Refugee Council

Briefing

The impact of the New Plan for Immigration Proposals on asylum - June 2021

Introduction

The Home Office is currently consulting on its New Plan for Immigration[1], with the consultation closing on 6 May 2021. The plan proposes sweeping changes to the way the UK fulfils its international obligation to those seeking asylum, most notably by proposing differential treatment according to the way a refugee arrived in the UK.

The policy document outlining the New Plan for Immigration covers a wide range of proposals, which will undoubtedly have a wide-ranging and significant impact on the lives of people seeking protection. The policy detail attached to many of the proposals is lacking, making it very difficult to assess the potential impact of the new proposals. The government has not published any form of impact analysis or assessment to accompany the plan.

The proposals in the New Plan for Immigration essentially create a two-tier asylum system in the UK, with applicants treated differently depending on whether they entered the UK via a regular or irregular route. The proposals also seek to afford completely different rights and entitlements to people recognised as being in need of protection depending on their route of entry to the UK.

Given the lack of any published assessment, we have made some baseline estimates as to the number of people likely to be impacted by some of the key asylum related proposals.

This briefing seeks to provide an initial 'top line' analysis of the potential impact of some of the most concerning proposals on asylum: those relating to the inadmissibility of asylum cases, the use of reception centres to accommodate people whose asylum claims have been deemed as inadmissible, and the consequences of a new form of Temporary Protection Status for refugees whose claims were deemed inadmissible but have been determined in the UK. In addition, the briefing also looks at the potential increase in the number of people who would be subject to 'no recourse to public funds (NRPF)' [2]as a result of the proposals outlined in the New Plan for Immigration.

The methodology and explanation on assumption and calculations is set out in Appendix A and B. It explains that an upper estimate of the number of people impacted is based on data set out in the New Immigration Plan and the lower estimate is based on published Home Office data from 2020 when the Dublin Regulation was in place.

In summary:

- We estimate that the proposals to treat asylum cases who arrive irregularly as **inadmissible** would impact between **9,000 - 21,600 people**
- Between **5,900 people and 14,200** would potentially be **accommodated in reception centres**

[1] New Plan for Immigration https://www.gov.uk/government/consultations/new-plan-for-immigration

[2] Certain benefits are classed as 'public funds' for immigration purposes and cannot be claimed by a person who is subject to the 'no recourse to public funds' (NRPF) condition, unless an exception applies.

- The proposal to introduce the new **Temporary Protection Status** would affect an estimated **3,900 to 9,200 people**
- We estimate that between **1,300 people and 3,100** people per year could subject to **NRPF restrictions** upon receiving a grant of temporary protection
- Between **1,500 people and 3,500 people** (90% of whom would be women and children) could no longer be able to access **family reunion** as a safe and legal route to reunite with their family member in the UK
- An estimated **1,200 children** each year, who are part of a family unit who have become Appeal Rights Exhausted and would no longer be eligible for **asylum support**.

How many people are likely to have their asylum case deemed inadmissible?

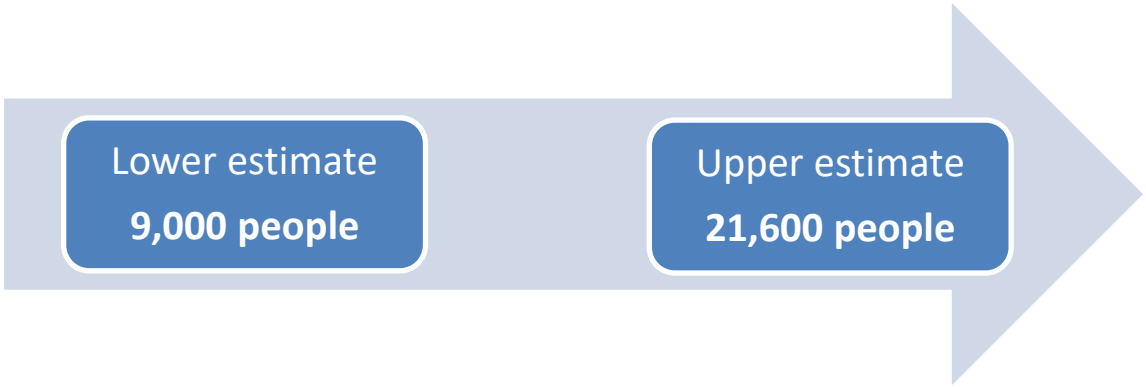
Since 31 December 2020, a new Immigration Rule[3] has been in place that means the UK Government can class someone's asylum claim as inadmissible if they have travelled through, or have a connection to, what is deemed a third safe country.[i] The new rules also give the Home Office the power to remove people seeking asylum to a safe country that agrees to receive them, even if they have never been there or have any connections to it. The New Immigration Plan seeks to move the existing inadmissibility rules into primary legislation.

Under this rule, if someone has not been removed from the UK 'within a reasonable period of time' (guidance advises that in practical terms this means six months), their asylum claim can then be heard in the UK. At present, the UK has no bilateral removal agreements with other countries, so the only outcome is to add six months to the asylum process, increasing the waiting time for individuals and the record-high backlog of people awaiting an initial decision on their case for more than six months which currently stands at 50,084 (as of the end of March 2021).

The figures below provide an upper and lower estimate based on the two methodologies set out in Appendix A. The estimates are based on the assumption that the annual number of asylum applications made in the UK will remain static, in line with the average number of applications made each year during the period 2015-2020 where the main applicant was an adult (i.e. 28,000 applications, relating to approx. 36,000 people). Asylum claims made by unaccompanied children are not included as the current inadmissibility rules are not applied to these cases.

In May 2021, the Home Office published the first data set relating to inadmissibility covering the period Jan-March 2021. This data shows that 1,503 people were issued with a 'notice of intent' letter, informing them that the Home Office are considering whether or not to deem their case as inadmissible (effectively the first step in the inadmissibility process whereby the government will seek to return someone to a third country rather than assess their asylum claim in the UK). Given the published data covers a limited three month period, we have not used this in our analysis, but recognise that going forward, it will provide a useful indicator of the number of people subject to the inadmissibility process.

Using the methodology set out in Appendix A, our estimate below shows that **between 9,000 people and 21,600 people seeking asylum (including dependents) would potentially have their asylum claim deemed as inadmissible each year**.

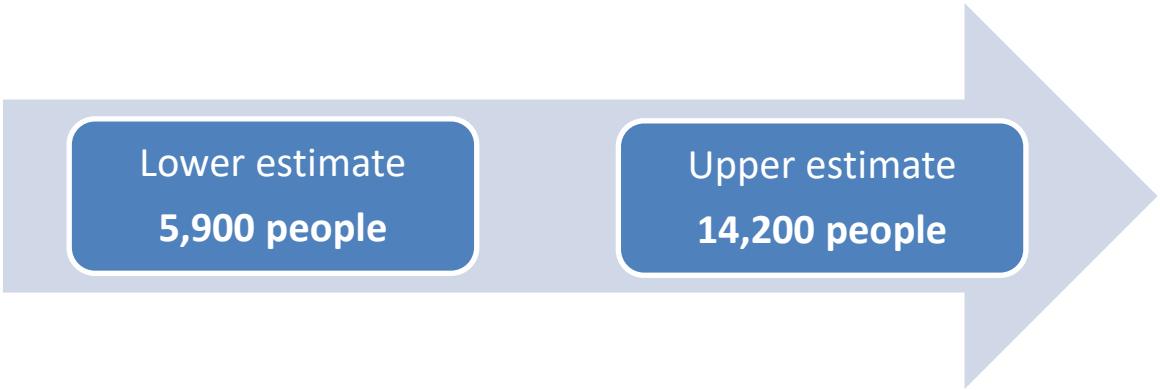


[3] https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-1043-10-december-2020

How many people are likely to be accommodated in reception centres?

As part of the proposals around inadmissibility, the Government's plan includes creating new 'reception centres' to hold those who have inadmissible claims. Whilst the proposals do not make it clear, an assumption has been made that the government will continue to allow people seeking asylum who have assets in the UK and/or friends/relatives to support them to continue to do so, and that reception centres will only be used to accommodate people who apply for asylum support. Historically the percentage of asylum applicants who apply for asylum support has been around 50%, though over recent years this has risen with the figure for 2020 being 66%. For the purposes of our calculation, we have assumed that going forward, this percentage will remain static, and that 66% of inadmissible cases are likely to apply for asylum support.

We estimate that between 5,900 people and 14,200 would potentially be accommodated in reception centres based on the stated intention to accommodate inadmissible cases in reception centres but these figures could be even higher if reception centres are not only used for people who apply asylum support.



How many people are likely to be granted the new Temporary Protection Status?

The New Plan for Immigration includes a proposal to further undermine the ability of those who arrive irregularly in the UK to claim asylum, meaning people who have travelled through a 'safe third country' will receive a new 'temporary protection status' if they cannot be removed from the UK when their claim is found to be inadmissible.

If it is assumed that the number of protection grants made each year will be in line with the average for the last six years, then we can apply the two methodologies set out in Appendix A to this average number of protection grants to calculate how many people are likely to be granted the new Temporary Protection Status.

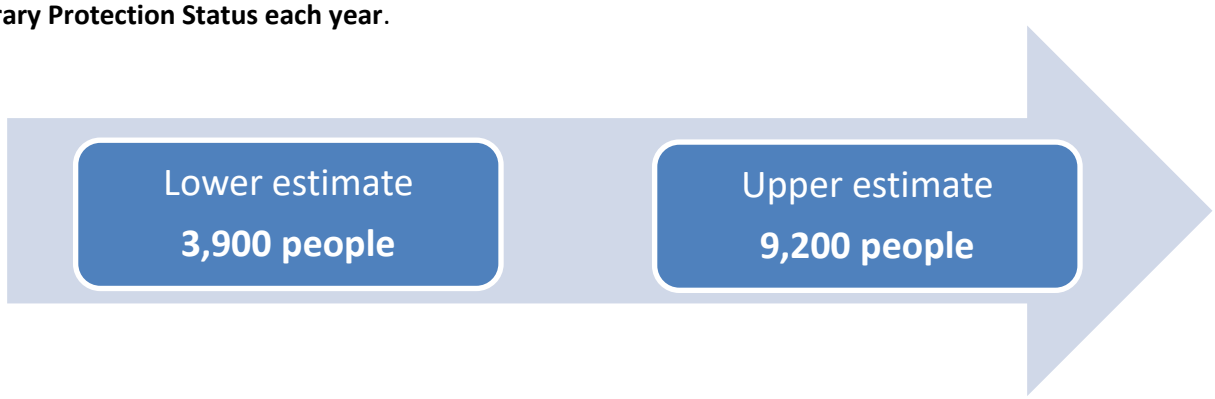
It should be noted that the government aims to return people who have had their asylum claim deemed inadmissible to a 'safe third country', though in order to do this, the UK government would have to develop separate returns agreements with each individual third country. Given no such returns agreements currently exist, it is not possible to estimate how many inadmissible cases will actually be returned in practice. Hence for the purpose of this briefing it is assumed that all cases classed as inadmissible will go on to enter the asylum system after the 6 month long stop. The average number of protection grants over the last 6 years (at initial decision, appeal stage and through further submissions[4]) stands at 15,400. The calculation assumes that these will remain static going forward, and that there will be no difference in the grant rate for inadmissible cases.

The Home Office has indicated that applicants who arrived directly on plane with a valid visa who then go on to claim asylum after their visa has expired will also be given temporary protection status, despite the fact that they may not have travelled through a safe third country. There is no published data on the number of people who apply for asylum

[4] FOI request on number of Further Submission grants
https://www.whatdotheyknow.com/request/714632/response/1765901/attach/3/FOI%2061836.pdf?cookie_passthrough=1

after entering the UK on a visa, making it difficult to extract how many people could be impacted by this particular proposal from our estimates. However it is likely to not be an insignificant number.

It is estimated that between 3,900 people and 9,200 people would potentially be granted the new form of Temporary Protection Status each year.



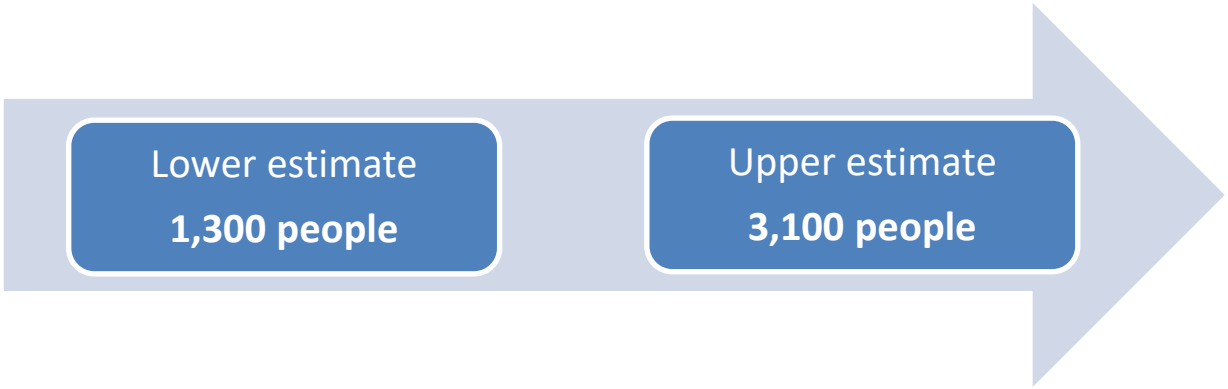
How many people with the new Temporary Protection Status are likely to have No recourse to public funds (NRPF)?

The government's New Plan for Immigration does not provide any level of detail as to what considerations will be taken into account when assessing whether a grant of temporary protection would ordinarily be granted with 'no recourse to public funds (NRPF)'.

It is reasonable to expect that a person seeking asylum who is in receipt of asylum support at the point that they are granted status would not be issued with temporary protection that includes NRPF, as they would have already met the destitution test in order to be in receipt of asylum support. However, further clarification is required in order to confirm whether this would indeed be the case in practice. For the purposes of our calculations, we are working on the assumption that people in receipt of asylum support would not be subject to NRPF restrictions upon receiving a grant of temporary protection.

Following on from the above, the cohort of people most likely to receive a grant of temporary protection with NRPF are those have not entered the asylum support system either because they have been able to support themselves whilst their claim was being processed or those who have been supported by friends or family. By comparing the number of asylum applications in 2020 with the number of asylum support applications, we calculate that 34% of asylum applicants did not apply for asylum support. For the purposes of this calculation, we are applying this figure to our estimate of the total number of Temporary Protection Grants.

We estimate that between 1,300 people and 3,100 people per year could subject to NRPF restrictions upon receiving a grant of temporary protection, but these figures could be much higher if people in receipt of asylum support are subject to NRPF restrictions upon receiving a grant of temporary protection.



How many people would not be able to access family reunion to join their family member in the UK?

The Government notes that 29,000 people arrived in the UK via refugee family reunion in the five year period 2015-2019. Home Office statistics show that 90% of family reunion visas are granted to women and children. The number of people arriving via family reunion is higher than those arriving in the UK under resettlement schemes in the same period, making family reunion the most utilised existing safe and legal route and the only route for the purposes of family reunification.

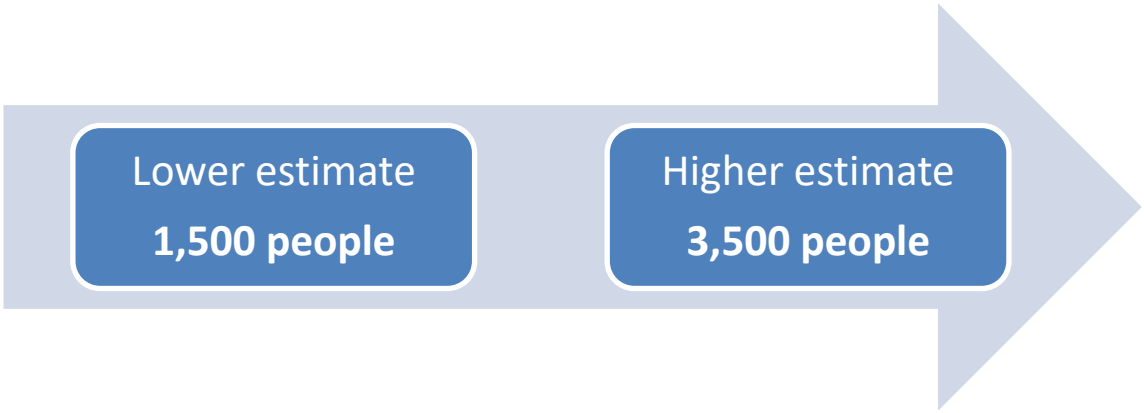
The New Plan for Immigration seeks to restrict family reunion rights for people who are granted the new status of Temporary Protection. It is not clear what the 'restriction' would mean in practice, but it is reasonable to assume that given the Temporary Protection Status will be limited to a maximum of 30 months and subject to continual renewal, it is unlikely that Temporary Protection will come with any rights to family reunion other than those that arise under Article 8 of the Human Rights Act 1998. At the time of writing, applications based on Article 8 grounds can only be granted 'outside of the rules' and only in exceptional circumstances. For the purposes of this analysis, we have looked at two possible scenarios, the first where article 8 applications for people with Temporary Protection would remain outside of the rules, and the other looking at a scenario whereby the rules are amended to allow Article 8 applications for people with Temporary Protection to be made within the rules.

Scenario 1: Applications on Article 8 grounds remain outside the rules

The figure of 29,000 people arriving via refugee family reunion quoted in the government's plan equates to an average of 5,800 people arriving each year. If the two methodologies set out in Appendix A are applied to this annual average, it is possible to estimate the number of people who would no longer be able to access family reunion as a result of their family member being granted the new form of Temporary Protection Status with restricted family reunion rights (i.e. Article 8 applications outside of the rules). We have assumed that under this scenario applications made on article 8 grounds outside of the rules would be unlikely to succeed given the existing Home Office guidance states that:

"Entry clearance or a grant of leave outside the Immigration Rules is likely to be appropriate only rarely and consideration should be given to interviewing both the applicant and sponsor where further information is needed to make an informed decision".

We estimate that between 1,500 people and 3,500 people would be prevented from successfully accessing family reunion each year, who would ordinarily have been able to do so had their family member received Refugee Status or Humanitarian Protection under the current asylum system.



If these plans are implemented under scenario 1, the number of family reunion visas issued would be expected to decrease substantially as the plans seek to discourage people from making irregular journeys for the purposes of claiming asylum, and anyone receiving the new temporary protection status will have restricted family reunion rights.

This risks leaving family members of refugees with little choice but to embark on dangerous journeys in order to be reunited with their family members in the UK.

One of the stated aims of the New Plan for Immigration is to strengthen safe and legal routes and to decrease the number of dangerous journeys undertaken by people attempting to enter the UK. It is clear from our calculations that by introducing the new Temporary Protection Status with restricted family reunion rights, the outcome would be a reduction in the number of people who are eligible for the most utilised existing safe and legal route, and as a consequence, an almost certain increase in the number of dangerous journeys, a direct contradiction of the governments stated aims.

Scenario 2: Existing rules are amended to allow applications based on Article 8 grounds within the rules

Whilst the New Plan for Immigration document is not clear on what restrictions people with Temporary Protection Status will have with regard to their family reunion rights, it is reasonable to assume that they will have rights under Article 8 of the Human Rights Act 1998. One possible scenario could see the existing rules amended to allow people with Temporary Protection to apply for family reunion under Article 8 grounds within the rules.

This would ensure that the number of family members identified in scenario 1 (1,500-3,500 people) would then have access to family reunion rather than being largely excluded (under scenario 1). However, as the rules currently stand, these family members would have a 'no recourse to public funds' condition attached to their visa. It is possible (and arguably reasonable to assume) that if the Home Office were to amend the rules to allow Article 8 applications within the rules, then they would grant the visa without a NRPF condition.

How many children are likely to be at risk of homelessness and destitution as a result of implementing the provisions of the Immigration Act 2016?

The New Plan for Immigration includes a proposal to consult with Local Authority partners and stakeholders on implementing the provisions contained within the Immigration Act 2016 to remove support from failed asylum-seekers who have no right to remain in the UK. There are a number of provisions within the 2016 Act[5], which would change the eligibility for both asylum support and local authority support for some groups of people. This includes two very controversial provisions. The first is to remove Section 95 support for refused asylum seeking families who had children born before they became appeal rights exhausted (ARE).

The second is a provision contained within the 2016 Act to remove local authority support for care leavers who reach 18 years old and become appeal rights exhausted (ARE). For the purposes of this briefing, we have provided an estimate as to the number of children that would potentially be impacted by the provision to remove asylum support for families who have become appeal rights exhausted (ARE). We have not provided an estimate as to the number of care leavers who become ARE as there is a lack of published data from which to base any calculations.

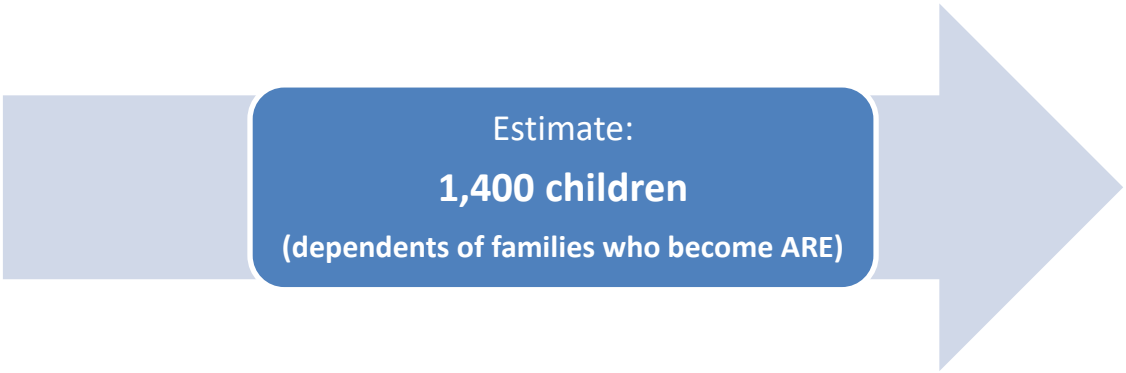
Currently families who were in receipt of Section 95 at the point that they become ARE and who have a child that was born prior to becoming ARE continue to receive section 95 support until the child reaches the age of 18. Implementing the provisions in the 2016 Act would effectively end this safety net. In England, this would be replaced by a local authority administered support ('para 10A support'). In Wales, Scotland and Northern Ireland local authorities might have a duty under the existing social care provisions for children.

Over the last six years (2015-2020) an average of 3,200 children who were listed as dependents as part of an asylum application were refused at initial decision stage. Analysis of Home Office data which looks at the final outcome of asylum cases shows that over the five year period 2015-2019 on average 76% of cases refused each year went on to lodge an appeal. Of the appeals that were determined, an average of 56% resulted in the appeal being dismissed. We have applied these two percentages to our baseline figure of 3,200 children to estimate the number of children listed as a dependent in an asylum claim who would go on to have their appeal dismissed.

[5] ASAP Briefing March 2017 http://www.asaproject.org/uploads/Immigration_Act_-_Summary_of_changes.pdf

Using this methodology, we estimate that 1,400 children would be part of a family unit that becomes appeal rights exhausted each year and therefore be at high risk of homelessness or destitution.

The cost of supporting these children and their families would fall on local authorities. We expect that if the 2016 Act provisions were implemented then they would only apply to families who become ARE after the date the law comes into place (i.e. they would not be applied retrospectively); though the costs would be significantly higher if the provisions were applied retrospectively.



Conclusion

The absence of any official impact analysis published by the government makes it difficult to determine the full impact of the proposals outlined in the New Immigration Plan. Using the two methodologies set out in Appendix A provides a clear indication of the potential scale of the number of people impacted, though without further detail on how the government expect the proposals will work in practice, it is difficult to make a definitive calculation.

We estimate that the proposals to treat asylum cases who arrive irregularly as **inadmissible** would impact between **9,000-21,600 people**, resulting in increased uncertainty and anxiety as to whether they are likely to be removed to a third country or have their claims heard in the UK. This briefing does not include an analysis of the impact of individuals going through the process, but it is clear that the proposals are likely to be damaging to the mental wellbeing of people seeking asylum.

The proposal to introduce the new **Temporary Protection Status** would affect an estimated **3,900 to 9,200 people**, leaving them with uncertainty over their long-term future and living in situations of prolonged separation from family members who would ordinarily have been able to join them in the UK via family reunion. The fact that the temporary status will only be granted with leave for up to 30 months risks damaging the integration and employment outcomes of this group.

One of the stated aims of the New Plan for Immigration is to strengthen the safe and legal ways in which people can enter the UK. It is of great concern that one of the consequences of granting people the new form of Temporary Protection Status would effectively mean between **1,500 people and 3,500 people** (90% of whom would be women and children) would no longer be able to access **family reunion** as a safe and legal route to reunite with their family member in the UK. Not only does this undermine the stated aim of strengthening safe routes, it also undermines the government's aim to reduce the number of irregular journeys, as this group of people would be left with little choice but to consider making a dangerous journey in order to reunite with the family member in the UK. This contradicts the governments stated aim of strengthening safe and legal routes and reducing the number of dangerous journeys to the UK. The government need to urgently confirm the rights people with Temporary Protection Status will have and whether these rights will be within the Immigration Rules.

The proposal to implement the **provisions contained in the 2016 Act** would impact an estimated **1,200 children** each year, who are part of a family unit who have become appeal rights exhausted (ARE) and would no longer be eligible

for asylum support putting them at great risk of homelessness and destitution. The 2016 Act provisions would also affect an unknown number of vulnerable young people who are care leavers, become ARE and would no longer be eligible for local authority support. These young people would be left in a very precarious and potentially unsafe situation.

In addition to the estimates used in this briefing, the proposals are likely to introduce significant additional costs to the Home Office, as people whose cases are deemed inadmissible are likely to be accommodated in reception centres for up to 6 months before their claims are processed. This risks increasing the already significant backlog of asylum cases, and does nothing to address the current backlog of people awaiting an initial decision for more than 6 months, which are currently at a record high at

The proposals will also introduce additional costs to local authorities in respect of their duties to support families who have become appeal rights exhausted who will no longer be able to remain on asylum support.

Whilst this briefing attempts to estimate the number of people who could be impacted by the asylum related proposals contained within the New Immigration Plan, it should be noted that making an accurate definitive analysis is difficult given the lack of evidential data within the plan and the lack of any form of published impact analysis or assessment.

Appendix A: Methodology

The New Immigration Plan does not include an impact analysis based on official figures or assessment as to the number of people likely to be impacted by each of the proposals. As such, it is unclear as to what percentage of asylum claims are likely to be deemed inadmissible under the new proposals. Despite this, it is possible to apply existing Home Office data to some of the proposals to provide an estimate as to how many people would be affected. In order to do this, we have chosen to use two separate methodologies; one based on an assumption reference in the plan itself and the other based on published Home Office data.

The first method uses a figure referenced in the New Immigration Plan which states the following '*For the year ending September 2019, more than 60% of those claims were from people who are thought to have entered the UK illegally, many of whom passed through safe European countries before making unnecessary and dangerous journeys – including by small boat – to reach the UK.'* Unfortunately, this statement is from a set of unpublished Home Office Internal Management Information and it is not clear how the 60% figure has been calculated, though it has been clearly used in the document to justify the proposals on inadmissibility. We understand that this figure includes people who arrive irregularly and go on to claim asylum, as well as people who arrived with a valid visa who go on to claim asylum after the visa has expired. Given it is the only figure used in the New Immigration Plan to justify the inadmissibility proposals, it is reasonable to use it as a baseline for our calculations. We have used the 60% figure to calculate an **upper estimate** of the number of people impacted.

The second method uses published Home Office data on the number of 'transfer requests out of the UK' made in 2020 under the Dublin Regulation. This data serves as an useful indicator as to the number of asylum claims that could be deemed inadmissible going forward, as it has been stated that the UK government is seeking agreements with states that are signatories to the Dublin Regulation and the Home Office's inadmissibility guidance advises that 'The safe countries most likely to be identified in asylum claims will be the UK's near neighbours in the EU'. The key exception to this is that the UK will no longer have access to the Eurodac database to confirm whether an applicant had previously been fingerprinted elsewhere in Europe. Despite the Eurodac issue, we have used the Dublin data to provide a secondary, **lower estimate**, giving us a range between the two separate methodologies.

In this briefing, we apply both methodologies to existing Home Office data to provide an upper and lower estimate as to the number of people impacted by some of the key asylum related proposals.

This briefing does not include a calculation as to the number of people who would be potentially impacted by the proposal to increase the standard of proof to meet the 'well-founded fear of persecution test', as it is not possible to say without detail of what a new test would look like and whether or not it is compatible with international law. It should be noted that the obvious impact would be to reduce the number of people recognised as refugees in the UK.

The calculations in regard to the impact of the provisions contained in the Immigration Act 2016, are based on a separate methodology using the number of children who are listed as a dependent on an asylum claim where the case has been refused at initial decision stage as the baseline figure. We then apply the average percentage of cases that go on to lodge an appeal and then a further average percentage of appeals that result in the appeal being dismissed.

Note: Note: On the 27th May 2021, the Home Office published the first set of inadmissibility data covering the period January-March 2021. The published data shows that 1,503 people were issued with a 'notice of intent' letter, informing them that the Home Office are considering whether or not to deem their case as inadmissible (effectively the first step in the inadmissibility process). Given the published data covers a limited three month period, we have not used this in our analysis, but recognise that going forward, it will provide a useful indicator of the number of people subject to the inadmissibility process.

Appendix B – Detailed calculations and assumptions

Note on Methodology:

Methodology 1 (Upper estimate) – Uses the figure used on page 18 of the New Plan for Immigration as a baseline from which to estimate the percentage of cases that could be deemed as inadmissible. Page 18 of the plan states the following ''*For the year ending September 2019, more than 60% of those claims were from people who are thought to have entered the UK illegally, many of whom passed through safe European countries before making unnecessary and dangerous journeys – including by small boat – to reach the UK'.* We understand that this figure includes people who arrive irregularly and go on to claim asylum, as well as people who arrived with a valid visa who go on to claim asylum after the visa has expired.

Methodology 2 (Lower estimate) – Compares the number of asylum applications made in 2020 with the number of Dublin transfer requests out of the UK in 2020. This provides useful baseline to estimate the number of cases that could be deemed as inadmissible going forward. It should be noted that not all transfer requests made in 2020 relate to applications made in 2020, and that going forward the UK will not have access to the Eurodac database which could impact on the numbers of cases deemed inadmissible. However, given these caveats, the Dublin data is the only published data available for us to use in these calculations.

All figures used in the body of the briefing have been rounded up or down to the nearest hundred.

1. **Estimate of the number of asylum applicants deemed inadmissible per year**

	Cases	**People**
Average number of annual asylum application 2015-2020 (where the main applicant is an adult)	27,776	35,958
Estimate of no. people deemed inadmissible using method 1 (60% of cases inadmissible) – Upper estimate	16,666	**21,575**
Estimate of no. people deemed inadmissible using method 2 (25% of cases inadmissible) – Lower estimate	6,944	**8,990**
Notes/assumptions: - This calculation is based on the assumption that the number of asylum applications will remain static, at around 31,000 cases, or 39,000 people (the average for the six-year period 2015-2020).		

2. **Estimate of the annual number of people entering reception centres**

	People
Estimate of no. people entering reception centres using method 1 (60% of cases inadmissible) – upper estimate	**14,240**
Estimate of no. people entering reception centres using method 2 (25% of cases inadmissible) – lower estimate	**5,933**
Notes/assumptions: - The above calculation is based on the assumption that 66% of the inadmissible asylum applicants will apply for S95 support. - The figure of 66% is taken from comparing the number of asylum applications in 2020 with the number of applications for S95 support in 2020.	

3. Estimate of the number of people granted Temporary Protection Status annually

	Cases	People
Average No. of protection grants 2015-2020 (Refugee Status & HP) at Initial decision stage (excluding UASC cases)	6,578	8,910
Average No. of appeals allowed 2015-2020	4,000	4,000
Average No. of Further Submission grants 2015-2020	Unknown	2,500
Total average number of protection grants	10,578	15,410
Estimate of no. of Temporary Protection Grants using method 1 (60% of cases inadmissible)	6,347	**9,246**
Estimate of no. of Temporary Protection Grants using method 2 (25% of cases inadmissible)	2,645	**3,853**

Notes/assumptions:

- This estimate assumes the number of annual grants will remain in line with average over the last six years and that the grant rate for admissible and inadmissible cases will be the same.
- Assumption that the number of grants made following a further submission will remain in line with the average over the last six years (as be definition further subs need to include new evidence that has not previously been considered in order to be successful).
- The published data for the number of appeals allowed reflects the number of appeal cases, not the total number of people granted status as a result of an allowed appeal.
- This estimate does not take into account the number of people who potentially would have their asylum claim deemed inadmissible and are then returned to a safe third country within 6 months. This is because no such returns agreements currently exist.

4. Estimate of the number of people granted Temporary Protection Status with NRPF restrictions

	Cases	People
Estimate of no. of people with Temp Protection Grant with NRPF (60% of cases inadmissible)	2,158	**3,144**
Estimate of no. of people with Temp Protection Grant with NRPF (25% of cases inadmissible)	899	**1,310**

Notes/assumptions:

- The above calculation is based on the assumption that 34% of asylum applicants do not apply for asylum support
- The figure of 34% is taken from comparing the number of asylum applications in 2020 with the number of applications for S95 support in 2020.

5. Estimate of the number of people would no longer be able to access family reunion to join their family member in the UK.

	People
Average number of people who arrived via family reunion each year from 2015-2019	5,800

Estimate of no. of people no longer able to access family reunion (60% of asylum cases inadmissible)	**3,500**
Estimate of no. of people no longer able to access family reunion (25% of asylum cases inadmissible)	**1,500**

Notes/assumptions:

- Assumption that the restriction on family reunion rights applied to people who are granted temporary protection will in practice mean 'no family reunion' rights.
- Assumption that the percentage of asylum claims deemed inadmissible would mean that the same percentage of people who would ordinarily have arrived under family reunion would no longer be eligible.

6. Estimate of the number of children refused at initial decision stage who are listed as a dependent to a main applicant and who are under 18 years of age

	Cases	**People**
Average number of people refused at initial decision stage who were listed as a dependent and were under 18 years of age (2015-2020)	Unknown	3,200
Average number of appeals lodged (2015-2019)	5,769	Unknown
Average number of appeals determined (2015-2019)	8,895	Unknown
Average number of appeals dismissed (2015-2019)	5,012	Unknown
Average percentage of cases refused at initial decision that go on to lodge an appeal (2015-2019)	76%	
Average percentage of appeals determined that result in a dismissal of the appeal (2015-2019)	56%	
Estimate of the number of children listed as a dependent who are refused at initial decision stage and then go on to have their appeal dismissed 76% of 3,200 = 2,432 – estimate of the number of children in cases that go on to lodge an appeal 56% of 2,432 = 1,361 – estimate of the number of children in cases where the appeal is dismissed.		**1,361**

Notes/assumptions:

- Assumption that the average number of people refused at initial decision and appeal stage will remain static with the five-year average going forward.
- Assumption that the number of asylum cases where a dependent is under 18 remains static with the five-year average 2015-2020 going forward.
- Assumption that the percentage of cases refused at initial decision who go on to lodge an appeal remains in line with the five year average going forward.
- Assumption that the number of appeals determined and the percentage of appeals determined that result in a dismissal of the appeal remains in line with the five-year average going forward.