

# Five ways the Nationality and Borders Bill threatens women

The government is currently trying to push through legislation that will prevent women from getting refugee status in the UK. As one refugee woman, 'Sara', put it: "They might as well be ending the asylum system completely."

The Bill will put even more women, who have fled persecution, in further danger of violence, abuse and exploitation. Instead of offering sanctuary to women who have been forced to leave their homes and cross borders, the government is drawing up a law that actively causes harm to them. Now more than ever, we must speak up alongside our refugee sisters.

1

## Women who are desperate for safety will be punished

People fleeing immediate danger don't usually have a choice about how they travel, they need to take whichever route to safety they can. But under the Bill refugees who are forced to take 'irregular' routes, such as by boat or lorry, will be punished, as will those who are unable to apply for asylum soon after arriving. They will not be allowed to stay in the UK permanently and it will be very difficult for them to reunite with their loved ones.

2

## Women will be denied a fair hearing

The Bill punishes traumatised people who aren't able to share their whole story when they first come to the UK. Many women need mental health support, proper legal advice and to feel safe before they can open up about the horrific violence and abuse they have fled. Yet the Bill encourages decision-makers to treat any woman who raises evidence later in the asylum process as untrustworthy, instructing them to give little consideration to this evidence when they decide whether she will be given asylum.

3

## Principles vital for women's protection will be eroded

The Bill changes the test for deciding whether someone is a refugee. Under the UN Refugee Convention, a person must prove they have a 'well-founded fear' of persecution because of their race, religion, nationality, membership of a particular social group, or political opinion. Women already find it difficult to show that they need protection because of failures in our asylum system. Yet, instead of fixing these problems, the government is changing the 'well-founded fear' definition, which will make it even harder to satisfy.

But the Bill doesn't stop there. Since gender isn't listed as a reason for persecution in the Refugee Convention, many women have to prove that persecution they have faced because of their gender makes them a member of a 'particular social group'. The Bill also changes the definition of that category, making it even harder for women to make their cases. These changes are likely to result in more women being wrongly refused asylum and pushed into destitution and abusive situations.



4

## More women will be locked up in detention centres

The Bill allows the government to expand its use of detention, despite the immense harm it causes to women and other vulnerable people. As well as making more people liable for detention, it also introduces large-scale accommodation centres that are very similar to immigration detention. Being housed in such accommodation is retraumatising and completely inappropriate for survivors of sexual violence and trafficking, and LGBTI+ people.

In addition to this, the Bill allows the government to set up new detention facilities outside of the UK, where people will be taken and locked up while their asylum claims are processed. We are extremely concerned that off-shore detention will pose a serious risk of sexual abuse and retraumatisation to women, as was the case in the Nauru Australian offshore detention centre, where over 2000 incidents of assault, abuse and self-harm were uncovered.

The government is also using the Bill to bring back part of an old 'fast-track' system that was declared unlawful because it stopped traumatised people from getting a fair hearing. This process led to women, who had fled persecution from some of the most oppressive countries, being wrongly refused asylum and deported. The new version carries the same risks; women will be kept in detention during a rushed consideration of their appeals, which is very likely to result in incorrect decisions for survivors of sexual violence and trafficking.

5

## More women who have been trafficked or trapped in modern slavery will seriously struggle to access safety

The Bill raises the test for identifying victims of trafficking and modern slavery, making it harder to get protection. The Bill also forces victims to provide information about their exploitation by a certain deadline, else they could be deemed untrustworthy and refused protection. Yet it can take many months, often years, for a woman who has been forced into sexual or other exploitation to feel able to speak about the abuse she has suffered.

Additionally, the Bill disqualifies some survivors from protection on broad grounds. This would include some of the most vulnerable women, who have been wrongly prosecuted and imprisoned for criminal offences that they were forced to commit while they were being exploited. It is cruel to deny support and safety to these women.

## What can you do?

We need your support to challenge this harmful Bill! Please share this document far and wide, and visit our website to find out what else you can do to stand with women seeking asylum as the Bill moves through Parliament:

[www.refugeewomen.co.uk/campaign/borders-bill](http://www.refugeewomen.co.uk/campaign/borders-bill)

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