

REFUGEE AND MIGRANT RIGHTS

Immigration and Asylum Bill

This briefing provides information and analysis on the Immigration and Asylum Bill that was announced in [the King's Speech](#) on 13 May 2026.

Background and overview

The Government intends to ask Parliament to pass a new immigration act. It will present a bill for that purpose – the Immigration and Asylum Bill. If passed, this will become the fifth immigration act over five sessions of Parliament going back to the Nationality and Borders Act 2022 in the 2021-2022 session. Since then, Parliament has passed the Illegal Migration Act 2023, the Safety of Rwanda (Asylum and Immigration) Act 2024 and the Border Security, Asylum and Immigration Act 2025.

All four of these **previous acts have shared the same primary (in some cases sole) purpose of preventing and deterring people from seeking asylum** in the UK.ⁱ None of them achieved that purpose, and each has led to more dysfunction in the asylum system and increased costs.ⁱⁱ Harm done to people has increased, including people's deaths.ⁱⁱⁱ Dangerous journeys to the UK and their control by organised criminal gangs continue. Social and political divisions relating to immigration and asylum, and racism, have grown.^{iv}

Nonetheless, the government's stated policy agenda and briefings published on the day of the King's Speech make clear **the new bill will pursue the same prevention and deterrence purpose.**^v Yet again, the intention is to double down on what has gone before rather than correct it.^{vi}

Background briefing notes

The bill is yet to be published. However, [the background briefing notes](#) ("the background notes") provide information about what will be included. These background notes claim the bill will achieve the following three aims:

1. To create a "*fair but firm*" asylum system.
2. To increase removal of people from the UK and ensure immigration rules are enforced.
3. To make the immigration system operate "*fairly and effectively.*"

This briefing provides an analysis and assessment of each of these aims and explains why what is set out in the background notes will not achieve them.

Why the bill will not make the asylum "*fair but firm*"

For decades, governments have described their asylum policies as fair and firm.^{vii} Generally, they have meant to imply that their policies will fulfil obligations to protect refugees (often referring to this as a

'proud tradition' of the UK),^{viii} will make the asylum system operate efficiently, and will prevent anyone with no good claim to remain in the UK being able to do so. More recently, governments have sought to avoid and abandon their asylum responsibilities. They have sometimes repeated the rhetoric around asylum being a proud tradition. However, they have implemented laws and policies to deter refugees seeking asylum in the UK by depriving some refugees of protection altogether and by making the protection that is granted to others far less secure.^{ix}

This government has chosen to continue this more recent trend.^x It shares its immediate predecessor's objectives to deter and prevent people seeking asylum and its policies are increasingly antagonistic to asylum responsibilities. The background notes to the bill go so far as to state explicitly that the basis for asylum in the UK is to be changed from providing protection to rewarding "*contribution, integration and respect for UK laws.*" This objective is flawed in two basic ways:

- First, **providing asylum is the fulfilment of a legal and moral duty to protect** people at risk of persecution. Replacing protection as the basis for asylum would end asylum in the UK because a system based on the Home Secretary's view about whether someone will contribute and integrate well will be no more than another category of the wider immigration system.
- Second, **government policy undermines refugees' capacity to integrate and contribute.**^{xi} The background notes indicate the bill will further entrench that policy. It will enable the Home Secretary to revoke asylum granted to refugees and saddle them with debt from sometimes lengthy periods in which they are excluded from work and the chance to support themselves (and to recover from the debilitating effects of deprivation, abuse and exploitation).^{xii}

The background notes also refer to replacing various forms of protection "*with a single 'core protection' model.*" However, **there has long been a single core model of protection.**^{xiii} The government is merely **replacing the existing model with something that will provide less security, be less efficient and cause more complication.**

There is nothing fair or firm about these objectives. **A fair asylum system would encourage and enable refugees to integrate and contribute.** It would do so by recognizing their right to asylum quickly and providing them long-term security, which would enable others – including employers and education providers – to invest in their futures. It would also fulfil the UK's international obligations, including to facilitate integration and naturalisation of refugees.^{xiv} **Instead, preventing thousands of people from being able to move on with their lives will be harmful for them and wider society.** The costs of this will include the inefficiency caused by requiring the Home Office to manage people's lives more closely and for far longer. Making more work for the system and exacerbating other social and financial costs by increasing and prolonging refugees' marginalisation is no more firm than it is fair.^{xv}

Why the bill will not increase removal of people and enforcement of rules

Governments generally promise to remove more people and claim this is about enforcing rules. However, the independent watchdog on government spending ("**the spending watchdog**") has warned of **an unrealistic approach to removals that is inefficient and costly.**^{xvi} This is a longstanding problem.

When governments adopt unrealistic rules, practices and decisions, their attempts to enforce these are neither fair nor efficient.^{xvii} However, instead of addressing its own poor decision-making, practices and policies, the government is following its predecessor in attempting to remove safeguards against people being unsafely or unfairly removed.

For example, the background notes confirm the government's intention to replace the existing independent appeals system.^{xviii} The government's attempted justification is based on the current appeals backlog. However, the government has created that backlog and is addressing none of its

causes. It is deeply concerning that the independent body with responsibility for reviewing the legality and safety of Home Office decisions is to be replaced with a body created by the Home Office. Those concerns are enlarged by the clear statement that the purpose in doing so is to increase removals (an aim of that department). In this way, the government has committed itself to remove or reduce constraints on removals rather than improve the decision-making that leads to removals. This is not fair and may not be fast because making bad decisions more quickly simply achieves more of the same dysfunction and inefficiency of which the spending watchdog has warned.

The background notes also state the age assessment process will be strengthened to “*better safeguard*” children while identifying adults claiming to be under 18. This is a familiar government target. However, **children are not made safer by increasing the risk they are wrongly treated as adults**. In this, age assessment mirrors the wider asylum system. More inefficiency and harm are caused by making the priority to exclude people from protection rather than to deliver protection to those entitled to it.^{xix}

Why the bill will not make the immigration system “*fair and effective*”

The background notes show the government is focused on removing or reducing constraints on its exercise of power, particularly powers to remove and [deport](#) people from the UK. It intends to restrict the capacity of decision-makers, including judges, to ensure the immigration system respects people’s private and family life ([Article 8, ECHR](#)) – including by defining family life as “*limited to a core family unit*.” Similarly, it intends to change legal protections for victims of modern slavery and how the immigration system treats children. The background notes make clear these changes are for enhancing immigration enforcement.

Governments have repeatedly sought to constrain how their human rights obligations affect their immigration policy and actions. The right to respect for private and family life is a familiar target.^{xx} More recently, removing or reducing protections for victims, including children, of human trafficking and other exploitation has become a target too.^{xxi} Just as with age assessment and the wider asylum system, **making the priority to exclude people from safeguards rather than ensuring their safety will put more people at risk of harm**. It will also increase inefficiency, just as it has done previously, by increasing the prospect of systemic error rather than encouraging or requiring the system to both improve its decision-making and focus resources on seeking only removals that are safe, reasonable and achievable.

Conclusion

There are two fundamental ways in which the Immigration and Asylum Bill will not achieve what the government says it will achieve.

First, much of what is said about this bill in the background notes is unreliable. Contrary to what is said in these notes, **the government is not seeking fairness, improved protection (for refugees, victims of modern slavery, children, or others) or an independent appeals system**.

Second, **the bill is unlikely to achieve the things the government does intend – more removals, fewer people seeking asylum, and more efficient or effective administration**. It will not achieve more efficiency if, as seems clearly intended, it further entrenches an approach that ignores the real needs, circumstances, and rights of the people to whom its provisions are applied.^{xxii} It is unlikely to achieve a reduction in people seeking asylum because their need to do so – the risk of persecution in their home country coupled with such things as violence and exploitation elsewhere or family separation – will continue to outweigh attempts at prevention and deterrence.^{xxiii} If more people are removed, that will likely result from greater government expenditure than on anything in this bill, which risks increasing the wastage of public funds about which the spending watchdog has warned.

Notes

- ⁱ The Illegal Migration Act 2023 and the Safety of Rwanda (Asylum and Immigration) Act 2024 included these purposes as specific provisions: see section 1(1) of each.
- ⁱⁱ Amnesty UK's February 2024 briefing, [Gambling with Lives](#), recorded and explained these effects, which have continued.
- ⁱⁱⁱ Deaths occur both on journeys to the UK and in the UK asylum system. See, for example, Da'aro Youth Project, [Deaths of unaccompanied asylum-seeking young people](#), April 2026; and [responses to freedom of information requests](#) on deaths in asylum accommodation published by Liberty Investigates in December 2025.
- ^{iv} The Home Secretary, Rt Hon Shabana Mahmood, recognised this explicitly in her foreword to the government's November 2025 policy paper, [Restoring Order and Control](#). She has nonetheless chosen to follow her predecessors in not merely continuing the same policy aims that have led to this, but by intensifying these still further.
- ^v The most comprehensive and recent statements of that policy agenda were the government's November 2025 policy papers: [Restoring Order and Control](#) and [A Fairer Pathway to Settlement](#).
- ^{vi} This approach of doubling down is described in Amnesty UK's February 2024 briefing, [Gambling with Lives](#). [Backlogs](#), wasted costs and other harms continue. Amnesty UK's October 2024 briefings, [A fair and efficient process for making asylum decisions](#) and [Asylum legislation in need of repeal](#) set out some ways asylum policy could and should be reformed.
- ^{vii} For example, in July 1998, a relatively new Labour government published a White Paper, *Fairer, Faster and Firmer – a modern approach to immigration and asylum*, [Cm. 4018](#). In 2021, a Conservative Home Secretary, Rt Hon Priti Patel, introduced the government's [New Plan for Immigration](#), with a stated intention to build "a new system that is fair but firm."
- ^{viii} References to such a tradition, history or record by home secretaries and home office ministers are numerous, including Rt Hon Suella Braverman when Home Secretary, who claimed, in a discussion on her asylum policy, "We have a proud tradition of defending fundamental rights in this country, and we will always retain a robust approach to protecting and preserving human rights": [Hansard HC, 19 December 2022 : Col 36](#).
- ^{ix} Rt Hon Suella Braverman did so when introducing the Illegal Migration Act 2023.
- ^x It did so with its first immigration act: the Border Security, Asylum and Immigration Act 2025, including by its decision to retain all the Nationality and Borders Act 2022 and some of the Illegal Migration Act 2023. It is also doing so by its policy agenda set out in its November 2025 policy papers: [Restoring Order and Control](#) and [A Fairer Pathway to Settlement](#).
- ^{xi} This is further discussed in Amnesty UK's November 2025 briefing, [Government Immigration and Asylum Proposals](#).
- ^{xii} People seeking asylum have long been excluded from work. This prevents people supporting themselves or contributing to that. It undermines people's recovery from trauma, deprivation and exploitation by depriving them of important social engagement and participation through work. It also allows their skills, expertise, experience and motivation to waste away.
- ^{xiii} Before this government, successive governments maintained a core model in which refugees and others at risk of severe harm were granted asylum for 5 years, with the opportunity for adults granted asylum to be joined by their partners and children, and the possibility of settlement (permanent residence) at the end of those 5 years.
- ^{xiv} Article 34, 1951 UN Convention relating to the Status of Refugees (commonly referred to as [the Refugee Convention](#)).
- ^{xv} This is further discussed in Amnesty UK's November 2025 briefing, [Government Immigration and Asylum Proposals](#).
- ^{xvi} National Audit Office, [An analysis of the asylum system](#), 10 December 2025, page 8, paragraph 13
- ^{xvii} A striking example was provided by [the detained fast track](#), which was found to be unlawful in 2015 and abandoned.
- ^{xviii} Amnesty UK's September 2025 briefing, [Immigration and Asylum Appeals](#), provides more information and analysis. On 6 May 2026, Amnesty UK [responded to a government consultation](#) on this proposal.
- ^{xix} [Home Office data](#) shows immigration officers are significantly more likely than social workers to wrongly assess children to be adults, which the department explains is because immigration officers make decisions "at pace" and with limited information whereas social workers have more time, information and "expertise."
- ^{xx} For example, section 19 of the Immigration Act 2014 introduced Part 5A to the Nationality, Immigration and Asylum Act 2002 for the same purpose that this government intends to pursue with its Immigration and Asylum Bill.
- ^{xxi} This includes provisions of the Nationality and Borders Act 2022 and Illegal Migration Act 2023, which the government has chosen to retain.
- ^{xxii} A longstanding theme in immigration and asylum policy is the attempt to force people to do things that are unsafe for them or clearly contrary to their needs or rights rather than rationally focusing enforcement resources after better identifying who can reasonably and safely be required to leave and who cannot.
- ^{xxiii} As expressly recognised by both the Prime Minister and Home Secretary in their forewords to the government's November 2025 statement on asylum policy, [Restoring Order and Control](#), insecurity is growing in the world.

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