

How the government can design better asylum policy



About this report

The UK's asylum system was one of the most politically fraught issues of the last parliament. But for decades, governments of all stripes have struggled to achieve their various aims on asylum. This report identifies the reasons why successive governments have faced challenges in creating a more effective asylum system, and offers recommendations for how the government can make better asylum policy.

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Contents

Summary	4
Introduction	10
Part 1. Why is asylum a chronic policy problem in the UK?	11
Part 2: How can the UK make better asylum policy?	27
Conclusion	58
References	59
About the authors	69

Summary

The UK's asylum system was one of the most politically fraught issues of the last parliament and featured heavily in the 2024 general election campaign. And it is not one that has gone away since Labour entered office in July – as the riots that swept across many parts of England and Northern Ireland in August, sparked by false reports that an asylum seeker recently arrived by small boat had committed the murder of three children in Southport, made all too clear.

It is no surprise that the political salience of UK asylum policy has bridged a change of government. For decades, governments of all stripes have struggled to achieve their various aims on asylum. Some have tried to make fast and efficient asylum decisions, offering support to people who are granted refugee status and returning those who are not. Others have sought to reduce the cost of the system – estimated at £5.38 billion in 2023/24¹ – or the number of claims the UK receives, or both. Most have seen the decisions taken in pursuit of these various objectives come into conflict with one another. Few can claim success on any.

This report continues the Institute for Government's series on chronic policy problems, identifying the reasons for UK governments' continued struggles and offering recommendations for how the government can pursue reforms to create a more effective asylum system. Doing so will benefit both the UK and the many thousands of people in need that enter the system each year. It is based on the Institute's extensive work on policy making, and interviews with immigration experts and asylum seekers.

Why have UK governments struggled with asylum policy?

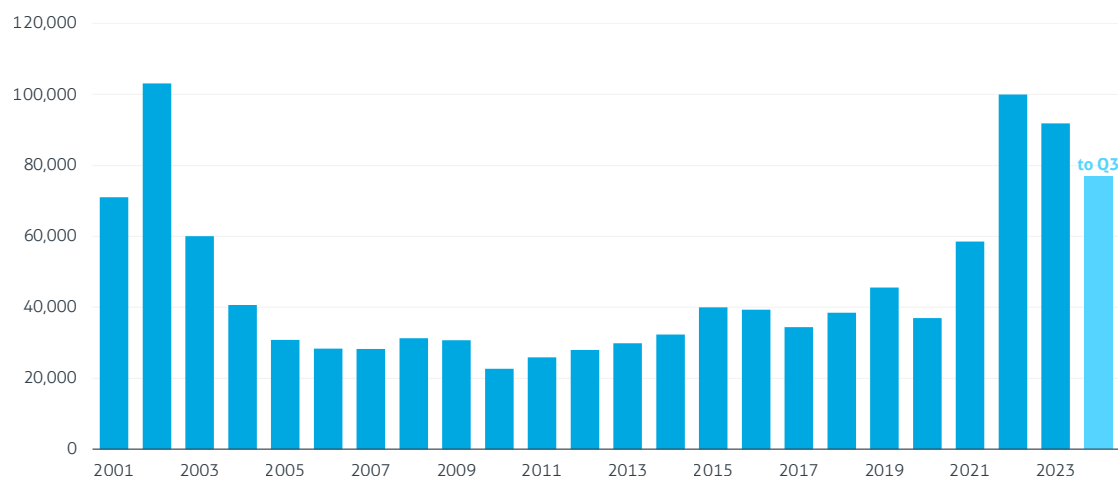
Many aspects of asylum policy are outside the government's direct control, such as global conflict increasing the number of displaced people by over 600% since the turn of the century, or are contingent on international agreements and co-operation.

In addition to this, the domestic politics of asylum has too often pushed politicians into designing policy seemingly based more on assumptions than evidence – from restricting the right of asylum seekers to work to making it essentially impossible to apply for asylum from abroad.

And the asylum system itself is fraught with difficulties. Asylum seekers are vulnerable people with complex needs who must navigate a web of often disjointed public services delivered by different parts of the public sector, civil society and external providers. The Home Office's historically under-resourced asylum set-up has created expensive inefficiencies that have contributed to delays, backlogs and limbo, compounded by layers of new, increasingly and unnecessarily complex immigration rules.

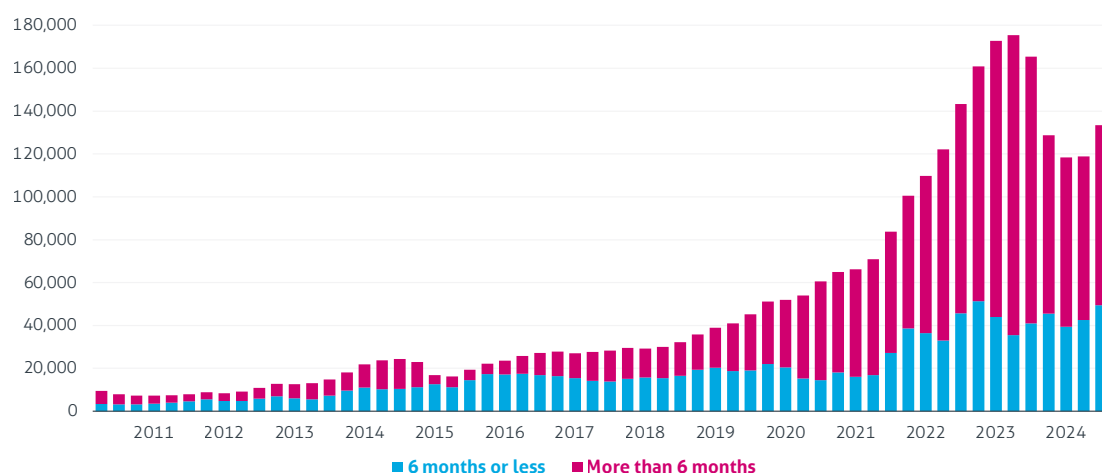
The system was not set up well even before the rise in applications in the past few years – and, as the timeline below shows, has been subject to continual change in the past quarter of a century.

Figure 1 People applying for asylum in the UK, 2001 to September 2024



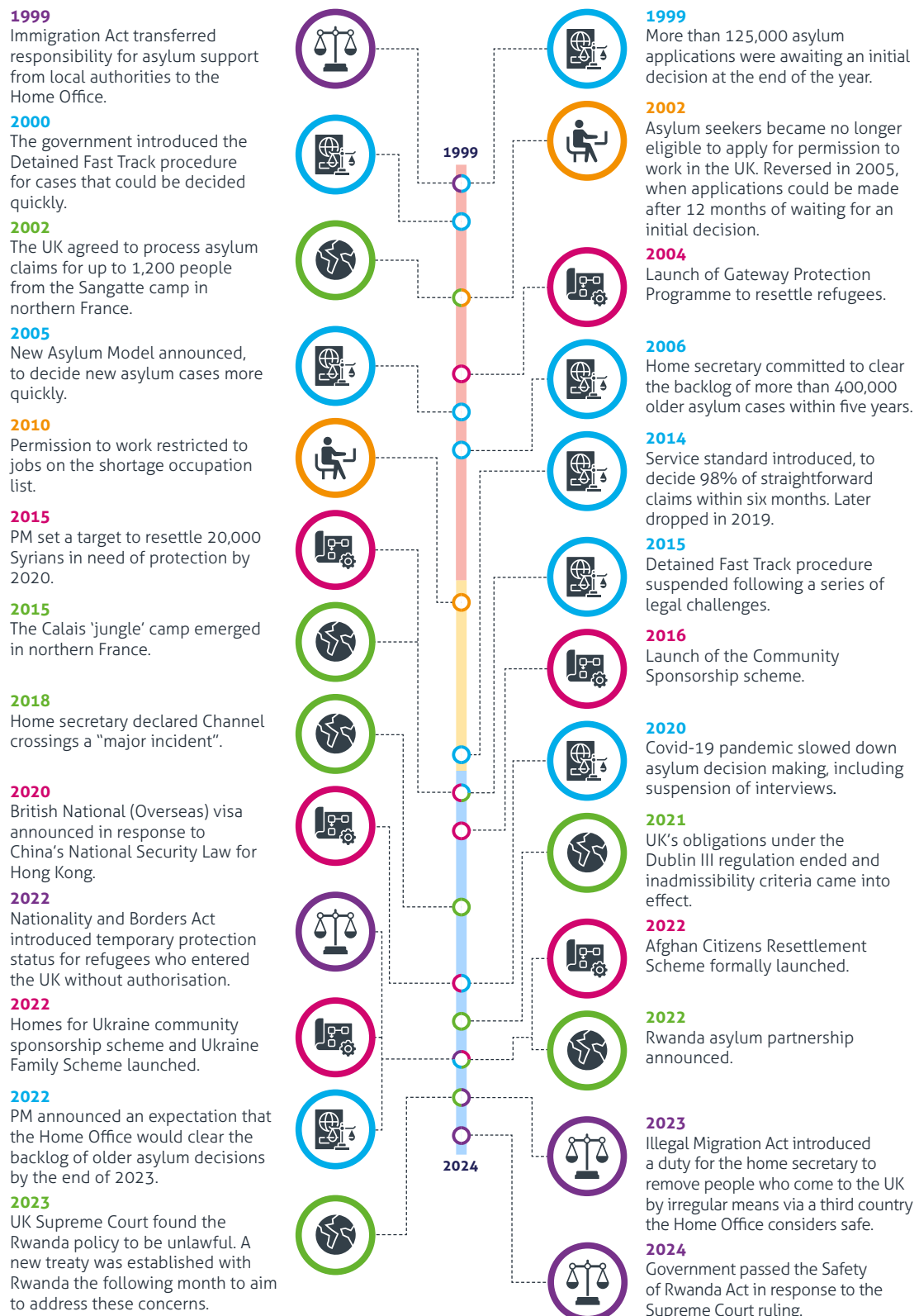
Source: Institute for Government analysis of Home Office, Immigration system statistics data tables, year ending September 2024.

Figure 2 People waiting for an asylum decision at the end of each quarter, Q2 2010 to Q3 2024



Source: Institute for Government analysis of Home Office, Immigration system statistics data tables, year ending September 2024.

Figure 3 Asylum policy 1999–2024



■ Legislation ■ Processing ■ New scheme ■ Right to work ■ International

What kind of change is needed?

No single change, or set of changes, could 'solve' the problem entirely. Forecast increases in global demand for asylum mean challenges are likely to grow more acute in the near future, but there are lessons from this difficult recent history that can inform the government's approach. This report does not put forward specific policy proposals on asylum. Its focus is instead on *how* policy is made, and how the government can make structural changes to ensure it achieves its objectives on asylum.

We argue that the UK government needs greater control over its asylum policy. It needs to design, and stick to, a coherent approach to making policy and managing the public services. It should use robust evidence to support policy design. It needs to bolster its understanding and management of the politics of the issue and avoid using unstable policy swings as a response to headlines. In short, the government should assert far more authority over the whole asylum system – instead of short-sighted measures aimed at conjuring an illusion of control.

This will ultimately not just benefit the UK – through better use of public money and addressing the electorate's concerns over an 'out of control' asylum system – but will also bring about a fairer and more secure environment for the many thousands of vulnerable people who seek asylum in the UK each year.

Recommendations in brief

Publish an annual Migration Plan

- First and foremost, the government should begin by setting a new approach to making policy grounded in an annual Migration Plan, led by the home secretary, brokered across Whitehall through some form of interministerial group, and debated in parliament.
- This Migration Plan should set the government's long-term strategy and priorities for both regular and irregular migration, which is currently caught in a web of competing interests. It should include not just migration policy, but wider related skills and labour market interventions.
- With a clear strategy and set of priorities, the government can enhance the quality of its asylum policy making by making changes in three main areas.

Using evidence

- Require evidence standard assessments for key policy submissions to ministers
- Maintain an online portal of migration evidence and analysis and ensure evaluation plans are in place for all major aspects of asylum policy
- Ensure operational leaders have the chance to scrutinise and assess the delivery implications of proposed asylum policy, including through red teams and operative legislative assessments

- Learn from those who have experience of the asylum system, including through creating a new, independent migrants' commissioner
- Create a standing forum on the government's migration and asylum strategy, based around shared goals, to aid engagement with civil society and academic experts
- Review the role, remit and powers of the Independent Chief Inspector of Borders and Immigration (ICIBI), and publish in one place the progress the department has made towards its recommendations.

Managing the system

- Upgrade the seniority of asylum decision makers to recognise the complexity of the role
- Develop and publish a workforce management strategy for asylum caseworkers, including creating a 'front-line decision makers' profession with clear career progression and professional development support
- Maintain feedback loops to ensure front-line decision makers are always able to flag concerns to senior managers, including anonymously
- Expand and improve the streamlined asylum process to triage cases early on in the system
- Reintroduce a service standard to guide the expected time frames for asylum decisions and use metrics to ensure the quality of caseworking is maintained
- Simplify the immigration rules, including legislation covering asylum
- Regularly review caseworking technology to ensure it meets the needs of asylum decision makers
- Develop an outward facing digital communication system to enable asylum seekers to access updates on their cases and submit information
- Give local authorities greater responsibility and resource to deliver accommodation and support services
- Redesign accommodation and support contracts to reflect the government's desired outcomes and closely oversee delivery
- Consolidate the multiple existing nationality-specific routes and consider establishing a standardised, regulated route to apply for asylum from outside the UK, governed by parliament.

Navigating the politics

- Reconsider the case for policies that could make the asylum system more controlled, fair and efficient, such as an expanded community sponsorship scheme and right to work
- Ensure that all asylum-related legislation is subject to pre-legislative parliamentary scrutiny.

Introduction

Asylum proved to be one of the most politically salient – and divisive – issues of the 2019–24 parliament. It was also one of the hardest for the government to manage. The number of people making the dangerous journey across the English Channel in small boats, most of whom go on to successfully claim asylum, increased from the low hundreds in and before 2018 to nearly 46,000 in 2022.^{1,2} The number of people waiting long periods for a decision on their asylum applications, and in need of accommodation and support in the meantime, also rose sharply – reaching more than 175,457 people in 2023.³

This has come as the number of forcibly displaced people in need of protection has also been increasing around the world, by over 600% since the turn of the century.⁴ The UN has recognised that the links between conflict and climate change will play a growing role in forced displacement, with 70% of refugees and asylum seekers fleeing from countries that are highly vulnerable to environmental change in 2022.⁵

Policies governing the asylum system will remain at the forefront of British politics in the new parliament. It continues to be one of the most important problems for the government to handle in the eyes of voters. And its potential to boil over and intersect with far-right politics was laid bare by the horrific events following the murder of three children in Southport, wrongly attributed to an asylum seeker, that sparked some of the worst riots seen in the UK for more than a decade.⁶

The problems with asylum policy are not new. Successive governments, both Conservative and Labour, for decades have struggled with a familiar cycle: growing applications and backlogs (under Blair, surpassing 125,000, and exceeding this figure under Sunak⁷); the emergence of new uncontrolled or irregular migration routes and high-profile migrant camps (lorry crossings in the 2000s, and then the Calais 'jungle' refugee camp in 2010s); and ineffective attempts to address these problems amid a heated political environment (made much harder since 2016 by Brexit).

As prime minister, Keir Starmer recognised these tensions in his 2024 party conference speech, stating that a robust asylum process must both grant some people asylum and return others. But we have not heard much detail, beyond pledges to 'smash the smuggling gangs', on how his government intends to make that system more robust.

This report, the latest in the Institute's series looking at chronic policy problems, seeks to address that by answering two questions that form the basis of its two parts: why has asylum become a chronic policy problem in the UK – and how could asylum policy be made more effectively?

Part 1: Why is asylum a chronic policy problem in the UK?

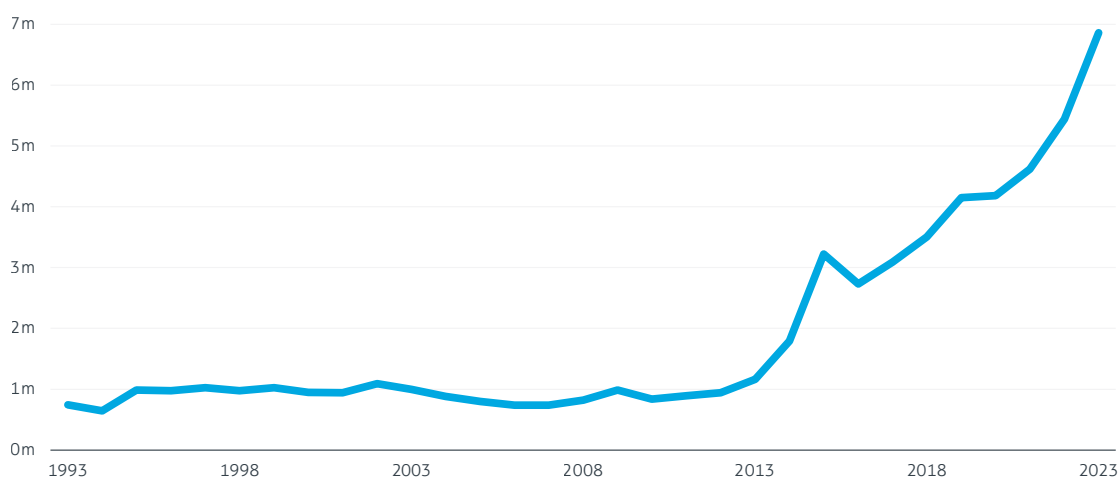
The experience of UK governments over the past 25 years – Labour, coalition and Conservative – show just how difficult designing and implementing successful asylum policy has proven. This chapter looks at why this has been the case.

Many aspects of asylum are outside the UK government's control The number of displaced people is growing globally

Worldwide, the number of people forcibly displaced by persecution, conflict, violence, human rights violations or for other reasons has increased in recent years, and particularly since 2011. In 2023, there were 107.5 million people forcibly displaced* around the world.¹ This compares to approximately 26 million people at the start of the 2010s, a level that had remained broadly consistent since the 1990s.

This has translated into an increase in the numbers of people seeking asylum globally, which has risen from less than a million in the early 1990s to consistently over 4 million since 2020, and nearly 7 million in 2023.² The UN points out that these numbers are closely correlated to the increased “frequency, extent, duration and intensity of conflicts” around the world.³

Figure 4 People seeking asylum globally, 1993–2023



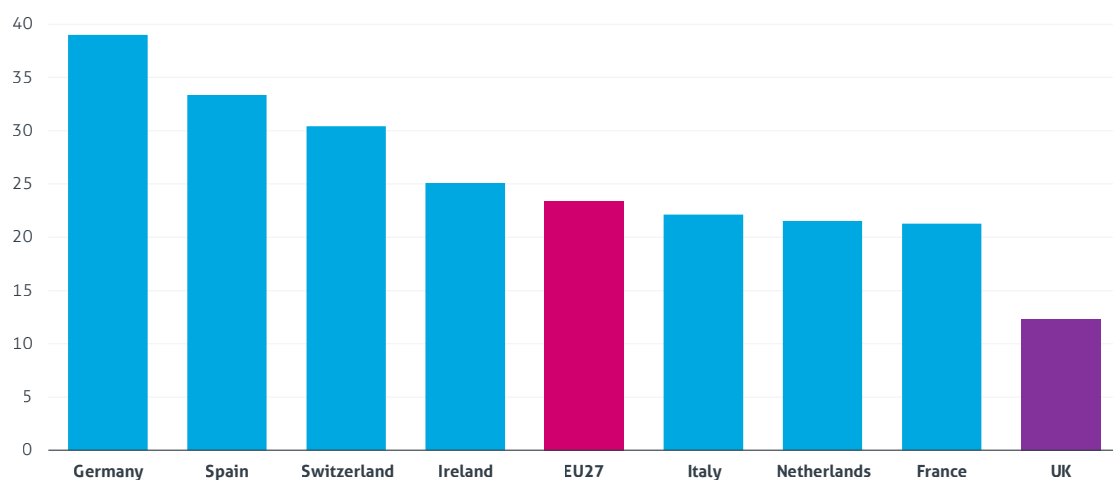
Source: Institute for Government analysis of UNHCR, Refugee Population Statistics Database, 2024.

* Of which 63.3 million were internally displaced, while 31.6 million were refugees, 6.9 million were seeking asylum, and a further 5.8 million in need of international protection.

Most refugees remain in countries close to their country of origin (69%), and three quarters of people in need of protection are in low- and middle-income countries.⁴ But, such are the size of the overall numbers, the increase in forcible displacement since 2011 has led to a marked increase of people travelling to Europe for asylum.

But they are not mainly coming to the UK. The UK receives far fewer asylum seekers than many European countries: in 2023, there were approximately 12 asylum applications made in the UK for every 10,000 people living in the country. This ranked the UK 15th among EU27 countries plus the UK; the EU27 average is almost double, at 23.

Figure 5 People applying for asylum per 10,000 population in selected European countries, 2023



Source: Institute for Government analysis of Home Office, Immigration system statistics data tables, year ending December 2023; ONS, Population estimates for the UK, mid-2023; and Eurostat, Population on 1 January and Asylum applicants by type.

But the UK has seen applications rise when judged against its own recent past – more than doubling since 2018 – and the number of asylum applicants in EU27 countries grew by 55% in the same period.⁵ And while there was a similarly large number of applications in the early 2000s – around 84,000 in 2002 – changes in the make-up of applicants mean the likelihood of being granted asylum was lower than in recent years (20% in 2002 compared to 75% in 2021).⁶

The number of people seeking asylum is affected by events that are mostly outside the UK government's direct control. In recent years, such events have included Russia's invasion of Ukraine, conflict in Sudan and Syria, and political persecution in Hong Kong. In years to come, political instability associated with the adverse effects of climate change is likely to displace large numbers of people.⁷

This makes it difficult for government to forecast the demand for protection in the UK. Even if global developments are foreseeable, it is still difficult to anticipate precisely when these developments will translate into demand for asylum in the UK and what implications they will have for the nature of the asylum caseload, the complexity of cases or the expertise required to process them.

Modelling potential scenarios is possible, helpful and necessary, but the unpredictability of demand for asylum makes it a difficult policy area to plan and budget for – particularly in contrast to other forms of immigration, like labour migration. In turn this makes it more challenging to ensure the Home Office has the resources and expertise required to manage future asylum cases.

International co-operation is vital, making the UK dependent on other countries

Because the factors that create and contribute to demand for asylum are global, effective asylum policy in the UK is dependent upon various forms of international co-operation and diplomacy.

That co-operation begins with attempts to prevent the need for asylum in the first place. The government's 2023 white paper on international development recognised that development interventions, climate adaptation and other forms of international co-operation and diplomacy affect the drivers of irregular migration, including of people seeking asylum.⁸ The UN recognises this, too, emphasising the importance of international co-operation in its Global Compact on Refugees.⁹ Beyond addressing root causes of refugee movements, the UK also relies on the UNHCR (the UN Refugee Agency) to identify and process refugees around the world to be referred for protection under the UK's Resettlement Scheme. The scheme has resulted in an average of 800 refugees per year being welcomed to the UK between 2021 and 2023.¹⁰

Box 1: The Dublin regulation

Before Brexit, the UK was part of the EU's Dublin regulation, an agreed set of criteria used to determine which member state was responsible for considering an asylum claim. Dublin acts as a legal route for people seeking asylum to reunite with family members elsewhere in the EU and as a mechanism for member states to return asylum seekers to other states in defined circumstances.

The Dublin regulation or equivalent agreements do not resolve, in themselves, the difficulties of sharing increasing demand for asylum or responding to irregular migration. It is not a silver bullet for a government aiming to deter people from coming to the country via irregular means, or for reducing the number of claims ultimately approved: in the four years prior to 2020, when the UK formally left the EU, it took in more asylum seekers than it returned (averaging 223 returns a year).

But, having left, the UK will find it harder to arrange similar agreements with other European countries to share demand for asylum and move asylum seekers between states. This is principally because some member states have ruled out a bilateral returns deal with the UK, but it is also due to the EU's new asylum regulations. Regardless of the particular merits of Dublin, international agreements such as this are likely to remain a prerequisite for the UK to more robustly manage asylum demand on an international basis.

Other bilateral agreements have also demonstrated the importance of international co-operation. The Sunak government's agreement with Albania in late 2022 enabled the return of more than 3,000 Albanian nationals, many of whom had asylum claims refused or withdrawn.¹¹ And before this, in the 2000s, David Blunkett as home secretary made an agreement with his French counterpart, Nicolas Sarkozy, for around 1,200 people to be brought to the UK on four-year work permits in return for French efforts to reduce the number of people trying to make the journey to the UK on lorries.

Indeed, deals with France, as the UK's closest geographical neighbour, have been a feature of recent UK irregular migration efforts, including on organised crime, including human trafficking of asylum seekers. The government has paid more than £232 million to France since 2014 to prevent irregular migration and has committed a further £476m between 2023/24 and 2025/26. Joint declarations and action plans have focused on improving border security, running information campaigns and intelligence collaboration – though despite these efforts, in 2022 a majority of people who attempted to cross the Channel in small boats were not stopped by French authorities.¹²

In short, asylum is an inescapably global issue that requires international co-operation. This makes it a more complex policy for a post-Brexit UK to navigate. It is welcome, then, that the new government's intention – as stated in the 2024 Labour Party manifesto – is to prioritise international co-operation and upstream prevention, and the co-ordination of returns and enforcement.¹³

The UK has international obligations to meet

In the decades following the Second World War, the UK played a leading role in establishing and adopting a series of high-profile international agreements through which to govern and organise the response to people in need of protection.

The 1948 Universal Declaration of Human Rights enshrined a right to seek asylum from persecution, and was closely followed by the 1950 European Convention on Human Rights (ECHR), which included a prohibition against torture and inhuman or degrading treatment.¹⁴ The 1951 Refugee Convention established the principle of 'non-refoulement' – that is, preventing states from returning refugees to a country where they are at risk of persecution. And following these, the 1966 UN International Covenant on Civil and Political Rights and the 1984 UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment both went further to enshrine protections against people being returned to countries where they could face various forms of mistreatment.

The consequences of these international obligations were shown through a series of successful legal challenges to the recent Conservative governments' 'Rwanda scheme' of sending would-be asylum seekers to Rwanda to have their claims heard there. In November 2023 the UK Supreme Court ruled that the policy was unlawful because of the risk of refoulement,¹⁵ explaining that it contravened various aspects of domestic and international law.

This judgment delayed and ultimately prevented the government sending migrants to Rwanda, while ministers agreed a new treaty with Rwanda to attempt to address some the concerns about refoulement. The government also passed the 2024 Safety of Rwanda Act to override the Supreme Court's judgment. The Rwanda scheme has been discontinued by the Starmer government.

International agreements help to clarify how signatory nations are to treat asylum seekers where consensus can be reached between those nations. They ease international co-operation by creating a common set of conditions. And they can help to guide domestic policy making by clarifying the outcomes and objectives policy is intended to achieve. But being a signatory to these agreements places limits on what asylum policies the UK government can adopt. In one sense, this can make asylum policy making more difficult if a government wishes to develop policy that contradicts these agreements, as was the case with the Rwanda scheme. But equally, leaving these arrangements places limits on the UK's ability to manage the issue in partnership with other governments, whose actions bear substantially on UK government's available options.

So ministers have a legitimate decision, and trade-off, to make in designing asylum policy with regards to international obligations. Leaving accords such as the ECHR, for example, would in one sense give the UK more flexibility to pursue asylum policy that contradicts the 1950 convention, if a government wished to do so. But it would also have extensive consequences for the diplomatic, economic and other forms of engagement the UK held worldwide.

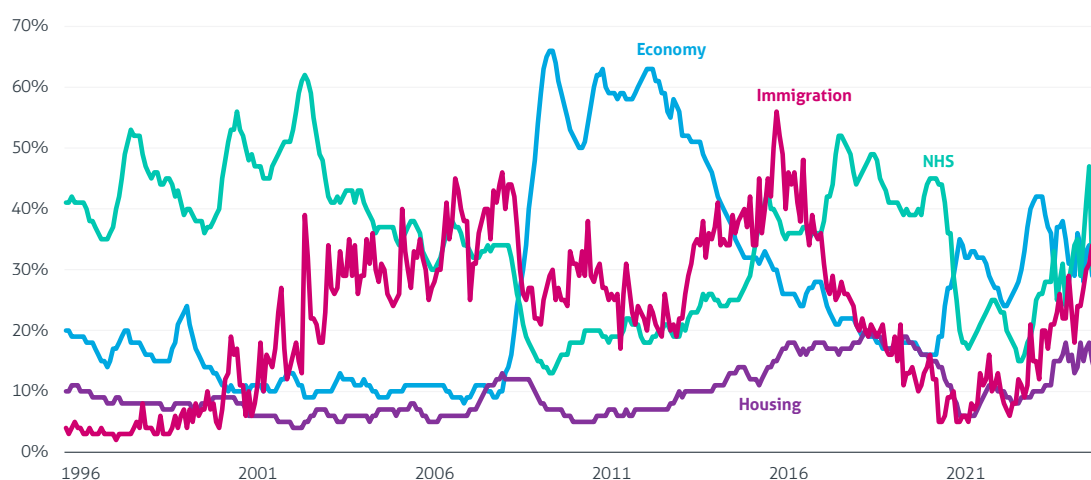
Ministers need to consciously decide whether they can best deliver their wider priorities for government by either remaining in (and ensuring policy complies with) such accords, leaving them or seeking to reach new agreements – and must recognise the trade-offs implied by these decisions.

The politics of asylum make policy making more difficult

Asylum is a salient and polarising issue

Immigration, including asylum, is consistently considered by the public to be among the most important issues facing the UK and therefore one of the most important for the government to manage. The degree of that salience has changed over time, but immigration is the fifth most frequently mentioned issue across Ipsos polls since 1974 and the public consider it to be one of the most important issues of the coming decades.¹⁶ Increasing proportions of respondents identified immigration as one of the most important issues facing the UK in the years leading up to the EU referendum in 2016. This dropped following the referendum – from 48% in June 2016 to 6% in April 2022 – before once more beginning to rise.

Figure 6 Public opinion of the most important issues facing Britain, January 1995 to October 2024



Source: Institute for Government analysis of Ipsos, Issues Index, 1995 to October 2024. Notes: Includes selected chronic policy issues facing the government.

Political salience *can* help effective policy making. Previous Institute for Government research found that successful attempts to bring about long-term policy change tend “to begin with a start-up phase in which the issue climbs up the political agenda”, increasing the external pressure for change and bringing about greater political attention and competition.¹⁷

But it can also create difficulties for policy makers to navigate. In recent years, there has been increasing and understandable pressure on successive governments – from backbench MPs, opposition parties and the public – to demonstrate progress towards stopping small boat crossings. And some former ministers have themselves contributed towards the rising salience of irregular migration through their own commentary. The challenge is for ministers to channel public concern into action that is likely to address that concern. But this is distinct from the immediate pressure to be seen to be taking action on the issue, especially if that action in the short-term does not help to fix the problem in the long term.

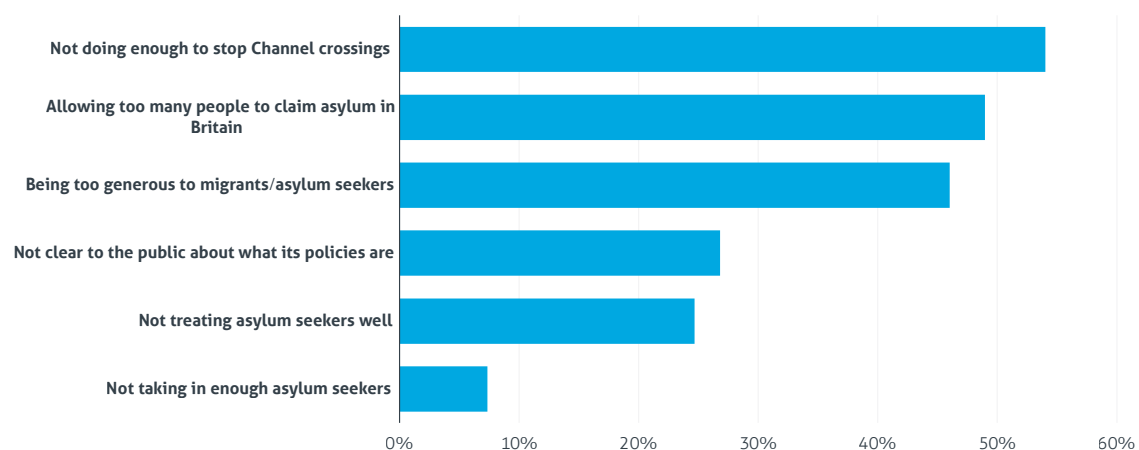
For instance, there remains no evidence to suggest that the Rwanda scheme would have deterred people from making dangerous journeys to claim asylum in the UK and the policy faced serious and successive challenges to delivery. But the increased salience of the issue did contribute to the sense that ministers in Rishi Sunak’s government needed to demonstrate action within the parliamentary term, encouraging them to continue with the policy in the face of its delivery problems. These political pressures on policy making are unlikely to go away – particularly given the success of Reform UK at the general election in July, based partly on its pledges on immigration.

Asylum is a complex system, which means that even swift action to address a problem in one area can lead to issues elsewhere. For example, the Home Office’s efforts to clear the legacy backlog in the second half of 2023 did reduce the overall size of the backlog and lead to some people who had been waiting for a long time receiving a decision on

their case. But the rapid increase in decisions made also meant local authorities were unable to handle the increased demand for support for new refugees, leading to an increase in those households requiring emergency support for homelessness.¹⁸

Asylum and immigration are polarising issues. While many people believe asylum to be an important issue, and a consistent majority (recently over 80% according to some polling) agreed that the then Conservative government was handling immigration badly, there is much less consensus about what needs to change.¹⁹ Of those who were dissatisfied with the government's handling of immigration in February 2024, almost half thought the government was too generous to migrants and asylum seekers (46%), while a quarter believed the government did not treat asylum seekers well. Similarly, 44% believe immigration is good for the economy, 31% believe it is bad.²⁰

Figure 7 Reasons why people are dissatisfied with the way the government is dealing with immigration, February 2024



Source: Institute for Government analysis of Ipsos/British Future, Attitudes towards immigration, February 2024.

These varying expectations are linked with divergent perceptions about who the system should be designed for. The numbers of people seeking asylum are relatively small as a proportion of the total number of migrants arriving in the country: they made up just 6% of the 1.2 million people who migrated to the UK in the year ending June 2024.²¹ But there are arguments, in principle, about different cohorts within this group. Some focus on the vulnerability of those seeking asylum and the need to ensure they are treated fairly so that they can settle into society once they are granted refugee status. Others believe policies should prioritise eliminating exploitation of the system and identifying those who apply for asylum without a legitimate need for protection.

This does not mean that broad support cannot be reached for aspects of asylum policy, or that near-consensus does not already exist on certain issues. Majorities of respondents polled – both broadly positive and negative towards immigration – have been found to agree that immigration can be beneficial, by enabling vacancies to be filled in sectors with shortages, or that asylum seekers should be allowed to work while waiting for a decision on their claim.²² But such divides present a challenge for politicians and officials seeking to pitch, develop and deliver policy at a time of heightened salience.

Too much asylum policy has been shaped by unfounded political assumptions

Good policy emerges from a combination of the political – presenting a vision and setting strategic direction – and the technocratic – providing evidence of what works, testing policies and planning delivery.²³ It is a mistake to pay too little attention to the values and role of elected politicians, and treat politics as something external to policy, to be worked around, rather than an integral part of the process.

But politics alone cannot shape good policy. Political values and evidence of what works must be aligned and harnessed together in support of the government's aims. Too much asylum policy has, under successive governments, been shaped disproportionately by ill-founded assumptions, particularly about the 'pull factors' that are contended to motivate asylum seekers' decision to travel to the UK, including by irregular means, and how people can be deterred.

This pull factor orthodoxy contends that, by restricting access to asylum and reducing the rights or worsening the conditions of those seeking asylum, people will be deterred from choosing to travel to the UK. Successive governments have used this hypothesis to justify decisions to, for instance:

- Process claims slowly²⁴
- Use disused army bases and ships to house people seeking asylum²⁵
- Limit the ability of people to work while waiting for their asylum claim²⁶
- Detain children²⁷
- Paint over cartoon murals at an asylum unit used to look after unaccompanied children²⁸
- Grant reduced rights to refugees depending on the route they took to the UK²⁹
- Attempt to relocate certain asylum seekers to Rwanda³⁰
- Treat as 'inadmissible' the claims of people who have passed through other countries.³¹

Deterrent policies are not unique to the last parliament or the Conservative Party. Initial restrictions on asylum seekers' right to work while awaiting a decision on their case were introduced by Tony Blair's government.³² A 1998 white paper on immigration and asylum identified one of the government's objectives for its asylum policy as to "minimise the incentive to economic migration, particularly by minimising cash payments to asylum seekers".³³ As immigration minister, in 2007 Liam Byrne announced a policy to fine firms for employing people without the right to work in the UK and said the government was "trying to create a much more hostile environment" for those without leave to remain.³⁴

* That is, the first changes to the existing rule that asylum seekers could apply for permission to work if they had been waiting for a decision for six months.

The 'hostile environment' theme was carried on, and expanded, by David Cameron's home secretary, Theresa May. Her policy contended that people could be deterred from entering or remaining in the country illegally by introducing restrictions such as immigration status checks by private landlords, banks and when applying for a driving licence.³⁵ The Home Office at this time also withdrew support for search-and-rescue operations for people crossing the Mediterranean Sea, believing it to act as a pull factor for irregular migration into Europe.³⁶

But despite the decades-long dominance of pull factor orthodoxy in asylum there is little evidence to back it up – while there is reliable evidence suggesting that deterrence measures are far from the most influential motivation behind migrants' decisions.³⁷ It is often cited as a 'common sense' assumption, often made with simplistic comparisons to policies in other countries such as Australia. But international comparisons are difficult due to the UK's geographic position off the north-west coast of continental Europe – and in the case of Australia specifically, its government combined various measures in its asylum response, meaning that evaluating the effect of a single policy on its own is difficult.³⁸ Indeed, the Home Office's own analysis in 2020 found that many asylum seekers are unable to 'choose' their destination country due to human trafficking.³⁹ Of those who can choose, 'push factors' from migrants' countries of origin, such as war and persecution, are the most influential, while "social networks, shared languages and diasporas" are among the biggest pull factors. On top of this, many asylum seekers were found to "have little to no understanding of current asylum policies and the economic conditions of a destination country", including in comparison to other European countries, meaning it is unlikely many asylum seekers would be put off trying to reach the UK over Germany based on each country's policy, for instance. These findings echo research conducted in other countries and older, 2002 research commissioned by the Home Office.⁴⁰

The asylum system is complex and hard to manage

Asylum policy is not made or implemented in isolation. It is enacted through a large, complex system of public services. These services depend on effective delivery by civil and public servants, who need to be led, resourced and supported well. The asylum system spans different parts of central and local government, each of which must be able to collaborate and communicate. And policy decisions in one part of the system can have unintended and unhelpful consequences elsewhere.

This makes asylum policy making difficult for several reasons. First, because of the complex needs of asylum seekers themselves. Second, because deliberate policy choices made by ministers can have secondary or unintended consequences for the state's ability to manage the system. And third, because of difficulties inherent to managing a large, cross-cutting series of public services.

Most asylum seekers are vulnerable people with complex needs

Asylum seekers are often a vulnerable group of people as a result of the situations from which they have fled, their journeys to the UK and their experiences in the UK – including the risk of abuse in the asylum system itself. They are more likely to experience poor physical and mental health,⁴¹ and to have experienced or be at risk of experiencing exploitation.⁴² They are also more likely, in part because of most asylum seekers' inability to work, to experience destitution and poverty.

The early months of an asylum seeker's application for protection are often the most difficult. Asylum seekers might be new to the UK, with limited social networks to rely on, no right to seek paid employment, and be moved frequently between Home Office accommodation and with an uncertain future. In this context making the right public services available to meet asylum seekers' needs is far from straightforward, especially when they are provided by different public sector institutions with varying data on the individuals concerned.

Increasingly complex and changing asylum rules cause delays, backlogs and limbo

Asylum policy is often subject to change, as different politicians are moved to show action on different aims. The Institute for Government has [previously highlighted](#) that Home Office operations struggle to keep up with the high rate of change to immigration rules. Poor parliamentary scrutiny of these changes has meant that the rule book can become overly complex and unworkable. For asylum, where caseworkers already have to assess a huge amount of information relating to each claim, policy and legislative changes have a significant knock-on effect on the time taken to make a decision and the potential quality of those decisions.

This policy churn was especially pronounced over the course of the last parliament,^{*} with two acts of parliament – the Nationality and Borders Act 2022 and the Illegal Migration Act 2023, both with largely deterrent aims – coming in quick succession. Both had consequences that undermined the previous government's ability to quickly resolve asylum cases.

In particular, these policy changes added layers of complexity to the already complicated decision making process that must be undertaken for each asylum application, depending on a range of factors, including when the application was made, the applicant's method of arrival and the countries they had connections with. This added complexity and created resourcing pressures within the department. The dearth of options of countries to which these people could be removed also made the rule changes extremely difficult or, in most cases, impossible to deliver. In practice – as operational Home Office staff raised – they instead added a minimum six-month delay to the processing of thousands of asylum claims at a time when the backlog was growing anyway.⁴³

^{*} Including through the Nationality and Borders Act 2022 and the Illegal Migration Act 2023

And following the Illegal Migration Act this problem became worse, when the rule changes in effect created an increasingly large cohort of people stuck in limbo in the UK, unable to work and with their asylum claim unable to be processed. The new home secretary, Yvette Cooper, amended the provisions of the Illegal Migration Act following the July 2024 general election to allow those who applied for asylum after July 2023 to have their claims processed.⁴⁴ This was a welcome recognition of the operational realities the Home Office was facing, with a growing cohort of people stuck with little prospect of removal, no consideration of asylum, no right to work and subsequent need for state support and accommodation.

It is largely impossible to apply for asylum from abroad

The Home Office's most recent report on 'safe and legal routes' to asylum explains that the previous government would "not consider asylum claims made abroad and there is no provision in the Immigration Rules for someone to be allowed to travel to the UK to claim asylum".⁴⁵

Instead, several country-specific schemes have been used to allow a substantial number of people to come to the UK in recent years, including from Hong Kong (184,700 people) and Ukraine (271,389 people) and protection schemes for certain people from Afghanistan (21,673 people) and Syria (approximately 22,000 people).*

The UK also offers protection to other refugees identified around the world by UNHCR, and has done so for approximately 6,800 people since 2015.** In 2021 and 2022, as the number of small boat crossings increased, the rate of resettlements via these global schemes increased to an average of 1,217 people per year. But this was far outstripped by, for example, the on average 37,141 people who were detected arriving by small boat in each of these years.⁴⁶

This means that those people who wish to apply for protection in the UK, but who are not eligible for one of the country-specific schemes (such as people from Iraq, Iran, Sudan or Eritrea), have little prospect of being able to do so legally. For some, the conditions in their home country may change while they are in the UK on a valid visa.*** But for most, they will be unable to get a valid visa with which to travel to the UK and they will be unable to apply from abroad.

This is a design, not a bug, of asylum systems in the UK and other countries, intended to limit the number of people able to apply for asylum. Government policy has an effect on the means by which asylum seekers seek to travel to the UK. This was demonstrated by the UK and French governments' success at tightening security to prevent people concealing themselves in road vehicles to enter the UK, which was a significant factor behind the rise in the number of people crossing the Channel in small boats instead.⁴⁷

* Each of these numbers refers to the total number of people offered safe passage through the respective schemes between 2015 and Q3 2023.

** This total excludes refugees resettled through the Vulnerable Persons Resettlement Scheme and Vulnerable Children's Resettlement Scheme (later merged with the global scheme) aimed at those fleeing conflict in Syria.

*** In recent years, the government has also introduced visa requirements for countries such as Namibia, Honduras and El Salvador, in response to an increase in nationals using their visa-free travel rights to come to the UK and claim asylum.

Without a legal means of reaching the UK or applying for asylum from abroad, and with rising global demand for protection, more people have resorted to trying more dangerous, uncontrolled and irregular routes in recent years. Of those who have arrived in the UK by these means, the vast majority (around 90%) have applied for asylum and the Refugee Council estimates that three quarters of these claims are likely to be successful under the current system.⁴⁸ There is some evidence^{*} to suggest that more controlled, legal routes would contribute to a reduction in demand for uncontrolled, irregular routes – recently seen in the Biden administration’s humanitarian parole programme⁴⁹ – though existing regular pathways tend to be small in scale.⁵⁰

The make-up of routes to asylum and protection is a policy question that government must answer by balancing its priorities for the overall asylum system. It is too simplistic, for instance, to consider only ways in which government can restrict access to asylum, while neglecting what might give the government greater control over the routes being used by migrants – mostly eligible for refugee protection – to travel. There are inescapable trade-offs that policy makers must consciously make in using these levers.

Right-to-work restrictions cause demand for expensive public sector support

Before 2002, people waiting more than six months for an initial decision on their asylum claim could apply for permission to work. This right was removed by the Blair government, ostensibly to make a distinction between asylum and economic migration.⁵¹ In 2005, it reintroduced the ability to apply for working permission, though only for those waiting more than 12 months, and in 2010 the coalition restricted rights to the Shortage Occupation List of jobs where it has been considered practical to fill labour shortages with workers from abroad.

But a consequence of this policy is that those individuals require support and are more likely to experience deprivation, warranting further, more expensive support. Under Section 95 of the Immigration and Asylum Act 1999, the Home Office must provide housing and basic subsistence to applicants and their dependants if they are destitute or likely to become destitute. Simply put, being unable to work makes this more likely.

This system runs in parallel to Universal Credit – people waiting for an asylum decision are not able to access mainstream benefits. This support includes private accommodation (which in recent years has included the use of contingency hotels) for those waiting for a decision and unable to fund their own accommodation by working.

And in the context of a large backlog of asylum claims, the Migration Advisory Committee has also found that the inability to work for long periods may hinder the integration and employment outcomes of people seeking asylum.⁵² This could create a further long-term cost for the government, if the government faces greater demand for benefits from refugees who struggle to find well-paying jobs due to extended periods of absence from the labour market. These waiting times may worsen further the ability

^{*} Though it is, of course, methodologically difficult to disentangle the overlapping motivating factors behind a hypothetical decision over which route a would-be asylum seeker might choose.

to engage in the labour market for asylum seekers who have experienced traumatic events.⁵³ Participants in qualitative research for this paper told us that the inability to work – and being dependent on asylum support – while waiting for a decision had extremely negative effects on their wellbeing.

“Much of the asylum process is inherently undignified. Asylum seekers, when they come to the country, they’ve got no recourse to public funds, they cannot work so that means they’re entirely dependent on the Home Office” – Alvina Tamara Chibhamu, ambassador at the VOICES network, speaking at an Institute for Government event in 2024.

Under-resourcing the Home Office’s asylum set-up creates expensive inefficiencies

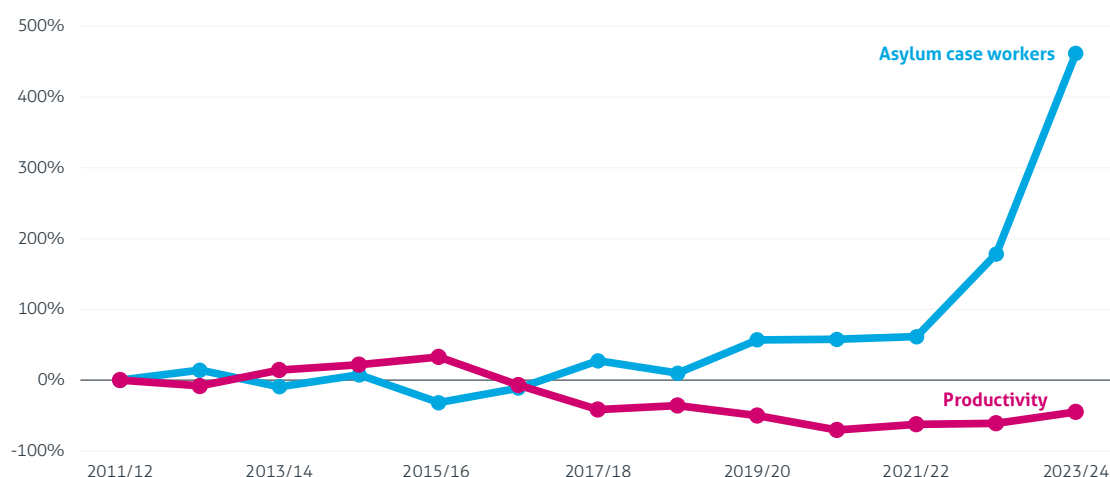
The realities of managing a large system of public services such as those pertaining to asylum also make policy making more difficult in various ways, such as how the Home Office marshals its resources and supports its workforce.

As the asylum backlog began to grow from 2018 it became apparent that there were not enough decision makers to keep up with the caseload, with the workforce reaching a low of 533 FTE in May 2021.⁵⁴ Those that were employed were junior staff on relatively low grades and salaries, with insufficient experience and training.⁵⁵

Decision makers used to be more senior, but were mostly downgraded (from higher executive officer to executive officer) following the conclusion of a backlog clearance exercise in the early 2010s.⁵⁶ At the time, this restructuring was justified by the Home Office on the grounds that it would cut costs when there were fewer cases to work through, but it led to more than 100 senior decision makers leaving the department and a 70% increase in claims awaiting an initial decision.⁵⁷

The productivity of asylum decision makers has also fallen in the last few years. In 2022/23, there were 1,058 caseworkers who completed an average of 5.4 ‘principal stages’ (substantive interviews and asylum decisions) per month per staff member, compared to 380 caseworkers with a productivity rate of 13.7 principal stages in 2011/12. This longer term drop in productivity partly reflects low morale and high turnover among asylum decision makers, associated with a lack of career progression.⁵⁸

Figure 8 Change in asylum caseworkers and productivity since 2011/12



Source: Institute for Government analysis of Home Office, Immigration and protection data, Q2 2024. Notes: Productivity is calculated as the average number of principal stages (initial decisions and substantive interviews) completed per month per caseworker.

As noted, it is hard to predict demand for asylum. But modelling potential demand flows is possible and advisable. A marked reduction in the demand for asylum, as was seen in the late 2000s and early 2010s, is never likely to prove permanent. Maintaining an under-resourced staff unable to keep up with increases in demand creates the risk of costly inefficiencies – in recent years the Home Office has incurred large expense repurposing hotels as contingency accommodation due to the large number of asylum seekers waiting for initial decisions. These significant pressures on asylum support services – in part driven by the slow rate of decision making – resulted in an overspend of £6.4bn, as the chancellor outlined in her audit of public spending in July.⁵⁹

While it would be inefficient to employ a large 'standing army' of underutilised decision makers, a 'boom and bust' approach, cutting staff numbers during periods of low demand and having to rapidly hire a new cadre of decision makers as the backlog grows, is both unsustainable and increases training and recruitment costs in the long term. A lack of continuity and stability only makes it harder to effectively evaluate the resource needed to deal with different kinds of claim.

Asylum policy is often disjointed between Whitehall departments, local government and front-line public services

Asylum is an inherently cross-government issue, with various parts of government and public services responsible for handling decisions, appeals, accommodation and support, integration and other services such as health and education. But co-ordinating policy across institutional boundaries creates challenges that are not present for policies handled distinctly by one part of government. Different institutions and services have their own cultures, tend to find external communication and collaboration more difficult than internal, and usually prioritise issues squarely within their responsibility over those they share with other parts of government.⁶⁰

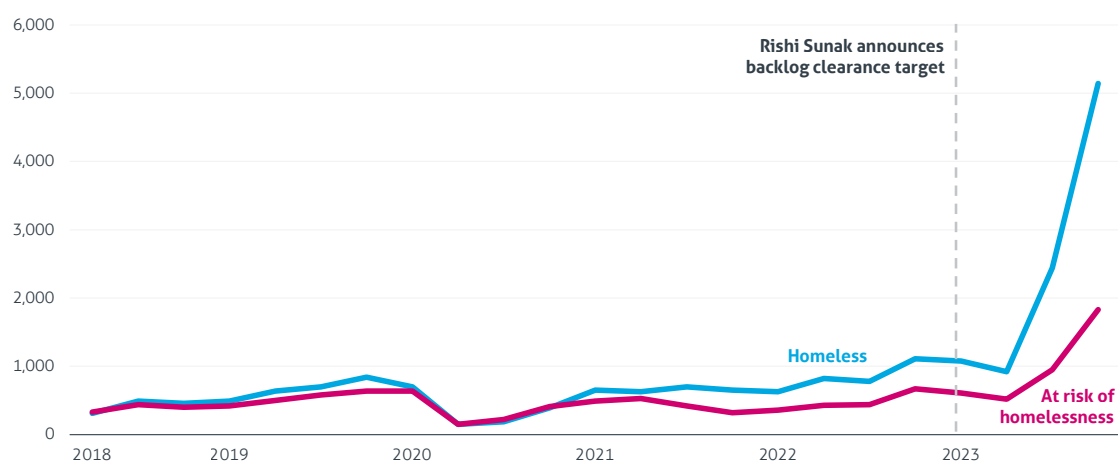
This is true for asylum in several ways. Asylum seekers and refugees' experiences are made worse, and more disjointed, by needing support from a diverse range of services from different parts of the state. Data on their requirements and case is sometimes lost between the Home Office, local authorities, schools and the NHS. All this means asylum seekers often struggle to access the services they need – and are entitled to – often while being moved frequently between accommodation while awaiting a decision.

The Home Office's relationship with local authorities has been especially disjointed. The department maintains centralised control of accommodation and support services for asylum seekers. This requires the department to intervene in local property markets to seek accommodation. In recent years this has sparked local controversies, as councils have complained about the department's lack of communication, its competition with local authorities' attempts to provide accommodation for their own support services, and their apparently poor choice of locations for accommodation sites. This has resulted in local authorities challenging the Home Office in court.⁶¹ Accountability for decisions is made more complex as the Home Office relies on contracts with external providers to deliver accommodation.

Once applicants receive refugee status, local authorities are responsible for their ongoing support. But as happened in the later months of 2023, when decision making speeds up to clear a backlog of cases in the Home Office, this can lead to an unexpected increase in the number and rate of refugees requiring support, with little notice (even reducing, in practice, to seven days' notice for a period last year⁶²).

And this, in turn, can mean an expensive increase in the number of refugees presenting as homeless or in need of other acute public services – this figure rose from 920 households in Q2 2023 to 5,140 by the end of the year.⁶³ The National Audit Office found that the Home Office's business case for its backlog clearance efforts did not account or plan for the knock-on effects for local authorities, HM Courts and Tribunals Service facing an increase in appeals, or even other parts of the Home Office responsible for detention and removal.⁶⁴

Figure 9 Households facing homelessness after being required to leave Home Office asylum accommodation in England, Q2 2018 to Q4 2023



Source: Institute for Government analysis of Department for Levelling Up, Housing and Communities, Statutory homelessness live tables, A2R, October–December 2023.

The disconnect between different aspects of asylum policy can also be the result of the interests and incentives at play in different parts of government. The Home Office is responsible for the safety and security of the nation. Handling the vulnerability of asylum seekers, supporting their integration, or understanding the local impacts of the migration system are not skills that would be inherently vital to that core security purpose of the department – as they might be in, for example, local government and the Ministry of Housing, Communities and Local Government. The resulting clashes of culture and priority can create incoherences and contradictions in policies.

Part 2: How can the UK make better asylum policy?

The problems identified in the first part of this report point to the ways asylum policy has been frustrated and, in many cases, rendered ineffective in recent decades. Part 2 turns to how asylum policy be made more effectively in the future.

UK government needs greater control over asylum policy

At the heart of successive governments' struggles with asylum has been a lack of control sought and exercised over the policy and its system of public services. It is true that the root causes of demand for asylum are outside of the government's control, but the UK could be more strategic in its approach to asylum and break away from the reactive policy and operational decisions that have dominated the last few decades.

The first step towards achieving this would be to institute a new, more coherent approach to brokering and setting its overall migration (including asylum) policy in government and in parliament. This would help to avoid the predictable cycle of incoherent policy brokering and rushed announcements that often follow the publication of net migration figures. The government should instead articulate its overall strategy towards migration, including asylum, in an annual Migration Plan that is put before and debated in parliament.¹

This would enhance the parliamentary scrutiny of asylum policy. And it would also necessitate a regular cross-government policy making process between departments to negotiate and agree policy in light of ministers' priorities for migration, the economy and labour market. Doing so would support the Labour government's welcome intention to "develop a single picture of national and local skills needs", including through collaboration between the Migration Advisory Committee and the new Skills England.²

It would also allow for the development of asylum policy that takes account of a range of evidence and priorities held across government. And it would give the government a regular opportunity to think more strategically about how it wants to ensure positive long-term outcomes for people who come to the UK, rather than taking a reactive approach focused on the routes by which they migrate.

Recommendation: The home secretary should set before parliament each year the government's annual Migration Plan.

This should set out the government's strategy for and any policy changes to asylum and protection schemes. It should include measures to ensure the long-term outcomes of those granted protection in the UK.

It should be debated in and scrutinised by parliament. And it should reflect other forms of scrutiny and outside input from the likes of the ICIBI and civil society groups.

Using evidence

Ministers should make the most of the evidence at their disposal

Too much asylum policy has been shaped by ill-founded political assumptions absent from the evidence of what works. Policy must harness both political values and evidence together in its design.

There are particular forms of evidence that should be used more readily, such as longitudinal analysis of asylum seekers' experience in the UK, operational insight and the lived experience of asylum seekers' and refugees. There are also particular ways this evidence could be used more effectively in government (more on which below).

But neither will happen if ministers do not want to use the evidence in the first place. Ministers are rightly the ultimate adjudicators of policy in the UK, providing the democratic mandate to lead policy making. Civil servants can prepare evidence, ensure government is capable of using it and provide ministers with the best and most timely analysis and advice. But if ministers are uninterested in that evidence, do not want it to be used to guide policy or choose to ignore it, that evidence will be neglected. Interviewees suggested to the Institute that this has too frequently been the case for asylum policy made by previous governments.

There is no technocratic fix that can resolve ministerial disinterest in evidence, and nor should there be. The onus is on ministers to embrace and harness evidence because it is integral to effective policy making. For asylum, that starts with how the home secretary and their junior ministers communicate with Home Office civil servants. It is welcome that Yvette Cooper has spoken about the importance that ministers "respect evidence" and recognised the "damaging tendency" of some ministers to overlook evidence in policy making.³ Civil servants should be left certain that evidence is welcome and integral to policy discussions, even if it points towards conclusions contradictory to ministers' political positions.

Ministers' private secretaries should feel empowered and expected to require submissions to meet a certain standard of evidence. To help that, ministers could require submissions be made with an evidence standard assessment (for example, rated from A–F) of the evidential basis for policy advice.

Recommendation: Home Office ministers should issue internal communication, including to analytical teams, that they value evidence in policy making, even where analysis may challenge ministers' existing assumptions.

Evidence standard assessments should be required for all policy submissions to ministers, to note the evidentiary basis for advice.

The Home Office should commission, convene and publish more independent research

Ministerial interest and support are a prerequisite to using evidence to inform policy, as set out above. Another factor is the analytical capacity of the department. That said, interviewees did not identify this as a problem for the Home Office with regards to asylum – indeed, analytical capacity was seen as having improved in the Home Office workforce in recent years, with 595 officials being counted within the department's analysis function at the latest count.⁴ Interviewees reflected that those teams' capacity for more detailed and faster modelling had, for instance, improved markedly over the past few years.

But the quality, breadth and independence of evidence is also vital, and a challenge for asylum policy. Asylum is a salient and polarising issue. There is a perception that policy development is weakened by a lack of sources of evidence that are truly independent. In turn, when it has commissioned independent research, the Home Office has too frequently prevented or sought to prevent the publication of findings.^{5,6,7} This should be rectified. While there should be space for ministers and officials to privately explore different policy options, previous work by the Institute has found that opening up policy making to external scrutiny and input has been a key factor making policy interventions successful.⁸ Doing so will require a clear signal of commitment from the department's political and official leaders.

Recommendation: The Home Office should create, publish and maintain an online portal of migration evidence and analysis. This should include internal analysis, independent commissioned research and external work. All internal analysis should be published on this portal unless in particular circumstances.

The Home Office should regularly publish an assessment of the research and analysis on this portal, identifying research priorities for reference by academics and other experts.

In particular, research should be prioritised that will support the Home Office's ability to model the impact of high-risk and high-likelihood events on demand for asylum, including what these developments would change about the demographic and experiential breakdown of the caseload. Operational leaders should work closely with analytical teams to understand what expertise and resources that would require from asylum decision makers.

As part of this research, the Home Office should undertake a regular programme of research into the motivations of people who seek asylum in the UK and in other European countries. Recent research has found that people base their choices about where they seek asylum on a range of factors that are complex and can be shaped by rapidly changing circumstances and imperfect information.⁹ Given the perennial debate about these 'push' and 'pull' factors, this evidence is especially important and ministers should use it to inform policy development and testing.

As the Institute has recommended previously, the government should also seek to understand the longer term outcomes of people coming to the UK. Improving the use of [longitudinal data](#) is one step towards this. The Home Office's 'Migrant journey' report shows that, 10 years after they are granted refugee status, around three in five people have become British citizens.¹⁰ But more use could be made of data held *across* government about how long refugees stay in the UK, the public services they use and their employment outcomes, and similar sources of data. There should be clear guidelines about how this data will be used and protected.

More broadly, the Home Office should seek to benefit from independent sources of analysis when developing long-term asylum policies. The Migration Advisory Committee (MAC) could provide some useful input in this area: the 2018 immigration white paper set out that the government would commission the MAC to report annually on "key aspects of the UK's immigration system".¹¹ While the committee mainly provides advice on labour migration, in its 2021 annual report it analysed potential policies to ensure the integration and long-term outcomes of asylum seekers, while noting that "the legal and operational aspects of the asylum system are outside of our remit".¹²

Recommendation: The Home Office should commission a regular programme of research into the motivations of people who migrate to the UK.

The findings of this research should be published on our proposed 'migration data portal'.

The Home Office should target improvements in the capacity and use of inter-departmental, longitudinal data.

Asylum policy requires high-quality evaluation

It is vital that asylum policy is supported by robust evaluation, to understand the impact that policy choices are having and inform future policy development. This was recognised by the Evaluation Task Force (ETF) when it made asylum one of the 10 'priority areas' for evaluation in the 2021 spending review period.¹³ The ETF has developed a registry to collate evaluations conducted or commissioned by the government – and in recognition of the benefits of transparency, the default expectation is that this information is shared publicly on a forthcoming platform.¹⁴

The importance and complexity of evaluating novel asylum policies has also been set out by the Home Office permanent secretary, Sir Matthew Rycroft, who explained that it would only have been via evaluation that the department could have judged the relative deterrent effect of the previous government's Rwanda scheme, had it been implemented.¹⁵ That would have formed the basis of Rycroft's judgment, as the Home Office's accounting officer, as to whether it would have provided good value for public money. That this judgment could not be reached before the policy was implemented was why a ministerial direction was issued for the policy in 2022.

Given the importance of evaluation to asylum, the Home Office, including its ministers, should support evaluation of its policies as far as possible.

Recommendation: The Home Office should ensure it has evaluation plans in place for all major aspects of its asylum policy.

External, expert input should be sought in the design of these evaluations, per the rules set out by the Evaluation Task Force.

Operational insights should always feature in policy development

The Home Office is a large department that manages many front-line services. Three quarters of its more than 48,000 staff are in operational delivery roles (74%).¹⁶ And one of the challenges of asylum policy in particular, as set out in Part 1, is that it depends on delivery through a complex network of public services, only some of which are in the Home Office's direct control.

This makes the insights of operational experts especially important. Policy development should incorporate these perspectives and avoid becoming dominated by policy generalists who lack the understanding that comes with experience of front-line delivery (as can often happen in the civil service).¹⁷

This is something the Home Office has historically struggled with. Previous Institute research has highlighted the role the gap between policy and operations played in the Windrush scandal – with Home Office policy officials identifying years before the crisis broke in 2018 the risk of harm that members of the Windrush generation were exposed to as a result of government policy and legislation, but failing to consider how this could be mitigated at an operational level.^{18,19}

It is not always easy to ensure operational perspectives are fully integrated into policy design, especially when making controversial or highly politically salient policy such as asylum. In these cases, fear of leaks can create a strong incentive to keep the circle of people involved in making the policy small. This was certainly the case for the Rwanda scheme, for which only a small number of officials were able to stress-test the policy.²⁰

This approach is understandable, but is a mistake. Previous Institute research has identified that policies such as Universal Credit (in its early stages) and the coalition's Green Deal were both undermined by the exclusion of delivery experts from policy development.²¹ It is important that the Home Office's political and official leaders do everything possible to ensure operational leaders and those with front-line service experience are able to contribute their perspectives early enough into policy making to influence decisions.

Recommendation: A formalised system of 'red teams' should be deployed to stress-test asylum policy proposals before and during implementation, learning from similar approaches taken by other parts of government during the pandemic.²²

A model for multidisciplinary teams should be developed and used for all asylum policy proposals, comprising officials from a range of functions and professions including, by default, operational delivery teams.

New asylum legislation should be subject to an internal operational assessment before it is laid before parliament, so that operational leaders can set out expected delivery implications to ministers.

Standing feedback mechanisms should be overseen by policy teams to ensure that there is always a method for operational officials to contribute front-line views up the chain of command quickly.

Policy makers should more routinely learn from the experience of people who have been through the asylum system directly and via civil society

The insights of people affected by a policy are an important form of evidence. The civil service policy profession's own standards instruct officials to "commission, understand and use data, evidence and advice on the diverse needs of those affected by policy" and to use "approaches such as co-production, user centred design and behavioural science" to do so.²³ The Institute has previously found that these methods have significant potential to improve policy making.²⁴

The Home Office does not do enough to incorporate the perspectives of asylum seekers and refugees directly into its asylum policy. This was reflected in Wendy Williams's review into the causes of the Windrush scandal, in which she connected an unwillingness to engage externally with a defensive departmental culture around migration.²⁵ The Home Office recognised the need to change in its response to Williams's review, describing the intention for the department to become "more outward facing", to "listen to, and act on, the views of" external stakeholders including people affected by policy.²⁶ It stated progress made, such as by creating a 'Refugee Advisory Group' and incorporating feedback from service users into the department's visa and passport processing operations.

However, interviewees reflected that the department had not made significant progress in doing so with regard to asylum policy. Instead, frequent consultations are seen by many as a box-ticking exercise without sincere influence over policy development.

The lack of incorporation of the experience of asylum seekers is seen frequently in problems of asylum policy, and has reared its head again in recent years. In February 2023 the Home Office did not engage with asylum and legal experts when developing a new questionnaire – to be completed in English, against a tight deadline – intended to speed up asylum decision making. Civil society groups immediately identified that this approach would face practical problems because of the difficulty asylum seekers would have returning the form correctly in this time frame. It led to just one in 10 forms being returned properly.²⁷

Asylum seekers told the Institute in research for this paper that the Home Office’s failure to reflect upon the experience of people seeking asylum or with refugee status was shown by their ongoing difficulties accessing public service support to which they were entitled. They cited examples such as frequent accommodation moves, often done at short notice, disrupting access to health care or education.

One of Williams’s principal recommendations in this area was to create a new, independent migrants’ commissioner, responsible for “speaking up for migrants”, “identifying any systemic concerns” of migrants and working with the government to address them. Priti Patel, when home secretary, committed to this recommendation. But her successor, Suella Braverman, withdrew support for creating the new role. This remains a live question for the new government following the High Court’s judgment earlier in 2024 that the former government’s decision to drop the recommendations was unlawful.²⁸

Prior to the election, Labour’s national policy forum suggested that the party, in government, could “implement the recommendations of the Williams ‘Lessons Learned’ review of the Windrush scandal”²⁹ – suggesting it will create a migrants’ commissioner role – though this commitment was not made as explicitly in the party’s general election manifesto.

The role, if created, would be well-suited to identify emerging patterns – such as the reasons why people of a certain nationality may travel to the UK, or problems with asylum questionnaires – and allow the Home Office to adapt its processes and policies accordingly.³⁰

Recommendation: The home secretary should reconsider previous governments’ decision to drop its commitment to create a new, independent migrants’ commissioner.

The Home Office should review and expand its methods for participation, engagement and deliberation by people who are currently in or have gone through the asylum system.

All asylum policy proposals should be tested with people with experience of the policy in question before implementation. The Home Office should publish an annual breakdown of its participation and engagement work undertaken.

Civil society can be a crucial link between the government and people with direct experience of the asylum system. Those who have had negative interactions with Home Office services may not feel comfortable expressing their feedback to the government out of fear it could harm their claim. And civil society groups are often also in more frequent and close contact with asylum seekers, and so better able to relay their perspectives to government.

The Home Office does have extensive contact with civil society groups working on migration and asylum – it discusses policy changes via a regular national forum, with a number of sub-groups focused on issues like asylum support. It has also taken steps to improve its engagement with civil society in recent years, such as by creating a stakeholder engagement hub.³¹

But as with engagement with migrants directly, interviewees reflected that engagement of civil society felt limited in its sincerity in recent years. Engagement was often seen as consultation that would not be heeded, or was not conducted at all for controversial policies. Some stakeholders expressed to the borders inspector that consultation groups have become “a forum for the Home Office to deliver updates to, rather than an opportunity for genuine engagement”.³² There is also a lack of regular engagement about systemic issues to understand how the different parts of the asylum process affect the rest of the system.³³

The relationship between the Home Office and the asylum and refugee sector also suffers from a lack of mutual trust – civil society groups may leak to the media because they feel that the government would only consider changing its plans in response to public criticism, while officials may be reluctant to discuss a decision before it has been made out of fear that information will be made public.

Both groups need to change their approach and recognise the constraints the other faces. Interviewees suggested that some previous schemes benefited from a more collaborative approach between the government and the sector – such as Syrian resettlement, Homes for Ukraine, and the UNHCR’s Quality Initiative in the 2000s. These programmes all benefited from a sense of shared purpose and a respect for the value provided by each actor in the system.

The introduction of a standing forum for engagement over migration and asylum, chaired by the migrants’ commissioner, would help. The commissioner could draw on their respective relationships with the government and the wider asylum sector to forge greater trust between the two groups. This forum could have defined eligibility criteria, including representatives from relevant government departments, public

services, civil society groups, lawyers and academic experts. It could meet on a regular basis, in different forms and in an annual conference to deliberate over current and proposed asylum (and other migration) policy, rather than being a vehicle for the Home Office to unilaterally convey messages to civil society.

Creating a permanent apparatus, with publicly available terms of engagement, could help the Home Office to further strengthen its relationship with civil society groups in the asylum sector.

Recommendation: The Home Office should create a standing forum and annual conference, chaired by the migrants' commissioner, to aid engagement between government, civil society and academic experts. These discussions should be based around the government's migration and asylum strategy and seek to progress clear shared goals.

Senior officials and ministers must be willing to use this forum to meaningfully deliberate over current and proposed policy, and civil society groups must recognise the need for these conversations to remain private to enable free and frank discussion.

The Home Office should be more open to scrutiny of its asylum policy

By taking a closed approach to asylum policy making, the Home Office 'bottles up' problems until they become crises. Williams's Lessons Learned review argued that the Home Office should open itself up to outside scrutiny – and the department's subsequent improvement plan recognised that this could lead to "major improvements to how policy is formulated".³⁴

The Home Office is subject to several sources of scrutiny, but the way it has handled these prevents it from making the most of external insight. The position of the independent anti-slavery commissioner, for example, was vacant for 20 months – from April 2022 to December 2023, when the Nationality and Borders and Illegal Migration bills were being drafted, both of which contained provisions relating to potential victims of modern slavery for which the insight of a dedicated commissioner would have been of great benefit.

Suella Braverman dropped a key pledge to review the role and remit of the Independent Chief Inspector of Borders and Immigration (ICIBI). It is in the government's interest to renew this commitment so that the next chief inspector is able to do their job well. Unlike other government inspectorates, the ICIBI cannot share its own reports – and none of the 14 reports published by the Home Office in 2022/23 was published 'on time' (within eight weeks of being received by the department, as committed by ministers in 2015).³⁵

The former chief inspector, David Neal, was ultimately sacked for apparently disclosing unauthorised information to the press – he was critical of the Home Office for sitting on a dozen of his reports for more than eight weeks.³⁶ Publication delays not only undermine the independence of the ICIBI, but also mean that the government cannot be held accountable for taking urgent action in response to the problems identified by the inspector. Neal’s position was left vacant, until David Bolt was appointed, as an interim successor, in June 2024.³⁷

There are also potential limits to how effectively the ICIBI can oversee the whole asylum system – which has roles for MHCLG, HM Courts and Tribunals Service and local authorities – when its remit is limited to the work of the Home Office. The department should strengthen the inspector’s powers and resources so they can get evidence from other relevant parts of government, and partners in the social and private sector, to assess how asylum is managed by these key actors.

Formally strengthening these forms of scrutiny will be a useful first step. Ministers and officials should also value their input by implementing changes where needed, or otherwise explaining publicly any deviation from their recommendations. It is welcome that the department has improved its efforts to track progress towards implementing recommendations from scrutiny bodies³⁸ – to improve accountability, it would also benefit from publishing this in one place.

Recommendation: The Home Office should review the role, remit and powers of the ICIBI, granting it the ability to choose and publish its own work, and broadening its remit across government.

Officials should regularly publish – in one place – the progress the department has made towards implementing the range of recommendations it has accepted on asylum policy and operations.

Managing the system

Many of the problems with asylum policy cannot be separated from the challenges of managing its complex system of front-line public services. For instance, the government’s own analysis found that relocating asylum seekers to third countries such as Rwanda would be significantly less cost-effective than just cutting the average waiting time for an asylum decision.³⁹

This means that some of the answers to how asylum policy can be made more effectively lie in how the asylum system is managed operationally. Some of these system reforms could improve asylum policy just by managing the government’s resources better, such as by changing the make-up and processes of asylum decision makers. Others could improve asylum policy by mitigating operational problems and enhancing the government’s control of the issue, but inherently entail political and policy choices by the government – such as how to use ‘safe and legal’ routes to asylum.

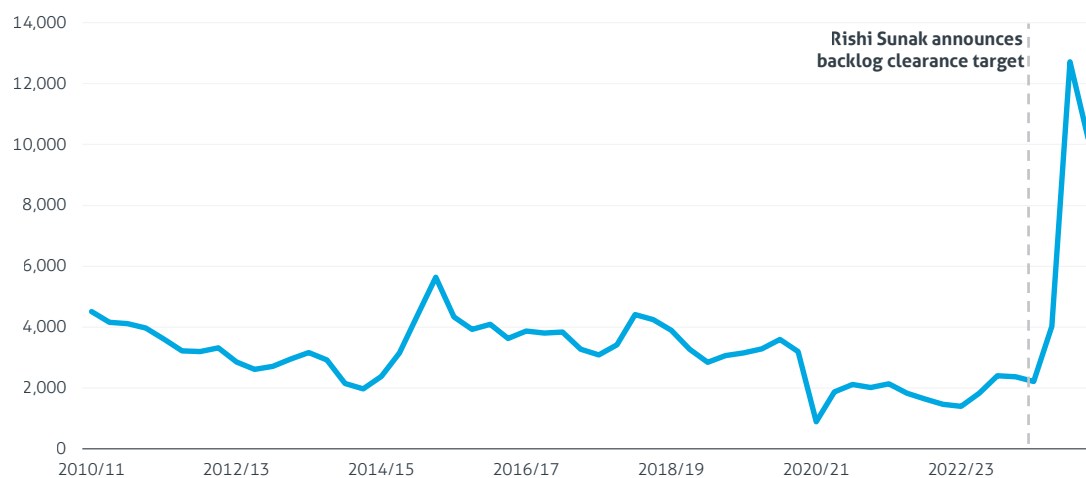
Asylum decision makers could work more efficiently

The rate of decisions made by asylum caseworkers did increase through the asylum transformation programme and the Home Office's push in 2023 to clear the 'legacy' backlog, reaching an average of 7.3 initial decisions per caseworker in November 2023.^{*} This is a result of several factors: the simplified process for asylum seekers from countries with high grant rates, the retention allowance introduced to reduce churn and encourage the building of expertise, and wider efforts to speed up decision making such as with improved screening and better access to training and support for caseworkers. This is good progress that should be built on.

However, the rate of decisions being made is not a perfect representation of productivity or efficiency and masks some problems. Chief among them is that it does not indicate the *quality* of those decisions. Decision making accelerated in the second half of 2023 also because the rate of cases 'implicitly' withdrawn from consideration – often because an asylum seeker has not met a deadline or provided the right information – rose sharply, from 8% of all initial decisions made in 2021 to 12% in 2022 and 18% in 2023, covering nearly 25,000 people in those three years.⁴⁰ While the Home Office does need to be able to close cases where asylum applicants leave the country or fail to engage with their claim, the broadening of the criteria for withdrawing claims in 2023⁴¹ means there is a good chance that many of these 25,000 people will have otherwise had legitimate claims to refugee protection.

There has also been a sharp increase in costly and time-consuming appeals cases against the government – in part due to the increase in the number of refused claims – with over 12,000 appeals from October to December 2023. In recent years, a high proportion of appeals have been allowed – including more than half of those determined in the last quarter of 2023.⁴² It would be more efficient for the Home Office to make higher-quality decisions the first time round, rather than effectively reassigning a portion of its backlog to the appeals tribunal.

Figure 10 Asylum appeals to the First-Tier Tribunal, 2010/11 to 2023/24



Source: Institute for Government analysis of Ministry of Justice, Tribunal Statistics Quarterly, January to March 2024.

^{*} This was partly achieved by making decisions without the need for substantive interviews – and the average rate of decisions in March 2024 fell to 3.8 per caseworker.

Staff turnover also remains a problem. While the turnover of asylum caseworkers fell from 46% to 25% between 2021/22 and 2022/23, in part because of the use of retention allowances to incentivise staff to remain in post longer, this remains well above the Home Office average of 5% and above comparable front-line decision making roles in other parts of government.⁴³ High turnover remains a symptom of problems with morale, pay, the seniority and experience of decision makers.⁴⁴ Almost two thirds of decision makers reportedly intend to leave their role as soon as possible or within the next year (63%), compared to 18% of Home Office staff and 20% of all civil servants.⁴⁵

Since 2014 asylum decision makers have been hired – and paid – at the relatively junior EO (executive officer) level. A senior manager told the ICIBI that the high rate of staff churn was due to it being “one of the toughest EO jobs in government” – and a 2019 Home Office review found that increasing the seniority of the role would help recruit and retain staff.⁴⁶ Prior to this, the role was graded at the higher executive officer (HEO) level, reflecting the fact that it involved undergoing a 55-day training programme to prepare for the job and defending asylum decisions in court. And as the former Home Office permanent secretary Philip Rutnam told the Institute,⁴⁷ other countries recognise the complexity of asylum cases in their staffing structures: decision makers in Switzerland are equivalent to a ‘grade 7’ civil servant in the UK – that is, three levels higher than the EO grade – and often come from a legal background or have previous experience working with refugees or migrants.⁴⁸ Likewise, case officers in Sweden often have benefited from academic training in law.⁴⁹

“We’re dealing with human beings here and the stakes are very high ... I used to think that about the task faced by asylum decision makers, relatively junior staff who had this incredibly weighty decision that they were responsible for.” – Sir Philip Rutnam, former Home Office permanent secretary, speaking at an Institute for Government event in 2024.

The decision to downgrade decision makers to EO has been a false economy. The money spent to more fully resource these teams would be much less than the ongoing cost of accommodating those who have been waiting long periods of time for an initial decision on their asylum claim, which more experienced decision makers could contribute to addressing. The growth of the asylum backlog in recent years means that the Home Office has been forced to use expensive contingency accommodation – the cost of housing asylum seekers in repurposed hotels has been around £6m a day.⁵⁰ Asylum decision makers at executive officer level are paid between £25,750 and £31,950, while their colleagues at higher executive officer (HEO) level earn between £32,000 and £39,600.⁵¹ If new decision makers were hired at the more senior HEO level, eventually covering a full workforce of 2,400 asylum caseworkers, it would cost

approximately an additional £19m annually, equivalent to just over three days of the asylum hotel bill.* But these more senior, experienced staff could help to deal with complex asylum decisions more quickly and efficiently, potentially mitigating the requirement for as much emergency hotel accommodation in the first place.

The Labour Party has committed to recruiting additional caseworkers to those hired by the former administration.⁵² Those new decision makers should also be taken on at this more senior grade, with more stringent experience requirements, and given the training needed to do their jobs effectively. This increase in seniority should be accompanied with clear frameworks outlining the knowledge and skills caseworkers require.⁵³

Recommendation: As far as the Home Office budget allows, new asylum decision makers should be hired at the upgraded HEO level, recognising the complexity of the role and the efficiency more experienced staff could bring to the asylum system.

As part of the asylum transformation programme, the Home Office aims to introduce “clearer career pathways” for caseworkers, which is an opportunity to boost morale and improve caseworking among asylum operations staff. Upgrading many of these staff would help with that, by increasing the scope to deepen career progression pathways within these roles – rewarding decision makers who build experience and expertise.

We agree with the case made by Professors Joe Tomlinson and Robert Thomas for further ways in which the Home Office, and the wider civil service, can professionalise asylum decision making in order to improve efficiency.⁵⁴ This begins with improved training and support for caseworkers, including better and faster feedback loops so that officials can learn from problems with their cases to prevent similar issues – as identified in appeals – in the future.

Previous Institute for Government research found that improving learning and development opportunities, and ensuring effective management and leadership, can help to retain public sector staff.⁵⁵ The Home Office should continue to work with the UNHCR to develop training modules for staff, drawing on models from other countries with high-skilled decision makers.

The civil service should also establish a ‘front-line decision maker’ profession, to allow similar parts of government to the Home Office’s asylum decision making function, such as DWP’s welfare decision makers and HMRC’s tax staff, to exchange expertise, share common training and career pathways. These steps would also help to improve the interoperability of Home Office and other government caseworkers, to add to the progress made by the introduction of the Customer Service Group.

* This is an indicative comparison to demonstrate the lack of efficiency derived from downgrading decision making staff. In practice, there are many factors which contribute to demand for hotel accommodation beyond the experience of decision making staff, including the rate of applications being made and government policy on admissibility.

Recommendation: As part of phases 2 and 3 of the asylum transformation programme, the Home Office should develop and publish a workforce management strategy for its asylum caseworkers, setting out its approach to improving professional development and support, management and feedback loops.

The civil service should create a 'front-line decision makers' profession to add to the existing range of professions, including Home Office immigration caseworkers. This profession should develop a career progression framework to help recruitment, development and retention.

Asylum caseworkers must also be supported to challenge the ways of working they see in the department. Wendy Williams suggested this was crucial in the wake of the Windrush scandal, after officials reported feeling unable to flag problems in how policy was being enacted through casework. Even now less than half of staff feel 'safe to challenge' the way things are done in the department (42%), well below the civil service benchmark (51%) and the lowest among main government departments.

This is particularly important for asylum decision makers because of the need for them to be able to see, as the department has put it, "the face behind the case" of asylum applications – take the time and work flexibly enough to understand applicants' experiences and their implications for their applications.

Ministers and senior officials should also consider this in their efforts to speed up decision making by focusing on the initial decisions being made at the expense of the quality of those decisions. While long waiting times are clearly a problem, there are also obvious risks in making decisions in haste, which opens the door to appeal and being potentially overturned, incurring extra cost to government in the future.

People with experience of the asylum system who spoke to us for this paper emphasised how interactions with the Home Office could feel dehumanising, particularly in relation to the high burden of proof to support their claim. It is therefore welcome that the department introduced 'lived experience events' for asylum caseworkers in 2023, building on the previous 'face behind the case' training designed for staff processing visa applications.

Ministers should clearly and consistently communicate that asylum decisions are ultimately a matter of administrative justice, and the responsibility of expert officials who are supported to undertake their responsibility fairly and well.

[Previous Institute for Government research](#) also identified a related problem that the home secretaries and immigration ministers can become overly involved in operational decisions in the immigration system. This can be a poor use of ministers' time and a potential barrier to ensuring decision making staff have the resource and support needed to make fast, high-quality decisions.

Achieving culture change in decision making roles is difficult, but ministers and senior officials can draw on the lessons of the Syrian resettlement scheme, which balanced a need for rapid delivery with high-quality decisions. Refugees minister [Richard Harrington](#), who oversaw the programme, suggested that part of the Home Office was a “good place to work” when contrasted with the broader culture of the department “where a lot of the stuff they have to do is quite negative. It’s basically saying no. No immigrants, no this and that.” Yvette Cooper, the home secretary, has recognised the need for culture change in the Home Office to move on from a “bunker mentality”, particularly in the aftermath of the Windrush scandal.⁵⁶

Recommendation: The immigration minister and home secretary should consistently and clearly communicate the approach they expect asylum decision makers to take to their casework.

This should define and model the organisational culture ministers and senior officials expect from this workforce.

‘Openness to challenge’ feedback loops should be maintained to ensure that front-line decision makers always have a means by which to flag concerns to senior managers, including anonymously.

Triaging could make decision making more efficient

It is not just the asylum caseworkers that could help to make decision making more efficient, but also the processes by which those decisions are made. The Home Office recognised the importance of effectively triaging cases to efficiently allocate resource through its ‘streamlined asylum processing’, introducing questionnaires for people from countries with very high grant rates (more than 95%) and allowing grants to be made without a substantive interview.

The triaging process should be expanded to a broader range of nationalities and case types with a likely outcome.⁵⁷ It would be effectively supported by more defined career pathways as well as the Home Office’s ongoing efforts to build the expertise of decision making units around particularly kinds of cases⁵⁸ – more experienced, specialist staff would be better equipped to handle complex claims.⁵⁹

One model for expansion could be that of Canada, where short hearings can be used to resolve minor issues in cases with a relatively high likelihood of being granted (more than 80%).⁶⁰ The new government can also learn from past efforts by the Home Office to reform the case management process. For example, the UK Border Agency’s ‘New Asylum Model’, introduced in 2007, involved specialist ‘case owners’ who would oversee cases from application through to grant or removal. It aimed to improve join-up between different parts of the system and improve the quality of decisions, as case owners would have to defend their decisions in cases of appeal.

Triaging does not work effectively if the government cannot access the right information about asylum claims – as seen in 2023 with the low proportion of questionnaires returned correctly.⁶¹ The government should evaluate the streamlined asylum process and work with asylum organisations to ensure resources are in place to verify asylum applicants' identity and collect the necessary information about their cases in screening interviews.

Properly 'front-loading' the process in this way, as has been done in Switzerland, can improve the quality of decisions being made by allowing for cases to be triaged correctly and helping ensure there is enough staff resource elsewhere in the system.⁶² This will require strengthening country guidance, ensuring it is updated regularly and developed in tandem with Home Office users of the guidance.⁶³

Recommendation: The Home Office should expand and improve the streamlined asylum process to further triage cases as far as possible on the basis of the likelihood of outcome, and explore other models for improved case-handling.

The Home Office has said it would consider reintroducing a service standard – metrics by which to judge if it is making decisions fast enough and to a high enough standard. This is a welcome move. It was after the service standard was dropped that productivity fell in the late 2010s, though the department should be aware that risks may emerge. Previous Institute for Government research has highlighted the potential for 'gaming' created by targets⁶⁴ – and in 2017 a large number of asylum cases were incorrectly marked as non-straightforward to avoid having to meet them within the target time frame.⁶⁵

Triaging should be reviewed regularly to ensure there are no such unintended consequences, or redesign its processes accordingly. The Home Office should ensure it meets its target to quality assure 3.5% of its decisions, which it failed to meet in 2023 – and it should set a specific requirement for quality assurance of implicit withdrawals.

Recommendation: Once the existing backlog has been cleared, an asylum service standard should be reintroduced to guide the expected length of time until an initial decision is made. Gaming should be mitigated by also using metrics to judge the quality of decisions, such as the rate at which decisions are overturned at appeal.

The new government's move to amend the Illegal Migration Act to allow it to process the claims of asylum seekers previously prohibited from being granted leave will also help to make the decision making process less complex and more efficient. This could form the first step in a wider approach to consolidating and simplifying the immigration rules, as suggested in the Williams Review.

Recommendation: The Home Office should deliver its post-Windrush commitment to simplify the immigration rules, including all legislation covering asylum.

Better technology will improve the asylum process

Poor technology has undermined asylum caseworking, and the implementation of policy, for a long time.⁶⁶ In 2009 the National Audit Office (NAO) found that details of asylum claims were written by hand before being inputted into the caseworking database (itself dating back to 1995) and information was often transmitted via fax.⁶⁷ The Home Office's answer to these problems is Atlas, its new digital casework system

intended to "eradicate the use of paper", automate large parts of casework and ensure caseworkers "can easily access all the data they need".⁶⁸ These are sensible aspirations that will also help to improve asylum policy making by improving the digital capabilities of the systems through which that policy is implemented.

Delivery of Atlas has been delayed and complicated by system-design and technical problems⁶⁹ and a reprioritisation of resources towards delivering the Illegal Migration Act⁷⁰ – in the meantime caseworkers have had to input the same information multiple times.⁷¹ Asylum decision makers have identified that ongoing problems with technology have been a huge barrier to processing claims efficiently and concerns have been raised that Atlas' data entry limits do not allow for detailed information to be recorded, a particular problem given the complexity of asylum cases.⁷²

It is important that the asylum and protection system is digitised and integrated as effectively and quickly as possible. In particular, the Home Office should ensure it is making the most of this integrated digital capability to hone its trend analysis and modelling capabilities.

Recommendation: The Home Office should regularly review its caseworking technology to ensure it meets the needs of asylum decision makers and analytical teams. It should maintain the capacity to deliver technological change initiatives efficiently and on time.

But Atlas may not solve other problems that better use of technology should resolve. The immigration rules set out the home secretary's responsibility to be able to provide asylum seekers with an update on their case and, specifically, the "timeframe within which the decision on their application is to be expected".⁷³

This is not the experience of many asylum seekers, who are either unable to get an update on their case or often receive a generic, ultimately inaccurate response. The lack of a user-friendly digital system by which asylum seekers can access information about their cases, including their status and expected time frames, is a problem that

goes beyond the technocratic functioning of government. In research for this report, asylum seekers and refugees explained how the uncertainty while waiting long periods of time for an asylum decision was detrimental for their mental health. The government has begun work on a digital portal for the Home Office and immigration advisers to communicate with each other about individual cases⁷⁴ – it should learn from its improvements in passport processing to inform the use of technology in the asylum system in order to address this problem.⁷⁵

A similar system is needed with which to communicate with local authorities about asylum seekers expected to receive decisions in particular places in the near future. The uncertainty created by the inability to do this has undermined councils' support for refugees leaving Home Office accommodation, and contributed to the rising numbers of those presenting to local authorities as homeless.⁷⁶

Recommendation: An outward facing digital communication system should be developed as part of the Home Office's wider asylum transformation, to enable asylum seekers to access an online dashboard with updates on their cases and a function to submit documents and information. Other public services including local authorities should be able to use the system to access data about case flows in their areas.

Standing interdepartmental structures should be used to design policy

Like other aspects of migration policy, asylum is dependent on effective co-ordination and brokering between departments (as well as co-ordination with other tiers of government, more on which below). Beyond the Home Office, that includes FCDO on international diplomacy and country guidance, MHCLG on liaison with local authorities and aspects of integration policy, the Treasury and DBT on budgets, asylum seekers' economic rights and labour market policy, and DHSC and DfE on access to health care and education.

Too often policy makers, including ministers, find it difficult to co-ordinate asylum policy effectively between these departments. There are various reasons for this, not least the political reality in which policy makers find themselves – where departments may come into conflict over contradictory priorities for the same policy area.

But policy makers also struggle because of a lack of standing interdepartmental apparatus designed to support better cross-government policy making. Too much policy is left to ad hoc brokering between departments and conflicting lobbying of the prime minister by his cabinet colleagues. There are various ways more coherent cross-government asylum policy could be supported. Joint ministers have been used to address similar problems in the past, but can result in the minister failing to have enough authority in one of their departments.⁷⁷ Cabinet committees and other boards are at the heart of how government co-ordinates policy between departments, and ostensibly asylum policy falls within the remit of the existing Home Affairs Committee.

Recommendation: The prime minister should agree with the home secretary how asylum policy is to be developed between departments and ministers, where decision making power lies and how issues are to be escalated through cabinet committees and to No.10.

That agreement should include some form of inter-ministerial group through which asylum policy can be developed and discussed before collective agreement is formally required. This group, or a related forum, should broker the Migration Plan recommended above. And it should also have oversight of performance reports from different aspects of the asylum system under the direction of the Home Office, MHCLG and other departments, to inform evaluation and policy making.

Local support services should be integrated to improve access

It is not just in Whitehall that policy should be better co-ordinated between different parts of government. At the local level, asylum seekers and refugees experience disjointed support from a range of public services under the direction of local authorities, the NHS, schools, the Home Office, DWP and civil society groups.

People with experience going through the asylum system reflected to the Institute for this research the damaging effect this confusing and disconnected patchwork of public services had on their physical and mental health, or that of their children – particularly when required to change their place of residence at short notice.

It was also suggested that joined-up support was especially important in the early days of people's application, before screening interviews. This is a crucial time for asylum seekers to understand the application process and their rights, as well as how they can access public services, legal aid and other social and volunteering opportunities.

The 'welcome hubs' established for people arriving from Hong Kong,⁷⁸ co-ordinated by regional strategic migration partnerships, offer a potential model for providing a range of services in one place. These welcome hubs could also support access to English language conversation clubs, sporting and cultural activities.⁷⁹ The Home Office should ensure that strategic migration partnerships can share with local areas information about what works well – the Greater London Authority's 'asylum welcome toolkit' includes a range of guidance and case studies about London boroughs' approach to asylum.⁸⁰ This would also help the government to improve the longer term outcomes of those who are eventually granted protection in the UK.

"There's so many benefits to accommodating people within communities: the sense of integration, the sense of connections, accessing support. You don't want to stigmatise people" – Alvina Tamara Chibhamu, VOICES network

Recommendation: Local authorities should be given resource and support to co-ordinate migration hubs in partnership with other public sector and civil society organisations, to integrate access to local support services for asylum seekers, refugees and other immigrants.

Eventually deliver accommodation and support services through local or regional government

One barrier to better co-ordination across government over asylum is the tier at which various aspects of the system are managed. In particular, the Home Office's direct responsibility for accommodating and supporting asylum seekers while they wait for a decision on their case is inefficient and leads to problems with local authorities.

It makes sense for the Home Office to process people arriving in the UK, as it is responsible for border control, public safety and the visa and asylum systems, and so is a department with expertise in casework decision making. It also makes sense for the Home Office to be responsible for fairly distributing those asylum seekers around the country while they wait for a decision – a function which rightly sits at a national level so that particular parts of the country do not (or should not) have to support a disproportionate level of migration without the resources to do so.

But there is less reason for the Home Office to hold the responsibility to accommodate and support asylum seekers in those localities; it is not, to take just one example, best placed to understand local property markets and so be able to effectively source and maintain accommodation. Nor does it have other social support services comparable with those they maintain for asylum seekers – unlike local authorities and DWP, which do in the form of local employment, housing and homelessness, health and social services.

The Home Office's own evaluation has identified the benefits where local authorities have drawn on their expertise in housing services to support people arriving through protection schemes.⁸¹ The same is true for wider support services, where again local authorities are better positioned in their localities than the Home Office is to connect asylum seekers more efficiently with other services they need.

The Home Office's centralised control of accommodation and support services is not leading to good outcomes and is a contributing factor to the multimillion-pound-per-day hotel bill. Councils have also taken the UK government to court over the poor choice of sites and lack of communication over their use. The use of repurposed hotels has also been criticised for failing to meet the needs of the vulnerable people they accommodate for long periods of time, particularly as asylum seekers are moved from one hotel to another often in different parts of the country.⁸²

And different parts of the Home Office offering different protection schemes have even competed for the same hotel contracts, further driving up the cost of accommodation.⁸³ The previous government tried to reduce the reliance on hotels by using large sites, such as former military bases and barges. But the NAO has found that this approach may well have cost the government *more* than hotels.⁸⁴

The most direct way of reducing problems in accommodation and support services would be to reduce the demand for them, by making faster decisions on asylum cases and reducing the chances of asylum seekers experiencing destitution (more on which below). But there must be greater recognition of the fact that local councils in practice increasingly provide support for asylum seekers waiting for a decision on their claim,⁸⁵ though without a clear remit or funding this remains a 'patchwork' approach.⁸⁶

There is a strong case that accommodation and support services would, in the long term, be better managed at a local level, under the co-ordinated direction of strategic migration partnerships and, where they exist, combined authorities.

Fully decentralising accommodation and support services should not be done immediately, while there remains a backlog and problems to be addressed – not least the response to far-right violence targeted at hotels accommodating asylum seekers over the summer. But, as the IPPR think tank has highlighted, the 2026 break clause in asylum accommodation contracts provides an opportunity for the government to decentralise this service to a small number of 'pathfinder' regions.⁸⁷ The Home Office should evaluate these pilots and use them to inform the decentralised provision of accommodation once contracts expire in 2029.

Recommendation: UK government should delegate responsibility for accommodation and support services to combined or local authorities, along with the equivalent resources needed to manage the service, beginning with a number of regional pilots once accommodation contracts expire in 2026.

Strengthen the oversight of asylum accommodation and support services

The Home Office currently uses external providers to deliver two main contracts: asylum accommodation and support (AASC, delivered regionally by Clearsprings, Mears and Serco) and advice, issue reporting and eligibility (AIRE, delivered nationally by the charity Migrant Help). Both have faced failings in recent years, partly exacerbated by the rise in asylum backlog.

The AIRE helpline has been rated as 'inadequate' for its call waiting times, attributed to the number of asylum cases⁸⁸ – and interviewees waiting for an asylum decision reflected that, once they do get through to the call service, there is little sense that feedback loops with the Home Office work properly and action will be taken as Migrant Help cannot track complaints after it has referred them. There have also been several safeguarding breaches in hotels repurposed to house asylum seekers, with, for example, considerable variation in contracted staff's vetting and training between accommodation sites.⁸⁹

The Home Office has made attempts to address problems since these contracts started in 2019. It introduced a safeguarding framework to set expectations for the department and its providers,⁹⁰ set up an intelligence function to oversee asylum accommodation and support contracts,⁹¹ and has begun fully reviewing the key measures of providers' performance.⁹²

These are useful steps to improve the handling of contracts, though the government needs to rethink more radically the provision of asylum accommodation and support to close gaps in accountability. When the previous contracts expired in 2017 (and were then extended to 2019), the Home Office did consider redesigning the service, though did not allow enough time to undertake a full review.⁹³ Since then, those contracts have had to stretch to deal with the rise in the number of asylum applications and the considerable growth of the backlog of cases, and the Home Office encountered challenges in overseeing how contracts were delivered across a large number of accommodation sites.⁹⁴

Whether procured at a national or local level, the government needs to re-examine the provision of asylum support services. Where services are delivered by external providers, contracts should be designed to meet the needs of users, including ensuring that providers are able to deal with fluctuations in the number of asylum applications⁹⁵ and that problems with service provision can be escalated and followed up appropriately.⁹⁶ The Home Office's internal review of key performance indicators (KPIs) should ensure that they are more closely aligned with what the government wants to achieve, to prevent suppliers from being incentivised to focus on meeting metrics rather than outcomes – for instance, measuring asylum seekers' ability to understand their entitlement to support services, rather than the delivery of a session to deliver those services.⁹⁷

Given how the operating environment can change due to the number and needs of asylum seekers requiring support, there should also be greater support (at a central and local level) for officials to assess suppliers' ongoing performance and ensure they improve where issues are identified.⁹⁸ And in light of the numerous problems the ICIBI has identified with the Home Office's accommodation contract management, the Home Office should ensure the inspectorate can fully scrutinise the delivery of contracts.

Recommendation: Redesign new contracts for asylum accommodation and support to more accurately reflect the government's desired outcomes, including an ability to adapt to changes in the number of asylum seekers needing support. Invest in commercial teams' skills and capacity to oversee contracts and support suppliers in delivering against stated KPIs.

A regulated, standardised route for asylum applications from abroad would give government more control

The trend in asylum applications to western European countries is only set to rise. But many of those who seek asylum in the UK are unable to come to the country via existing 'safe and legal routes'. More than 80,000 people applied for asylum in the UK in 2023 – the vast majority of whom were not eligible for protection through the Ukraine, Hong Kong and Afghanistan schemes and so would have had to arrive by irregular routes or overstay a visa. This is against just 632 people who were resettled and just under 10,000 who were offered family reunion.⁹⁹ This disparity is only set to grow.

The previous government's approach was to establish dedicated protection schemes in response to humanitarian crises where it considered there to be support to do so, while categorising most other asylum seekers as inadmissible for protection in the UK – even where most of these cases would have resulted in protection being granted – and to try to remove them to a third country, namely Rwanda. This strategy contributed to a diversion in demand towards unsafe, uncontrolled routes into the country such as across the Channel – largely by people who are likely to be granted asylum, based on the grant rates for their nationalities.¹⁰⁰

And even where dedicated protection schemes have been established, Professor Tomlinson has argued that "bespokism" of this kind undermines the translation of policy into delivery, by requiring the government to set up whole new systems at little notice rather than expanding and using existing mechanisms, as was demonstrated by early difficulties in the Ukraine schemes in 2022.¹⁰¹ The reactive nature of policy making also means these schemes offer different levels of support, which do not correspond to the needs of people who come to the UK through each scheme.¹⁰²

So policy makers will need to have a plan for how the UK intends to manage this rising asylum demand from beyond the narrow range of countries eligible for existing routes. One option, so far avoided by successive governments, would be to incorporate and replace the existing 'safe and legal routes' created for individual nationalities in response to current events and establish a consolidated route to apply for asylum in the UK from abroad. Experts have recommended different ways to do this. British Future has called for a new humanitarian visa issued from UK consulates, for people to travel to the UK and have their claim heard;¹⁰³ the Tony Blair Institute for Global Change has recommended that embassy staff could undertake initial assessments for refugee protection.¹⁰⁴

A standardised 'safe and legal route' like this would have the significant benefit of giving the government greater control over the asylum system. While it is possible some people would still travel irregularly to the UK to claim asylum, it would mean the government would no longer unduly give preference to those who are able to reach the UK's shores by unregulated means. People in need of protection would have less need to resort to unsafe, unlawful and uncontrolled routes into the country.

A safe route could include a parliamentary vote on the numbers of people who can access it, as well as the criteria for who would be eligible and the protection status they would be offered.¹⁰⁵ This would give the government a way to recognise and respond to evolving humanitarian crises without establishing whole new services and decision making procedures. If the government wished, it could be integrated with community sponsorship (see below), learning from and improving on existing schemes.

But this strategy would be a political choice. It would mean pivoting away from the prevailing deterrent approach of previous governments. The argument against such a scheme is often that it would have a net increase on demand – those accessing a new safe route would do so, and those unable to (either because of the criteria or the total number permitted through the route has been reached) would continue to travel to the UK through irregular means. The evidence on ‘pull factors’, as noted above, is weak – decisions made by individual asylum seekers are complex and difficult to attribute to specific domestic policy changes.

But while such a route could mean fewer people travel to the UK through irregular means, it could also mean that total numbers seeking asylum in the UK increase. The Home Office should design any such scheme based on research into asylum seekers’ motivations to understand which groups of people might come via a regularised route, and model the expertise and resources required to process their claims.

Politics is a legitimate and inescapable part of policy making. This approach to asylum policy making could well prove more effective for a government willing to make that political trade-off and weigh up the benefits of introducing more order to the system. But that also depends on how government seeks to navigate the politics of asylum in its approach to policy making.

Recommendation: For a government that wants greater control of the asylum system, one option would be to establish a regulated, legal route to apply for asylum from outside the UK to replace and consolidate the multiple tailored routes for individual countries.

Parliament could vote on the cap and criteria that govern this scheme on an annual basis.

International agreements should be prioritised

Regardless of what reforms are applied to the domestic asylum system, even a well-run set of services would struggle if the government does not work closely with other countries. Re-establishing an agreement with the EU to facilitate returns, safe passage and fair distribution of asylum claims should be a priority. The new government’s desire to focus on international co-operation on asylum, including on returns, is sensible in this context.

Any new agreement would have to reflect the developing realities of asylum demand across Europe, including intra-EU negotiations, and allow for greater security co-operation to prevent organised gangs from trafficking and exploiting vulnerable people.

Navigating the politics of asylum

All policy is political and the best policy aligns and harnesses political leadership and values with evidence and delivery expertise. The politics of asylum presents a particular challenge to policy makers because it is a salient and divisive subject that is also complex and difficult to manage.

But the political debate on asylum has hardened around often simplistic assumptions about the attitudes of the public. Various policies have been deemed beyond what is politically acceptable even when they could stand to make the asylum system more effective, restricting politicians' room for manoeuvre.

A more nuanced understanding of what voters expect of the asylum system could enhance the options available to policy makers in this and future governments. And a different attitude towards parliamentary scrutiny and debate could strengthen government's control of the asylum system in the long term.

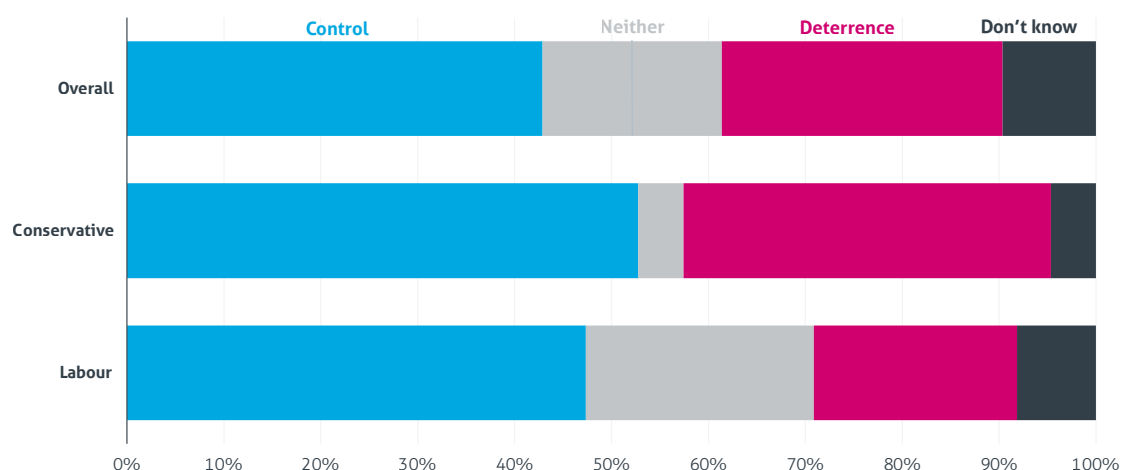
The public want an asylum system the government can control

There is a risk that politicians' understanding of public sentiment on asylum is boiled down to reducing numbers, to simply 'stop the boats' or to 'let fewer people apply'. Both of these are, to varying extents, true. A large majority of those polled by YouGov over the course of the last parliament have consistently thought that total immigration has been too high over the last 10 years;¹⁰⁶ more people want asylum seekers arriving on small boats to be removed from the country with no recourse to appeal than think they should have access to appeal or have their cases processed.¹⁰⁷ In another poll, more people (37%) thought that asylum seekers' immigration to the UK should be made more difficult than thought it should remain the same (26%) or become easier (25%).¹⁰⁸ And the most frequently cited reason for dissatisfaction with the former government's handling of immigration was the failure to do enough to stop small boat crossings.¹⁰⁹

These insights are useful but can oversimplify public sentiment. They do not shed light on how people would weigh different priorities for the asylum system, or how they believe these objectives should be met. In particular, research by Ipsos Mori and British Future has found that "since 2021 significantly more people see it as important that UK government has control over who can or can't come into the UK, whether or not that means numbers are significantly reduced".^{*,110}

* For this research, respondents were asked: "When thinking about the government's immigration policy, which of the following best describes what is most important to you?: (a) The government should prioritise reducing overall immigration numbers, even if that means turning down some people who might have otherwise been offered visas to work in business or public services. Or (b) The government should prioritise controlling and selecting who it wants to come to Britain, even if that means overall immigration numbers may remain bigger".

Figure 11 The public's priorities for the government's immigration policy, February 2024



Source: Institute for Government analysis of Ipsos/British Future, Immigration attitudes tracker, February 2024.

People will have different views about what it means to 'control' the asylum system – some may assume that means a reduction in the number of arrivals. And politicians are right to identify that a large part of the population believe small boat crossings are an urgent problem that needs to be fixed.

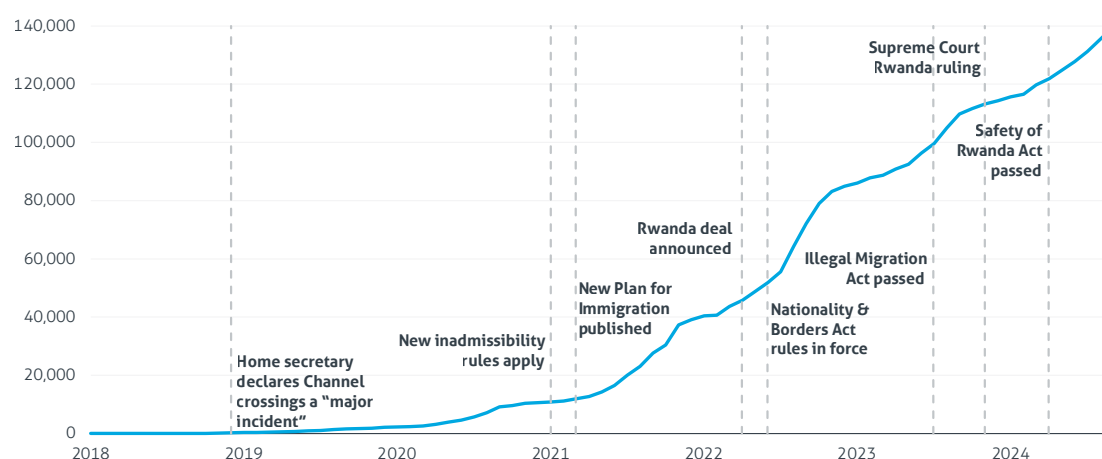
But this demonstrates two things that politicians should consider when developing asylum policy. First, there is a political cost to ineffective policy. And second, while there could be a short-term political cost to effective policy if absolute numbers of arrivals do not fall, there may be more sustainable support for a fairer, safer, more orderly and controlled system.

There is a political cost to policy failure

The percentage of those polled who think the government handled the issue of immigration well fell over the course of the last parliament, averaging 16% from 2019–24 and falling as low as 8% in April 2024.^{*,111} Even if policy makers believe recent governments' attempts to stem small boat crossings and address the mounting asylum backlog were in line with public sentiment, this declining confidence in the government's competence must reflect, at least in part, the failure of these policies to tackle the problem. Public approval of the government's performance has declined as large numbers of people continue to cross the Channel, despite multiple attempts at policy interventions since 2018 – and has contributed towards the success of Reform UK's campaigning on this issue.

* Compared to an average of 72% who believe the government is handling it badly, 84% in April 2024.

Figure 12 Cumulative number of people detected arriving in the UK via small boats, 2018 to September 2024



Source: Institute for Government analysis of Home Office, Irregular migration to the UK statistics, year ending September 2024.

And the delivery problems with asylum policies are often predictable before they are put into practice. It was immediately and widely foreseen that the Rwanda scheme would be delayed by successive, complex legal challenges that would reduce the time the government had to make headway before the general election. It was similarly clear that the government would be unable to implement the Illegal Migration Act's duty on the home secretary to remove those deemed inadmissible for asylum from the country, owing to the lack of places to which UK government could remove them.

Pursuing knowingly unworkable policy is not just a problem for policy makers and operational leaders trying to enact that policy. It can and does create political problems for ministers, too.

Ministers should reconsider the case for policies that could make the asylum system more controlled, fair and efficient

It is the role of politicians to decide which political trade-offs are worth making. But given the importance many voters place on having a controllable asylum system, and the political cost of policy failure that adds to an uncontrollable, ineffective and inefficient system, there are several policies politicians could build a case behind which would make the system more manageable and which may work with the grain of public sentiment.

The previous chapter of this report already set out the rationale for why a universal, regulated route to asylum from abroad could be such a policy. Three other policies arose frequently over the course of this research as other examples where reform could make the asylum system more effective without the political dissatisfaction of recent years.

Community sponsorship

The 'Homes for Ukraine' sponsorship scheme showed that there can be public appetite to support greater numbers of people fleeing persecution than might otherwise be eligible for protection in the UK. And that this can be achieved by harnessing community support – a large majority of hosts have been found to have had a positive experience of the scheme.¹¹²

However, experienced staff were reallocated from other parts of the Home Office to work on the scheme,¹¹³ highlighting the pitfalls of needing to set up a 'bespoke' scheme in response to a crisis, rather than adapting an existing universal scheme.¹¹⁴

The Home Office does already maintain a universal community sponsorship scheme. But only those already eligible for protection – either through the UK Resettlement Scheme or the Afghan Citizens Resettlement Scheme – are able to be resettled with community sponsorship and support.

The government should commission an independent evaluation of Homes for Ukraine and review the prospects of building on the model to create a universal, demand-led community sponsorship scheme, rather than setting up separate 'bespoke' systems in response to each crisis. It should also draw on the good practice identified during the Syrian resettlement programme. Such a scheme could be incorporated into a regulated route to protection from abroad in the deciding of eligibility criteria and caps on different routes in each year, so that the government can identify the maximum numbers of people eligible for protection using state resources, and the extra numbers of people who could be supported with community sponsorship.

Right to work

The UK's right to work policy for people seeking asylum is more restrictive than in many other countries. People waiting for an asylum decision in the EU, Canada, Australia and the US are able to work sooner than the 12 months they must wait in the UK.¹¹⁵ And in the UK they are only able to work in a limited range of occupations where it has been considered practical to fill labour shortages with workers from abroad.

This policy is intended to act as a deterrent, preventing those who are not in need of protection from using an asylum claim as a means to work in the UK. But it is unclear that this deterrent is effective. As noted above, asylum seekers tend to have relatively little knowledge of the welfare and employment policies of the countries they set out for. While it is possible that some would apply for asylum in the UK due to relaxed working rights, research indicates that in western European countries there is little to no link between the number of asylum applications and right to work policies.¹¹⁶ People without a visa in the UK may choose to work in the informal economy and remain unknown to the authorities, rather than formally enter the labour market and risk being removed from the country if their asylum claim is rejected.

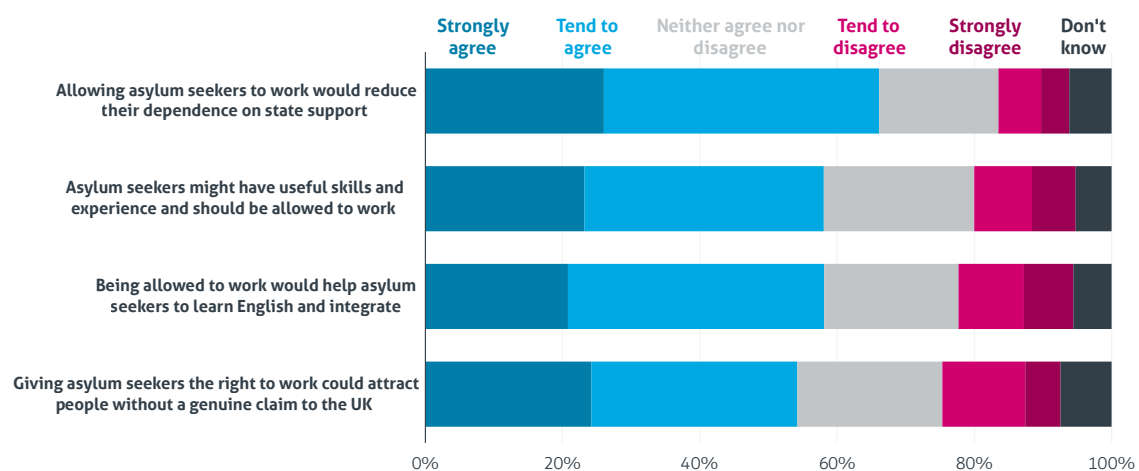
The UK's right to work restrictions are also expensive to the state. The government has a legal responsibility to support asylum seekers with accommodation and other forms of support if they are at risk of destitution – which naturally becomes much more likely if they are unable to seek paid employment. Even after receiving protection, the Migration Advisory Committee has found that long periods of economic inactivity can harm refugees' prospects for long-term integration and employment outcomes.¹¹⁷

The National Institute of Economic and Social Research has estimated that allowing asylum seekers the right to work could save up to £6.7bn per year (or £4.4bn per year if the 12-month restriction was lowered to six).¹¹⁸ The MAC has also contended that it would be beneficial for asylum seekers to be able to work in any job, or failing that, any role eligible for the skilled worker visa route.¹¹⁹

In 2021 the government reviewed the right to work policy and decided not to change it, after examining the additional tax and National Insurance contributions from asylum seekers and the savings from needing to pay out less in cash support.¹²⁰ It has also been dismissed on the grounds that it would undermine the government's deterrence strategy.

But there is wider support for reformed right to work than might be expected. Framed as part of wider efforts to make the asylum system cheaper, more effective and efficient, easing working restrictions could receive public support.

Figure 13 Public views on the right to work for asylum seekers



Source: Institute for Government analysis of Ipsos/British Future, Immigration attitudes tracker, June–July 2021.

Voluntary returns

A fair asylum system is not just about hearing claims and ensuring that those whose claims are accepted receive adequate support – it also involves ensuring that people who are not granted protection can safely return to their home countries. The government's 2023 agreement with Albania, which included returns of people whose asylum claims were rejected, showed that it is possible to put in place the framework for returns and deliver them effectively. There were more than 3,000 returns of people from Albania who had claimed asylum, up from fewer than 500 in 2022.¹²¹ Most returns in 2023 were done on a voluntary, rather than enforced, basis.

The Home Office currently runs an assisted voluntary returns programme for people who do not have permission to stay in the UK. In exchange for leaving the country, the people who opt for this scheme have their travel costs covered, may be supported with getting travel documents and can receive a £1,000–2,000 grant to help them settle into their country of origin.¹²² Voluntary returns are cheaper and simpler than enforced returns because they do not require detention for long periods of time, nor do they require formal readmission agreements with source countries. They can also be more dignified for the people who choose to take them.

But despite this spike in returns in 2023 the broader trend is that voluntary returns are falling, from a peak of 4,085 in 2011 to just 346 in 2021, particularly since responsibility for the programme was taken over by the Home Office from the charity Refugee Action.¹²³ Previous research into assisted voluntary return programmes has emphasised the importance of strong communication with people whose asylum claims are rejected, including through community groups.¹²⁴ For example, the current programme is only for those who had already made a decision to leave, whereas the service delivered by Refugee Action included advice about the different options people have after their claim is rejected.

The government should consider expanding its use of the voluntary returns programme and review whether it would be more effective to award it to an external provider that may be considered sufficiently independent of immigration enforcement and trusted by those who may consider using the scheme.

The Home Office should embrace and harness parliamentary scrutiny and debate

Debate can clarify the government's aims, cohere its political support and policy proposals. Effective parliamentary scrutiny can strengthen legislation and ensure that policies can be implemented successfully.

The pitfalls of limiting parliamentary input have been clear in recent years. The government's parliamentary timetable for the Illegal Migration Bill meant it received minimal scrutiny – its impact assessments were published after Commons debates, and there was little opportunity for detailed discussion or evidence taking.¹²⁵ Once passed, the Act left unresolved a number of questions about how this legislation would operate in practice¹²⁶ and the Home Office continued to face challenges due to its implications.¹²⁷

Introducing a new, annual Migration Plan, which is debated in parliament (described above) would help to improve scrutiny of the government's asylum policy.

Immigration rules are particularly complex and depend on a range of legislation and government policy. There is real value in ensuring any legislative changes to the asylum system are subject to thorough parliamentary scrutiny, to maximise the chances of anticipating delivery problems. As well as ensuring asylum legislation

receives adequate scrutiny during its passage, all migration-related legislation should also be subject to pre-legislative scrutiny by the Home Affairs Select Committee (and other committees where relevant). The government should recognise that making that time available for scrutiny will improve the standard of the resulting legislation.

Recommendation: All legislation that affects the asylum system should be subject to pre-legislative parliamentary scrutiny.

Conclusion

Asylum is a chronic policy problem facing the UK and one which successive governments have struggled to manage. Case backlogs have grown and shrunk, costing the government more money and leading to poor outcomes for the people in search of protection. New routes into the country have become popular, boosting unsafe and uncontrolled migration. Public services have provided disjointed and sometimes inefficient support to those who reach the UK. Ministers, across governments and parliaments, have pursued policy in line with ill-founded political assumptions sooner than they have heeded the evidence of what works.

The salience of asylum among the British electorate has increased, spurring politicians into action while polarising what people expect of government. Policy has been blown by political winds, leaving little to no consensus (within the UK as well as in Europe) on how to handle the large numbers of people arriving in Europe to seek protection. And this is all happening in a context in which those numbers are set to rise in the near future.

This report has sought to examine the reasons for this malaise. Its recommendations are aimed at helping policy makers learn from why designing workable, effective policy on asylum has proven so difficult for so many previous administrations, and what could be done to improve this. Doing so will not only help the UK, saving money and asserting greater control over a politically difficult policy area, but also offer a fairer, safer system for the many thousands of people seeking protection here each year.

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