

UNDERSTANDING THE RISE IN CHANNEL CROSSINGS

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ABOUT THIS PAPER

The purpose of this paper is to promote research on the reasons for the increase in the rise of people crossing the Channel by small boat, to help form a firmer basis for a humane and effective policy response

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SUMMARY

Since 2018, there has been a sharp rise in people crossing the Channel in small boats.

Numbers of people detected arriving in small boats have increased from around 300 in 2018 to nearly 30,000 in 2021. By the end of September 2022, provisional figures already showed that more than 30,000 people had been detected arriving via this route. Some of the most common nationalities of small boat arrivals in 2022 include Albanians, Afghans, Iranians, Iraqis, and Syrians.

The vast majority (94 per cent) of people arriving by small boat make a claim for asylum.

Most of these claims are still stuck in the system; only 16 per cent of main applicants have received an initial decision. As of March 2022, more than 7,500 applications made by people arriving by small boat had been awaiting an initial decision for at least 12 months. On the assumption that the success rate of each nationality group of small boat arrivals is in line with that nationality's overall success rate, we estimate that around 70 per cent of people arriving in small boats since 2018 would have successful asylum claims if they were substantively considered.

The recent rise in Channel crossings mirrors a longer-term global increase in displaced people. According to the United Nations High Commissioner for Refugees (UNHCR), the number of forcibly displaced people has more than doubled since 2011 and stood at 89.3 million at the end of 2021. In the EU, the number of first-time asylum applicants rapidly increased during the 2015 refugee crisis and is still higher than it was in the period before 2014. Asylum levels in the UK are considerably lower than in other comparable European countries such as France or Germany.

There are several potential factors behind why some people may seek to travel via northern France to claim asylum in the UK. According to prior studies and the stakeholders interviewed for this report, these include family ties, cultural links, the English language, perceptions of the UK as a safe and tolerant country, and challenges with the asylum systems in other parts of Europe. There are also important factors which are outside individual asylum seekers' control: for instance, people smugglers may direct people to travel to the UK and encourage crossings to expand their profits.

Stakeholders suggested that the increase in small boats as the preferred route was likely a combination of increased securitisation among other routes, the UK's withdrawal from the Dublin Regulation, and a 'snowball effect'. Tighter security in recent years has made other forms of clandestine or irregular entry – such as travelling through the Channel Tunnel concealed in a lorry – more difficult, increasing the appeal of using small boats. The end of the Dublin Regulation's application post-Brexit has also reduced the number of safe and legal routes for asylum seekers with family in the UK. And crucially, the initial success of using small boats has appeared to create a snowball effect, encouraging more and more to follow suit, and making the route increasingly hard to contain.

The government's response to the Channel crossings has focussed largely on deterring arrivals. The Home Office response has included the following.

- **The Nationality and Borders Act**, which introduces a ‘two-tier’ refugee system, where some refugees – including those who do not come to the UK directly from a country where their life or freedom was threatened – are granted a lesser status with fewer rights attached. This system has been critiqued for unjustly discriminating between refugees. The act also introduces new criminal offences for people who knowingly arrive in the UK without entry clearance or electronic travel authorisation when required. But these offences are expected to be used sparingly and so it is unlikely that they will deter people from arriving in the UK by small boat.
- **The UK-Rwanda asylum partnership arrangement**, which will involve the UK transferring asylum seekers to Rwanda. Under the agreement, Rwanda will be responsible for processing asylum claims and settling successful applicants. The scheme may apply to asylum seekers who are deemed ‘inadmissible’ because they have a connection with a safe third country, provided their journey to the UK is describable as dangerous and was made on 1 January 2022 or later. Major ethical and practical issues have been raised about the arrangement, including concerns about the status of Rwanda as a safe third country, the lack of evidence base for the policy, and the potential costs involved. The deal currently faces a number of legal obstacles and at the time of writing no flights have yet taken off.
- **New operational and security measures**, including the redeployment of Border Force patrol vessels, the introduction of a Clandestine Channel Threat Commander, and the transfer of operation command for small boat crossings to the Ministry of Defence. The UK has also agreed a series of deals with France focussed largely on tightening security. But these measures have not been able to prevent the recent rise. Moreover, some stakeholders argued they were ultimately counter-productive because people smugglers had been able to capitalise on their knowledge of how to evade security measures and profited more as a result.

The government argues that there are safe and legal routes for refugees, but they are not accessible for most people crossing the Channel. While the government has opened up uncapped routes for Ukrainian citizens and British nationals (overseas) from Hong Kong, for other nationalities there is no straightforward route to enter the UK to seek refuge. The mainstream resettlement routes only admit very small numbers – 1,622 in the year ending June 2022 – and they have no formal application process.

There are a range of alternative responses to the rise in Channel crossings. These include the expansion of safe and legal routes for people seeking refuge, closer cooperation with France and the EU on asylum and small boat arrivals, and improvements to the efficiency of the asylum system. We will explore the most effective policy responses in more depth in our final report on the Channel crossings next year.

1.

INTRODUCTION

In the last five years, the number of people crossing the English Channel in small boats has risen sharply. In 2018, there were a total of 299 people who were found arriving by small boats; in 2021, the total came to 28,526. This trend has continued in 2022: in the first half of the year, there were 12,747 detected arrivals, more than twice the numbers arriving in the first half of 2021 (Home Office 2022a). By the end of September provisional data suggests the figure for 2022 has topped 30,000 (MoD 2022). The vast majority of those arriving claim asylum when they get to the UK.

These Channel crossings pose serious risks to the safety of those making the journey. Due to its geography, the Channel is extremely congested – with more than 400 commercial vessels making use of the Dover strait on a daily basis – and has very strong tidal currents (MCA 2014; Haire 2021). The boats crossing the Channel are often flimsily constructed and a number of the life jackets given to passengers have been found to be faulty and dangerous (Home Affairs Committee 2022). Over time, there has been a shift towards increasingly unseaworthy vessels containing more people per boat (NCA 2021; Home Office 2022a). And the journey can be deadly: between the beginning of 2014 and August 2022, an estimated 57 migrants have died from drowning or have gone missing in the English Channel (and the true number could be higher) (IOM 2022). The worst single incident occurred in November 2021, when a dinghy crossing the Channel capsized, leading to the tragic deaths of 27 people (Syal et al 2021).

The UK government has responded to the rise in Channel crossings with a series of highly controversial and contested policy announcements. They have focussed primarily on measures to deter people from crossing the Channel, while tightening border controls and pursuing the people smugglers facilitating the journeys. But the government has acted without a strong evidence base for why there has been a rise in Channel crossings. In this briefing paper, we aim to explore the reasons for the increase in small boat arrivals to help form a firmer basis for a humane and effective policy response.

The briefing draws on interviews with key experts and stakeholders – including those with lived experience of crossing the Channel in small boats – as well as analysis of Home Office data. The first chapter sets out some of the potential factors explaining the recent rise. In chapter 3, we give an overview of the government's approach up till now and assess its potential implications. The paper's final chapter sets out some potential ways forward, which we intend to explore and assess in more detail in our final report for this project.

Note on data capture

For our analysis in this briefing, we have tried to draw on all the available evidence on the Channel crossings. But widespread data collection on this topic is currently patchy. As noted by the Home Affairs Committee this year, the Home Office has no comprehensive system by which it collects data on the intentions or drivers of people seeking asylum in

the UK (Home Affairs Committee 2022). Moreover, surveys of people crossing the Channel can be hard to conduct rigorously. Despite their best efforts, NGOs operating on the ground in northern France have limited resources to conduct data capturing exercises. People in Calais and Grande Synthe also tend to be highly mobile, in part due to the frequent mass evictions and dismantling of encampments by French authorities.

As a result, the analysis and commentary in this report is based on existing literature and Home Office data. Evidence is also corroborated by the insights of stakeholders who have conducted research on Channel crossings, worked directly with migrants in northern France, or provided support and advice on migrants' rights issues. We recognise that there are clear limits to the evidence base which make it hard to develop a complete account of the increase in small boats crossing the Channel. But we aim to bring together what information is available to develop as clear a picture as possible of the likely factors behind the recent rise.

2.

WHY HAVE SMALL BOAT CROSSINGS INCREASED?

The number of detected arrivals to the UK by small boat rose to nearly 30,000 in 2021, compared with around 300 in 2018. Why the sudden increase in Channel crossings? In this chapter we investigate some of the likely factors.

CLAIMING ASYLUM

We start this chapter by exploring why people are making the journey across the English Channel in small boats. It is clear that, at its simplest, the main reason for crossing the Channel is to seek asylum in the UK. The vast majority of small boat arrivals – 94 per cent between January 2018 and June 2022 – make an asylum application (Home Office 2022a). Most people who cross the Channel are therefore looking to secure refugee status.

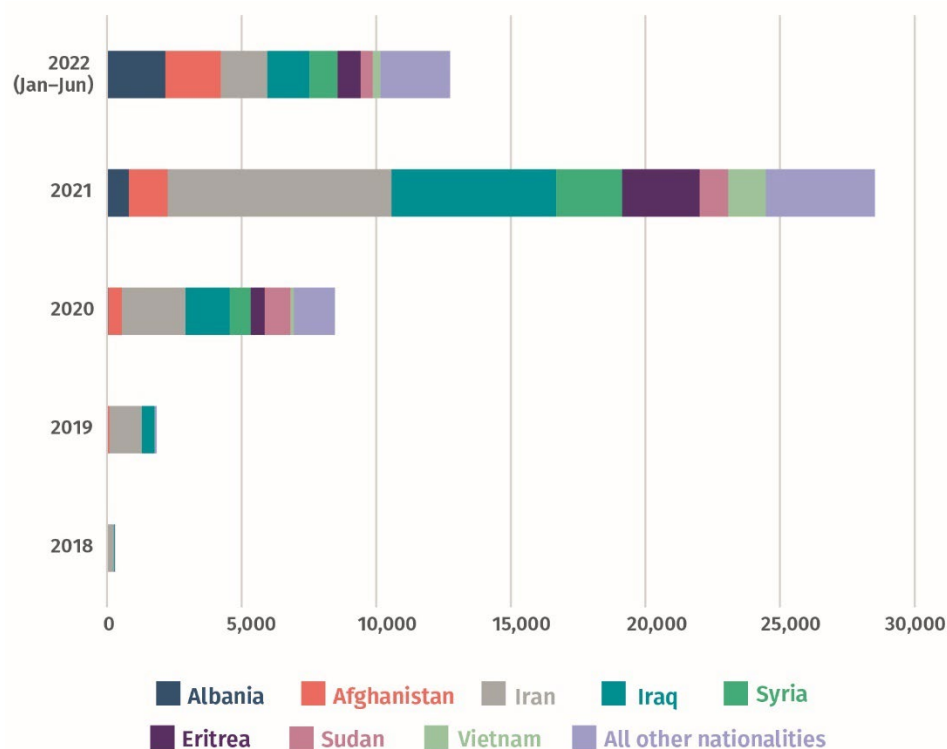
The evidence suggests that most of these asylum claims are likely to be successful. The nationalities of people who cross the Channel are extremely varied and have changed over time (see figure 2.1). But many are from countries which have high asylum success rates (Refugee Council 2021). Some of the most common countries include:

- Afghanistan, where the Taliban has recently overthrown the government, leading to a surge in people fleeing over fear of persecution, particularly those affiliated to the US or UK governments (Amnesty International 2022)
- Syria, which is in the midst of a protracted civil war involving government attacks on civilians and crimes against humanity (Amnesty International 2022)
- Iran, where the authoritarian regime routinely tortures prisoners, discriminates against minorities, and breaches fundamental human rights – and is currently violently repressing protests in response to the death of Mahsa Amini (Amnesty International 2022; Reuters 2022)
- Iraq, which faces ongoing instability and unrest, including recent violent clashes between political factions and Iraqi security forces (Amnesty International 2022; Razak and Smith 2022)
- Albania, which faces major challenges with organised crime and revenge killings (Tsherit 2022).

Most asylum claims from people who have arrived in small boats since 2018 have not yet been concluded by the Home Office – only 16 per cent of main applicants had received an initial decision as of June 2022. There are long delays in the asylum system: as of March 2022, more than 7,500 applications made by people arriving in small boats had been awaiting an initial decision for at least 12 months, including 13 claims from people who had arrived in 2018 (see table 2.1).

Figure 2.1: People from a range of nationalities have crossed the Channel in small boats and their make-up has changed over time

Small boat arrivals by nationality, 2018–2022 (January–June)



Source: IPPR analysis of Home Office 2022a

Table 2.1: Months awaiting initial decision as at 31/03/2022 for asylum applications made by people who arrived in the UK via small boat

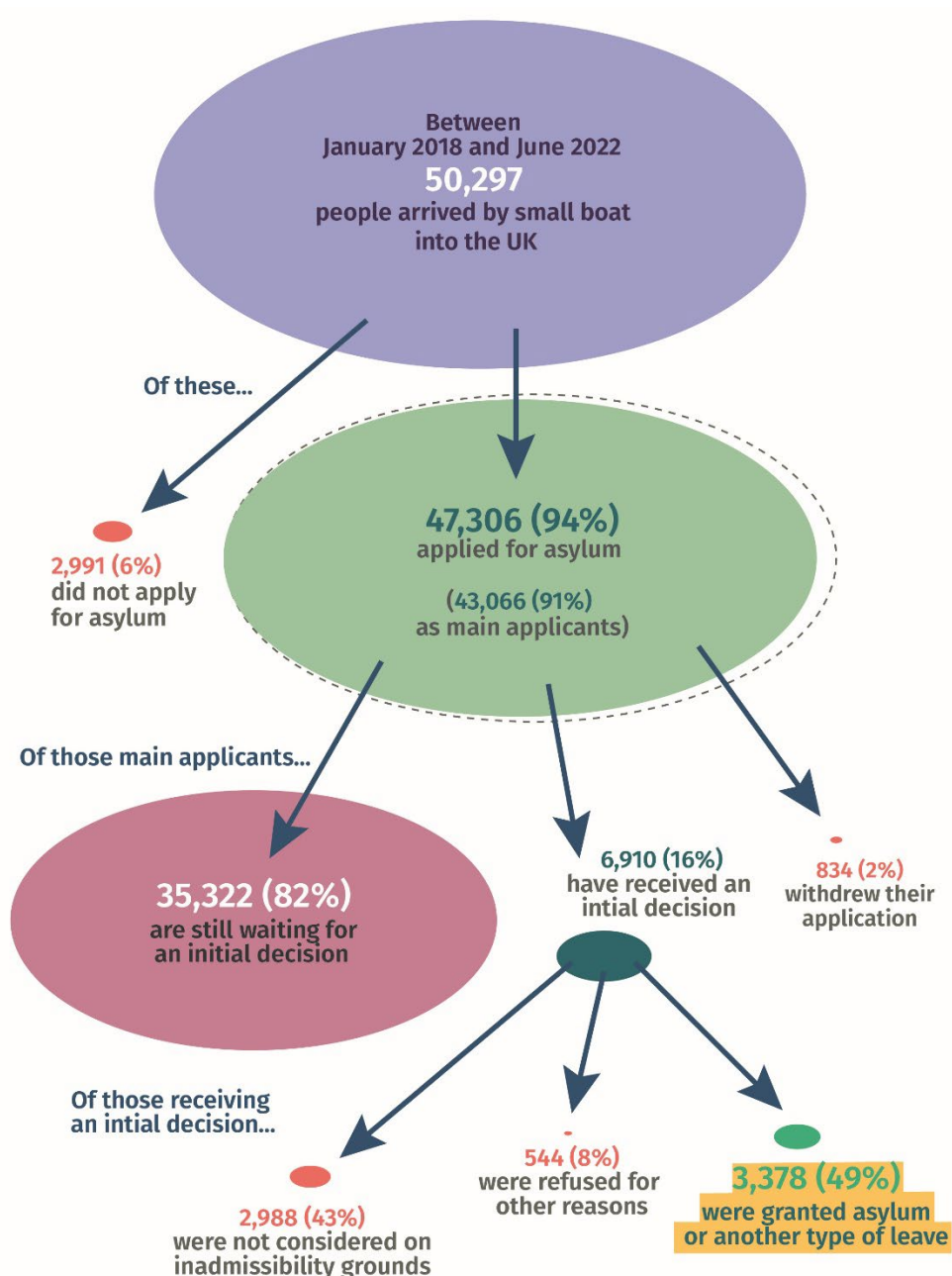
Month band	Year of arrival			
	2018	2019	2020	2021
Less than 3 months				4
At least 3 months and less than 6 months				9,902
At least 6 months and less than 12 months				13,671
At least 12 months	13	161	3,662	3,750

Source: Home Office data obtained from a freedom of information request submitted by IPPR

Out of those which had been given an initial decision, around two-fifths (43 per cent) of applications had not been considered because the government instead decided to seek removal to a safe third country (see chapter 3 for further details of the inadmissibility process). But of those applications which had been considered, 86 per cent were granted at initial decision. Therefore, where their asylum claims have been substantively considered, small boat arrivals have so far largely been successful.

Figure 2.2: Most asylum claims made by people who have arrived in small boats are still awaiting an initial decision, but when considered there have only been small numbers of refusals

Asylum claims from people arriving in small boats (as of June 2022)



Source: Home Office 2022a

It is possible, however, that the asylum claims which have been concluded are not reflective of the total number of applications by people arriving in small boats. For instance, applications which are highly likely to be successful could be concluded more quickly because they are simpler. This could give an inaccurate impression of the overall success rate of these asylum claims.

We have therefore calculated an estimate based on the nationality of arrivals, on the assumption that, for each of the main nationalities arriving by small boats, their success rate will be in line with the average success rate for that nationality at final decision. According to this methodology, we expect that approximately 70 per cent of people who arrive in small boats would have successful asylum claims if their applications were substantively considered.¹ Our analysis therefore suggests that the vast majority of people cross the Channel to claim asylum, and most are likely to have a successful claim.

THE GLOBAL CONTEXT

The recent increase in people arriving in small boats to claim asylum mirrors a wider and longer-term growth in refugees and displaced people. The UNHCR estimates that by the end of 2021 89.3 million people worldwide had been forcibly displaced from their homes due to “persecution, conflict, violence, human rights violations or events seriously disturbing public order”. This number has more than doubled since 2011. A further rise to above 100 million is expected this year given the invasion of Ukraine and other forced displacements (UNHCR 2022a).

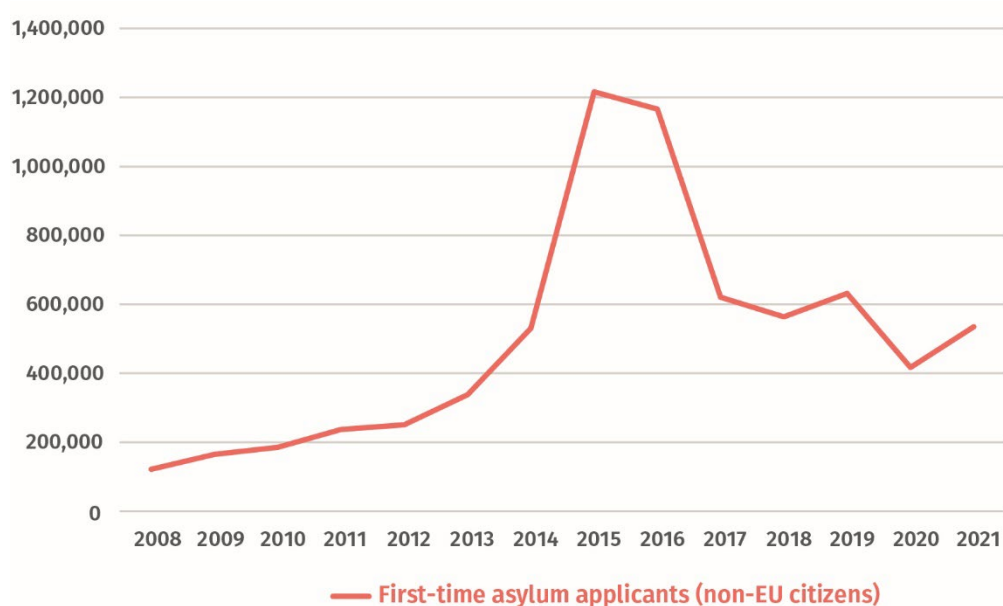
In Europe in particular, asylum applicants rapidly increased during the 2015 refugee crisis. Following the 2015 peak of over 1.2 million, numbers have remained at a much higher level in recent years than they were in the period before 2014 (Eurostat 2022a; see figure 2.3). Within the EU, the number of first-time asylum applicants in 2021 totalled approximately 535,000.

Indeed, the number of asylum claims from people arriving in the UK on small boats represents a small fraction of total EU asylum applications. When considered in totality, the UK has lower numbers of asylum applicants than other comparable European countries. In France, for instance, the number of first-time asylum applicants reached around 103,800 in 2021, while in Germany the number of first-time asylum applicants was around 148,200 – more than double the equivalent number in the UK over the same period (58,500) (Eurostat 2022a; Home Office 2022b).

¹ We have calculated success rates of asylum claims based on the estimated final grant rate for 2018–2021 (see Home Office 2022b, table Asy_D04). Success rates have been calculated for each of the top 20 nationalities of small boat arrivals in 2022 listed in Home Office (2022a) (table Irr_02b). The overall estimate is calculated by taking a weighted average of the success rates for the top 20 nationalities, reflecting their share of the total number of small boat arrivals since 2018. Other nationalities and not recorded nationalities are excluded from the analysis. We have also implicitly assumed for this analysis that all small boat arrivals claim asylum, though recognise a small proportion do not.

Figure 2.3: Asylum applicants to the EU peaked in 2015 and are considerably higher than the period before 2014

Total first-time asylum applicants in the EU from non-EU citizens, 2008–2021



Source: Eurostat 2022a

The rise in Channel crossings therefore should be seen in the broader context of global refugee patterns. However, the rise cannot simply be explained by the European refugee crisis, given small boat arrivals took off from 2018 onwards, while the surge in asylum applications in the EU took place in 2015 and fell back in 2017 (see figure 2.3). To understand the key factors behind the rise in Channel crossings, we need to look in more detail at why some people specifically choose to claim asylum in the UK.

THE REASONS FOR COMING TO THE UK

Many of the people who cross the Channel in small boats stay in encampments around Calais and Dunkirk in northern France. As noted above, France receives significantly more asylum applications than the UK. But a small number in the Calais and Dunkirk areas specifically intend to come to the UK to claim asylum. This raises an important question: why does this group of people travel to the UK rather than claim asylum in France?

In this section, we have tried to identify the most likely reasons behind the decision to travel to the UK. Based on our review of the literature and our stakeholder and expert interviews, these include the following factors.²

² Some of the evidence drawn on here is based on asylum decision-making in general, rather than the choices of the group crossing the Channel in small boats.

Family ties

One of the most common considerations highlighted among our interviewees was that people crossing the Channel may have existing family ties in the UK. One stakeholder from a legal aid charity interviewed for this project noted that:

“anecdotally, as well as through the casework that we see – which is all cases of people trying to reach family members – that a large number of people in a camp say that they have family in the UK.”

This is also supported by prior studies. A cross-sectional survey of 425 people in the 'Jungle' – a refugee camp in the Calais area during 2015–16 – found that, among those who wanted to travel to England, around half had family members there (Bouhenia et al 2018). An earlier Home Office study of asylum decision-making in 2002, based on interviews with 65 asylum seekers (not exclusively asylum seekers that travelled via northern France), found that having friends or family in the UK was a factor for a third of interviewees (Robinson and Segrott 2002).

Language and cultural links

Based on our interviews, language and cultural links are other likely factors for why asylum seekers in northern France attempt to come to the UK. Our interviewees highlighted that asylum seekers who speak English or have an interest in British culture may see a particular benefit in travelling to the UK to claim asylum.

The 2002 Home Office study on asylum decision-making also noted that cultural links and the English language were key considerations behind the choice to seek asylum in the UK (Robinson and Segrott 2002). Another past study on asylum seekers highlighted that colonial ties can be an important factor in determining where people travel to make their claim (Crawley 2010).

Asylum seekers may also seek to come to the UK because of its diaspora communities. Stakeholders highlighted community ties as a consideration for people claiming asylum. One interviewee from a Calais-based charity explained how people smugglers can encourage asylum seekers to connect with their community: for instance, they explained that, when they arrive in Italy, Sudanese children are given directions to Calais to meet with other community members.

To illustrate this point, table 2.2 highlights the most common nationalities crossing the Channel and the size of their respective diaspora communities in France and the UK. It also compares this with the most common nationalities claiming asylum in France and the size of these diaspora communities. This demonstrates that those travelling to the UK via small boat are not at all representative of the overall asylum seeker population in France. Instead, it appears that those who claim asylum in France often have the same nationality as relatively large diaspora communities there (for example, asylum seekers from the Ivory Coast, Guinea, and the DRC, all of which are former French colonies), while the smaller number who cross the Channel tend to have the same nationality as relatively large diaspora communities in the UK (such as asylum seekers from Iran and Iraq).

Table 2.2: Most common nationalities applying for asylum in France and crossing the Channel compared with their respective diaspora populations in France and the UK

Most common nationalities applying for asylum in France (2018–2022)	Total population in France (based on country of birth, population census 2019)	Total population in UK (based on country of birth, Jan–Dec 2019)
Afghanistan	23,000	79,000
Guinea	52,000	4,000
Ivory Coast	104,000	9,000
Bangladesh	17,000	260,000
Albania	27,000	47,000
Georgia	17,000	4,000
Turkey	252,000	71,000
Nigeria	14,000	215,000
Democratic Republic of the Congo	92,000	26,000
Pakistan	29,000	547,000

Most common nationalities crossing the Channel (2018–2022)	Total population in France (based on country of birth, population census 2019)	Total population in UK (based on country of birth, Jan–Dec 2019)
Iran	24,000	72,000
Iraq	15,000	67,000
Syria	39,000	48,000
Eritrea	4,000	26,000

Afghanistan	23,000	79,000
Albania	27,000	47,000
Sudan	16,000	33,000
Vietnam	77,000	26,000
Ethiopia	10,000	20,000
Kuwait	1,000	14,000

Note: Green highlighted cells indicate whether the total diaspora population in France or the UK is significantly larger (ie at least double) than the other population group.

Source: IPPR analysis of Eurostat 2022b, Home Office 2022a, INSEE 2019 and ONS 2020

Perceptions of the UK

When discussing why small boat arrivals may come to the UK, some interviewees noted the UK's reputation abroad as a protector of human rights or as a country which values fairness. One Iranian interviewee who had experience of crossing the Channel explained that he wanted to come to the UK because he was told it was the 'best place' for Iranians and it was his 'favourite country'. The 2002 Home Office study on asylum decision-making similarly identified the perception of the UK as a safe and tolerant country as an important factor for asylum seekers (Robinson and Segrott 2002).

However, beyond these broad perceptions of the UK, there is little evidence that asylum seekers have a detailed understanding of the UK asylum system or that they base their decisions on the nuances of immigration policy (ibid). The level of asylum support in the UK is £40.85 per week per person, similar to the level of support in France, which offers 6.80€ for a single person per day (roughly equivalent to £41.09 per week) (Home Office 2022c; AIDA 2022).³ Moreover, the UK government's introduction of new right to work and right to rent policies over the past two decades appears to have done little to prevent Channel crossings.

Experiences in other European countries

Another recurring theme in our expert interviews was the experience of asylum seekers in other European countries. Some interviewees suggested that the experience of strict or ineffective asylum policies in other parts of Europe may have encouraged some people to continue their journey on to the UK. For its recent report, the Home Affairs Committee received evidence that some who first arrive in Europe face poor and heavily pressured

³ The precise daily rate per person in France varies depending on household composition.

services or are unsuccessful in their asylum claim, leading them to seek alternative countries of refuge (Home Affairs Committee 2022).

Our interviewees highlighted in particular France's 'anti-fixation' policy: a range of measures aimed at making the Calais area inaccessible for displaced people to discourage them from coming to and staying in northern France. These include regular evictions, use of force, and restrictions on the distribution of essential provisions (Human Rights Watch 2021). Interviewees noted that these measures could further motivate people in the Calais and Dunkirk areas to make the journey to the UK. For instance, according to one interviewee with experience of living in encampments in Calais:

"[In] France, I experienced a lot of racism ... especially if you spend time in Calais in the jungle, you don't see France as a safe place and the way you're treated by the French police... so there's challenges and people come to the UK because they have their reasons."

It is important to note, however, that the available evidence suggests that the majority of people in Calais encampments have not made an asylum claim elsewhere. According to the above survey of people living in the 'jungle', only 8 per cent of the 425 individuals interviewed had made an asylum application and only 29 per cent were aware of how to make an asylum application in France. The study suggests that most people have not made an asylum application because they are committed to making the onward journey to the UK (Bouhenia et al 2018).

Factors outside individuals' control

Often discussions of the Channel crossings assume that people explicitly decide where to seek asylum. But some people crossing the Channel may not make an autonomous or deliberate choice to opt for the UK. One interviewee suggested that people may fall in with others or end up in Calais inadvertently by ruling out other places along the way.

Also critical are the people smugglers who are paid to facilitate asylum seekers' journeys to the UK (Home Affairs Committee 2022). Past research from the Refugee Council indicates that agents and smugglers can play a pivotal role in determining asylum pathways (Crawley 2010). Our stakeholder interviews highlighted the role of smugglers in shaping the choices available: as one interviewee explained, their business model makes it profitable to encourage individuals to make the crossing. Another said that smugglers encourage more crossings by "preying on people's vulnerabilities and people's fear"; they warn migrants that new UK laws will make the situation more challenging and so urge them to make the journey as soon as possible.

THE RISE IN SMALL BOAT CROSSINGS

The previous section identified some of the reasons for why people might seek to cross the Channel to seek asylum in the UK. But these reasons have existed for decades; they do not in and of themselves explain the increase in small boat crossings. In the final part of this chapter, we consider some of the potential factors behind the recent rise.

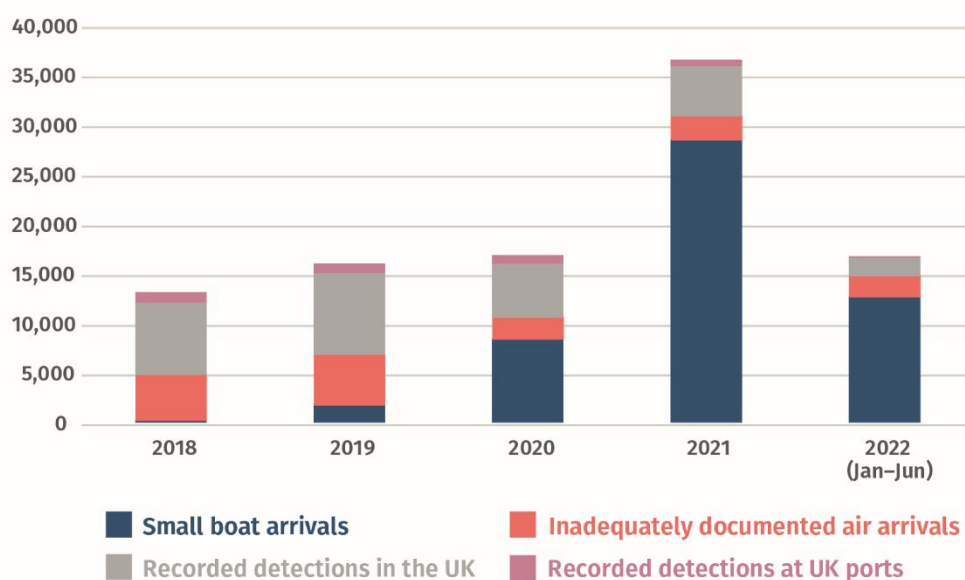
INCREASED SECURITISATION

For the past few decades, migrants have made attempts to gain clandestine or irregular entry to the UK from northern France. A primary reason for these methods of arrival is that safe and legal alternatives are not available. Many of those attempting to get to the UK want to apply for asylum, but they must be physically present in the country in order to lodge a claim. In general, migrants attempting irregular entry are not eligible to access any of the main work, study and family routes within the UK immigration system and would not be able to secure a visitor visa. Ferry and airline operators who transport passengers without the appropriate documentation are subject to carrier sanctions (ICIBI 2021). Moreover, there are ‘juxtaposed controls’ at key transit points in France and Belgium, which allow for immigration checks to take place before passengers arrive in the UK (ICIBI 2012). This makes irregular entry the only realistic alternative to reach the UK for many of the people in encampments around Calais and Dunkirk.

In the past, other methods of entering the UK have been used more commonly than arriving by small boat – for instance, concealing oneself in a lorry travelling through the Channel Tunnel. However, the stakeholders interviewed for this paper highlighted the heightened security measures which have been introduced on the French and UK borders. Such measures include new fencing to secure the approach to the port of Calais and upgraded detection technology (see BBC 2016). The Covid-19 pandemic and ensuing travel restrictions also led to significant reductions in air, ferry, and Channel Tunnel traffic in 2020 (DfT 2021). Given the challenges associated with other routes, it appears that crossing the Channel in a small boat became to be seen as an increasingly viable option.

Figure 2.4: As small boat arrivals have increased, people travelling to the UK through other irregular means have fallen

Recorded detections by selected methods of entry, 2018–2022



Source: Home Office 2022a

Home Office statistics confirm that since 2018 there has been some transference to small boat crossings from other means of irregular entry (figure 2.4). Between 2019 and 2021,

there was a fall in the number of inadequately documented air arrivals, recorded detections in the UK, and recorded detections at UK ports (including those arriving clandestinely in lorries and shipping containers). These falls are, however, substantially outweighed by the increase in small boat arrivals.

Some of the shift to small boats may also reflect a change in the motivations of people making the journey from northern France to the UK. As one of our stakeholders noted, most people crossing the Channel via small boat are immediately detected upon arrival. This suggests that in general they are seeking asylum in the UK rather than trying to enter undetected and find work in the UK's informal economy. (As noted above, the vast majority of small boat arrivals claim asylum.) The use of small boats may therefore reflect a greater interest in claiming asylum among this cohort.

Withdrawal from Dublin

Another factor discussed by interviewees was the end of the Dublin Regulation's application to the UK. While the UK was an EU member, it was subject to the Dublin III Regulation, a central part of the Common European Asylum system. This regulation is designed to determine which member state is responsible for an asylum claim lodged in the EU, based on a hierarchy of different factors. To decide who is responsible, priority is given to the member state with family members of the asylum applicant. However, where an applicant does not have family members in other parts of the EU, responsibility often falls to the member state of first irregular entry (Gower 2020).

The UK exited the Dublin arrangements after the end of the Brexit transition period at the end of December 2020. This means there are now fewer safe routes for people in northern France to reunite with family members in the UK. While the UK has domestic refugee family reunion rules, these have narrower eligibility criteria than the family reunion routes under Dublin III (ibid).⁴

By way of illustration, in 2020 Safe Passage, a refugee charity which helps children reunite with family members, supported 110 people (including 36 unaccompanied minors) to transfer to the UK when the Dublin Regulation was operational. But in the eighteen months from when Dublin ceased to apply, they were only able to support three unaccompanied minors under the immigration rules to reunite with family members in the UK. As one stakeholder noted, the lack of safe routes available makes the options promoted by people smugglers more appealing:

“If we meet children in a camp, all we can tell them is, you know, there might be a way, but we don't quite know if you are eligible [for family reunion]... and then, on the other hand, you have people traffickers who make promises to children that they will be able to cross the Channel within a few days, and that they actually deliver on those promises.”

Another implication of Dublin withdrawal is that it is now significantly harder for the UK to return asylum seekers to other parts of the EU. Some have suggested that this has

⁴ Also mentioned in our interviews was the loss of the Dubs scheme, which helped to relocate unaccompanied child refugees from Europe to the UK.

encouraged the rise in Channel crossings, because people are less likely to be returned to other member states.

However, on the evidence available this argument seems implausible. The number of transfers from the UK under Dublin was always very low: an average of around 300 people annually in the years 2015–2020 (Home Office 2022d). It is therefore unlikely to have ever been a significant disincentive for most people considering whether to cross the Channel.

Snowball effects

A third reason mentioned by stakeholders for the increase in Channel crossings was that early successful journeys across the Channel in small boats had encouraged others to follow suit. As people started to make the crossing, information sharing indicated that crossing the Channel was a viable route. This created a snowball effect, encouraging more and more people to cross the Channel on small boats. One advocacy worker we spoke to, who assists unaccompanied minors in France, explained the rationale behind the decision:

“[The] UK is really close and they see people crossing every day. It looks really close. And it’s like, ‘The dream is over there. Why should I not try? And if everyone is doing this, why should I stay? If it was bad in UK, why so many people will go?’”

According to one stakeholder, as the numbers crossing the Channel increased the operation became increasingly ‘professionalised’ by people smugglers, who used larger boats to cross the Channel. This reflects analysis from the Home Office suggesting that the average number of people per boat has increased significantly since 2018 (Home Office 2022a).

A 2020 report by the Independent Chief Inspector of Borders and Immigration makes a similar point about the sudden surge of small boat crossings in 2018. Reflecting on the surge, the report argues that the route has now become “established in the minds of many migrants and facilitators as an effective method of illegal entry”. It suggests that by the beginning of 2020, it “appeared to be too late” to contain the crossings as the numbers snowballed (ICIBI 2020).

3.

WHAT IS THE GOVERNMENT'S CURRENT POLICY RESPONSE TO THE CHANNEL CROSSINGS?

Since the recent increase in small boat arrivals, the government has introduced several measures aimed at reducing the number of people crossing the Channel. The primary focus of these policies has been deterrence: the government has tried to either render the route unviable or to ensure the outcome of their arrival in the UK is so unappealing that they are dissuaded from making the journey. In this chapter, we explore the government's recent efforts and assess their likely impacts for people crossing the Channel.

THE NATIONALITY AND BORDERS ACT

In legislative terms, the centrepiece of the government's approach so far has been the 2022 Nationality and Borders Act. The act contains a range of reforms to the asylum system intended to reduce the number of Channel crossings. One of the most significant changes is the introduction of a 'two-tier' system for refugees, as specified in section 12 of the act (Nationality and Borders Act 2022). In the explanatory notes of the act, the government says the objective of section 12 is to "discourage asylum seekers from travelling to the UK other than via safe and legal routes". Section 12 creates a distinction between two groups of refugees based on how they have arrived in the UK. A 'group 1' refugee must:

- have come to the UK directly from where their life or freedom was threatened (defined in the act as not stopping in a country outside the UK where they could reasonably have been expected to seek protection)
- have presented themselves to the UK authorities without delay
- and be able to show good cause for entering or being present in the UK unlawfully, where this applies.

All other refugees fall into 'group 2'. This is likely to include most of the people crossing the Channel in small boats, many of whom will have stopped (even if briefly) in other European countries on their journey to the UK.

The act enables the government to treat group 1 and group 2 refugees differently. Under new rules which began from 28 June 2022, group 1 refugees are granted an initial five years' residence with the opportunity to apply to settle afterwards, while group 2 refugees are only granted an initial 2.5 years' residence (which is renewable) and must wait for 10 years before they can apply to settle. Group 2 refugees also have more restricted family reunion rights and in future may face limits on access to public funds (ie most mainstream benefits) (Home Office 2022e).

Most people that cross the Channel from northern France are likely to be categorised as group 2 refugees. The act therefore intends to deter people from crossing the Channel by offering those who arrive and make a successful asylum application a weaker package of rights.

Section 12 has faced criticism on the grounds that it unjustly discriminates within the asylum system, penalises refugees for their method of arrival, and breaches international law. The UNHCR (2021) has argued that group 2 status is “not only inconsistent with the Refugee Convention. It is also a recipe for mental and physical ill health, social and economic marginalisation, and exploitation”. As we have argued previously, if the ‘no recourse to public funds’ condition were to be imposed on group 2 refugees this would pose a significant risk to destitution (Morris and Qureshi 2021).

There are also concerns that the differentiated approach under section 12 will place further pressure on the immigration system. The new temporary status will increase the workload of the Home Office (for example, due to the need to make repeated renewals) and risks harming refugee integration (Cantor et al 2022).

As well as the two-tier system, under section 40 the act introduces two new criminal offences for people who knowingly arrive in the UK without entry clearance or electronic travel authorisation when required, alongside the existing offence for people who knowingly enter the UK without leave. This change is designed to allow prosecution of people who are intercepted in the Channel and brought ashore, because otherwise they may technically not be defined as ‘entering’ the UK (Pennington 2022a). The act also increases the maximum penalties for entering without permission (and similar offences) and for assisting irregular immigration.

Again, these harsher penalties are designed to discourage people from making the journey across the Channel. But the new offences are likely to only be used sparingly, because it would mean an unsustainable number of refugees going through the penal system. As one stakeholder we interviewed who specialises in immigration law highlighted:

“There would be 55,000 people a year having to go through the penal system – there is just no way, that’s not going to happen, and in fact the government was quite clear... that they weren’t going to prosecute everybody, just a handful of people.”

It is therefore unlikely that the measures will have a meaningful impact on Channel crossings.

Moreover, as others have argued, the new offences are wrongly targeted. Rather than pursuing asylum seekers themselves – many of whom are highly vulnerable and have fled conflict and persecution – there is a far more legitimate case for targeting the people smugglers who profit from their circumstances. Yet people smugglers are very rarely present on the boats themselves and so would not be affected by these new laws. In a recent investigation by the Independent Chief Inspector of Borders and Immigration, inspectors were told that members of the organised crime groups did not board the boats across the Channel (ICIBI 2020).

Also contained within the act are provisions on ‘inadmissibility’, which write into primary legislation changes to the Immigration Rules that took effect at the beginning of 2021. The

inadmissibility rules allow the home secretary to declare asylum claims inadmissible where applicants have a connection to a safe third country – for instance, where they were formerly present in a safe country, were eligible to apply for asylum, and would have been reasonably expected to do so, but did not make a claim. Where the Home Office declares an application inadmissible, the case will typically not be properly considered (though the applicant may be readmitted into the asylum system if there are delays in arranging removal). Under Home Office guidance, asylum seekers considered appropriate for inadmissibility action may be removed to Rwanda or another third country deemed to be safe (Home Office 2022f).⁵

The latest figures from the Home Office suggest that 17,222 asylum seekers were identified for consideration on inadmissibility grounds from the beginning of 2021 until the end of June 2022 and 15,898 notices of intent were issued (ie claimants were warned that they might be declared inadmissible and removed from the UK). However, only 83 people received inadmissibility decisions and only 21 removals of people in the inadmissibility process were carried out, while 7,971 people were admitted into the asylum system for a full consideration of their application (Home Office 2022d).

Table 3.1: Inadmissibility breakdowns for asylum applications made by people who arrived in the UK via small boat

Category	Year of arrival	
	2020	2021
Cases identified for consideration on inadmissibility grounds	23	4,095
Decision Served		8
Subsequent Return	8	1
Subsequently admitted into the UK asylum process	22	2,964

Source: Home Office data obtained from a freedom of information request submitted by IPPR

According to a freedom of information request submitted by IPPR, there is a similar pattern for asylum applications made by people arriving in small boats in 2021: while 4,095 of such cases were identified for consideration on inadmissibility grounds, only one return followed and 2,964 were eventually admitted into the asylum process (see table 3.1). The difficulties with identifying safe third countries for removal have meant that very few

⁵ There are also provisions within the act which make it easier for the Home Office to remove an asylum seeker with a pending application to a safe third country.

people have been deemed inadmissible in practice (though this may change in future now the UK-Rwanda deal has been agreed).

Concerns have been raised over the justness and efficacy of the inadmissibility rules. The rules appear to have further slowed down the asylum system, given many who are identified for consideration on inadmissibility grounds are ultimately admitted into the system. According to Home Office guidelines, action must be taken within a reasonable period – typically a safe third country should agree to accept a removal within six months of the asylum claim (Home Office 2022f). But this still means months of additional delays, alongside the associated costs to the Home Office of asylum support and accommodation.

Furthermore, the operation of these rules depends on the UK's ability to strike deals with third countries. Some deals have been struck, including a returns agreement with Albania and a memorandum of understanding with Rwanda (discussed further below) (Home Office 2021a). But otherwise securing agreements has proved challenging, particularly with EU countries. Noting the low number of returns of small boat arrivals to European countries in 2021, the Home Affairs Committee (2022) has suggested that “the UK's arrangements for the return of failed or inadmissible asylum seekers to Europe have collapsed”. The committee has urged the government to negotiate an agreement with the EU itself, given the government's failure to secure bilateral deals with individual member states.

Finally, there is a problem in principle with the idea that asylum seekers should always be removed to a safe country they have passed through. The UNHCR has argued that the expectation that people should claim asylum in the first safe country they reach as ‘unworkable’ (UNHCR 2021). This is because it would place disproportionate pressure on the first safe countries reached in Europe (including Italy and Greece) and in other parts of the world. Given these countries are often already hosting and operating their asylum systems at maximum capacity, relocation would most likely result in many asylum seekers travelling to other countries to seek protection. This could create a cycle where people are sent back to the first safe countries they have passed through, only to begin their journey again because of the pressures on the asylum systems in those countries.

THE UK-RWANDA ASYLUM PARTNERSHIP ARRANGEMENT

Earlier this year, the UK and Rwanda agreed a memorandum of understanding (MoU) on the relocation of asylum seekers. The MoU establishes a mechanism for transferring asylum seekers in the UK to Rwanda, where they will be provided temporary accommodation and have their asylum claims processed. Contrary to some media reports at the time the MoU was announced, the deal does not in general allow for asylum seekers to be returned to the UK; instead, where their claims are successful, arrangements will be made for their settlement in Rwanda (Home Office 2022g). Asylum seekers declared inadmissible under the government's new rules are under consideration for removal to Rwanda, provided their journey to the UK is describable as dangerous and was made on 1 January 2022 or later (Home Office 2020f).

There is limited evidence to suggest that the Rwanda deal will reduce the number of small boats crossing the Channel. On the day of the announcement, the permanent secretary at the Home Office wrote to the home secretary expressing concern that there was a lack of sufficient evidence to guarantee the policy's value for money. This is because there was

insufficient evidence that the arrangement would act as a deterrent for people arriving in the UK irregularly (Home Office 2022h).

Moreover, there is a lack of clarity over how many asylum seekers will be relocated under the plan. Accommodation capacity in Rwanda is currently limited to around two hundred people, suggesting that it will be difficult for the scheme to be conducted on a large scale in the short- to medium-term. The Rwandan government has said, however, that there is scope to 'scale up very quickly' if necessary (Knowles 2022).

The Rwanda deal has also raised concerns about the potential costs. When the deal was announced, the Home Office stated that the UK would provide £120 million to Rwanda to support its economic growth, as well as funding to assist with asylum services (Home Office 2022i). There are expected to be additional costs when the scheme is fully operational, such as for the transportation of asylum seekers. However, at the time of writing, there are no details on the full costings of the deal.

The Rwanda deal bears similarities with an Israel-Rwanda arrangement between around 2014 and 2018, which also faced heavy criticism. The Israeli scheme was ostensibly a voluntary arrangement, where some Eritrean and Sudanese people in Israel were offered resettlement payments of \$3,500 and a flight to Rwanda as an alternative to imprisonment (Home Affairs Committee 2022; Birger et al 2018). For the most part, it appears little information was given to people about what would happen to them in Rwanda, though some were promised access to the asylum system or work permits (Birger et al 2018). However, studies have found that in reality they were not given the opportunity to make an asylum claim in Rwanda and almost all were thought to have left the country immediately, with many travelling to Europe via people smugglers (IRRI 2015; Birger et al 2018). There is a risk that this dynamic is repeated in the context of the UK-Rwanda deal, which could contribute to more people smuggling activity across Europe.

In response to the deal, concerns have been raised that Rwanda is not a safe country. This has led to internal tensions within government. As plans for the Rwanda deal were being developed, officials expressed apprehensions over Rwanda's human rights record. In 2021, Rwanda was left out of a shortlist of countries for pursuing an asylum deal and a warning was given over "human rights concerns and reputational risk", yet the agreement was taken forward regardless (Taylor 2022).

Some experts we spoke to for our research raised concerns over the externalisation of the UK's borders and asylum processes. This refers to the practice of extending immigration control and asylum policies beyond the borders of the country. One interviewee viewed partnerships such as the Rwanda deal as "externalising asylum" and "passing on responsibility" to other countries. The UNHCR has also criticised externalisation of the UK's asylum obligations on the basis that these efforts "run counter to the letter and spirit of the Refugee Convention" (UNHCR 2022b).

The deal has already faced many legal obstacles. An initial High Court challenge has been brought by Detention Action, Care4Calais, the Public and Commercial Services Union (PCS) and several asylum seekers on several grounds, including the claim that the home secretary's determination of Rwanda as a safe country is irrational (Duncan Lewis 2022). Asylum Aid has also launched a challenge to the arrangement, focussing on issues such as the short timeframes for making legal representations, the risk that asylum seekers will

not be able to get effective legal advice before they are relocated, and the apparent “blanket assessment” of Rwanda’s safety (Leigh Day 2022).

The initial challenges are currently being considered by the courts. The first flight to Rwanda was scheduled for June 14 2022, but was halted at the last minute after an application to the European Court of Human Rights (ECHR) by an asylum seeker scheduled to be on board the flight. The ECHR ruled that the applicant should not be taken to Rwanda until at least three weeks after the domestic courts had made their final judgment on the legality of the plans. The intervention considered the evidence presented by the UNHCR that asylum seekers will not have access to “fair and efficient procedures” for determining refugee status in Rwanda and noted that there was no “legally enforceable mechanism” for the individual to return to the UK if the courts were to rule against the government (ECHR 2022). At the time of writing, no removal flights to Rwanda have taken place.

OPERATIONAL MEASURES AND COOPERATION WITH FRANCE

Alongside these asylum policies, the government has also taken a series of operational measures to reduce the number of Channel crossings. In 2018, two extra Border Force cutters (patrol vessels) were redeployed to patrol the Channel (ICIBI 2020). In 2020, a new post of Clandestine Channel Threat Commander was created to lead and coordinate efforts to prevent people from taking the route (Home Office 2020). Earlier in 2022, under Operation ISOTROPE the government handed operational primacy for small boat crossings over to the Ministry of Defence until January 2023, at which point the arrangement will be reviewed (House of Commons 2022; BBC 2022). As part of the 2021 autumn budget and spending review, the Treasury announced a £74 million investment in a new fleet of Border Force cutters and coastal patrol vessels, which it said would help address irregular migration (HMT 2021).

The government had also considered plans to authorise ‘turn around’ or ‘push back’ tactics in the Channel – tactics aimed at intercepting small boats and returning them to French waters. ‘Push back’ tactics have been subject to widespread criticism and legal challenges over the danger posed to human life, given the boats crossing the Channel tend to be flimsy and at high risk of capsizing. The French government alleged the plan broke maritime law and amounted to “financial blackmail”.⁶ In the wake of these difficulties, the government has decided not to pursue ‘push back’ tactics in the Channel (Pennington 2022b).

Alongside these domestic measures, the UK has agreed joint actions with France to try to reduce the number of crossings. In 2018, the two countries signed the Sandhurst Treaty, covering a range of areas of bilateral cooperation. The treaty included an agreement to cooperate on managing the shared border – covering areas such as information programmes, returns, and the tackling of organised crime (PMO 2018). In 2019, a UK-France joint action plan was agreed to address people crossing the Channel in small boats. As part of the action plan, the UK committed funding for French security measures (such as CCTV) (Home Office 2019).

⁶ See: <https://twitter.com/franceintheuk/status/1435911944066711557>

Since 2019, the UK and France have annually agreed new joint statements and financial packages. Most recently, in 2021 the UK and France agreed to extend French patrols of its coastline, improve French surveillance coverage, tighten transport infrastructure security, and provide support for migrant centres in France. The UK accordingly agreed a financial package of €62.7 million (Home Office 2021b). A new deal is expected shortly (Scott 2022). The long-term ambition is to develop a ‘smart border’, which would use new technologies to spot crossing attempts and help the French authorities to locate and stop boats before they depart (Home Office 2021b).

It is unclear how effective these measures have been at preventing small boat crossings. The UK and France have argued that their cooperation has helped to stop people from crossing the Channel – claiming in 2021 that there had been twice as many successful interceptions of small boats trying to leave France as there were in the equivalent period in the previous year (Home Office 2021b).⁷ However, given the threefold increase in small boat arrivals between 2020 and 2021, it is to be expected that interceptions also increased significantly over a similar time period. Ultimately, given the sharp increase in small boat crossings since 2018, it is hard to judge these operational efforts as successful.

In our interviews, some participants suggested that the security measures outlined here could backfire. As discussed above, increased security at the ports is one of the likely factors behind the rise in Channel crossings, because it made other routes more difficult. Similarly, one of our interviewees noted that greater patrols on the French and Belgian coastline could simply shift people smugglers along the coast, making the journey across the Channel longer and more dangerous. There are also suggestions that the measures could be counterproductive. Smugglers based in Calais have suggested that increased security measures have made their jobs more lucrative, because they are able to capitalise on their knowledge of how to evade them (Mallinson 2021).

SAFE AND LEGAL ROUTES

As noted in the previous chapter, the vast majority of people travelling across the Channel in small boats claim asylum when they arrive in the UK. Irregular entry is often the only option for people seeking asylum in the UK, given the lack of safe and legal routes available.

The government has argued that it has opened up a range of such routes in recent years (PMO 2022). Table 3.2 summarises the main safe humanitarian routes available.

Table 3.2: Main existing legal humanitarian routes

What is the name of the route?	How many people use the route?	Which nationalities make use of this route?	Who is eligible for the route?	How can people access the route?
UK Resettlement	1,375 granted protection	Most resettled refugees on this route are	Vulnerable refugees assessed for resettlement by UNHCR (eg on basis of	Refugees are identified by UNHCR and are then interviewed and assessed for resettlement. There

⁷ The precise time periods involved are unclear.

Scheme (UKRS)	in the year ending June 2022	from Syria; followed by refugees from Iraq and Sudan.	legal/physical protection needs, survivors of violence and torture, medical needs, women and girls at risk, etc).	is no way to formally apply. UNHCR may refer the refugee for resettlement to the UK – the final decision is made by the Home Office casework team. A match is then found with a local authority offering appropriate accommodation and support.
Community Sponsorship Scheme	243 granted protection in the year ending June 2022	Most resettled refugees on this route are from Syria	Vulnerable refugees assessed for resettlement by UNHCR (eg on basis of legal/physical protection needs, survivors of violence and torture, medical needs, women and girls at risk, etc).	Refugees are identified by UNHCR and are then interviewed and assessed for resettlement. There is no way to formally apply. UNHCR may refer the refugee for resettlement to the UK – the final decision is made by the Home Office casework team. A match is then found with an approved community group (with the consent of the local authority).
Afghan Relocations and Assistance Policy (ARAP)	More than 7,000 since April 2021 (as reported in May 2022)	Afghans and family members	Certain Afghan citizens who were UK locally employed staff in Afghanistan, including government employees at 'high and imminent risk of threat to life' (Category 1) and certain government employees and contractors who are at risk due to being publicly recognised in their role (Category 2). Also includes family members.	Individuals can make an online application; eligible category 1 applicants are prioritised for urgent relocation, while eligible category 2 applicants are offered routine relocation.
Afghan Citizens Resettlement Scheme (ACRS)	Overall ambition to resettle up to 20,000 refugees, including 5,000 in first year	Afghans and family members	<p>Under Pathway 1: some people evacuated from Afghanistan in Operation PITTING (as well as people called forward but unable to get on flights).</p> <p>Under Pathway 2: vulnerable Afghan refugees referred by UNHCR.</p> <p>Under Pathway 3: certain at-risk British Council contractors, GardaWorld contractors and Chevening alumni (wider beyond year 1).</p> <p>Also includes family members.</p>	<p>Under Pathway 1: some individuals evacuated to the UK have been granted resettlement (those who were called forward and missed flights can be granted resettlement if they come to the UK at a later date)</p> <p>Under Pathway 2: individuals are referred by UNHCR</p> <p>Under Pathway 3: for year 1, potential candidates could make an online Expression of Interest (now closed)</p>

Ukraine Sponsorship Scheme (Homes for Ukraine)	137,200 visas issued as of 13 October 2022	Ukrainians and family members	Ukrainian citizens who were living in Ukraine on 1 January 2022 or just before, are not in the UK, and have a sponsor. Also includes family members.	Applicants must find an eligible sponsor who can host them for 6 months. They could also apply without a sponsor under the Welsh/Scottish super sponsor schemes, but these are now paused. Applicants can apply online for a visa; for those with a Ukrainian passport, identity can be checked via the 'UK Immigration: ID Check' app or biometric information can be provided within six months after arrival.
Ukraine Family Scheme	53,800 visas issued as of 13 October 2022	Ukrainians and family members	Ukrainian citizens who were living in Ukraine on 1 January 2022 or just before and have family member based in the UK. Also includes family members.	Applicants can apply online for a visa; for those with a Ukrainian passport, identity can be checked via the 'UK Immigration: ID Check' app or biometric information can be provided within six months after arrival.
British National (Overseas) (BN(O)) visa	110,504 out-of-country grants between scheme opening in 31 January 2021 and 30 June 2022	Hong Kongers and family members	Adults registered as a British national (overseas). For applicants outside the UK, Hong Kong must be their permanent home. Also includes family members.	Applicants can apply online for a visa. Depending on their passport, identity can be checked via the 'UK Immigration: ID Check' app or a visa application centre appointment. They must pay a visa fee and the healthcare surcharge and demonstrate they have sufficient funds.
Refugee family reunion	5,290 grants in the year ending June 2022	Most common countries include Syria, Iran, Sudan and Eritrea	Family members (spouses/partners or children under 18) of people given refugee status / humanitarian protection, who were part of the sponsoring refugee's family unit before they fled. More restrictive rules apply for 'group 2' refugees under the Nationality and Borders Act.	Family members can apply to the Home Office for entry clearance online

Source: IPPR analysis of Home Office 2021c, 2021d, 2021e, 2022b, 2022d, 2022j, 2022k, 2022l, 2022m, 2022n, 2022o, 2022p and 2022q and UNHCR 2011

As table 3.2 indicates, the government has opened up a number of new humanitarian routes in recent years for Afghan, Ukrainian, and Hong Kong citizens. Some of these routes are very generous – the Ukraine and BN(O) routes in particular are uncapped and have admitted large numbers of people over a short period. But for people in other countries, the options for safely making it to the UK are limited. The mainstream resettlement routes – including the UK Resettlement Scheme and the Community Sponsorship Scheme – only

admitted 1,622 in the year ending June 2022, considerably lower than the pre-pandemic era between 2016 and 2019, where annual figures were more than 5,000 (2022d). Given the small numbers admitted on to resettlement schemes and the limited family reunion provisions, the vast majority of asylum seekers outside of Ukraine and Hong Kong will not be able to access safe and legal routes to the UK.

Drawing this research together, we conclude that, despite the Home Office's wide-ranging efforts to address the Channel crossings, they appear to have had little impact so far. There is no proper evidence base for the government's focus on deterrence as the primary means of reducing small boat arrivals, and there are considerable risks for the fair treatment of refugees and the effective functioning of the asylum system. At the same time, there are limited safe and legal routes for many of those attempting to cross the Channel. While it is clear that there is no one simple fix, there are a range of alternative approaches to consider, which we outline in the following chapter.

4.

WHAT CAN BE DONE TO ADDRESS THE CHANNEL CROSSINGS?

While the main aim of this briefing paper is to explore the increase in Channel crossings, we finish with a brief overview of some of the potential policy responses. The suggestions listed below draw on the interviews with our stakeholders and will be further tested in the follow-up report to this briefing paper. The recommendations can broadly be broken down into three categories: expansion of safe and legal routes, closer cooperation with France and the EU, and more effective asylum processes.

EXPANSION OF SAFE AND LEGAL ROUTES

There was broad consensus across the stakeholder interviews that expanding and re-establishing safe and legal routes would help to reduce the number of people entering the UK on small boats.

- One frequently suggested proposition was **issuing humanitarian visas in France** so that people can legally enter the UK to claim asylum. This short-term visa would assist those who usually do not qualify for ordinary visas, resettlement programmes, or family reunification routes. There is a precedent for such visas: for example, Switzerland operates a programme of humanitarian visas for people whose life or physical integrity is in direct, serious and concrete danger, typically where they have a link to Switzerland (Red Cross 2022). While this was a popular idea, it would require buy-in from French authorities to be successfully implemented.
- Some stakeholders believed that some of the adaptations to asylum policy to respond to the speed and scale of people fleeing the Russian invasion of Ukraine should **become permanent fixtures for all refugees**. For example, the Home Office broadened the eligibility criteria for the Ukraine Family Scheme multiple times to include extended family members. The same criteria could be permanently embedded in the general refugee family reunification route.
- French-based charities we spoke to felt as though they were competing with well-established community networks and people smugglers to provide information to asylum seekers on alternative options to potentially pursue before crossing the Channel on a small boat. Therefore, some argued for the provision of **information hubs** in Calais, where people would be able to access legal advice and understand their options for applying for asylum in France, the UK, or other European countries.
- Although the Dublin arrangement was not viewed as a ‘perfect solution’ by stakeholders, there was a view that some form of agreement was better than no agreement. **Reinstating the family reunion** provisions under the Dublin III

regulation was viewed as vital to supporting unaccompanied minors who had relied heavily on this route. This could be done through an amendment to domestic immigration rules or through a new agreement with the EU (discussed further below).

CLOSER COOPERATION WITH FRANCE AND THE EU

Stakeholders questioned whether the agreements between UK and France needed to be revised to ensure that they were effectively addressing the boat crossings across the Channel. There was also the broader question of how the UK should coordinate with the European asylum system in the post-Brexit era and in the absence of the Dublin Regulation. Potential policy options include the following.

- The UK and France could explore the idea of **juxtaposed consideration of claims**, similar to the model of juxtaposed security controls at the UK-France border. The Home Affairs Committee has made this proposal in a recent report (Home Affairs Committee 2022). The idea would involve the UK offering to install asylum assessment centres within northern France and the two governments coordinating their management of asylum applications.
- The UK government could work with the French authorities to **help find alternative solutions to the 'anti-fixation' policy**. This would ensure that people have better access to essential services and support. For example, one option would be to end the practice of seizing tents and evictions and instead provide suitable accommodation that offers opportunities for migrants to make better-informed choices about their asylum options.
- The UK government could explore **viable ways of working with the EU on asylum and migration** as a non-member state. For instance, the UK could seek to renegotiate a Dublin-style arrangement with the EU to help clarify and determine where asylum applications should be processed.

MORE EFFECTIVE ASYLUM PROCESSES

A number of the stakeholders we spoke with placed the rise in Channel crossings in the overall context of the UK's struggling asylum system. They highlighted the ongoing challenges facing the system, from excessive delays to poor decision-making. Indeed, it is clear that many of the challenges often associated with the rise in Channel crossings – such as the increased asylum backlog and the costs of contingency accommodation – are ultimately about the inadequacies of the current asylum system. Addressing these challenges is therefore an important part of the overall response to the Channel crossings. Proposals included the following.

- One urgent recommendation made by stakeholders was to **address the backlog of asylum applications** currently in the system.
- Some stakeholders highlighted the importance of **better data collection** to improve policy and operational decision-making.

- Others called for **reforms to the Nationality and Borders Act** – noting for instance that the two-tier system will create additional complexity for refugees without any clear impact on Channel crossings. In addition, reforming or removing the inadmissibility rules could help to streamline the asylum process.

4.

CONCLUSION

As the number of people crossing the Channel in small boats has increased, finding a solution has become one of the overriding issues on the Home Office's agenda. In this briefing, we have explored the factors behind the rise in crossings and the effectiveness of the government's response.

Our analysis finds that the vast majority of people arriving in the UK on small boats apply for asylum and it is likely that most claims will be successful if properly considered. Although the evidence base is limited, we have outlined a range of likely explanations for why people crossing the Channel might want to claim asylum in the UK – including family ties, community links, the English language, positive perceptions of the UK, and challenges with navigating asylum systems in other European countries. There are also relevant factors outside individuals' control, such as the role of smugglers in encouraging and directing migrants towards northern France and across the Channel.

But why the rise in small boats in particular? We have proposed a threefold explanation. First, increased securitisation at the border has made other options for clandestine entry less viable. Second, withdrawal from the Dublin Regulation has shut off a safe and legal route for people with family members in the UK. Third, there has been a 'snowball' effect, whereby the success of early crossing attempts has encouraged more and more people to follow the same journey.

The government's attempt to address the Channel crossings has largely fixated on deterrence, punitive measures, and the externalisation of the UK's responsibility to protect refugees and asylum seekers to other countries. Yet there is little evidence that this combination of policy measures will bring down the number of people crossing the Channel in small boats. Indeed, the continuing rise in Channel crossings points to the ineffectiveness of current measures to address the issue.

We have discussed in our paper some alternatives to the government's approach: the expansion of safe and legal routes, closer cooperation with France and the EU, and reforms to make the asylum process more efficient and effective. In our next report for this project, we will assess these different approaches in more detail. The report will set out a pragmatic, humane, and long-term policy agenda to address the rise in people making the dangerous journey across the Channel.

References

Amnesty International (2022) *Amnesty International Report 2021/22: The state of the world's human rights*. <https://www.amnesty.org/en/documents/pol10/4870/2022/en/>

Asylum Information Database [AIDA] (2022) *Country report: France*. <https://asylumineurope.org/reports/country/france/>

BBC (2016) 'Calais migrants: Work begins on UK-funded border wall', news article. <https://www.bbc.co.uk/news/uk-37421525>

BBC (2022) 'Channel migrants: Royal Navy to review role in operation', news article. <https://www.bbc.co.uk/news/uk-england-kent-62560753>

Birger L, Shoham S and Bolzman L (2018) "Better a prison in Israel than dying on the way": Testimonies of refugees who "voluntarily" departed Israel to Rwanda and Uganda and gained protection in Europe. <https://doi.org/10.18452/20087>

Bouhenia M, Farhat J B, Coldiron M E, Abdallah S, Visentin D, Neuman M, Berthelot M, Porten K and Cohuet S (2017) 'Quantitative survey on health and violence endured by refugees during their journey and in Calais, France', *International Health*, 9(6). <https://academic.oup.com/inthealth/article/9/6/335/4791936>

Cantor D, Fripp E, Storey H and Symes M (2022) 'Clause 11, Nationality and Borders Bill: Why Two-Tier Refugee Status is a Bad Idea', Refugee Law Initiative, blog post. <https://rli.blogs.sas.ac.uk/2022/03/28/clause-11-nationality-and-borders-bill-why-two-tier-refugee-status-is-a-bad-idea/>

Crawley H (2010) *Chance or Choice?: Understanding why asylum seekers come to the UK*, Refugee Council. <https://www.refugeecouncil.org.uk/information/resources/chance-or-choice-understanding-why-asylum-seekers-come-to-the-uk/>

Department for Transport [DfT] (2021) 'Transport Statistics Great Britain: 2021', national statistics. <https://www.gov.uk/government/statistics/transport-statistics-great-britain-2021/transport-statistics-great-britain-2021>

Duncan Lewis (2022) 'High Court challenge to the Rwanda policy underway (6 September 2022)', news item. [https://www.duncanlewis.co.uk/news/High_Court_challenge_to_the_Rwanda_policy_underway_\(6_September_2022\).html](https://www.duncanlewis.co.uk/news/High_Court_challenge_to_the_Rwanda_policy_underway_(6_September_2022).html)

European Court of Human Rights [ECHR] (2022) 'The European Court grants urgent interim measure in case concerning asylum seeker's imminent removal from the UK to Rwanda', press release. <https://hudoc.echr.coe.int/eng-press#%7B%22itemid%22:%5B%22003-7359967-10054452%22%5D%7D>

Eurostat (2022a) 'Annual asylum statistics', article. https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Annual_asylum_statistics

Eurostat (2022b) 'Asylum applicants by type of applicant, citizenship, age and sex - monthly data (rounded)', dataset. http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=migr_asyappctzm

Gower M (2020) *Brexit: the end of the Dublin III Regulation in the UK*, House of Commons Library. <https://researchbriefings.files.parliament.uk/documents/CBP-9031/CBP-9031.pdf>

Haire P (2021) 'The Changing Tides in the English Channel', news item, Tidetech Marine Data. <https://www.tidetechmarinedata.com/news/the-changing-tides-in-the-english-channel>

HM Treasury [HMT] (2021) 'Autumn Budget and Spending Review 2021', policy paper. <https://www.gov.uk/government/publications/autumn-budget-and-spending-review-2021-documents>

Home Affairs Committee (2022) *Channel crossings, migration and asylum*, House of Commons. <https://committees.parliament.uk/publications/23102/documents/169178/default/>

Home Office (2019) 'UK-France joint action plan on illegal migration across the Channel', policy paper. <https://www.gov.uk/government/publications/uk-france-joint-action-plan-on-illegal-migration-across-the-channel>

Home Office (2020) 'Home Secretary appoints small boat commander', press release. <https://www.gov.uk/government/news/home-secretary-appoints-small-boat-commander>

Home Office (2021a) 'Priti Patel signs historic removals agreement with Albania', news story. <https://www.gov.uk/government/news/priti-patel-signs-historic-removals-agreement-with-albania>

Home Office (2021b) 'UK-France joint statement: next phase of collaboration on tackling illegal migration – 20 July 2021', policy paper. <https://www.gov.uk/government/publications/uk-france-joint-statement-next-phase-of-tackling-illegal-migration>

Home Office (2021c) 'Resettlement: policy guidance', policy paper. <https://www.gov.uk/government/publications/resettlement-policy-statement>

Home Office (2021d) 'FACTSHEET: ACRS and other routes', blog post. <https://homeofficemedia.blog.gov.uk/2021/09/13/acrs-other-routes/>

Home Office (2021e) 'FACTSHEET: UK support to resettle Afghan nationals – ARAP scheme', webpage. <https://homeofficemedia.blog.gov.uk/2021/09/13/factsheet-uk-support-to-resettle-afghan-nationals/>

Home Office (2022a) 'Irregular migration to the UK, year ending June 2022', official statistics. <https://www.gov.uk/government/statistics/irregular-migration-to-the-uk-year-ending-june-2022>

Home Office (2022b) 'Asylum and resettlement datasets', statistical data set [updated 25 August 2022]. <https://www.gov.uk/government/statistical-data-sets/asylum-and-resettlement-datasets>

Home Office (2022c) 'Asylum support', webpage. <https://www.gov.uk/asylum-support>

Home Office (2022d) 'Asylum and resettlement summary tables', data tables. <https://www.gov.uk/government/statistics/immigration-statistics-year-ending-june-2022/how-many-people-do-we-grant-asylum-or-protection-to>

Home Office (2022e) 'Permission to stay on a protected route: caseworker guidance', guidance. <https://www.gov.uk/government/publications/permission-to-stay-on-a-protection-route-caseworker-guidance>

Home Office (2022f) 'Inadmissibility: safe third country cases', guidance. <https://www.gov.uk/government/publications/inadmissibility-third-country-cases>

Home Office (2022g) 'Memorandum of Understanding between the government of the United Kingdom of Great Britain and Northern Ireland and the government of the Republic of Rwanda for the provision of an asylum partnership arrangement', policy paper.
<https://www.gov.uk/government/publications/memorandum-of-understanding-mou-between-the-uk-and-rwanda>

Home Office (2022h) 'Letter from Matthew Rycroft to Rt Hon Priti Patel', correspondence.
<https://www.gov.uk/government/publications/migration-and-economic-development-partnership-ministerial-direction>

Home Office (2022i) 'World first partnership to tackle global migration crisis', news story.
<https://www.gov.uk/government/news/world-first-partnership-to-tackle-global-migration-crisis>

Home Office (2022j) 'How many people do we grant asylum or protection to?', national statistics.
<https://www.gov.uk/government/statistics/immigration-statistics-year-ending-march-2022/how-many-people-do-we-grant-asylum-or-protection-to>

Home Office (2022k) 'Afghan Relocations and Assistance Policy: further information on eligibility criteria, offer details and how to apply', guidance.
<https://www.gov.uk/government/publications/afghan-relocations-and-assistance-policy/afghan-relocations-and-assistance-policy-information-and-guidance>

Home Office (2022l) 'Ukraine Family Scheme, Ukraine Sponsorship Scheme (Homes for Ukraine) and Ukraine Extension Scheme visa data', transparency data [accessed on 19 October 2022].
<https://www.gov.uk/government/publications/ukraine-family-scheme-application-data/ukraine-family-scheme-and-ukraine-sponsorship-scheme-homes-for-ukraine-visa-data--2>

Home Office (2022m) 'Apply for a visa under the Ukraine Sponsorship Scheme (Homes for Ukraine)', guidance. <https://www.gov.uk/guidance/apply-for-a-visa-under-the-ukraine-sponsorship-scheme>

Home Office (2022n) 'Apply for a Ukraine Family Scheme visa', guidance.
<https://www.gov.uk/guidance/apply-for-a-ukraine-family-scheme-visa>

Home Office (2022o) 'How many people come to the UK each year (including visitors)?', national statistics. <https://www.gov.uk/government/statistics/immigration-statistics-year-ending-june-2022/how-many-people-come-to-the-uk-each-year-including-visitors>

Home Office (2022p) 'British National (Overseas) visa', webpage. <https://www.gov.uk/british-national-overseas-bno-visa>

Home Office (2022q) 'Family reunion', guidance.
<https://www.gov.uk/government/publications/family-reunion-instruction>

House of Commons (2022) 'Small Boats Migration', Volume 712: debated on Tuesday 19 April 2022.
<https://hansard.parliament.uk/Commons/2022-04-19/debates/22041916000008/SmallBoatsMigration>

International Organisation of Migration [IOM] (2022) 'Missing migrants global figures', dataset.
<https://missingmigrants.iom.int/downloads>

International Refugee Rights Initiative [IRRI] (2015) "*I was left with nothing*": 'Voluntary' departures of asylum seekers from Israel to Rwanda and Uganda.
<https://www.refworld.org/docid/55ee8c3a4.html>

Human Rights Watch (2021) *Enforced Misery: The degrading treatment of migrant children and adults in Northern France*. <https://www.hrw.org/report/2021/10/07/enforced-misery/degrading-treatment-migrant-children-and-adults-northern-france>

Independent Chief Inspector of Borders and Immigration [ICIBI] (2012) *An Inspection of Juxtaposed Controls: November 2012 – March 2013*. <https://www.gov.uk/government/publications/inspection-report-on-juxtaposed-controls-august-2013>

Independent Chief Inspector of Borders and Immigration [ICIBI] (2020) *An inspection of the Home Office's response to in-country clandestine arrivals ('lorry drops') and to irregular migrants arriving via 'small boats' (May 2019 – December 2019)*. <https://www.gov.uk/government/publications/an-inspection-of-the-home-offices-response-to-in-country-clandestine-arrivals-lorry-drops-and-to-irregular-migrants-arriving-via-small-boats>

Independent Chief Inspector of Borders and Immigration [ICIBI] (2021) *An inspection of the Home Office's use of sanctions and penalties (November 2019 – October 2020)*. <https://www.gov.uk/government/publications/an-inspection-of-the-home-offices-use-of-sanctions-and-penalties>

Institut National de la Statistique et des Études Économiques [INSEE] (2022) 'Étrangers et immigrés en 2019', detailed statistics. <https://www.insee.fr/fr/statistiques/6478089?sommaire=6478362>

Knowles M (2022) 'Rwanda farce: Kigali admits it has space for just 200 migrants as UK forks out £120m bill', *Express*. <https://www.express.co.uk/news/uk/1644481/rwanda-uk-migrants-kigali-priti-patel>

Leigh Day (2022) 'Rwanda Scheme legal challenges to continue despite unsuccessful injunction', news item. <https://www.leighday.co.uk/latest-updates/news/2022-news/rwanda-scheme-legal-challenges-to-continue-despite-unsuccessful-injunction/>

Mallinson M (2021) 'We thank your government for our full pockets' – Calais smugglers speak', *Guardian*. <https://www.theguardian.com/global-development/2021/may/10/calais-smuggler-gangs-channel-migrants-uk-security>

Maritime and Coastguard Agency [MCA] (2014) 'Dover Strait crossings: channel navigation information service (CNIS)', guidance. <https://www.gov.uk/government/publications/dover-strait-crossings-channel-navigation-information-service/dover-strait-crossings-channel-navigation-information-service-cnis>

Ministry of Defence [MoD] (2022) 'Migrants detected crossing the English Channel – monthly data', official statistics [updated 5 October 2022]. <https://www.gov.uk/government/statistics/migrants-detected-crossing-the-english-channel-in-small-boats-monthly-data>

Morris M and Qureshi A (2021) *Locked out of a livelihood: The case for reforming 'no recourse to public funds'*, IPPR. <https://www.ippr.org/research/publications/locked-out-of-a-livelihood>

National Crime Agency [NCA] (2021) 'People smugglers use ever more dangerous boats to attempt Channel crossings as NCA issue international alert', news item. <https://nationalcrimeagency.gov.uk/news/people-smugglers-use-ever-more-dangerous-boats-to-attempt-channel-crossings-as-nca-issue-international-alert>

Nationality and Borders Act (2022), c.36. <https://www.legislation.gov.uk/ukpga/2022/36/contents/enacted>

Office for National Statistics [ONS] (2020) 'Population of the UK by country of birth and nationality: individual country data', January 2019 to December 2019 edition, dataset. <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/datasets/populationoftheunitedkingdombycountryofbirthandnationalityunderlyingdatasets>

Pennington J (2022a) 'Are people crossing the Channel in small boats doing anything illegal?', Free Movement, blog post. <https://freemovement.org.uk/are-people-crossing-the-channel-in-small-boats-doing-anything-illegal/>

Pennington J (2022b) 'Channel "pushbacks" policy abandoned', Free Movement, blog post. <https://freemovement.org.uk/channel-pushbacks-policy-abandoned/>

Prime Minister's Office [PMO] (2018) 'Treaty between the government of the United Kingdom and the government of the French Republic concerning the reinforcement of co-operation for the coordinated management of their shared border'. <https://www.gov.uk/government/publications/uk-france-summit-2018-documents>

Prime Minister's Office [PMO] (2022) 'PM speech on action to tackle illegal migration: 14 April 2022', speech. <https://www.gov.uk/government/speeches/pm-speech-on-action-to-tackle-illegal-migration-14-april-2022>

Razak K and Smith A (2022) 'After years of war and unrest, Iraq is flaring up again – here's why', article, NBC News. <https://www.nbcnews.com/news/world/iraq-muqtada-al-sadr-violence-iran-backed-militias-rcna45593>

Red Cross (2022) 'Information about humanitarian visas', website. <https://www.redcross.ch/en/our-services/support-in-an-emergency/humanitarian-visa>

Refugee Council (2022) 'An analysis of the likely asylum outcomes for people crossing the Channel in small boats – November 2021', briefing. <https://www.refugeecouncil.org.uk/information/resources/channel-crossings-and-asylum-outcomes-november-2021/>

Reuters (2022) 'Protestors rally across Iran in third week of unrest over Amini's death', article. <https://www.reuters.com/world/middle-east/students-rally-iran-protests-enter-third-week-2022-10-01/>

Robinson V and Segrott J (2002) Understanding the decision-making of asylum seekers, Home Office. <https://webarchive.nationalarchives.gov.uk/ukgwa/20110218144353/http://rds.homeoffice.gov.uk/rds/pdfs2/hors243.pdf>

Scott J (2022) 'Channel crossings in July hit highest monthly total of year so far amid reports of new deal with France', Sky News. <https://news.sky.com/story/channel-crossings-in-july-hit-highest-monthly-total-of-year-so-far-amid-reports-of-new-deal-with-france-12663544>

Syal R, Chrisafis A and Taylor D (2021) 'Tragedy at sea claims dozens of lives in deadliest day of Channel crisis', *Guardian*. <https://www.theguardian.com/world/2021/nov/24/several-people-dead-migrant-boat-capsizes-channel>

Taylor D (2022) 'How red flags were brushed aside to push through Rwanda deal', *Guardian*. <https://www.theguardian.com/uk-news/2022/sep/09/rwanda-asylum-processing-deal-warnings-ignored-high-court>

Tsherit I (2022) 'Why are so many Albanian asylum claims succeeding if the country is so "safe and prosperous"?' , blog post, Free Movement. <https://freemovement.org.uk/why-are-so-many-albanian-asylum-claims-succeeding-if-the-country-is-so-safe-and-prosperous/>

United Nations High Commissioner for Refugees [UNHCR] (2011) *UNHCR Resettlement Handbook*. <https://www.unhcr.org/uk/protection/resettlement/46f7c0ee2/unhcr-resettlement-handbook-complete-publication.html>

United Nations High Commissioner for Refugees [UNHCR] (2021) 'UNHCR observations on the Nationality and Borders Bill, Bill 141, 2021-22', legal analysis. <https://www.unhcr.org/uk/615ff04d4.pdf>

United Nations High commissioner for Refugees [UNHCR] (2022a) *Global Trends: Forced displacement in 2021*. <https://www.unhcr.org/62a9d1494/global-trends-report-2021>

United Nations High Commissioner for Refugees [UNHCR] (2022b) 'UNHCR's Filippo Grandi fears UK legislation will dramatically weaken refugee protection', news story. <https://www.unrefugees.org.uk/learn-more/news/news/uk-nationality-and-borders-bill/>

