



Policy Briefing: Health Implications of the New Plan for Immigration and the Nationality and Borders Act 2022

August 2022

The Nationality and Borders Act came into effect on April 28, 2022. The Act is a key part of the UK Government's New Plan for Immigration¹ which aims to “fix the broken asylum system”.²

The Act introduces a range of restrictions to the way protection is provided to refugees, establishing a two-tiered asylum system depending on the way a refugee entered the UK, including:

- Refugees who reach the country without a place on a resettlement programme may be considered “inadmissible” to the UK asylum system and expelled to another country. Resettlement programmes are only available to Ukrainian nationals and their family members³, certain Afghan nationals⁴ and Hong Kong British nationals⁵, meaning people fleeing any other country can be considered “inadmissible”.
- Those who are admitted into the UK asylum system and who are awarded refugee status will be given a temporary protection which expires every 30 months and has only restricted rights to financial support.
- Removing the upper limit on the maximum amount of time a person would stay in an asylum accommodation centre.

Shortly after the Act came into force, the UK Government signed a Memorandum of Understanding with the Rwandan Government which allows for people seeking asylum in the UK to be expelled to Rwanda with no possibility for them to return to the UK with refugee status.⁶

The United Nations Refugee Agency (UNHCR) described these changes as inconsistent with the 1951 Refugee Convention and “**a recipe for mental and physical ill health**”.⁷ British medical bodies including the British Medical Association⁸ and the Royal College of Nursing⁹ raised concerns about the health-related problems that this Act would create for people seeking asylum in the UK.

This briefing outlines the impact of the Act and the New Plan for Immigration on health, well-being, and access to NHS services, and provides recommendations to ensure everyone making a claim for protection in the UK has meaningful access to appropriate healthcare.

Warehouse style reception centres

The New Plan for Immigration includes a new reception centre model to accommodate people seeking asylum¹⁰, and the Act removed the upper time limit for which a person can be accommodated in this type of setting. This marks a departure from the practice of accommodating asylum seekers within the community, using accommodation centres just as an interim measure for a maximum of 30 days.

The new reception centres will operate in a similar way to the military facilities that have been used to accommodate asylum seekers during the pandemic, but on a larger scale. The accommodation of over 400 asylum seekers at a military barracks in Napier in Kent is viewed as a ‘prototype’ for the reception centres¹¹ and the Home Office has sought contractors to build a ‘national portfolio’ of reception centres to provide accommodation and other services for up to 8,000 people.¹²

The use of military sites to accommodate large numbers of asylum seekers drew widespread condemnation from healthcare professionals throughout the UK.¹³ The High Court ruled plans to extend the use of Napier Barracks were unlawful as they breached the Equality Act.¹⁴

Worsening access to medical care

Whilst most people who seek asylum in the UK arrive in relatively good health, it is not uncommon for their health and well-being to deteriorate upon arrival.¹⁵ Evidence shows people seeking asylum have higher prevalence of chronic diseases¹⁶ and worse physical and mental health than the general population.¹⁷ High levels of suicidal ideation, chronic stress, insomnia, anxiety, and depression¹⁸ are documented in people seeking asylum. Children, victims of torture, women, LGBTQ asylum seekers and pregnant women are particularly affected.¹⁹

People claiming asylum are entitled to receive all NHS services free of charge. However, non-community based accommodation settings (such as accommodation centres and contingency accommodation, such as hotels) often prevent residents from being able to access NHS services. The vast majority of people in asylum accommodation centres and hotels are not registered with a GP as a permanent patient and do not have an NHS number, which leaves them unable to access most NHS services. Onsite healthcare provision in accommodation centres is often not sufficient to meet healthcare needs of residents and is challenging to access. Subsequent access to GP appointments and communication with practices is limited for residents.²⁰

Between 2020 and 2022, Doctors of the World (DOTW) UK provided healthcare services to asylum seekers staying in initial and contingency accommodation.²¹ The most common reason for consultations was needing help to register with a GP (over 80%). Others needed help to access prescription medicine, sanitary products, antenatal care, medical care for a baby, child or a relative, and many had basic and serious health concerns. In all cases the accommodation sites had been unable to adequately support the individual to access necessary medical care and in some cases we saw patients with serious health issues living in asylum accommodation for months without being supported to register with a GP. Other reports have evidenced accommodation providers failing to provide transportation to hospital appointments causing people to miss necessary treatment including life-saving cancer treatments²², pregnant women being unable to access antenatal care, children not being enrolled in school and people with experience of torture and detention feeling retraumatised after being placed in former military settings.²³

The challenges people in asylum accommodation face accessing adequate medical care will be exacerbated in new large-scale accommodation centres and, under the Government's new plans, individuals will spend much longer periods of time in these centres.

Large-scale institutional accommodation is a risk to public health

During the COVID-19 pandemic, large scale asylum accommodation centres have presented a risk to public health by creating conditions which facilitate the spread of COVID-19. Overcrowded shared dormitories, showers and toilets have prevented people from following social distancing and self-care guidance and there have been numerous COVID-19 outbreaks in asylum accommodation sites, most notably the Napier Barracks where an outbreak of over 197 positive cases of COVID-19 occurred in February 2021²⁴, followed by another outbreak in August 2021.²⁵

Public Health England advised against the use of barracks during the COVID-19 pandemic due to the risks these sites pose on the health of residents.²⁶ An inspection by the Independent Chief Inspector of Borders and Immigration reported that Napier Barracks were "filthy" and "unfit for habitation"²⁷, and in June 2021 a High Court judgment found it was "inevitable" that there would be a major outbreak of COVID-19 infections at the Napier Barracks.²⁸

Plans to establish larger scale accommodation sites for refugees and asylum seekers in shared institutional settings puts residents and staff at an unacceptable level of avoidable risk, creating an increased risk of future virus transmission and mutation.

Absence of safeguarding measures to protect vulnerable people

Many refugees and asylum seekers who arrive to the UK may have experienced violence and associated trauma during their journey to the UK or in their country. Accommodating people with these experiences in military camps is inappropriate and risks triggering trauma responses and re-traumatisation, leading to the deterioration of an individual's mental health and well-being. People with experience of torture and detention have reported feeling re-traumatised after being placed in army barracks.²⁹

Amendments to the Nationality and Borders Bill which would have ensured more vulnerable individuals, such as children, women, individuals with a disability, survivors of torture, LGBTQ+ and others are not accommodated in reception centres were rejected, meaning the Act does not contain any safeguards to ensure vulnerable people are not accommodated in reception centres.

The Government has indicated there are no current plans to place children in accommodation centres but has not ruled out accommodating children in this type of setting³⁰ and the Government has not provided information on how individuals will be assessed for vulnerability before going into reception centres, safeguarding measures to identify and protect children and vulnerable adults or a process to appeal decisions to accommodate an individual in a reception centre.

The current use of Napier Barracks as an accommodation centre demonstrates how poor processes for screening and safeguarding result in vulnerable individuals being placed in these inappropriate settings. Everyone entering Napier Barracks is screened to ensure the 'most vulnerable' people are not accommodated in the barracks, however DOTW UK data revealed that 70% of Napier Barracks residents accessing DOTW UK's services disclosed an experience of violence in their home or transit country, and 38% had applied for asylum because of an experience of violence. The High Court has found the Home Secretary's decision to place vulnerable asylum seekers in Napier Barracks unlawful as the site failed to meet the minimum standards for reception of asylum seekers and because of the flawed and unlawful process of conducting suitability assessments.³¹

Accommodation centres and forced expulsion from the UK

Whilst the proposed reception centres would provide basic accommodation, one purpose of the centres is to facilitate the monitoring of residents and removal of people with unsuccessful claims from the UK.³² The All-Party Parliamentary Group on Immigration Detention has described this type of accommodation as 'quasi-detention' because it shares "many of the features found in detained settings – including visible security measures, surveillance, shared living quarters, reduced levels of privacy and access to healthcare, legal advice and means of communication, and isolation from the wider community."³³

There are concerns that reception centres are intended to act as pre-removal detention settings and play a part in the UK Government's plans to expel people seeking asylum to a third country. Government proposals to open a reception centre for over 500 people at a former military site in Linton on Ouse included provision to detain 10% of residents³⁴ and the Prime Minister described the reception centre as a "pivotal" part of the New Plan for Immigration and the deal to expel asylum seekers to Rwanda.³⁵

The UNHCR described this expulsion plan as unlawful and in breach of international refugee law.³⁶ Many concerns were raised by the medical community regarding the mental well-being and security

of people who could be offshored to Rwanda. For more information on the health implications of the Rwanda plan, see [Médecins Sans Frontière, 'Briefing Paper: The physical and mental health harms of forced removal and detention based on experience on Nauru Island', June 2022.](#)

Recommendations:

- Repeal Clause 11 of the Nationality and Borders Act and instead support the development of a single, fair, humane and effective refugee system, in keeping with our obligations under international humanitarian and human rights law.
- End the policy to expel people seeking asylum to Rwanda, or anywhere else outside of the UK.
- End the use of large scale facilities, including military sites, to accommodate asylum seekers
- Introduce a centrally funded system that houses asylum seekers in multiple communities across the country and enables meaningful access to local health services.

¹ [The New Plan for Immigration: Government Response](#) (2021)

² [Nationality and Borders Bill](#) (2021)

³ [Apply for a visa under the Ukraine Sponsorship Scheme \(Homes for Ukraine\)](#) (2022)

⁴ Afghan nationals who have worked for or alongside the UK government and meet the Afghan Relocations and Assistance Policy criteria, who assisted the UK efforts in Afghanistan and vulnerable people. See: [Afghan citizens resettlement scheme](#) (2021)

⁵ [British National \(Overseas\) visa](#)

⁶ [Memorandum of Understanding between the government of the United Kingdom of Great Britain and Northern Ireland and the government of the Republic of Rwanda for the provision of an asylum partnership arrangement](#) (2022)

⁷ UNHCR, [Observations on the Nationality and Borders Bill, Bill 141, 2021-22](#) (2021)

⁸ BMA, [Nationality and Borders Bill, Consideration of Amendments](#) (2022)

⁹ RCN, [RCN expresses concern over Nationality and Borders Bill as it progresses through parliament](#), (2022)

¹⁰ [The New Plan for Immigration, Home Office consultation](#) (2021)

¹¹ [Home Office letter re: Extension of Home Office's tenure of the Napier Barracks](#) (2021)

¹² ['Accommodation Centres' Early Engagement procurement](#) GOV.UK

¹³ [Joint letter on the use of MoD sites as accommodation](#) (2020)

¹⁴ BBC, [Napier Barracks: Housing migrants at barracks unlawful, court rules](#) (2022)

¹⁵ 'Poor health, no wealth, no home: a case study of destitution' British Red Cross, 2015; Sophie Haroon, The Health Care Needs of Asylum Seekers, Faculty of Public Health, Briefing Statement, May 2008; Megan Waugh, The mothers in Exile project, 'Women Asylum Seekers' and Refugees' Experiences of Pregnancy and Childbirth in Leeds, Women's Health Matters, March 2010.

¹⁶ Sophie Haroon, The Health Care Needs of Asylum Seekers', Faculty of Public Health, Briefing Statement (2008)

¹⁷ British Red Cross, [Poor health, no wealth, no home: a case study of destitution](#) (2015)

¹⁸ British Red Cross, [Can't stay. Can't go. Refused asylum seekers who cannot be returned](#) (2017); Peter J Aspinall, [Hidden Needs. Identifying Key Vulnerable Groups in Data Collections: Vulnerable Migrants, Gypsies and Travellers, Homeless People, and Sex Workers](#) (2014)

¹⁹ Maternity Action and Refugee Council, [When maternity Doesn't matter: dispersing pregnant women seeking asylum](#) (2013)

²⁰ Written evidence submitted to Home Affairs Committee by Doctors of the World UK, the Helen Bamber Foundation, Forrest Medico-Legal Services and Freedom from Torture, available at <https://committees.parliament.uk/writtenevidence/22982/html/>

²¹ Doctors of the World UK, [They Just Left Me: Asylum seekers, health, and access to healthcare in initial and contingency accommodation](#) (2021)

²² Refugee Council, [Lives on Hold: The Experiences of People in Hotel Asylum Accommodation](#) (2022)

²³ Asylum Matters, [In a place like prison: voices from institutional asylum accommodation](#) (2021)

²⁴ Home Affairs Committee, [Oral evidence session on the work of the Home Secretary HC 561](#) (2021)

²⁵ Independent, [Covid outbreak at controversial camp housing hundreds of asylum seekers'](#) (2021)

²⁶ Independent, [Home Office ignored public health warnings when placing asylum seekers in non-COVID compliant barracks, documents reveal](#) (2021)

²⁷ Independent Chief Inspector of Borders and Immigration, ['An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks'](#) (2021)

²⁸ [Napier Barracks Approved Judgement CO/312/329/354/397 & 402/2021](#)

²⁹ Asylum Matters, [In a place like prison: voices from institutional asylum accommodation](#) (2021)

³⁰ [House of Lords Deb, 3 February 2022, c1038](#)

³¹ [High Court Finds Decision to House Asylum Seekers At Military Barracks Unlawful](#), (2021); [High Court Finds Decision to House Asylum Seekers At Military Barracks Unlawful](#) (2021)

³² [The New Plan for Immigration: Government Response](#), (2021)

³³ APPG on Immigration Detention, [Report of the Inquiry into Quasi-Detention](#) (2021)

³⁴ The first version of the UK Government's 'Factsheet: Linton-on-Ouse Asylum Accommodation' included provision to detain 10% of residents, this detail has subsequently been removed. See: Linton on Ouse Action Group, Welfare Briefing - Proposal for Linton Asylum Reception Centre'

³⁵ The Yorkshire Post, [Linton on Ouse asylum seeker processing centre 'pivotal for Rwanda plan,' Boris Johnson says](#) (2022)

³⁶ UNHCR, [UN Refugee Agency opposes UK plan to export asylum](#), (2022)