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Iain Stewart MP
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Dear Iain,

Thank you for your email of 1 April to the Department for Work and Pensions on behalf of a number of your constituents, about asylum seekers' right to work. Your email has been forwarded to the Home Office and I am replying as the Minister for Justice and Tackling Illegal Migration.

Asylum seekers are allowed to work in the UK if their claim has been outstanding for twelve months or more, through no fault of their own. Those permitted to work are restricted to jobs on the Shortage Occupation List (SOL), which is based on expert advice from the independent Migration Advisory Committee (MAC).

It is important our policy approach distinguishes between those who need protection and those seeking to work here, who can apply for a work visa under the immigration rules. Our wider economic migration policy schemes could be seriously undermined if migrants were able to simply bypass work visa rules by lodging unfounded asylum claims in the UK, then shortly afterwards getting the right to work as a result.

In addition, unrestricted access to employment could act as an incentive for more migrants to choose to come here illegally, with many making dangerous journeys across the Channel and further supporting the business model of the evil people smugglers, rather than claiming asylum in the first safe country they reach - which is undoubtedly the fastest route to safety.

Asylum seekers are provided with accommodation and support to meet their essential living needs if they would otherwise be destitute whilst their claim is considered.

In addition, we encourage asylum seekers to undertake volunteering activities, so long as it does not amount to unpaid work. Volunteering provides a valuable contribution to their local community and may help them to integrate into society if they ultimately qualify for protection.

Those granted refugee status or humanitarian protection, including those who are resettled to the UK, have immediate and unrestricted access to the labour market.

With respect to the argument about the benefit to integration prospects by relaxing asylum seeker right to work policy, I would note not all of those who seek asylum are found to need international protection. Rather than invest in integration for those who may not

qualify for international protection, this Government's priority is to focus our efforts and resources on supporting those who most need it.

The Government continues to support industries affected by shortages of labour by solving this issue through making these roles more attractive to UK workers and those arriving in the UK with more general rights to work, with better pay and working conditions. It is worth noting the schemes we have put in place for Afghans and Ukrainians coming to the UK will enable them to seek work on arrival, recognising they have come to our country legally through a safe and legal route; an important distinction.

Regarding the calculations from Lift the Ban's report into our policy, evidence from the Home Office review indicates that the assumptions underpinning Lift the Ban's recommendations are highly optimistic. Having considered a wide range of available evidence, the Home Office believes that a more realistic set of assumptions would present a more nuanced picture – with the conclusion being that the fiscal benefits arising from a relaxation of the right to work policy are likely to be significantly lower than the figures claimed by Lift the Ban.

I would also like to make clear the decision to maintain the policy following our review was not primarily informed by concerns about pull factors, but rather due to likely departmental costs of operating a relaxed policy, and the need to preserve the integrity of our economic migration schemes.

As I have mentioned already, this Government has nonetheless been clear those in need of protection must claim asylum in the first safe country - the fastest route to safety. They should not put themselves in the hands of evil criminal smugglers and undertake dangerous journeys to come to the UK.

The reasons why asylum seekers leave their home countries and the reasons why asylum seekers move from one safe country to another, known as secondary movements, are not the same. There are numerous academic articles already in the public domain indicating economic considerations, such as the likelihood of finding work, are a key reason why asylum seekers engage in secondary movements – and in doing so, employing smugglers and undertaking dangerous journeys. We must not encourage or incentivise this.

Instead, the right solution is not to relax right to work policy, but to speed up asylum decision times – and that is what we are doing through the New Plan for Immigration.

We are investing in a programme of transformation and business improvement initiatives that will speed up and simplify decision making, reduce the time people spend in the asylum system and decrease the number of people who are awaiting an interview or decision. These initiatives include conducting shorter, more focused interviews, or omitting interviews where it is appropriate to do so, streamlining decision templates for grants and refusals and focusing on improving quality to ensure decisions are right first time. We have extensive recruitment and training plans in place, including career progression options that will aid the retention of staff.

We are continuing to develop existing and new technology to help build on recent improvements, such as digital interviewing, and we are moving away from paper-based systems. We are streamlining and digitising the case working process to enable more effective workflow, appointment booking and decision-making. Additionally, we have introduced specialist Decision Making Units, providing greater ownership and management of cohorts of asylum cases. These interventions are the right way of positively progressing the fundamental issue of contention in this debate.

Once again, thank you for taking the time to write and I trust that this reply is helpful.

With best wishes,

Yours ever,



Tom Pursglove MP
Minister for Justice and Tackling Illegal Migration