Pending at end of 2025	Total decisions in 2025 (2)	Total rejection	Refugee status	Subsidiary protection (3)	Humanitarian protection (4)
Total	100,625	64,426	135,151	80,264	48,408	1,692	4,787
Breakdown by countries of origin of the total numbers							
Afghanistan	6,462	4,303	11,946	7,330	4,322	265	29
Iran	7,419	4,034	11,487	4,374	6,874	224	15
India	5,751	3,652	4,095	4,072	16	6	1
Pakistan	10,638	4,973	16,054	10,853	5,068	123	10
Türkiye	1,883	1,337	4,988	4,011	916	57	4
Eritrea	8,948	2,567	10,017	1,269	8,667	64	17
Bangladesh	6,247	4,330	8,981	7,807	1,110	61	3
Albania	1,816	1,929	1,874	1,753	69	47	5
Syria	1,959	7,501	660	596	45	7	12
Sudan	5,869	2,517	7,450	421	5,999	69	961

Source: Home Office, *Immigration Statistics*, tables Asy_D01 Asy_D02 and Asy_D03, available [here](#). Number of decisions excludes withdrawn claims, administrative outcomes and resettlement.

Note 1: “Applicants in year” refers to the total number of applicants, including dependants.

Note 2: Statistics on decisions cover the decisions taken throughout the year, regardless of whether they concern applications lodged that year or in previous years.

Note 3: The figures here are described as “other grants” in the Home Office statistics and include grants made under family and private rules where there would be a breach of Article 8 ECHR, as well as where there are other exceptional and compassionate circumstances.

Note 4: As noted in the glossary, this is referred to as humanitarian protection at the national level, and is equivalent to subsidiary protection under EU law.

¹ Home Office, *User Guide to: Immigration system statistics*, 26 February 2026, available [here](#).

² See e.g. Information Commissioner’s Office, *FOI regulatory action*, available [here](#). See also information notice issued on 27 January 2026, available [here](#) and *Bail for Immigration Detainees v Information Commissioner* [2024] UKFTT 714 (GRC) available [here](#).

Applications and granting of protection status at first instance: rates for 2025

	Overall rejection rate	Overall protection rate	Refugee rate	Subsidiary protection rate	Humanitarian protection rate
Total	59%	41%	36%	1%	4%
Breakdown by countries of origin of the total numbers					
Afghanistan	61%	39%	36%	2%	0%
Iran	38%	62%	60%	2%	0%
India	99%	1%	0%	0%	0%
Pakistan	68%	32%	32%	1%	0%
Türkiye	80%	20%	18%	1%	0%
Eritrea	13%	87%	87%	1%	0%
Bangladesh	87%	13%	12%	1%	0%
Albania	94%	6%	4%	3%	0%
Syria	90%	10%	7%	1%	2%
Sudan	6%	94%	81%	1%	13%

Source of the percentages: calculated by the author using data in the table above, as a percentage of decisions that have been made.

Gender/age breakdown of the total number of applicants: 2025

	Men	Women	Adults	Children	
				Accompanied	Unaccompanied
Number	72,459	28,150	83,915	13,112	3,598
Percentage	72%	28%	83%	13%	4%

Source: Home Office, *Immigration system statistics data tables, Asylum applications, initial decisions and resettlement detailed datasets, year ending December 2025*, table Asy_D01, available [here](#).

Note: The gender breakdown (Men/Women) applies to all applicants, not only adults.

First instance and appeal decision rates: 2025

It should be noted that, during the same year, the first instance and appeal authorities handle different caseloads. Thus, the decisions below do not concern the same applicants.

	First instance		Appeal	
	Number	Percentage	Number (1)	Percentage (2)
Total number of decisions	135,151		Not available	
Positive decisions	54,887	41%	Not available	39.5%
Negative decisions	80,264	59%	Not available	60.5%

Source: Home Office, *Immigration Statistics*, table Asy_D02, available [here](#). Number of decisions excludes withdrawn claims, administrative outcomes and resettlement. Ministry of Justice, *Tribunal statistics quarterly: October to December 2025*, table FIA_3, 12 March 2026, available [here](#).

Note 1: number of appeals determined at a hearing or on the papers.

Note 2: the Tribunal's data on appeals allowed and dismissed is provided as a percentage only. The numbers are calculated as an average of the percentages given for the relevant quarter, as annual data is presented by financial rather than calendar year.

Overview of the legal framework

Main legislative acts relevant to asylum procedures, reception conditions, detention and content of protection

Title (EN)	Abbreviation	Web Link
Immigration Act 1971	IA 1971	https://www.legislation.gov.uk/ukpga/1971/77/contents
Immigration and Asylum Act 1999	IAA 1999	https://www.legislation.gov.uk/ukpga/1999/33/contents
Nationality Immigration and Asylum Act 2002	NIAA 2002	https://www.legislation.gov.uk/ukpga/2002/41/contents
Asylum and Immigration (Treatment of Claimants etc.) Act 2004	AITOCA 2004	https://www.legislation.gov.uk/ukpga/2004/19/contents
Borders Citizenship and Immigration Act 2009	BCIA 2009	https://www.legislation.gov.uk/ukpga/2009/11/contents
Immigration Act 2014	IA 2014	https://www.legislation.gov.uk/ukpga/2014/22
Immigration Act 2016	IA 2016	https://www.legislation.gov.uk/ukpga/2016/19/contents
Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020		https://www.legislation.gov.uk/ukpga/2020/20/section/3/enacted
Nationality and Borders Act 2022	NABA 2022	https://www.legislation.gov.uk/ukpga/2022/36/contents/enacted
Illegal Migration Act 2023	IMA 2023	https://www.legislation.gov.uk/ukpga/2023/37/contents
Border Security, Asylum and Immigration Act 2025	BSAI 2025	https://www.legislation.gov.uk/ukpga/2025/31/contents

Main implementing decrees and administrative guidelines and regulations relevant to asylum procedures, reception conditions, detention and content of protection

Title (EN)	Abbreviation	Web Link
Immigration Rules HC 395 Part 11	Immigration Rules	https://www.gov.uk/guidance/immigration-rules
Immigration Rules HC 395 Part 11B	Immigration Rules	https://www.gov.uk/guidance/immigration-rules/immigration-rules-part-11b
Immigration Rules HC 395 Part 12	Immigration Rules	https://www.gov.uk/guidance/immigration-rules/immigration-rules-part-12-procedure-and-rights-of-appeal
Asylum Seekers (Reception Conditions) Regulations 2005 SI 7	Reception Conditions Regs 2005	https://www.legislation.gov.uk/uksi/2005/7/contents/made
Asylum Support Regulations 2000 SI 704	Asylum Support Regs 2000	https://www.legislation.gov.uk/uksi/2000/704/contents/made
Asylum Support (Amendment) Regulations 2005 SI 11	Asylum Support Regs 2005	https://www.legislation.gov.uk/uksi/2005/11/made
The Detention Centre Rules 2001 SI 238	Detention Centre Rules	https://www.legislation.gov.uk/uksi/2001/238/contents/made
Detention Service Orders	DSOs	https://www.gov.uk/government/collections/detention-service-orders
Asylum Process Guidance and Asylum Policy Instructions	APG/API	https://www.gov.uk/government/collections/visas-and-immigration-operational-guidance
The Tribunal Procedure (First-tier Tribunal) (Immigration and Asylum) Asylum Chamber) Rules 2014	Procedural Rules	https://www.legislation.gov.uk/uksi/2014/2604
Statement of changes to the Immigration Rules: HC 617, 10 September 2021	Immigration Rules	https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-617-10-september-2021
Statement of changes to the Immigration Rules: HC 913, 14 December 2021	Immigration Rules	https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-913-14-december-2021

		immigration-rules-hc-913-14-december
Asylum Support (Amendment) Regulations 2022	Regulations	https://www.legislation.gov.uk/uksi/2022/78/made
Statement of changes to the Immigration Rules: HC 1019, 24 January 2022	Immigration Rules (shortage occupation list)	https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-1019-24-january-2022
Statement of changes to the Immigration Rules: HC 1220, 29 March 2022	Immigration Rules (including three Ukraine schemes)	https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-1220-29-march-2022
Statement of changes to the Immigration Rules: HC 17, 11 May 2022	Immigration Rules (including implementation of NAB Act and amendments to Ukraine sponsor scheme)	https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc17-11-may-2022
Statement of changes to the Immigration Rules: HC 511, 20 July 2022	Immigration Rules (extension of Ukraine sponsor scheme to unaccompanied children)	https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc511-20-july-2022
Statement of changes to the Immigration Rules: HC 719, 18 October 2022	Immigration Rules (including amendments to Afghan relocation scheme eligibility and amendment to Ukraine extension scheme eligibility)	https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc719-18-october-2022
Statement of changes to the Immigration Rules: HC 1160, 9 March 2023	Immigration Rules (including changes to interviews for child asylum seekers and refugee family reunion)	https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-1160-9-march-2023
Statement of changes to the Immigration Rules: HC 1496, 17 July 2023	Immigration Rules (including the end of differentiation treatment in grants of leave for asylum seekers, and expansion of grounds for withdrawal of asylum claims)	https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-1496-17-july-2023
Statement of changes to the Immigration Rules: HC 1715, 19 July 2023	Immigration Rules (including addition of Honduras and Namibia to the list of countries whose nationals must apply)	https://www.gov.uk/government/publications/statement-of-changes-to-the-

	for a visa in advance of coming to the UK due to the number of asylum claims from these countries)	immigration-rules-hc-1715-19-july-2023
Statement of changes to the Immigration Rules: HC 246, 7 December 2023	Immigration Rules (including changes to statelessness applications)	https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-246-7-december-2023
The Illegal Migration Act 2023 (Commencement No. 1) Regulations 2023		https://www.legislation.gov.uk/uk/si/2023/989/contents/made
The Asylum Support (Amendment) Regulations 2023	Regulations	https://www.legislation.gov.uk/uk/si/2023/1372/contents/made
Statement of changes to the Immigration Rules: HC 556, 19 February 2024	Immigration Rules (closure of Ukraine schemes)	https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-556-19-february-2024
Statement of changes to the Immigration Rules: HC 590, 14 March 2024	Immigration Rules (Appendix Salary List)	https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-590-14-march-2024
The Illegal Migration Act 2023 (Amendment) Regulations 2024		https://www.legislation.gov.uk/uk/si/2024/815/made
Statement of changes to the Immigration Rules: HC 217, 10 September 2024	Immigration Rules (visa regime on Jordan)	https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-217-10-september-2024
Statement of changes to the Immigration Rules: HC 334, 26 November 2024	Immigration Rules (visa regime on Colombia, changes to Ukraine schemes)	https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-334-26-november-2024
Statement of changes to the Immigration Rules: HC 733, 12 March 2025	Immigration Rules (visa regime on Trinidad & Tobago, changes to Ukraine schemes)	https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-733-12-march-2025
Statement of changes to the Immigration Rules: HC 836, 24 June 2025	Immigration Rules	https://www.gov.uk/government/publications/statement-of-changes-to-the-

		immigration-rules-hc-836-24-june-2025
Statement of changes to the Immigration Rules: HC 997, 1 July 2025	Immigration Rules (closure of the Afghan Relocations and Assistance Policy)	https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-997-1-july-2025
Statement of changes to the Immigration Rules: CP 1373, 5 August 2025	Immigration Rules (establishment of the UK/European Applicant Transfer Scheme)	https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-cp-1373-5-august-2025
Statement of changes to the Immigration Rules: HC 1298, 4 September 2025	Immigration Rules (suspension of refugee family reunion scheme)	https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-1298-4-september-2025
Statement of changes to the Immigration Rules: HC 1333, 14 October 2025	Immigration Rules (changes to statelessness family members, imposition of a visit visa requirement for nationals of Botswana, changes to Ukraine Permission Extension Scheme)	https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-1333-14-october-2025
The Border Security, Asylum and Immigration Act 2025 (Commencement No. 1) Regulations 2025	Regulations	https://www.legislation.gov.uk/ukSI/2025/1318/made
The Border Security, Asylum and Immigration Act 2025 (Commencement No. 2) Regulations 2026	Regulations	https://www.legislation.gov.uk/ukSI/2026/59/contents/made
The Border Security, Asylum and Immigration Act 2025 (Commencement No. 3) Regulations 2026	Regulations	https://www.legislation.gov.uk/ukSI/2026/163/made
The Asylum Support (Amendment) Regulations 2026	Regulations	https://www.legislation.gov.uk/ukSI/2026/209/made
Statement of changes to the Immigration Rules: HC 1691, 5 March 2026	Immigration Rules (changes to length of refugee leave for new applicants, changes to further submissions process)	https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-1619-5-march-2026

The Immigration and Asylum (Provision of Accommodation to Failed Asylum-Seekers) (Amendment) Regulations 2026 (draft)	Regulations	https://www.legislation.gov.uk/ukdsi/2026/9780348280463
The Asylum Seekers (Reception Conditions) (Amendment) Regulations 2026 (draft)	Regulations	https://www.legislation.gov.uk/ukdsi/2026/9780348280296

Overview of the main changes since the previous update

This report was last published in **April 2025**.

National context

In 2025 a large number of people continued to arrive in the UK by making the journey across the Channel. The Labour government responded by signing a Treaty with France under which France would accept returns and the UK would accept people as an alternative to making the crossing. Only a very few hundred people have been moved in each direction under the Treaty (the treaty came into force 6 August 2025: 305 sent to France as of 3 February 2026³ and 350 brought to the UK as of 27 January 2026⁴), and there was no discernible impact on number of people making the journey, which increased from around 36,816 in 2024 to 41,472 in 2025.⁵

Other tactics the government used or is proposing to use to reduce numbers include restrictions on refugee family reunion, a decrease to the length of refugee leave granted, an increased period that people need to wait before settlement, and the use of “visa brakes” whereby people from certain countries are prohibited from coming to the UK as a student or worker.

International protection

- ❖ **Key asylum statistics:** 100,625 people applied for asylum in the UK (main applicants and their dependants), including 6,462 from Afghanistan and 7,419 from Iran. 17% of applicants were children (both accompanied and unaccompanied) and 72% were men and boys. The recognition rate at first instance continued to drop and was 41% in 2025, down from 47% in 2024 and 67% in 2023. There were 64,426 people still waiting for a decision at the end of 2025, a large drop from the 124,802 people waiting at the end of 2024 (see [Statistics](#)).
- ❖ **Border Security, Asylum and Immigration Act 2025 becomes law:** the Safety of Rwanda Act 2024 was formally repealed on 2 December 2025, the day the BSAI Act received Royal Assent.⁶ The BSAI Act also repealed certain provisions of the Illegal Migration Act 2023, in particular those that prohibited people from being granted leave where they arrived in the UK without permission and certain other criteria were met. In practice, these provisions had already been rendered obsolete through regulations passed in 2024⁷ (see [Admissibility procedure](#)).
- ❖ **“Visa brake” imposed on some students and workers:** in March 2026 the government said that applications for student visas from nationals of Afghanistan, Cameroon, Myanmar and Sudan would be refused because of the number of asylum claims made by people from these countries who were in the UK on visas. For Afghan nationals, the ban was extended to those on work visas⁸ (see [Legal access to the territory](#)).

³ UK Parliament, ‘Written question UIN HL14288: Undocumented Migrants: France’, 17 February 2026, available [here](#).

⁴ UK Parliament, ‘Written question UIN HL14066: Undocumented Migrants: France’, 11 February 2026, available [here](#).

⁵ Home Office, ‘Transparency data: Small boat activity in the English Channel’, table SB_02, last updated 22 March 2026, available [here](#).

⁶ Border Security, Asylum and Immigration Act 2025, s 40.

⁷ The Illegal Migration Act 2023 (Amendment) Regulations 2024.

⁸ Home Office, ‘Visa brake: changes to the UK visa system’, 26 March 2026, available [here](#).

Asylum procedure

- ❖ **Backlog of asylum claims moves into the appeals system:** the high number of decisions being combined with the large drop in grant rate has had the effect of moving the asylum backlog into the appeals system where there were 80,333 asylum appeals pending at the end of December 2025, up from 41,987 at the end of 2024 and 19,459 at the end of 2023⁹ (see [Appeal](#)).
- ❖ **High proportion of asylum refusals are not sustained at appeal:** of the 26,067 asylum appeals which were disposed of in 2025 (i.e. ended in any way, which can include for administrative reasons or withdrawals), an average of 31% of those were ended through the appeal being withdrawn. That figure has increased substantially over the course of 2025, from 17% in January to March 2025, to 42% for October to December 2025.¹⁰ The vast majority of those withdrawals occur where the Home Office has withdrawn their decision to refuse asylum, either with a view to granting leave (subject to security checks), or to reconsider and remake the decision.¹¹ Of the 14,117 cases which proceeded to be determined by a judge, 39.5% were successful.¹² This is despite the fact that most asylum appellants are unable to find a legal aid lawyer to assist them¹³ (see [Appeal](#)).
- ❖ **Concerns about quality of Home Office decision making:** the high proportion of asylum refusals which are not sustained at appeal stage has meant that concerns over the quality of decision making is increasing. The National Audit Office published a report noting that 42% of sampled decisions in the twelve months to May 2025 had “significant or fail errors”.¹⁴ A UNHCR report looking at asylum interviews concluded that many of the issues with decision making stem from shortcomings in the interview process, including failures to clarify inconsistencies and establish key facts. In 19 of the 60 interviews that were either observed or reviewed by UNHCR, the full basis of the asylum claim remained unclear following the interview, yet in many cases the decision was still made without further interview¹⁵ (see [Regular procedure](#) and [Personal interview](#)).

Reception conditions

- ❖ **Far-right protests outside asylum accommodation continue:** hotels being used as asylum accommodation throughout the UK continued to be the target of far-right protests.¹⁶ In response, one local authority brought a judicial review asking the courts to stop a hotel in its area being used as asylum accommodation, however the legal challenge was unsuccessful¹⁷ (see [Initial accommodation centres](#)).

⁹ Ministry of Justice, ‘Tribunal Statistics Quarterly: October to December 2025’, 12 March 2026, available [here](#).

¹⁰ Ministry of Justice, ‘Tribunal Statistics Quarterly: October to December 2025’, 12 March 2026, table FIA_2, available [here](#).

¹¹ See e.g. Upper Tribunal, *R (on the application of HI) v Secretary of State for the Home Department (rule 17 withdrawal, legitimate expectation)* [2026] UKUT 00079, available [here](#).

¹² Ministry of Justice, ‘Tribunal Statistics Quarterly: October to December 2025’, 12 March 2026, table FIA_3, available [here](#).

¹³ Dr Jo Wilding, ‘No Access to Justice 2’: Mapping the UK’s continuing immigration and asylum legal advice crisis’, *Justice Together*, 9 June 2025, available [here](#).

¹⁴ National Audit Office, ‘An analysis of the asylum system’, 10 December 2025, available [here](#).

¹⁵ UNHCR, ‘Asylum Interviews in the UK: Audit Findings and Recommendations’, 9 March 2026, available [here](#).

¹⁶ See e.g. Kiran Stacey, ‘Members of far-right party organising asylum hotel protests across UK, Facebook posts show’, *The Guardian*, 23 August 2025, available [here](#).

¹⁷ Supreme Court, refusal of permission to appeal in *Secretary of State for the Home Department and another (Respondents) v Epping Forest District Council (Appellant)*, 26 November 2025, available [here](#).

- ❖ **Reduction in use of hotels as asylum accommodation:** the Home Office reported in December 2025 that the number of hotels in use as asylum accommodation was under 200,¹⁸ around half of the reported 395 hotels in use in March 2023¹⁹ (see [Initial accommodation centres](#)).
- ❖ **Expansion of large scale accommodation sites:** a further large scale accommodation site, Crowborough Training Camp, opened in January 2026. As is also the case with the other site of Wethersfield and the now closed Napier, Crowborough is a former military barracks.²⁰ A third proposed site, Cameron Barracks in Inverness, has been delayed²¹ (see [Initial accommodation centres](#)).

Detention of asylum seekers

- ❖ **Number of people detained continues to rise:** In 2025, 22,996 people were detained under immigration powers, an increase from 20,604 in 2024 and 15,864 in 2023. 13,418 people who were detained had claimed asylum at some point (see [Detention](#)).

Content of international protection

- ❖ **Applications made on or after 2 March 2026 to be subject to shorter grants of leave:** both initial and subsequent asylum applications made on or after 2 March 2026 will be granted 30 months' refugee leave instead of the five years that were previously granted. Those who are or were unaccompanied asylum seeking children at the date of claim will continue to be granted five years' refugee leave (see [Residence permit](#)).
- ❖ **Move on period:** On 9 March 2026 the Home Office ended a pilot which extended the period of time newly recognised refugees are given before their asylum support is ended (the "move on period") from 28 days to 56 days. The same day, the Home Office announced that the move-on period would be extended from 28 days to 42 days from the date the grant letter is issued²² (see [Housing](#)).

UK Ukraine Visa Support

The information given hereafter constitute a short summary of the Report on UK Ukraine visa support in 2025, for further information, see Annex on [UK Ukraine visa support](#).

Eligibility and procedure

- ❖ **Homes for Ukraine:** this programme aims to match Ukrainian applicants and their immediate family (who may be Ukrainian or of another nationality) with UK based individual sponsors who, since 19 February 2024, must be British citizens or have permanent residence in the UK. On 31 January 2025 it was announced that a parent (or legal guardian) who has been granted leave under any of the Ukrainian schemes is eligible to sponsor their child under the Home for Ukraine scheme. The visa does not entail a fee. People have to apply from outside the UK.
- ❖ **Ukraine Permission Extension Scheme:** From 4 February 2025, those with leave granted under any of the Ukraine schemes can apply to extend their leave for a further 18 months when they are

¹⁸ UK Parliament, 'Written question UIN 99520: Asylum: Hotels', 22 December 2025, available [here](#).

¹⁹ BBC News, 'Where are asylum seekers being housed in hotels in the UK?', 25 October 2023, available [here](#).

²⁰ Home Office, 'Crowborough Training Camp, East Sussex: factsheet', updated 22 January 2026, available [here](#).

²¹ The Highland Council, 'Asylum: Cameron Barracks, Inverness', 11 March 2026, available [here](#).

²² Home Office, 'Ceasing section 95 support instruction', 9 March 2026, available [here](#).

within the last 28 days of their leave. This is a free application. Following this 18 month period, a further period of 24 months will be made available, although applications for this have not yet opened.

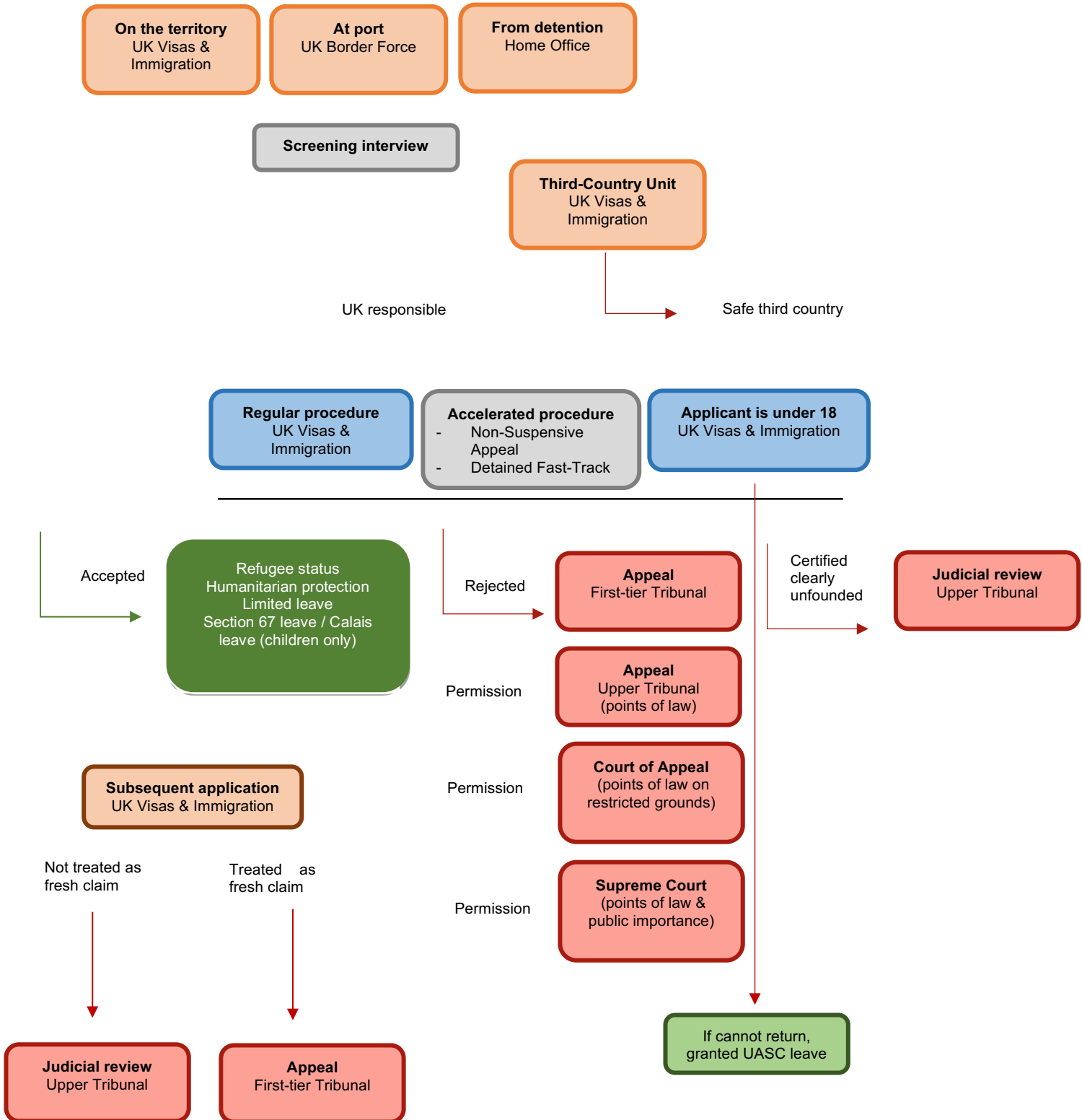
Rights associated with status

- ❖ **Residence permit:** upon arrival in the UK, persons receive an eVisa. Leave was initially granted for three years. As of 19 February 2024, this was reduced to 18 months for successful applicants to the Homes for Ukraine scheme, with extensions then available under the Ukraine Permission Extension Scheme.
- ❖ **Labour market, social welfare and health care:** all beneficiaries have access to work and all public funds, as they are exempt from the habitual residence test which usually restricts access in the first months after arrival. They are not required to pay the surcharge usually applied to visa beneficiaries to access healthcare via the NHS.
- ❖ **Housing:** The government surveyed sponsors in August 2023 and published experimental statistics which showed that around half (48%) of hosts had provided accommodation for 12 months or more. Almost all (99%) believed that their guests needed help to access private rental accommodation or to make other independent living arrangements. 31% of hosts reported bias or discrimination against Ukrainians by landlord or estate agencies.
- ❖ **Financial support for hosts:** Hosts in the Homes for Ukraine receive £350 per month as a 'thank you' payment for the first 12 months, increased to £500 after the first year, up to a maximum of two years. The local authority also receives funding for each arrival.

Asylum Procedure

A. General

1. Flow chart



2. Types of procedures

Indicators: Types of Procedures

Which types of procedures exist in your country?

- | | | |
|--|---|--|
| ❖ Regular procedure: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ▪ Prioritised examination: ²³ | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| ▪ Fast-track processing: ²⁴ | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| ❖ Dublin procedure: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| ❖ Admissibility procedure: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ Border procedure: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| ❖ Accelerated procedure: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| ❖ Other: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Are any of the procedures that are foreseen in the law, not being applied in practice? Yes No

3. List of authorities intervening in each stage of the procedure

Stage of the procedure	Competent authority (EN)
Application at the border ❖ At the border ❖ On the territory	Home Office UK Border Force (UKBF) Home Office UK Visas and Immigration (UKVI)
Safe third country (responsibility assessment under inadmissibility policy)	Home Office UK Visas and Immigration (UKVI), Third Country Unit (TCU)
Refugee status determination	Home Office UK Visas and Immigration (UKVI)
Appeal procedures ❖ First appeal ❖ Second (onward) appeal	First Tier Tribunal, Immigration and Asylum Chamber (FTT (IAC)) Upper Tribunal, Immigration and Asylum Chamber (UT (IAC))
Subsequent application (admissibility)	Home Office UK Visas and Immigration (UKVI)
Revocation / Withdrawal	Home Office UK Visas and Immigration (UKVI)
Returns (voluntary and forced returns)	Home Office UK Visas and Immigration (UKVI)

4. Number of staff and nature of the determining authority

Name	Number of staff	Ministry responsible	Is there any political interference possible by the responsible Minister with the decision making in individual cases by the determining authority?
Home Office Visas and Immigration (UKVI), Asylum Casework Directorate	2,028	Home Office	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Responsibility for the asylum process rests with the Secretary of State for the Home Department, who is a government minister (the Home Secretary). Within the Home Office, asylum decision-making is allocated to a department called UK Visas and Immigration (UKVI) and within this to the Asylum and Protection Directorate, with 2,028 asylum case working staff at the end of December 2025.²⁵ The Home

²³ For applications likely to be well-founded or made by vulnerable applicants.

²⁴ Accelerating the processing of specific caseloads as part of the regular procedure.

²⁵ Home Office, 'Immigration and protection data: Q4 2025', 26 February 2026, table ASY_05(M), available [here](#).

Office is responsible for all aspects of immigration and asylum: entry, in-country applications for leave to remain, monitoring compliance with immigration conditions, and enforcement including detention and removal.

Within the Home Office, entry is managed by Border Force,²⁶ registration of asylum claims is done by the Irregular Migration Intake Unit,²⁷ the inadmissibility process is handled within the Third Country Unit,²⁸ and the asylum decision making process is dealt with by Asylum Operations.²⁹

The operational guidance of the UKVI is available online. It includes asylum instructions on the decision-making process, on screening asylum applicants and routing them to regional asylum teams; as well as on asylum applications involving children or how to make decisions about detention of asylum applicants. Moreover, country of origin information (COI) reports are also made available online³⁰ and are frequently quoted by other countries' authorities.³¹

Quality monitoring in the form of checks carried out by specially trained decision makers (referred to as 'Second Pair of Eyes' or SPOE) is carried out for certain kinds of decisions, for example where a medico-legal report is provided as supporting evidence.³² This process was previously in place in relation to claims that are certified as bound to fail under section 94 of the Nationality Immigration and Asylum Act 2002 (NIAA), but these checks were stopped in April 2023.³³ There is no public data on how many decisions are overturned at the SPOE stage.

5. Short overview of the asylum procedure

A first application for asylum in the UK can be made either on arrival at the border, or at the Irregular Migration Intake Unit (IMIU) in **Croydon** (South of London), or, where a person is already detained it may be made from the detention centre. The IMIU was previously named the Asylum Screening Unit and the Asylum Intake Unit and these names are still used and still appear in some guidance. In certain circumstances,³⁴ usually due to inability to travel, arrangements can be made to register a claim at a regional centre. Claims made at the port of Dover result in screening at a short-term holding facility at former military site Manston unless the person is identified as an unaccompanied minor, in which case the process takes place within the port.

First instance procedure

In most cases the application is first screened, which involves an interview in which biometric data is taken, health and family information, details of the route of travel, and the broad outline of the reasons for claiming asylum. Children making a claim in their own right are not screened; if they are already in the care of the local authority their claim is registered with the Home Office at a scheduled interview. If the Home Office encounters them first, the child will be subject to a 'welfare interview'.

²⁶ Border Force, 'About us', accessed 27 March 2026, available [here](#).

²⁷ UK government, 'Asylum intake unit', accessed 27 March 2024, available [here](#).

²⁸ Home Office, 'Inadmissibility – third country cases: caseworker guidance', 27 February 2026, available [here](#).

²⁹ Independent Chief Inspector of Borders and Immigration, 'Inspection of asylum casework (August 2020 – May 2021)', 18 November 2021, available [here](#).

³⁰ Home Office, 'Country policy and information notes', 1 September 2025, available [here](#).

³¹ Practice based observation by the expert, January 2024.

³² Home Office, 'Medical evidence in asylum claims version 2', 26 August 2022, available [here](#).

³³ UK Parliament, 'Statement UIN HCWS716 on Reforms to the Process of Certifying Claims as Clearly Unfounded', 17 April 2023, available [here](#).

³⁴ Home Office, 'Asylum Screening and routing – Version 12.0', 24 July 2024, available [here](#).

On the basis of the screening interview the Asylum Intake Unit (AIU) of the Home Office decides which route the application will follow. The alternatives are:

- ❖ unaccompanied children – referred to a specially trained decision maker;
- ❖ safe third country procedure (inadmissibility);
- ❖ the regular procedure.

In all cases the procedure deals with both refugee status and subsidiary protection.

Potential safe third country cases are referred to the third country unit of the Home Office, which decides whether to refuse to consider the claim on the basis that the person can be removed to another country, including EU Member states³⁵ (this policy does not apply to claims made from EEA nationals; separate guidance applies to such claims).³⁶

The decisions to declare an asylum claim as inadmissible or to certify the substantive claim as clearly unfounded may be challenged in the UK only through judicial review. An application made to the Upper Tribunal can only be made with permission of that tribunal.³⁷ Judicial review proceedings do not consider the merits of a decision, but only whether the decision maker approached the matter in the correct way.

The guidance for applications considered while the applicant is detained was revised in December 2024.³⁸ Casework on the asylum claim is separated from the management of the decision to continue detention; decisions in each are handled by different sections of the Home Office.

In the regular procedure, decisions are made by a regional office of the Home Office. There is no time limit for making a first decision and a previous policy to apply service standards in terms of specific lengths of time was abandoned in 2019.³⁹ Reasoned decisions are normally sent by post, although they may be delivered to the asylum applicant in person when they attend the Home Office reporting centre. Removal notices are not usually issued at the same time as refusals.

On 2 March 2026 the Home Secretary announced that people making initial claims for asylum or further submissions in support of a fresh claim for asylum on or after 2 March 2026 would be granted 30 months leave instead of five years.⁴⁰ The change was implemented via a statement of changes to the immigration rules.⁴¹ It is also expected that this group will be subject to a much longer period to wait before being eligible for settlement, with further details expected later this year.⁴²

Appeal

Appeal is to the First-tier Tribunal (Immigration and Asylum Chamber), an independent judicial body which is part of the unified tribunal structure in the Ministry of Justice. The appeal is suspensive unless certified otherwise and must be lodged within 14 days of the date of the asylum refusal letter.⁴³ The tribunal proceedings are broadly adversarial, with the Home Office represented by a presenting officer or a barrister.

³⁵ Home Office, 'Inadmissibility -; third country cases: caseworker guidance', last updated 27 February 2026, available [here](#).

³⁶ Home Office, 'EEA and EU asylum claims: caseworker guidance', last updated 25 July 2024, available [here](#).

³⁷ Section 16 Tribunals Courts and Enforcement Act 2007.

³⁸ Home Office, 'Detained Asylum Casework- asylum casework version 6.0', 20 December 2024, available [here](#).

³⁹ UK Parliament, 'Written question UIN 220308 Asylum: Applications', 18 February 2019, available [here](#).

⁴⁰ Home Office, 'Refugee protection to be reviewed every 30 months', 2 March 2026, available [here](#).

⁴¹ Home Office, *Statement of changes to the Immigration Rules: HC 1691*, 6 March 2026, available [here](#).

⁴² Home Office, 'Restoring Order and Control: A statement on the government's asylum and returns policy', 21 November 2025, available [here](#).

⁴³ UK government, 'Appeal a decision by the immigration and asylum tribunal', accessed 27 March 2026, available [here](#).

A further appeal on a point of law may be made to the Upper Tribunal with permission of the First Tier Tribunal, or, if refused, of the Upper Tribunal. An application for permission to appeal must be made within 14 days of deemed receipt of the First Tier Tribunal decision. Asylum appeals before the First Tier and Upper Tribunals are heard by a judge within the specialist Immigration and Asylum Chamber.

Appeal from the Upper Tribunal to the Court of Appeal may only be made on a point of law and requires the permission of the Upper Tribunal or the Court of Appeal. Where permission to appeal is refused by the Upper Tribunal, it is possible to apply for judicial review of that decision.⁴⁴ This has since been heavily restricted through the introduction of the Judicial Review and Courts Act 2022.⁴⁵ A legal challenge to this restriction was unsuccessful.⁴⁶

A final appeal to the Supreme Court may only be made on a point of law of public importance, certified by the Court of Appeal or Supreme Court. The Court of Appeal and Supreme Court are superior courts with a general jurisdiction.

Rules and guidance

Immigration Rules⁴⁷ and guidance govern the day-to-day operation of immigration and asylum decision-making. Immigration Rules are made by the Home Secretary and are laid before Parliament in a procedure that does not routinely involve scrutiny. In relation to asylum most of the rules are concerned with the process rather than the substance of the decision, but they do include, for instance, factors relevant to credibility. Interpretation of the Refugee Convention is defined in primary legislation through the Nationality and Borders Act 2022⁴⁸.

The Home Office also issues detailed practical guidance⁴⁹ for asylum decision-making. Guidance deals with a wide range of issues including how to conduct interviews, how to apply some legal rules, country of origin information, and detailed procedural and administrative matters. Guidance is not directly binding, but should be followed, and failure to do so can be grounds for an application for [judicial review](#).

⁴⁴ Supreme Court, *R (on the application of Cart) (Appellant) v The Upper Tribunal (Respondent)* [2011] UKSC 28, available [here](#).

⁴⁵ Judicial Review and Courts Act 2022, s 2, available [here](#).

⁴⁶ High Court, *Mary Jane Baluden Oceana, R (on the application of) v Upper Tribunal (Immigration and Asylum Chamber)* [2023] EWHC 791 (Admin), available [here](#).

⁴⁷ Immigration Rules, available [here](#).

⁴⁸ Sections 30 to 39.

⁴⁹ Home Office, 'Asylum decision making guidance (asylum instructions)', 8 April 2025, available [here](#).

B. Access to the procedure and registration

1. Access to the territory and push backs

Indicators: Access to the Territory

1. Are there any reports (NGO reports, media, testimonies, etc.) of people refused entry at the border and returned without examination of their protection needs? Yes No
2. Is there a border monitoring system in place? Yes No
3. Who is responsible for border monitoring? National authorities NGOs Other
4. How often is border monitoring carried out? Frequently Rarely Never

Juxtaposed border controls in France and Belgium allow the UK to limit access to the territory. On 18 January 2018 the two governments reiterated their commitment to juxtaposed controls in the Sandhurst Agreement, although no new measures were introduced relating to the operation of those controls.⁵⁰ A report by the Independent Chief Inspector of Borders and Immigration into the juxtaposed controls has little mention of asylum claimants, although it does mention ‘ethical decision making’ through the use of discretion for Ukrainians without visas.⁵¹

The Equality Act 2010 permits immigration officers to discriminate on grounds of nationality if they do so in accordance with the authorisation of a minister.⁵² This discrimination may include subjecting certain groups of passengers to a more rigorous examination. Ministerial authorisations are made on the basis of statistical information of a higher number of breaches of immigration law or of adverse decisions in relation to people of that nationality. The statistical basis is not published.

Immigration officers have the power to refuse entry at the border unless the passenger has a valid entry clearance or claims asylum. It is not known whether, and if so, how many people sent back from the border wished to claim asylum but did not say so to immigration officers or were *de facto* not given an opportunity to do so. UNHCR published a report in May 2023 of an audit they carried out on the UK’s asylum intake, registration and screening procedures.⁵³ Concerns were raised about the use of informal barriers to asylum claims, one airport was described as having a senior manager who advocated for his staff to try to persuade asylum applicants to withdraw their claims and noted particular success in this with young people.⁵⁴

In 2024, 23,844 people were refused entry at the UK port of whom 8,930 were at the juxtaposed controls (see below) and were denied access to the UK.⁵⁵ The information stated that these are non-asylum cases, although it is not known how many wished to claim asylum. The information also stated that a proportion of those initially refused and detained at the border may subsequently be admitted although no figures are given for this category. In 2025 the Home Office reported that 18,279 people were refused entry at port and subsequently departed.⁵⁶

⁵⁰ UK Parliament, ‘Statement HCWS415 Migration’, 19 January 2018, available [here](#).

⁵¹ ICIBI, ‘An inspection of juxtaposed controls – April - May 2022’, October 2022, available [here](#).

⁵² Equality Act 2010, s 29 and sch 3, pt 4.

⁵³ UNHCR, ‘Asylum screening in the UK’, 26 May 2023, available [here](#).

⁵⁴ UNHCR, ‘Asylum screening in the UK’, 26 May 2023, available [here](#), 26.

⁵⁵ Home Office, ‘Immigration system statistics data tables, Passengers refused entry at the border detailed datasets, year ending December 2024’, table Stp_D01, 27 February 2025, available [here](#).

⁵⁶ Home Office, ‘Immigration system statistics data tables, Returns detailed datasets, year ending December 2025’, table Ret_D01, 26 February 2026, available [here](#).

In the control zones in France and Belgium, no asylum claim can be made to UK authorities,⁵⁷ and the acknowledged purpose of these agreements with France and Belgium was to stop people travelling to the UK to claim asylum.⁵⁸ Of the 8,930 people turned back in control zones in 2024,⁵⁹ it is not known how many wished to claim asylum. There is little or no information about any attempted claims, and whether those who attempt to claim are referred to the authorities of the state of departure, as the regulations require. In 2025 the Home Office stopped publishing data on the number of people refused entry at the juxtaposed controls.

During an investigation by the Children's Commissioner for England in 2012, Home Office officials disclosed the 'Gentleman's Agreement'.⁶⁰ This operates in relation to people intercepted on landing in the UK who are considered to have made an illegal entry and who do not say that they wish to claim asylum. The agreement is between the UK and France and obliges France to accept the return of such passengers if this can be effected within 24 hours.

Returns under the Gentleman's Agreement are carried out without a formal refusal of leave to enter. Following the Commissioner's discovery that this was being applied to young people, the practice was stopped in relation to acknowledged children. This agreement still applies to adults and those who appear to be adults. The 2003 Le Touquet Treaty, which is still applicable, states that anyone claiming asylum at the juxtaposed controls will be dealt with by the French authorities.⁶¹

The ministerial authorisation to discriminate in refusing leave to enter also takes effect in control zones. Although there is little substantiated evidence of *refoulement* taking place at the border, current UK policy and practice creates a risk of this occurring. In 2022, reports of Albanians held in the short-term holding facility at Manston and quickly removed to Albania raised questions about the lack of access to legal advice to allow people held there to realistically consider making an asylum claim.⁶²

A new joint statement between the UK and France related to Channel crossings was signed in November 2022.⁶³ Between 2014 and 2022, the UK committed approximately £232 million to border security in northern France (approx. EUR 279 million as of 12/24).⁶⁴ Under a new three year agreement in March 2023, the UK agreed to contribute EUR 141 million for 2023-2024, EUR 191 million for 2024-2025 and EUR 209 million for 2025-2026. The funding was to cover 500 additional officers in France, new infrastructure and surveillance equipment (such as drones, helicopters) and a new French immigration detention centre.⁶⁵ In February 2025 the UK government announced that funds would be reallocated to provide 12 specialist intelligence officers in Dunkirk and to mobilise a new policing unit in France.⁶⁶

Discussions have taken place between the two states regarding responsibility for search and rescue as well as preventative measures.

⁵⁷ In the case of France, this is stated in Article 4 of the Additional Protocol CM 5015 to the Protocol between the United Kingdom of Great Britain and Northern Ireland and the French Republic concerning Frontier Controls and Policing, Co-operation in Criminal Justice, Public Safety and Mutual Assistance relating to the Channel Fixed Link, Cm 2366, signed at Sangatte on 25 November 1991. It is not explicit in the Belgian agreement.

⁵⁸ ICIBI, *An Inspection of Juxtaposed Controls*, 2013, available [here](#).

⁵⁹ Home Office, 'Immigration system statistics data tables, Passengers refused entry at the border detailed datasets, year ending December 2024', table Stp_D01, 27 February 2025, available [here](#).

⁶⁰ Le Touquet Treaty, article 9, available [here](#).

⁶¹ Le Touquet Treaty, article 9, available [here](#).

⁶² Diane Taylor, 'Concerns raised over due process in case of 11 Albanians flown out of UK', *The Guardian*, 18 October 2022, available [here](#).

⁶³ AP, 'France, UK sign deal to stop asylum seekers crossing Channel', *Al Jazeera*, 14 November 2022, available [here](#).

⁶⁴ Melanie Gower, 'Unauthorised migration: Timeline and overview of UK-French cooperation', *House of Commons Library*, 13 February 2026, available [here](#).

⁶⁵ 10 Downing Street, 'UK-France Joint Leaders' Declaration', 10 March 2023, available [here](#).

⁶⁶ Home Office, 'New UK-French action to go after smuggler gangs', 28 February 2025, available [here](#).

The UK government continues to blame ‘criminal smuggling gangs’ and individuals themselves for the danger to life - condemning the actions of both and prosecuting those who arrive across the Channel through the criminal justice system. This has led to an increase in the criminalisation of those who arrive via this route. The Nationality and Borders Act 2022 amended the Immigration Act 1971 to introduce new offence of “illegal arrival” which applies to a person who requires permission to enter the UK but arrives in the UK without it.⁶⁷ The maximum sentence for the offence is four years. For “facilitating” irregular migration the maximum sentence was increased by the Nationality and Borders Act 2022 to life imprisonment.

There are two separate provisions of the Immigration Act 1971 which are used to criminalise people arriving via the Channel, section 24 concerns illegal arrival and section 25 assisting unlawful immigration to the UK (‘facilitation’). Data disclosed shows that from 28 June 2022 to the end of November 2025 there were 385 passengers and 290 people identified as piloting the boat arrested on suspicion of illegal arrival. 575 passengers and 704 “pilots” were subsequently charged. 328 passengers and 293 “pilots” were subsequently convicted. For the facilitation offence over the same period there were 11 passengers arrested, 6 charged and zero convicted, and 351 people identified as pilots were arrested, 92 charged and 12 convicted.⁶⁸ Concerns have been raised about the detention and prosecution of age disputed children.⁶⁹

The Border Security, Asylum and Immigration Act 2025 introduced a further offence related to Channel crossings, which is “endangering another during sea crossing to United Kingdom”.⁷⁰ The offence is committed where, during a journey by water from France, Belgium or the Netherlands to the UK, a person did an act that caused or created a risk of death or serious personal injury to another person.

The UK government has also made agreements with the French government to prevent people from leaving France to cross the Channel to the UK. In March 2025 the two countries signed the ‘Upstream Working Group Roadmap’ which aimed to deepen cooperation on stemming irregular migration flows into France and the UK.⁷¹

In August 2025 the UK ratified a treaty with France “UK/France: Agreement on the Prevention of Dangerous Journeys”.⁷² The treaty provides for people who arrive in the UK via the Channel to be returned to France and for the same number of people who are returned to France to be brought safely to the UK. A statement of changes published on 5 August 2025 introduced a new Appendix UK/European Applicant Transfer Scheme to the Immigration Rules.⁷³ This appendix sets out the requirements for a person to meet in order to come to the UK under the arrangements.

To be eligible to come to the UK under the scheme, the applicant must not have previously entered the UK without permission and they must not have leave in France or have been granted international protection in another country.⁷⁴ Those in France who wish to apply to come to the UK must register an expression of interest.⁷⁵ Successful applicants are granted entry clearance for up to three months.⁷⁶ As

⁶⁷ Section 24(D1) of the Immigration Act 1971, as amended by the Nationality and Borders Act 2022.

⁶⁸ Freedom of Information request, available [here](#).

⁶⁹ Victoria Taylor and others, ‘I told them the truth’, *Border Criminologies and the Centre for Criminology at the University of Oxford*, 2 June 2025, available [here](#) (in French and English).

⁷⁰ Section 21, which amended section 24 of the Immigration Act 1971.

⁷¹ Home Office, ‘The UK deepens cooperation with France on people smuggling’, 7 March 2025, available [here](#).

⁷² Foreign, Commonwealth & Development Office, International treaty, ‘UK/France: Agreement on the Prevention of Dangerous Journeys [CS France No.2/2025], 3 September 2025, available [here](#).

⁷³ Home Office, ‘Statement of changes to the Immigration Rules: CP 1373’, 5 August 2025, available [here](#).

⁷⁴ Immigration Rules, Appendix UK/European Applicant Transfer Scheme, available [here](#).

⁷⁵ GOV.UK, ‘Register for the UK/European applicant transfer scheme’, accessed 4 February 2026, available [here](#).

⁷⁶ Home Office, ‘Guidance: UK/European Applicant Transfer Scheme’, 2 December 2025, available [here](#).

at the end of January 2026, it was reported that 281 people had been returned to France under the agreement, and 350 people had arrived in the UK from France.⁷⁷

In December 2025 several UN special rapporteurs wrote to the UK and French governments raising concerns about potential breaches of human rights.⁷⁸ 80 people detained pending removal under the treaty compiled a report saying that they have suffered “fear, humiliation and psychological distress” since arriving in the UK on small boats.⁷⁹ The NGO Medical Justice has also published a report providing comprehensive analysis of the backgrounds, experiences and mistreatment of 33 people detained under the agreement since August 2025.⁸⁰

The Home Secretary appointed a Clandestine Channel Threat Commander in August 2020.⁸¹ In January 2023 this was replaced by the newly created Small Boats Operational Command.⁸² In September 2024 a new role of Border Security Commander was created.⁸³ The role was put on a statutory footing through its inclusion in The Border Security, Asylum and Immigration Act 2025.⁸⁴ The Border Security Command has a broader remit than the Small Boats Operational Command and is tasked with prevention work earlier in the people smuggling chains.⁸⁵ In March 2026 the Border Security Commander who had been in post for 18 months resigned from the role.⁸⁶

In 2022 there were 1,381 attempted Channel crossings that were prevented, carrying 33,788 people.⁸⁷ In 2024 36,816 people arrived in the UK by small boat. In 2023 there were 29,437 people who arrived in the UK by small boat across the Channel. This was 36% lower than in 2022 and the reduction is explained partly by poor weather conditions as well as a 93% reduction in Albanians arriving via this route.⁸⁸ In 2025 22,476 people were prevented from making the crossing, and 41,472 people did make the crossing.⁸⁹

In 2021 it is estimated that 41 people died while trying to cross the Channel, in 2022 this was 13 people. In 2023 it is estimated that 19 people died trying to make the crossing of the Channel to the UK.⁹⁰ In 2024 at least 82 deaths were reported, including a record number of children.⁹¹ In 2025 there were 36 deaths recorded of people who were trying to travel from mainland Europe to the UK. Not all of these were deaths resulting from an attempted Channel crossing: three of these were vehicle accidents and some causes of death remain unknown. One child died off the coast of France.⁹²

⁷⁷ BBC News, ‘UK has removed 281 migrants under France deal, minister says’, 27 January 2026, available [here](#).

⁷⁸ Diane Taylor, ‘UK and France asylum deal could violate human rights laws, warns UN’, *The Guardian*, 6 February 2026, available [here](#).

⁷⁹ Diane Taylor, ‘Eighty ‘one in, one out’ asylum seekers accuse UK of degrading treatment’ *The Guardian*, 5 January 2026, available [here](#).

⁸⁰ Medical Justice, ‘Politics over people?’, 21 January 2026, available [here](#).

⁸¹ Government, ‘Home Secretary appoints small boats commander’, August 2020, available [here](#).

⁸² Home Office, ‘Leadership of small boats operations returns to the Home Office’, 31 January 2023, available [here](#).

⁸³ Home Office, ‘New Border Security Commander appointed as Prime Minister’s European reset continues in Italy’, 15 September 2024, available [here](#).

⁸⁴ Sections 1 to 12.

⁸⁵ Home Affairs Committee, ‘Oral evidence: The work of the Home Office, HC 505’, 17 December 2024, available [here](#).

⁸⁶ Nick Eardley and Kate Whannel, ‘Border security chief to step down after 18 months in the job’, *BBC News*, 20 March 2026, available [here](#).

⁸⁷ Home Office, ‘Policy paper: UK-France Joint Leaders’ Declaration’, 10 March 2023, available [here](#).

⁸⁸ Home Office, ‘Official Statistics: Irregular migration to the UK, year endings December 2024’, 27 February 2025, available [here](#).

⁸⁹ Home Office, ‘Transparency data: Small boat activity in the English Channel’, table SB_02, last updated 22 March 2026, available [here](#).

⁹⁰ IOM Missing Migrants Project, accessed 24 March 2024, available [here](#).

⁹¹ Diane Taylor, ‘Record number of children died crossing Channel last year, says UN’, *The Guardian*, 25 February 2025, available [here](#).

⁹² IOM Missing Migrants Project, accessed 4 February 2026, available [here](#).

In one incident on 23 to 24 November 2021, it is estimated that at least 30 people died trying to cross the Channel. The Marine Accident Investigation Branch published an Accident Investigation Report on 8 November 2023.⁹³ Documents disclosed under a Freedom of Information request showed that just prior to this incident the UK coastguard downgraded emergency calls from as many as four boats, meaning that they were treated as not in need of urgent rescue.⁹⁴ On 9 November 2023 the government announced an independent, non-statutory inquiry into the incident (“the Cranston Inquiry”).⁹⁵ Full hearings for the inquiry started in March 2025.⁹⁶

The report by the Cranston Inquiry was published on 5 February 2026 and found systemic failures, missed opportunities and inadequate resourcing that contributed to the failure to rescue people. The report also includes a section on those who died in the incident, setting out details of their lives and the circumstances leading up to their attempted journey across the Channel. 18 recommendations were made, covering various aspects of search and rescue, and publication of information relating to the implementation of recommendations made by the Marine Accident Investigation Branch.⁹⁷

An interim report was published by the Marine Accident Investigation Branch in December 2023 in relation to another incident on 14 December 2022 where at least 8 people died.⁹⁸ The full report was published in August 2024 and found that “the inflatable boat was wholly unsuitable and ill-equipped for the crossing attempt and the occupants’ only method of raising the alarm was via mobile phone”.⁹⁹ A Senegalese national who was 20 years old at the date of the incident was convicted of several offences including gross negligence manslaughter and was sentenced to 9 years 6 months’ imprisonment and was refused permission to appeal against the conviction and sentence.¹⁰⁰

1.1. Border monitoring

The only land border in the UK is between Ireland and Northern Ireland, and passport checks are not in routine operation.¹⁰¹

1.2. Legal access to the territory

For information about family reunification, please see the specific [Family reunification](#) section.

There is no humanitarian visa available for people to apply for outside the UK, so that they can enter to claim asylum. Resettlement schemes are available, these are the UK Resettlement Scheme, Community Sponsorship Scheme and Mandate Resettlement Scheme, all of these schemes take refugees identified by UNHCR.¹⁰² People arriving under these resettlement schemes are granted the standard five years’ refugee leave once they arrive in the UK.

⁹³ Marine Accident Investigation Branch, ‘Flooding and partial sinking of an inflatable migrant boat with at least 27 lives lost’, 8 November 2023, available [here](#).

⁹⁴ Aaron Walawalkar, Harriet Clugston and Mark Townsend, ‘Revealed: UK coastguard downgraded 999 calls from refugees in days before mass drowning’, *The Guardian*, 4 November 2023, available [here](#).

⁹⁵ Department for Transport and Marine Accident Investigation Branch, ‘Inquiry into Channel incident of 24 November 2021’, 9 November 2023, available [here](#).

⁹⁶ The Cranston Inquiry, ‘Cranston Inquiry Full Hearings to begin’, 24 February 2025, available [here](#).

⁹⁷ The Cranston Inquiry, ‘The Cranston Inquiry Report’, 5 February 2026, available [here](#).

⁹⁸ Marine Accident Investigation Branch, ‘Interim report on the investigation of the foundering of an inflatable migrant boat, resulting in the loss of at least 8 lives in the English Channel on 14 December 2022’, December 2023, available [here](#).

⁹⁹ Marine Accident Investigation Branch, ‘Flooding and partial sinking of an inflatable migrant boat with the loss of at least 8 lives’, 15 August 2024, available [here](#).

¹⁰⁰ Court of Appeal, *Bah v Rex* [2024] EWCA Crim 1499, 11 December 2024, available [here](#).

¹⁰¹ CJ McKinney, Michael Potter and Terry McGuinness, ‘Research briefing: The Common Travel Area and the special status of Irish citizens in UK law’, *House of Commons Library*, 16 August 2023, available [here](#).

¹⁰² Home Office, ‘Policy paper: Resettlement’, August 2021, available [here](#).

The government launched a Community Sponsorship scheme as part of the VPRS programme in 2022. There are strict criteria for becoming a sponsor, including the type of organisation that can apply and the need to be approved by the local authority before applying to the Home Office. Guidance was issued at the same time as the scheme was launched.¹⁰³

The UK Resettlement Scheme brought 525 people to the UK in 2025, a further 12 people came via the Community Sponsorship Scheme and 6 via the Mandate Scheme.¹⁰⁴

Separate schemes are in place for a very limited number of Afghans, it is not possible to apply and the most recent request for expressions of interest closed in 2022.¹⁰⁵ The Afghan Relocation and Assistance Policy resettled 2,904 people to the UK in 2023. In 2024 5,130 people came and 4,599 people in 2025, although these numbers also include those who arrived under the previously secret ARR scheme (see below).¹⁰⁶

An Afghan resettlement scheme (ACRS) was also announced, firstly in August 2021 but with details in January 2022. Of the three identified pathways, only one grants refugee status (pathway 2), taking referrals from UNHCR in line with the usual resettlement pathway. In 2023, 104 people had been resettled through this pathway and 688 under pathway 3. In 2024 a total of 2,061 people came to the UK via the ACRS and 1,271 came in 2025.¹⁰⁷

Others who were evacuated from Afghanistan in 2021 or are to be brought directly with the assistance of the Foreign, Commonwealth and Development Office, were to be given indefinite leave to remain outside of the Immigration Rules.¹⁰⁸ This made applying for family reunion more difficult than for other refugees, when Appendix Family Reunion was still in place.¹⁰⁹ A report by Safe Passage found that some of the most at-risk Afghans were finding it difficult to access the existing resettlement programmes because of the inflexible eligibility criteria.¹¹⁰

In July 2025 the government announced to the House of Commons that there had been a significant data breach in February 2022 relating to people who had submitted an expression of interest to the Afghan Relocations and Assistance Policy. The High Court had granted a super injunction relating to the breach, meaning that even the existence of the injunction could not be reported on. That was lifted in July 2025 which prompted the statement by the Defence Secretary in the House of Commons.¹¹¹

The data breach was that an official had mistakenly disclosed the personal information of 18,714 Afghans who had applied to the relocation scheme. As a result of this the government set up a new resettlement scheme in 2023 which was designed for the people whose data had been disclosed. This route was called the Afghanistan Response Route and it was closed in July 2025, on the same day that the existence of

¹⁰³ Home Office, 'Apply for community sponsorship', 15 September 2025, available [here](#).

¹⁰⁴ Home Office, 'Immigration system statistics data tables, Resettlement detailed datasets, year ending December 2025', table Res_D02, available [here](#).

¹⁰⁵ UK government, 'Afghan Citizens Resettlement Scheme Pathway 3: eligibility for British Council and GardaWorld contractors and Chevening Alumni', 21 August 2024, available [here](#).

¹⁰⁶ Home Office, 'Immigration system statistics data tables, Resettlement detailed datasets, year ending December 2025', table Res_D02, available [here](#).

¹⁰⁷ Home Office, 'Immigration system statistics data tables, Resettlement detailed datasets, year ending December 2025', table Res_D02, available [here](#).

¹⁰⁸ Home Office, 'Afghan Resettlement Programme: operational data', 28 November 2024, available [here](#).

¹⁰⁹ As the applicable Immigration Rules are at Appendix FM available [here](#), not Appendix Family Reunion, available [here](#).

¹¹⁰ Safe Passage, 'Still Waiting: the Afghans Abandoned by the UK', 30 October 2024, available [here](#).

¹¹¹ Hansard, House of Commons, 'Afghanistan Volume 771', 15 July 2025, available [here](#).

the scheme was disclosed by the government. The scheme brought 900 main applicants and 3,600 of their family members to the UK.¹¹²

Section 61 of the Illegal Migration Act 2023 required the government to publish a report on safe and legal routes to the UK, to include details of any proposed additional safe and legal routes which were not yet operational.¹¹³ The only proposed change in the published report was to place a cap on the number of refugees accepted by the UK.¹¹⁴

No formal resettlement routes were opened in 2025 but there were medical evacuations of groups of children who required medical treatment and their families from Gaza.¹¹⁵ A second scheme was opened for students (and eligible dependants) from Gaza offered a scholarship to study in the UK, this still required a normal student visa application to be made, but the scheme means that the UK would provide support for the student to leave Gaza. The Home Office has published guidance on both schemes.¹¹⁶

In November 2025 the government said that two capped routes would be introduced for refugees to either study in the UK or come to the UK for work. No timeframes were given.¹¹⁷ In February 2026 the Home Secretary said that the government is “committed to opening up new safe and legal routes” but that numbers would be relatively small and the ability to increase those numbers would depend on reducing the number of people arriving across the Channel and unspecified “wider abuses in the asylum system” being dealt with.¹¹⁸

In 2025 52% of the people who claimed asylum arrived through illegal entry routes. 39% of asylum claims (39,095) were from people who entered the UK lawfully, for example on a visitor, student or work visa. Of those 39,095 people, 35% were on a work visa before claiming asylum, 32% were students and 19% visitors.¹¹⁹

On 5 March 2026 the Home Secretary announced a new process described as a “visa brake”. Nationals of Cameroon, Myanmar and Sudan were prohibited from a grant of a student visa, and Afghan nationals would have both student and work visa applications refused.¹²⁰ This was implemented via the March statement of changes and came into effect on 26 March 2026.¹²¹

The reasons given by the government for choosing nationals of these countries was that there had been “widespread visa abuse”, however the press release referred to percentages only, rather than the actual numbers of claims that had been made.¹²²

The impact assessment published along with the changes shows that in the year ending September 2025 there had been 110 asylum claims from Afghan nationals on skilled work visas and 470 claims from Afghan nationals on student visas. For the other three countries, those on student visas claiming asylum amounted to 180 from Cameroon (570 student visas issued), 330 claims from Myanmar (2,080 student

¹¹² Hansard, House of Commons, ‘Afghanistan Volume 771’, 15 July 2025, available [here](#).

¹¹³ Section 61 of the Illegal Migration Act 2023, available [here](#).

¹¹⁴ Safe and legal routes, available [here](#).

¹¹⁵ Department of Health and Social Care, ‘First group of Gazan children arrive for specialist NHS treatment’, 17 September 2025, available [here](#).

¹¹⁶ Home Office, ‘Guidance: Home Office Gaza process version 6’, 24 December 2025, available [here](#).

¹¹⁷ Home Office, ‘Policy paper: Restoring Order and Control: A statement on the government’s asylum and returns policy’, 21 November 2025, available [here](#).

¹¹⁸ Home Affairs Committee, ‘Oral evidence: The work of the Home Office, HC 505’, 4 February 2026, available [here](#).

¹¹⁹ Home Office, ‘How many people claim asylum in the UK’, 26 February 2026, available [here](#).

¹²⁰ Home Office, ‘Visa brake: changes to the UK visa system’, 5 March 2026, available [here](#).

¹²¹ Home Office, ‘Statement of changes to the Immigration Rules: HC 1691’, 5 March 2026, available [here](#).

¹²² Home Office, ‘Visa brake imposed on 4 countries after widespread visa abuse’, 4 March 2026, available [here](#).

visas issued), and 120 from Sudan (260 student visas issued).¹²³ These claims amount to just over 1% of the total over that period.

The impact assessment says that nationals of these four countries represent “some of the consistently highest proportions of asylum claims relative to visas issued” and explains that the visa brake will last for 18 months after which it will be reviewed. The assessment indicates that this process could be used again in future and the threshold to trigger an assessment of whether to impose a visa brake is a minimum of 100 asylum claims per year linked to a visa from a particular nationality, and the number of asylum claims made by those on the route is at least 15% of the number of visas issued.¹²⁴

The preliminary step has been taken for a legal challenge to this change.¹²⁵

2. Preliminary checks of third country nationals upon arrival

Indicators: Preliminary checks at the arrival point

1. Are there any checks that are applied systematically or regularly at the point of entry when a person enters the territory? Yes No
2. Is the person considered under law to have entered the territory during these checks? Yes No

All arrivals to the UK are subject to identity checks carried out by the Home Office, usually the person’s passport. For those who arrive in the UK irregularly, a distinction is drawn between “arriving passengers” which includes those who have been rescued at sea (for example by Border Force or the Royal National Lifeboat Institution) and who do not attempt to abscond when brought to shore, and illegal entrants¹²⁶ to the UK.¹²⁷

Illegal entrants will not be granted leave to enter the UK and those detained on arrival or granted immigration bail are not considered to have entered the UK.¹²⁸ Small boat arrivals deemed “arriving passengers” will also be detained pending the immigration examination.¹²⁹

Welfare and safety checks are completed first and Home Office guidance acknowledges that for those rescued at sea that may mean that it is not possible to immediately carry out the immigration examination. Welfare checks include consideration of whether there are any indicators of trafficking. Where the person is identified as a vulnerable adult or an unaccompanied child, a detailed welfare assessment will be carried out. After those checks, the migrant will be administratively arrested and transported to the place of detention such as a police station or immigration short-term holding facility where the immigration examination will be carried out.¹³⁰

After arrest, officers can carry out a body search where they have reasonable grounds to believe the person has documents related to their identity, nationality or journey on them. The Illegal Migration Act 2023 amended Section 8 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 to provide that a failure to provide an identity document without reasonable explanation will be treated as designed or likely to conceal information and will damage the person’s credibility.

¹²³ Home Office, ‘Impact Assessment: Visa Brake’, 3 March 2026, available [here](#).

¹²⁴ Home Office, ‘Impact Assessment: Visa Brake’, 3 March 2026, available [here](#).

¹²⁵ Diane Taylor, ‘Six students challenge Home Office visa ban on four countries’ *The Guardian*, 23 March 2026, available [here](#).

¹²⁶ Immigration Act 1971, s 33(1).

¹²⁷ Home Office guidance, ‘Irregular or unlawful entry and arrival’ updated 3 February 2026, available [here](#).

¹²⁸ Immigration Act 1971, s 11(1).

¹²⁹ Immigration Act 1971, para 16(1) of sch 2.

¹³⁰ Home Office guidance, ‘Irregular or unlawful entry and arrival’ updated 3 February 2026, available [here](#).

People who arrive irregularly are subject to initial identity checks and checks against immigration and police databases.¹³¹ This includes the taking of fingerprints.¹³² Illegal entrants can be photographed once served with a notice of liability to removal.¹³³ The person can claim asylum at any point in this process, it does not affect the need to carry out the checks, and they will be given their screening interview shortly afterwards.

3. Registration of the asylum application

Indicators: Registration

1. Are specific time limits laid down in law for making an application? Yes No
❖ If so, what is the time limit for making an application?
2. Are specific time limits laid down in law for lodging an application? Yes No
❖ If so, what is the time limit for lodging an application?
3. Are registration and lodging distinct stages in the law or in practice? Yes No
4. Is the authority with which the application is lodged also the authority responsible for its examination? Yes No
5. Can an application be lodged at embassies, consulates or other external representations? Yes No

The Secretary of State for the Home Department is responsible in law for registering asylum applications.¹³⁴ This responsibility is carried out by civil servants in the UK Visas and Immigration section (UKVI) of the Home Office. If a person claims asylum on entry to the UK, immigration officers at the port have no power to take a decision on the claim and must refer it to UKVI.¹³⁵

Where a couple or family claim asylum, the children normally apply as dependants on the claim of one of their parents. Also, one partner may apply as the dependant of the other. This means that the outcome of their claim will depend upon that of the main applicant.

Following a judgment in the Supreme Court, known as ‘G v G’¹³⁶ which found that a child named as a dependant on an asylum claim should generally be considered to have made a claim in their own right, policy guidance¹³⁷ was introduced to comply; namely that children’s protection needs must be considered and if necessary, determined separately from the parents, where they are different.

Where the child has protection needs that are the same as the main claimant, all the claims will be dealt with together under the Family Asylum Claim process.¹³⁸ This does not apply where the child has no protection needs, and new guidance has been issued for those in this situation.¹³⁹

There is no specific time limit for asylum applicants to lodge their application. A claim may be refused if the applicant ‘fails, without reasonable explanation, to make a prompt and full disclosure of material

¹³¹ Ibid.

¹³² Immigration and Asylum Act 1999, s 141.

¹³³ Immigration (Collection, Use and Retention of Biometric Information and Related Amendments) Regulations 2021, s 2(7)(d).

¹³⁴ Nationality, Immigration and Asylum Act (NIAA) 2002, s 113.

¹³⁵ Immigration Rules, pt 11, para 328.

¹³⁶ Supreme Court, *G (Appellant) v G (Respondent)*, Judgment, [2021] UKSC 9, 19 March 2021, available [here](#).

¹³⁷ Home Office, ‘Operational note: considering children’s protection needs’, July 2021, available [here](#).

¹³⁸ Home Office, ‘Operational note: considering children’s individual protection needs’, 30 July 2021, available [here](#).

¹³⁹ Home Office, *Dependants and former dependants: caseworker guidance*, 26 July 2023, available [here](#).

facts.¹⁴⁰ However, ‘applications for asylum shall be neither rejected nor excluded from examination on the sole ground that they have not been made as soon as possible’.¹⁴¹ In practice, where someone is present in the UK in another capacity, e.g. as a student or worker, and then claims asylum after some years, whether or not they have overstayed their immigration leave, this may be treated as evidence that they are not in fear. Financial support and accommodation can be refused if the person did not claim ‘as soon as reasonably practicable’,¹⁴² but not if this would entail a breach of human rights (see [Reception Conditions](#)).¹⁴³

First applications made from inside the UK must be registered by appointment at the Irregular Migration Intake Unit (IMIU)– formerly Asylum Intake Unit (AIU) and Asylum Screening Unit (ASU) – in **Croydon** in the South East of England unless the asylum applicant is in detention or unless an applicant successfully argues that they cannot be expected to travel to the IMIU.¹⁴⁴ This includes all applications not made at the port of entry, even if only hours after arrival and where the asylum applicant has left the port. The Nationality and Borders Act 2022 enshrines in law the requirement to make an asylum claim at a ‘designated place’. It has been explained that this is to make clear that claims cannot be made in territorial waters and that anyone attempting to do so will be brought to the UK to make their claim.¹⁴⁵

There is no government funding for fares to the IMIU. Particularly where asylum applicants are newly arrived in the UK, and may be confused, disoriented and understanding little English, making this journey successfully is very problematic.

Applicants are required to telephone the IMIU before they can apply in person, and give some basic personal details over the phone, but not details of their asylum claim. They are then given an appointment to attend and register their claim. In the meantime, they are unable to access financial support or government-provided accommodation. In exceptional circumstances – destitution or extreme vulnerability – the Home Office can accept walk-in applications or offer a same or next-day appointment. In practice, it is hard to prove that the applicant is destitute or sufficiently vulnerable and applicants are advised that they may need to advocate for their need to be seen without an appointment.¹⁴⁶

There is no rule laying down a maximum period within which an asylum claim must be registered, after the authority has first been notified of the claim.

A person who claims asylum on being arrested or detained or during detention is not taken to the AIU but may be screened in detention or at a regional office or even in a police station. The screening interview in such a case is carried out by an immigration official, not a police officer, but information disclosed during a police interview under caution may be disclosed to the asylum authorities.

At the screening interview, fingerprints are taken and the route of travel is inquired into. The asylum applicant is asked basic details of their claim. Although confidential space is now provided for interviewing at the **Croydon** screening unit, there is no supervised childcare for this first stage of the process.¹⁴⁷ The lack of childcare provision at the AIU remains an obstacle to disclosure of sensitive information such as an experience of torture or rape since children may be in the same room as the parent while information on the basis of the claim is taken.

¹⁴⁰ Immigration Rules, pt 11 para 339M.

¹⁴¹ Immigration Rules, pt 11 para 339MA.

¹⁴² NIAA 2002, s 55.

¹⁴³ House of Lords, *Limbuella v Secretary of State for the Home Department* [2005] UKHL 66, available [here](#).

¹⁴⁴ Home Office, ‘Asylum screening and routing’, 24 July 2024, available [here](#).

¹⁴⁵ Statement of changes to Immigration Rules December 2020, available [here](#).

¹⁴⁶ Right to Remain, Toolkit (information for people making an asylum claim), available [here](#).

¹⁴⁷ See Joint Committee on Human Rights, *Violence against Women and Girls Sixth report of session 2014-15*, HL Paper 106 HC 594, recommendation 37, available [here](#).

The government published new guidance relating to this stage of the process in 2018 which has been revised on several occasions to reflect current law and policy.¹⁴⁸ Although details of the asylum claim should not be required at this stage, a decision will be made as to which kind of procedure the application will be routed through, including inadmissibility (on [Safe Third Country](#) grounds) and suitability for detention.

There is no provision for publicly funded legal assistance to attend the screening interview except for unaccompanied children. Applicants who have applied from within the UK may have had legal advice prior to screening, but those applying at a port will not have had that opportunity. The Screening Unit does not have direct access to appointments for legal representatives, but officers can use a public access part of the government website called '[Find a Legal Adviser](#)' which enables a search for contact details of legal representatives listed by subject matter and by region. The officer can search in the region where the asylum applicant is going to be sent for initial accommodation (see [Reception Conditions](#)). There is no obligation on screening officers to help in finding legal representation and in practice this does not happen.

Registration of unaccompanied children

The policy is to treat unaccompanied children differently and this system is now the norm.¹⁴⁹ The policy guidance, first issued in July 2016 and updated most recently in June 2022 reflects the practice that had emerged following a report by the Office of the Children's Commissioner for England,¹⁵⁰ and a judgment of the Court of Appeal.¹⁵¹

When a child claims asylum the Home Office will consider whether there are any immediate safeguarding concerns, for example if the child may have been a victim of trafficking, and action those as needed. After that a welfare form is completed and a copy will be given to the social worker. The case is then transferred to the asylum decision making team for processing. The child will also be given a statement of evidence form to be completed within 60 days of the welfare form. The Home Office will then consider whether an interview is needed in order to decide the claim.¹⁵²

Where a person has claimed asylum and there is uncertainty about whether or not they are a child following an initial age assessment, they will be given the benefit of the doubt. Where a full age assessment has been carried out, or two Home Office staff have assessed the applicant as significantly over 18 or there is clear and credible documentary evidence that they are over 18, the person will be treated as an adult.¹⁵³

For children arriving across the Channel, there have been reports of poor practice in carrying out initial age assessments on arrival.¹⁵⁴ Research by the Refugee Council published in 2022 including its own statistics shows that many of these decisions made at the border are later overturned.¹⁵⁵ In July 2025 the ICIBI published its report on 'An inspection of the Home Office's use of age assessments' and identified several areas for improvement including training for staff making initial age assessments, using

¹⁴⁸ Home Office, 'Asylum screening and routing: caseworker guidance', 24 July 2024, available [here](#).

¹⁴⁹ Home Office, 'Processing children's asylum claims', 22 January 2025, available [here](#).

¹⁵⁰ Adrian Matthews, 'Landing in Dover: The Immigration process undergone by unaccompanied children arriving in Kent', *Office of the Children's Commissioner*, 31 January 2012, available [here](#).

¹⁵¹ Court of Appeal, *R (AN and FA) v Secretary of State for the Home Department* [2012] EWCA Civ 1636.

¹⁵² Home Office, *Processing children's asylum claims*, 31 December 2020, available [here](#).

¹⁵³ Home Office, 'Assessing age for asylum applicants: caseworker guidance', 23 December 2025, available [here](#).

¹⁵⁴ ICIBI, 'An inspection of the initial processing of migrants arriving via small boats at Tug Haven and Western Jet Foil December 2021 – January 2022', 21 July 2022, para 6.31 available [here](#).

¹⁵⁵ Refugee Council, 'Identity Crisis: How the age dispute process puts refugee children at risk', 30 September 2022, available [here](#).

interpreters and social workers, interviewing skills, record keeping, learning lessons and explaining to people what was happening, why and what the possible outcomes would be.¹⁵⁶

For those accepted to be a child or where the benefit of the doubt has been given, if they are encountered before being cared for by a local authority are interviewed by an immigration officer in a 'welfare interview' which is designed to elicit information about the safety of the child and enable a referral to be made. If the child is already in the care of the local authority the appointment with an immigration officer is to register the claim. At both types of interviews the child's biometrics are taken. If under 16, the process requires a responsible adult (independent of the Home Office) to be present for the biometrics. There is no requirement for a responsible adult to be present at the welfare interview, however if one is available, including a legal representative, then they may attend.¹⁵⁷

C. Procedures

1. Regular procedure

1.1. General (scope, time limits)

Indicators: Regular Procedure: General

- | | |
|--|---|
| 1. Time limit set in law for the determining authority to make a decision on the asylum application at first instance: | None |
| 2. Are detailed reasons for the rejection at first instance of an asylum application shared with the applicant in writing? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. Backlog of pending cases at first instance as of 31 December 2024: | 124,082 ¹⁵⁸ |

The legal provisions that regulate the asylum procedure are set out in primary legislation and the Immigration Rules (set out in full in the [Overview of the legal framework](#)), with guidance explaining how these should be implemented.

As mentioned in above (see [Number of staff and nature of the determining authority](#)), the Home Office has responsibility for all aspects of immigration, and is directly responsible for policy development. The department dealing with the processing of asylum claims is the UK Visas and Immigration (UKVI). Within the UKVI the directorate dealing with asylum claims is known as the Immigration and Protection Directorate; Asylum Intake and Casework is within that directorate. Responsibility for border control lies with the UK Border Force, an executive agency of the Home Office which combines immigration, policing and customs functions. Subjects covered by the publicly available guidance for case workers include making an asylum decision.¹⁵⁹

A 2019 report entitled 'Lessons not Learned: the failures of asylum decision-making in the UK' documents flawed credibility assessments and finds that the current system places an unrealistic and unlawful evidential burden on asylum applicants. It compiles findings from over 50 publications issued over the last fifteen years on the quality of decision-making processes in the UK Home Office. Built on an analysis of over 1,800 asylum cases and 140 interviews, the report charts the consistent failure of the Home Office to implement recommendations to improve procedures.¹⁶⁰

¹⁵⁶ ICIBI, 'An inspection of the Home Office's use of age assessments (July 2024-February 2025)', 22 July 2025, available [here](#).

¹⁵⁷ Home Office, 'Processing children's asylum claims: caseworker guidance', 22 January 2025, available [here](#).

¹⁵⁸ Home Office, 'Immigration system statistics data tables, Asylum applications awaiting a decision detailed datasets, year ending December 2024', table Asy_D03, 27 February 2025, available [here](#).

¹⁵⁹ Home Office, 'Asylum decision making guidance (asylum instructions)', 8 April 2025, available [here](#).

¹⁶⁰ FFT, 'Lessons not Learned; The failures of asylum decision-making in the UK', September 2019, available [here](#).

The quality of asylum decisions remained an issue. In 2024 Home Office internal quality checks showed that only 52% of decisions were meeting the Home Office's own standards.¹⁶¹ The National Audit Office published a report in December 2025 which noted that 42% of sampled decisions in the twelve months to May 2025 had "significant or fail errors".¹⁶² A UNHCR report in March 2026, following an audit of asylum interviews, looked at a number of issues with this element of the process and explicitly linked these to the problems with the quality of decision making.¹⁶³

There is no enforceable time limit for deciding asylum applications, but the immigration rules say that the decision must be taken 'as soon as possible'.¹⁶⁴

If a decision is not taken within six months, a caseworker should inform the applicant of the delay. This is common in cases designated as 'non-straightforward'. Most legal challenges relating to delays, even of unaccompanied minors,¹⁶⁵ do not succeed.¹⁶⁶

An inspection by the ICIBI identified and detailed challenges to the UKVI casework progression and looked at the length of time taken to make a decision, on average for each quarter between January 2017 and May 2021. The first quarter of 2021 was found to be the longest, at an average of 473 days.¹⁶⁷ Statistics have been regularly published as to the performance of the UKVI against the six-month target and how many cases were pending after being in the system for more than six months.

Updated statistics were released for 2025 showing the backlog for initial decisions was 64,426 and 33,595 of those had been waiting for over six months.¹⁶⁸

Of the total 160,077 outcomes in 2025, 18,353 of these were withdrawn claims and 6,573 described as "administrative outcome". The large majority of withdrawn claims were "implicit" withdrawals (12,843) which is when the Home Office has withdrawn the claim and not the applicant. A large majority of "administrative outcome" cases have been recorded as either "suspended" (940) or "void" (5,203), with no further explanation provided by the Home Office.¹⁶⁹

Concerns about claims being wrongfully withdrawn in order to meet the target for clearing the backlog have been raised by the Public Accounts Committee¹⁷⁰ and the Home Affairs Select Committee.¹⁷¹ Data on the reasons for the claim being withdrawn is not disclosed by the Home Office.¹⁷²

¹⁶¹ Lizzie Dearden, 'Home Office says only half of UK asylum decisions meet its quality standards', *The Guardian*, 8 December 2024, available [here](#).

¹⁶² National Audit Office, 'An analysis of the asylum system', 10 December 2025, available [here](#).

¹⁶³ UNHCR, 'Asylum Interviews in the UK: Audit Findings and Recommendations', 9 March 2026, available [here](#).

¹⁶⁴ Immigration Rules, pt 11, para 333A.

¹⁶⁵ Including in December 2019, see for example: England and Wales High Court (Administrative Court) Decisions, [2019] EWHC 3573 (Admin), Case No: CO/3942/2018, 20 December 2019 available [here](#).

¹⁶⁶ See for example *JR247's Application and In the matter of a decision by the Secretary of State for the Home Department* [2024] NIKB 72, available [here](#).

¹⁶⁷ ICIBI, 'An inspection of asylum casework (August 2020 – May 2021)', November 2021, available [here](#).

¹⁶⁸ Home Office, 'Immigration system statistics data tables, Asylum claims awaiting a decision detailed datasets, year ending December 2025', table Asy_D03, available [here](#).

¹⁶⁹ Home Office, 'Immigration system statistics data tables, Asylum claims datasets, year ending December 2025', table Asy_D02, available [here](#).

¹⁷⁰ Public Accounts Committee, 'Asylum system: Doubts and concerns raised around Government's approach to backlogs', 27 October 2023, available [here](#).

¹⁷¹ Home Affairs Committee, 'Oral evidence: Work of the Home Office, HC 356', 29 November 2023, available [here](#).

¹⁷² Letter from the Permanent Secretary at the Home Office to the Public Accounts Committee, 9 January 2024, available [here](#).

1.2. Prioritised examination and fast-track processing

There is no established system in the UK for prioritising the cases of people who are particularly vulnerable or whose case appears at first sight well-founded, although since the abandonment of the six-month target the Home Office claims that vulnerable clients (undefined publicly) are prioritised.¹⁷³ The only system for expediting decisions was the [Detained Fast Track](#), which has been suspended since 2015.

1.3. Personal interview

Indicators: Regular Procedure: Personal Interview

1. Is a personal interview of the asylum applicant in most cases conducted in practice in the regular procedure?
 Yes No
❖ If so, are interpreters available in practice, for interviews? Yes No
2. In the regular procedure, is the interview conducted by the authority responsible for taking the decision? Yes No
3. Are interviews conducted through video conferencing? Frequently Rarely Never
4. Can the asylum applicant request the interviewer and the interpreter to be of a specific gender?
 Yes No
❖ If so, is this applied in practice, for interviews? Yes No

Applicants are entitled to a personal interview,¹⁷⁴ and this is standard practice. There is an initial screening interview before the substantive interview.

Interviews may be dispensed with in defined circumstances including where:

- ❖ a positive decision can be taken on the basis of the evidence available;
- ❖ the facts given in the application only raise issues of minimal relevance or which are clearly improbable or insufficient or designed to frustrate removal;
- ❖ or the applicant is unfit or unable to be interviewed owing to enduring circumstances beyond his control.

As part of the asylum backlog clearance process announced in December 2022 a 'streamlined asylum process' was introduced in February 2023. Specific nationalities were targeted for fast decisions, potentially without the need for a substantive interview. This is applied to nationals of high grant countries, namely Afghanistan, Eritrea, Libya, Sudan, Syria and Yemen.¹⁷⁵ A streamlined process for children was also introduced in March 2023, originally for children who are nationals of Afghanistan, Eritrea, Sudan, South Sudan and Vietnam, although Vietnam has since been removed.¹⁷⁶ A questionnaire process was introduced for Iranians and Iraqis although as this group has a lower grant rate it is not expected that as many decisions would be taken without an interview as the first cohort.¹⁷⁷

It was previously very rare for an asylum applicant over 12 years of age on their first application in the regular procedure not to have an interview. However, following the introduction of the streamlined process there was a large increase in positive decisions being taken without a substantive interview.¹⁷⁸ This particular backlog clearance exercise ended in December 2023.¹⁷⁹ Since then, although the guidance on

¹⁷³ UK Parliament, 'Answer to written parliamentary question', February 2019, available [here](#).

¹⁷⁴ Immigration Rules, pt 11, para 339NA.

¹⁷⁵ Home Office, 'Streamlined asylum processing', updated 2 May 2024, available [here](#).

¹⁷⁶ Home Office, 'Streamlined asylum processing for children', 18 July 2025, available [here](#).

¹⁷⁷ Home Office, 'Asylum decision making prioritisation: caseworker guidance', 2 October 2023, available [here](#).

¹⁷⁸ Home Office statistics, available [here](#).

¹⁷⁹ Home Office, 'Legacy backlog cleared as plan to stop the boats delivers', 2 January 2024, available [here](#).

streamlined processing remains online, Home Office statistics show a significant increase in interviews, indicating that fewer decisions are being made without an interview.

Personal interviews are usually conducted by the authority responsible for taking the decisions, i.e. by the Home Office caseworkers, although it will not always be the same individual. Asylum applicants are entitled to have a legal representative with them at the personal interview, but there is no public funding for this for adult claimants, save in the case of lack of mental capacity,¹⁸⁰ and so few are able to do so in practice as they are unlikely to be able to pay for their legal representative's attendance themselves.

Where there is a legal representative present, their role is not to put the asylum applicant's case, but to ensure that their client is able to participate fully and properly in the interview. New guidance on interviewing applicants was published in 2021;¹⁸¹ changes include up to date information on childcare, specific guidance on interviewing unaccompanied children now over 18, videoconferencing, advice on inadmissibility and the recording of interviews.

Where a refused asylum applicant returns to the UK and wishes to claim asylum again, guidance to Home Office officers is that this should be treated as a further submission (a 'fresh' or 'subsequent' claim for asylum).¹⁸² In this case they may be refused an interview. Applicants under 12 years old are not normally interviewed, though they can be if they are willing, and it is deemed appropriate.¹⁸³

Decision makers are told that they must refer to the guidance on victims of trafficking (which sets out indicators of trafficking) as well as the country information on the role, status and treatment of women before conducting an asylum interview. Applicants should be asked if they have a preferred gender of their interviewer, and this request should be accommodated. Applicants are generally interviewed alone.

Parents are not expected to give an account of their persecution in front of their child.¹⁸⁴ Childcare is not available at interview sites and interviews of single parents will generally be scheduled while the children are at school. Interviews can be rescheduled where childcare is needed but cannot be arranged, or else information may be provided without an interview. In exceptional circumstances a baby may be present in the room during the interview.¹⁸⁵

If a child has the same protection needs as their applicant parent, then the Home Office will assess the claim based on the parent's interview.¹⁸⁶ If the child's protection needs are different then the child will have their own asylum claim and a decision on whether or not they will be interviewed, with a responsible adult, will be taken in line with the guidance.¹⁸⁷

All staff who deal with asylum claims from children must have completed training on keeping children safe and interviewers must have received training in interviewing children. The guidance to decision makers covers trafficking and the 1989 Convention on the Rights of the Child in addition to the Refugee Convention and the ECHR, as well as child specific provisions in domestic legislation.¹⁸⁸ Regarding unaccompanied minors, see [Legal representation of unaccompanied minors](#).

¹⁸⁰ The Civil Legal Aid (Immigration Interviews) (Exceptions) Regulations 2012, available [here](#).

¹⁸¹ Home Office, 'Conducting asylum interviews: caseworker guidance', 16 October 2025, available [here](#).

¹⁸² Home Office, 'Asylum screening and routing version 12.0', 23 July 2024, available [here](#), 25.

¹⁸³ Home Office, 'Processing children's asylum claims', 22 January 2025, available [here](#).

¹⁸⁴ Home Office, 'Gender issues in asylum claims: caseworker guidance', 13 April 2018, available [here](#).

¹⁸⁵ Home Office, 'Conducting asylum interviews: caseworker guidance', 10 October 2025, available [here](#), 23.

¹⁸⁶ Home Office, 'Family asylum claims', 22 September 2021, available [here](#).

¹⁸⁷ Home Office, 'Processing children's asylum claims', 22 January 2025, available [here](#).

¹⁸⁸ Ibid.

In March 2026, a UNHCR report following an audit of asylum interviews concluded that many of the issues with the quality of decision making stem from shortcomings in the interview process, including failures to clarify inconsistencies and establish key facts. In 19 of the 60 interviews that were either observed or reviewed by UNHCR, the full basis of the asylum claim remained unclear following the interview, yet in many cases the decision was still made without further interview. The report also found failures to identify and address credibility issues during the interview, as well as problems with interpreters. The Home Office accepted seven of the ten recommendations.¹⁸⁹

Videoconferencing

Most substantive interviews take place through video conferencing facilities, to accommodate an interviewing officer or interpreter being located in a different area from the applicant.¹⁹⁰ The guidance was revised to reflect this in 2022.¹⁹¹ Substantive interviews can take place via video link; the asylum applicant is invited to the usual Home Office premises but the interviewing officer may be working from home or in a different office. The interpreter may also join by video, although the guidance also provides for them to join by audio only.

Casework specialisms meaning it is increasingly likely that the interviewing officer and decision maker will be located in a different region from the applicant. Concerns have been raised about the use of video conferencing interviews, these include IT issues, inconsistent information about how the remote interviews work, issues with safeguarding procedures and a lack of transparency.¹⁹²

1.3.1. Interpretation

Interpreters are required by the Immigration Rules and are provided by the Home Office. Cultural mediators are not provided in interviews. There is a code of conduct for these interpreters, which was revised in 2024,¹⁹³ but in practice asylum applicants are unaware of it and of what to expect from their interpreter unless they have a legal adviser who has informed them about this beforehand. Since inconsistencies on matters of detail in the asylum interview are a common reason for refusing asylum, problems with interpreting can have a significant impact.

If the asylum applicant has a representative present, in the case of interpreting problems best practice and guidance issued to Home Office caseworkers suggests that the representative is permitted to interrupt the interview to raise the problem.¹⁹⁴ Home Office caseworkers are not always familiar with this, and it can be difficult for problems of interpretation to be raised and rectified at the time they occur. Asylum applicants are allowed to take an interpreter of their own choosing to the interview, but there is no public funding for this in most adult cases, so taking one's own interpreter is unusual.

The Independent Chief Inspector of Borders and Immigration published its report into the use of language services, including interpreters, in 2020.¹⁹⁵ It recommended that the Home Office should:

- ❖ Appoint a Borders, Immigration and Citizenship System (BICS) 'owner' for language services, with accountability across BICS for the formulation and implementation of policies and processes, collection of data and performance monitoring, planning and delivery of the required

¹⁸⁹ UNHCR, 'Asylum Interviews in the UK: Audit Findings and Recommendations', 9 March 2026, available [here](#).

¹⁹⁰ UK Parliament, 'Written question UIN 24556, Asylum: Interviews', 22 January 2025, available [here](#).

¹⁹¹ Home Office, 'Asylum Interviews', 10 October 2025, available [here](#).

¹⁹² Helen Bamber Foundation, 'Remote Home Office Substantive Asylum Interviews', 14 April 2022, available [here](#).

¹⁹³ Home Office, 'Interpreters' code of conduct', 25 March 2024, available [here](#).

¹⁹⁴ Home Office, 'Conducting asylum interviews: caseworker guidance', 10 October 2025, available [here](#).

¹⁹⁵ ICIBI, 'An inspection of the Home Office's use of language services in the asylum process', November 2020, available [here](#).

resources and capabilities, risk management, internal and external communications, monitoring and management of contracted out services, and stakeholder engagement.

- ❖ Create, publish and resource a comprehensive programme of improvements to the provision and use of language services, with clear timelines and deliverables. This should include the identification of urgent tasks and ‘easy wins’ as well as longer-term projects.
- ❖ Ensure that the risks and issues in relation to language services are fully and accurately reflected in the Risk Registers, and that mitigations and actions are regularly reviewed.¹⁹⁶

All three of the recommendations were accepted by the Home Office but has given no update on implementation of them or any other progress or changes made since 2020.¹⁹⁷

Normal good practice is that asylum applicants are asked at the screening interview whether they wish to be interviewed by a man or a woman, and the policy and practice is to respect this preference, subject to availability of staff.¹⁹⁸ This policy also applies to interpreters although no monitoring is conducted relating to adherence to this policy.

1.3.2. Recording and transcript

Audio-recording of interviews is permitted and should be arranged as a matter of routine where the equipment is available unless a request has been made in advance by the asylum applicant for the interview not to be recorded. The recording must be provided to the applicant after the interview. This will be done via the use of an online portal called MOVEit where the person has a legal representative with access to the portal. Otherwise, it will be sent by email or post.

In 2020 the NGO Freedom From Torture published research based on interview transcripts and testimonies from survivors of torture and their experiences of being interviewed in relation to their asylum claim. The criticisms and recommendations have wider applicability than the subject of the research.¹⁹⁹ These include the use of poor questioning techniques, failure to identify experiences of torture and people being prevented from giving a full account of their experiences.

The ICIBI inspection of asylum casework details inconsistencies in caseworker’s preparation for interview, the level to which they probe material issues, the use of video conference for interviews and quality assurance measures.²⁰⁰ The government’s response was to accept the recommendations, although one relating to quality assurance was accepted only in part. However, it remains to be seen what improvements are made in practice, given the government’s wholesale reform of the system.

¹⁹⁶ ICIBI, ‘An inspection of the Home Office’s use of language services in the asylum process’, November 2020, available [here](#).

¹⁹⁷ Home Office, ‘Response to the ICIBI Inspection on the use of language services in the asylum process’, 2020, available [here](#).

¹⁹⁸ Home Office, ‘Gender issues in the asylum claim’, 13 April 2018, available [here](#), 30.

¹⁹⁹ Freedom from Torture, ‘Beyond Belief; How the Home Office fails survivors of torture at the asylum interview’, 16 June 2020, available [here](#).

²⁰⁰ Home Office, ‘The Home Office response to the ICIBI’s report: An inspection of asylum casework (August 2020 to May 2021)’, 18 November 2021, available [here](#).

1.4. Appeal

Indicators: Regular Procedure: Appeal

1. Does the law provide for an appeal against the first instance decision in the regular procedure?
 Yes No
❖ If yes, is it Judicial Administrative
❖ If yes, is it suspensive Yes Some grounds No
2. Average processing time for the appeal body to make a decision in 2025: 63 weeks²⁰¹

1.4.1. Appeal to the First Tier Tribunal

There is a right to appeal against an initial asylum decision under the regular procedure. Appeals are made to the Immigration and Asylum Chamber of the First Tier Tribunal (FTT (IAC)) on both facts and law. This is a judicial body, composed of immigration judges and sometimes non-legal members. The Tribunal can assess and make findings of fact on the basis of the evidence presented including evidence, which was not before the Home Office decision-maker. The time limit for appealing is 14 days from the date of the Home Office decision.²⁰² Lodging an appeal suspends removal from the UK, unless the case is certified as 'clearly unfounded'. Cases certified as 'clearly unfounded' on or after 28 June do not have a right of appeal at all, due to the implementation of the NABA.

Given the limited availability of publicly funded representation in practice (see [Legal assistance](#)), this time limits are short and asylum applicants may resort to sending in the appeal forms without legal representation. Administrative mistakes made by an unrepresented asylum applicant in lodging an appeal can result in the appeal not being accepted by the Tribunal office.

A fee of £140 (€ 160) is required for an oral hearing of an asylum appeal in the regular procedure. Applicants do not need to pay if they are receiving asylum support (see [Reception Conditions](#)) or if they have public funding to be represented.²⁰³ It is also possible to apply to have the fee waived, and destitute asylum applicants without asylum support would qualify for this, but may not have the advice or information to make the application. In practice most asylum applicants are not liable to pay the fee because they are receiving asylum support and/or public funding for their legal representation at this stage of the process.

The complexity of the law and procedure and the barrier of language make it extremely difficult for asylum applicants to represent themselves. Several research reports refer to the variance in quality and availability of legal advice in this area.²⁰⁴ Tribunal rules require all evidence to be translated into English where relevant and sent to all parties in advance of the hearing.²⁰⁵ It is difficult for an unrepresented asylum applicant to know what is required, or to get access to resources and advice to prepare papers for a hearing.

In 2020 a report was published following a research project involving observations and interviews with appellants, representatives and staff. It concluded that asylum applicants at their appeal hearings are

²⁰¹ Ministry of Justice, 'Tribunal Statistics Quarterly: October to December 2025', 12 March 2026, available [here](#).

²⁰² The Tribunal Procedure (First-tier Tribunal) (Immigration and Asylum Chamber) Rules 2014, rule 19.

²⁰³ HM Courts and Tribunals Service, 'Immigration and Appeals Tribunal Fees Guidance', available [here](#).

²⁰⁴ Refugee Action and NACCOM, 'Tipping the Scales', 2018, available [here](#); Dr Jo Wilding, 'Droughts and Deserts', 2019, available [here](#).

²⁰⁵ The Tribunal Procedure (First-tier Tribunal) (Immigration and Asylum Chamber) Rules 2014, Rule 12.

hampered by six factors; confusion, anxiety, mistrust, disrespect, communication difficulties and distraction and 34 recommendations were made.²⁰⁶

Asylum applicants give evidence in person at the appeal hearing, and the Tribunal provides interpreters on request. Hearings are public. Decisions are in theory public documents, but decisions of the FTT (IAC) are not usually published.

The number of appeals has increased substantially since 2024 as a result of the backlog clearance exercise that took place in 2023. At the end of 2025 there were 80,333 asylum appeals pending, almost double the end of 2024 and over four times the 19,459 at the end of 2023. Before this, the number of asylum appeals pending had been around 5,000 to 7,000 for several years.²⁰⁷

The increase in the number of asylum decisions was a contributing factor to the increase but concerns have been raised that poor quality decisions have also been a factor in the increased number of appeals.²⁰⁸ These concerns are supported by the data which indicates that both the Home Office and the tribunal are finding that a high proportion of asylum refusals are unsustainable and need to be withdrawn or overturned.

Of the 26,067 asylum appeals which were disposed of by the tribunal (i.e. concluded with or without a decision by a judge) in 2025, an average of 31% were ended through the appeal being withdrawn. The vast majority of those withdrawals occur where the Home Office has withdrawn their decision to refuse asylum, either with a view to granting leave (subject to security checks), or to reconsider and remake the decision.²⁰⁹ That withdrawal figure has increased substantially over the course of 2025, from 17% in January to March 2025, to 42% for October to December 2025.²¹⁰

14,117 appeals proceeded to be determined by a judge, and 39.5% of those were successful.²¹¹ This is despite the fact that most asylum appellants are unable to find a legal aid lawyer to assist them.²¹²

1.4.2. Onward appeal to the Upper Tribunal

There is an onward appeal to the Immigration and Asylum Chamber of the Upper Tribunal (UT) (IAC) on a point of law. This is with permission of the FTT (IAC). Application must be made within 14 days of receiving the refusal.²¹³ If the FTT (IAC) refuses permission, an application for permission may be made to the UT (IAC) within 14 days of the notice of the FTT (IAC)'s decision being sent to the applicant.²¹⁴ If this is refused, there is no appeal, but application may be made to the High Court, or in Scotland the Court

²⁰⁶ Nick Gill, Jennifer Allsop, Andrew Burrige and others, 'Experiencing Asylum Appeal Hearings: 34 ways to improve access to justice at the First Tier Tribunal', *University of Exeter and Public Law Project*, 17 December 2020, available [here](#).

²⁰⁷ Ministry of Justice, 'Tribunal Statistics Quarterly: October to December 2025', 12 March 2026, available [here](#).

²⁰⁸ See e.g. Lizzie Dearden, 'Home Office says only half of UK asylum decisions meet its quality standards', *The Guardian*, 8 December 2024 available [here](#), Lizzie Dearden, 'Thousands of cleared asylum claims to be returned to Home Office after errors', *The Guardian*, 22 June 2024, available [here](#), Sonia Lenegan, 'First-tier Tribunal appeal receipts up 123% in a year, amid continuing concerns about Home Office decision making', *Free Movement*, available [here](#) and National Audit Office, 'An analysis of the asylum system', 10 December 2025, available [here](#).

²⁰⁹ See e.g. Upper Tribunal, *R (on the application of HI) v Secretary of State for the Home Department (rule 17 withdrawal, legitimate expectation)* [2026] UKUT 00079, available [here](#).

²¹⁰ Ministry of Justice, 'Tribunal Statistics Quarterly: October to December 2025', 12 March 2026, table FIA_2, available [here](#).

²¹¹ Ministry of Justice, 'Tribunal Statistics Quarterly: October to December 2025', 12 March 2026, table FIA_3, available [here](#).

²¹² Dr Jo Wilding, 'No Access to Justice 2': Mapping the UK's continuing immigration and asylum legal advice crisis', *Justice Together*, 9 June 2025, available [here](#).

²¹³ Procedure Rules, Rule 33.

²¹⁴ The Tribunal Procedure (Upper Tribunal) Rules 2008, Rule 21, available [here](#).

of Session, for permission to apply for [judicial review](#) within a specially shortened time limit of 16 calendar days (as compared with three months for a usual judicial review application). The ability to use this process has since been heavily restricted through the introduction of the Judicial Review and Courts Act 2022.²¹⁵ A legal challenge to this restriction was unsuccessful.²¹⁶

An application for judicial review of a refusal by the UT (IAC) to grant permission to appeal can now only be made except whether the question is:

- a. whether the application for permission to appeal was validly made to the Upper Tribunal;
- b. whether the Upper Tribunal when refusing permission to appeal was properly constituted; or
- c. whether the Upper Tribunal is acting or has acted in bad faith or in such a procedurally defective way as amounts to a fundamental breach of the principles of natural justice.

Lodging an appeal or an application for permission to appeal against an asylum refusal suspends removal from the UK, unless the case has been certified under Section 94 NIAA as clearly unfounded.²¹⁷

If permission is granted to appeal to the UT (IAC), the UT (IAC)'s decision may be appealed again with permission on the same limited grounds on a point of law only to the Court of Appeal. In rare cases permission may be given for a final appeal to the Supreme Court where the Court of Appeal or Supreme Court certifies that the case concerns a question of law, which is of public importance.

Although the asylum decision is appealable in the regular procedure, there are many decisions affecting asylum applicants against which there is no right of appeal: e.g. a decision to detain, or giving directions for removal, or the refusal to treat further submissions as a fresh claim (subsequent asylum application), or a decision to remove to a safe third country. Where there is no right to appeal the only recourse is to [judicial review](#). This is a procedure which does not examine the merits of the complaint, but only whether the decision maker has acted correctly, for instance by taking into account relevant considerations and not being influenced by irrelevant considerations.

Where the only remedy is judicial review, this is only available with the permission of the reviewing court. Judicial review is now in the Upper Tribunal's jurisdiction.

²¹⁵ Judicial Review and Courts Act 2022, s 2, available [here](#).

²¹⁶ High Court, *R (on the application of Mary Jane Baluden Oceana) v Upper Tribunal (Immigration and Asylum Chamber)* [2023] EWHC 791 (Admin), available [here](#).

²¹⁷ Home Office, 'Certification of protection and human rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 (clearly unfounded claims)', 1 October 2025, available [here](#).

1.5. Legal assistance

Indicators: Regular Procedure: Legal Assistance

1. Do asylum applicants have access to free legal assistance at first instance in practice?
 Yes With difficulty No
❖ Does free legal assistance cover:
 Representation in interview
 Legal advice
2. Do asylum applicants have access to free legal assistance on appeal against a negative decision in practice?
 Yes With difficulty No
❖ Does free legal assistance cover
 Representation in courts
 Legal advice

Regulation and accreditation

The provision of legal assistance on asylum is regulated and it is a criminal offence for a person who is not appropriately regulated to give advice.²¹⁸ Lawyers who provide assistance under legal aid must be accredited under the Law Society's Immigration and Asylum Accreditation Scheme.²¹⁹ NGOs who wish to give legal advice must register with the Immigration Advice Authority (formerly known as OISC).²²⁰

First instance

Free legal assistance is available to asylum applicants as part of the state funded scheme of free legal aid in certain, restricted areas of legal practice for people who do not have sufficient resources. Although the Immigration Rules provide that asylum applicants shall be allowed 'an effective opportunity' to obtain legal advice,²²¹ access to this is not guaranteed.

Statistics on applications for legal aid at first instance were not made available by the Home Office in response to parliamentary questions.²²² A noted academic who has reported on this issue for several years revealed statistics obtained through a Freedom of Information Act request, that showed in the year ending March 2024 at least 57% of main applicants (over 54,000 people) claiming asylum or appealing a refusal in the First-tier Tribunal were unable to access a legal aid representative in England and Wales, did not have a legal aid representative.²²³ In June 2025 she published another report highlighting the deficit by region and urging reform of the system.²²⁴

Few asylum applicants obtain advice before their screening interview.

Legal aid is available for appeals, subject to a means test and in England and Wales a merits test, and availability of a representative. This means some appellants appear unrepresented.²²⁵

In **England and Wales**, legal aid for legal advice and representation for the initial stage of an asylum case is called "Legal Help". The work from claim, through interview up to decision, is paid as a fixed fee of £413 (€ 472) (£559 (€ 639) for cases opened from 22 December 2025).²²⁶ Exceptions include

²¹⁸ Immigration and Asylum Act 1999, s 91, available [here](#).

²¹⁹ Law Society, Immigration and Asylum Accreditation, available [here](#).

²²⁰ Immigration Advice Authority, 'Immigration advice regulation for the community and voluntary sector', 1 April 2022, available [here](#).

²²¹ Immigration Rules, pt 11, para 333B.

²²² UK Parliament, 'Written question UIN 119535 Asylum: Legal Opinion', 10 February 2022, available [here](#).

²²³ Dr Jo Wilding, 'Stemming the Tide: The Case for Demarketising the Legal Aid Sector', *ILPA blog*, 6 November 2024, available [here](#).

²²⁴ Dr Jo Wilding, 'No Access to Justice 2', 9 June 2025, available [here](#).

²²⁵ HM Courts & Tribunals Service, 'Guidance: Unrepresented appellants - Immigration and Asylum Tribunal', 23 August 2024, available [here](#).

²²⁶ Civil Legal Aid (Remuneration) Regulations 2013, sch 1, Table 4(a) available [here](#).

unaccompanied child applicants, and where the representative can evidence that they have undertaken work that equates to over two times the value of the fixed fee. An hourly rate can then be paid if the Legal Aid Agency, which assesses the claim for costs, accepts that two times the level of work was done and warranted.²²⁷ Note that before April 2023 work at three times the value of the fixed fee was required in order to be paid at hourly rates.

Following a legal challenge to the ongoing failure to increase legal aid rates, the Lord Chancellor agreed to make a decision on whether or not to increase the fees.²²⁸ On 24 January 2025 a consultation was opened asking for feedback on proposals to increase immigration fees by around 30% for both first instance and appeal work.²²⁹ In November 2025 regulations were laid that brought an increase into force for cases opened on or after 22 December 2025.²³⁰

The low fixed fee and the significant jump to achieve an hourly rate both put pressure on conscientious representatives. The low fixed fee at these pre-appeal stages also makes it difficult to conduct a thorough examination of a complex case. The grant of legal aid for appeal depends on this assessment by the lawyer, and the award of legal aid contracts by the Legal Aid Agency depends on performance indicators including success at appeals. The system makes it difficult for representatives to stay in business.²³¹

Delays in Home Office decision making have also made claiming fees more difficult, despite guidance being issued in 2022 aimed at easing this pressure.²³² Some practitioners report that they do not use the interim claim process because of the difficulties in using the Legal Aid Agency's billing process, whereby claims are often rejected. The agency has been described as having a "culture of refusal".²³³

Legal assistance is not provided at the AIU or at the port of entry. Free legal assistance (funded as described above) is limited to advising the asylum applicant before and immediately after their asylum interview. This may include making additional written representations to the Home Office, which as a matter of usual policy are only allowed within five days after the interview. With some exceptions (including unaccompanied children and people who lack capacity), there is no public funding for a legal representative to attend the asylum interview.²³⁴

Appeal

The legal aid fixed fee for appeals was changed in 2020 following the rolling out of a new online appeals process.²³⁵ The new process required lawyers to conduct more work and the new fee structure meant that in fact lawyers would be worse off.²³⁶ Following a successful challenge,²³⁷ the new regulations were revoked and the rates were amended pending further consultation.²³⁸ New rates were proposed by the government in 2025 and implemented at the end of 2025.²³⁹

The pressures described above do not apply in **Scotland**, where fees are not fixed, and there is no merits test for representing at a first appeal. For an appeal to the UT (IAC) where the FTT (IAC) has not given

²²⁷ Immigration Specification to the 2013 Standard Civil Contract, para 8.98, available [here](#).

²²⁸ Sonia Lenegan, 'Lord Chancellor settles challenge to immigration and asylum legal aid rates', *Free Movement*, 27 September 2024, available [here](#).

²²⁹ Ministry of Justice, 'Civil legal aid: Towards a sustainable future', 24 January 2025, available [here](#).

²³⁰ The Civil Legal Aid (Procedure and Remuneration) (Amendment) Regulations 2025, available [here](#).

²³¹ Law Society, 'A decade of cuts: Legal aid in tatters', 31 March 2023, available [here](#).

²³² UK Government, 'Civil news: early billing for asylum matters', 1 September 2022, available [here](#).

²³³ See e.g. Justice Committee report 'The Future of Legal Aid', 27 July 2021, paragraph 141, available [here](#).

²³⁴ Legal Aid, Sentencing and Punishment of Offenders Act 2012, Schedule 1 Part 1 (30), available [here](#).

²³⁵ Civil Legal Aid (Remuneration) (Amendment) (Coronavirus) regulations 2020, available [here](#).

²³⁶ Monidipa Fouzder, 'Government criticised over new fixed fee', *Law Society Gazette*, May 2020, available [here](#).
²³⁷ Statement by legal team following consent order between the parties.

²³⁸ Government, 'Changes to fee payments for immigration work', 7 October 2020, available [here](#).

²³⁹ The Civil Legal Aid (Procedure and Remuneration) (Amendment) Regulations 2025, available [here](#).

permission to appeal, a lawyer in Scotland must assess the merits of the case, and payment may be disallowed if the Scottish Legal Aid Board takes a different view.

Judicial review

The government announced reform/ limitations on judicial review in 2021 and passed the Judicial Review and Courts Act 2022.²⁴⁰ The reforms include restrictions on judicial reviews for decisions made by the Immigration and Asylum Chamber of the Upper Tribunal and wider options for courts regarding remedies for successful appellants. Critics point out that while the government's focus is on the low success rate of some types of judicial review, the impact on the people affected should not be minimised.²⁴¹

2. Dublin

The UK left the EU on 31 January 2020 but remained subject to the Dublin Regulation during the transition period, i.e. for requests made until 23h00 on 31 December 2020 (UK time). For information about the Dublin procedure in the UK while it was still subject to the Dublin Regulation, see [previous updates to this country report](#).

The UK has indicated it would attempt to negotiate returns agreements with individual EU member states.²⁴² As of the time of this update, the only formal agreement on returns to EU member states is the UK/France treaty, which does not replicate Dublin and has only returned a limited number of people (see [Access to the territory and push backs](#)). An ad hoc agreement is in place with Bulgaria, although returns there have been subject to legal challenge.²⁴³

3. Admissibility procedure

3.1. General (scope, criteria, time limits)

The inadmissibility grounds in the UK revolve around the question of safe countries, namely whether the person is from a safe country they can be returned to, or whether a person could have claimed asylum in a safe third country on the way to the UK, and then whether it is possible to send them to a safe third country (this does not need to be the one they passed through).

In December 2020 Immigration Rules were changed so that from 1 January 2021 the applicant, if there is evidence that they have a connection with or travelled through another 'safe' country prior to their claim in the UK, may be transferred to any 'safe' country that will accept the applicant. This was removed from the Immigration Rules on 28 June 2022,²⁴⁴ when it was replaced by similar provisions by section 16 of the Nationality and Borders Act 2022 which inserted new sections 80B and 80C to the NIAA 2002.

This inadmissibility process at section 80B of NIAA 2002 applies to claims made on or after 28 June 2022. This says that the Secretary of State 'may' declare an asylum claim inadmissible where a person has a connection to a safe third country. [Safe third country](#) is defined as a state where the person's life and liberty would not be threatened for a Refugee Convention reason and where their Article 3 ECHR rights would not be breached, and where the person may apply for and receive refugee status.

²⁴⁰ See the Judicial Review and Courts Act 2022 [here](#).

²⁴¹ ILPA's response to the government's consultation on judicial review reform, available [here](#).

²⁴² Hansard, *House of Lords: Immigration, Nationality and Asylum (EU Exit) Regulations 2019*, 18 March 2019, available [here](#).

²⁴³ Katy Fallon and Lorenzo Tondo, 'UK faces legal challenge over asylum seekers' deportations to Bulgaria', *The Guardian*, 13 May 2025, available [here](#).

²⁴⁴ Statement of changes to the Immigration Rules: HC17, 11 May 2022, available [here](#).

A decision that a claim is inadmissible is not an appealable decision. If a case is deemed inadmissible it can still be considered and decided where the Secretary of State considers that there are exceptional circumstances, or as may be provided in the Immigration Rules (but is not at present).²⁴⁵ Connection is defined at section 80C of the NIAA as where the applicant:

- ❖ has been recognised as a refugee in the safe third country and is still able to access that protection (following Brexit the UK no longer has access to Eurodac, but the guidance refers to the use of historic Eurodac data)
- ❖ has been granted another form of protection in the safe third state which means they would not be sent from there in breach of the Refugee Convention or Article 3 ECHR and is still able to access that protection
- ❖ has made a protection claim in the safe third country that has not been determined or has been refused
- ❖ was previously present in a safe third country where it was reasonable for them to make a protection claim but they did not do so
- ❖ due to their personal circumstances would have been reasonably expected to make a relevant claim in the safe third country.²⁴⁶

The inadmissibility process is set out in the guidance.²⁴⁷ The first stage is that the Home Office will make a preliminary assessment of whether it appears the case is suitable for the inadmissibility process (i.e. where a person has travelled through Europe to get to the UK). Enquiries as to the route of travel are also a routine part of the screening process in all cases. The asylum applicant's account of their route of travel and other evidence of the person having lived in or travelled through a country will influence whether the application is referred to the Third Country Unit.²⁴⁸ If it is deemed suitable, then the case will be sent to the Third Country Unit. If it is not deemed suitable by that Unit, they will return the case to the asylum team.

If the Third Country Unit does consider that the claim may be considered inadmissible, they will issue a 'notice of intent' which states the country of possible return. The final stage is a decision on whether or not the claim will be admitted to the asylum system in the UK.

On 20 July 2023, the Illegal Migration Act 2023 introduced a new section 8AA to the Immigration Act 1971. This said that where a person had ever met the four conditions set out at section 2 of the Illegal Migration Act 2023, then they 'must not' be given leave to remain in the UK. This prohibition on a grant of leave was to apply where a person has arrived on or after 7 March 2023, had entered unlawfully, had not travelled directly to the UK and did not have permission to be in the UK.²⁴⁹ The stated intention of the previous government was that people whose asylum claims were deemed inadmissible would be sent to Rwanda.

Following the Supreme Court's decision that Rwanda is not a safe country,²⁵⁰ the previous government passed the Safety of Rwanda (Asylum and Immigration) Act 2024.²⁵¹ That Act was passed on 25 April 2024 and a general election was called less than a month later.

²⁴⁵ Section 80B Nationality, Immigration and Asylum Act 2002, as amended by the Nationality and Borders Act 2023, available [here](#).

²⁴⁶ Nationality, Immigration and Asylum Act 2002, s 80C, available [here](#).

²⁴⁷ Home Office, 'Inadmissibility – third country cases: caseworker guidance', 29 January 2026, available [here](#).

²⁴⁸ Home Office, 'Inadmissibility – third country cases: caseworker guidance', 29 January 2026, available [here](#).

²⁴⁹ Illegal Migration Act 2023, s 2, available [here](#).

²⁵⁰ Supreme Court, *AAA v Secretary of State for the Home Department* [2023] UKSC 42, 15 November 2023, available [here](#).

²⁵¹ Home Office, 'Policy paper: Safety of Rwanda (Asylum and Immigration) Bill: factsheet', 26 January 2024, available [here](#).

Shortly after the change of government in July 2024, the new Prime Minister confirmed that the Rwanda scheme was “dead and buried”.²⁵² Regulations were laid to change the date the inadmissibility power comes into force from the date that the Illegal Migration Act 2023 was passed (20 July 2023) to an unspecified date in the future: “the day on which this section came into force in relation to the person”.²⁵³ These provisions are therefore no longer currently in force.

On 2 December 2025 the Border Security, Asylum and Immigration Act 2025 received Royal Assent and repealed the Safety of Rwanda Act 2024, several provisions of the Illegal Migration Act (including many which were never brought into force) and provides that section 8AA of the Immigration Act 1971 is to be treated as though it was never in force.²⁵⁴

When an inadmissibility or removal decision is made and it is proposed to send the person to one of 31 European countries (all EU countries plus Iceland, Norway, Switzerland and Liechtenstein), the decision will be certified to remove any right of appeal based on a claim that removal to that country would be in breach of the Refugee Convention.²⁵⁵ In practice, very few of these decisions are made.

The Home Office made 83 inadmissibility decisions in 2021 and 2022, having served ‘notices of intent’ to 21,532 claimants. By the end of 2022, 23 people had subsequently been removed. In 2022, 68 claimants were refused on safe third country grounds following full examination of their claims. In 2023, 31,537 cases were identified for consideration of inadmissibility, 12,581 notices of intent were issued, and one claim was deemed inadmissible.

There were two removals, so a total of 25 removals have now taken place under the process since 1 January 2021.²⁵⁶ Those were to Belgium, Bulgaria, Denmark, France, Germany, Ireland, Italy, Slovenia, Spain, Sweden and Switzerland.²⁵⁷ It is understood that the few applicants returned were beneficiaries of international protection in Dublin states to which they were returned. The Home Office has not provided inadmissibility data since 2023.

There is an ongoing legal challenge to the use of the inadmissibility process and deeming of Bulgaria as a safe third country. The tribunal hearing took place late 2025 and a judgment is currently awaited.²⁵⁸

3.2. Personal interview

Indicators: Admissibility Procedure: Personal Interview

Same as regular procedure

1. Is a personal interview of the asylum applicant in most cases conducted in practice in the admissibility procedure? Yes No

There is no provision for a specific, separate personal interview in safe third country cases; information is taken from the screening interview described under the [Regular procedure - Personal interview](#).

Applicants for whom the UKVI is considering inadmissibility are issued with a ‘Notice of Intent’ of this fact and can make written representations within strict time limits as to why they should not be considered for

²⁵² BBC News, ‘Starmer confirms Rwanda deportation plan ‘dead’’, 6 July 2024, available [here](#).

²⁵³ The Illegal Migration Act 2023 (Amendment) Regulations 2024, available [here](#).

²⁵⁴ Border Security, Asylum and Immigration Act 2025, ss 40 and 41.

²⁵⁵ Asylum and Immigration (Treatment of Claimants, etc.) Act 2004, sch 3 available [here](#).

²⁵⁶ Home Office, ‘Immigration system statistics data tables, Asylum and resettlement summary, year ending December 2023’, table Asy_09a, available [here](#).

²⁵⁷ Home Office, ‘National statistics: How many people do we grant protection to?’, 29 February 2024, available [here](#).

²⁵⁸ Jamie Bell, ‘Syrian nationals challenge proposed removal to Bulgaria’, *Free Movement*, 15 January 2026, available [here](#).

removal to a safe third country at all or to a specific country or countries which are named in the Notice of Intent. If UKVI later identifies a different country of possible return, then a further Notice of Intent should be issued inviting representations regarding that country. This is considered before the inadmissibility decision is made and issued.²⁵⁹

3.3. Appeal

Indicators: Admissibility Procedure: Appeal

Same as regular procedure

1. Does the law provide for an appeal against the decision in the admissibility procedure?
 Yes No

When an inadmissibility decision is made that the person can be returned to a safe third country, a certificate is issued to that effect, and the decision can only be challenged by [judicial review](#). The scope of judicial review is described above in relation to the [regular procedure](#), but in the case of a judicial review based on human rights, the court looks more closely at the substance of the decision.²⁶⁰

3.4. Legal assistance

Indicators: Admissibility Procedure: Legal Assistance

Same as regular procedure

1. Do asylum applicants have access to free legal assistance at first instance in practice?
 Yes With difficulty No
 ❖ Does free legal assistance cover: Representation in interview Legal advice
2. Do asylum applicants have access to free legal assistance on appeal against an inadmissibility decision in practice?
 Yes With difficulty No
 ❖ Does free legal assistance cover Representation in courts Legal advice

There are no special rules or restrictions applying to legal assistance in the safe third country procedure. In principle an asylum applicant subject to a third country decision has the same opportunity as any other asylum applicant to obtain access to free legal representation (see [Normal procedure – legal assistance](#)).

Judicial review is funded by legal aid, subject to the means of the asylum applicant and the merits of the case. However, as in all judicial reviews, this is broadly speaking only if the court grants permission for the judicial review.

4. Border procedure (border and transit zones)

In the UK there is no provision for asylum decisions to be taken at the border. An application for asylum may be made at the border, and immigration officers from the UK Border Force may carry out the screening interview, but then always refer the claim to UKVI (see [Regular Procedure](#)).²⁶¹ The substance of the claim is not examined at the border.

If a person claims asylum, immigration officers grant immigration bail to enable the applicant to live in the community, subject to conditions, whilst the claim is considered. It is not an immigration status and therefore there are no rights attached to the admission. It is analogous to release from detention on

²⁵⁹ Home Office, 'Inadmissibility – third country cases: caseworker guidance', 29 January 2026, available [here](#)

²⁶⁰ House of Lords, *R v Secretary of State for the Home Department ex p Daly* [2001] UKHL 26, available [here](#).

²⁶¹ UK government, 'Claim asylum in the UK', accessed 27 March 2026, available [here](#).

licence. Detention at a port is limited to relatively short periods (less than 24 hours). Short-term holding facilities (STHF) at ports are not subject to the usual rules which govern immigration detention but are inspected by the government’s Prison Inspectorate.²⁶²

5. Accelerated procedure

5.1. General (scope, grounds for accelerated procedures, time limits)

There are no accelerated procedures in use. The detained fast track process was suspended in 2015. There are provisions in the Nationality and Borders Act 2022 for “accelerated detained appeals” but these are not in force.²⁶³

5.2. Personal interview

Indicators: Accelerated Procedure: Personal Interview

Same as regular procedure

1. Is a personal interview of the asylum applicant in most cases conducted in practice in the accelerated procedure? Yes No
 - ❖ If so, are questions limited to nationality, identity, travel route? Yes No
 - ❖ If so, are interpreters available in practice, for interviews? Yes No
2. Are interviews conducted through video conferencing? Frequently Rarely Never

Not applicable as there are no accelerated procedures in use.

5.3. Appeal

Indicators: Accelerated Procedure: Appeal

Same as regular procedure

1. Does the law provide for an appeal against the decision in the accelerated procedure? Yes No
 - ❖ If yes, is it Judicial Administrative
 - ❖ If yes, is it suspensive NSA Yes No

Not applicable as there are no accelerated procedures in use.

²⁶² See reports from the HM Inspectorate of Prisons on the Ministry of Justice, available [here](#).
²⁶³ Nationality and Borders Act 2022, s 27, available [here](#).

5.4. Legal assistance

Indicators: Accelerated Procedure: Legal Assistance

Same as regular procedure

1. Do asylum applicants have access to free legal assistance at first instance in practice?
 Yes With difficulty No
❖ Does free legal assistance cover:
 Representation in interview (in the DFT only)
 Legal advice
2. Do asylum applicants have access to free legal assistance on appeal against a negative decision in practice?
 Yes With difficulty No
❖ Does free legal assistance cover
 Representation in courts
 Legal advice

Not applicable as there are no accelerated procedures in use.

6. National protection statuses and return procedure

6.1. National forms of protection

When an asylum application is rejected, the Home Office will also automatically consider whether the applicant should be granted leave on other human rights grounds under article 3 or article 8, as provided for under the Immigration Rules. Leave granted on article 8 ECHR grounds will generally be granted under Appendix Private Life²⁶⁴ or Appendix FM²⁶⁵ of the Immigration Rules and provides for a grant of leave lasting two and a half years. Leave must be renewed every two and a half years by making a paid application (£1,321 per person - £1,407 (€ 1,607) from 8 April 2026 - and the immigration health surcharge of £2,587.50 (€ 2,955) per adult and £1,940 (€ 2,216) per child)²⁶⁶ unless a fee waiver is obtained, until the applicant has accrued ten years of lawful residence, at which point they are eligible to apply for settlement under Appendix Long Residence.²⁶⁷ In addition to the longer period before settlement, those granted leave under these routes will not automatically be entitled to access public funds.

6.2. Return procedure

The returns process operates separately to the asylum process and there does not appear to be any structure as to how and when people are targeted for removal. It is common for people to have their asylum claims refused and to remain in the UK long after rejection of their appeal. For example, 5,000 or 3% of people who arrived by small boat between 2018 and 2024 were removed from the UK.²⁶⁸

Provisional data shows that in 2024 there were 2,636 enforced returns of people who had previously claimed asylum, and 3,432 in 2025.²⁶⁹ For voluntary returns the figures are 6,794 people in 2024 and 8,199 people in 2025.

From time to time the Home Office announces that removals of refused asylum applicants to particular countries are suspended. This is rare and there are no such concessions currently in force (see [Differential treatment of specific nationalities in the procedure](#)).

²⁶⁴ Immigration Rules, Appendix Private Life, available [here](#).

²⁶⁵ Immigration Rules, Appendix FM, available [here](#).

²⁶⁶ GOV.UK, 'Family visas: apply, extend or switch', accessed 7 February 2026, available [here](#).

²⁶⁷ Immigration Rules, Appendix Long Residence, available [here](#).

²⁶⁸ Migration Observatory, 'Returns of unauthorised migrants from the UK', 11 August 2025, available [here](#).

²⁶⁹ Home Office, 'Immigration system statistics data tables, Returns summary, year ending December 2025', table Ret_05, available [here](#).

D. Guarantees for vulnerable groups

1. Identification

Indicators: Identification

1. Is there a specific identification mechanism in place to systematically identify vulnerable asylum applicants?
 Yes For certain categories No
❖ If for certain categories, specify which: Unaccompanied children
2. Does the law provide for an identification mechanism for unaccompanied children?
 Yes No

1.1. Screening of vulnerability

There is no specific mechanism to identify adult asylum applicants who need specific procedural guarantees. The screening interview process is inadequate in identifying such vulnerabilities due to a lack of training and guidance for staff.²⁷⁰ The standard questions include only basic questions about health, such as whether the person has any medical conditions or medication that they are or should be taking.

The concern remains regarding the use of [detention](#), albeit not in an accelerated procedure, and the lack of safeguards. The Adults at Risk policy was amended in May 2021 to bring victims of modern slavery into the remit of immigration detention policy.

The guidance was further amended in November 2021²⁷¹ to include the new Competent Authority – the Immigration Enforcement Competent Authority. The creation of a second Competent Authority was criticised by a group of NGOs²⁷² and concerns raised by the Independent Anti-Slavery Commissioner.²⁷³ In 2025, only 43% of cases decided by the Immigration Enforcement Competent Authority were confirmed as victims of trafficking, as opposed to 64% of cases considered by the Single Competent Authority.²⁷⁴

Concerns have been raised about the quality of decision making by the Immigration Enforcement Competent Authority, with a 2024 ICIBI report saying that speed had been prioritised over attention to detail.²⁷⁵

1.2. Age assessment of unaccompanied children

The procedure for identifying unaccompanied children is governed by guidance and case law. At the screening stage, where a person appears to an Immigration Officer or the Home Office caseworker to be under 18, policy guidance is that they are to be treated as a child. Details of this process are set out at [Registration of unaccompanied children](#).

In case of doubt, the person should be treated as though they are under 18 until there is sufficient evidence to the contrary.²⁷⁶ Where their appearance strongly suggests to the officer that they are significantly over 18, the asylum applicant is treated as an adult. In this case, an age assessment can be triggered by the young person or any third party referring to the local authority for an age assessment. However, the result

²⁷⁰ At e.g. paragraph 100, available [here](#).

²⁷¹ Home Office, 'Adults at Risk; the detention of potential or confirmed victims of modern slavery', 2 May 2024, available [here](#).

²⁷² Statement from The Detention Taskforce, available [here](#).

²⁷³ Correspondence to the Home Secretary from the Independent Anti-Slavery Commissioner, available [here](#).

²⁷⁴ Home Office statistics, 'Modern slavery: National Referral Mechanism and Duty to Notify statistics UK, quarter 4 2025 – October to December', 19 February 2026, available [here](#).

²⁷⁵ ICIBI, 'Inspection report published: An inspection of the Immigration Enforcement Competent Authority (January to June 2024)', available [here](#).

²⁷⁶ Home Office, 'Processing children's asylum claims', 31 December 2020, available [here](#).

of immediate treatment as an adult while this process is ongoing means that people who are in fact under 18 will be treated as adult in the asylum and support processes.

The guidance has been amended several times in recent years to reflect various judicial challenges, including to the practice of the social work age assessments at the Kent Intake Unit on the grounds that the procedural safeguards required of social work assessments applied equally to the Home Office employed social workers.²⁷⁷ This followed a series of challenges to the interpretation of the 'significantly over 18' policy, ultimately in favour of the Home Office, retaining the right to make those decisions at the border.

In addition to the criticism by the Refugee Council, a report from the Independent Chief Inspector of Borders and Immigration drew attention to the practice of making these initial decisions, including the lack of interpreters used.²⁷⁸ In 2023, The UN Committee on the Rights of the Child (UNCRC) also raised concerns about the persistent use of unreliable methods for age assessments, as well as the high number of age disputed children, meaning some children have been detained, and the lack of data on age assessments.²⁷⁹

If the Home Office has referred to a local authority because they felt there was doubt about the claimed age, the social worker responsible for an assessment must assure the Home Office that they have considered the age and this would usually be communicated to a child through an agreed template.²⁸⁰ A stand-alone assessment is not necessary but the Home Office must be satisfied that the areas listed on the template have been considered by the social worker. The Home Office must also be satisfied that any assessment complies with case law – often referred to as 'Merton compliant' as *Merton* was the first piece of case law dealing with the lawful procedure for age assessments. It would then be usual for the Home Office to adopt the age decided by the social worker but more detail is given in guidance.²⁸¹

Local authorities, a Health and Social Care Trust in Northern Ireland and the Home Office can refer age assessments to the National Age Assessment Board, which is part of the Home Office. Local authorities also retain the ability the power to conduct their own age assessments for their own purposes.²⁸² Some local authorities have reported confusion over which age assessment cases can be referred to the NAAB.²⁸³ Concerns have been raised about the NAAB recruiting social workers without relevant experience as well as the capacity to meet demand.²⁸⁴ Children have said that they felt the NAAB assessment was hostile and they felt it was "designed to disbelieve".²⁸⁵

Social workers conducting age assessments must comply with all case law which includes the need to be registered social workers, trained in conducting age assessments, adhere to correct procedures including taking into account all relevant information. Assessments must be conducted in the presence of an 'appropriate adult' and a written record made. Guidance issued by the Association of Directors of

²⁷⁷ High Court, *MA & Anor, R (On the Application Of) v Coventry City Council & Anor* [2022] EWHC 98 (Admin) (19 January 2022), available [here](#).

²⁷⁸ ICIBI, 'An inspection of the initial processing of migrants arriving via small boats at Tug Haven and Western Jet Foil, December 2021 – January 2022', July 2022, available [here](#).

²⁷⁹ UN Committee on the Rights of the Child, 'Concluding observations on the combined sixth and seventh periodic reports of the United Kingdom of Great Britain and Northern Ireland', 22 June 2023, page 18, available [here](#).

²⁸⁰ ADCS, 'Age assessment guidance and information sharing guidance', 1 January 2024, available [here](#).

²⁸¹ Home Office and ADCS, 'Age assessment: Joint working guidance', 31 March 2023, available [here](#).

²⁸² Home Office, 'The operation of the National Age Assessment Board and sections 50 and 51 of the Nationality and Borders Act 2022', 4 February 2026, available [here](#).

²⁸³ Home Office, 'Evaluation of the National Age Assessment Board', 8 January 2026, available [here](#).

²⁸⁴ Mithran Samuel, 'Inspectors criticise oversight of social work practice at Home Office age assessment service', 20 August 2025, available [here](#).

²⁸⁵ Greater Manchester Immigration Aid Unit, 'The National Age Assessment Board: children's experiences', 20 May 2025, available [here](#).

Children's Services (ADCS) in October 2015 gives more detail about lawful procedure and good practice.²⁸⁶

As of 10 January 2024, the use of scientific tests in the age assessment process has become law, this provides for the use of x-rays and magnetic resonance imaging.²⁸⁷ The use of these tests has not yet been adopted in practice.²⁸⁸

Concerns about over-use and inaccuracy of the age assessment process have been raised.²⁸⁹ In 2023 the UNCRC expressed deep concern about the "persistent use of unreliable methods for determining a child's age, the large number of children whose age has been disputed and the lack of data on the number of asylum-seekers claiming to be children who have been assessed and sometimes detained as adults by immigration officials".²⁹⁰

Judicial review is the sole remedy to resolve a complaint that the age assessment was conducted unlawfully or failed to reach the correct conclusion.²⁹¹ The Nationality and Borders Act 2022 contains provisions for these decisions to be appealed instead, but this has not yet been brought into force.²⁹² The quality of age assessments has been heavily criticised for several years.²⁹³

In **Scotland** an unaccompanied asylum seeking child will be appointed an independent guardian to support them through the asylum process.²⁹⁴ A similar system is available in **Northern Ireland** where the child has or is suspected to have been trafficked and for migrant children and young people arriving in Northern Ireland who are separated from an adult who has parental responsibility for them.²⁹⁵ This is not available in **England** and **Wales**.

The government in **Wales** has published its own age assessment guidance.²⁹⁶ In **Scotland**, guidance is published by the Scottish government on behalf of a multi-agency collaboration.²⁹⁷

A tribunal is also entitled to decide a person's age as a question of fact in the context of an asylum claim, where age is relevant to the claim, for instance because it has a bearing on other findings such as the credibility of the asylum applicant. A Supreme Court decision held that a finding of fact from the court on age will also be binding on the local authority.²⁹⁸ This is important because previously a young person could be in the position where the tribunal, and thus the Home Office, accepted that they were under 18, but the local authority did not. This judicial review power transferred to the Upper Tribunal.²⁹⁹

²⁸⁶ ADCS, 'Age assessment guidance', October 2015, available [here](#).

²⁸⁷ The Immigration (Age Assessment) Regulations 2024, available [here](#).

²⁸⁸ Home Office, 'Guidance: Assessing age', 23 December 2025, available [here](#).

²⁸⁹ See e.g. Refugee Council, "'It's not my real age": Hundreds of refugee children put at risk', 22 April 2024, available [here](#) and Ottavia Spaggiari, Isobel Thompson and Iliana Papangeli, 'How European countries wrongfully classify children seeking asylum as adults', *The New Humanitarian*, 10 April 2024, available [here](#).

²⁹⁰ UN Committee on the Rights of the Child, 'Concluding observations on the combined sixth and seventh periodic reports of the United Kingdom of Great Britain and Northern Ireland*', 22 June 2023, available [here](#).

²⁹¹ Supreme Court, *R (on the application of A) v London Borough of Croydon* and *R (on the application of M) v London Borough of Lambeth* [2009] UKSC 8, 26 November 2009, available [here](#).

²⁹² Nationality and Borders Act 2022, s 54, available [here](#).

²⁹³ Refugee Council, 'Forced Adulthood: the Home Office's incorrect determination of age and how this puts child asylum seekers at risk', January 2024, available [here](#).

²⁹⁴ Scottish government, 'Asylum and refugees', accessed 27 March 2026, available [here](#).

²⁹⁵ Department of Health, 'IGS Guidance – Section 21 of Modern Trafficking and Exploitation Act 2015', 16 August 2023, available [here](#).

²⁹⁶ Welsh government, 'Age assessment toolkit', 29 June 2021, available [here](#).

²⁹⁷ Scottish government, 'Age assessment: practice guidance', 22 March 2018, available [here](#).

²⁹⁸ Supreme Court, *R (on the application of A) v London Borough of Croydon* and *R (on the application of M) v London Borough of Lambeth* [2009] UKSC 8, 26 November 2009, available [here](#).

²⁹⁹ First Tier Tribunal and Upper Tribunal (Chambers) Order 2010, section 11, available [here](#).

Statistics are available for age assessments ordered by the Home Office, which do not include age assessments ordered by local authorities. In 2023 there were 4,500 of these and in 2024 to the end of June there were 3,567.³⁰⁰ Of the 2023 decisions, it was concluded that the applicant was a child in 2,721 cases, and to June 2024 it was concluded that 1,419 age disputed applicants were children. Some of these decisions will be subject to challenge and no information is given on the final resolution of these. The Home Office has not updated this data since June 2024.

UASC leave

Unaccompanied children seeking asylum whose claims are refused are very rarely returned to their country of origin unless they are believed to be over 18. It is standard practice to grant periods of limited leave. This leave is referred to as 'UASC leave' – this is granted for 30 months or until the age of 17.5, whichever is shorter.³⁰¹ Leave can be renewed up to age 17.5, but if a further application is made at this stage, then there must be an active review in which their need for protection is considered again, and if this is turned down, they may be faced with removal.

Discretionary leave

Where asylum claims fail, sometimes a family is given limited leave to remain on the basis of Article 8 ECHR.

Two new forms of leave were introduced in 2018 relating solely to specific groups of unaccompanied children transferred to the UK from elsewhere in Europe. Those children transferred under section 67 (Dubs' amendment)³⁰² who did not qualify for leave as a refugee or subsidiary protection were granted 'section 67 leave',³⁰³ initially for five years. A change to the Immigration Rules was made in October 2019 so that these children were granted section 67 leave automatically although they are able to apply for asylum in the usual way.³⁰⁴ It is described as non-protection based leave but beneficiaries are entitled to settlement after five years.³⁰⁵ All of the children the government agreed to transfer arrived in the UK by the end of 2020.

Children transferred to the UK from **Calais** to join family members under the Dublin III Regulation, if the transfer took place between 17 October 2016 and 13 July 2017, have similarly been provided with non-protection-based leave if they did not qualify for leave as a refugee or for subsidiary protection. Beneficiaries will be entitled to apply for settlement after ten years.³⁰⁶

³⁰⁰ Home Office, 'Immigration system statistics data tables, Age disputes detailed datasets, year ending June 2024', table Asy_D05, 27 February 2025, available [here](#).

³⁰¹ Immigration Rules, para 352ZE.

³⁰² Section 67 of the Immigration Act 2016 introduced obligations on the Secretary of State for the Home Department to make arrangements to relocate a specified number of unaccompanied children to the UK from other European countries. Named after a peer, Lord Dubs, who first introduced the amendment to the then Immigration Bill.

³⁰³ Home Office, 'Section 67 of the Immigration Act 2016 leave: caseworker guidance', 11 November 2025, available [here](#).

³⁰⁴ 'Statement of changes of Immigration Rules', September 2019, available [here](#).

³⁰⁵ Home Office, 'Indefinite leave to remain (permission to stay as a refugee, humanitarian protection, Discretionary of Section 67 Leave)', accessed on 16 March 2025, available [here](#).

³⁰⁶ Home Office, 'Calais Leave: caseworker guidance', 11 November 2025, available [here](#).

2. Special procedural guarantees

Indicators: Special Procedural Guarantees

1. Are there special procedural arrangements/guarantees for vulnerable people?

Yes For certain categories No

❖ If for certain categories, specify which: People for whom detention is accepted to be damaging; unaccompanied children, torture survivors

The Home Office has introduced the notion of “safeguarding leads”, supervised by a senior official as head of the “safeguarding hub”. There is limited information on the work of these hubs, however, as the safeguarding policy is an internal document, although limited detail is available through the funding document.³⁰⁷ More information about the safeguarding hubs and the Home Office’s approach to vulnerable adults can be found in the 2019 inspection report from the Independent Chief Inspector of Borders and Immigration.³⁰⁸

Guidance on gender issues in the asylum claim sets out good practice in recognising gender-specific forms of persecution and the difficulties that women may face in accessing protection.³⁰⁹ The guidance recognises that discrimination may amount to persecution in countries where serious legal, cultural or social restrictions are placed upon women, and the need to be rigorous in understanding country of origin information when deciding women’s claims.

Guidance on the substantive interview was revised in 2022 and addresses issues of disclosure, gender-based violence as well as experiences of torture.³¹⁰ For victims of gender-based persecution the guidance states that it would be inappropriate for the interviewer to question the applicant about the act itself, but that information about the events leading up to and after the act should be obtained. On disclosure, the guidance states that this may not happen during the interview and that applicants may be more comfortable with disclosing highly sensitive information to their legal representative, clinician or support worker.

Applicants may also specify the gender of their interviewing officer in advance, or request that the interview is omitted. For victims of torture, the guidance provides a list of questions that may be used, and instructs those interviewing that they should stop this line of questioning as soon as they think it is likely that the torture has taken place, to avoid unnecessary distress.

There are limited concessions to the requirement to make an asylum claim in person. Discretion is afforded to UKVI staff to allow someone to register a claim more locally if they are unable to travel to the Irregular Migration Intake Unit due to severe health or disability issues or, with the agreement of an NGO in Scotland. Previous guidance to this effect appears to have been withdrawn.

People with mental illness severe enough to affect their mental capacity may have a publicly funded representative at their asylum interview.³¹¹

Additional training is required for Home Office decision makers handling asylum claims from children.³¹²

³⁰⁷ Home Office, ‘Asylum, Migration and Integration Fund: List of Actions allocated funding’, 16 September 2024, available [here](#).

³⁰⁸ ICIBI, ‘An inspection of the Home Office’s approach to the identification and safeguarding of vulnerable adults’, January 2019, available [here](#).

³⁰⁹ Home Office, ‘Gender issues in asylum claims: caseworker guidance’, 13 April 2018, available [here](#).

³¹⁰ Home Office, ‘Conducting asylum interviews: caseworker guidance’, 10 October 2025, available [here](#).

³¹¹ The Civil Legal Aid (Immigration Interviews) (Exceptions) Regulations 2012, available [here](#).

³¹² Home Office guidance, ‘Processing children’s asylum claims: caseworker guidance’, 22 January 2025, available [here](#).

Exemption from detention and special procedures

There are no other procedural guarantees in law for vulnerable adult applicants relating to decision-making or application process, except that they should not, according to policy, be detained. See [Detention of Vulnerable Applicants](#).

However, the detention of people with mental illness remains a major source of concern and is covered further in the section on [Detention of Vulnerable Applicants](#). A case in 2019 confirmed that the Home Office need not introduce a process equivalent to Rule 35 for immigration detainees held in prisons³¹³ The Court of Appeal ruled in 2021 that this constituted an irrational failure on behalf of the Home Office.³¹⁴ and an action plan was published in 2022 indicating that the development of this was under way.³¹⁵

There are no other published criteria which would prevent someone who had suffered torture or other extreme violence from being routed into the NSA procedure. The policies about vulnerable applicants, although they are unevenly applied, concern suitability for detention, not for a non-suspensive appeal.

Guidance to officers making a decision after the screening interview also advises that where a person through illness has a need for care and attention over and above destitution, they should be referred to a Local Authority for a needs assessment.³¹⁶ In practice, local authority support is difficult to obtain, and policies vary in different local authority areas.

3. Use of medical reports

Indicators: Use of Medical Reports

1. Does the law provide for the possibility of a medical report in support of the applicant's statements regarding past persecution or serious harm?
 Yes In some cases No
2. Are medical reports taken into account when assessing the credibility of the applicant's statements?
 Yes No

Medical evidence may be submitted but the initiative for obtaining a report comes from the applicant or their lawyer. There is no legal provision which requires the provision of a report for the purposes of the asylum claim.

Asylum Policy Guidance on medical evidence provides for the possibility of delaying an asylum decision pending receipt of a medical report from the NGOs Helen Bamber Foundation (HBF) or Freedom from Torture (FFT) or other reputable provider using rigorous methodology in preparation of its reports.³¹⁷ FFT and the Helen Bamber Foundation are the most established organisations which prepare medico-legal reports, and their work is widely respected. Referral to obtain an appointment for a Medico-Legal report from specialist providers can normally only be made by a lawyer, and referrals may be accepted if the providers consider that a medico-legal report has the potential to make a material difference to the outcome of the claim.³¹⁸ If a report is received after a refusal of asylum the case must be reviewed.

Home Office caseworkers make this decision and should act reasonably. They are required to take into account whether the applicant declared a medical condition at the screening interview, whether there is

³¹³ High Court, *MR (Pakistan) and AO (Nigeria)*, EWHC 3567 (Admin), 20 December 2019, available [here](#).

³¹⁴ Court of Appeal, *MR (Pakistan) & Anor v Secretary of State for Justice & Ors* [2021] EWCA Civ 541, 14 April 2021, available [here](#).

³¹⁵ HM Prisons and Probation Service, 'Action plan – A Response to: Thematic Report: The experience of immigration detainees in prisons', 13 October 2022, available [here](#).

³¹⁶ Home Office, 'Guidance: Asylum seekers with care needs', 3 August 2018, available [here](#).

³¹⁷ Home Office, 'Medical evidence in asylum claims', 26 August 2022, available [here](#).

³¹⁸ Freedom from Torture, referral form, available [here](#).

written evidence of an appointment with a medical professional, and the length of time the applicant has been in the country and so had the opportunity to consult a medical practitioner. The guidance advises on timescales for delaying interviews and/or decisions following consideration of the relevance of a report e.g. decision makers are not required to delay if the person is to be granted protection anyway, or the medical evidence is not considered material to the claim. All such decisions must be discussed with another decision maker (second pair of eyes process).

Where a solicitor is funded by legal aid they can request authority from the Legal Aid Agency for payment for medical reports, and this may be granted depending on the relevance and importance of the report to the claim. The solicitor has authority to spend £400 (approx. €457) on an expert report without involving the Legal Aid Agency, but this is often not adequate to fund a full expert report.³¹⁹

The Detention Centre rules require that a medical examination should be conducted within 24 hours of arrival in a detention centre, but this must not be used in determining the asylum claim; its purpose is to ascertain fitness for detention.³²⁰

Medical reports may be prepared based on the Istanbul Protocol, and this is regarded as best practice and is standard for experienced practitioners.³²¹ The NGO Freedom From Torture has addressed the issue of decision making for torture survivors in several reports; a specific one that focused on decision making involving Medico Legal Reports,³²² an issue also raised in a critique of the standard of proof applied in asylum decisions,³²³ and an analysis of the way torture is dealt with in asylum interviews.³²⁴

The long running case of *KV (Sri Lanka)* progressed to the Supreme Court and judgment was handed down in March 2019.³²⁵ The case concerned the question of the extent to which a medical expert could comment on the likelihood of torture being self-inflicted by proxy, that is, by another person at their invitation. The Supreme Court said that very considerable weight should be given to the fact that injuries which are self-inflicted by proxy are likely to be extremely rare.

4. Legal representation of unaccompanied children

Indicators: Unaccompanied Children

1. Does the law provide for an identification mechanism for unaccompanied children?
 Yes No
2. Does the law provide for the appointment of a representative to all unaccompanied children?
 Yes No

In addition to the social work duty, the Immigration Rules require that the Home Office caseworker takes steps to ensure that an unaccompanied child has a legal representative.³²⁶ The Refugee Council should be notified within 24 hours.

³¹⁹ Helen Bamber Foundation, 'Medico-Legal Reports', accessed 27 March 2026, available [here](#).

³²⁰ Detention Centre Rules, Rule 34.

³²¹ Office of the United Nations High Commissioner for Human Rights, 'Manual on the effective investigation and documentation of torture and other cruel, inhuman or degrading treatment or punishment, 'Istanbul Protocol'', 2004, available [here](#).

³²² Freedom from Torture, 'Proving torture: Demanding the Impossible', November 2016, available [here](#).

³²³ Freedom from Torture, 'Lessons not Learned; The failures of asylum decision-making in the UK', September 2019, available [here](#).

³²⁴ Freedom from Torture, 'Beyond Belief; how the Home Office fails survivors of torture at the asylum interview', 16 June 2020, available [here](#).

³²⁵ Supreme Court, *KB (Sri Lanka) v Secretary of State for the Home Department* [2019] UKSC 10, 6 March 2019, available [here](#).

³²⁶ Immigration Rules, pt 11, para 352ZA.

This duty applies to a person who is under 18 or who is being given the benefit of the doubt for the time being. There is no stated exception, and the duty accrues as soon as an asylum application has been made.

Unlike the case of adults, the legal representative is a lawyer who is publicly funded to be present in the asylum interview, and the asylum interview of a child may not take place without a responsible adult present who is not representing the Home Office.

The Home Office has a statutory duty to safeguard and promote the welfare of children in the UK who are subject to its procedures.³²⁷ The duty of a representative of a child includes ensuring that this duty is complied with at all stages of the asylum process and to challenge where it is not. The code of practice for implementing Section 55 of the Borders Citizenship and Immigration Act 2009, 'Every Child Matters', which is binding on Home Office officers, requires that the voice of the child is heard in the proceedings, and this was reiterated by the Supreme Court, affirming that the wishes and feelings of the child must be taken properly into account by decision makers.³²⁸ The representative accordingly has a duty to ensure that they take the child's own independent instructions and that these form the basis of their representations.

In order to receive public funding for representing a refugee child, a solicitor must be accredited at Level 2 of the Immigration and Asylum Accreditation Scheme. The Legal Aid Agency framework for authorising legal aid payment requires that work with refugee children is carried out by a senior caseworker at level 2 or above, who has had an Enhanced Disclosure and Barring Service (often referred to as DBS) check in the previous two years. A publicly funded immigration adviser of a child asylum applicant is under an obligation to refer the child for public law advice where the child has difficulties with the local authority carrying out its duties towards them under the Children Act 1989.³²⁹ A child is entitled to have a publicly funded legal representative at their initial asylum interview, but only where the Home Office does not dispute that the claimant is a child.³³⁰

Difficulties obtaining good quality legal advice (see [Regular Procedure: Legal Assistance](#)) also apply to unaccompanied children.

In **Scotland** an unaccompanied asylum-seeking child will be appointed an independent guardian to support them through the asylum process.³³¹ Guardianship Scotland is provided through two charities, Aberlour Children's Charity and Scottish Refugee Council.³³² These guardians are not legal representatives as the term is understood in the UK, i.e. they do not provide legal representation and/or advice to the children in their care.

A similar system is available in **Northern Ireland** where the child has or is suspected to have been trafficked and for migrant children and young people arriving in Northern Ireland who are separated from an adult who has parental responsibility for them.³³³ Under the Northern Irish system, independent guardians must be registered as a social worker and have a minimum of five years' post qualification experience of working with children and families, including court related experience. Support and supervision must also be provided, as well as training that will enable the guardian to meet the

³²⁷ BCIA 2009, s 55, available [here](#).

³²⁸ Supreme Court, *ZH (Tanzania) v Secretary of State for the Home Department* [2011] UKSC 4, 1 February 2011, available [here](#).

³²⁹ The Civil Specification 2010, s 8, Immigration, para 8.

³³⁰ The Civil Legal Aid (Immigration Interviews) (Exceptions) Regulations 2012 SI No. 2683, available [here](#).

³³¹ Scottish government, 'Asylum and refugees', accessed 27 March 2026, available [here](#).

³³² Scottish Refugee Council, 'Child Trafficking Support Service: Guardianship Scotland', available [here](#).

³³³ Department of Health, 'IGS Guidance – Section 21 of Modern Trafficking and Exploitation Act 2015', 16 August 2023, available [here](#).

requirements of the Northern Ireland Social Care Council as well as to become a regulated adviser under the Immigration Advice Authority at level 2.³³⁴

There is no independent guardian system in **England** and **Wales**.

E. Subsequent applications

Indicators: Subsequent Applications

1. Does the law provide for a specific procedure for subsequent applications? Yes No
2. Is a removal order suspended during the examination of a first subsequent application?
 - ❖ At first instance Yes No
 - ❖ At the appeal stage Yes No
3. Is a removal order suspended during the examination of a second, third, subsequent application?
 - ❖ At first instance Yes No
 - ❖ At the appeal stage Yes No

Provision for a subsequent claim is made in the Immigration Rules.³³⁵ Where an asylum applicant makes further representations that are sufficiently different from previous submissions in that the content has not previously been considered, and which, taken together with previously submitted material create a realistic prospect of success, these submissions can be treated as a 'fresh claim'. If they are treated as a fresh claim then a refusal attracts a right of appeal to the FTT (IAC), and all provisions are the same as for an appeal regarding a first asylum application (see section on [Regular Procedure: Appeal](#)).

Case law provides that the threshold to be passed for submissions to be treated as a fresh claim is a 'relatively modest' one.³³⁶ In practice, lawyers and NGOs say that the threshold employed is very high.

There is no opportunity to appeal. [Judicial review](#) is the only means to challenge refusal to treat submissions as a fresh claim, and it is only available with the permission of the tribunal. In such a challenge the Court must consider whether the Home Office considered the right question, namely, not whether the caseworker thinks it is a strong case, but whether there is a realistic prospect of an immigration judge, applying 'anxious scrutiny' (i.e. a "heightened degree" of scrutiny),³³⁷ thinking that the applicant will be exposed to a real risk of persecution or serious harm on return. In so doing, Home Office caseworkers themselves must also use 'anxious scrutiny'. Whether this has been done is a question the court can consider for itself on the basis of the evidence that the Home Office caseworker had.³³⁸

In practice, the shortage of publicly funded legal advice³³⁹ means that poorly reasoned refusals may go unchallenged, with the asylum applicant often resorting instead to making another set of further submissions. The Home Office does not publish the number of fresh claims but in answer to a parliamentary question the Minister stated that in 2021, 6,760 further submissions were made in support of fresh claims.³⁴⁰ Statistics are not routinely published as to what proportion of further submissions are

³³⁴ The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) (Independent Guardian) Regulations (Northern Ireland) 2016, available [here](#).

³³⁵ Immigration Rules, ptt 12, para 353.

³³⁶ Court of Appeal, *WM (DRC) v Secretary of State for the Home Department* [2006] EWCA Civ 1495, available [here](#).

³³⁷ Court of Appeal, *Sivakumar v Secretary of State for the Home Department* [2001] EWCA Civ 1196 at para 30, available [here](#).

³³⁸ Court of Appeal, *R (on the application of YH) v Secretary of State for the Home Department* [2010] EWCA Civ 116, available [here](#).

³³⁹ Available [here](#).

³⁴⁰ UK Parliament, 'Written question UIN 121813: Asylum', answered 28 February 2022, available [here](#).

considered to amount to a fresh claim, although a 2024 response to a Freedom of Information Request highlights that a significant number of those making further submissions are granted a form of leave.³⁴¹ Since then, the Home Office has refused a request for updated data.

The process for making further representations is due to change on 8 April 2026. Until then, these must be made to the Home Office in **Liverpool, Belfast, Cardiff or Glasgow**. Where the claimant is over 18, this must be done in person unless there are exceptional circumstances such as disability or severe illness or the best interests of a child require an exception to be made.³⁴² There is no fixed limit to the number of further submissions that can be made. The response to further submissions is decided on the basis of written submissions and without an interview, but the submissions must be delivered in person at an appointment.

Once they have an appointment (usually 3 to 10 days after it is arranged by calling the booking line),³⁴³ applicants need to have the means to travel to lodge their further submissions. This is problematic as the Home Office will not pay travel expenses, and most refused asylum applicants who have further submissions to make are destitute. **Liverpool** is more than a day's round trip by cheapest transport methods (usually bus) from many parts of the UK.

Although destitute applicants should be eligible for Section 4 support (see section on [Reception Conditions: Criteria and Restrictions](#)) as soon as they have alerted the Home Office to the existence of further submissions,³⁴⁴ in practice, it is extremely difficult to access support while waiting for an appointment, and any support is unlikely to materialise before the appointment. It may also be difficult to access Section 4 support while waiting for a decision on whether those further submissions constitute a fresh claim.³⁴⁵ In effect, this means that people with further submissions may be left destitute.

A person may not be removed before a decision is taken on any submissions they have outstanding.³⁴⁶ Removal directions (the order to a carrier to take the person on a particular flight or crossing) may remain in place while further submissions are being considered, only to be cancelled if the claimant is successful or if the Home Office decides they need more time to decide. Further submissions may be allowed or refused at any time until the asylum applicant is actually removed. A last-minute refusal may leave no time for any further legal challenge, and there is no obligation for the Home Office to respond in time for the asylum applicant to take advice or challenge a refusal.

Preparation of further submissions is funded under Legal Help in the same way as initial claims are (see [Legal Assistance](#)). This puts additional pressure on lawyers, challenging conscientious representatives to maintain quality work. Funding for expert reports can be obtained from the Legal Aid Agency, though the agency is generally reluctant to grant any additional funding and it is normal for legal representatives to have to argue for this.

The procedure for further submissions is different for unaccompanied children who are still under the age of 18 when any leave they have expires. The decision maker must make enquiries as to the situation of the child to ascertain if it has changed since the original grant of leave and conduct a best interest assessment.³⁴⁷

³⁴¹ Home Office, Response to FOI request made on 2 October 2023, 27 February 2024, available [here](#). In 2025 the Home Office refused a Freedom of Information request for updated data.

³⁴² Home Office, 'Further submissions: caseworker guidance', 26 July 2023, available [here](#).

³⁴³ Available [here](#).

³⁴⁴ High Court, *MK and AH v Secretary of State for the Home Department* [2012] EWHC 1896 (Admin), available [here](#).

³⁴⁵ ASAP, 'Section 4 Support – Factsheet 2 (Breach of Human Rights)', October 2018, available [here](#).

³⁴⁶ Immigration Rules, para 353A.

³⁴⁷ Home Office, 'Processing children's asylum claims: caseworker guidance', 17 December 2024, available [here](#).

UNHCR carried out an audit of the further submissions process in 2023 and 2024. It found that 5,917 further submissions were made in 2022 and 6,699 were made in 2023. The top five nationalities in both years were Iraq, Albania, China, Afghanistan and Pakistan. The report noted issues with the in person process such as administrative failings at the service centres, as well as the fear of detention experienced by those attending appointments at the Home Office. A recommendation was made for further submissions to be made electronically, as well as several recommendations for improving the quality of decisions.³⁴⁸ The recommendation for electronic submissions was not implemented and progress on the internal recommendations such as staff training is unknown.

F. The safe country concepts

Indicators: Safe Country Concepts

- | | | |
|--|---|-----------------------------|
| 1. Does national legislation allow for the use of “safe country of origin” concept? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ Is there a national list of safe countries of origin? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ Is the safe country of origin concept used in practice? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Does national legislation allow for the use of “safe third country” concept? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ Is the safe third country concept used in practice? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Does national legislation allow for the use of “first country of asylum” concept? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

1. Safe country of origin

Legislation allows for a safe country of origin concept.³⁴⁹ States are designated safe by order of the Secretary of State for the Home Office. The Secretary of State may make such an order where they are satisfied that ‘there is in general in that State or part no serious risk of persecution of persons entitled to reside’ there, and that removal there ‘will not in general contravene’ the European Convention on Human Rights. In making the order, the statute requires the Home Secretary to have regard to information ‘from any appropriate source (including other member states and international organisations.’

Orders are in force in relation to: Albania, Macedonia, Moldova, Bolivia, Brazil, Ecuador, South Africa, Ukraine, Kosovo, India, Mongolia, Bosnia-Herzegovina, Mauritius, Montenegro, Peru, South Korea and Serbia. The section also allows partial designation, and countries currently designated as safe for men are: Ghana, Nigeria, Gambia, Kenya, Liberia, Malawi, Mali and Sierra Leone.³⁵⁰ There is no appeal against designations. Designation may be challenged by [judicial review](#).³⁵¹ Designation is not reviewed routinely and there is no automatic review in response to changes in country conditions.

Where an asylum claimant comes from a designated country, the UKVI caseworker is obliged to certify the case as clearly unfounded unless satisfied that the individual case is not clearly unfounded. The consequence of the certificate is that an appeal against refusal may only be made from outside the UK .

Challenges by judicial review to safe country of origin decisions are also difficult to establish on a case by case basis, but some do succeed. For instance, in a case in which the Court of Appeal held that it was not irrational to treat Gambia as safe in general, the court still held that the applicant’s asylum claim was

³⁴⁸ UNHCR, ‘Further submissions: An audit of the UK’s Further Submissions procedures and decision-making, and recommendations for change’, 27 January 2025, available [here](#).

³⁴⁹ NIAA, s 94.

³⁵⁰ NIAA, s 94.

³⁵¹ Supreme Court, *Brown (Jamaica), R (on the applications of) v Secretary of State for the Home Department* [2015] UKSC 8, available [here](#).

not bound to fail. He had already been ill-treated in detention because of his politics, and faced a possible trial for sedition.³⁵²

The general designation as safe is often perceived to be very risky for particular groups who have not been taken into account in the assessment of the country as safe, as illustrated in the Supreme Court case of *Brown* mentioned above.³⁵³ LGBTQI+ people, trafficked women, single women who are outside the accepted family structure may all be at risk in some countries designated as safe. Designation is also not reviewed routinely and there is no automatic review in response to changes in country conditions.

Asylum applicants (excluding dependents) in 2025 from countries designated as safe were as follows:³⁵⁴

Country of origin	Asylum applicants
Albania	1,584
India	4,764
Brazil	2,145
Nigeria (men)	1,035 (men)
Ukraine	886
Ghana (men)	276 (men)
Peru	87
Mauritius	59
Sierra Leone (men)	161 (men)
Gambia (men)	112 (men)
Bolivia	44
Kenya (men)	116
Kosovo	20
South Africa	62
Mali (men)	20 (men)
Ecuador	34
Mongolia	13
South Korea	4
Malawi (men)	14 (men)
Liberia (men)	12 (men)

No applications were received in respect of Bosnia-Herzegovina or Serbia.

It appears from this that there is no consistent pattern in terms of the relevance of designation to the numbers of asylum applicants coming from these countries to the UK.

Section 59 of the Illegal Migration 2023 is not currently in force, but if it is brought into force then it provides for asylum and human rights claims made by people from certain countries to be deemed inadmissible. The list includes EU Member states, Norway, Iceland and Switzerland, and Albania has been added.

³⁵² Court of Appeal, *MD (Gambia) v Secretary of State for the Home Department* [2011] EWCA Civ 121, available [here](#).

³⁵³ Supreme Court, *Brown (Jamaica), R (on the applications of) v Secretary of State for the Home Department* [2015] UKSC 8, available [here](#).

³⁵⁴ Home Office, 'Immigration system statistics data tables, Asylum claims datasets, year ending December 2025', table Asy_D01, available [here](#).

Regulations that came into force on 17 April 2024 added India and Georgia to the list.³⁵⁵ Concerns have been raised about the inclusion of Georgia because of the evidence that it is not a safe country for LGBTQI+ people.³⁵⁶

2. Safe third country

The Asylum and Immigration (Treatment of Claimants etc.) Act 2004 (AITOCA) provided for the use of a safe third country concept, i.e. that a person could be removed from the UK to a country they are not a national of. All EU Member states (except Croatia) as well as Norway, Iceland and Switzerland are listed in the AITOCA. There is a power to add further countries by order of the Secretary of State.³⁵⁷ The only one to have been added is Switzerland. There is no obligation to review the lists, and there is no appeal against the inclusion of a country on the list.

Where the Third Country Unit has decided that a person has a connection to a safe third country then the claim may be deemed inadmissible. For detailed explanations on the different kinds of safe third country decisions, and for challenges to them by judicial review see section on [Admissibility Procedure](#). The concept is used widely in practice.

Safe third country removals may take place on an individual basis to other countries.

2.1. Safety criteria

States listed as safe third countries are treated as a place where a person's life and liberty are not threatened for a Convention reason and where they will not be subject to refoulement.³⁵⁸ As regards the required level of protection available in a third country, the High Court assessed the ratification of the 1951 Refugee Convention in *Ibrahimi and Abasi*, although the case concerned a Dublin transfer to Hungary. The applicants complained that their transfer to Hungary would subject them to "chain refoulement" as the applicants would risk removal to Iran along a chain of unsafe States, including Serbia, Macedonia, Greece and Türkiye. The Court found that Türkiye 'is considered to be an unsafe country', *inter alia* since it retains discretion to provide asylum applicants with 'limited residence but with a status short of refugee status.'³⁵⁹

2.2. Requirement for a connection

Since the change in rules at the end of 2020 it is clear that a case may be considered under the inadmissibility policy if there is evidence that an applicant has spent time in or travelled through a country where it is deemed they could have made a protection claim and benefitted from the principle of non-refoulement. However, the instruction goes on to state that removal can be to any country that will accept them.

The introduction into policy of the MEPD (Rwanda agreement) to inadmissibility procedures means that it is intended to remove people to a country that is willing to take them, regardless of the lack of connection to Rwanda. This is despite the government's own evidence indicating that the impact on people with protected characteristics under the Equality Act 2010 could be adversely affected by the policy³⁶⁰ and

³⁵⁵ The Nationality, Immigration and Asylum Act 2002 (Amendment of List of Safe States) Regulations 2024.

³⁵⁶ Asylos commentary and research report, available [here](#) and Free Movement, 'Concerns raised about Home Office use of country information in new report on LGBTQI+ people in Georgia', available [here](#).

³⁵⁷ Asylum and Immigration (Treatment of Claimants etc.) Act 2004 (AITOCA).

³⁵⁸ Asylum and Immigration (Treatment of Claimants etc.) Act 2004 (AITOCA), sch 3 part 1 s 13 (2).

³⁵⁹ High Court, *Ibrahimi and Abasi v Secretary of State for the Home Department* [2016] EWHC 2049 (Admin), paras 136-137 and 176, available [here](#).

³⁶⁰ UK government, 'MEPD Equality Impact Assessment', last updated 4 July 2022, available [here](#).

strong criticism from the UNHCR.³⁶¹ With no third country agreement in place since the Rwanda agreement was terminated, this process is not in use.

3. First country of asylum

The “first country of asylum” concept, as expanded by the Nationality and Borders Act 2022 is defined as a country where:

- (a) the claimant’s life and liberty are not threatened in that State by reason of their race, religion, nationality, membership of a particular social group or political opinion,
- (b) the State is one from which a person will not be sent to another State—
 - (i) otherwise than in accordance with the Refugee Convention, or
 - (ii) in contravention of their rights under Article 3 of the Human Rights Convention (freedom from torture or inhuman or degrading treatment), and
- (c) a person may apply to be recognised as a refugee and (if so recognised) receive protection in accordance with the Refugee Convention, in that State.³⁶²

The guidance reflects the change in rules and advises decision makers to consider any relevant criteria that apply:

- (i) the applicant has been recognised as a refugee in a safe third country and can still avail themselves of that protection; or
- (ii) the applicant otherwise enjoys sufficient protection in a safe third country, including benefiting from the principle of non-refoulement; or
- (iii) the applicant could enjoy sufficient protection in a safe third country, including benefiting from the principle of non-refoulement because: (a) they have already made an application for protection in that country; or (b) they could have made an application for protection to that country but did not do so and there were no exceptional circumstances preventing such an application being made; or (c) they have a connection to that country, such that it would be reasonable for them to go there to obtain protection.³⁶³

For more see: [Admissibility procedure](#).

³⁶¹ UNHCR, ‘UNHCR Analysis of the Legality and Appropriateness of the Transfer of Asylum- Seekers under the UK-Rwanda arrangement’, 8 June 2022, available [here](#).

³⁶² Nationality, Immigration and Asylum Act 2002, s 80, as amended by the Nationality and Borders Act 2022, s 16.

³⁶³ Home Office, ‘Inadmissibility - third country cases: caseworker guidance’, 29 January 2026, available [here](#).

G. Information for asylum applicants and access to NGOs and UNHCR

Indicators: Information and Access to NGOs and UNHCR

1. Is sufficient information provided to asylum applicants on the procedures, their rights and obligations in practice? Yes With difficulty No
 - ❖ Is tailored information provided to unaccompanied children? Yes No
2. Do asylum applicants located at the border have effective access to NGOs and UNHCR if they wish so in practice? Yes With difficulty No
3. Do asylum applicants in detention centres have effective access to NGOs and UNHCR if they wish so in practice? Yes With difficulty No
4. Do asylum applicants accommodated in remote locations on the territory (excluding borders) have effective access to NGOs and UNHCR if they wish so in practice? Yes With difficulty No

The Immigration Rules provide that asylum applicants should be informed 'in a language they may reasonably be supposed to understand and within a reasonable time after their claim for asylum has been recorded of the procedure to be followed, their rights and obligations during the procedure, and the possible consequences of non-compliance and non-co-operation. They shall be informed of the likely timeframe for consideration of the application and the means at their disposal for submitting all relevant information'.³⁶⁴

Further, they shall be informed in writing and in a language they may reasonably be supposed to understand 'within a reasonable time not exceeding fifteen days after their claim for asylum has been recorded of the benefits and services that they may be eligible to receive and of the rules and procedures with which they must comply relating to them.'

The Home Office is also required to provide information on non-governmental organisations and persons that provide legal assistance to asylum applicants and which may be able to help or provide information on available benefits and services.³⁶⁵ The Home Office has contracted with charity Migrant Help to provide those services to everyone in the asylum system, mainly via a free telephone helpline, as well as some face to face services.³⁶⁶ This contract was renewed in January 2019, until 31 August 2029.³⁶⁷

Information on the asylum process is given by Migrant Help in the initial accommodation centres, both in person and by video presentation. Information is also available about the asylum process on the Migrant Help website.³⁶⁸ One-to-one appointments are offered in initial accommodation centres, and at some outreach locations, at which applications for support can be made, and asylum applicants can make appointments with legal representatives. However, these are limited;³⁶⁹ the service is resourced to provide advice primarily through a phone line and web-chat and specifically mentions on its website that it is unable to provide legal advice but would provide a list of legal representatives on request.

At the AIU an information booklet is provided,³⁷⁰ which explains the next steps if the case is put into the regular procedure, and what it means to be granted or refused asylum. The booklet was updated in

³⁶⁴ Immigration Rules, pt 11B, para 357A.

³⁶⁵ Immigration Rules, pt 11B, para 358.

³⁶⁶ Migrant Help, 'Asylum services', accessed 27 March 2026, available [here](#).

³⁶⁷ GOV.UK Contracts Finder, 6 February 2019, available [here](#).

³⁶⁸ Migrant Help, 'Advice and guidance', available [here](#).

³⁶⁹ Practice based observation by the expert, January 2024.

³⁷⁰ Home Office, 'Information booklet about your asylum application', 30 January 2025, available [here](#) (English Version; also available in 14 other languages).

January 2025 and contains information specific for children and young people, victims of trafficking and torture, gender-based violence and abuse, and LGBT+ people.

Unaccompanied children are also given a leaflet about the Refugee Council Independent Unaccompanied Asylum Seeking Children Support Service.³⁷¹

A letter prior to the screening appointment also gives information and the Home Office website explains what documents the asylum applicant needs to bring to the screening interview, and rights and responsibilities throughout the asylum process in English only.³⁷² If the Third Country Unit considers that the claim may be considered inadmissible, they will issue the applicant with a 'notice of intent' which states the country of possible return.

H. Differential treatment of specific nationalities in the procedure

Indicators: Treatment of Specific Nationalities

1. Are applications from specific nationalities considered manifestly well-founded? Yes No
❖ If yes, specify which:
2. Are applications from specific nationalities considered manifestly unfounded?³⁷³ Yes No
❖ If yes, specify which: Albania, India, Ukraine, South Africa, Mauritius, Mongolia, Brazil, Bolivia, Ecuador, Bosnia- Herzegovina, Macedonia, Moldova, Peru, Serbia, Montenegro.
For men only: Ghana, Nigeria, Gambia, Kenya, Liberia, Malawi, Mali and Sierra Leone.

From time to time the Home Office announces that removals of refused asylum applicants to particular countries are suspended. This is rare and there are no such concessions currently in force. The only one in the last ten years was in relation to **Zimbabwe**,³⁷⁴ but this is no longer in force.³⁷⁵ When there is such a concession in force, refused asylum applicants from that country become eligible to apply for a specific form of support, known as "Section 4 support" and which covers accommodation and non-cash support (see section on [Reception Conditions](#)).³⁷⁶

The response to a political / humanitarian crisis can also be through immigration routes. Immigration visa concessions have been authorised by Ministers on an annual basis; the latest one relating to Afghans was introduced in January 2022.³⁷⁷ The concession applies to those nationals already in the UK with valid visas who may be able to avoid the usual conditions when extending or switching to another category. In addition to visa schemes aimed at Ukrainians seeking to leave Ukraine for the UK, to join a family or sponsor, those living lawfully in the UK those who had a valid visa could apply to extend that for a period of three years under the Ukraine visa extension scheme³⁷⁸ (see [Annex on Ukraine visa support](#)).

³⁷¹ The leaflet is not available online but contains contact details, amongst other information.

³⁷² Home Office, 'How to claim asylum', available [here](#).

³⁷³ NIAA, s 94.

³⁷⁴ Court of Appeal, *The Secretary of State for the Home Department v JM (Zimbabwe)* [2017] EWCA Civ 1669, available [here](#).

³⁷⁵ Frances Perraudin, 'Home Office criticised for accelerating removals to Zimbabwe', *The Guardian*, 12 February 2019, available [here](#).

³⁷⁶ Home Office, 'Asylum support under section 4(2) policy: caseworker guidance', 17 September 2025, available [here](#).

³⁷⁷ Home Office, 'Concessions to the Immigration Rules for Afghan nationals for work and study routes', January 2022, available [here](#).

³⁷⁸ UK Government, 'Applying to the Ukraine Permission Extension Scheme', last updated 5 March 2026, available [here](#).

The Upper Tribunal (IAC) has the power to make findings of fact which constitute binding 'country guidance' regarding the risk of return for people seeking asylum. Depending on whether these issues are brought before the tribunal in a particular case, there may from time to time be binding country guidance about the impact of a crisis, for example Syria³⁷⁹ and Libya.³⁸⁰

Although data on disputed nationality are not published, we understand that a proportion of refused applicants from countries with very high refugee recognition rates will include those whose claimed nationality is disputed.³⁸¹

The processing of asylum claims from Syrian nationals was paused in December 2024 and resumed in July 2025.³⁸²

³⁷⁹ Upper Tribunal, *KB (Failed asylum seekers and forced returnees) Syria CG* [2012] UKUT 426 (IAC), available [here](#).

³⁸⁰ Upper Tribunal, *ZMM (Article 15(c)) Libya CG* [2017] UKUT 263 (IAC), available [here](#).

³⁸¹ Practice based observation by the expert, January 2024.

³⁸² House of Commons written statement, 'Decision making for Syrian nationals with outstanding protection claims', 14 July 2025, available [here](#).

Reception Conditions

Short overview of the reception system

First time applicants, that prove to be destitute, are entitled to accommodation and/or a weekly sum of money, the Home Office is responsible for providing this.

Most asylum applicants are provided with initial accommodation, and then further accommodation, if assessed as eligible for longer term support – usually self-contained for families and shared housing for other adults.

This further accommodation consists of hotels, privately-owned flats and houses, managed by the companies contracted to the Home Office, or by their sub-contractors. Those on longer term support are also eligible for a weekly cash allowance. Asylum applicants choosing to live with friends or family are eligible for the cash support but not any contribution to the accommodation costs. Those refused asylum but supported to avoid a breach of their human rights can be moved to specific accommodation.

Those awaiting a decision on the longer-term support are not given any cash. As the use of full board accommodation for those on longer term support increased from 2020 (e.g. hotels, repurposed military barracks and the Bibby Stockholm barge) a small amount of cash is now given in addition to the full board.

A. Access and forms of reception conditions

1. Criteria and restrictions to access reception conditions

Indicators: Criteria and Restrictions to Reception Conditions

- Does the law allow access to material reception conditions for asylum applicants in the following stages of the asylum procedure?

❖ Regular procedure	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Reduced material conditions	<input type="checkbox"/> No
❖ Dublin procedure:	N/A		
❖ Admissibility procedure	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Reduced material conditions	<input type="checkbox"/> No
❖ Accelerated procedure	<input type="checkbox"/> Yes	<input type="checkbox"/> Reduced material conditions	<input type="checkbox"/> No
❖ First appeal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Reduced material conditions	<input type="checkbox"/> No
❖ Onward appeal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Reduced material conditions	<input type="checkbox"/> No
❖ Subsequent application	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Reduced material conditions	<input type="checkbox"/> No
- Is there a requirement in the law that only asylum applicants who lack resources are entitled to material reception conditions?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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In all procedures for determining a first claim, asylum applicants who can show that otherwise they would be destitute, are entitled to accommodation and/or a weekly sum of money.³⁸³ This is usually applied for when a person has their screening interview, and granted shortly after. It is also available to people who are in the inadmissibility process.

Most asylum applicants are provided with initial accommodation, and then further accommodation. This may be at a considerable distance from where they made their initial claim.

Following a tender process new contracts to provide accommodation were announced in January 2019.³⁸⁴ One of the previous providers did not receive a contract this time. In March 2019 the government

³⁸³ Immigration and Asylum Act 1995, s 95, available [here](#).

³⁸⁴ Home Office, 'New asylum accommodation contracts awarded', 8 January 2019, available [here](#).

responded to the Parliamentary Committee's report about this process and its recommendations for smooth transition.³⁸⁵ The transition was heavily criticised as it resulted in delays in people being provided with housing and financial support, and the service provided under the new contracts (which run until 2029) continue to receive attention including in a joint report in July 2020.³⁸⁶

The accommodation and support contracts were also investigated by the National Audit Office which has a responsibility to audit the use of public funds.³⁸⁷ Its report, in July 2020, was then, as a matter of protocol, discussed by the parliamentary committee the Public Accounts Committee.³⁸⁸ The theme of all the criticism is that the contractors are not meeting the needs of people in the asylum system. By the time of the Public Accounts Committee inquiry the focus had moved to the increased use of 'contingency accommodation'; the use of which increased from the beginning of the Covid-19 pandemic although had begun before that time.

The Home Affairs Select Committee conducted an inquiry specifically into the use of contingency institutional accommodation with a focus on the response the pandemic.³⁸⁹ Its key recommendation to the Home Office was to work on a strategy to end the use of this type of accommodation. The government's response largely repeated its position in the support and advice provided.³⁹⁰ However it did publish a new safeguarding framework, signed by all the accommodation providers, in May 2022.³⁹¹

The assessment of destitution

In practice asylum applicants are required to prove that they are destitute³⁹² and this is strictly enforced. All assets which are available to them are taken into account, whether in the UK or elsewhere, if they consist of cash, savings, investments, land, cars or other vehicles, and goods held for the purpose of a trade or other business.³⁹³ If relevant assets come to light which were not declared, support can be stopped and payments made can be recovered, although it appears that recovery happens infrequently in practice.³⁹⁴ Asylum applicants are expected to use the assets they have before being granted asylum support, but once they are assessed as destitute there is no requirement for contributions from them.

In order to assess destitution, the Home Office will consider whether the person is able to meet their essential living needs (if they are asking for financial support only) or whether they are able to secure adequate accommodation and also meet their essential living needs (if they are asking for accommodation).³⁹⁵ They are considered destitute if they meet this test at the time of applying or else they will be in this position within 14 calendar days.³⁹⁶

At the point at which an asylum support application is made, the applicant completes the form ASF1; they can get help from the voluntary sector to do this. Applicants have to state that they understand the following as part of the form:

³⁸⁵ Government, 'Asylum accommodation: replacing COMPASS: Government Response to the Committee's Thirteenth Report of Session 2017–19', 8 March 2019, available [here](#).

³⁸⁶ Asylum matters, Wake-up call; how government contracts fail people seeking asylum, July 2020, available [here](#).

³⁸⁷ National Audit Office, 'Asylum accommodation and support', July 2020, available [here](#).

³⁸⁸ Public Accounts Committee, 'Asylum support and accommodation transition programme', November 2020, available [here](#).

³⁸⁹ Home Affairs Select Committee, 'Home Office preparedness for coronavirus (Covid 19) institutional accommodation', July 2020, available [here](#).

³⁹⁰ Ibid.

³⁹¹ Home Office, 'Asylum support contracts safeguarding framework', 9 May 2022, available [here](#).

³⁹² Immigration and Asylum Act 1995, s 95, available [here](#).

³⁹³ Asylum Support Regulations 2000, reg 6, available [here](#).

³⁹⁴ Asylum Support Regulations 2000, reg 20; practice-based observation by the expert, January 2024.

³⁹⁵ Home Office, 'Assessing destitution: caseworker guidance', 23 August 2023, available [here](#).

³⁹⁶ Immigration and Asylum Act 1995, s 95, available [here](#).

Failure to disclose all necessary information or to provide false information regarding myself or any of my dependants may lead to information being passed to the police or other agencies for investigation. Note that failure to supply the required information may result in your application for support being refused.

Specific questions are asked about financial resources available to the applicant on this form.

Quality of decision making on support applications has been a significant obstacle, particularly in relation to the destitution test. Between 1 April 2024 and 31 March 2025 the Asylum Support Tribunal allowed 63% of the appeal cases where the client was represented by lawyers from the Asylum Support Appeals Project (ASAP) and remitted a further 19% back to the Home Office to retake the decision.³⁹⁷

1.1. Emergency support: Section 98 Support

During the assessment of a person's eligibility for Section 95 support (the main form of support), asylum applicants may receive support on a temporary basis ("Section 98 support").³⁹⁸ This is mainly non-cash assistance. People seeking to claim section 98 support will usually request this at their screening interview where they are asked about their accommodation,³⁹⁹ but outside of this should contact Migrant Help to help them apply. The Home Office will make the decision based on whether it appears that the person 'may' be destitute. This is a lower test than for full support provided under section 95.

There was previously a policy that a destitute asylum applicant should have their screening interview the same day they first contact the Home Office so that they can register their asylum claim and claim Section 98 support at that interview. However due to delays in screening interviews taking place provision was made for people to access asylum support before they had formally registered their claim at the screening interview.⁴⁰⁰ Support is granted first on an emergency basis, pending a decision on whether to grant full support, which must be applied for.⁴⁰¹ There is no maximum amount of time a person can be in receipt of this support, although after delays had reached several months, a 2023 case indicated that a decision on section 95 support should be taken within 10 days.⁴⁰²

Home Office guidance provides that initial accommodation will ordinarily end the next working day after Section 98 has ended.⁴⁰³ Exceptionally, this can be extended to a maximum of seven working days. If support under Section 95 is granted then the person will start receiving that and will be moved to their new accommodation if applicable. Where leave has been granted people can stay in initial accommodation for up to 42 days and where leave has been refused this is 21 days. If there are children, support can continue.

1.2. Section 95 Support

Once the destitution assessment is complete, an asylum applicant who is accepted to be destitute receives what is commonly referred as Section 95 support. They are considered destitute if they do not have adequate accommodation or any means of obtaining it, or else they do have adequate accommodation but no means of meeting their other essential needs, or else they will be in this position

³⁹⁷ Not available online - personal communication with Asylum Support Appeals Project.

³⁹⁸ IAA 1999, s 98.

³⁹⁹ Home Office, 'Asylum screening and routing: caseworker guidance', 23 July 2024, available [here](#).

⁴⁰⁰ UNHCR, 'Asylum screening in the UK', available [here](#), para. 75.

⁴⁰¹ IAA 1999, s 98, available [here](#).

⁴⁰² High Court, *HA & Ors v Secretary of State for the Home Department* [2023] EWHC 1876 (Admin), available [here](#).

⁴⁰³ Asylum Support Policy Bulletins Instructions, para 1.1.2, available [here](#).

within 14 calendar days.⁴⁰⁴ The entitlement to Section 95 support covers the asylum procedure and continues until 42 calendar days after a form of leave is granted or, if the claim is refused, until 21 calendar days after a non-appealable decision or the expiry of the time allowed to appeal the most recent decision (this is called Appeal Rights Exhausted, ARE). Support is provided using a card (ASPEN) which works on the VISA platform; it can be used as a debit card or to withdraw cash from an ATM (cash is available for s95 beneficiaries only).⁴⁰⁵

Once an asylum claim is refused and appeal rights exhausted, Section 95 support stops, except for families with children where support may be continued if the family would otherwise be destitute.⁴⁰⁶ Refused asylum applicants then become destitute, with no entitlement to accommodation or money. People in this position may be reliant on friends, who may themselves be in asylum support accommodation which prohibits guests, and who risk losing their support by hosting a friend. Many destitute refused asylum applicants rely on charities for food vouchers, food parcels, sometimes accommodation (mainly through voluntary hosting schemes) or small amounts of money.

Obstacles to claiming support include that the application form is 36 pages long,⁴⁰⁷ is in English only and is only available online. A lengthy guidance document gives advice on how to complete it. Telephone advice is also available from the charity Migrant Help under a government contract. The Migrant Help website also has multilingual guides to claiming asylum support. Any supporting documentation is also handled by Migrant Help; documents can be scanned and communicated to the Home Office via Migrant Help, avoiding the need to submit original documents.

Asylum applicants in initial accommodation centres are assisted to make this application and face to face advice is available there. However, since the increased use of contingency accommodation, face-to-face advice is not available to many and Migrant Help has acknowledged that there are shortcomings in its ability to respond to all queries.⁴⁰⁸

Where asylum claimants have been in the UK for some time without government assistance, it may be difficult for them, especially without advice, to gather the right evidence for support claims. They may need to get letters from friends / acquaintances they have lost touch with for example, to show what support they have and why this is no longer available to them. Information on Migrant Help's website informs applicants that all information and supporting documents must be provided before the application is submitted to the Home Office. If applicants do not have this information they will experience a delay in their application for support being processed.⁴⁰⁹

The policy of dispersing asylum applicants round the UK⁴¹⁰ as discussed in [Freedom of movement](#), and usually away from south east England may also provide a disincentive to ask for accommodation from the Home Office. Where a person has family and friends with whom they can live, they can still claim cash support. There are reports that some asylum applicants take only cash support and continue to 'sofa-hop' i.e. move from one person to another, staying on floors and in shelters, because they do not want to leave **London**. The Home Office may consider a request to be accommodated in **London** or south east England if the applicant is in receipt of therapeutic services from the Helen Bamber Foundation or the NGO Freedom from Torture.

⁴⁰⁴ IAA 1999, s 95.

⁴⁰⁵ Home Office, 'Asylum support', accessed 25 January 2026, available [here](#).

⁴⁰⁶ Home Office guidance, 'Ceasing section 95 support: caseworker guidance', 9 March 2026, available [here](#), 17.

⁴⁰⁷ Home Office, 'Apply for asylum support: form ASF1', 28 October 2025, available [here](#).

⁴⁰⁸ Migrant Help, 'Asylum services update', 10 November 2022, available [here](#).

⁴⁰⁹ Migrant Help advice, available [here](#).

⁴¹⁰ Ben Politowski and Terry McGuinness, 'Policy on the dispersal of asylum seekers', *House of Commons Library*, April 2016, available [here](#).

Support may be available (accommodation and subsistence payments, the level determined by need) from local authorities where the person is destitute and in need of care and attention because of physical or mental ill health, but recognition of this statutory provision is very uneven around the country and some local authorities simply do not assess refused asylum applicants, or delay for lengthy periods, despite the statutory duty to do so.⁴¹¹ Recent litigation may have resolved this matter, confirming that local authorities have a duty to provide asylum accommodation where a person has accommodation related care needs.⁴¹²

Where ill health results from destitution, and not from another condition, local authority support is not available. Thus, it does not present any solution for the people whose health is ruined by years in destitution. Revised guidance was published in 2018 reflecting the provisions in the Care Act (applying to England) and similar provisions in devolved administrations and the relationship between local authority duties and Home Office asylum support provision.⁴¹³

There is a provision for support to be refused if asylum has not been claimed as soon as reasonably practicable, unless to do so would breach the person's human rights.⁴¹⁴ This is rarely used for claims made soon after arriving in the UK, but may be used where a person claims asylum after a period of residence in the UK. Human rights protection, following the House of Lords case of *Limbuela*,⁴¹⁵ means that a person will not be made street homeless as a result of this provision, but may be denied cash support if they have somewhere to stay.

The levels of asylum support are reviewed on an annual basis. In January 2024 the rate was raised to £49.18 (€ 56).⁴¹⁶ Following litigation,⁴¹⁷ the rates for pregnant women and children under 4 were increased and they receive an additional weekly amount of £5.25 (€ 6) and babies under one year receive an additional weekly payment of £9.50 (€ 10.85). These rates also apply to those on section 4 support.

Those asylum applicants supported in full board accommodation under section 95 and section 4 receive £9.95 (€ 11.37) in cash per week to allow them to pay for essential toiletries and travel.⁴¹⁸ The levels of support are regularly criticised by NGOs following research with their beneficiaries.⁴¹⁹

1.3. Additional support: Section 96(2) Support

There is also provision for additional support to be provided on an exceptional basis where deemed necessary by the Home Office to ensure that applicants and/or their dependants in particular circumstances would have their needs met. There is published guidance on how to make applications under Section 96(2) Immigration and Asylum Act 1999.⁴²⁰ Examples of such circumstances given in the guidance include a person whose medical needs result in higher costs or has their belongings destroyed in a fire.

⁴¹¹ Care Act 2014, s 9.

⁴¹² High Court, *TMX, R (On the Application Of) v London Borough of Croydon & Anor* [2024] EWHC 129 (Admin), available [here](#).

⁴¹³ Home Office, 'Asylum Seekers with Care Needs', 3 August 2018, available [here](#).

⁴¹⁴ NIAA 2002, s 55; House of Lords, *Limbuela v Secretary of State for the Home Department* [2005] UKHL 66.

⁴¹⁵ House of Lords, *Limbuela* [2005] UKHL 66.

⁴¹⁶ The Asylum Support (Amendment) Regulations 2023, available [here](#).

⁴¹⁷ High Court, *HA & Ors v Secretary of State for the Home Department* [2023] EWHC 1876 (Admin), available [here](#).

⁴¹⁸ Home Office, 'Asylum support', accessed 25 January 2025, available [here](#).

⁴¹⁹ Asylum Matters, 'Surviving in Poverty: a report documenting life on asylum support', 2023, available [here](#).

⁴²⁰ Home Office, 'Applications for additional support: caseworker guidance', 16 March 2017, available [here](#).

1.4. Section 4 Support for rejected asylum applicants

A minority of refused asylum applicants qualify for no-choice accommodation and a form of non-cash support from the Home Office (“Section 4 support”) if they meet one of the qualifying conditions set out in the next paragraph.⁴²¹ In 2020 the rate was made equivalent to that received by people on section 95 support. In January 2024 the rate was raised to £49.18 (€ 56).⁴²² Pregnant women and children under 4 receive an additional weekly amount of £5.25 (€ 6) and babies under one year receive an additional weekly payment of £9.50 (€ 10.85). Those in full board accommodation receive £9.95 (€ 11.37) in cash per week to allow them to pay for essential toiletries and travel.⁴²³

Section 4 support is available only if refused asylum applicants can show either that they are not fit to travel, that they have a pending judicial review, that there is no safe and viable route of return, that they are taking all reasonable steps to return to their home country, or that it would be a breach of their human rights not to give this support.⁴²⁴

In practice this latter category is used mostly where the asylum applicant has further representations outstanding. The principle underlying this is that if a person does not meet one of the other conditions, and does not have further representations outstanding, it is not considered a breach of their human rights to leave them destitute; because it is considered that they can return to their home country. The period of Section 4 support is tied to meeting the condition. So people may submit further representations; obtain Section 4 support, move, and a few weeks later receive a refusal of their further representations and so return to destitution. This process may be repeated.

The absence of a safe and viable route of return is rarely accepted unless there is a Home Office policy of non-return in relation to the country in question. Attempting to prove that they have taken all reasonable steps to return is problematic for those who come from countries with which diplomatic relations are suspended, or whose embassies have complex requirements which are difficult to fulfil, or who belong to a group which is denied documents by their country of origin. There are also practical problems, given that they are destitute, in obtaining the fare to visit their embassy, the resources to send faxes, make phone calls, and so on.

Applications for Section 4 support for refused asylum applicants must be made through the online and telephone service,⁴²⁵ except for vulnerable applicants who can have a face to face appointment at the initial accommodation centres or at an outreach centre where these exist.

For all refused asylum applicants who cannot fulfil the conditions for Section 4 support, with the exception of families who have retained Section 95 support, (see below) there is no support available. If, for whatever reason, they are unable to return to their country of origin, these asylum applicants are left destitute and homeless.

The numbers of refused asylum applicants who are absolutely destitute in the UK is unknown.

⁴²¹ The numbers of refused asylum seekers in the UK are unknown, but the proportion on Section 4 is small.

⁴²² The Asylum Support (Amendment) Regulations 2023, available [here](#).

⁴²³ Home Office, ‘Asylum support’, available [here](#).

⁴²⁴ Immigration and Asylum (Provision of Accommodation to Failed Asylum Seekers) Regulations 2005.

⁴²⁵ Home Office, ‘Apply for asylum support: form ASF1’, 28 October 2025, available [here](#).

2. Forms and levels of material reception conditions

Indicators: Forms and Levels of Material Reception Conditions

1. Amount of the monthly financial allowance/vouchers granted to asylum applicants as of 31 January 2026 (in £ and in €):
 - ❖ Section 95 support per person: £213.11 / € 243.43
 - ❖ Section 4 (non-cash) support per person: £213.11 / € 243.43
 - ❖ Those in full board accommodation, if supported under section 95 or section 4 receive £9.95 (€ 11.36) per week only.

Section 95 cash support amounts to £49.18 (EUR 56) per week per person. There are no different rates, depending on the claimants' ages and household compositions.

The amounts of Section 95 support are set by regulations, while Section 4 rates are a matter of policy, but they are the same amount.⁴²⁶ Small additional payments are available for pregnant women (£5.25 or € 6 per week) if they claim this. They may also claim a maternity allowance of £300 (€ 343).

Pregnant women can be provided with the cost of a taxi journey when they are or may be in labour.⁴²⁷ Parents may claim an additional £9.50 (€ 10.85) on the card per week for children under 12 months, £5.25 (€ 6) per week for children from 1 up to and including 3 years, and a clothing allowance for children under 16. In practice, families who have dependent children before they have exhausted all appeal rights normally stay on cash support (Section 95) after their claim has been refused for as long as they remain in the UK or until the youngest child turns 18, although this can be removed if they do not abide by conditions.⁴²⁸

The amount of support is not adequate to meet basic living needs. Asylum support is now 53% of the rate of welfare benefit for a UK national aged 25 or over.⁴²⁹ Children of families on asylum support receive free school meals.⁴³⁰

Further problems come from faults in the operation of the system, particularly when changes occur, such as moving from Section 95 to Section 4, or getting refugee status (see [Content of international protection - Housing](#) for more information on those granted protection).

3. Reduction or withdrawal of reception conditions

Indicators: Reduction or Withdrawal of Reception Conditions

1. Does the law provide for the possibility to reduce material reception conditions?
 Yes No
2. Does the legislation provide for the possibility to withdraw material reception conditions?
 Yes No

Legislation does not permit the amount received to be reduced, but support (including accommodation) can be withdrawn if the Home Office has reasonable grounds to believe that the supported person or their dependant has:

- a. Committed a serious breach of the rules of their collective accommodation;
- b. Committed an act of seriously violent behaviour whether at the accommodation provided or elsewhere;
- c. Committed an offence relating to obtaining support;

⁴²⁶ The Asylum Support (Amendment) Regulations 2023, available [here](#).

⁴²⁷ The Immigration and Asylum (Provision of Services or Facilities) Regulations 2007.

⁴²⁸ Home Office guidance, 'Ceasing Section 95 Support instruction' July 2023, page 13, available [here](#).

⁴²⁹ UK government, 'Universal Credit', accessed 24 March 2024, available [here](#).

⁴³⁰ For more information, available [here](#).

- d. Abandoned the authorised address without first informing the Home Office;
- e. Not complied with requests for information relating to their eligibility for asylum support;
- f. Failed, without reasonable excuse, to attend an interview relating to their eligibility for asylum support;
- g. Not complied within a reasonable period, (no less than 10 working days) with a request for information relating to their claim for asylum;
- h. Concealed financial resources and therefore unduly benefited from the receipt of asylum support;
- i. Not complied with a reporting requirement;
- j. Made or sought to make a further different claim for asylum before their first claim is determined, in the same or a different name;
- k. Failed without reasonable excuse to comply with a relevant condition of support; or
- l. There are reasonable grounds to believe that they or a dependant have been working without permission.⁴³¹

The credit checks and requirement to show documentary evidence of any other possible forms of financial or in-kind support prior to receiving asylum support means it is not common for support to be withdrawn in practice. Where it does happen, the most common reason is as a sanction for breach of conditions of support, for instance being absent from the accommodation or allowing others to stay in it.⁴³² Revised guidance for caseworkers on assessing destitution was published in 2021.⁴³³

Asylum applicants can appeal to the First Tier Tribunal (Asylum Support) in **London** against a decision to withdraw their support.⁴³⁴ On application the Home Office sends travel tickets to attend the hearing.⁴³⁵

No emergency measures have been applied in reception centres due to large numbers of arrivals, though as mentioned in the section on [Types of Accommodation](#), there has been some overcrowding and use of hotels to deal with the oversubscription.

4. Freedom of movement

Indicators: Freedom of Movement

1. Is there a mechanism for the dispersal of applicants across the territory of the country? Yes No
2. Does the law provide for restrictions on freedom of movement? Yes No

Movement is not restricted to defined areas, but temporary admission or bail, which is the usual status of asylum applicants, is usually conditional on residence at a particular address, and there is a requirement to keep the Home Office informed of any change of address.

Asylum applicants accommodated by the Home Office are not permitted to stay away from their accommodation, and the Home Office will cease providing accommodation in practice if an asylum applicant stays elsewhere for more than a few days.⁴³⁶

Allocation to accommodation is done by the private company, which manages property in the relevant region on the basis of the availability of housing.⁴³⁷ The initial allocation to a region and to an initial accommodation centre is arranged after the screening interview. The availability of housing in a region

⁴³¹ Asylum Support Regulations 2000, reg 20, as subsequently amended.

⁴³² ASAP, 'Factsheet 1: Section 95 support', 10 June 2025, available [here](#).

⁴³³ Home Office, 'Assessing Destitution: caseworker guidance', 23 August 2023, available [here](#).

⁴³⁴ Section 103 IAA 1999.

⁴³⁵ ASAP, *Factsheet 3: Appealing to the Support Tribunal*, 13 November 2024, available [here](#).

⁴³⁶ Practice based observation by the expert, January 2024.

⁴³⁷ Home Office, 'Living in dispersal accommodation', 25 May 2023, available [here](#).

depends on procurement by the private company, which is affected by local housing markets, and local authority policy. There has been an increase in the use of institutional accommodation including repurposed military barracks, which has resulted in media attention.⁴³⁸

Asylum applicants are provided with accommodation on a no choice basis and this may be at a considerable distance from where they made their initial claim.⁴³⁹ If a person can establish that there are exceptional circumstances then they may be able to request a specific location.⁴⁴⁰ There is no appeal against the location allocated but decisions can be challenged by judicial review.⁴⁴¹

Asylum applicants live among the rest of the population and have no restrictions on their freedom of movement except that imposed by lack of resources and the requirement to stay at the allocated address. That they stay at the address is monitored by routine visits by the housing providers, and for some by the requirement to report regularly (anything from twice weekly to every six months) at a regional Home Office reporting centre although the requirement for most new asylum applicants, if recently arrived in the country, has been reduced as a matter of policy (the powers remain unchanged).⁴⁴² Privacy International has worked on the issue of surveillance using the ASPEN payment card and reported on its campaigning correspondence in May 2021.⁴⁴³

In **Scotland**, free bus travel for asylum applicants was introduced in 2025 and is currently available until 31 March 2026 or until funding runs out.⁴⁴⁴

B. Housing

1. Types of accommodation

Indicators: Types of Accommodation	
1. Number of reception centres:	N/A
2. Total number of places in the reception centres in 2025:	N/A
3. Total number of persons in dispersed accommodation in 2025:	68,538 ⁴⁴⁵
4. Type of accommodation most frequently used in a regular procedure: <input checked="" type="checkbox"/> Reception centre <input checked="" type="checkbox"/> Hotel or hostel <input type="checkbox"/> Emergency shelter <input checked="" type="checkbox"/> Private housing <input type="checkbox"/> Other	
5. Type of accommodation most frequently used in an accelerated procedure:	N/A ⁴⁴⁶

1.1. Initial accommodation centres

Initial accommodation for asylum applicants can be in reception centres (called initial accommodation centres), or hotels or other accommodation (used as contingency, or emergency accommodation when the centres are full). Details of asylum accommodation is generally not disclosed because of the danger from far-right activists.

⁴³⁸ Jamie Grierson, 'Asylum seeker housing conditions under scrutiny at third ex-military site', *The Guardian*, 14 January 2021, available [here](#).

⁴³⁹ IAA 1999, s 97, available [here](#).

⁴⁴⁰ Home Office guidance, 'Allocation of asylum accommodation policy, version 15.0', 5 March 2026, available [here](#).

⁴⁴¹ See e.g. Garden Court Chambers, 'Permission granted for judicial review in relation to student asylum seeker's forced relocation', 13 March 2024, available [here](#).

⁴⁴² Home Office, 'Reporting and offender management – Version 8.0', 22 January 2026, available [here](#).

⁴⁴³ Privacy International, 'The UK Home Office still has questions to answer about the Aspen Card', 12 May 2021, available [here](#).

⁴⁴⁴ mygov.scot, 'Who can apply for free bus travel', , 1 December 2025, available [here](#).

⁴⁴⁵ At the end of December 2025, Home Office statistics 'Asylum seekers in receipt of support detailed datasets, year ending December 2025', table Asy_D09, 26 February 2026, available [here](#).

⁴⁴⁶ Accelerated procedure is not currently in use.

The use of hotels as asylum accommodation has increased considerably in the past few years. The government is trying to reduce the number of hotels in use.⁴⁴⁷ The Home Office is not transparent about the number of hotels in use,⁴⁴⁸ but a Home Office minister said in December 2025 that there were under 200 hotels in use,⁴⁴⁹ this is down from a reported 395 in March 2023.⁴⁵⁰

People accommodated in a hotel, even if only for one or two nights, have limited or no access to many of the reception-related rights granted to asylum applicants (e.g. legal advice, healthcare, etc), with reported cases of persons having only restricted access to accommodation. The consequence of such temporary 'emergency' accommodation is that it additionally delays their access to the support system and other welfare services to which they are entitled, as it may take a couple of days before they access advice and complete an application for asylum support.⁴⁵¹

It is common to find asylum applicants stuck in initial accommodation for many months due to a lack of dispersal accommodation.⁴⁵² There was a huge increase in the use of hotel and other full-board accommodation during 2020 and 2021, this has continued since. The Home Office issued a statement about the use of hotels and other temporary accommodation.⁴⁵³ The use of hotels for anything other than a very short period continues to be criticised, including in a report from the Refugee Council in July 2022.⁴⁵⁴

2025 saw a continuation of far-right protests outside hotels being used as asylum accommodation.⁴⁵⁵ This prompted one local authority to unsuccessfully attempt to take legal action against the hotel to prevent it being used to house asylum applicants.⁴⁵⁶

Asylum applicant in receipt of Section 95 support may be moved into smaller units, mainly flats and shared houses. Dispersal Accommodation is in the **North**, **Midlands** and **South West** of England and in **Wales** and **Scotland**, very limited numbers are housed in the South of England or in **London**. Asylum applicants have no choice of location. If asylum applicants are not detained after screening there is no distinction in the initial accommodation based on the claim or its route.

A "full dispersal" model was introduced from May 2023 requiring all local authorities to house asylum applicants in proportion to size of the population although this is not quite how it has worked in practice, with areas such as London, the South East and the East of England having the largest increases in numbers. The geographic distribution and this requirement has been linked to the increase in the use of hotels as asylum accommodation.⁴⁵⁷

⁴⁴⁷ Hansard, 'Asylum Seekers: Hotel Accommodation', 20 November 2024, available [here](#).

⁴⁴⁸ UK Parliament, 'Written question UIN 10598: Asylum: Hotels', 24 January 2024, available [here](#).

⁴⁴⁹ UK Parliament, 'Written question UIN 99520: Asylum: Hotels', 22 December 2025, available [here](#).

⁴⁵⁰ BBC News, 'Where are asylum seekers being housed in hotels in the UK?', 25 October 2023, available [here](#).

⁴⁵¹ Information provided by Refugee Action.

⁴⁵² Home Affairs Select Committee, 'Asylum Accommodation', January 2017, available [here](#).

⁴⁵³ Home Office media blog, 'The use of temporary hotels to house asylum seekers during Covid-19', 8 August 2020, available [here](#).

⁴⁵⁴ Refugee Council, 'Lives on Hold: Experiences of people living in hotel asylum accommodation', July 2022, available [here](#).

⁴⁵⁵ See e.g. Kiran Stacey, 'Members of far-right party organising asylum hotel protests across UK, Facebook posts show', *The Guardian*, 23 August 2025, available [here](#).

⁴⁵⁶ Supreme Court, refusal of permission to appeal in *Secretary of State for the Home Department and another (Respondents) v Epping Forest District Council (Appellant)*, 26 November 2025, available [here](#).

⁴⁵⁷ The Migration Observatory, 'Asylum accommodation in the UK', 15 August 2025, available [here](#).

Initial accommodation centres, hotels and former military barracks are used to accommodate people receiving section 98 support and some receiving section 95 support. The number of people supported under section 98 at the end of 2025 was 876.⁴⁵⁸

Kent County Council is seeking to increase the use of reception centres for unaccompanied asylum seeking children in its care.⁴⁵⁹

A court ruled that the provision from local authorities to house people otherwise at risk of street homelessness can include those with no recourse to public funds, including people refused asylum and appeal rights exhausted.⁴⁶⁰

1.2. Dispersed accommodation

All accommodation for asylum applicants is managed by three large private companies under contract to the Home Office, much of which is provided through sub-contracts to smaller companies.⁴⁶¹ The assessment process for eligibility for the accommodation remains with the Home Office, which is ultimately responsible in law for the provision of accommodation. The companies remain responsible to the Home Office under the terms of their contracts to provide and manage the accommodation. New contracts were approved in January 2019 for a ten-year period.⁴⁶²

A UK charity has written a guide to the 2019 contracts and has details about all types of accommodation and services covered.⁴⁶³

The contract between the Home Office and the private companies requires that families shall be housed in self-contained accommodation.⁴⁶⁴ In practice there is some use of hostel-type accommodation for families with small children, and some lone parent families are housed with unrelated families, though nuclear families are normally kept together.⁴⁶⁵

Where there is not enough dispersal accommodation to move people into, then contingency accommodation, such as hotels, are used.

Accommodation frequently fails to meet the needs of supported persons, particularly those with children or mobility and health needs.⁴⁶⁶ Asylum accommodation has been repeatedly criticised for failing to provide security, respect for privacy and basic levels of hygiene and safety, particularly for women; in the media and in the House of Commons Home Affairs Select Committee report published in December 2018.⁴⁶⁷

⁴⁵⁸ Home Office, 'Immigration system statistics data tables, Asylum seekers in receipt of support detailed datasets, year ending December 2025', table Asy_D09 initial and contingency accommodation, 26 February 2026, available [here](#).

⁴⁵⁹ Kent County Council, 'Reception centres for unaccompanied asylum-seeking children', accessed 27 March 2026, available [here](#).

⁴⁶⁰ Shelter, 'High Court rules councils can lawfully accommodate street homeless people with 'No Recourse to Public Funds' – will the government now provide proper guidance?', 10 March 2021, available [here](#).

⁴⁶¹ Home Office, 'Living in dispersal accommodation', 25 May 2023, available [here](#).

⁴⁶² Home Office, 'New asylum accommodation contracts awarded', 8 January 2019, available [here](#).

⁴⁶³ Asylum Matters; The Asylum Accommodation and Support Contracts – a guide, 2019, available [here](#).

⁴⁶⁴ Home Office, 'Compass Project: Schedule 2, Accommodation and Transport, Statement of Requirements', B.8.

⁴⁶⁵ Evidence given to the Parliamentary Enquiry on Asylum Support for Children and Young People.

⁴⁶⁶ See e.g. High Court, *R (On the Application Of SH) v Secretary of State for the Home Department* [2026] EWHC 729 (Admin), available [here](#).

⁴⁶⁷ House of Commons, *Asylum accommodation: Replacing COMPASS*, December 2018, available [here](#).

The most common form of accommodation after the initial period in the initial accommodation centres is in privately owned flats and houses, managed by the companies contracted to the Home Office, or by their sub-contractors.

2. Conditions in reception facilities

Indicators: Conditions in Reception Facilities

1. Are there instances of asylum applicants not having access to reception accommodation because of a shortage of places? Yes No
2. What is the average length of stay of asylum applicants in the reception centres? Not available
3. Are unaccompanied children ever accommodated with adults in practice?⁴⁶⁸ Yes No
4. Are single women and men accommodated separately? Yes No

The most common form of accommodation is the initial accommodation centres and then privately owned flats and houses.

2.1. Conditions in initial accommodation centres

The vast majority of initial accommodation is provided as “contingency accommodation” in hotels throughout the UK.⁴⁶⁹ The locations and quality of these varies. As of December 2025 there were under 200 hotels in use, from a peak of around 400.⁴⁷⁰

A room sharing policy means that people who do not know each other have to share a room. Concerns have been raised about the effect on children⁴⁷¹ and LGBT+ people⁴⁷² in particular. Rooms are generally lockable, but the fact of sharing with a stranger removes some of the benefit and practicality of this.⁴⁷³

There is no guarantee that single people will be accommodated on single sex corridors; this is the practice in some centres but not in others. The Home Affairs Select Committee received several reports of women feeling unsafe and made strong recommendations in this regard. It was also critical of the conditions for pregnant women and new-born babies.⁴⁷⁴

The initial accommodation is supposed to be for a short stay but in practice is for much longer than this. Asylum applicants staying at hotels are able to go outside at any time. If they are absent from their accommodation for seven nights then their support may be stopped.⁴⁷⁵

There has been an increase in the use of large scale accommodation sites including repurposed military barracks. The former Ministry of Defence sites currently in use are Wethersfield⁴⁷⁶ and Crowborough⁴⁷⁷.

⁴⁶⁸ If the Home Office makes an initial assessment that the unaccompanied child is an adult.

⁴⁶⁹ Home Office, ‘Immigration system statistics data tables, Asylum seekers in receipt of support detailed datasets, year ending December 2023’, table Asy_D09, 29 February 2024, available [here](#).

⁴⁷⁰ UK Parliament, ‘Written question UIN 99520: Asylum: Hotels’, 22 December 2025, available [here](#).

⁴⁷¹ Amelia Gentleman, ‘Child asylum seekers in UK forced to share hotel rooms with adults’, *The Guardian*, 30 October 2023, available [here](#).

⁴⁷² Diane Taylor, ‘Fears rise for LGBTQ asylum seekers over Home Office hotel room-sharing push’, *The Guardian*, 1 December 2023, available [here](#).

⁴⁷³ Practice based observation by the expert, January 2024.

⁴⁷⁴ Home Affairs Select Committee, ‘Asylum Accommodation’, January 2017, available [here](#).

⁴⁷⁵ Home Office, ‘Conditions of support instruction’, 5 March 2026, available [here](#).

⁴⁷⁶ Home Office, ‘Promotional material: Wethersfield: factsheet’, updated 30 July 2025, available [here](#).

⁴⁷⁷ Home Office, ‘Crowborough Training Camp, East Sussex: factsheet’, updated 22 January 2026, available [here](#).

The latter opened in January 2026 and protests near the site began immediately.⁴⁷⁸ Another site due to open in 2026 is Cameron Barracks in Inverness, although these plans are currently delayed.⁴⁷⁹ Napier barracks was previously used but this closed in December 2025.⁴⁸⁰

The Independent Chief Inspector of Borders and Immigration published a report into the use of contingency accommodation in July 2021, with the assistance of Her Majesty's Inspectorate of Prisons.⁴⁸¹ The Inspector raised four main issues: Failure to adequately consult local stakeholders, the inadequate health screening of those to be placed in the accommodation, communication with residents of the camps and poor employment and data protection practice. The government's response⁴⁸² focused mainly on the need to set up the accommodation in haste and the improvements made since the sites were established.

Criticism of large-scale contingency accommodation continued, including from the NGO sector⁴⁸³ and with the publicising of a 2022 visit by parliamentarians comprising the All-Party Parliamentary Group on detention.⁴⁸⁴

The Bibby Stockholm was a barge that was used as asylum accommodation for 15 months until its closure in November 2024.⁴⁸⁵ It had capacity for around 500 people and the maximum length of stay was expected to be 9 months. The rooms had ensuite bathrooms, communal spaces, a canteen and a laundry.⁴⁸⁶ The use of the Bibby Stockholm barge led to concerns being raised about the conditions the men are living in.⁴⁸⁷ A man who was being accommodated on the barge died in December 2023.⁴⁸⁸ An inquest into his death took place and in October 2025 the coroner reported that his death was not caused by being moved onto the barge, but the Home Office missed opportunities to assess his mental health..⁴⁸⁹

Wethersfield was initially intended to accommodate 1,700 men for between six and nine months but in 2024 this was reduced to a maximum of 800 people, with the ability to increase this to 1,245 for short and defined periods of time if needed to deal with higher than forecast arrivals via small boat.⁴⁹⁰ It is also expected that the length of stay will be around nine months, although the current average is 81 days.⁴⁹¹ Concerns have been raised about the isolated location, detention-like setting, lack of privacy and shared facilities, and inadequate healthcare.⁴⁹²

In January 2024 Médecins Sans Frontières / Doctors without Borders reported that they had started providing primary healthcare to men being accommodated at the RAF Wethersfield site, as there were concerns that the

⁴⁷⁸ Daniel Sexton, 'Protest over asylum seeker camp at army site', *BBC News*, 25 January 2026, available [here](#).

⁴⁷⁹ BBC News, 'Asylum seeker barracks plans could face further delays', 6 February 2026, available [here](#).

⁴⁸⁰ Stuart Maisner, 'Barracks used for housing asylum seekers closes', *BBC News*, 20 December 2025, available [here](#).

⁴⁸¹ ICIBI and HMIP, 'An inspection of contingency accommodation', July 2021, available [here](#).

⁴⁸² Home Office, 'The Home Office response to the ICIBI report on contingency accommodation and HMIP inspection of Penally and Napier barracks', available [here](#).

⁴⁸³ Asylum Matters and partners, 'In a place like prison', 2021, available [here](#).

⁴⁸⁴ APPG on Immigration Detention, 'Report of Visit to Napier Barracks on 2 February 2022', 7 April 2022, available [here](#).

⁴⁸⁵ Jessica Elgot and Peter Walker, 'Final asylum seekers have now left the Bibby Stockholm', *The Guardian*, 26 November 2024, available [here](#).

⁴⁸⁶ Home Office, 'Promotional material: Portland Port: factsheet', updated 29 December 2023, available [here](#).

⁴⁸⁷ Home Affairs Select Committee, 'Questions for Home Office on conditions at Bibby Stockholm', 2 February 2024, available [here](#).

⁴⁸⁸ Diane Taylor, 'Bibby Stockholm asylum seeker who died in suspected suicide is named', *The Guardian*, 18 December 2023, available [here](#).

⁴⁸⁹ Diane Taylor, 'Home Office missed chances to assess man who died on Bibby Stockholm, coroner finds', *The Guardian*, 2 October 2025, available [here](#).

⁴⁹⁰ Home Office, 'Promotional material: Wethersfield: factsheet', updated 28 March 2024, available [here](#).

⁴⁹¹ Home Office, 'Promotional material: Wethersfield: factsheet', updated 16 October 2024, available [here](#).

⁴⁹² Helen Bamber Foundation, 'Ghettoised and traumatised: the experiences of men held in quasi-detention in Wethersfield', 15 December 2023, available [here](#).

existing provision was inadequate.⁴⁹³ In June 2024 they published a report asking for the site to be closed as a matter of urgency because of the severe mental health crises experienced by those at Wethersfield. The report said that over 74% of men accessing medical services at Wethersfield were presenting with severe psychological distress and 42% experienced suicidal ideation. The conditions at the site were said to be exacerbating these conditions. The healthcare provided on site does not appear to have experience or expertise in refugee healthcare.⁴⁹⁴ The mobile healthcare clinic provided by Médecins Sans Frontières / Doctors without Borders closed in December 2024.

In March 2025 the High Court held that several asylum applicants had been unlawfully accommodated at Wethersfield because of their particular vulnerabilities which included being a victim of trafficking and torture. It was also found that there had been no attempt to carry out a Public Sector Equality Duty assessment of the equalities implications of the Allocation of Asylum Accommodation Policy and whether barracks accommodation was suitable for people who were disabled or had serious mental health issues.⁴⁹⁵

Crowborough opened on 22 January 2026 with 27 men being moved into the site. It is expected to accommodate 500 men.⁴⁹⁶

In October 2024 the ICIBI published another report on the use of contingency asylum accommodation. The Home Office was criticised for its lack of engagement with NGO stakeholders and those who live within the accommodation sites. In particular, it was highlighted that a lack of communication about the length of their stay has a negative impact on the mental health of those in large scale accommodation.⁴⁹⁷

In 2024 NGOs published reports on the use of hotels, including the negative mental health impact⁴⁹⁸ and the impact on women specifically.⁴⁹⁹ In summer 2024 29 anti-immigration riots took place⁵⁰⁰, and these included the targeting of an asylum hotel with an arson attempt.⁵⁰¹

The Institute for Public Policy Research also published a report on asylum accommodation comparing the cost of hotels at £145 (EUR 166) per person per night to that of dispersal accommodation estimated at an average of £14 (€ 16) per person per night. Despite costs going up, the report noted that quality had not improved, and people had spoken of unsanitary living conditions that compromised their health and well-being.⁵⁰²

There have been hundreds of complaints lodged about staff behaviour, the food and a lack of milk for children.⁵⁰³ The matter of conditions in hotels continues to be raised in Parliament, with a debate taking place in January 2025 in the House of Lords.⁵⁰⁴ The Joint Committee on Human Rights wrote to the Home

⁴⁹³ Medecins Sans Frontieres, 'MSF launches UK operations to treat people seeking asylum', 9 January 2024, available [here](#).

⁴⁹⁴ MSF/DWB, 'Mental health crisis unfolds at RAF Wethersfield Mass Containment Site: Doctors of the World and MSF call for urgent site closure', 26 June 2024, available [here](#).

⁴⁹⁵ High Court, *TG & Ors v Secretary of State for the Home Department* [2025] EWHC 596 (Admin), 14 March 2025, available [here](#).

⁴⁹⁶ Home Office, 'Crowborough Training Camp, East Sussex: factsheet', updated 22 January 2026, available [here](#).

⁴⁹⁷ ICIBI, 'An inspection of contingency asylum accommodation: November 2023 – June 2024', 24 October 2024, available [here](#).

⁴⁹⁸ Helen Bamber Foundation and Asylum Aid, 'Suffering and squalor: the mental health impact of living in hotel asylum accommodation', 20 June 2024, available [here](#).

⁴⁹⁹ Women for Refugee Women, 'Coercion and control: The treatment of women seeking asylum in hotel accommodation', 3 September 2024, available [here](#).

⁵⁰⁰ Full Fact, 'UK riots fact checked: latest updates and key questions answered', 12 August 2024, available [here](#).

⁵⁰¹ Robyn Vinter, '“They thought they were going to die”: the asylum seekers who survived rioters trying to burn down their accommodation', *The Guardian*, 29 December 2024, available [here](#).

⁵⁰² IPPR, 'Transforming asylum accommodation', 24 October 2024, available [here](#).

⁵⁰³ Diane Taylor, 'Asylum seekers report widespread abuse in Home Office accommodation', *The Guardian*, 3 June 2024, available [here](#).

⁵⁰⁴ Hansard, House of Lords, 'Asylum Seekers: Hotels Volume 842: debated on Monday 20 January 2025', available [here](#).

Secretary in January 2025 asking for an update on the asylum seeking children who had gone missing from asylum hotels.⁵⁰⁵

It has been reported that 51 people died in Home Office asylum accommodation in 2024.⁵⁰⁶ The Home Office has been urged to publish data on deaths in asylum accommodation but has declined to do so and also declines to disclose this information via Freedom of Information requests, saying that to do so could expose the family members of the deceased and the accommodation providers to harassment. This refusal of FOI requests has been upheld by the Information Commissioner's Office.⁵⁰⁷

In March 2025 the United Nations' Committee on Economic, Social and Cultural Rights recommended that the use of hotels as asylum accommodation for unaccompanied children be ended and urged the government to "ensure safe, healthy and adequate living conditions for migrants and asylum-seekers in temporary and dispersed accommodation".⁵⁰⁸

Diego Garcia

Diego Garcia is part of the Chagos Islands, which the UK considers as the British Indian Ocean Territory, despite international law considering that the UK does not have sovereignty over the islands.⁵⁰⁹ In 2021 and 2022 a small number of people from Sri Lanka arrived on Diego Garcia and sought asylum. Following litigation, processes were set up on the island to allow for this.⁵¹⁰

Extensive litigation took place concerning those processes as well as the conditions on the island and in December 2024 most of the people on the island were transferred to the UK and granted six months leave to enter, where it is expected that they have made asylum claims. Three people with criminal convictions remained on Diego Garcia and the situation for this group is unclear.⁵¹¹

A judge has held that the people were unlawfully detained on the island.⁵¹² The decision was upheld on appeal in December 2025.⁵¹³ Following the agreement that the UK will return the islands to Mauritius, an agreement was made with the government of St Helens for any future arrivals to be transferred there, the announcement notes that there have been no arrivals in Diego Garcia since 2022.⁵¹⁴

2.2. Conditions in dispersed accommodation

Dispersed accommodation, in flats and houses among the general population, is where asylum applicants stay for most of the time while their claim is being decided. Basic furniture and cooking equipment is

⁵⁰⁵ Joint Committee on Human Rights, 'Letter to the Home Secretary', 22 January 2025, available [here](#).

⁵⁰⁶ Diane Taylor, 'Record number of asylum seekers died in 2024 while in care of Home Office', *The Guardian*, 10 February 2025, available [here](#).

⁵⁰⁷ Diane Taylor and Aaron Walawalkar, 'Home Office urged to be transparent about deaths of people in asylum system', *The Guardian and Liberty Investigates*, 15 December 2025, available [here](#).

⁵⁰⁸ United Nations' Committee on Economic, Social and Cultural Rights, 'Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland', 12 March 2025, available [here](#).

⁵⁰⁹ Andrew Harding, 'UN court rules UK has no sovereignty over Chagos islands', *BBC News*, 28 January 2021, available [here](#).

⁵¹⁰ Ben Nelson, 'New asylum processes set up on disputed territory of Diego Garcia', *Free Movement*, 23 October 2023, available [here](#).

⁵¹¹ Ben Nelson, 'Most Diego Garcia migrants finally transferred to the UK, but what happens next?', *Free Movement*, 6 December 2024, available [here](#).

⁵¹² BBC News, 'UK unlawfully detained migrants on Diego Garcia, judge finds', 17 December 2024, available [here](#).

⁵¹³ Diane Taylor, 'Court backs ruling that UK unlawfully detained Tamils on Diego Garcia', *The Guardian*, 16 December 2025, available [here](#).

⁵¹⁴ Government of St Helens, 'Partnership Between UK Government and St Helena Government Regarding Future British Indian Ocean Territory Migrants', 16 October 2024, available [here](#).

provided.⁵¹⁵ The BBC and Refugee Action worked together to bring attention to the poor housing conditions in dispersed accommodation, culminating in a piece released in January 2022. As highlighted in the article, this issue extends across all asylum accommodation providers, and many properties are being kept in a poor state of repair.⁵¹⁶

A report published in January 2025 found that issues with dispersal accommodation included that it was poor in quality and badly maintained, isolated, lacked transport provisions, and there were negative experiences with staff and difficulty in getting issues addressed.⁵¹⁷

No data is available on how long individuals spend in dispersal accommodation. Any issues are generally reported to Migrant Help in the first instance.

The impact of living on Section 4 support is discussed in the section [Forms and Levels of Material Reception Conditions](#).

C. Employment and education

1. Access to the labour market

Indicators: Access to the Labour Market

1. Does the law allow for access to the labour market for asylum applicants? Yes No
 - ❖ If yes, when do asylum applicants have access the labour market? 1 year
2. Does the law allow access to employment only following a labour market test? Yes No
3. Does the law only allow asylum applicants to work in specific sectors? Yes No
 - ❖ If yes, specify which sectors: listed shortage occupations⁵¹⁸
4. Does the law limit asylum applicants' employment to a maximum working time? Yes No
 - ❖ If yes, specify the number of days per year
5. Are there restrictions to accessing employment in practice? Yes No

Asylum applicants are not generally allowed to do paid work. The limited exception is that they may apply to the Home Office to be given permission to enter employment when their asylum claim has been outstanding for a year since the date the claim was lodged.⁵¹⁹ The same applies when further submissions have been outstanding for a year, whether or not they have been recognised as a fresh claim.⁵²⁰ Applications are very straightforward, they must be made in writing giving the applicant's personal and contact details and a statement requesting permission to work.⁵²¹ There is no time limit for the Home Office to make a decision and this can take months.

If permission is granted it is limited to applying for vacancies in specified occupations. Until 26 March 2026 this was limited to shortage roles on Appendix Immigration Salary List, i.e. specialist trades and

⁵¹⁵ Practice based observation by the expert, January 2024.

⁵¹⁶ BBC, 'Asylum accommodation; the homes where ceilings have fallen in', 9 January 2022, available [here](#).

⁵¹⁷ NACCOM, "Treat Us Like Humans: A Report on the Lived Experience of the Asylum System", December 2024, available [here](#).

⁵¹⁸ Immigration Rules, Appendix Immigration Salary List, available [here](#).

⁵¹⁹ Immigration Rules, pt 11B, para 360.

⁵²⁰ Supreme Court, *ZO (Somalia) v Secretary of State for the Home Department* [2010] UKSC 36.

⁵²¹ Home Office, 'Permission to work and volunteering for asylum seekers: caseworker guidance', 26 March 2026, available [here](#).

professions which are in short supply in the UK.⁵²² Following a legal challenge brought by two doctors,⁵²³ people applying from 27 March 2026 who are granted permission to work can now work in roles on the longer list in Appendix Skilled Occupations of the immigration rules.⁵²⁴ This is a longer list than previously, but the roles on this list are all considered to be highly skilled, at Regulated Qualifications Framework level 6 or above. Self-employment and setting up a business are prohibited.⁵²⁵

The lack of discretion in the policy allowing the Home Office to grant permission to take up employment not on the shortage occupation list in use before March 2026 was challenged successfully at the end of 2020. Two cases, one specifically relating to a refugee who was also a victim of trafficking⁵²⁶ and a refugee who was not⁵²⁷ successfully challenged the fact that discretion to grant such permission had never been used; therefore, the policy was declared unlawful. Revised policy guidance was published and includes provision for the application of discretion to be used, although it states that these grants are expected to be 'rare'.⁵²⁸

A campaign was launched in 2018 to Lift the Ban⁵²⁹ which refers to the above policy; the main campaign aims are for the government to reduce the waiting time to get permission to work to six months and to allow access to all vacancies, not those on the shortage occupation list.⁵³⁰

At the end of 2021 the Migration Advisory Committee, in its annual report, questioned the need for the policy restricting asylum applicants to the Shortage Occupation list.⁵³¹ No changes have been made to that policy, but the Shortage Occupation List⁵³² was replaced with the Immigration Salary List in 2024, and reduced the number of roles that asylum applicants were permitted to work in.⁵³³ In July 2025 the government announced an intention to phase out the Immigration Salary List in 2026.⁵³⁴ In the March statement of changes to the immigration rules, the main obstacle is that since these occupations are so narrowly defined, the chances that an asylum applicant will qualify are quite low. Other barriers are the fact that potential employers do not know how long the person will have the permission to work..

The asylum applicant's residence status does not change as a result of obtaining permission to work. They remain on bail and subject to conditions which may include residing at an address that they give. There is no special access to re-training to enable access to the labour market. Any vocational training is subject to the conditions for education set out in the section on [Access to Education](#).

⁵²² Immigration Rules, Appendix Immigration Salary List, available [here](#).

⁵²³ Garden Court Chambers, 'Home Office agrees to change policy and permit asylum seekers to work as doctors, nurses, and other skilled professionals', 20 March 2026, available [here](#).

⁵²⁴ Immigration Rules, pt 11B, para 360 and Appendix Skilled Occupations.

⁵²⁵ Immigration Rules, pt 11B, para 360.

⁵²⁶ High Court, *LJ (Kosovo), R (On the Application Of) v Secretary of State for the Home Department [2020] EWHC 3487 (Admin)* (18 December 2020), available [here](#).

⁵²⁷ Upper Tribunal, *R(C6) v Secretary of State for the Home Department (asylum seekers' permission to work) [2021] UKUT 94* (13 January 2021), available [here](#).

⁵²⁸ Home Office, 'Permission to work and volunteering for asylum seekers: caseworker guidance', 26 March 2026, available [here](#).

⁵²⁹ See: Refugee Action website, available [here](#).

⁵³⁰ Lift the ban coalition website, available [here](#).

⁵³¹ Migration Advisory Committee, 'Second annual report', December 2021, available [here](#).

⁵³² Archived version of Appendix Shortage Occupation List, available [here](#).

⁵³³ Available [here](#).

⁵³⁴ Home Office, 'Explanatory memorandum to the statement of changes to the Immigration Rules: HC 997', 1 July 2025, available [here](#).

2. Access to education

Indicators: Access to Education

1. Does the law provide for access to education for asylum-seeking children? Yes No
2. Are children able to access education in practice? Yes No

Education is compulsory for children from 5 to 16. This includes children seeking asylum, who attend mainstream schools local to where they live under the same conditions, formally, as other children in their area. However, destitution may affect their access to education. For instance, children on Section 4 support are not entitled to free school meals or other benefits and yet have no cash to pay for school meals. There are not generally preparatory classes to facilitate access. If children seeking asylum have special educational needs these may be assessed and met as for other children.

The first major national research into the educational outcomes of children who are asylum applicants was published in 2021; one of its findings was that unaccompanied children lag about 3 years on average behind their UK counterparts.⁵³⁵

There is no bar on asylum applicants entering into education.⁵³⁶ In 2019 the Home Office conceded a judicial challenge establishing that there should not be a general bar on refused asylum applicants accessing education.⁵³⁷ The guidance was updated to reflect this, and provides for a condition prohibiting study to be placed on a refused asylum applicant only where considered necessary in an individual case.⁵³⁸

There are no accelerated education programmes for out of school youth. In **England** 15 hours per week of free childcare are available for children aged from two to four, where the parent is in receipt of asylum support.⁵³⁹ **Scotland** offers 30 hours per week early learning and childcare for two to four year olds.⁵⁴⁰ **Wales** offers 12.5 hours per week of childcare to two and three year olds who live in disadvantaged areas.⁵⁴¹ In **Northern Ireland** there is some practical support available to children under four living in disadvantaged areas and 12.5 hours weekly free childcare for three and four year olds.⁵⁴²

Higher and further education

Whilst children are entitled to access free school education, the barriers for adults in further and higher education are financial since (other than in **Scotland**) in addition to the high fees and lack of access to loans they also have no access to mainstream benefits or work. Indeed, the UK maintains different provisions for 'home' students and 'overseas' students for further and higher education. Regulations permit universities to charge higher fees to overseas students than to home students.⁵⁴³ The regulations

⁵³⁵ Education Policy Institute, 'The educational outcomes of refugee and asylum-seeking children in England', 2 December 2021, available [here](#).

⁵³⁶ Home Office, 'Immigration Bail', 22 January 2026, available [here](#).

⁵³⁷ Duncan Lewis Solicitors, 'Home Office concedes unlawful imposition of study restriction as a bail condition on individuals who are 'appeals rights exhausted'', November 2019, available [here](#).

⁵³⁸ Home Office, 'Immigration Bail', 22 January 2026, available [here](#).

⁵³⁹ Maternity Action, 'No recourse to public funds – money for parents and babies', September 2025, available [here](#).

⁵⁴⁰ Working Families, 'Scotland – Free childcare for childcare aged between 3 to 5 (and some 2 year olds)', accessed 27 March 2026, available [here](#).

⁵⁴¹ Welsh government, 'Get help from Flying Start', accessed 27 March 2026, available [here](#).

⁵⁴² Day Nurseries, 'Free childcare in Northern Ireland', 18 December 2025, available [here](#).

⁵⁴³ Reg. 4 Education (Fees and Awards) (England) Regulations 2007 SI 779; Reg. 4 Education (Fees and Awards) (Wales) Regulations 2007 SI 2310. The residence requirements in England are mitigated by Supreme Court judgment in *R (on the application of Tigere) v Secretary of State for Business, Innovation and Skills* UKSC [2015] 57 which held that the English requirement for the applicant to be settled (i.e. have indefinite leave to remain) was discriminatory and unlawful. Other residence requirements remain in place.

do not compel universities to charge these higher fees, but a government subsidy is only paid for home students, and so for economic reasons universities charge the higher fees. Asylum applicants are routinely classed as overseas students and are thus liable to pay overseas student fees for university education of £11,400 to £38,000 per year (approx. between € 13,023 - € 43,409).⁵⁴⁴ This is prohibitive generally for someone seeking asylum.

In **Scotland**, the child of an asylum applicant or a young asylum applicant (under 25) is treated as a home student if they meet a set of residence conditions including 3 years residence in Scotland.⁵⁴⁵

In **England, Wales** and **Northern Ireland** some universities have agreed to treat asylum applicants (generally on a limited individual basis) as home students. If a person is eligible under the regulations to pay 'home' fees, it is worth checking the relevant student support regulations. Student support is governed by ordinary residence in the country where they have been living, not where the educational institution is. So someone could be a 'home' fee payer if studying in Wales, Northern Ireland or Scotland, but if ordinarily resident in England before moving to undertake their course, they would not be eligible for any student support at all when they claim it (from Student Finance England) in England.⁵⁴⁶

Even where a university agrees to treat an asylum applicant as a home student, that person may still need finances to pay the fees which are capped at £9,535 (€ 10,892) per year for a standard full time course.⁵⁴⁷ The United Kingdom Council for International Student Affairs (UKCISA) gives advice and information on student finance and fee status.⁵⁴⁸

Under certain conditions asylum applicants are treated as home students for the purposes of further education. In **England**, this is the case for those aged 16 to 18, or who have been waiting for a Home Office decision for more than six months, or who are on Section 4 support or other statutory assistance.⁵⁴⁹ In **Wales** those on asylum support are treated as home students. In **Northern Ireland** asylum applicants and their families are treated as home students.⁵⁵⁰ In **Scotland**, the conditions are as for higher education,⁵⁵¹ and in addition full-time English courses for speakers of other languages (ESOL) and other part-time courses may be taken by asylum applicants as home students. One effect is that in England there is a six month wait for eligibility for free English classes. Research reported upon the practical barriers and provides a summary of the changes in ESOL (English for speakers of other languages) provision in recent years.⁵⁵²

As explained in [Identification](#), young people whose asylum claim is refused are commonly given 'UASC leave' which is not refugee status. They may apply to extend this before their 18th birthday, and so may be applying to higher education while still on UASC leave. Young people in this position are also treated as overseas students. This can impose obstacles on young people who have sought asylum and are leaving local authority care.

⁵⁴⁴ British Council, 'Cost of studying and living in the UK', accessed 19 January 2025, available [here](#).

⁵⁴⁵ Higher Education (Fees) (Scotland) Regulations 2011 SI 389, sch 1, reg 4.

⁵⁴⁶ The residence requirements for access to student loans in England are mitigated by Supreme Court judgment in *R (on the application of Tigere) v Secretary of State for Business, Innovation and Skills* [2015] UKSC 57 which held that the English requirement for the applicant to be settled (i.e. have indefinite leave to remain) was discriminatory and unlawful. Other residence requirements remain in place.

⁵⁴⁷ Department for Education, 'Policy paper: Changes to tuition fees: 2025 to 2026 academic year', 26 November 2025, available [here](#).

⁵⁴⁸ UKCISA, 'Know the basics for HE England', 23 January 2026, available [here](#).

⁵⁴⁹ UKCISA, 'Know the basics for HE England', 23 January 2026, available [here](#).

⁵⁵⁰ Circular FE 15/12 of the Department of Employment and Learning.

⁵⁵¹ Scottish government, 'Further and higher education – residency criteria for access to financial support: consultation analysis', 12 May 2023, available [here](#).

⁵⁵² Left out, left behind: A study on the barriers to ESOL in the London Borough of Waltham Forest, March 2020, available [here](#). ESOL in the East Midlands, September 2024, available [here](#). Holly Dono, Female Asylum Seekers and Refugees' Experiences of ESOL, August 2023, available [here](#).

Some financial support is provided to those who are over 18 but were formerly an unaccompanied asylum seeking child until they are 21 or 25 if still in education.⁵⁵³

In addition to financial difficulties, language, interrupted education due to experiences as a refugee, and incompatibility of educational systems and qualifications may all be barriers to access to further and higher education.⁵⁵⁴

D. Health care

Indicators: Health Care

1. Is access to emergency healthcare for asylum applicants guaranteed in national legislation?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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2. Do asylum applicants have adequate access to health care in practice?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Limited	<input type="checkbox"/> No
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3. Is specialised treatment for victims of torture or traumatised asylum applicants available in practice?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Limited	<input type="checkbox"/> No
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4. If material conditions are reduced or withdrawn, are asylum applicants still given access to health care?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Limited	<input type="checkbox"/> No
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In **England**, there is free hospital treatment to asylum applicants with a current claim on Section 95 or Section 4 support, those refused asylum applicants who are receiving Section 95 or Section 4 support and unaccompanied children in the care of the local authority.⁵⁵⁵ Free hospital treatment is not generally available to asylum applicants who are not on Section 95 or Section 4 support. Hospital doctors should not refuse treatment that is urgently needed for refused asylum applicants who are not receiving Section 95 or Section 4 support, but the hospital is required to charge for it.

The hospital also has discretion to write off the charges. Any course of treatment should be continued if it is under way at the time when asylum is refused, and thus when Section 95 support stops for single people.⁵⁵⁶ Accident and emergency services (but not follow-up in-patient care) and treatment for listed diseases are free to all including refused asylum applicants who are not on asylum support.

Moreover, current asylum applicants, regardless of the support they receive, are entitled to register with a general doctor although in practice many face barriers in registering. General doctors (GPs) have the same discretion to register refused and unsupported asylum applicants that they have for any person living in their area.⁵⁵⁷ Resources to assist people to register with a GP remain an important practical and advocacy tool as, for example, GPs will often ask for ID documents that asylum applicants will not have, even though this is not a legal requirement. Doctors of the World have produced a card that can be used to successfully challenge those requests.⁵⁵⁸

⁵⁵³ Home Office, 'Leaving care funding instructions to local authorities 2023 to 2024', 22 September 2023, available [here](#).

⁵⁵⁴ Refugee Education Network, "'I just want to study': Access to Higher Education for Young Refugees and Asylum Seekers", February 2012, available [here](#).

⁵⁵⁵ Part 4 HM Government National Health Service (Charges to Overseas Visitors) Regulations 2015 No. 238.

⁵⁵⁶ Department of Health & Social Care, 'Charging overseas visitors in England: guidance for providers of NHS services', 16 December 2025, available [here](#).

⁵⁵⁷ British Medical Association, *Refugees and asylum seekers' entitlement to NHS care*, 21 May 2025, available [here](#).

⁵⁵⁸ Doctors of the World GP access cards available [here](#); Refugee Council guide to maternity care, available [here](#).

In **Scotland** all asylum applicants are entitled to full free health care (including GP practices, mental health treatment, hospitals, emergency services, eye examinations, dental examinations),⁵⁵⁹ including those refused asylum applicants not on Section 4 support and including the spouse/civil partner and any dependent children of any of these people.⁵⁶⁰

In **Northern Ireland**, exemptions for refugees and asylum applicants are similar to those in England except that refused asylum applicants are able to obtain free health care (including GP practices, mental health treatment, hospitals, emergency services, eye examinations, some dental services)⁵⁶¹ while they remain in Northern Ireland.⁵⁶²

Access to mental health services is not guaranteed anywhere in the UK, and is often lacking.⁵⁶³

Specialised treatment for victims of torture and traumatised asylum applicants is available but is in short supply. It is provided by a number of independent charities, the largest being Freedom from Torture, the Helen Bamber Foundation, and the Refugee Therapy Centre. Specialist trauma practitioners, including psychiatrists, psychologists and trauma counsellors and therapists, also work in health authorities and trusts around the country, but they are few and access is extremely limited.⁵⁶⁴ Language and cultural barriers also hinder appropriate referrals from workers with initial contact and impede asylum applicants' own awareness of what is available.⁵⁶⁵ Smaller NGOs also specialise in counselling for refugees.⁵⁶⁶

In practice, inadequate levels of financial asylum support, destitution, and the charging regime⁵⁶⁷ impede and discourage access to healthcare.⁵⁶⁸

Mothers on asylum support who are required to move during pregnancy usually lose continuity of antenatal care. Moves during pregnancy may take place including at very late stages of pregnancy, even when doctors and midwives advise against a move, and are thought to contribute to the far higher infant and mother mortality rate which there is among asylum applicants.⁵⁶⁹ Moves sometimes entail a break of several weeks in antenatal care including monitoring and treatment of conditions such as diabetes or hepatitis, which need to be sustained during pregnancy.⁵⁷⁰ Moves are not frequent once accommodation is allocated, but can happen for instance when an asylum applicant is allocated Section 95 or Section 4 housing away from the area where they had been previously living.

Charges for those with no leave to remain in the UK and who are not entitled to healthcare as described above were introduced in April 2015.⁵⁷¹ Guidance was issued by the Government (Department of Health) in April 2016.⁵⁷²

⁵⁵⁹ NHS inform, 'Accessing and using the NHS in Scotland', accessed 27 March 2026, available [here](#).

⁵⁶⁰ NHS inform, 'Healthcare for refugees and asylum', accessed 27 March 2026, available [here](#).

⁵⁶¹ NI Direct, 'Help with health costs', accessed 27 March 2026, available [here](#).

⁵⁶² Provision of Health Services to Persons Not Ordinarily Resident Regulations (Northern Ireland) 2015 SI No. 27, reg. 9, available [here](#).

⁵⁶³ Yohannes Fassil and Angela Burnett, *Commissioning mental health services for vulnerable adult migrants* August, 2014, available [here](#).

⁵⁶⁴ Practice based observation by the expert, January 2024.

⁵⁶⁵ Practice based observation by the expert, January 2024.

⁵⁶⁶ Some, such as Nasfiyat intercultural Therapy centre, are long established, see [here](#) and some specialise in particular groups e.g. Vietnamese Mental Health Service, see [here](#).

⁵⁶⁷ Department of Health & Social Care, guidance 'Charging overseas visitors in England: guidance for providers of NHS services', 16 December 2025, available [here](#).

⁵⁶⁸ Practice based observation by the expert, January 2024.

⁵⁶⁹ Refugee Council and Maternity Action, *When Maternity Doesn't Matter*, 2013 available [here](#).

⁵⁷⁰ Ibid.

⁵⁷¹ Immigration Act 2014, s 38, and National Health Service (Charges to Overseas Visitors) Regulations 2015 No. 238.

⁵⁷² Department of Health & Social Care, guidance 'Charging overseas visitors in England: guidance for providers of NHS services', 16 December 2025, available [here](#).

In 2017 the government announced its intention to extend charging for many more frontline services (except GPs) and to introduce a duty for health services in **England** to check a person’s immigration status before treating. To enable this to happen regulations were introduced to Parliament; some changes were made in August 2017 and others in October 2017.⁵⁷³ During a parliamentary debate the government agreed to review the impact of the regulations. There has been a lot of lobbying on the issue.⁵⁷⁴ A report by Doctors of the World in 2017 concluded that people were being deterred from seeking medical care as a result of the charges.⁵⁷⁵ A scoping study of the impact on maternity services conducted in 2017 showed similar findings.⁵⁷⁶ A 2023 paper also suggested that fears of charging can deter people from accessing healthcare, although it noted that the quality of the evidence was ‘poor’.⁵⁷⁷

The Refugee Council developed a range of health-related guides for refugees, asylum applicants and health practitioners including guides to maternity rights and therapeutic services.⁵⁷⁸

Notably the government made those arriving on the new Ukraine visa schemes exempt from NHS charges as soon as March 2022⁵⁷⁹ (see [Ukraine Visa Support](#)).

E. Special reception needs of vulnerable groups

Indicators: Special Reception Needs

1. Is there an assessment of special reception needs of vulnerable persons in practice?
 Yes No

There is no mechanism laid down by law to identify vulnerable groups or persons with special reception needs, although there is policy that instructs caseworkers to assess whether the asylum applicants have any special medical needs that will affect dispersal.⁵⁸⁰ This policy was revised in 2016, adding specific instructions to safeguard the continuity of care for pregnant women.

A separate policy on allocating asylum accommodation says that “regard” should be had to the particular vulnerabilities of people with disabilities or serious health problems. The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) has raised concerns about the absence of vulnerability screenings to identify women and girls who have been subject to gender-based violence, meaning they may remain undetected and unable to access adequate accommodation.⁵⁸¹ There is no guarantee that any requests will be accommodated.⁵⁸² Even where disabilities have been identified, there are reports of inadequate accommodation being provided.⁵⁸³

⁵⁷³ The National Health Service (Charges to Overseas Visitors) (Amendment) Regulations 2017, available [here](#).
⁵⁷⁴ See e.g. Health Stream of Sanctuary, ‘Changes to Accessing Healthcare – Impact on Refugees & Asylum-Seekers – Take Action Now!’, 31 August 2017, available [here](#).
⁵⁷⁵ Doctors of the World, ‘Deterrence, delay and distress’, 2017, available [here](#).
⁵⁷⁶ Maternity Action et al, ‘The impact on health inequalities of charging migrant women for maternity care’, 2017, available [here](#).
⁵⁷⁷ BMC Public Health, ‘The impact of NHS charging regulations on healthcare access and utilisation among migrants in England: a systematic review’, 28 February 2023, available [here](#).
⁵⁷⁸ Refugee Council, ‘Guides for refugees and practitioners’, accessed 24 March 2023, available [here](#).
⁵⁷⁹ Response to a parliamentary question, ‘Outcome of the review of the NHS Charging Regulations exemption for Ukrainians’, 24 October 2022, available [here](#).
⁵⁸⁰ Home Office, ‘Healthcare needs and pregnancy dispersal policy’, 28 January 2026, available [here](#).
⁵⁸¹ GREVIO, ‘Baseline evaluation report: United Kingdom’, 18 June 2025, page 114, available [here](#).
⁵⁸² Home Office, ‘Allocation of asylum accommodation policy version 15.0’, 5 March 2026, available [here](#).
⁵⁸³ Diane Taylor, ‘Asylum seekers with disabilities ‘abandoned’ in former Essex care home’, *The Guardian*, 23 June 2023, available [here](#).

Challenges to the suitability of accommodation can be made by judicial review.⁵⁸⁴

If the asylum applicant has e.g. a medical report, which already shows that they are vulnerable, or has some other individual assessment showing this, the accommodation provider is required to take their vulnerability into account in providing accommodation.⁵⁸⁵ Aside from this the law provides no specific measures to address the reception needs of vulnerable groups.

In 2023 a challenge to the use of hotel accommodation for families unless exceptional circumstances could be established was dismissed.⁵⁸⁶ However individual challenges to the suitability of hotel accommodation for families can still succeed.⁵⁸⁷

If an asylum applicant discloses a health need during screening (i.e. before dispersal) the Home Office must provide sufficient information to the accommodation provider to ensure that necessary arrangements for dispersal are put in place i.e. appropriate travel, accommodation and location. The accommodation provider is contractually obliged to take an asylum applicant to a General Practitioner within 5 days of dispersal if they have a pre-existing condition or are in need of an urgent General Practitioner review.⁵⁸⁸

Whether needs are addressed in fact is variable according to local practice. Initial accommodation centres are run by private companies under contract to the Home Office. The Initial Accommodation includes a healthcare team who offer a basic screening of the health needs of all residents. There have previously been issues with the health screening not taking place (at Penally barracks, since closed).⁵⁸⁹

In practice, unless vulnerability is identified at one of the initial accommodation centres by a healthcare provider, it is unlikely to be identified until the asylum applicant discloses a problem to a voluntary, community or community advice organisation. The provision of suitable accommodation to people with disabilities, in particular the delays in providing such accommodation was found to be unlawful in a case in December 2020.⁵⁹⁰

Room sharing is same sex only, but accommodation (e.g. the hotel) will be mixed.⁵⁹¹ GREVIO has raised concerns about age-disputed unaccompanied children, including girls, having to share a room with unrelated adults.⁵⁹²

Self-contained accommodation is usually only for families and is a flat or house with their own kitchen and bathroom. Share houses must have at least one bathroom and kitchen per five people.⁵⁹³ There is a lack of safeguarding in hotels which has resulted in children going missing⁵⁹⁴ and being sexually assaulted.⁵⁹⁵

⁵⁸⁴ see e.g. High Court, *NS, R (on the application of) v Secretary of State for the Home Department* [2023] EWHC 2675 (Admin), available [here](#).

⁵⁸⁵ Asylum Seeker (Reception Conditions) Regulations SI 2005/7.

⁵⁸⁶ High Court, *R (MQ) v The Secretary of State for the Home Department* [2023] EWHC 205 (Admin), available [here](#).

⁵⁸⁷ High Court, *R (SA) v Secretary of State for the Home Department* [2023] EWHC 1787 (Admin), available [here](#).

⁵⁸⁸ Home Office Asylum Process Guidance.

⁵⁸⁹ Doctors of the World, *"They just left me" Asylum seekers health and access to healthcare in initial and contingency accommodation*, April 2022, available [here](#).

⁵⁹⁰ *AA v Home Office* [2020] EWHC 3416 (Admin), 14 December 2020, available [here](#).

⁵⁹¹ Home Office, *Asylum hotel summary and FAQ*, 7 March 2024, available [here](#).

⁵⁹² GREVIO, 'Baseline evaluation report: United Kingdom', 18 June 2025, page 114, available [here](#).

⁵⁹³ Home Office, *Living in dispersal accommodation*, 31 October 2024, available [here](#).

⁵⁹⁴ Rajeev Syal and Diane Taylor, 'UK minister admits 200 asylum-seeking children have gone missing', 24 January 2024, available [here](#).

⁵⁹⁵ Daniel Sandford, 'Two children sexually assaulted at migrant hotel', BBC News, 3 November 2022, available [here](#).

Access to assistance such as interpreters is through calling Migrant Help. Access to services such as police and social workers is not on site. There is a safeguarding framework but this does not go into detail about measures put in place to protect women and children.⁵⁹⁶ In practice, raising and escalating issues is difficult due to the lack of transparency about how to make complaints and who is responsible for resolving them.

The Home Office has a 'protected period' where women should not be moved for six weeks before and after giving birth.⁵⁹⁷ Families with babies and small children have been left in unsuitable asylum accommodation for lengthy periods of time.⁵⁹⁸ In 2024 the High Court held that the failure of the Home Office to monitor delays in the allocation of dispersal accommodation for pregnant women and new mother asylum seekers and refused asylum seekers was unlawful.⁵⁹⁹

Research from the Asylum Support Appeals Project, Scottish Refugee Council and Refugee Council revealed the lack of attention to women's safety in asylum support accommodation.⁶⁰⁰ The government has issued guidance on responding to reports of domestic violence from asylum seekers, which includes provision for refuge spaces to be funded in cases where that is deemed necessary.⁶⁰¹

If it comes to light that an asylum applicant has been trafficked, they may be referred to special accommodation run by the Salvation Army where specific support is given and the trafficking case considered. If they are not in receipt of asylum support, they will be entitled to a weekly payment of £49.18 (€ 56) per week, or £15.08 (€ 17.23) if they are also being provided with accommodation. The same is payable for child dependents where asylum support is not being paid, as well as an additional payment of £9.50 (€ 10.85) per week for a baby under one, and then £5.25 (€ 6) per week from one until they turn four. If the person receives a positive reasonable grounds decision (the first decision in a two-stage process) then they will receive an additional payment of £26.84 (€ 30.66) per week in addition to their asylum support or trafficking support payments.⁶⁰²

Reception and care of unaccompanied children

Where a person has claimed asylum and there is uncertainty about whether or not they are a child following an initial age assessment, they will be given the benefit of the doubt. They, and those who are accepted as being under the age of 18 will be referred to a local authority social services department which becomes responsible for their care. If it is later determined that they are an adult, they will be moved to adult accommodation, and if a child has been wrongly assessed as adult, when this decision is overturned they will be moved out of adult accommodation.⁶⁰³ Concerns have been raised about children being wrongly age disputed and inappropriately housed in adult accommodation.⁶⁰⁴

⁵⁹⁶ Home Office, 'Asylum support contracts safeguarding framework', 12 August 2025, available [here](#).

⁵⁹⁷ Home Office, 'Healthcare needs and pregnancy dispersal policy', 28 January 2016, available [here](#).

⁵⁹⁸ ICIBI, 'An inspection of contingency asylum accommodation May 2021 to November 2021', 12 May 2022, paragraphs 9.19 to 9.22 available [here](#).

⁵⁹⁹ High Court, *DXK, R (On the Application Of) v Secretary of State for the Home Department (Rev1)* [2024] EWHC 579 (Admin), available [here](#).

⁶⁰⁰ Helen Baillet and Elaine Connelly, 'Women seeking asylum: safe from violence in the UK?', 2018, available [here](#).

⁶⁰¹ Home Office, 'Responding to reports of domestic abuse from asylum seekers', 25 November 2024, available [here](#).

⁶⁰² Home Office, 'Modern Slavery: statutory guidance for England and Wales (under s49 of the Modern Slavery Act 2015) and non-statutory guidance for Scotland and Northern Ireland', 17 March 2026, available [here](#).

⁶⁰³ Home Office, 'Assessing age', 23 December 2025, available [here](#).

⁶⁰⁴ Refugee Council, "'It's not my real age!' Hundreds of refugee children put at risk", 24 April 2024, available [here](#).

They should be looked after according to the same standards as other young people in the care of local authorities.⁶⁰⁵ There is little practical guidance for social workers on the specific needs of these children, although statutory guidance for England and Wales was reissued in 2017 and contains more practical guidance.⁶⁰⁶ The joint safeguarding strategy published in November 2017 identified future work such as resources for professionals, guidance and training.⁶⁰⁷ An update of this work in 2019 shows that much is still to be completed.⁶⁰⁸ As of February 2026, no update has been issued since then.

A mix of accommodation is used; and data was provided as of March 2023 provided for those who are aged 16 to 17. 42% of unaccompanied asylum seeking children were living independently and 45% in semi-independent accommodation, compared to the average of 23%.⁶⁰⁹

In practice the experience of these children varies; some make good relationships with their carer and feel fully supported. Some are very confused and frightened, are not treated well, and do not have a named social worker responsible for them. The named social worker is responsible for the implementation of the care plan which details how the child should be looked after through the process. This includes helping them to find a legal representative. Many discharge this function through referral to the Refugee Council's Independent Unaccompanied Asylum-Seeking Children Support Service (formerly named the Panel of Advisers); funded by the Home Office since 1994 to assist unaccompanied children through the asylum process including finding legal representatives for the children.⁶¹⁰

Some local authorities, such as those with a port of entry and immigration control within their boundary, have become responsible for a disproportionate number of unaccompanied children, as the responsibility lies with the local authority where the child is first identified. When numbers started to rise in 2015-2016, particularly around the port of **Dover**, some local authorities, particularly **Kent**, reported that they were finding it difficult to look after them appropriately and asked other local authorities to offer placements for them.

The Immigration Act 2016 included provision for the legal transfer of responsibility from the initial local authority to a second local authority that has volunteered to take over the care. Initially possible only in **England**; in 2018 the government extended it to **Scotland, Wales** and **Northern Ireland**.⁶¹¹ Funding is provided to local authorities for the care of unaccompanied children and those who have left care but are still the responsibility of the local authority.⁶¹²

The Refugee Children's Consortium produced a briefing note outlining some of its members' concerns about the operation of the transfer scheme, particularly focusing on the difficulties children face when their transfer is uncertain or delayed.⁶¹³ There had been a drop in the overall numbers transferred since the scheme began; however, the numbers rose in 2020, largely due to the declaration in August that **Kent** County Council (responsible for children arriving at the port of Dover) had reached their capacity and would not be taking children into its care. Children were transferred directly from the port to local

⁶⁰⁵ Department of Education, 'The Children Act 1989 guidance and regulations Volume 2: care planning, placement and case review', 8 July 2021, available [here](#).

⁶⁰⁶ Department of Education, 'Statutory guidance for unaccompanied migrant children and victims of modern slavery', 1 November 2017, available [here](#).

⁶⁰⁷ Government, 'Joint Safeguarding Strategy', November 2017, available [here](#).

⁶⁰⁸ Letter to the Chair of the Education Select Committee, June 2019, available [here](#).

⁶⁰⁹ Department of Education, 'Looked after children aged 16 to 17 in independent or semi-independent placements, 23 March 2023, available [here](#).

⁶¹⁰ Refugee Council, 'Independent Unaccompanied Asylum-Seeking Children Support Service (IUSS)', available [here](#).

⁶¹¹ The Transfer of Responsibility for Relevant Children (Extension to Wales, Scotland and Northern Ireland) Regulations 2018, available [here](#).

⁶¹² Home Office, 'Unaccompanied asylum-seeking children and leaving care: funding instructions', 25 November 2025, available [here](#).

⁶¹³ Refugee Children's Consortium, Briefing on the National Transfer Scheme, August 2017, available [here](#).

authorities around the country. A report by the Children’s Commissioner for **England** was critical of the time some children spent at the port awaiting transfer.⁶¹⁴

The situation continued in 2021, during which time the Refugee Council and others wrote to the Children’s Minister expressing concerns and urging action to resolve the issue.⁶¹⁵ Kent once again announced that it was no longer prepared to take unaccompanied children into its care. The government announced changes to the way the scheme would be run in July 2021⁶¹⁶ but children were housed in hotels, outside of the local authority care system⁶¹⁷ and the scheme was made mandatory at the end of the year.⁶¹⁸ Further changes were made to the National Transfer Scheme in 2022 relating to the allocation and timings of transfers.⁶¹⁹

However, the use of hotels continued and was the subject of scrutiny by NGOs,⁶²⁰ parliamentarians⁶²¹ and the Independent Chief Inspector of Borders and Immigration, whose inspection between March and May 2022 was assisted by Ofsted, which has responsibility for inspection and scrutiny of statutory services for children. The ICIBI report was damning of the principle of this arrangement and of the standard of care provided. Issues included a lack of security checks carried out on staff, lack of access to full education, only one hotel with an operational kitchen, nurses unable to prescribe basic medication.⁶²² The Chief Inspector of Ofsted mentioned this issue in her annual speech to Children’s Services professionals.⁶²³

The Home Office’s systematic and routine use of hotels as accommodation for unaccompanied asylum seeking children was successfully challenged.⁶²⁴ As of January 2024 the government reported that there were no unaccompanied children in hotels.⁶²⁵

The total number of unaccompanied children seeking asylum cared for by local authorities in England is published regularly. For the year ending March 2025 this figure was 6,540 which is 8% of the total population of children cared for by local authorities in **England**.⁶²⁶ The proportion of looked after children in Wales who are unaccompanied asylum seeking children has increased in recent years, from around 1% over the period 2017 to 2021, to 4.7% of the 7,198 looked after children in the year ending March 2024.⁶²⁷ The governments of **Scotland** and **Northern Ireland** do not publish statistics of this kind.

Once a claim has been refused and asylum appeal rights have been exhausted the care of young people over 18 is often limited to those for whom a withdrawal of support would breach their human rights. This tends to be a more minimal provision than that provided to other young people. Provisions of the Immigration Act 2016 will restrict further the support that local authorities can provide to those over 18

⁶¹⁴ Children’s Commissioner, ‘Detention of unaccompanied children arriving in Kent during 2020’, 5 February 2021, available [here](#).

⁶¹⁵ Refugee Council and others to the Children’s Minister, ‘Refugee Council and seven national charities call on Children’s Minister Vicky Ford to protect every unaccompanied child’, 28 January 2021, available [here](#).

⁶¹⁶ Government, Changes to the National Transfer Scheme, 10 June 2021, available [here](#).

⁶¹⁷ Correspondence between the Home Affairs Select Committee and the Home Office on unaccompanied children in hotels, available [here](#).

⁶¹⁸ Department for Education and Home Office, ‘National Transfer Scheme Protocol for Unaccompanied Asylum Seeking Children – Version 8.0’, 27 June 2025, available [here](#).

⁶¹⁹ Ibid.

⁶²⁰ ECPAT UK, *Outside the frame: Unaccompanied children denied care and protection*, available [here](#).

⁶²¹ UK Parliament, ‘Written question UIN 11682: Asylum: Children’, answered 21 June 2022, available [here](#).

⁶²² ICIBI, ‘An inspection of the use of hotels for housing unaccompanied asylum-seeking children (UASC) – March-May 2022’, October 2022, available [here](#).

⁶²³ Transcript available [here](#).

⁶²⁴ High Court, *R (on the application of ECPAT UK) v Kent County Council and another*, [2023] EWHC 1953 (Admin), available [here](#).

⁶²⁵ UK Parliament, ‘Written question UIN 11353 Asylum: Children’, 29 January 2024, available [here](#).

⁶²⁶ Department for Education, ‘Children looked after in England including adoptions’, 26 November 2025, available [here](#).

⁶²⁷ Welsh Government, ‘Children looked after by local authorities, April 2023 to March 2024’, 28 January 2025, available [here](#).

who are appeal rights exhausted but this has not yet been enacted still in 2023. Those who have leave, as a refugee or otherwise, will receive assistance from the local authority in line with British citizens in the same situation, under the Children (Leaving Care) Act⁶²⁸ which will include help with accessing housing.

F. Information for asylum applicants and access to reception centres

1. Provision of information on reception

Paragraph 358 of the Immigration Rules is the only provision in law on information concerning reception conditions. It says that asylum applicants should be informed no later than 15 days after their claim is registered of the benefits and services that they are entitled to. They should also be told of the rules and procedures they must comply with, and be provided with information on non-governmental organisations that can provide legal or other assistance. Where possible this should be provided in a language understood by the applicant. Paragraph 344C requires a person who is granted asylum to be provided with access to information, as soon as possible, in a language that they may reasonably be supposed to understand which sets out the rights and obligations relating to refugee status.⁶²⁹

The charity Migrant Help has been providing the Asylum Support Applications UK and Asylum Advice and Guidance services since 2013. In 2019 they retained the contract under a new tender, called Advice, Issue Reporting and Eligibility. They provide general information, advice and guidance through a Telephone Advice Centre, or face-to-face appointments at the initial accommodation centres or outreach sessions. In the first few months of the new contract the organisation was heavily criticised for failing to respond to the number of calls they were receiving. A number of NGOs wrote to the government to highlight their concerns in this regard.⁶³⁰ Migrant Help's regular newsletters have sought to address concerns with regular updates about what action they are taking to improve the access to the service.⁶³¹ Multilingual information is given via Migrant Help's website in different forms: web/video presentations, audio briefings and written briefings. These are in 15 languages and may be downloaded.

Asylum applicants are asked at the screening interview if they wish to apply for support. Apart from the difficulties in claiming (see section on [Criteria and Restrictions to Access Reception Conditions](#)), there are no other significant reported problems in obtaining access to initial support including s.95. Initial information appears to be adequate.

2. Access to reception centres by third parties

Indicators: Access to Reception Centres

1. Do family members, legal advisers, UNHCR and/or NGOs have access to reception centres?

Yes

With limitations

No

Contract terms between the Home Office and the private companies provide that there shall be access and facilities in initial accommodation for nominated third parties, including NGOs, UNHCR and legal advisers. Advice and guidance on the asylum process, asylum support applications, welfare and life in the UK is delivered free by the charity Migrant Help, funded by the Home Office. Advice is generally available in person at the initial accommodation centres. There is usually access to an initial health screening, often provided by a local enhanced primary care service, homeless health service or a General Practitioner.

⁶²⁸ Children (Leaving Care) Act 2000. Devolved governments have similar provisions.

⁶²⁹ Immigration Rules, pt 11, para 344C.

⁶³⁰ Letter to Minister of State, 30 October 2019, available [here](#).

⁶³¹ Migrant Help, AIRE newsletters, available [here](#).

In at least some regions the obligation to give access to legal advisers is met by an electronic appointments system in the initial accommodation centre. Through this, appointments are made with local solicitors or legal representatives who have the legal aid contract and facilities to be able to offer advice in an office that is close enough to the centre to be accessible for the asylum applicant to find their own way there. In 2023 a charity, Care4Calais, was reportedly banned from attending a reception centre at Napier barracks for encouraging people in there to talk to the media.⁶³² Reception centres are generally not permitted to have social visitors.⁶³³

G. Differential treatment of specific nationalities in reception

There is no differential treatment relating to nationality.

⁶³² Peter Walker, 'Home Office barred charity over claims it encouraged asylum seeker 'complaints'', *The Guardian*, 10 November 2023, available [here](#).

⁶³³ ICIBI, 'A re-inspection of Napier Barracks', March 2022, para 4.60, available [here](#).

Detention of Asylum Applicants

A. General

Indicators: General Information on Detention

1. Total number of people entering detention in 2025: 22,996 (13,418 asylum, 9,578 non-asylum)
2. Number of people in detention at the end of 2025: 2,090⁶³⁴
3. Number of detention centres: 11⁶³⁵
4. Total capacity of detention centres: 2,640⁶³⁶

When asylum applicants are detained, they are detained in immigration removal centres (IRC), usually under the same legal regime and in the same premises as other people subject to immigration detention. The centres consist of eight IRCs and three short-term holding facilities (STHF). The published statistics now include immigration detainees held in prisons; there were 130 immigration detainees held in prison at the end of 2025, but it is not known how many of these claimed asylum either prior to being detained or while in detention.⁶³⁷

Detention during the asylum decision-making process is not usual although those who have arrived via the Channel are likely to be detained on arrival at Manston asylum processing centre while their asylum claim is registered and accommodation found for them.⁶³⁸ People were supposed to be held there for a maximum of five days but in 2022 were spending considerably longer there, with the ICIBI finding one family who had been there for 32 days.⁶³⁹

Most asylum applicants whose claim has not yet been decided are at liberty on a status known as [immigration bail](#). In [non-suspensive appeal cases](#), although the individual is not always detained, detention is more common than in the regular procedure.

If the person is already in immigration detention when they claim asylum, whether they are then released will be determined by whether criteria for detention continue to exist after the asylum claim has been made. These are the criteria set out in the section on [Grounds for Detention](#). Making an asylum claim does not of itself secure release.

Former asylum applicants may also be detained after their claim has been refused, in preparation for removal. Most of the content of this chapter therefore refers to former asylum applicants who are detained in preparation for removal, after final refusal of their claim.

The number of people who had sought asylum at some point during their time in the UK and have been detained in recent years is as shown in the table below.

⁶³⁴ Home Office statistics, 'Detention summary tables, year ending December 2025', table Det_01, 26 February 2026, available [here](#).

⁶³⁵ Including three of the short-term holding facilities, available [here](#).

⁶³⁶ Estimated using figure from June 2025 as given in the Home Office response to written question UIN 56614 available [here](#), plus the confirmed capacity of Campsfield IRC when opened, see Campsfield immigration removal centre: factsheet updated 9 December 2025, available [here](#).

⁶³⁷ Home Office statistics, 'Detention summary tables, year ending December 2025', table Det_03a, 26 February 2026, available [here](#).

⁶³⁸ UK government, 'New secure site for processing illegal migrants', 15 December 2021, available [here](#).

⁶³⁹ ICIBI, 'A reinspection of the initial processing of migrants arriving via small boats, including at Western Jet Foil and Manston', June 2023, available [here](#).

"Asylum detainees" in the United Kingdom: 2017-2025		
	Detentions throughout the year	Detained at the end of the year
2017	12,921	1,508
2018	13,168	1,085
2019	14,465	994
2020	9,806	438
2021	20,166	622
2022	14,794	1,159
2023	10,572	1,782
2024	11,846	1,940
2025	13,418	2,090

Source: Home Office, *Immigration statistics, Detention summary tables Det_01*. Note that this does not necessarily mean detention of asylum applicants during the course of the procedure. Also note that the data for those held in detention at the end of the year from 2022 onwards includes asylum and non-asylum applicants.

There is published guidance relating to asylum claims made from detention.⁶⁴⁰ It is aimed at those considering asylum claims from people detained at the point of making their claim, as well as considering the detention of people during their claim. It does not replace or replicate other guidance on consideration of asylum claims; it is complementary to other guidance. UNHCR carried out an audit of these processes and published a report in 2023 and found that improvement was required in order to ensure that international standards were being met. They made several recommendations including the improvement of training, ensuring that country of origin information is used correctly, and that full justifications are recorded in support of a decision to detain.⁶⁴¹

B. Legal framework of detention

1. Grounds of detention

Indicators: Grounds for Detention

1. In practice, are most asylum applicants detained

❖ on the territory:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
❖ at the border:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

2. Are asylum applicants detained in practice during the Dublin procedure? N/A

3. Are asylum applicants detained during a regular procedure in practice?

<input type="checkbox"/> Frequently	<input checked="" type="checkbox"/> Rarely	<input type="checkbox"/> Never
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There are no special grounds in legislation for the detention of asylum applicants. They may be detained on the same legal basis as others who are subject to immigration control. There is a power to detain pending examination and a decision as to whether to grant leave to enter or remain; pending a decision as to whether to remove; and pending removal. People who arrive irregularly will often be detained pending initial examination, for example at Manston processing centre for those who arrive via the Channel. The latter two powers are usually used for people who have been unsuccessful in their asylum claim and no longer have permission to be in the UK.

⁶⁴⁰ Home Office, 'Detained Asylum Casework (DAC) – asylum process', 20 December 2024, available [here](#).

⁶⁴¹ UNHCR, 'A review of decision-making in the Detained Asylum Casework Procedure', 2023, available [here](#).

This power may only be exercised if there is a policy reason to detain this person. The Illegal Migration Act 2023 amended the detention powers with effect from 28 September 2023, the main changes are that it is now for the Secretary of State to decide what a reasonable period of detention is for a person and where release is deemed appropriate the person can be detained as long as reasonable necessary while arrangements for release are made.⁶⁴² The latter change was made in response to the Secretary of State losing a judicial review challenging delays in arranging asylum accommodation for people in detention.⁶⁴³

The six reasons a person can be detained are that:

- ❖ The person is likely to abscond if granted immigration bail;
- ❖ There is currently insufficient reliable information to decide whether to release them (for instance their identity cannot be verified);
- ❖ Removal from the United Kingdom is imminent;
- ❖ The person needs to be detained whilst alternative arrangements are made for their care;
- ❖ Release is not considered conducive to the public good;
- ❖ The application may be decided quickly using the fast track procedures.⁶⁴⁴

Whether a person is likely to abscond is decided on the basis of such factors as whether they have absconded before, whether they have a criminal record, whether they have significant relationships in the UK, whether they have reported regularly to the Home Office if required to do so.

Most asylum applicants are not detained for long periods before their claim is decided, although the introduction of a non-residential short-term holding facility at the former military facility in Manston, Kent, resulted in many people being held for longer than allowed in law. The rapid deterioration in the system is illustrated in the difference between the report of the Prison’s Inspectorate visit in August 2022⁶⁴⁵ and the evidence given to a parliamentary committee by the Borders Inspectorate in October 2022 (see [short-term holding facilities](#)).⁶⁴⁶

2. Alternatives to detention

Indicators: Alternatives to Detention

1. Which alternatives to detention have been laid down in the law?
 - Reporting duties
 - Surrendering documents
 - Financial guarantee
 - Residence restrictions
 - Other: Tagging
2. Are alternatives to detention used in practice? Yes No

Alternatives to detention are permitted by legislation but not required. Permitted are:

- (a) Electronic tagging;⁶⁴⁷
- (b) Regular reporting;⁶⁴⁸
- (c) Bail with sureties;⁶⁴⁹

⁶⁴² Illegal Migration Act 2023, s 12, available [here](#).

⁶⁴³ High Court, *Humnyntskyy & Ors, R (On the Application Of) v Secretary of State for the Home Department* [2020] EWHC 1912 (Admin), available [here](#).

⁶⁴⁴ Home Office, ‘Detention: General Instructions’, 1 December 2025, available [here](#).

⁶⁴⁵ HMIP, ‘Report on an unannounced inspection of the short-term holding facilities at Western Jetfoil, Lydd Airport and Manston’, April 2022, available [here](#).

⁶⁴⁶ Evidence to the Home Affairs Select Committee October 2022, available [here](#).

⁶⁴⁷ AITOCA, s 36.

⁶⁴⁸ Immigration Act 1971, sch 2, para 21(2).

⁶⁴⁹ Immigration Act 2016, sch 10, s 61.

(d) Residence restrictions.⁶⁵⁰

Guidelines say that detention should only be used as a last resort. However, no proof is required that alternatives are not effective. Residence restrictions is routinely applied to all asylum applicants, and bail will always include residence restrictions and for some, regular reporting. Breach of these conditions may result in detention.

Electronic tagging is in frequent use and may be a bail condition. Numbers of asylum applicants tagged are not available.

The guidance on Immigration Bail includes the process for referring detainees for automatic bail consideration, in most cases, four months after the person was first detained and every four months thereafter.⁶⁵¹

An inquiry by the parliamentary Joint Committee on Human Rights carried out an inquiry into immigration detention and published evidence as it was submitted (oral and written), including evidence from the government.⁶⁵² In evidence to the Committee the Immigration Minister stated that in the 10 months since the automatic bail policy was introduced 10% of automatic bail hearings resulted in the detainee being granted bail.⁶⁵³

In 2021 the All Party Parliamentary Group on Detention published a report into 'quasi detention which included those held in an Immigration Removal Centre as well as the former military barracks.'⁶⁵⁴

In response to the second report by Stephen Shaw, former Prisons and Probation Ombudsman, on the detention of vulnerable people,⁶⁵⁵ the government announced that some specific projects looking at alternatives to detention would be developed in partnership with the voluntary sector.⁶⁵⁶ Details of the first of these was announced in December 2018.⁶⁵⁷ UNHCR evaluated the pilots⁶⁵⁸ and published the first one in January 2022, looking at a project to avoid detaining women.⁶⁵⁹ The second and final report was published in 2023 and of the 84 people who participated, six were granted leave to remain and 52 others were advised that they may have grounds to stay in the UK. These were not necessarily asylum cases. One of the main issues highlighted in the report was the inaccessibility of legal aid and the problems this caused people in accessing rights they may be entitled to.⁶⁶⁰

⁶⁵⁰ Immigration Act 1971, sch 2, para 21(2).

⁶⁵¹ Home Office, 'Immigration bail', 22 January 2026, available [here](#).

⁶⁵² Minister of State for Immigration, 'Use of immigration detention: The Government's strategic approach', 3 December 2018, available [here](#).

⁶⁵³ Joint Committee on Human Rights, Oral evidence session, HC 1484, 5 December 2018, available [here](#).

⁶⁵⁴ APPG, 'Report of the Inquiry into Quasi-Detention', December 2021, available [here](#).

⁶⁵⁵ Stephen Shaw, 'Welfare in detention of vulnerable people review: progress report', July 2018, available [here](#).

⁶⁵⁶ Home Office, 'Home Secretary statement on immigration detention and Shaw report', 24 July 2018, available [here](#).

⁶⁵⁷ Home Office, 'New pilot schemes to support migrants at risk of detention', 3 December 2018, available [here](#).

⁶⁵⁸ UNHCR, 'Terms of reference: Evaluation of UK Home Office Alternatives to Detention Community Engagement Pilot Series', October 2019, available [here](#).

⁶⁵⁹ UNHCR, 'Evaluation of 'Action Access'; an alternatives to detention pilot', 2022, available [here](#).

⁶⁶⁰ UNHCR, 'Evaluation of the Refugee and Migrant Advice Service's Alternative to detention pilot', 2023, available [here](#).

3. Detention of vulnerable applicants

Indicators: Detention of Vulnerable Applicants

1. Are unaccompanied asylum-seeking children detained in practice?
 Frequently Rarely Never

❖ If frequently or rarely, are they only detained in border/transit zones? Yes No
2. Are asylum seeking children in families detained in practice?
 Frequently Rarely Never

Domestic policy is that vulnerable people are unsuitable for detention, and that they should only be detained exceptionally, or when their care can be satisfactorily managed. The relevant guidance is the ‘Adults at Risk in immigration detention’ and it permits the detention of vulnerable people in certain circumstances as identification as an adult at risk does not automatically result in release. A person will be considered an adult at risk if they say or if medical or other evidence is provided that they are suffering from a health condition or have experienced trauma (such as torture) that would mean they are particularly vulnerable to harm in detention. Alternatively, observations from members of staff that lead to a belief that the person is at risk could also lead to them being classed as an adult at risk under the policy.⁶⁶¹

Rule 35 of the Detention Centre Rules provides that where there is evidence that a detainee has been tortured, or for any other reason their health would be injuriously affected by detention, a report should be made to the caseworker for release to be considered. Rule 35 guidance was updated in 2019.⁶⁶²

Following a review of the treatment of vulnerable people in detention (“the Shaw Review”) in January 2016,⁶⁶³ NGOs expected that guidance would follow the main message of the report – that fewer people should be detained and that better systems need to be designed to reduce the number of vulnerable people detained. However, the Adults at Risk policy guidance issued in response to the report, which also fulfilled the requirements of section 59 of the Immigration Act 2016, makes it more difficult to secure release based for example on their experiences of torture or of their deteriorating mental health, as the policy expects a heavy evidential burden to be met.⁶⁶⁴ As a result, vulnerable people continue to be unlawfully detained.⁶⁶⁵

The definition in the Adults at Risk policy was more limited than that provided in the UN Convention against Torture (UNCAT). In a case brought by Medical Justice the definition in this new policy was challenged; the case was heard in March 2017 and judgment delivered in October 2017.⁶⁶⁶ At an early stage of the case the Home Office was ordered to revert to the more generous UNCAT definition, which as the case was successful, remains the policy.

Stephen Shaw, former Prisons and Probation Ombudsman, was asked to review the extent to which his recommendations have been met; this review began in autumn 2017 and was published in July 2018,⁶⁶⁷

⁶⁶¹ Home Office, ‘Adults at risk in immigration detention’, 16 March 2022, available [here](#) and Home Office, ‘Offender management: caseworker guidance’, 18 March 2024, available [here](#).

⁶⁶² Home Office, Detention services order 09/2016 Detention centre rule 35 and Short term Holding Facility rule 32, March 2019, available [here](#).

⁶⁶³ Stephen Shaw, ‘Review into the Welfare in Detention of Vulnerable Persons’, Cm 9186, January 2016, available [here](#).

⁶⁶⁴ Medical Justice, ‘Putting Adults at Risk’, 2018, available [here](#).

⁶⁶⁵ See e.g. Duncan Lewis, ‘Home Office Admits Unlawfully Detaining Person with Severe Mental Illness After Legal Claim’, 6 February 2024, available [here](#).

⁶⁶⁶ High Court, *Medical Justice and Others v Secretary of State for the Home Department Equality and Human Rights Commission (Intervener)* [2017] EWHC 2461 (Admin), available [here](#).

⁶⁶⁷ Stephen Shaw, ‘Welfare in detention of vulnerable people review: progress report’, July 2018, available [here](#).

alongside a response from the Home Secretary.⁶⁶⁸ The government has since then increased its use of detention, including of vulnerable people as a new policy on detaining victims of trafficking was published in November 2021.⁶⁶⁹

The ICIBI's second report into Adults at Risk⁶⁷⁰ concluded that the policy and practice improvements were moving at 'an unacceptably slow pace' even taking into account the difficulties posed by the Covid-19 pandemic. As with other ICIBI reports, the government response is published simultaneously⁶⁷¹ and only accepted the recommendations in part, including not wholly accepting that previous recommendations be implemented.

The ICIBI's third annual inspection found that the Rule 35 report process, which is supposed to identify people who will be harmed by detention, was not working as it should, and that there were delays as well as unfounded suspicions of abuse of the system by detention centre staff.⁶⁷² The response of the government at the time to this report was to stop the annual inspections of adults at risk in immigration detention.⁶⁷³

3.1. Detention of women

Pregnant women may only be detained where (a) they will shortly be removed from the UK; and (b) there are exceptional circumstances justifying detention. There is a time limit of no more than 72 hours or no more than seven days where authorised personally by a minister.⁶⁷⁴ The Home Office published specific guidance concerning the detention of pregnant women in November 2016.⁶⁷⁵

The only immigration removal centre exclusively for women is Derwentside immigration removal centre which opened in December 2021. In January 2026 HMIP gave a positive report following an unannounced inspection of the centre, saying that there was a "clear focus on welfare".⁶⁷⁶

3.2. Detention of children

Where a person is treated after screening as under 18 they are not detained. The published policy of the Home Office is that children may be detained for short periods pending removal if other steps in the family removal procedure do not result in their leaving the UK,⁶⁷⁷ and this is the purpose of the family 'Pre Departure Accommodation', which has been located at Tinsley House Removal Centre since May 2017. 47 children entered detention in 2023, 7 in 2024 and 27 in 2025.⁶⁷⁸

⁶⁶⁸ Home Office, 'Home Secretary statement on immigration detention and Shaw report', 24 July 2018, available [here](#).

⁶⁶⁹ Home Office, 'Offender management: caseworker guidance', 18 March 2024, available [here](#).

⁶⁷⁰ ICIBI, 'Second annual report into Adults at Risk in Immigration Detention', 21 October 2021, available [here](#).

⁶⁷¹ Government response to the second ICIBI report on Adults at Risk in Immigration detention available [here](#).

⁶⁷² ICIBI, 'Third annual inspection of Adults at Risk Immigration Detention June to September 2022', 12 January 2023, available [here](#).

⁶⁷³ Rajeev Syal and Diane Taylor, 'Braverman stopped immigration centre inspections despite safeguarding warnings', *The Guardian*, 19 September 2023, available [here](#).

⁶⁷⁴ Immigration Act 2016, s 60.

⁶⁷⁵ Home Office, 'Detention Services Order – Pregnant women in detention', 1 November 2016, available [here](#).

⁶⁷⁶ HMIP, 'Derwentside IRC: a clear focus on women's welfare driving positive outcomes', 6 January 2026, available [here](#).

⁶⁷⁷ Home Office, Family Returns Process operational Guidance, available [here](#): November 2023.

⁶⁷⁸ Home Office statistics, 'Detention summary tables, year ending December 2025', table Det_02b, 26 February 2026, available [here](#).

It is not known how many age disputed children are detained, the guidance states that the threshold for anyone claiming to a child is high and that caution must be exercised against detention.⁶⁷⁹

3.3. Detention of seriously ill persons

The High Court has found a number of breaches of Article 3 ECHR in relation to the detention of severely mentally ill people and such detention has also repeatedly been found unlawful under domestic law and in the Court of Appeal.⁶⁸⁰ Torture survivors continue to be detained even after Rule 35⁶⁸¹ reports (see section on [Special Procedural Guarantees](#)).⁶⁸² There have been numerous reports on the damage caused to detainees' mental health, including suicidal ideation, self-harm, depression and post-traumatic stress disorders.⁶⁸³

4. Duration of detention

Indicators: Duration of Detention	
1. What is the maximum detention period set in the law (incl. extensions):	
❖ Pregnant women and children	72 hours, or 7 days
❖ Other groups	None
2. In practice, how long in average are asylum applicants detained?	Not available

The Home Office is responsible for ordering detention of asylum applicants. There is no maximum period set in law, with the exception of detention of pregnant women and children which cannot exceed 72 hours, or 7 days with Ministerial approval. The Illegal Migration Act 2023 contains powers to detain children without a time limit, however these were never commenced and the Border Security, Asylum and Security Bill will repeal these provisions.

During 2025, 13,640 asylum applicants and 9,154 non-asylum applicants left immigration detention.⁶⁸⁴ While data on length of immigration detention is available, the figures do not distinguish between asylum applicants and other immigration detainees. Periods of immigration detention including asylum applicants and other foreign nationals vary enormously from a few days to several years.

Duration of stay in detention 2019 - 2024							
	2019	2020	2021	2022	2023	2024	2025
Less than one month	18,076	11,968	21,074	14,150	11,539	13,437	15,442
From one month to two months	3,622	1,770	1,428	2,862	3,151	3,681	3,987

⁶⁷⁹ Home Office, 'Assessing age for asylum applicants: caseworker guidance', 23 December 2025, available [here](#).

⁶⁸⁰ For example, High Court, *R (on the application of Lamari) v Secretary of State for the Home Department* [2012] EWHC 1630, available [here](#) and Court of Appeal, *R (on the application of Das) v Secretary of State for the Home Department* [2014] EWCA Civ 45, available [here](#), High Court, *R (on the application of MD) v Secretary of State for the Home Department* [2014] EWHC 2249 (Admin), available [here](#).

⁶⁸¹ Rule 35 Detention Centre Rules, available [here](#).

⁶⁸² ICIBI, 'Third annual inspection of Adults at Risk Immigration Detention June to September 2022', 12 January 2023, available [here](#).

⁶⁸³ Helen Bamber Foundation, 'The impact of immigration detention on mental health', September 2022, available [here](#).

⁶⁸⁴ Home Office, 'Immigration system statistics data tables, Immigration detention detailed datasets, year ending December 2025', table Det_01, available [here](#).

From two to four months	1,869	1,023	1,061	1,610	1,980	2,142	2,425
From four months to 12 months	849	641	710	735	1,004	1,065	864
From one to two years	122	100	79	72	118	85	69
At least two years	6	8	10	18	46	12	7

Source: Home Office, *Immigration Statistics, Detention*, table Det_D03.

The longest periods of detention are usually of people awaiting deportation after having served a criminal sentence.

C. Detention conditions

1. Place of detention

Indicators: Place of Detention

1. Does the law allow for asylum applicants to be detained in prisons for the purpose of the asylum procedure (i.e. not as a result of criminal charges)? Yes No
2. If so, are asylum applicants ever detained in practice in prisons for the purpose of the asylum procedure?⁶⁸⁵ Yes No

1.1. Immigration Removal Centres (IRC)

There were 7 Immigration Removal Centres (IRC) during 2025 where immigration detention was implemented:⁶⁸⁶

Immigration Removal Centres						
IRC	Population detained	Capacity	Occupancy end 2022	Occupancy end 2023	Occupancy end 2024	Occupancy end 2025
Brook House	Men	450 ⁶⁸⁷	161	314	349	315
Campsfield	Men	160 ⁶⁸⁸	0	0	0	21
Colnbrook	Men; women	330 ⁶⁸⁹	185	256	327	230
Derwentside	Women	84 ⁶⁹⁰	29	40	61	61

⁶⁸⁵ If a person claims asylum from prison, they will be kept there.

⁶⁸⁶ Home Office, 'Immigration system statistics data tables, Immigration detention detailed datasets, year ending December 2023', table Det_02, available [here](#).

⁶⁸⁷ HMIP, 'Report on an unannounced inspection of Brook House Immigration Removal Centre', September 2022, available [here](#).

⁶⁸⁸ Home Office, 'Campsfield immigration removal centre: factsheet', 9 December 2025, available [here](#).

⁶⁸⁹ HMIP, 'Report on an unannounced inspection of Colnbrook Immigration Removal Centre', June 2022, available [here](#).

⁶⁹⁰ HMIP, 'Report on an unannounced inspection of Derwentside Immigration Removal Centre', December 2022, available [here](#).

Dungavel House	Men; women	125 ⁶⁹¹	38	87	106	106
Harmondsworth	Men	635	72	507	459	687
Tinsley House	Men; families	162	39	107	122	132
Yarl's Wood	Men; women	410 ⁶⁹²	235	351	383	387
Total	/	2,196	759	1,662	1,807	1,939

Source: Home Office statistics year ending December 2025, table Det_D02.

1.2. Short-Term Holding Facilities (STHF)

There are currently 4 residential Short-Term Holding Facilities (STHF), which can hold detainees for up to seven days, in addition to a small facility in Yarl's Wood, where some people are detained for screening. Many airports or reporting centres have short-term holding facilities where people are held under detention powers for up to 24 hours. An inspection of the facilities receiving those arriving at the port of Dover, drew attention to the poor conditions in which new arrivals were held.⁶⁹³

In 2024, it was reported that from January 2022 to October 2023 there were 369 unaccompanied children held in the UK run facilities in France.⁶⁹⁴ An inspection of those facilities in November 2024 found that some of the facilities were in poor condition, there were safeguarding issues and that two children had been re-trafficked from the centres.⁶⁹⁵

Short-Term Holding Facilities					
STHF	Capacity	Occupancy end 2022	Occupancy end 2023	Occupancy end 2024	Occupancy end 2025
Larne House	19	0	1	3	2
Manchester	32		4	18	14
Swinderby	39	3	9	5	5
Total	59	6	14	26	21

Source: Home Office, *Immigration system statistics data tables, Immigration detention detailed datasets, year ending December 2025*, table Det_02, available [here](#).

Manston short term holding facility was opened in early 2022 and concerns were raised about overcrowded accommodation, inadequate sanitation, spread of infectious diseases, inadequate access to healthcare and safeguarding failures, as a result of which there was litigation seeking a public inquiry into the use of the site.⁶⁹⁶ In January 2025 the government conceded the litigation and an Article 3

⁶⁹¹ HMIP, 'Report on an unannounced inspection of Dungavel Immigration Removal Centre', November 2021, available [here](#).

⁶⁹² Independent Monitoring Board, 'Annual Report', June 2022, available [here](#).

⁶⁹³ HMIP, 'Report on an unannounced inspection of Tug Haven, Kent Intake Unit and Frontier House', October 2021, available [here](#).

⁶⁹⁴ Camille Corcoran and Rajeev Syal, 'Alarming' number of lone children held in UK-run facilities in France', *The Guardian*, 5 May 2024, available [here](#).

⁶⁹⁵ HMIP, 'Short-term holding facilities at France-UK Borders', 24 February 2025, available [here](#).

⁶⁹⁶ Wilsons LLP, 'High Court grants permission in Manston Article 3 inquiry judicial review', December 2023, available [here](#).

compliant public independent inquiry will take place with funded legal representation for participants.⁶⁹⁷ The first preliminary hearing took place on 15 January 2026.⁶⁹⁸

The Council of Europe⁶⁹⁹ and the Independent Monitoring Board raised similar concerns.⁷⁰⁰ In November 2022 a man died from suspected diphtheria.⁷⁰¹ Following an inspection from January to February 2023, the Independent Chief Inspector of Borders and Immigration found that conditions had improved but concerns remained about the site's ability to handle large numbers of arrivals.⁷⁰² He also reported that the capacity had been increased from 1,600 to 3,200 as at October 2022.

In 2023 the Manston processing centre was designated as new type of short-term holding facility with more restrictive provisions than the other STHFs in areas including visitors, access to the internet and correspondence. It also provided for people to be held there for four days, which can be extended.⁷⁰³ Concerns were raised by the House of Lords' Secondary Legislation Scrutiny Committee⁷⁰⁴ but the changes were passed without amendment.⁷⁰⁵

1.3. Prisons

During 2025, 2,948 individuals were detained under Immigration Act powers in prisons in **England** and **Wales**.⁷⁰⁶ At the end of 2025 there were 130 people detained in prisons on this basis.⁷⁰⁷ It is not recorded whether any and if so how many of these people had at any point claimed asylum. People who have unsuccessfully claimed asylum are normally detained in immigration removal centres (IRC) in preparation for removal together with other third-country nationals who are there for immigration reasons. They are not detained in prisons purely in order to process an asylum claim or to remove them after they have been refused asylum.

If someone who is serving a prison sentence claims asylum, including if they do so in response to a decision to deport them, they may continue to be detained in prison while their asylum claim is processed. There is no data presently available on the extent of this. The practice of holding immigration detainees in prison is problematic, as detainees in prison experience much greater barriers to accessing legal advice and basic information about their rights, particularly in isolated local prisons.

There is no regular advice surgery as there is in the IRC, and detention of a person held under immigration powers in a prison is not governed by the Detention Centre Rules and Orders. This means that the detainee may have legal advice on their asylum claim if they can contact an adviser outside the prison, and if necessary obtain legal aid to fund the advice, but there is no on-site access to asylum advice.

⁶⁹⁷ Jed Pennington, 'Home Office settles Manston inquiry judicial review', *Free Movement*, 17 January 2025, available [here](#).

⁶⁹⁸ Manston Inquiry, 'News & Updates', 15 December 2025, available [here](#).

⁶⁹⁹ Council of Europe, 'Council of Europe anti-torture Committee (CPT) published report on its 2022 ad hoc visit to the United Kingdom', 29 June 2023, available [here](#).

⁷⁰⁰ Kent Coast Short Term Holding Facilities (STHF) 2022 annual report published, 23 October 2023, available [here](#).

⁷⁰¹ The Guardian, 'Manston asylum centre death may have been caused by diphtheria', 26 November 2022, available [here](#).

⁷⁰² Independent Chief Inspector of Borders and Immigration, 'Inspection report published: An inspection of the initial processing of migrants arriving via small boats, including at Western Jet Foil and Manston (January – February 2023)', 15 June 2023, available [here](#).

⁷⁰³ The Short-term Holding Facility (Amendment) Rules 2022, available [here](#).

⁷⁰⁴ Secondary Legislation Scrutiny Committee, 'Twenty Fifth Report', 19 January 2023, available [here](#).

⁷⁰⁵ Hansard House of Lords, 'Short-term Holding Facility (Amendment) Rules 2022 Volume 829', 18 April 2023, available [here](#).

⁷⁰⁶ Home Office, 'Immigration system statistics data tables, Immigration detention detailed datasets, year ending December 2025', table Det_D01, 26 February 2026, available [here](#).

⁷⁰⁷ Home Office, 'Immigration system statistics data tables, Immigration detention detailed datasets, year ending December 2025', table Det_02, 26 February 2026, available [here](#).

There is an agreement between His Majesty’s Prison and Probation Service and the Home Office for immigration detainees up to a specified limit to be held in the prison estate. Detention policy specifies the criteria for detaining a person in a prison for immigration reasons after they have served their criminal sentence. There is a presumption that those who are deemed to be a risk for national security, criminality or specific harm reasons will remain in or be transferred to immigration detention in prison. Other categories, including lower levels of criminality and security risks, will usually be transferred to or remain detained in prison, subject to exceptions. If there are remaining prison beds available after being filled with people from these categories, then the presumption is that the rest of the spaces available will be filled by other time served Foreign National Offenders. Those detained in prison may request a transfer to an IRC.⁷⁰⁸

A court case in 2019 established that it is not necessary for the safeguards for vulnerable immigration detainees in prisons to be equivalent to those in Immigration Removal Centres.⁷⁰⁹ This case was overturned (in respect of the safeguards) by the Court of Appeal.⁷¹⁰

2. Conditions in detention facilities

Indicators: Conditions in Detention Facilities

- | | | |
|---|---|--|
| 1. Do detainees have access to health care in practice? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ If yes, is it limited to emergency health care? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

2.1. Overall conditions

The purpose-built IRCs (**Colnbrook**, **Brook House** and the later wings at **Harmondsworth**) are built to ‘Category B’ (high security) prison designs, and are run by private security companies. While some efforts are made by contractors to distinguish regimes from those in prisons, in practice the physical environment means that most detainees experience these centres as prisons.⁷¹¹ The Council of Europe’s Committee for the Prevention of Torture raised concerns about the use of these prison-like facilities.⁷¹² Concerns continue to be raised about **Brook House** looking and feeling like a prison, with inadequate ventilation of cells and inability to open windows.⁷¹³

Women are detained separately from men⁷¹⁴ except at **Dungavel** or where they are a family. **Tinsley House** has accommodation for two family groups at a time⁷¹⁵.

In theory health care provided to detainees is not limited to emergency health care; however, in practice detainees have difficulty obtaining access to care. Inspection reports frequently mention issues concerning the care of vulnerable individuals.⁷¹⁶ A report by the British Medical Association expressed concern at how health needs were met in detention, as well as commenting that some disabilities are not

⁷⁰⁸ Home Office, ‘Detention: general instructions’, 22 January 2026, available [here](#).

⁷⁰⁹ High Court, *MR (Pakistan) and Ors*, EWHC 3567 (Admin), Case No: CO/2701/2018 & CO/4233/2018, 20 December 2020, available [here](#).

⁷¹⁰ Court of Appeal, *MR (Pakistan) & Anor v Secretary of State for Justice & Orse* [2021] EWCA Civ 541 [2021] EWCA Civ 541, 14 April 2021, available [here](#).

⁷¹¹ See e.g. Brook House Inquiry Report, 2023, available [here](#).

⁷¹² Council of Europe’s Committee for the Prevention of Torture, ‘Anti-torture committee highlights immigration issues in the UK’, 8 February 2024, available [here](#).

⁷¹³ HMIP, ‘Report on an independent review of progress at Brook House IRC 29-31 July 2025’, 1 September 2025, available [here](#).

⁷¹⁴ Independent Monitoring Boards, ‘The re-purposing of Yarl’s Wood IRC leads to a challenging year’, 7 July 2023, available [here](#).

⁷¹⁵ HMIP, ‘Report on an unannounced inspection of Tinsley House Immigration Removal Centre (17 April – 5 May 2023)’, 7 August 2023, available [here](#).

⁷¹⁶ HM Inspector of Prisons, ‘Annual Report, 2024-25’, 8 July 2025, available [here](#).

identified.⁷¹⁷ Medical Justice published a report in 2025 which continued to find issues with the quality of healthcare in detention, with missed diagnoses of mental health conditions and the quality of healthcare not reaching the equivalent of that provided in the community.⁷¹⁸

Provision of showers, laundry facilities, etc. is usually to an adequate level so that detainees have access, but standards of cleanliness and repair are variable, with some detention centres having a much better maintained environment⁷¹⁹ and others poor. In particular some of the older prison buildings can be poorly maintained and drab.

Detainees normally wear their own clothes.

IRCs provide 'cultural kitchens' where detainees can cook food of their choice.⁷²⁰

In 2017 an employee of **Brook House** IRC worked with the BBC to report undercover, resulting in a documentary broadcast in September 2017 which showed detention centre staff verbally and physically abusing detained people.⁷²¹ A statutory inquiry was set up in response and its report was published in September 2023.⁷²² Key findings included 19 credible breaches of article 3 during the five month period examined, and a toxic culture. The report made 33 recommendations, including a 28 day time limit on detention, a review of the use of force, and training for staff and reviews of policies. In response, the government declined to implement a time limit on detention but said that it was carrying out reviews of policies.⁷²³

A report from HMIP in 2024 described Brook House as understaffed and said that violence and self-harm had increased since the previous inspection and that detainees moving from prisons to the IRC had created instability. At least 20 detainees had been released from the detention centre to street homelessness in the year preceding the report.⁷²⁴ A follow up inspection in 2025 found that level of violence had stabilised but was still too high and progress had been made in tackling drugs entering the centre. The report said that more needed to be done in certain areas including support for vulnerable detainees and routine use of handcuffs when people were escorted off site.⁷²⁵

An inspection of Scotland's only IRC, **Dungavel**, was one of the more positive of recent inspections with inspectors in 2025 commending a "culture of care" throughout the centre with 86% of detainees reporting being treated with respect by staff. However, the report noted that the centre "still held men with a history of sexual violence" who present "significant ongoing risks to women" and monthly safety meetings with women were not taking place, contrary to policy.⁷²⁶

⁷¹⁷ British Medical Association, 'Locked up, locked out', 2017, available [here](#).

⁷¹⁸ Medical Justice, 'Annual Review: The state of healthcare and harm in UK immigration detention in 2024', July 2025, available [here](#).

⁷¹⁹ HMIP, 'Report on an unannounced inspection of Derwentside IRC 15 September – 3 October 2025', 6 January 2026, available [here](#).

⁷²⁰ See e.g. HMIP, 'Report on an independent review of progress at Brook House IRC 29-31 July 2025', 1 September 2025, available [here](#).and HMIP, 'Report on an unannounced inspection of Derwentside IRC 15 September – 3 October 2025', 6 January 2026, available [here](#).

⁷²¹ Alison Holt, 'What I saw when I went undercover', *BBC*, 4 September 2017, available [here](#).

⁷²² The Brook House Inquiry Report, 19 September 2023, available [here](#).

⁷²³ Home Office and Immigration Enforcement, 'Government response to the Brook House Inquiry report', 19 March 2024, available [here](#).

⁷²⁴ HMIP, 'Report on an unannounced inspection of Brook House Immigration Removal Centre by HM Chief Inspector of Prisons (5–22 August 2024)', 18 November 2024, available [here](#).

⁷²⁵ HMIP, 'Report on an independent review of progress at Brook House IRC 29-31 July 2025', 1 September 2025, available [here](#).

⁷²⁶ HMIP, 'Report on an unannounced inspection of Dungavel House IRC 18-21 August and 1-4 September 2025', 1 December 2025, available [here](#).

In 2024, a report by HM Inspectorate of Prisons described conditions in **Harmondsworth** as “decrepit” and that “violence and other unacceptable behaviour such as drug use had substantially increased and there had been numerous serious attempts at suicide”.⁷²⁷ A follow up report in 2025 found “substantial improvements” with staff levels doubled and a programme of rebuilding and refurbishment addressing the previous problems with the neglected and dirty communal areas. Improvements to activities and welfare provision were helping people manage the stress of detention.⁷²⁸

Analysis of HMIP reports in 2024 showed a trend of a “worrying deterioration in safety” across all of the immigration removal centres.⁷²⁹ A report from the Jesuit Refugee Service in 2024 also found that across the immigration removal centres immigration detention felt like prison, people were inappropriately segregated, there were large deficiencies in healthcare provision, safeguards for vulnerable people were largely absent, force was used inappropriately and gratuitously and there was a staffing culture of abuse and humiliation.⁷³⁰

Campsfield was closed in 2018 after years of problems including complaints about conditions, however the centre was reopened in December 2025.⁷³¹

2.2. Activities

The rules require that each detainee should have the opportunity of at least one hour in the open air every day. This can be withdrawn in exceptional circumstances for safety or security.⁷³² Most IRCs have a gym or fitness suite and outdoor exercise space. Access is variable, ranging from being generally accessible during daylight hours to restricted access.

Detainees have access to the detention centre library and to the internet. Facilities normally include a fax machine. New guidance was issued by the Home Office in 2016, aiming to make the access in detention centres more consistent and ensure that sites were not inappropriately blocked, although it does not apply to those held in prisons. This guidance was updated in 2019.⁷³³

2.3. Health care and special needs in detention

The Detention Centres Rules provide that there must be a medical team in each detention centre, and that each detainee must be medically examined within 24 hours of arrival.⁷³⁴ The only provision in the rules as to what access to the medical team a detainee can expect or request is that where a detainee asks a detention centre officer for medical attention, the officer must record the request and pass it to the medical team, and the medical practitioner must pay special attention to any detainee whose mental condition appears to require it.⁷³⁵

⁷²⁷ HMIP, ‘Report on an unannounced inspection of Harmondsworth Immigration Removal Centre by HM Chief Inspector of Prisons (12–29 February 2024)’, 9 July 2024, available [here](#).

⁷²⁸ HMIP, ‘Report on an independent review of progress at Harmondsworth Immigration Removal Centre (17-19 February 2025)’, 8 April 2025, available [here](#).

⁷²⁹ Andrew Kersley, ‘“Worrying deterioration in safety” at UK immigration removal centres, warns chief inspector of prisons’, *The Guardian*, 4 August 2024, available [here](#).

⁷³⁰ Jesuit Refugee Service, ‘After Brook House: continued abuse in immigration detention’, May 2024, available [here](#).

⁷³¹ BBC News, ‘Immigration detention centre officially reopens’, 5 December 2025, available [here](#).

⁷³² The Detention Centre Rules 2001 SI No. 238, Rule 18, available [here](#).

⁷³³ Home Office, Detention Services Order January 2020, available [here](#).

⁷³⁴ The Detention Centre Rules 2001 SI No. 238, available [here](#).

⁷³⁵ The Detention Centre Rules 2001 SI No. 238, Rules 33 and 35, available [here](#).

The charity Medical Justice has documented the denial of crucial medical care for those with HIV⁷³⁶ as well as more generally.⁷³⁷ A more recent legal challenge held that the Home Office was in breach of its legal duty towards detainees with HIV.⁷³⁸ In 2017 the British Medical Association published a report raising several concerns, including how doctors deal with the conflict of interest inherent in providing healthcare to people who are detained and made a number of recommendations.⁷³⁹ The guidance on ‘Rule 35’ reports was revised in 2019 although an ICIBI inspection published in 2023 found that the Rule 35 process was not meeting its aim and that safeguards were not working consistently or effectively.⁷⁴⁰

While guidance has been produced for those needing to be taken to hospital from detention,⁷⁴¹ anecdotal reports of last-minute cancellations are common.⁷⁴²

Health care in **England** is managed under the National Health Service (NHS) commissioning provisions.⁷⁴³ The Home Office does not collect data on the numbers of people with mental illness in immigration detention. A Freedom of Information request showed that between January 2018 and September 2023 there were 1,743 self-harm and suicide attempts that were so serious that medical treatment was required. This was across four of the IRCs, Brook House and Tinsley House, Heathrow, and Yarl’s Wood.⁷⁴⁴ From June 2023 to May 2024 there were 513 incidents of self-harm, an increase from 308 the year before.⁷⁴⁵

Detention centres have a local group of approved visitors, who provide an external point of reference for detainees and the centre. Visitors increasingly report that detainees are experiencing high levels of anxiety and distress, are self-harming, have symptoms of depression or post-traumatic stress disorder (PTSD), or are suffering from severe and enduring mental illness.⁷⁴⁶

3. Access to detention facilities

Indicators: Access to Detention Facilities

1. Is access to detention centres allowed to

- | | | | |
|-------------------|------------------------------|---|-----------------------------|
| ❖ Lawyers: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> Limited | <input type="checkbox"/> No |
| ❖ NGOs: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> Limited | <input type="checkbox"/> No |
| ❖ UNHCR: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> Limited | <input type="checkbox"/> No |
| ❖ Family members: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> Limited | <input type="checkbox"/> No |

Detainees may have visits during visiting hours and there are no limits on the frequency of visits.⁷⁴⁷ As long as visitors provide the requested forms of identification there is no obstacle to their visiting.⁷⁴⁸

⁷³⁶ Medical Justice, ‘Detained and Denied: the clinical care of detainees living with HIV/AIDS’, 2011, available [here](#).

⁷³⁷ Medical Justice, ‘Inadequate healthcare in detention’, accessed 24 March 2024, available [here](#).

⁷³⁸ High Court, *CSM v Secretary of State for the Home Department* [2021] EWHC 2175 (Admin), available [here](#),

⁷³⁹ British Medical Association, *Locked up, locked out*, 2017, available [here](#).

⁷⁴⁰ ICIBI, ‘Third annual inspection of Adults at Risk in Immigration Detention June to September 2022’, January 2023, available [here](#).

⁷⁴¹ Home Office, ‘Detention Services Order – Medical Appointments outside of the detention estate’, 17 May 2024, available [here](#).

⁷⁴² E.g. Medical Justice, available [here](#).

⁷⁴³ National partnership agreement for immigration removal centre (IRC) healthcare in England 2022-2025, available [here](#).

⁷⁴⁴ Diane Taylor, ‘Self-harm incident nearly every day in UK immigration detention, data shows’, *The Guardian*, 27 November 2023, available [here](#).

⁷⁴⁵ Camille Corcoran, ‘Self-Harm Rates in UK Immigration Centres Soar Following Report That Found ‘Worst Conditions Ever Seen’’, *Byline Times*, 19 August 2024, available [here](#).

⁷⁴⁶ Ali McGinley and Adeline Trude, ‘Positive duty of care? The mental health crisis in immigration detention’, *AVID and BID*, 2012, available [here](#) and [here](#).

⁷⁴⁷ UK government, ‘Find an immigration removal centre’, accessed 24 March 2024, available [here](#).

⁷⁴⁸ Government information on IRCs and information for visitors, available [here](#).

Individual visitors may be prohibited for reasons of security but this cannot be applied to a legal adviser.⁷⁴⁹ Media and politicians have no special access but may be treated like other visitors. Detainees are issued with a mobile phone that is not capable of taking photographs.⁷⁵⁰ Although the signal may be poor in parts of some IRCs,⁷⁵¹ it is usually possible for detainees to communicate with people outside.

There are NGOs who provide support to detainees. Each IRC has a visitors' group, which is an organisation of volunteer visitors (**AVID**) who provide support, practical help and friendship to detainees. Some visitors' groups such as **Detention Action** engage in policy and advocacy work and research. Bail for Immigration Detainees (**BID**) provides advice and information for detainees generally including self-help packs to make bail applications. The charity **Medical Justice** works for good medical care for immigration detainees and to obtain evidence of torture and the release of those who are ill. UNHCR does not have capacity to represent people in detention; in practice detainees rarely seek help from UNHCR.

BID has carried out surveys twice a year since 2010 and found that, in relation to immigration detainees held in IRCs, usually between 43% and 69% of detainees had legal representatives. The latest figure, published following its survey published in September 2024, was 38%, a very large drop from 55% just two years before.⁷⁵² 28% of the survey respondents had a legal aid lawyer. The same charity published research in 2024 into the lack of legal advice to immigration detainees in prison and found that 85% of respondents did not have a lawyer and 71% had not received the 30 minutes of free legal advice that they are entitled to under legal aid.⁷⁵³

D. Procedural safeguards

1. Judicial review of the detention order

Indicators: Judicial Review of Detention

- | | | |
|---|---|-----------------------------|
| 1. Is there an automatic review of the lawfulness of detention? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. If yes, at what interval is the detention order reviewed? | 4 months | |

Detainees have a right to be informed of the reason for their detention. This is generally done by ticking a box on a standard list of reasons, and sometimes is inaccurate or omitted. The reasons for detention should be subject to regular monthly reviews by detention officers, and a breach of this requirement can make the detention unlawful if the effect is that the continued legality of the detention has not been effectively considered.⁷⁵⁴

Applications to be released on bail

Bail applications can be made to the Chief Immigration Officer (CIO),⁷⁵⁵ who is part of the Home Office or to the FTT (IAC). Since the decision to detain was made by the Home Office, it is not common for bail to be granted by the CIO. A detainee can apply for bail at any time directly to the Home Office, and directly to the First-tier Tribunal only if they have been in the UK for more than 8 days.

⁷⁴⁹ Detention Centre Rule 37, available [here](#).

⁷⁵⁰ Home Office, 'Detention services order 05/2018 Mobile phones and cameras in immigration removal centres', 17 December 2018, available [here](#).

⁷⁵¹ Detention Action, 'PRESS RELEASE: Home Office Admits Mobile Phone Outage Affected Hundreds In Immigration Detention, Including Those Facing Jamaica Removal Flight', 7 February 2020, available [here](#).

⁷⁵² BID, 'Autumn Legal Advice Survey', 17 November 2025, available [here](#).

⁷⁵³ BID, 'Prison Legal Advice Survey', August 2024, available [here](#).

⁷⁵⁴ Supreme Court, *Kambadzi v Secretary of State for the Home Department* [2011] UKSC 23, available [here](#).

⁷⁵⁵ Application form available on the government's website [here](#).

A Tribunal is prevented from granting bail if removal directions are in force for a date less than 14 days from the application, unless the Secretary of State consents to bail. The Immigration Act 2014 also prohibits the Tribunal from granting bail at a hearing within 28 days of a previous refusal of bail unless there is a proven change of circumstances.⁷⁵⁶

A bail application to the Tribunal involves a hearing before an immigration judge. The Home Office is required to provide a summary before the hearing of the reasons for opposing bail. Studies of bail hearings show that in practice the summary may occasionally be late, or non-existent, but the most persistent problem is reliance on standard reasons without evidence that they apply to the particular applicant.⁷⁵⁷ First-Tier Tribunal judges hearing bail applications do not have the jurisdiction to consider the lawfulness of detention (see below), and there is no full reasoned decision given by the judge.

Bail hearing centres may be far removed from the detention centre, and the use of video conference systems has become routine. While this avoids long journeys for the detainee, the lack of personal contact with the judge, and problems in quality of sound and visual transmission are also experienced as obstacles to an effective hearing. Detainees in prisons may have video links cut off before the end of the bail hearing if it continues over 60 minutes. Technical problems may compound the difficulty of speaking through an interpreter.⁷⁵⁸ Research shows different outcomes for video hearings as opposed to in person hearings, with 50% refused remotely compared with 22% in person.⁷⁵⁹

Bail hearings are timetabled so that several can be heard in one day, and this creates pressure on the proceedings.

Friends or family can stand as sureties for the applicant, which means that they undertake to ensure that the person reports again when they are required to, and they forfeit a sum of money if this does not happen. Sureties are not essential, but having them makes an application more likely to succeed.⁷⁶⁰ There is no concept of continuing surety, meaning sureties who wish to continue to stand are required to travel to each hearing, even if bail is refused many times, and even if bail is granted and then applied for again after a further detention without any breach of conditions by the asylum applicant.

Repeat detentions can occur for asylum applicants when further submissions are refused, and they are detained with a view to removal, but without giving time for them to challenge the refusal of further submissions, or else when they are detained while further submissions are being prepared but have not yet been made. Removal cannot take place while a challenge or consideration of submissions are pending, and good legal representation can mean that they are released while the challenge or consideration of new submissions takes place, only to be re-detained in the same circumstances if there is a further refusal.

Automatic bail referrals were introduced in 2018. Officials make referrals four months after initial detention started and every four months thereafter.

Challenging the lawfulness of the detention

The lawfulness of detention may be subject to judicial review in the High Court, with the permission of that court. The criteria for lawfulness are, as mentioned above, that it is for a statutory purpose, and for

⁷⁵⁶ Immigration Act 2016, sch 10.

⁷⁵⁷ Practice based observation by the expert, January 2024.

⁷⁵⁸ Adeline Trude, *The Liberty Deficit*, Bail for Immigration Detainees, 2012, available [here](#), Bail Observation Project, Second report, 2013.

⁷⁵⁹ Jo Hynes, "Hello Dungavell!": observations on the use of video link technology in immigration bail hearings', Essex Constitutional and Administrative Justice Initiative, 6 May 2019, available [here](#).

⁷⁶⁰ BID, 'How to get out of detention: The Self-help Guide for Detainees', 2018, available [here](#).

approved policy reasons, and the length of detention must not be unreasonable (see section on [Grounds for Detention](#)). The lack of a statutory limit on the length of detention has consequences for the potential for effective challenge. Case law states that the length of detention must be reasonable to achieve the purpose for which the person is detained.⁷⁶¹

The usual legal issue which affects the length of detention for refused asylum applicants is whether the Home Office can arrange the detainee's removal within a reasonable period. No clear and coherent case law on reasonable periods has emerged. However, the Home Office's own guidance on whether removal is 'imminent' is that 'removal could be said to be imminent where a travel document exists, removal directions are set, there are no outstanding legal barriers and removal is likely to take place in the next four weeks'.⁷⁶² Revised guidance that was issued to Immigration Judges in March 2023 advises that it is generally accepted that detention for three months would be considered a substantial period and six months a long period.⁷⁶³

Challenges are also made to the lawfulness of detention in civil proceedings for unlawful imprisonment, when damages may be awarded.

The case law and the legal structure of challenge to immigration detention make no distinction between the detention of asylum applicants and the detention of other foreign nationals.

2. Legal assistance for review of detention

Indicators: Legal Assistance for Review of Detention

1. Does the law provide for access to free legal assistance for the review of detention?
 Yes No
2. Do asylum applicants have effective access to free legal assistance in practice?
 Yes No

Detention centres provide legal surgeries run by different legal aid providers who have exclusive contracts with the Legal Aid Agency to do immigration and asylum work in IRC. The appointment is for 30 minutes and no financial assessment of the detainee is needed for them to access this initial appointment, but if the legal representative takes their case on then a means assessment must be carried out as for all other legal aid work.⁷⁶⁴ Detainees cannot obtain legal aid to instruct a lawyer other than those with a contract for that centre. Delays in getting an appointment at a legal surgery mean that in practice they may face removal before they can obtain an appointment, although some centres operate a priority system for people who have removal directions. It is not unusual for it to take weeks to get an appointment.⁷⁶⁵ Notice of removal may be as short as 72 hours, and five days is common.

Discussions with lawyers are held in private. Lawyers can contact their clients by mobile phone or fax, or they may also be able to speak to them on the IRC's phone, or leave a message for them. Interpreters are used where needed, usually via a telephone interpreting service.⁷⁶⁶

⁷⁶¹ High Court, *R (Hardial Singh) v Governor of Durham Prison* [1983] EWHC 1 (QB) [here](#).

⁷⁶² Home Office, 'Enforcement Instructions and Guidance – Chapter 55', para 55.3.2.4.

⁷⁶³ Tribunals Judiciary, 'Guidance on Immigration Bail for Judges of the First-Tier Tribunal', March 2023, available [here](#).

⁷⁶⁴ Legal Aid 2018 Standard Civil Contract Specification: Category Specific Rules Immigration and Asylum, paras 8.157 and 8.160, available [here](#).

⁷⁶⁵ BID, 'Summer Legal Advice Survey', August 2023, available [here](#).

⁷⁶⁶ Practice-based observation by the expert, January 2024.

In 2020 it was confirmed by the court that detainees held in prisons should have the same access to legal advice as those held in IRCs.⁷⁶⁷ Provision for a half hour of free advice was put in place in November 2021.⁷⁶⁸

HMIP conducted a thematic report into the treatment and experience of immigration detainees held in prisons⁷⁶⁹ finding disparities including access to legal advice, progression of the case, leading to prolonged periods of detention, and safeguarding.

E. Differential treatment of specific nationalities in detention

No differential treatment is reported.

⁷⁶⁷ High Court, *SM, R (On the Application Of) v Bail for Immigration Detainees* [2021] EWHC 418 (Admin), 25 February 2021, available [here](#).

⁷⁶⁸ UK government, 'Civil news: immigration and asylum advice in prisons', 1 November 2021, available [here](#).

⁷⁶⁹ HMIP, 'The experience of immigration detainees in prisons', 13 October 2022, available [here](#).

Content of International Protection

A. Status and residence

1. Residence permit

Indicators: Residence Permit

1. What is the duration of residence permits granted to beneficiaries of protection?
 - Refugee status 5 years
 - Subsidiary protection 5 years

Beneficiaries of refugee status and subsidiary protection (called “humanitarian protection” in the UK legal system) receive 5 years’ leave to remain. For most people, applying for settlement, also known as Indefinite Leave to Remain (ILR), after the end of the 5-year period of leave is a straightforward process.⁷⁷⁰ Difficulties encountered relate to the length of time it takes for the application to be processed, as all documents must be submitted to the authorities. Although legally the period of leave is extended by virtue of the new application,⁷⁷¹ this is difficult to prove to employers and or providers of services who often want to see physical evidence of entitlement to work or rent, for example. This is becoming an increasing problem, as the government seeks to deny more services to those who cannot provide evidence of leave.⁷⁷²

In November 2025 the government announced proposals to reduce the length of leave that a refugee is granted to 30 months, and to extend the period of time they need to wait for settlement to 20 years. It was also announced that a new “Protection Work and Study route” would be introduced which will allow people to switch from the “Core Protection” route if they meet the work and study requirement and pay the applicable application fee. This work and study route is to have a shorter period to settlement than 20 years.⁷⁷³

On 2 March 2026 the Home Secretary implemented the first part of this and announced that people making initial claims for asylum or further submissions in support of a fresh claim for asylum on or after 2 March 2026 would be granted 30 months’ refugee leave instead of five years.⁷⁷⁴ The change was implemented via a statement of changes to the immigration rules. Those who were unaccompanied asylum seeking children at the date of their claim will still be granted five years refugee leave.⁷⁷⁵ Details on the changes to settlement are expected in the second half of 2026.

2. Civil registration

A child born to any person in the UK is expected to be registered in the same way as any other child and this must be done within 42 days of the child’s birth in England, Wales and Northern Ireland and within 21 days in Scotland.⁷⁷⁶ A child born to a refugee who is settled can be registered as a British citizen. If the child is born during the five years limited leave as a refugee, they will be granted ‘leave in line’ to expire on the same date as the parent, and can be included in a subsequent application for settlement.

⁷⁷⁰ See Home Office, Settlement for people on a protection route (refugee status / humanitarian protection), 27 January 2026, available [here](#).

⁷⁷¹ Immigration Act 1971, s 3C, available [here](#).

⁷⁷² RAMFEL, ‘The Hostile Environment remains in place: A study of how thousands of lawfully resident migrants are wrongly deprived of their rights each year’, 3 October 2022, available [here](#).

⁷⁷³ Home Office, *Restoring Order and Control: A statement on the government’s asylum and returns policy*, (CP 1418, 2025).

⁷⁷⁴ Home Office, ‘Refugee protection to be reviewed every 30 months’, 2 March 2026, available [here](#).

⁷⁷⁵ Home Office, *Statement of changes to the Immigration Rules: HC 1691*, 6 March 2026, available [here](#).

⁷⁷⁶ Government website – applies to England, Wales and Northern Ireland, available [here](#). For Scotland, available [here](#).

A child born stateless in the UK who has lived in the UK for at least five years and who has always been stateless may register as a British citizen up to and including the age of 21.⁷⁷⁷ The Nationality and Borders Act 2022 introduced additional requirements for stateless children aged five to 17 years. These are that the Home Secretary must be “satisfied” that the child cannot acquire another nationality. A child will be considered to be able to acquire another nationality if it is the same as one of their parents and they have been entitled to acquire the nationality since birth and it is reasonable to expect steps to be taken for them to acquire that nationality.⁷⁷⁸

Beneficiaries are subject to the same rules as UK or EEA nationals if they wish to marry in a register office; notice of the intention to marry must be given at a designated register office.⁷⁷⁹ This also applies to non-EEA nationals who wish to marry in a religious ceremony.

The only difficulties, if both parties are in the UK, would arise if one of the parties did not have a Biometric Residence Permit or who didn't have documentary evidence of a previous divorce, for example.

3. Long-term residence

Indicators: Long-Term Residence

1. Number of indefinite leave to remain issued to beneficiaries in 2025:	26,832
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In order to qualify for indefinite leave to remain, applicants must have held refugee or humanitarian protection leave for a continuous period of five years which must not have been revoked or not renewed. The Rules also enable the Home Office to delay granting settlement to those with a criminal history or where there is any evidence of extremist behaviours that run contrary to British values, either permanently or for set periods of time depending on the severity of the crime or behaviour. In these cases, the application for settlement may be refused but if the applicant is still in need of international protection, additional periods of time limited leave may be granted.⁷⁸⁰

The legal framework for withdrawal of indefinite leave is Section 76 of the NIAA 2002.⁷⁸¹ Indefinite leave (ILR) will be taken from a person or considered to have lapsed when that person:

- ❖ Is liable to deportation or administrative removal but cannot be deported or removed because of the UK's obligations under the Refugee Convention or the ECHR (ILR is revoked);
- ❖ Has obtained leave by deception (ILR is revoked);
- ❖ Is deported from the UK (ILR is invalidated);
- ❖ Ceases to be a refugee because of their own actions (ILR is revoked);
- ❖ Remains outside of the UK for more than two years (ILR lapses).

In 2025, 26,832 people with protection status obtained indefinite leave to remain.⁷⁸²

⁷⁷⁷ British Nationality Act 1981, sch 2, para 3(1).

⁷⁷⁸ British Nationality Act 1981, sch 2, para 3A.

⁷⁷⁹ A list of designated register offices in England and Wales is available [here](#) and for Scotland [here](#).

⁷⁸⁰ See Home Office, 'Settlement for people on a protection route (refugee status / humanitarian protection)', 27 January 2026, available [here](#) Section 7.

⁷⁸¹ Section 76, Nationality, Immigration and Asylum Act 2002, available [here](#).

⁷⁸² Home Office, 'Immigration system statistics data tables, Settlement detailed datasets, year ending December 2025', table Se_D02, available [here](#).

4. Naturalisation

Indicators: Naturalisation

1. What is the waiting period for obtaining citizenship? 6 years (if the other requirements are met)
2. Number of citizenship grants to beneficiaries in 2025: Not available

Those with refugee status and subsidiary protection may not apply for naturalisation as a British citizen until they have been in receipt of Indefinite Leave to Remain (settlement leave) for 12 months.⁷⁸³ They are subject to the same test of ‘good character’ as other applicants and must pass a ‘Life in the UK’ test and meet the requirements for English language proficiency.⁷⁸⁴ There is also a fee, which from 8 April 2026 is £1,709 (EUR 1,952) for the naturalisation application and £130 (EUR 149) for citizenship ceremony.⁷⁸⁵

The requirements that a person be of good character specifically refer to applicants who previously entered the UK unlawfully i.e. through evading immigration control.⁷⁸⁶ The previous position was that where unlawful entry happened in the previous ten years, the application would normally be refused.⁷⁸⁷ On 10 February 2025 the guidance was amended to remove the ten year limit, so that anyone applying on or after that date who has entered the UK without permission will normally have their citizenship application refused.⁷⁸⁸ The Refugee Council estimated in February 2025 that 71,000 people in the UK who had already been granted asylum would may be affected.⁷⁸⁹ This number will have since increased as more people are granted status. The guidance change is subject to legal challenges and a hearing is listed for June 2026.⁷⁹⁰

Applications for naturalisation are made to the Home Office. There are no time limits for decisions to be made. The main obstacle is the fees.⁷⁹¹

In 2025 there were 166,482 grants of British citizenship following a naturalisation application.⁷⁹²

5. Cessation and review of protection status

Indicators: Cessation

1. Is a personal interview of the beneficiary of protection in most cases conducted in practice in the cessation procedure? Yes No
2. Does the law provide for an appeal against the first instance decision in the cessation procedure? Yes No
3. Do beneficiaries have access to free legal assistance at first instance in practice? Yes With difficulty No

⁷⁸³ British Nationality Act 1981, sch 1, para 1(2)(c), available [here](#).

⁷⁸⁴ UK government, ‘Apply for citizenship if you have indefinite leave to remain or ‘settled status’’, accessed 27 March 2026, available [here](#),

⁷⁸⁵ Home Office, Immigration and Nationality fees, available [here](#).

⁷⁸⁶ Home Office, Naturalisation as a British citizen: caseworker guidance, 11 November 2025, available [here](#).

⁷⁸⁷ Home Office, Naturalisation as a British citizen: caseworker guidance, 11 November 2025, available [here](#).

⁷⁸⁸ Home Office, ‘Good character: caseworker guidance’, 13 February 2025, available [here](#).

⁷⁸⁹ House of Lords debate, ‘Refugee Citizenship Rights’, 1 July 2025, available [here](#).

⁷⁹⁰ Wilsons Solicitors, , ‘Update on ‘good character’ guidance judicial review’, 28 July 2025, available [here](#).

⁷⁹¹ UK government, ‘Apply for citizenship if you have indefinite leave to remain or ‘settled status’’, accessed 27 March 2026, available [here](#).

⁷⁹² Home Office, ‘Immigration system statistics data tables, Citizenship summary tables, year ending December 2025’, table Cit_01, available [here](#).

The grounds of cessation for Refugee status are laid out in the Immigration Rules.⁷⁹³ These are where the Refugee Convention ceases to apply, for one of the following reasons:

- (i) they have voluntarily re-availed themselves of the protection of the country of nationality;
- (ii) having lost their nationality, they have voluntarily re-acquired it;
- (iii) they have acquired a new nationality, and enjoy the protection of the country of their new nationality;
- (iv) they have voluntarily re-established themselves in the country which they left or outside which they remained owing to a fear of persecution;
- (v) they can no longer, because the circumstances in connection with which they have been recognised as a refugee have ceased to exist, continue to refuse to avail themselves of the protection of the country of nationality; or
- (vi) being a stateless person with no nationality, they are able, because the circumstances in connection with which they have been recognised as a refugee have ceased to exist, to return to the country of former habitual residence.

The grounds of cessation for Humanitarian protection are also set out in the Immigration Rules and this can be done where protection is no longer required due to a significant and non-temporary change in circumstances.⁷⁹⁴

The procedure is set out in Home Office guidance. Note that the Home Office uses “revocation” as an umbrella term covering cessation, cancellation and revocation of refugee status.⁷⁹⁵

The beginning of the procedure is not the same in all instances. There may be a different trigger, such as the individual travelling back to the country of origin or being convicted of a serious offence which has led to an investigation of the original grounds for asylum. In all cases the applicant sent a notice of intention to revoke refugee status by the Home Office and invited to submit their view to the caseworker in writing. Access to legal aid is available in the same way it is for initial asylum claims.

Until January 2025, the position was that UNHCR would also be consulted, usually after any submissions from the refugee have been received, and given 10 days to submit its view, which must be taken into consideration.⁷⁹⁶ The extent to which this process was being followed in practice is unclear.⁷⁹⁷ The guidance on revocation was updated in January 2025 and states that as of 1 January 2025 UNHCR and the Home Office have agreed that “UNHCR will no longer carry out individual revocation case reviews and will not provide comments to the Home Office for consideration”.⁷⁹⁸

The applicant would not usually be interviewed, unless there are specific reasons for doing so. It is possible to appeal against the decision to revoke leave if that is accompanied by a decision to remove protection status i.e. the appeal is against the refusal of protection status. Appeal rights are suspensive i.e. the refugee remains in the country whilst the appeal is heard, unless they are outside of the UK. Appeal rights and legal aid entitlement are identical to initial asylum claims (see [Regular procedure](#)).

Review of status and consideration of cessation is not a routine consideration, save in criminal cases and those where the refugee has spent more than 2 years out of the UK or where there is evidence they have availed themselves of the protection of the country of asylum e.g. by obtaining a national passport.

⁷⁹³ Immigration Rules, paras 339A to 339AB.

⁷⁹⁴ Immigration Rules, para 339GA.

⁷⁹⁵ Home Office, ‘Revocation of protection status’, 24 January 2025, page 6, available [here](#).

⁷⁹⁶ Home Office, ‘Revocation of protection status’, 24 January 2025, available [here](#).

⁷⁹⁷ See e.g. Special Immigration Appeals Commission, *D8 and Secretary of State for the Home Department* [2023] UKSIAC 1 at paragraphs 16, 21 and 24, available [here](#).

⁷⁹⁸ Home Office, ‘Revocation of protection status’, 24 January 2025, page 7, available [here](#).

It has not historically been applied to specific groups as a matter of policy, however in December 2024 following the collapse of the Assad regime in Syria, the Home Office paused consideration of applications for settlement from Syrian refugees reaching the end of their five years of refugee leave.⁷⁹⁹ In late 2025 the Home Office resumed processing of the settlement applications, sending letters to people with pending applications headed “Request for information and Notice of Intention”. The letter explicitly said that cessation was being contemplated and asked recipients to provide reasons as to why their status should not be ceased.⁸⁰⁰

6. Withdrawal of protection status

Indicators: Withdrawal

1. Is a personal interview of the beneficiary of protection in most cases conducted in practice in the withdrawal procedure? Yes No
2. Does the law provide for an appeal against the withdrawal decision? Yes No
3. Do beneficiaries have access to free legal assistance at first instance in practice? Yes With difficulty No

The grounds for withdrawal / revocation of international protection are set out in the Immigration Rules and include: (a) the grounds for exclusion in the Refugee Convention; (b) misrepresentation of facts to obtain refugee status; and (c) being a danger to the UK.⁸⁰¹

The definition of someone being a danger to the UK includes where they are convicted of an offence where the sentence is at least twelve months, this is a change brought in by the Nationality and Borders Act 2022.⁸⁰² The same provisions are applied to those who have been granted humanitarian protection.⁸⁰³ A case promulgated in 2021 confirmed that Humanitarian Protection (subsidiary protection) can be revoked in cases of serious criminality (correcting a First Tier Tribunal decision that a higher threshold must be reached).⁸⁰⁴

The procedure is the same as the one outlined in the section on [Cessation](#). A case in 2019 confirmed that revocation procedures could not apply to the dependants of refugees unless the dependant had been recognised in their own right.⁸⁰⁵

In January 2025, in a case where refugee status had been revoked on the grounds of national security, the Court of Appeal held that UNHCR’s guidance on Article 33(2) cases introduced a proportionality test that went beyond the requirements of the Refugee Convention.⁸⁰⁶

⁷⁹⁹ Hansard, House of Lords debate: Syrian Asylum Applications, 29 January 2025, available [here](#).

⁸⁰⁰ Sonia Lenegan, ‘Home Office resumes processing of Syrian settlement applications’, *Free Movement*, 2 December 2025, available [here](#).

⁸⁰¹ Immigration Rules, paras 339A to 339AB.

⁸⁰² Nationality, Immigration and Asylum Act 2002, s 72, available [here](#).

⁸⁰³ Immigration Rules paras 339D to 339GD.

⁸⁰⁴ Upper Tribunal, *Kakarash (revocation of HP, respondent's policy) Iraq* [2021] UKUT 236 (IAC), available [here](#).

⁸⁰⁵ Court of Appeal, *JS (Uganda) v Secretary of State for the Home Department* [2019] EWCA Civ 1670, available [here](#).

⁸⁰⁶ Court of Appeal, *D8 v Secretary of State for the Home Department* [2025] EWCA Civ 33, see paras 21 and 63, available [here](#).

B. Family reunification

1. Criteria and conditions

Indicators: Family Reunification

1. Is there a waiting period before a beneficiary can apply for family reunification? Yes No
 - ❖ If yes, what is the waiting period?
2. Does the law set a maximum time limit for submitting a family reunification application? Yes No
 - ❖ If yes, what is the time limit?
3. Does the law set a minimum income requirement? Yes No

There is no waiting period for a beneficiary of refugee status or humanitarian protection to apply for family reunification. Nor is there a maximum time limit after which the beneficiaries are no longer entitled, as long as they do not become UK citizens. There is no charge for the application nor requirement for the sponsor to have an income to support their family members. There is no distinction between refugees and those with humanitarian protection.

Eligibility is restricted to the immediate family as it existed prior to the sponsor's flight and the only people automatically eligible to join the refugee in the UK are:

- ❖ Spouse / partner (including same sex); and
- ❖ Dependent children under the age of 18.

Data on decisions on family reunion visas are published by the government. In 2025, 18,869 family reunion visas were issued; 10,628 of them to children.⁸⁰⁷

Refugee children are not eligible to sponsor their parents and or siblings. A number of NGOs are collaborating in campaigning for changes to the Immigration Rules on Refugee Family Reunion, including this issue.⁸⁰⁸ Two Private Members' Bills, introduced into Parliament ultimately did not proceed.⁸⁰⁹ A further Private Member's Bill was introduced in the House of Lords in 2024.⁸¹⁰

Another report from Refugee Council and Safe Passage in 2024 found that children were being put in dangerous situations such as using people smugglers to cross the Channel because of the delays in processing family reunion applications. The report made several recommendations including that the Immigration Rules were amended to allow children to join refugee non-parent adult relatives in the UK and refugee children in the UK to sponsor parents and siblings.⁸¹¹

⁸⁰⁷ Home Office, 'Immigration system statistics data tables, Family reunion visa grants detailed datasets, year ending December 2025', 26 February 2026, table Fam_D01, available [here](#).

⁸⁰⁸ Families Together, available [here](#)..

⁸⁰⁹ See previous updates to this report: AIDA, Country Report: United Kingdom, available [here](#).

⁸¹⁰ Refugees (Family Reunion) Bill [HL], available [here](#).

⁸¹¹ Refugee Council and Safe Passage, 'Families Belong Together: Fixing the UK's broken family reunion system, 13 May 2024, available [here](#).

In 2023 a challenge to the refusal to allow refugee children to bring their family to the UK was rejected.⁸¹² In 2025 another legal challenge to the policy was partly successful and the government was ordered to carry out a review of the policy in light of the duty towards children as set out in section 55 of the Borders, Citizenship and Immigration Act 2009.⁸¹³ Other grounds of challenge were dismissed, and the legal challenge related to Appendix Family Reunion which has since closed.

The requirements for a family reunion application are set out in the Immigration Rules. Up until 3pm on 4 September 2025 there was a dedicated route for those with protection status, this was set out at Appendix Refugee Family Reunion.⁸¹⁴ In order to apply using this route, the UK based sponsor had to hold protection status and not be a British Citizen. A valid application had to be made, this was free of charge, and the overseas applicants had to provide their biometric information. It may be possible to get the requirement to enrol biometrics waived in certain circumstances.⁸¹⁵ The applicant had to be the partner or child of the UK sponsor and they must have been part of a family unit before the sponsor left the country of origin.⁸¹⁶

Children aged 18 or over will need to establish that there are exceptional circumstances in order to make a successful application. Factors that will be considered when deciding whether the circumstances are exceptional include whether the applicant is dependent on the UK sponsor, whether the applicant is leading an independent life, whether they have others to support them where they are and whether they would likely become destitute if not permitted to come to the UK.

Other family members may also be able to apply under the Immigration Rules if they can establish that a refusal would breach Article 8 ECHR. The guidance explains that in these cases the decision maker will consider whether family life exists between the applicant and UK sponsor, whether there is evidence of an unusual or exceptional level of dependency and how frequently they have contact with each other.⁸¹⁷

There are not specific evidential requirements to establish family relationships and the guidance explicitly says that these applicants may not have documentary evidence due to fleeing conflict zones.⁸¹⁸ The Home Office cannot insist that DNA evidence is provided in order to establish the family relationship.⁸¹⁹

The Families Together campaign coalition published research on barriers and challenges faced by refugees attempting to reunite with family members.⁸²⁰ Findings included that the Rules were unnecessarily complex and insufficiently flexible, poor quality decisions, difficulty in accessing legal aid lawyers, British Red Cross published a report that also highlighted issues with the procedural requirements for making the application, such as difficulties people have in travelling to enrol their biometrics.⁸²¹

A report published in 2023 following a reinspection by the ICIBI found that the situation had deteriorated since the previous inspection and that applicants were waiting unacceptably long for a decision, over

⁸¹² High Court, *DM, R (On the Application Of) v Secretary of State for the Home Department* [2023] EWHC 740 (Admin), available [here](#).

⁸¹³ Court of Appeal, *R (DM) v Secretary of State for the Home Department* [2025] EWCA Civ 1273, available [here](#).

⁸¹⁴ Immigration Rules, Appendix Family Reunion, available [here](#).

⁸¹⁵ Home Office, 'Unable to travel to a visa Application Centre to enrol biometrics (overseas applications) version 5.0', 26 March 2026, available [here](#).

⁸¹⁶ Immigration Rules archives 13 August 2025 to 3 September 2025, Appendix Family Reunion, available [here](#).

⁸¹⁷ Home Office, 'Family Reunion', 11 November 2025, available [here](#).

⁸¹⁸ Home Office, 'Family Reunion', 11 November 2025, available [here](#).

⁸¹⁹ Home Office, 'DNA policy guidance, version 4.0', 19 March 2020, available [here](#).

⁸²⁰ CRIL and Families Together, 'Refugee Family Reunification in the UK: Challenges and Prospects', 2021, available [here](#).

⁸²¹ British Red Cross, 'The Long Road to Reunion: Making Refugee Family Reunion Safer' (2020), available [here](#).

double the service standard of 60 days, and there was a backlog of almost 8,000 applications. This was partly a result of staff being diverted to work on the Homes for Ukraine Scheme.⁸²²

Since the closure of the dedicated route under Appendix Refugee Family Reunion, refugees who want to reunite with their family members need to apply under other sections of the Immigration Rules. Appendix FM of the Immigration Rules was amended at the same time as the closure of Appendix Family Reunion to enable children to apply to join a parent in the UK who holds protection status. Close relatives who are not parents can sponsor a child to come to the UK under Appendix Child Relative (Sponsors with Protection). If the person who wants to come to the UK to join their refugee relative is an adult then the relevant rules are set out in Appendix Adult Dependent Relative. Where there are no applicable Immigration Rules but refusal would engage and breach Article 8 ECHR then it may be possible to apply for a grant of leave outside the rules. Each of these routes have far more barriers to applying than the dedicated route, for example high application fees, and a minimum income requirement will apply to some applications.

Legal aid is not automatically available but can be applied for.⁸²³ Refusals can be appealed on human rights grounds.

2. Status and rights of family members

Family members granted refugee family reunion do not receive the same status as their sponsor. They receive 'leave in line' i.e. leave to remain to expire at the same time as their sponsor. If the sponsor has limited leave, the family members all apply for settlement at the same time. There are difficulties for estranged partners in these circumstances.

C. Movement and mobility

1. Freedom of movement

There are no restrictions on freedom of movement for refugees, those with humanitarian protection or their family members. Some difficulties arise when people want to move away from where they have been dispersed and relocate to a place where they have no previous connection as they may be unable to access social housing.⁸²⁴

2. Travel documents

Refugees and their dependants, including those who are united through the refugee family reunion process, can apply for a 'Refugee Travel Document'. The cost is £94.50 (€ 108) for adults and £61.50 for children 15 years and under,⁸²⁵ the same as a UK national passport.⁸²⁶ An adult's travel document will expire after 10 years if they have indefinite leave to remain, or at the same time as the refugee's limited leave (if during the first 5 years of leave) if that is earlier. A child's travel document will expire after 5 years or at the expiry of their leave.⁸²⁷

⁸²² ICIBI, 'Inspection report published: A reinspection of family reunion applications September – October 2022', 21 February 2023, available [here](#).

⁸²³ Dr Sasha Holden, 'Cuts that cost: The Impact of Legal Aid Cuts on Refugee Family Reunion', October 2020, available [here](#).

⁸²⁴ England Shelter, 'What is a local connection?', available [here](#).

⁸²⁵ Home Office, 'Apply for a Home Office travel document', accessed 27 March 2026, available [here](#).

⁸²⁶ See UK Gov, 'Passport fees', available [here](#).

⁸²⁷ Home Office, 'Apply for a Home Office travel document', accessed 27 March 2026, available [here](#).

Beneficiaries of subsidiary protection and other forms of leave, including their dependants, are expected to apply to their national authorities for a passport, unless the humanitarian protection is granted following a refusal of asylum and it is accepted that the beneficiary has a fear of their national authorities. Other than these individuals, including dependants, those with leave following a refusal of asylum, including beneficiaries of subsidiary protection where it is not accepted that the person is in fear of the national authority, are expected to show evidence of refusal to issue a document following contact with their national embassy.⁸²⁸

All those who are not entitled to a Refugee Travel Document, including all beneficiaries of subsidiary protection, can apply for a certificate of travel, which costs £300 (€ 343) for adults and £151 (€ 172) for children 15 years and under and has a maximum validity of five years if people have settlement, otherwise until the end of the validity of their leave.⁸²⁹

The procedure for all travel documents is via an online application.⁸³⁰ Travel documents that are not CTD, issued by other countries, would often need to be accompanied by a visa.

In 2025, 97,742 travel documents were issued to third country nationals without a passport (this is not exclusively beneficiaries of international protection).⁸³¹ There are no specific obstacles to people obtaining these documents.

D. Housing

Indicators: Housing

1. For how long are beneficiaries entitled to stay in Home Office accommodation? Until determination of their claim
2. Number of beneficiaries staying in dispersal accommodation as of 31 December 2025: 68,538⁸³²

The reception centres are designed for short term support, almost all residents will move to 'dispersal accommodation' in self-contained houses or apartments. This is known as 'Section 95' support (see [Reception Conditions: Criteria and Restrictions](#)).

On receipt of a decision to grant asylum or leave that would entitle the individual to work, apply for state welfare benefits and rent, buy or take on a public housing tenancy, under law asylum support can be stopped 28 days after the decision.⁸³³ This is often termed the 'move on period'. People must be given a minimum of seven days' notice that they are being evicted from their asylum accommodation.⁸³⁴ In practice, as it was not possible to claim public funds without the biometric residence card that is issued as evidence of refugee status, the Home Office would only stop support 28 days or longer following receipt of the biometric residence permit.

The termination of support after 28 days is made regardless of whether or not any alternative source of income and accommodation has been secured. Recent issues with this process have been detailed in [Forms and levels of material reception conditions](#). In practice, few refugees find alternative accommodation within this time. The main obstacles they face are the processing times for welfare benefits, the lack of a bank account or online credit history. Public housing is restricted to those with

⁸²⁸ Home Office, 'Apply for a Home Office travel document', accessed 27 March 2026, available [here](#).

⁸²⁹ Home Office, 'Apply for a Home Office travel document', accessed 27 March 2026, available [here](#).

⁸³⁰ Home Office, 'Apply for a Home Office travel document', accessed 27 March 2026, available [here](#).

⁸³¹ Migration Transparency data to December 2025 table TD_01, 26 February 2026, available [here](#).

⁸³² Home Office statistics, table Asy_D09.

⁸³³ The Asylum Support Regulations 2000, regulation 22, available [here](#), and the Asylum Support (Amendment) Regulations 2002, available [here](#).

⁸³⁴ The Asylum Support Regulations 2000, regulation 22, available [here](#).

children or who are considered a priority because of ill health or disability and those whose illness is mental rather than physical face particular difficulties. The latter category often finds difficulty persuading the authorities to provide them with public housing. Greater Manchester Immigration Aid Unit has written a guide to making and pursuing these applications⁸³⁵

This is in stark contrast to those who arrive in the UK as refugees under resettlement programmes. Although individuals will have to open a bank account, sign a tenancy for housing and make a claim for welfare benefits on arrival, support is usually available to assist with this. Local authorities are provided with government funding which covers people who arrive in the UK via the UK Resettlement Scheme. The funding is for the recipient to arrange furnished accommodation for the refugees, ensure that the refugees are registered with utility companies, to collect the refugees from the airport and take them to the accommodation, provide a welcome pack of groceries and an initial cash allowance of £200 (€ 228).

Refugees are also to be provided with help in accessing welfare benefits and their eVisa, as well as registering with a GP and schools. A bespoke framework for support will be put in place for the first twelve months. Interpreting costs are also to be made available under the funding agreement. English language ability is assessed and language training provided as needed. After the first year, additional support can be provided for up to five years from arrival. The amount of funding available is £5,000 (€ 5,712) in year two, £3,700 (€ 4,227) in year three, £2,300 (€ 2,627) in year four and £1,000 (€ 1142) in year five. Some funding is also available to refugees arriving via the Community Sponsorship Scheme where sponsors are unable to meet their obligations.⁸³⁶

The British Red Cross produced a cost benefit analysis of the 28 day 'move-on' period in February 2020, arguing that the UK government could save significant amounts of money including the cost of temporary accommodation, if the 28 days was doubled to 56.⁸³⁷

Despite a wealth of evidence, the issue continues to affect many new refugees and other beneficiaries of leave, resulting in homelessness and destitution.⁸³⁸ The reasons for this are outlined in the research; it is acknowledged that many refugees may not be aware that claims for welfare benefits usually take weeks to process and may not apply as soon as they are eligible. Additional barriers exist for refugees who have not opened a bank account, they then face additional delays in welfare benefits payments which are usually made directly into a claimant's bank account.

In August 2023 the Home Office made a change in practice that was not publicly announced. They started counting the 28 days from the date of the decision instead of from receipt of the biometric residence permit. As in many cases the permit would take longer than 28 days to arrive, this meant that many refugees were made street homeless shortly after receiving their grant of refugee leave.⁸³⁹ This change resulted in a 223% increase in people sleeping rough after leaving asylum housing.⁸⁴⁰ The change was later reversed, again no public announcement was made. The period July to September 2024 showed huge decreases in people being put at risk of homelessness because of being required to leave asylum accommodation, compared with the same period the previous year.⁸⁴¹ The period July to September 2025

⁸³⁵ Greater Manchester Immigration Aid Unit, 'Homelessness and Rehousing Guide: For People Who Have Been Granted Refugee Status', 16 April 2025, available [here](#).

⁸³⁶ Home Office, 'Funding instruction for local authorities in the support of the United Kingdom's resettlement schemes: 2024 to 2025', 20 November 2024, available [here](#).

⁸³⁷ British Red Cross, 'The costs of destitution', February 2020, available [here](#).

⁸³⁸ British Red Cross, 'The costs of destitution', February 2020, available [here](#).

⁸³⁹ Free Movement, 'Home Office change in practice increases risk of homelessness for recognised refugees', 30 August 2023, available [here](#).

⁸⁴⁰ Centre for Homelessness Impact, 'Critical links between resettlement in the UK and rising rates of street homelessness' 18 January 2024, available [here](#).

⁸⁴¹ Ministry of Housing, Communities and Local Government, 'Accredited official statistics: Statutory homelessness in England: July to September 2024', 27 February 2025, available [here](#).

showed another huge increase in need for this group, as 1,690 households were owed a homelessness prevention duty because they had to leave asylum accommodation.⁸⁴²

Towards the end of 2023 an internal change was made at the Department for Work and Pensions which allowed newly recognised refugees to claim public funds before receiving their biometric residence permit.⁸⁴³

In November 2024 a pilot scheme was announced to temporarily extend the move on period to 56 days starting on 9 December 2024 and due to end in June 2025. On 7 July 2025 it was announced that the pilot would be extended until the end of year.⁸⁴⁴ However, on 27 August 2025 it was announced that from 1 September 2025 the pilot would be limited to families, people over 65 and those with disabilities. Everyone else would revert to the previous move on period of 28 days.⁸⁴⁵ Concerns were raised by NGOs that the change would increase refugee homelessness.⁸⁴⁶ Several affected refugees brought legal challenges and in December 2025 the Home Secretary agreed that where a person subject to the 28 day move on period was at imminent risk of street homelessness then they would be granted an extension to 56 days.⁸⁴⁷ This agreement was initially put in place until 16 January 2026, this was later extended.

On 9 March 2026 the Home Office ended the pilot and extended the move-on period to 42 days from the date the grant letter is issued.⁸⁴⁸ An evaluation of the pilot will be carried out. Following the change, Refugee Council published a report reiterating the call for the period to be extended to 56 days.⁸⁴⁹

Unless eligible for public housing, refugees' access to the private rental sector is impeded in practice because of the lack of funds; a refugee will not have been eligible for asylum support payments if they have savings but will need a lump sum in order to pay a deposit. The National Residential Landlords Association is running a three year pilot aiming to help at least 135 refugee households with the initial rental deposit. Without specific schemes such as this, refugees are reliant on family, friends, refugee hosting schemes or members of their community to avoid street homelessness. The United Nations' Committee on Economic, Social and Cultural Rights recommended "improving oversight and enforcement mechanisms to prevent exploitation and discrimination by landlords in access to housing, including for refugees".⁸⁵⁰

As mentioned under [Special reception needs of vulnerable people](#), former unaccompanied minors who turn 18 and who have leave, as a refugee or otherwise, will receive assistance from the local authority in line with British citizens in the same situation, under the Children (Leaving Care) Act⁸⁵¹ which will include help with accessing housing.

⁸⁴² Ministry of Housing, Communities and Local Government, 'Accredited official statistics: Statutory homelessness in England: July to September 2025', 26 February 2026, available [here](#).

⁸⁴³ Free Movement, Refugees can now claim universal credit without a biometric residence permit, 4 December 2023, available [here](#).

⁸⁴⁴ House of Commons debate, 'Asylum Accommodation', 7 July 2025, available [here](#).

⁸⁴⁵ House of Lords debate, 'Refugee Accommodation: Move-on Period', 4 September 2025, available [here](#).

⁸⁴⁶ NACCOM, 'Over 60 organisations write to the Government urging them to reverse the shortening of the move-on period', 15 September 2025, available [here](#).

⁸⁴⁷ Deighton Pierce Glynn, 'Home Secretary reaches interim agreement to disapply 28 day move-on period to avert imminent street homelessness following legal challenge brought by DPG clients, 18 December 2025, available [here](#).

⁸⁴⁸ Home Office, 'Ceasing section 95 support instruction', 9 March 2026, available [here](#).

⁸⁴⁹ Available [here](#).

⁸⁵⁰ United Nations' Committee on Economic, Social and Cultural Rights, 'Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland', 12 March 2025, available [here](#).

⁸⁵¹ Children (Leaving Care) Act 2000. Devolved governments have similar provisions.

E. Employment and education

1. Access to the labour market

The law provides for refugees and beneficiaries of humanitarian protection the same access to the labour market as UK citizens.⁸⁵² In practice, very few individuals will enter the labour market immediately; some will need to ensure their qualifications allow them to practice their profession and may need to retrain or pass exams to allow them to practice e.g. doctors.⁸⁵³ These requirements will vary by profession and employer. Many refugees may have had limited language provision when they were seeking asylum so may need to learn English sufficient to access the labour market. Government funded English classes have been criticised as lacking in proper funding meaning that people are unable to access the amount of teaching that they need.⁸⁵⁴

A Home Office initiative was the Refugee Employability Programme which aims to support refugees to find work. This provides CV writing classes, sector specific training and interview practice as well as English language and integration support. The programme ended in June 2025.⁸⁵⁵

There is little practical support provided by the state although when applying for the main welfare benefit for those fit to work (Job Seekers Allowance) individuals are required to show evidence of applications for jobs they have made and are questioned about this by an adviser.

2. Access to education

Access to compulsory education (up to age 16) is the same for asylum applicants, refugees and UK citizens (see section on [Reception Conditions: Education](#)). Although mid-term admissions may cause additional difficulties, the ease of access to school places is related more to the geographical area in which an individual lives than their immigration status.

In England, Wales and Northern Ireland access to post-18 education is different and one of the distinctions between beneficiaries of refugee status and subsidiary (“humanitarian”) protection is that for the purposes of fees and student support, refugees are considered home students once they receive status, whereas recipients of humanitarian protection are considered as overseas students until they have lived in the UK for 3 years. In Scotland the only requirement is 3 years residence, rather than status.

F. Social welfare

The law provides access to social welfare for beneficiaries of international protection,⁸⁵⁶ although practical difficulties are encountered.⁸⁵⁷

Social welfare is provided to beneficiaries under the same conditions and on the same level as for nationals.⁸⁵⁸ Public housing may be restricted to those with a history of living in a particular area, so beneficiaries who move away from dispersal areas may encounter problems.⁸⁵⁹ The laws do apply to all.

⁸⁵² Home Office guidance, ‘Employer’s guide to right to work checks’, updated 31 July 2025, available [here](#).

⁸⁵³ UK National Information Centre, ‘Statement of Comparability’, accessed 24 January 2026, available [here](#).

⁸⁵⁴ Refugee Action, ‘Let Refugees Learn’, accessed 24 January 2026, available [here](#).

⁸⁵⁵ Home Office, ‘Refugee Employability Programme’, updated 4 December 2024, available [here](#).

⁸⁵⁶ Home Office, ‘Public funds: caseworker guidance’, 9 April 2025, available [here](#).

⁸⁵⁷ UNHCR UK, ‘An uncertain future, a journey through the move on period’, October 2024, available [here](#).

⁸⁵⁸ Department for Work and Pensions, ‘Claiming Universal Credit and other benefits if you are a refugee’, updated 9 September 2025, available [here](#).

⁸⁵⁹ Citizens Advice, ‘Getting on the waiting list for a council home’, accessed 24 January 2026, available [here](#).

The main authorities responsible for granting social assistance are the Department for Work and Pensions, (national government department) administered by local Job Centres. The provision of social welfare is not tied to a requirement to reside in a specific place or region.

Beneficiaries face various difficulties in accessing social assistance such as difficulties in opening a bank account.⁸⁶⁰ The issues relating to opening bank accounts and finding enough money to secure private rented housing (which require an upfront fee) remain unresolved.

G. Health care

The entitlement to health care is not affected in law for refugees and beneficiaries of humanitarian protection but in practice there can be difficulties. Although not required in law, registering with a GP practice for primary care often asks for proof of address; if a refugee has moved from asylum support accommodation it may be difficult to obtain this.⁸⁶¹

Specialist medical support for refugees is patchy; waiting list for mental health services for the population in general in England in particular can be long.⁸⁶² The issues in practice are very similar for refugees to those faced by asylum applicants, despite the difference in status (see [Reception conditions – Healthcare](#)).

The Advocacy Forum, a group of Refugee led Community Organisations supported by the Refugee Council, published research in 2022 examining the barriers to integration by refugees and people seeking asylum living in London. Refugees reported challenges in integration in areas of employment and housing in particular and many were experiencing mental ill health and worryingly, not accessing appropriate treatment.⁸⁶³

A 2024 report found that barriers faced by asylum applicants in accessing healthcare in England included a lack of translation services and difficulty in communicating with staff, lack of understanding of entitlements, digital exclusion, discrimination, destitution and a lack of guidance on how to navigate healthcare services.⁸⁶⁴

⁸⁶⁰ Positive Action in Housing, 'Refugees and asylum seekers: how to get a bank account', 7 May 2025, available [here](#).

⁸⁶¹ Healthwatch, 'Registering with your GP: understanding your rights', 4 October 2023, available [here](#).

⁸⁶² National Audit Office, 'Progress in improving mental health services in England', 9 February 2023, available [here](#).

⁸⁶³ Refugee Council, 'Going Full Circle: The primary needs and experiences of refugees and people seeking asylum living in London', 10 August 2022, available [here](#).

⁸⁶⁴ British Red Cross and St George's Hospital Migrant Health Research Group, 'Delivering with dignity: A framework for strengthening commissioning and provision of healthcare services for people seeking asylum', August 2024, available [here](#).