

Dear supporter

It's been far too long since we got in touch, sorry. We're very much still here, just swamped with a very full-on year which saw 6 new families arriving, the Ukraine situation, Linton-on-Ouse, the new Nationality and Borders Act, and much more. Please expect a standard newsletter from us soon!

In the meantime, you'll have heard that the government has won one of two cases in the latest round of court proceedings about sending asylum-seekers to Rwanda. It's all very complicated – so if you'd like us to unpick it a bit for you, read on. It's long, but we did say it's complex!

Here are our **6 top reasons** (but not the only reasons!) why Rwanda is not only a terrible 'solution', but it attempts to fix entirely the wrong problem:

1. The government wants Rwanda to be a **deterrent**, but it simply isn't working. The Rwanda policy was announced in April this year, and numbers haven't dropped.
2. The Rwanda 'solution' is very limited, very expensive, and very precarious:
 - **Limited**: Rwanda says it will take up to 300 people a year – but with 54,000 asylum-seeker arrivals in the UK last year, that's a drop in the ocean.
 - **Expensive**: We've already paid Rwanda £130million, and have nothing to show for it. And earlier this year, the UK spent £500,000 on chartering one plane which never left the tarmac.
 - **Precarious**: There's no contract with Rwanda, just a 'memorandum of understanding'. Rwanda could back out at any time, even now, and there's no come-back.
3. This is an **unnecessarily draconian** solution. This is because:
 - It does not even assess the validity of people's potential asylum claims. It is enough simply to have arrived here by boat.
 - We are not seeing unprecedented numbers arriving: the UK received 84,132 asylum applications in 2002, compared to around 54,000 in 2021.
 - The shock public reaction to the Rwanda 'solution' is a smokescreen which very effectively deflects from the real issue: the UK's asylum system is not fit for purpose and needs major reform (see below).
 - The Rwanda plan punishes genuine asylum-seekers (around 91% of boat arrivals are granted asylum here because their claims are legitimate!) and just adds to their already significant trauma.
 - The government is welcoming 'unlimited' numbers of Ukrainians on the one hand, yet threatening to send Syrians, Afghans, Iraqis, Iranians etc to Rwanda. Ukrainians are the **ONLY** refugees who can use what's called a 'safe route' – ie they can get a visa before they arrive. Everyone else must claim asylum on arrival, and so they must come by boat. This does **NOT** make them illegal: the UK is signed up to 2 international treaties which state that people can come by any method, and through any number of other countries, as long as they claim asylum as soon as they arrive.
 - Boat numbers look high because Brexit customs paperwork/delays mean that people no longer come by lorry.
 - Fixing the asylum backlog would solve the hotels issue (another smokescreen) and thus dispense with the need for the Rwanda 'solution'.
4. **Rwanda is not a safe place**. According to the Home Office's own recent reports, Rwanda has an 'appalling' human rights record. The state has tortured and killed asylum-seekers in the last few years. The UN, the Foreign Office, Human Rights Watch, and the UK's ambassador to Rwanda have all said Rwanda is 'not a safe place' to send asylum-seekers to. And in 1994, Rwanda experienced an ethnically motivated genocide in which around 800,000 people died in just 100 days.
5. This is "**state-sponsored people-trafficking**", as SNP spokesperson Alison Thewliss put it today. The UK is trading humans with cash, while subjecting traumatised people to additional trauma. Is this kind of country we want to be? What if, one day, WE must be the refugees?

6. **The Home Office must fix the broken asylum system.** The issue of hotels is a smokescreen: people are in hotels because the government must legally accommodate them before an asylum decision is made, and last year the government only met its asylum decision target in 4% of cases. This means people wait years for a decision (we've met people still waiting after 18 years), instead of a maximum 6 months, so they can't go out and start their own lives and accommodate themselves. The government promised to 'take control of our borders' after Brexit, and it has not. A couple of weeks ago, Suella Braverman appeared before the Home Affairs Select Committee and was unable to answer the most basic questions on asylum policy, and had to pass them over to colleagues.

So what's next on Rwanda?

- So far, many months in, no one has been sent to Rwanda. But a lot of people have been in court.
- The government only won one of the two challenges today. They won a judicial review, in which the High Court decided that it IS lawful to send people to Rwanda. But in the other ruling, the court said the Home Office had failed to look properly at previous claims brought by 8 people who had been due to be deported to Rwanda. These must now be looked at again.
- According to a [leading immigration blog](#) today, "An **appeal** by the claimants is inevitable, so the High Court judgment is not the last word. The Court of Appeal is likely to look at the case, as is the Supreme Court. The timescale for final resolution of the case is therefore unknown. In the meantime, **removals to Rwanda cannot begin** because of the interim measure issued by the European Court of Human Rights, which states that removal cannot take place "until 3 weeks after delivery of the **final domestic decision** in ongoing judicial review proceedings".
- Even if the final appeal decision is that it IS lawful to send people to Rwanda, there are many, many claims which can be brought by individuals, challenging whether THEY should be sent (there are guidelines for eligibility).

In summary, we can expect to see a lot of time and public money being spent with the government being tied up in court. Many charities (eg Detention Action and Care4Calais, who were claimants in this latest case) will continue to bring claims on behalf of individuals, and individuals will also continue to bring their own claims.

Here are some key things to remember about our asylum system:

- The government is taking up to 18+ years to give people an asylum decision, when the target is 6 months.
- The government says people must use 'safe routes' to come here – but unless you're Ukrainian, there literally IS no safe route. Why can unlimited numbers of Ukrainians get visas in advance, but no Syrians can – even though the UK grants asylum in 98% of Syrian claims?
- The government doesn't even bother attempting to deport people whose asylum applications have been refused – only 113 such people were removed from the UK last year. So why is the Home Office so obsessed with sending people to Rwanda when their asylum applications have not even been assessed? Instead, they are condemned simply because they came by boat (and they had no option, because the UK doesn't provide one). Thus, Rwanda is a PR smokescreen.
- By clearing the backlog, the government could get people out of hotels and living independently, thus doing away with the 'need' for Rwanda.
- There is no such thing, in law, as an 'illegal asylum seeker'. That's like saying 'a feline dog' – the terms are 100% incompatible.
- Similarly, there is no such thing as an 'activist lawyer' or 'lefty lawyer'. Lawyers must work to uphold the law on the statute books; it is impossible to bring their own values or politics to court.
- With the Rwanda policy and the Nationality & Borders Act (NABA), the UK is breaking two international treaties to which we became signatories over 70 years ago. [UNHCR said](#) this month: "UNHCR does not consider that the UK-Rwanda agreement complies with the United Kingdom's obligations under International Law." These laws allow people to come by boat, therefore this cannot – in law – be an 'irregular route'.
- The UNHCR is hugely critical of the UK government's Rwanda policy and the NABA. That's why they were an 'intervener' (evidence-provider) in the latest round of court proceedings.

- Border staff don't want to implement the Rwanda plan. That's why the Public and Commercial Services Union was one of the organisations which took the government to court over Rwanda.

If you have any questions or comments, please get in touch – email us at info@ripon.cityofsanctuary.org

Thank you for your support.

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