

The Illegal Migration Bill: is it serious legislation o...

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I have been reading the Illegal Migration Bill because someone has to since sensible debate about it seems to be entirely absent in the media.

There is much to be shocked about in it, but I found this most egregious:

<i>Modern slavery</i>	
21 Provisions relating to removal and leave	15
(1) Subsection (2) (disapplication of modern slavery provisions) applies in relation to a person if—	
(a) the Secretary of State is required by section 2(1) to make arrangements for the removal of the person from the United Kingdom, and	
(b) a decision has been made by a competent authority that there are reasonable grounds to believe that the person is a victim of slavery or human trafficking (a “positive reasonable grounds decision”).	20
This is subject to subsections (3) to (6).	
(2) Where this subsection applies in relation to a person—	
(a) any prohibition arising under section 61 or 62 of the Nationality and Borders Act 2022 (recovery period) on removing the person from, or requiring them to leave, the United Kingdom does not apply in relation to the person, and	25
(b) any requirement under section 65 of that Act (leave to remain) to grant the person limited leave to remain in the United Kingdom does not apply in relation to the person.	30

The UK's protections against modern slavery - all of which are out in place to protect the most vulnerable people including those trafficked for exploitation in the sex trade - are suspended in the case of a person who arrives on a small boat, even though there is significant evidence that this route is being used for modern slavery purposes.

I did, however, note that there was an exception if a competent authority says the modern slavery provisions should apply. So I checked what competent authority meant and got this:

In this section—

- “child” means a person who is under the age of 18;
- “competent authority” means a person who is a competent authority of the United Kingdom for the purposes of the Trafficking Convention;
- “positive conclusive grounds decision” means a decision made by a competent authority that a person is a victim of slavery or human trafficking;

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In other words, it is someone appointed by the Secretary of State who will then, no doubt, do their bidding in accordance with the instructions that they have been given.

The second reading of this Bill is on Monday. The second reading endorses the principles inherent in the Bill. Unusually, no support documentation has been produced by the government as yet to support that debate. And it will all be over by Monday evening. By then the House of Commons will have approved the removal of the human rights of tens of thousands of vulnerable people coming to the UK, some of them against their will.

The obvious question to ask is to what depth have we dropped when the government is sure it will get this measure through the House on the back of its compliant MPs?

The other question to ask is why the government is trying to pass this legislation when they can be sure that the Lords and the Courts will object to it, for very good reason. A poll in which you can vote for as many options as you wish:

[poll id="13"]