

BRIEFING

19 November 2025

REFUGEE AND MIGRANT RIGHTS

Government Immigration and Asylum Proposals

The Government has published a paper setting out proposed changes to immigration and asylum law and policy. This briefing provides analysis of key proposals and overall agenda.

Announced changes:

The proposals are set out in a new paper called [*Restoring Order and Control: A statement on the Government's asylum and returns policy*](#).ⁱ This sets out several proposals to change the asylum system and to other parts of the wider immigration system. Key amongst them are the following:

On **asylum** it is proposed that:ⁱⁱ

- Refugees granted asylum in the UK will no longer be granted permission to stay for 5 years and permitted to apply to settle (stay permanently) after completing that period of 5 years. Instead, a grant of asylum will come with permission to stay for only 30 months (2½ years) and refugees will be required to apply to extend this permission for 30 months at a time for at least 20 years before any application to settle can be made.
- Partners and children of refugees may no longer be able to apply to come to the UK to join their refugee partner or parent unless they can meet prohibitive income and savings requirements.
- The duty to accommodate and support people seeking asylum if they would otherwise be destitute will be removed so it may be refused even if that would make them destitute. There will also be greater use of mass accommodation sites such as repurposed military barracks.
- The Home Office will seek to use artificial intelligence (facial age assessment technology) in assessing whether someone seeking asylum in the UK is a child.
- The Home Office will offer a limited number of visas for refugees to come to the UK if they are identified as talented, skilled or sponsored by voluntary and community organisations.

On **removals and deportation** it is proposed that:ⁱⁱⁱ

- The Government will introduce legislation to restrict the effect of the right to respect for private and family life (Article 8 ECHR) in removal and deportation proceedings. This will include limiting family life to parent-child and partner-partner relationships; and ordinarily excluding consideration of private and family life that has developed after someone was refused permission to stay.
- The Government will introduce legislation to restrict the effect of safeguards for victims of human trafficking and slavery in removal and deportation proceedings.
- The Government will discuss with other members of the Council of Europe how to limit the effect of the prohibition of torture, inhuman or degrading treatment or punishment (Article 3 ECHR) in removal and deportation proceedings.

On **immigration and asylum appeals** it is proposed that:^{iv}

- A new independent body will be created to consider appeals.
- Appeals will be fast-tracked and all grounds of appeal required to be argued together.
- Appeals will be expedited to avoid delay to removals or deportation.

On **immigration more generally** it is proposed that:^v

- Visas will be refused to nationals of some countries if their governments fail to satisfy the Home Office by accepting other people facing removal or deportation from the UK.

Are these announcements new?

Very little of what the Home Secretary said was new. For example:

- Most of what was announced on asylum is taken from the **Nationality and Borders Act 2022**, which was introduced by the last Government. This includes requiring refugees granted asylum in the UK to repeatedly apply to renew their permission to stay and delaying or refusing visas that would allow them to be reunited with partners and children.^{vi} In the end, much of the asylum provisions in that Act were not implemented simply because the last Government instead introduced the **Illegal Migration Act 2023** and simply refused to make decisions on asylum claims in the UK.^{vii}
- Legislation to restrict how Article 8 ECHR and modern slavery safeguards operate in removal and deportation proceedings has been introduced many times – including by the **Illegal Migration Act 2022**, **Nationality and Borders Act 2025** and **Immigration Act 2014**.^{viii}
- Creating new bodies to deal with appeals has been done several times over the last 25 years,^{ix} while a requirement for people to set out all their grounds of appeal in one go was introduced by the **Immigration and Asylum Act 1999**.^x
- The power to refuse visas to people because they are nationals of countries whose governments have not satisfied the Home Office by accepting the return or deportation of other people was introduced by the **Nationality and Borders Act 2022**.^{xi}
- Destitution as deterrence was a feature of asylum policy under a previous Labour Government;^{xii} and repurposed military barracks have frequently been used for asylum accommodation.^{xiii}

What does the Home Secretary hope to achieve and what will she achieve?

There appear to be two broad purposes behind the proposals:

- Deterring people from seeking asylum in the UK.^{xiv}
- Satisfying the increasingly heated demands from some political actors and commentators by presenting the Home Secretary and Government as in some sense ‘tough’ on immigration.^{xv}

Just as the announcements are not new, so the aims are not new. Home Secretaries going back a very long way have set out to achieve precisely the same ends – deterring people seeking asylum in the UK and presenting themselves as ‘tough.’^{xvi} What they have frequently achieved, however, is greater dysfunction at the Home Office and increased dissatisfaction and division among the public over immigration. This has also increased political tension surrounding human rights.^{xvii} In recent years, this has gone hand in hand with huge increases in the cost to the taxpayer of funding asylum policy.^{xviii}

This latest announcement is highly likely to achieve precisely what has been achieved before. That is more harm to refugees and other people; more cost to the taxpayer; more Home Office dysfunction; and more tension surrounding human rights. The reasons for this include that the proposals will:

- increase the workload and cost of the Home Office;^{xix}
- further undermine refugee integration;
- increase the need for people to rely on human rights to protect themselves against harm;
- create new opportunities for smuggling gangs and others to exploit the vulnerability of many refugees and other migrants;^{xx} and

- further entrench false notions that the UK is somehow ‘soft’ or more affected than other countries by people seeking asylum.

An abandonment of asylum principles

The proposals on asylum constitute an abandonment of basic principle. There are three aspects of the proposals that of particular concern:

- The focus for granting asylum in the UK is becoming dependent on whether someone is considered to be of some benefit to the UK (e.g., ‘skilled’ or ‘talented’), not their need and right to receive asylum from persecution.
- Asylum in the UK is generally to be made extremely temporary and uncertain, leaving refugees unable to feel secure and rebuild their lives; and meaning others (such as prospective employers) cannot be sure the person will have any future in the UK.
- The asylum system’s purpose is becoming even more explicitly about deterring people coming to the UK rather than delivering protection to the refugees who do.

The implications of this go wider than either the asylum system or the UK:

- In the UK, a relatively small but significant number of people – people who have endured and escaped war, torture and other traumas – are to be made marginalised by policy, in some instances made destitute and homeless. This is plainly bad for them, but it is also bad for any real notion of social cohesion and integration.
- Beyond the UK, the Government is sending a dangerous signal to others that refugee rights are not worthy of respect. The lives of many of the world’s refugees are already extremely precarious, which is among the reasons some are compelled to cross several borders searching for safety.

What should the Home Secretary do instead?

The Home Secretary should not follow in the footsteps of her predecessors. Instead of setting out to deter people from seeking asylum by making the lives of refugees more miserable, she should show real moral and political leadership by meeting the UK’s asylum and human rights obligations while encouraging others to do the same. This would help manage migration domestically and internationally.

Instead of trying to make the asylum system a deterrent to the people it should be providing protection, the Home Secretary should make that system fair and efficient. She should repeal all the previous Government’s harmful legislation, including asylum provisions of the Nationality and Borders Act 2022. The Home Office could then resolve asylum claims effectively and reduce the current need for appeals by thousands of people because that Act requires their claims to be wrongly refused.

The need for this approach is enlarged by the Prime Minister and Home Secretary’s stated concerns about the world being more volatile and how this is used to promote fear and division.^{xxi} That volatility will force more people to seek asylum from conflict and persecution – some of whom with family and other connections in the UK. Simply attempting to avoid responsibilities to ensure people’s safety can’t change their need to seek asylum or manage any of the consequences of that need.^{xxii}

Conclusion

The Government is making the same bad choices as its predecessor. Rather than making the asylum system function well, it is choosing to make that system function badly. Like its predecessor, it hopes this will deter people seeking asylum in the UK. This is irresponsible, immoral and, as the last Government showed, impractical and costly. However, the longer the Home Secretary pursues her current agenda, the more time and taxpayer’s money will be needed to truly fix what Governments have broken – and the greater the political challenges are likely to become.

Notes

ⁱ The Home Secretary also made a statement in the House of Commons: *Hansard* HC, [17 November 2025 : Col 509](#)

ⁱⁱ [Restoring Order and Control](#), CP 1418, November 2025, pp13-16; also, pp27 & 29

ⁱⁱⁱ *ibid*, pp24-26

^{iv} *ibid*, pp22-23 – Amnesty’s September 2025 briefing on [Immigration and Asylum Appeals](#) responded to an earlier announcement of this proposal on 1 September 2025.

^v *ibid*, p21

^{vi} section 12, Nationality and Borders Act 2022 permits this if the refugee had arrived to the UK without prior permission; although the paper suggests that all refugees will be restricted in this way.

^{vii} sections 2, 5 and 30, Illegal Migration Act 2023; these provisions are to be repealed by clause 41 of the Border Security, Asylum and Immigration Bill, HL Bill 146 (as amended at Lords Report) – this Bill had its Third Reading in the House of Lords on 17 November 2025 and the House of Commons is to consider Lords amendments on 19 November 2025.

^{viii} For example, section 19, Immigration Act 2014, introduced sections 117A-117D, Nationality, Immigration and Asylum Act 2002 to confine how tribunals and courts apply Article 8 ECHR in immigration cases.

^{ix} This is further explained in Amnesty’s September 2025 briefing on [Immigration and Asylum Appeals](#).

^x section 77, Immigration and Asylum Act 1999 introduced ‘one-stop’ appeals for this purpose; and section 120, Nationality, Immigration and Asylum Act 2002 (as amended) retains this approach.

^{xi} Sections 70-74, Nationality and Borders Act 2022 establishes this system of what are termed ‘visa penalties.’

^{xii} The Joint Committee on Human Rights identified a deliberate policy of destitution, which it concluded violated Article 3 ECHR (prohibition on inhuman and degrading treatment) in [The Treatment of Asylum Seekers](#), Tenth Report of Session 2006-07, HL Paper 81, HC 60, March 2007, pp40-42

^{xiii} In 2000, a disused infantry barracks (previous RAF barracks) at Oakington was opened by the Home Office; and various sites have been acquired, used and, like Oakington, discontinued by the department over the years since.

^{xiv} Although the Home Secretary did not refer to ‘deterrence’ in her statement or in her Foreword to [Restoring Order and Control](#), CP 1418, November 2025, the Prime Minister’s shorter Foreword to that paper is explicit about the intention to create a “stronger deterrent effect” and “deter arrivals”.

^{xv} In her Foreword to [Restoring Order and Control](#), CP 1418, November 2025, the Home Secretary presented her proposals as introducing the “toughness” that her predecessors had failed to display and, in her statement in the House of Commons, claimed these to be necessary to counter social instability, racism and violence.

^{xvi} Much of what the Home Secretary is proposing is borrowed from her predecessors; and her rhetoric fairly consistent with them too – though she avoided slogans of ‘stopping boats’ and ‘smashing gangs’ that have become so popular in recent years; and returned to older falsities such as claims of ‘pull factors’ and that disproportionate numbers of people seek asylum in the UK (Amnesty’s November 2024 briefing on [Responsibility-sharing and the right to asylum](#) shows this to be false).

^{xvii} Other ways Governments have increased tensions surrounding human rights by immigration policy are explained in Amnesty’s June 2025 briefings on [Article 8: private and family life](#) and on [Deportation \(and Article 8\)](#). The Home Secretary’s latest proposals indicate that these same flawed approaches on Article 8 and deportation are also to be continued.

^{xviii} The last Government’s policy of refusing to decide asylum claims provides an extreme example – see Amnesty’s February 2024 briefing, [Gambling with lives: How a bad policy wrecked the UK asylum system](#). The damage and cost of that policy continues; and while the present Government has chosen to decide claims, it is not truly resolving the asylum backlog that policy created for reasons explained in Amnesty’s April 2025 briefing on [Home Office backlogs: lessons to be learnt](#).

^{xix} The proposals include requiring the Home Office to reconsider thousands of people’s asylum claims, and other human rights, every 30 months for up to 20 years. The proposals will also increase other costs, including court and legal aid costs, e.g., if people are refused accommodation and support or refused permission to extend their stay in the UK.

^{xx} Effectively closing the refugee family reunion system means thousands of partners and children of refugees granted asylum in the UK must depend on dangerous journeys and smuggling gangs if they are to have any hope of being reunited with their partner or parent; and other proposals such as to make people seeking asylum destitute and homeless by refusing accommodation or support will simply enable abuse of them in the UK, such as forced labour and sexual exploitation.

^{xxi} These concerns are, for example, set out in the Prime Minister’s Foreword to [Restoring Order and Control](#), CP 1418, November 2025 and the Home Secretary said more in her statement in the House of Commons.

^{xxii} See more in Amnesty’s November 2024 briefing on [Responsibility-sharing and the right to asylum](#).

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