



# An Asylum System Overwhelmed and Abused

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Asylum: MW 485

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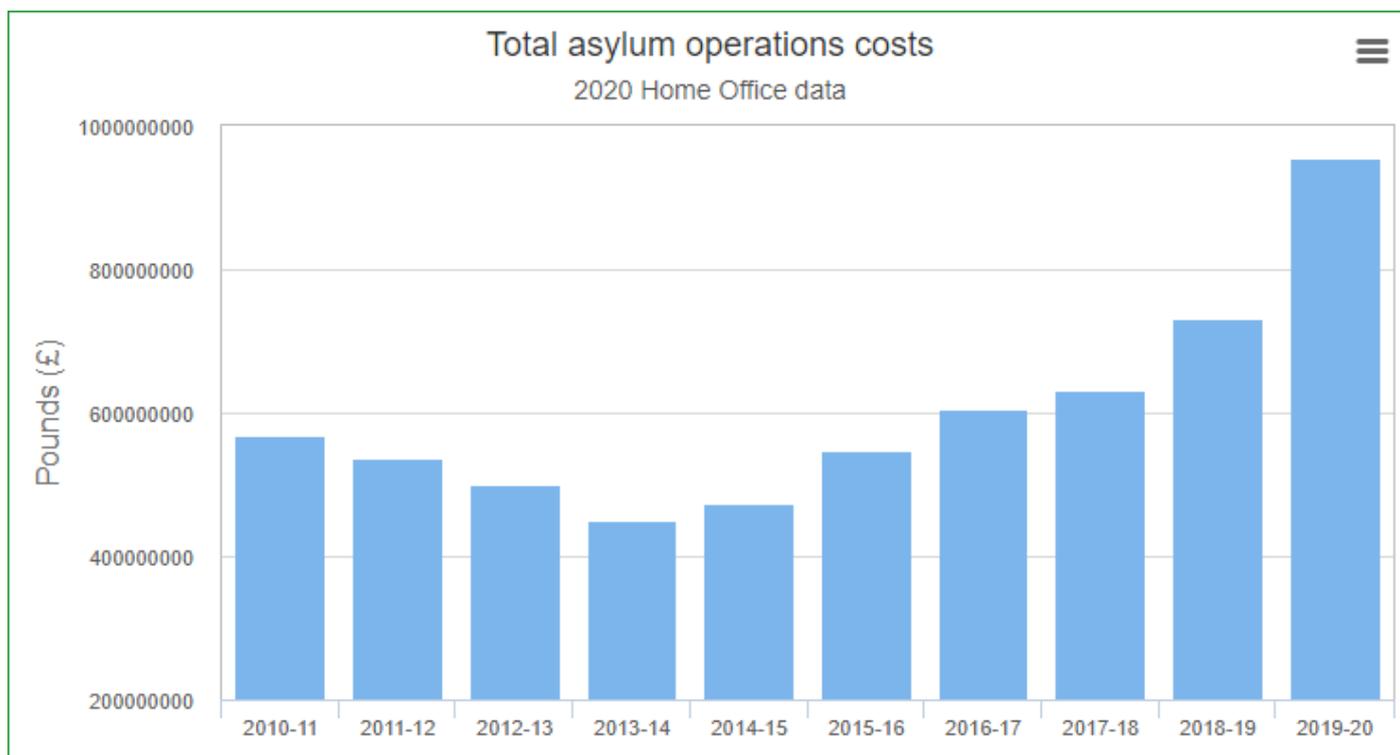
## Summary

1. The asylum system is being overwhelmed following a rapid rise in the number of claims (most of which have been submitted by 'clandestine' entrants), as well as by growing costs, falling productivity, disintegrating enforcement, ballooning backlogs and significant (and, according to the government, "increas[ing]") abuse. We estimate that, should Channel crossings be able to continue on the present scale, housing/payments for asylum seekers deemed eligible after arriving via this route will cost nearly a quarter of a billion pounds over a decade. Asylum-related accommodation is under '**enormous**' and growing '**strain**' - with about £400 million spent this year to house **60,000** asylum seekers and failed claimants (the total number of people housed tripling since 2012). There are nearly 10,000 people in hotels. Separately, millions are wasted per year on cancelled flights for failed asylum seekers obstructed by legal challenges. Nearly £40 million is claimed each year for legal aid for asylum cases. **Reform is needed to end asylum abuse and to stop the waste of taxpayer money.**

- **Total annual cost of asylum operations = £956 million**

2. The total cost of the asylum operations has **more than doubled** since 2013/14, from £450 million to £956 million (Figure 1 below).

Figure 1: Total asylum operations costs, 2020 Home Office data.



3. Although much remains unclear about where the bulk of the money is spent, we know that £470 million was spent in the most recent year for procuring goods and services for asylum-related activities (nearly £200 million more than in 2016/17).

Figure 2: Amount spent by Home Office on goods and services. Source: HO Annual Reports.



4. The Home Office (HO) says that the total amount spent on managing asylum operations includes taxpayers' money devoted towards:

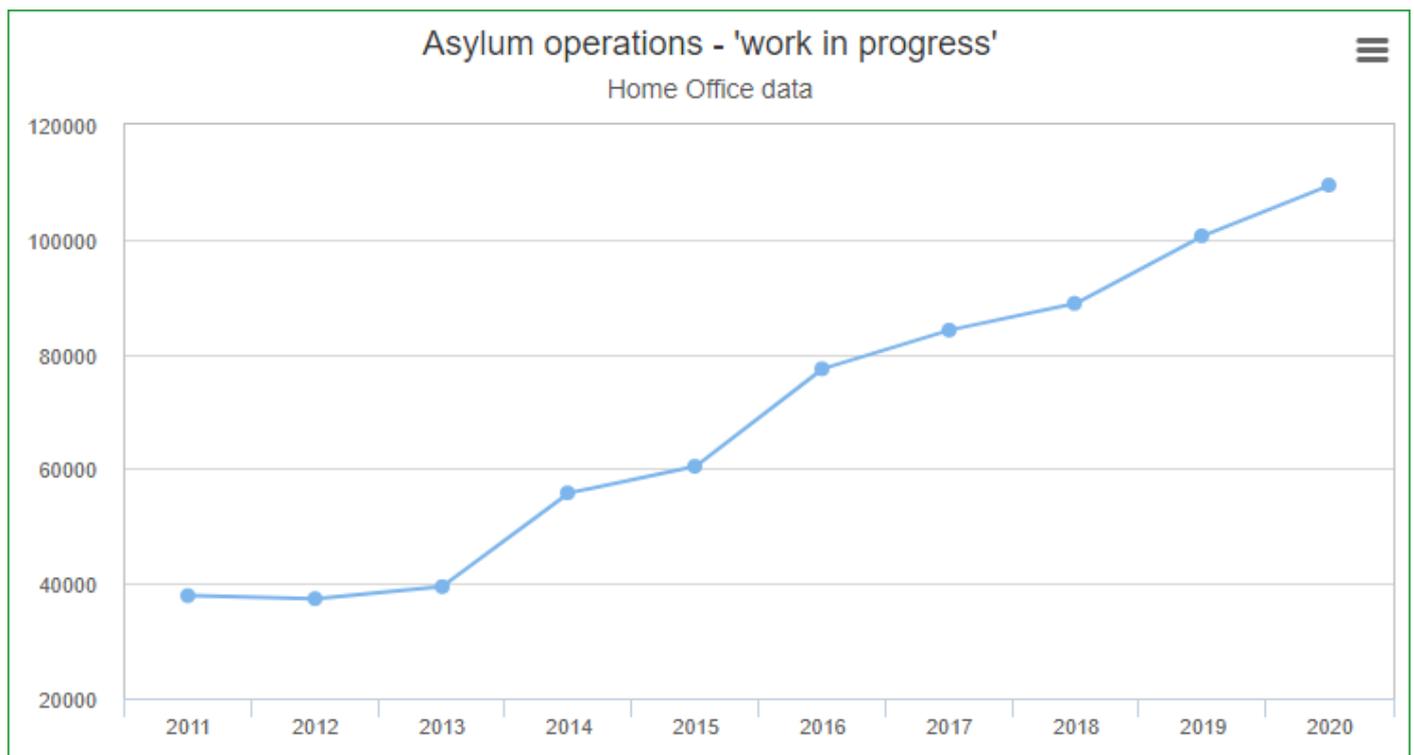
- a. **Deciding a case** (screening clients, interviews and decisions), **managing appeals**, **detention costs** (where detention has been used) and **enforcement costs** (escorting and assisted voluntary returns)
- b. **Housing/payments** for a current total of 60,000 asylum claimants/failed claimants.

5. We detail the scale of each of these functions below:

**a) i) Asylum decisions/appeals**

6. These costs are not reported separately in the Home Office accounts. What is clear is that the number of asylum cases that officials are dealing with has risen substantially in recent years, from 60,400 in 2014/15 to just under 110,000 in 2019/20. The majority of this latter caseload consists of 66,700 rejected or withdrawn applications (which has increased by just over a third since 2015) while there are 42,700 cases waiting for an initial decision (which has more than tripled since 2015).

Figure 3: Asylum operations - work in progress. Home Office data.



7. As the workload has increased and backlog ballooned, staff numbers have risen by 50% from just over 400 to nearly 600 which is not commensurate with the 80% rise in workload. Not surprisingly there has been falling productivity, while the number of people waiting more than six months for an asylum decision has tripled in three years. While 87% of applications were completed in the first six months in 2014, the share fell to 26% in 2019.

8. Meanwhile, the amount spent on agency staff working at UK Visas and Immigration (UKVI - the

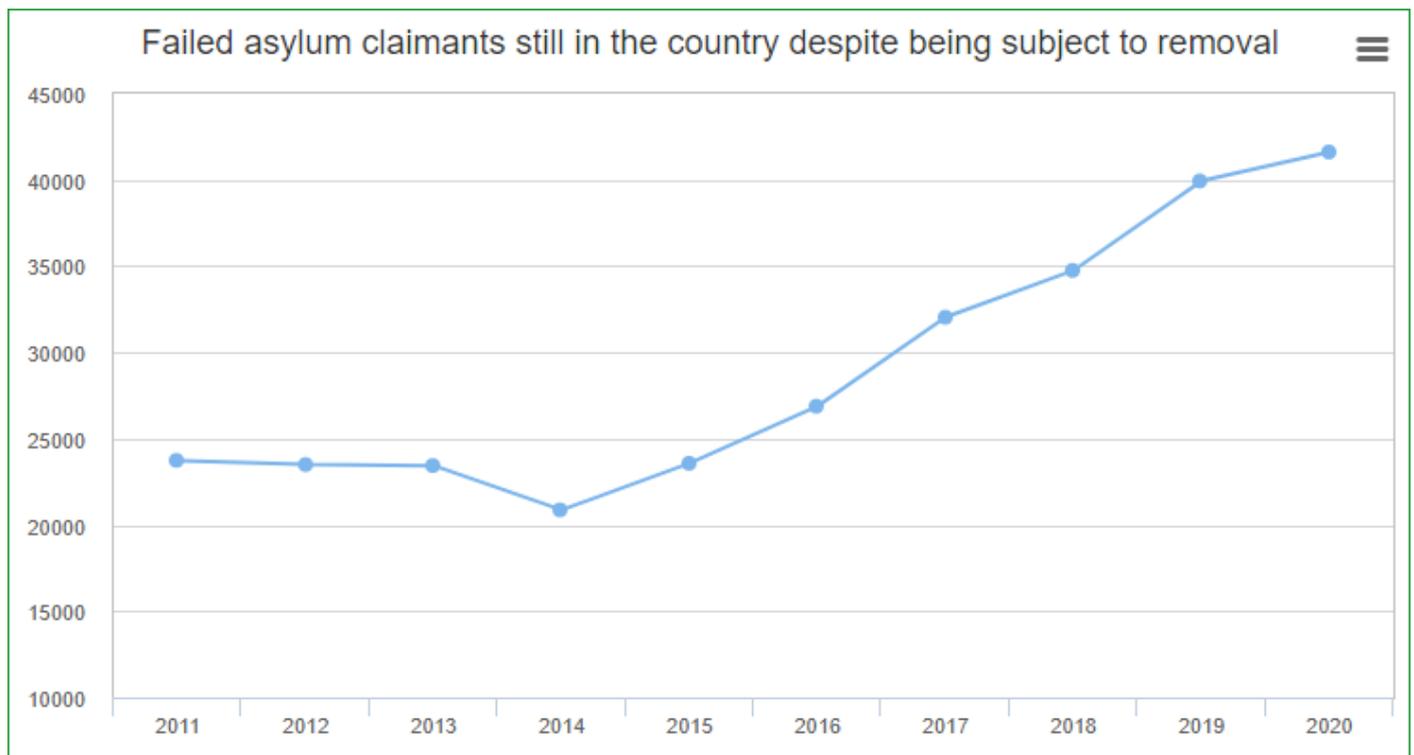
department which oversees the asylum system) has nearly doubled from £20 million in 2015/16 to just under £40 million in 2019/20.

**a) ii) Enforcement / detention**

9. Immigration Enforcement believes asylum abuse to be worsening and ‘cites an increase in individuals making late or spurious claims for asylum while in detention, claiming for medical reasons or that they are victims of modern slavery. It believes many of these claims are used to delay removal’. The existence of such abuse is well-documented by a range of independent organisations, including the Independent Chief Inspector of Borders (ICIBI).

10. Well over 200,000 asylum claims failed between 2004 and 2018 and enforcement action is often required to monitor and remove rejected claimants who have no right to be here. The overall net budget for Immigration Enforcement is currently £392 million and has declined by £47 million since 2015/16 when it was £439 million. Only an (unknown) portion of this budget will be devoted to enforcing the rules as they relate to failed asylum seekers. The latest HO figures show that 41,600 failed applicants are still in the country despite being “subject to removal”, up from 24,700 in 2011 (see figure 4 below).

Figure 4: Failed asylum claimants still in the country despite being subject to removal.



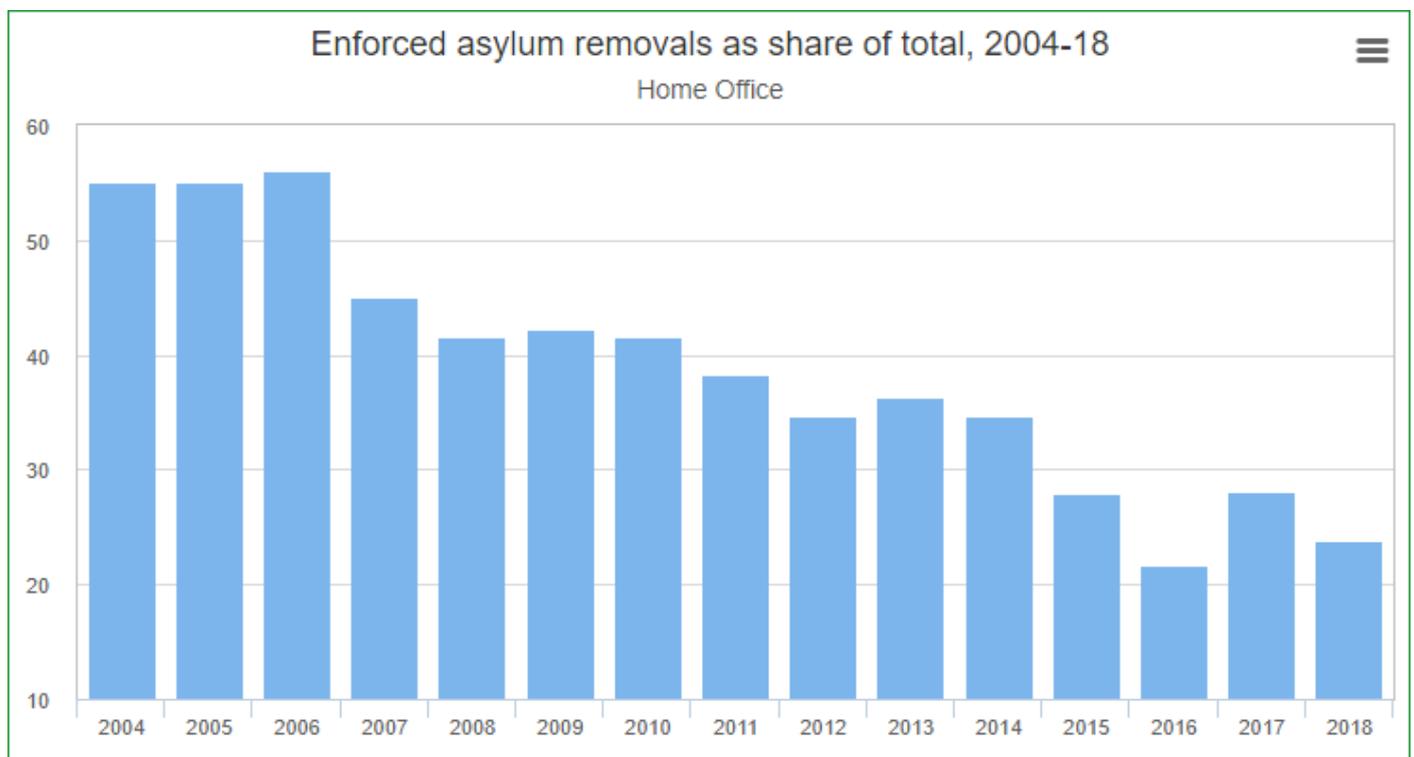
11. Pakistan is the single largest source country for people who have had an asylum claim refused but remain here (4,000) and is a major contributor to the Migration Refusal Pool (14,000), according to the National Audit Office (NAO). The Home Office also believes there is a severe risk that individuals from minority groups in some countries, including Afghanistan, Eritrea and Syria, are ‘misrepresenting their status in asylum claims’.

12. Within the overall net budget for enforcement, the total spent on the function which includes detention and escorting services declined from £194 million to £167 million in the most recent year. A portion will be

asylum-related. Despite the fact that, as the ICIBI said recently, clandestine entry is the ‘most common method of entry’ for asylum claimants, asylum-related detention is currently low. In May 2020, the government said: ‘There is no-one currently detained and going through the Detained Asylum Casework process’. This comes in a context which has seen the government ‘significantly reduce the size of its detention estate since 2016, reducing its costs by £40 million (21%) [while] detaining people for a shorter time’. The ICIBI suggests that some HO staff believe more use should be made of detention to expedite returns of those illegally entering on small boats.

13. The net budget for returns has only declined slightly from £99 million in 2015/16 to £92 million in the most recent year. It is not clear how much of this is devoted specifically to asylum-related returns. However, it is notable that only 24% (1,700) of the total of around 7,300 enforced removals in 2018 were enforced for people who had previously sought asylum - a decline from well over half in 2004-2006. Meanwhile, only 3% of those arriving illegally via the Channel - or just one in every 42 - are returned from the UK to Europe.

Figure 5: Enforced asylum removals as share of total, 2004-18 (Home Office).



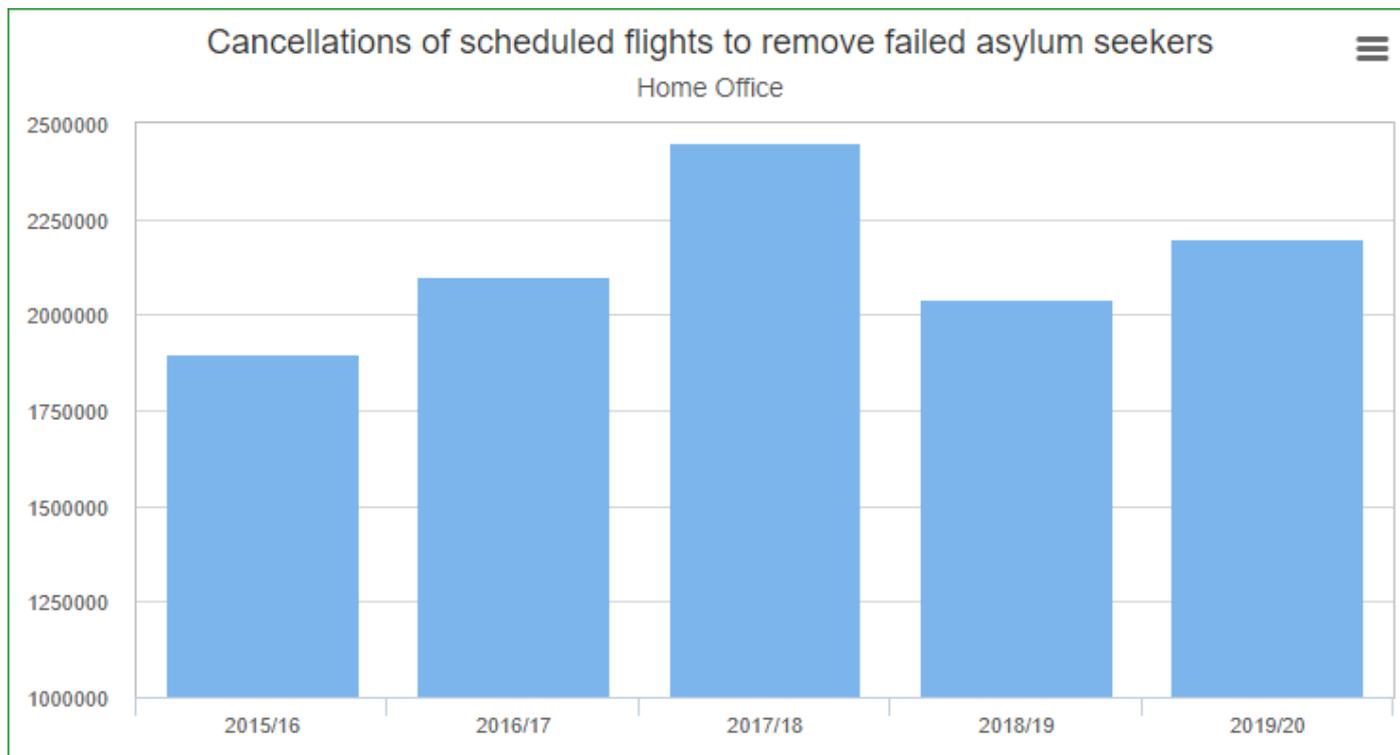
**a) iii) Cancelled charter flights to return failed asylum seekers**

14. The government has estimated it will spend nearly £206 million on travel services and deportation tickets to return those with no right to be here between 2017 and 2024, or **£29.3 million per year** (see [source](#)). An unknown portion relates to failed asylum claimants.

15. In the Summer of 2020, the [National Audit Office report](#) (p.39) said: "Between January 2015 and December 2019, it cancelled 213,000 tickets. This equates to 117 tickets cancelled per day. The Department recovers around 90% of the gross costs through refunds, but it has incurred a net cost of £14 million since January 2015."

16. Separately, the Home Office has stated that about £2 million per year is incurred by the government incurred as a result of cancellations of scheduled flights intended to remove ineligible asylum seekers, which were subsequently cancelled due to asylum seekers being granted the right to appeal.

Figure 6: Cancellations of scheduled flights to remove failed asylum seekers (Home Office)



#### b) Housing/payments plus staff /administration

17. The government is required by the Immigration and Asylum Act 1999 (henceforth 'the 1999 Act') to provide housing and payments to certain eligible asylum seekers and failed claimants. To be eligible, an asylum seeker must show that:

- their application for asylum has been recorded;
- they are destitute and therefore have access to very little or no money or accommodation;
- they have applied for asylum "as soon as reasonably practicable" after arriving in the UK; and
- if unaccompanied, they are over 18 years of age.

18. In mid-2019 the Home Office signed seven Asylum Accommodation and Support Contracts with private bodies. These began operating in September last year. The NAO has calculated that switching from the previous Compass accommodation contracts (which were operational from 2012 to 2019) to the seven new contracts has coincided with a 28% increase in costs, so that *'in its first full year, the new service costs some £560 per month for each accommodated asylum seeker, compared with £437 under the last full year of Compass (2018)'*. The total cost for both pending claimants and rejected applicants is estimated - using the NAO figures cited above - to have risen.

- from just under **£250 million** to house and pay just under 47,500 people in 2018.
- to over **£350 million** for 53,000 people (year to June 2020) – a rise of **£100 million**.
- On the basis of the NAO estimates above, the total cost for housing 60,000 people (as revealed by the Home Office in late September) would be over **£400 million**. The government says that, in the midst of the COVID-19 crisis, they allowed people to remain in their accommodation even after their asylum decision has been made, positively or negatively, resulting in ‘an enormous strain on the system’. However, illegal Channel arrivals appear also to have added to pressures.

## Total number of asylum claimants being housed/paid

19. Figure 7 below shows that the number of asylum seekers and failed claimants receiving

furnished accommodation with utility bills and council tax paid more than doubled from 20,000 in 2011/12 to over 53,000 in the year to June 2020. In late September 2020, however, the Home Office indicated that the total number housed has risen to 60,000. Meanwhile, figure 8 shows just those who are receiving regular payments under the 1999 Act. In the most recent year, the total included 3,400 people were receiving ‘subsistence payments only’ and were not being accommodated.

Figure 7: Total accommodated under 1999 Act (HO asylum stats).

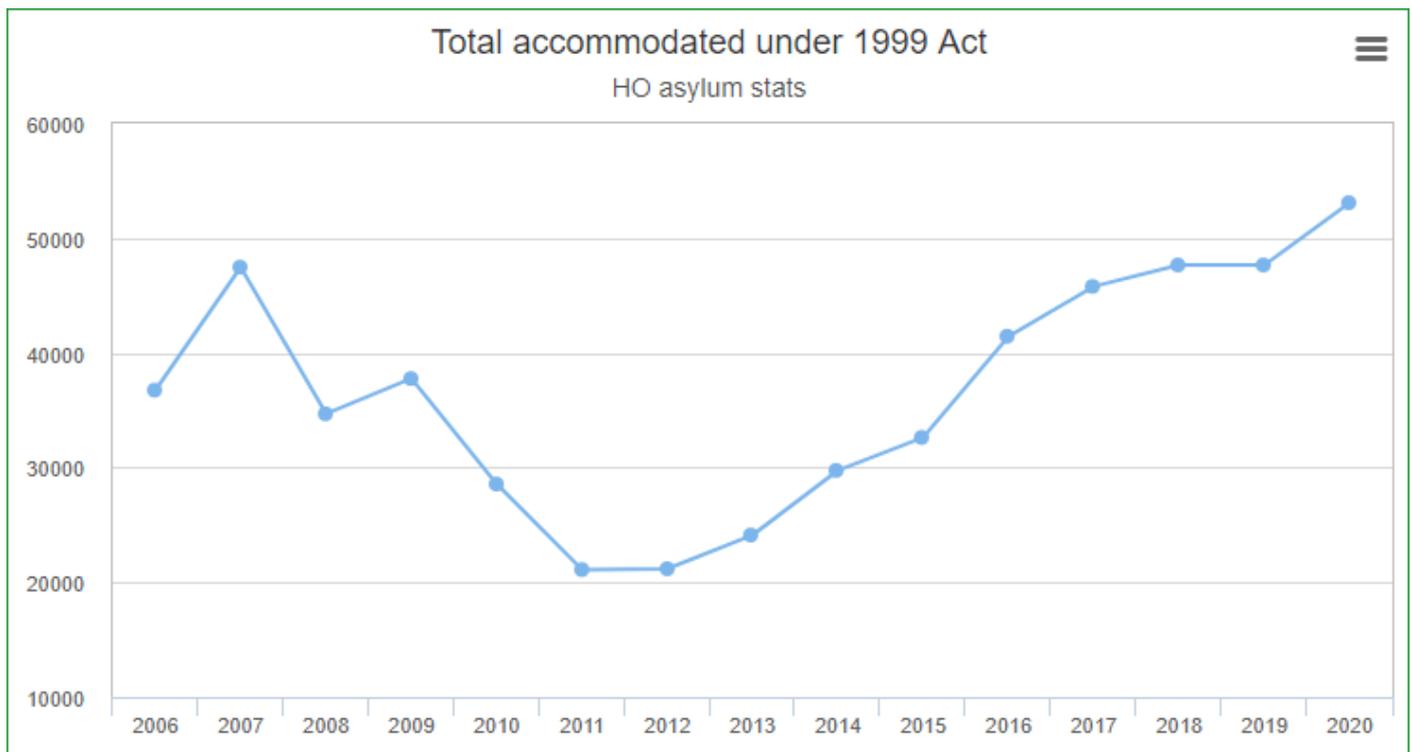
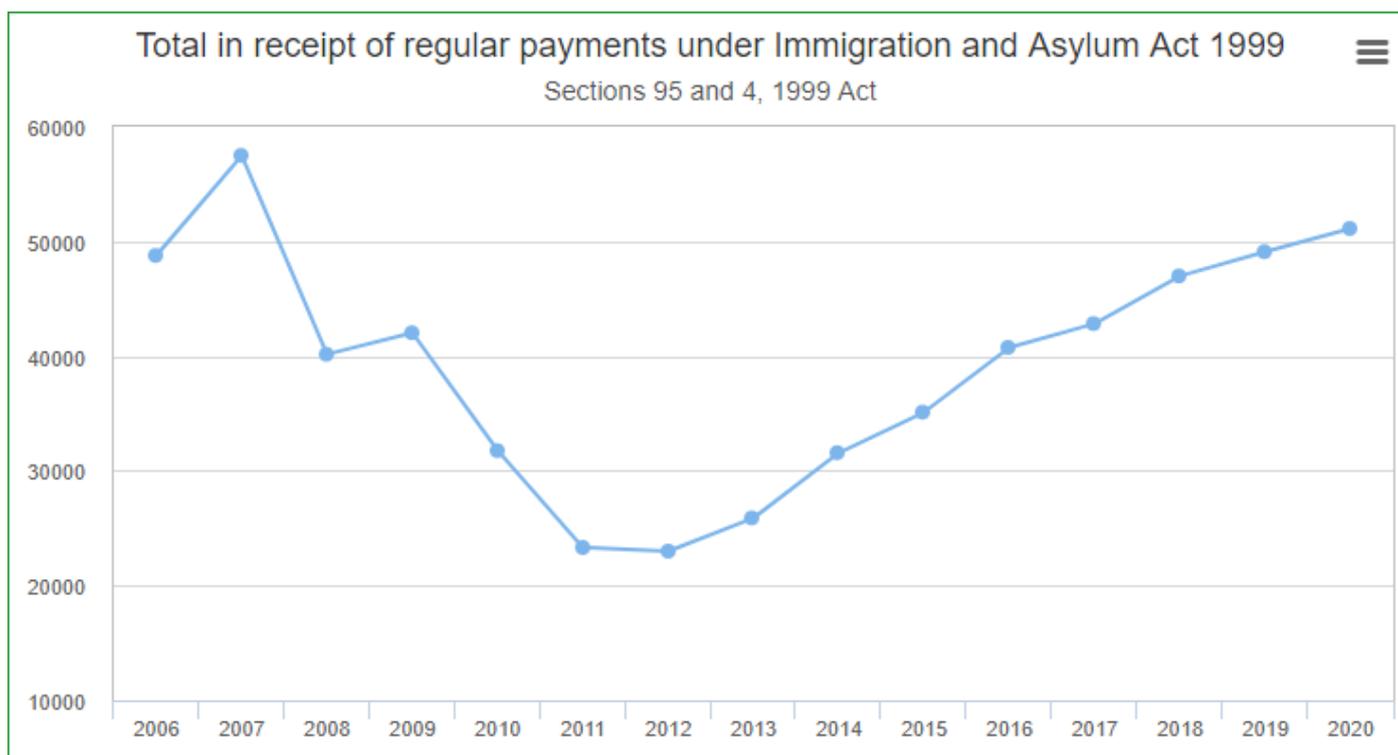


Figure 8: Total in receipt of regular payments under Immigration and Asylum Act 1999, (Sections 95 and 4, 1999 Act)



20. As to where asylum seekers are housed, just under half (47%) of all UK local authorities (180 of 382) had agreed to house asylum seekers in their area in the year to March 2020. The Commons Home Affairs Committee found previously that asylum claimants concentrated in a small number of the most deprived areas, many in the North of England, Scotland and Midlands. It should also be noted that the Home Office envisages a total of 17,900 more asylum seekers being housed in Scotland, the North-West, Midlands and East of England and in Wales by the end of the 2020s (Table 1 below).

Table 1: Accommodated asylum seekers and regional limits

Region	Accommodated asylum seekers (Dec 2019)	Distribution of 2019 total if reflecting the UK population	Volume cap, 2020	Maximum volume cap by end of contract in 2029	Difference between total accommodated in 2019 and 2029 projected figure
Scotland	4635	4002	5999	7700	3065
Northern Ireland	1083	1385	1400		
NE Yorks Humber	11188	5988	14000		
NW	11017	5366	12541	17500	6483
Midlands and East	9443	9728	10490	15400	5957
Wales	3227	2310	4010	5600	2373
South	8295	20110	8400		
<b>Totals</b>	<b>48888</b>	<b>48889</b>	<b>56840</b>		<b>17878</b>

## Those housed in initial or 'contingency' accommodation

21. The total of 60,000 people housed as of September 2020 appears to include nearly 12,000 people who are housed in what is known as 'initial accommodation' - in hotels, hostels, Bed and Breakfasts, as well as hundreds provided a place to stay in what is called 'contingency accommodation' in former Army barracks in Kent and in Wales.

22. Eligible persons are placed in such accommodation immediately after applying for asylum under Section 98 of the 1999 Act while their application for longer-term 'dispersed accommodation' under Section 95 of the 1999 Act is processed. The preference is for this 'Initial Accommodation' to be provided on a full board basis. As the NAO explains, *'many people in initial accommodation receive no weekly subsistence payments since their accommodation provider supplies all meals and toiletries'*.

23. Home Office officials told the House of Commons Public Accounts Select Committee in early October that 9,500 people have been put up in almost a hundred hotels in around 50 local authority areas. If the proportion of people in hotels as that of the total in 'initial accommodation' is the same as in June this would mean that nearly 12,000 people are currently being housed in this type of accommodation. The spike in the number of those housed in such a way may mean higher costs for taxpayers. A similar spike in asylum claims in 2015 led those tasked with providing housing 'incurring greater costs' than planned.

## Estimated number of failed asylum claimants being housed/paid

24. The government says it does *'not provide accommodation to illegal immigrants'* but this jars with the fact that the government continues to pay for housing and payments to people that the Home Office has itself described as 'illegal migrants', i.e. failed asylum seekers who have no right to be in the country.

25. Despite the fact that, as the Home Office stated in 2015, *'there is no international obligation to support those refused asylum or other classes of illegal migrant'*, support is nonetheless provided to some categories of failed asylum seeker because of the way domestic legislation (that is the 1999 Act) [has been] framed'. Failed claimants may be eligible if they would otherwise be destitute and either face an obstacle to departure or have started judicial review proceedings - under Section 4(2) of the 199 Act.. Alternatively, section 94(5) of the 1999 Act allows section 95 support to continue after the claim has been finally determined if the failed asylum seeker has with them a dependent child.

26. In 2015 the previous Cameron government said of this statutory requirement to provide support for failed asylum seekers: ***"This is wrong in principle and sends entirely the wrong message to those migrants who do not require our protection but who may seek to exploit the system. It also undermines public confidence in our asylum system."*** It is baffling that such support continues **unimpeded despite** the main legislative provision governing support for failed asylum claimants being repealed in 2016. It is not clear why this change in the law has yet to be implemented four years after the Act received Royal Assent. The government should expedite its implementation.

27. Despite a recent government refusal to confirm the number of failed asylum claimants who are housed/paid under these provisions (and the cost), it is possible to make an estimate using:

- a. The NAO estimates of cost per person per month noted above.
- b. HO statistics on the change in the number of those supported under s95/s4 of the 1999 Act and;
- c. Figures regarding the 2014/15 cost of supporting failed claimants published by the government in 2015. Those supported under s98 are not included in our estimate.

28. The government stated that provision for rejected asylum claimants involved a total of 15,000 people in 2014/15 -10,100 of whom were being supported under Section 95 and 4,900 of whom were being supported under Section 4. This is 42% of the total of 35,300 people (including pending applicants) being supported under these provisions at the time.

29. To update these estimates to the year to June 2020, we assume the same proportion of those currently housed under Section 95 are failed asylum claimants as in 2014/15. This gives 14,000 in 2020. Adding in the 2020 total of nearly 5,400 currently receiving housing/payments under s4 leads to an estimate of 19,400.

30. We have made this estimate in part because the government refuses to disclose the number of failed asylum seekers currently being supported - despite such information clearly being in the public interest.

31. The number of failed asylum seekers being housed may have increased significantly during the Covid crisis of 2020, particularly in light of the fact that the government temporarily ceased ending support for those whose claims were either granted or refused *'to ensure people were not made homeless during lockdown and able to follow social distancing guidelines... As well as ensuring that people could comply with the health guidance in place at the time, this avoided placing pressure on local authorities, who were also procuring hotel accommodation for UK rough sleepers.'* The government said this was a temporary measure. While some refused asylum seekers were placed in hotels funded by the Home Office, others have their temporary hotel accommodation paid for by local authorities.

32. The government said it re-started evictions from asylum accommodation 'in August 2020 for positive cases and more recently (during September 2020) in England for negative ones'. This meant that failed asylum claimants who were not deemed eligible for accommodation (i.e. because they were not destitute or did not have dependant children) would be given a 21-day grace period, during which housing and support would still be available, to make steps to return to their country of origin.

## How much do asylum-related housing/payments cost UK taxpayers?

33. Serco, Clearsprings and Mears have been awarded seven contracts (worth a total of **nearly £4 billion**) to provide asylum-related housing and support for ten years, starting from September 2019. A service for occupants to report accommodation issues (a national Advice, Issue Reporting and Eligibility contract) was awarded to Migrant Help. In light of the most recent figure of 60,000 people housed, the annual estimated cost is around £400 million:

- Serco (North-West, the Midlands and in the East of England) house about 20,000 asylum seekers. Contract: **£1.9 billion**.

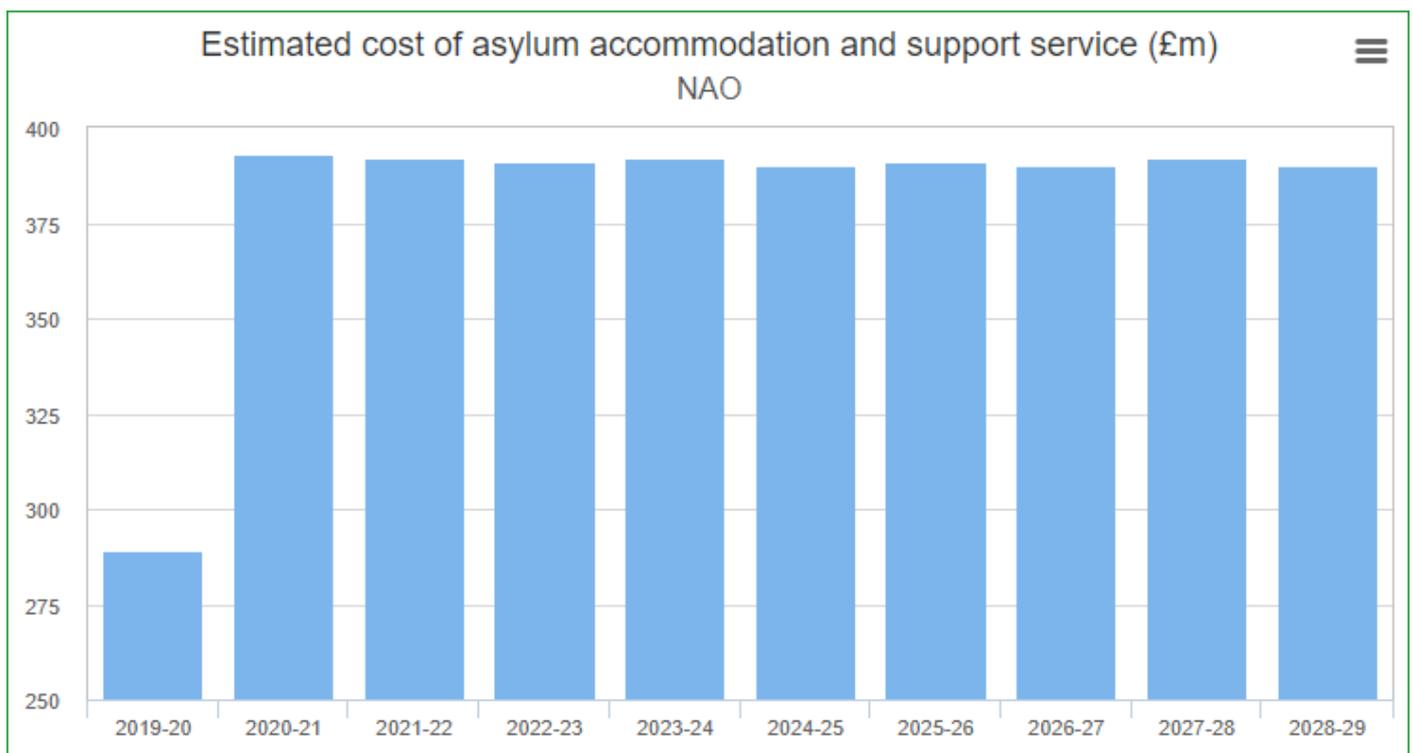
- Clearsprings (Wales, the South of England and London). Contract: **£1.1 billion**.
- Mears was awarded a new contract for Scotland, Northern Ireland, North East and Yorkshire and the Humber. Contract: **£1 billion**.

Table 2: Distribution of those housed among the various contracts. Source: NAO, Jun. 2020.

Region	Provider	Estimated forecast cost - 2019-2029, (£m)	Total accommodated (Dec. 2019)
Scotland	Mears	431	4,635
Northern Ireland	Mears	95	1,083
North East, Yorkshire and the Humber	Mears	694	11,188
North West	Serco	882	11,017
Midlands and East of England	Serco	834	9,443
Wales	Clearsprings	265	3,227
South	Clearsprings	526	8,296
	<b>Totals</b>	<b>£3.73 million</b>	<b>48,889</b>

34. The NAO estimates the cost of supporting people will average £380 million per year (see below), although the projected cost for the financial year 2019/20 is slightly lower than this. However, the cost of supporting the 60,000 people accommodated in late September is estimated, on the basis of the above NAO estimates, to be just over £400 million. As for the future, a plan has been agreed to reallocate 11,800 more asylum seekers to the South of England (more than doubling the number accommodated there from the current 8,300) - a move estimated by the NAO to cost £80 million. This is despite the South of England being one of the areas of the UK that is worst affected by the housing shortage.

Figure 9: Estimated cost of asylum accommodation and support service (£m) - NAO.



## Estimated cost of housing and supporting failed asylum claimants

35. The cost of supporting 15,000 failed asylum claimants was stated by the government in 2015 to be £73 million. It is unclear whether this also includes staff and administration costs which totalled £60 million for both pending and failed claimants in 2014/15. If we allocate this pro-rata to failed asylum seekers this gives a further £25.2 million. So together the basic cost of supporting failed asylum seekers in 2014/15 may have totalled £73 million but – if staff/administration costs are included on top of this – it may have come to just under £100 million in 2014/15. In order to make an estimate for an updated cost, we attribute the NAO figure of £560 per person per month - which we assume to include the cost of staff and administration - to the figure of around 19,400 failed asylum claimants that we estimate to be housed and supported in 2020 (par. 29 above). This would cost **£130 million per year**.

## Additional asylum-related costs to the taxpayer

### ***e) Additional services for eligible asylum seekers and failed claimants***

36. In addition, as the Home Office has made clear, supported asylum seekers, and eligible rejected claimants, are given: free prescriptions for medicine, free dental care, free eyesight tests, help paying for glasses, free NHS care and free education for children and may also get maternity payments. Eligible failed asylum seekers who receive accommodation/payments from the Home Office under section 4(2) of the Immigration and Asylum Act 1999 are also exempt from having to pay for NHS healthcare.

### ***f) Legal aid = £39.4 million in the most recent year***

37. An average of £35.3 million has been claimed in legal aid by asylum seekers in the past five years - or £680,000 per week. This totalled £176.7 million in the past five years.

Year	Immigration-Asylum	Immigration-Non-asylum
2015-16	32,607,000	3,260,000
2016-17	35,605,000	2,467,000
2017-18	34,335,000	2,617,000
2018-19	34,802,000	2,580,000
2019-20	39,367,000	2,819,000
<b>Totals</b>	<b>176,716,000</b>	<b>13,743,000</b>

## Potential impact of ongoing unauthorised Channel arrivals on the present scale

38. The record increase in illegal Channel crossings over the past year - with 8,500 people arriving in small boats during the past 12 months - may have added to the fast-growing asylum costs. Home Office statistics suggest that about 98% of cross Channel arrivals who entered in the first half of 2020 claimed asylum.

39. A top HO official stated in evidence to the Commons Home Affairs Committee on 3 September 2020 that, of the 50% of Channel crossers whose claims have been considered in the first half of 2020, 20% had

been granted, 10% have been refused (on their own merits) and a further 71% had been refused because the UK was not the responsible country, that is, they have travelled through a safe country before they came here. The upshot is that 81%, or four-fifths, were deemed to have no credible asylum claim in the UK either on the merits of the application or as a result of the way in which the claimant arrived.

40. Despite this the Channel situation (as distinct from that of the COVID-19 crisis) may have added to strains on asylum-related accommodation - the number of people housed in initial accommodation started spiking from the Summer of 2019, rising from a negligible number in July 2019 to hit 1,600 in February 2020 - before the Covid pandemic struck.

41. In evidence to a parliamentary committee, a representative of an asylum-related NGO speculated that there would be little fall in boat voyages even as economies bounced back from the COVID-19 crisis. In her words: *“Once a route is established it becomes an established route.”* This must not be allowed to happen and the route must be closed, primarily to prevent further loss of life and to enforce the law, but also to save taxpayer money. We look below at the possible cost of housing this scale of eligible cross-Channel asylum seekers on an annual basis.

## How much is the Channel route costing in asylum-related housing/payments?

42. If we take the annual figure of 8,500 people who have been reported as having crossed the Channel illegally in small boats between November 2019 and November 2020, and we assume that 98% would go on to claim asylum (based on Q1 and Q2 2020), this gives us 8,330 people. The HO has said to the ICIBI that approximately half of all those who claim asylum also apply for asylum support, including housing/payments. This roughly tallies with the figures for 2019 when there were over 40,000 asylum claims (including for dependants) but around 20,000 claims for Section 95 support on the basis of ‘destitution’ (alongside 3,600 claims for section 4 support). If half of those submitting a Section 95 application after crossing the Channel apply for support, this amounts an estimate of just under 4,165 people having done so in 2019/20.

43. Meanwhile, separate Home Office data suggests that 85% of claims by asylum seekers for support on the basis that they are destitute were successful in the year to June 2020. This would mean 85% of 4,165 cross-Channel asylum seekers - or **3,540** - being housed / receiving payments. Using the above NAO estimates for the cost per asylum seeker per year, this would cost £23.8 million in housing/payment costs per year. On this basis, **a continuing unmitigated inflow across the Channel at the current scale would cost taxpayers nearly £240 million over the course of a decade.** This does not include any portion of the costs of other asylum operations, including processing, appeals, legal aid, detention, removal, possible cancelled trips or other aspects of security or enforcement. Nor does it include impact on public services.

## Conclusions

44. Strains on the asylum system - worsened by significant abuse - are threatening to overwhelm the system. In the midst of ballooning budgets, falling productivity, rising backlogs and disintegrating enforcement, asylum abuse is too often being used as a ‘backdoor’ route into the UK by those whose identities it is extremely difficult to properly verify because those entering clandestinely (e.g. in small boats

across the Channel) often destroy documentation prior to arrival. This is not only a huge security risk. It is also unfair to genuine claimants and a grave affront to law-abiding UK people who expect that the system they fund will be set aside to help only those in the most genuine need. Such a system must have adequate safeguards against abuse. Yet, as a Minister stated recently: *"[The legal system]... is quite frankly not fit for purpose in this area when it comes to asylum and immigration enforcement matters. We are often frustrated by repeatedly vexatious legal claims, often made at the last minute with the express intention of frustrating the proper application of the law."*

45. Despite this, government actions do not appear to have significantly deterred such abuse (and may have tacitly encouraged it), including through a failure (despite repeated promises to the contrary) to stem unauthorised arrivals via small boats and lorries (both of which have risen recently - as recently confirmed by ICIBI). The vast majority of those entering in such a way go on to claim asylum after being encountered by officials. A clear promise by the Prime Minister to 'send back' those entering in this way appears to have largely fallen flat, with 3% returned since the start of 2019. There has also been a deliberate drawback in enforcement as a matter of policy, for instance through the declining use of detention. Some HO staff believe **more** use should be made of detention in order to ensure better enforcement of the rules.

18 November 2020

# Notes

1. Home Office minister, Hansard, 28 September 2020, URL: <https://hansard.parliament.uk/commons/2020-09-28/debates/837E97A2-FCA4-4A5A-ABD5-1233EA7182FC/OralAnswersToQuestions>
2. Also included are the costs of department staff and buildings and the proportionate costs of the Home Office building and managerial costs. Home Office statistics, August 2020, URL: <https://www.gov.uk/government/publications/immigration-protection-data-august-2020>
3. Home Office statistics, year to Q2 2020, URL: <https://www.gov.uk/government/publications/immigration-protection-data-august-2020>
4. The Home Office states: "Work in progress is the number of cases that are not concluded at the given point in time. This includes: undecided cases, those cases awaiting an appeal outcome and those cases awaiting removal." HO Immigration and Protection data, URL: <https://www.gov.uk/government/publications/immigration-protection-data-august-2020>
5. These are cases that the Home Office defines as work in progress, i.e. the number of cases that are not concluded at the given point in time. This includes: undecided cases, those cases awaiting an appeal outcome and those cases awaiting removal. The methodology for this measure was amended in April 2014, to count reapplications and pre-decision absconders within the total work in progress numbers. Home Office, Immigration & Protection data: August 2020, URL: <https://www.gov.uk/government/publications/immigration-protection-data-august-2020>
6. Home Office, Asylum transparency data, February 2020, URL: <https://www.gov.uk/government/publications/asylum-transparency-data-february-2020>
7. Home Office Annual Report and Accounts 2015-16, p.77, URL: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/539638/HO\\_AR\\_16\\_gov.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/539638/HO_AR_16_gov.pdf); Home Office Annual Report and Accounts 2019-20, p. 88, URL: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/902593/HO\\_Annual\\_Report\\_and\\_Accounts\\_2019-20\\_FINAL.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/902593/HO_Annual_Report_and_Accounts_2019-20_FINAL.pdf)
8. The National Audit Office questions this claim, citing the need for more evidence and detail, but does not specifically refute it. P.38. <https://www.nao.org.uk/wp-content/uploads/2020/06/Immigration-enforcement.pdf>
9. National Audit Office, Immigration Enforcement, June 2020, p. 20, URL: <https://www.nao.org.uk/report/immigration-enforcement/>
10. Home Office statistics, year to Q2 2020 - see tab Asy\_03, URL: <https://www.gov.uk/government/publications/immigration-protection-data-august-2020>
11. Ibid.
12. The Migration Refusal Pool includes individuals whose leave to remain has expired or whose applications to remain the Department has refused and where there is no record of their departure from the UK. This stood at around 133,000 in Q3 2019. HO, Immigration enforcement transparency data, February 2020, URL: <https://www.gov.uk/government/publications/immigration-enforcement-data-february-2020>
13. Ministerial Answer in the House of Lords, 7 May 2020, URL: <https://questions-statements.parliament.uk/written-questions/detail/2020-04-23/HL3389>
14. Ministerial Answer in the House of Lords, 7 May 2020, URL: <https://questions-statements.parliament.uk/written-questions/detail/2020-04-23/HL3389>
15. NAO on immigration enforcement, 2020, p. 38.
16. Home Office returns statistics, year ending December 2018, URL: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/781113/returns1-dec-2018-tables.ods](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/781113/returns1-dec-2018-tables.ods)
17. See Migration Watch UK piece, based upon government announcements, URL: <https://news.migrationwatch.org.uk/2020/09/19/removals-of-illegal-channel-migrants-and-failed-asylum-seekers>
18. Home Office annual reports and accounts, 2019/20, p.117, URL: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/902593/HO\\_Annual\\_Report\\_and\\_Accounts\\_2019-20\\_FINAL.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/902593/HO_Annual_Report_and_Accounts_2019-20_FINAL.pdf)
19. National Audit Office report on asylum accommodation, p. 9.
20. Statement by Home Office minister, Hansard, 28 September 2020, URL: <https://hansard.parliament.uk/commons/2020-09-28/debates/837E97A2-FCA4-4A5A-ABD5-1233EA7182FC/OralAnswersToQuestions>
21. HO asylum statistics. <https://www.gov.uk/government/publications/immigration-statistics-july-to-september-2016/list-of-tables#asylum>
22. HC Home Affairs Committee, Asylum accommodation, Twelfth Report of Session 2016-17, HC 637, January 2017.
23. As the NAO puts it, UK Visas and Immigration, under operational control of the Home Office 'sets annual limits ('volume caps') each year, based on the number of accommodated asylum seekers in each region on the last day of the previous year. This annual cap cannot exceed the maximum cap for each region set in the contract. The Northern Ireland, North East, Yorkshire and the Humber and South regions already have their volume cap set at the maximum level." Op. cit., p. 47.
24. In September, the Home Office was reported to be set to begin moving 450 asylum seekers into temporary accommodation in disused army barracks near Folkestone in Kent. The Home Office has suggested this move would save the taxpayer 'millions'.
25. Evidence by Home Office personnel to House of Commons Public Accounts Select Committee, 1 October 2020, URL: <https://committees.parliament.uk/event/2144/formal-meeting-oral-evidence-session/>
26. ICIBI, 2018, p.17, URL: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/757285/ICIBI\\_An\\_inspection\\_of\\_the\\_HO\\_management\\_of\\_asylum\\_accommodation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/757285/ICIBI_An_inspection_of_the_HO_management_of_asylum_accommodation.pdf)
27. Hansard, September 2020, URL: <https://questions-statements.parliament.uk/written-questions/detail/2020-09-14/89585>
28. Home Office impact assessment, 2015, URL: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/459111/Reforming\\_support.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/459111/Reforming_support.pdf)
29. Section 4(2) of the Immigration and Asylum Act 1999 allows support to be provided to failed asylum seekers who would otherwise be destitute and who meet conditions set out in regulations. The Immigration and Asylum (Provision of Accommodation to Failed Asylum-Seekers) Regulations 2005 set out the eligibility criteria. Regulation 3(1)(a) allows support to be provided to a failed asylum seeker who appears to be destitute and who satisfies one or more of the following conditions:
  - the person is taking all reasonable steps to leave the UK or place themselves in a position in which they can leave the UK-this could

- include complying with attempts to obtain a travel document to facilitate departure
  - the person is unable to leave the UK by reason of a physical impediment to travel or for some other medical reason
  - the person is unable to leave the UK because in the opinion of the Secretary of State there is currently no viable route of return available
  - the person has made an application in Scotland for judicial review of a decision in relation to their asylum claim or, in England and Wales or Northern Ireland, has applied for such a judicial review and been granted permission or leave to proceed
  - the provision of accommodation is necessary for avoiding a breach of a person's Convention rights, within the meaning of the Human Rights Act 1998
- Dependants of failed asylum seekers may be supported under section 4(3) of the 1999 Act... where the person had dependent children in their household before the expiry of the grace period, they continue to be eligible to receive support provided under section 95 and are not therefore eligible to receive section 4(2) support. A failed asylum seeker with children is only therefore eligible to receive support provided under section 4(2) if their children were born after the expiry of the grace period or otherwise joined their household after the period.
30. Section 95 of the Immigration and Asylum Act 1999 provides support for asylum seekers who have an asylum claim or appeal outstanding and failed asylum seekers who had children in their household when their appeal rights were exhausted. Section 95 currently allows Home Office support to continue automatically if a failed asylum seeker has a child in their household. This is subject to the powers contained in Schedule 3 to the Nationality, Immigration and Asylum Act 2002 to cease support where it is certified that the persons are not taking reasonable steps to leave the UK voluntarily or to place themselves in a position in which they are able to leave the UK voluntarily. These powers, which place the onus on the Home Office to demonstrate non-compliance rather than on the failed asylum seeker to demonstrate compliance and which are subject to a right of appeal against a decision to cease support, have not been used since 2005.
  31. See Home Office factsheet, August 2020, URL: <https://homeofficemedia.blog.gov.uk/2020/08/08/the-use-of-temporary-hotels-to-house-asylum-seekers-during-covid-19/>
  32. Hansard, 28 September 2020, URL: <https://hansard.parliament.uk/commons/2020-09-28/debates/837E97A2-FCA4-4A5A-ABD5-1233EA7182FC/OralAnswersToQuestions>
  33. As the NAO puts it, 'In July 2019 the Department and local authorities agreed a plan for the proportion of supported asylum seekers housed in each government region to reflect each region's share of the UK population, by 2029. At current volumes, this would mean more than doubling the number of people in the South region. The Department has not calculated what this might cost. Given higher prices in the South, we estimate this would cost an additional £80 million. As the provider in the South is already very close to accommodating the maximum number of asylum seekers in its contract, the Department would need to renegotiate prices should numbers increase.' Ibid., p.15.
  34. Ibid., p. 16.
  35. Op. Cit.
  36. Freedom of Information release, 2015, URL: <https://www.whatdotheyknow.com/request/315328/response/780299/attach/html/3/FOI%2038465%20Response.pdf.html>
  37. See Migration Watch UK's regularly-updated Channel Tracking Station which records each reported incident, URL: <https://news.migrationwatchuk.org/2020/05/11/arrivals-via-deadly-and-illegal-channel-crossing-from-safe-countries>
  38. Home Office evidence to the Commons Home Affairs Select Committee, 3 September 2020, URL: <https://committees.parliament.uk/oralevidence/793/default/>
  39. NAO report on asylum accommodation, July 2020, URL: <https://www.nao.org.uk/wp-content/uploads/2020/07/Asylum-accommodation-and-support.pdf>
  40. Daily Mirror, 16 September 2020, URL: <https://www.mirror.co.uk/news/politics/coronavirus-lockdown-triggered-surge-migrants-22693672>
  41. See Migration Watch UK's regularly-updated Channel Tracking Station which records each reported incident, URL: <https://news.migrationwatchuk.org/2020/05/11/arrivals-via-deadly-and-illegal-channel-crossing-from-safe-countries>
  42. Independent Chief Inspector of Borders, Inspection of Asylum Accommodation, November 2018, p.17, URL: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/757285/ICIBI\\_An\\_inspection\\_of\\_the\\_HO\\_management\\_of\\_asylum\\_accommodation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/757285/ICIBI_An_inspection_of_the_HO_management_of_asylum_accommodation.pdf)
  43. Home Office, asylum transparency data, February 2020, AS\_01, URL: <https://www.gov.uk/government/publications/asylum-transparency-data-february-2020>