



HOUSE OF LORDS

European Union Committee

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The primary purpose of the House of Lords European Union Select Committee is to scrutinise EU law in draft before the Government take a position on it in the EU Council of Ministers. This scrutiny is frequently carried out through correspondence with Ministers. Such correspondence, including Ministerial replies and other materials, is published where appropriate.

This edition includes correspondence from 1 February – 23 February 2020

EU HOME AFFAIRS SUB-COMMITTEE

CONTENTS

Local authorities and refugee resettlement	2
Recommendation for a Council Decision to authorise the opening of negotiations for an Agreement between the European Union and Japan for the transfer and use of Passenger Name Record (PNR) data to prevent and combat terrorism and other serious transnational crime (12197/19)	6

LOCAL AUTHORITIES AND REFUGEE RESETTLEMENT

Letter from the Chair to Rt Hon Priti Patel Secretary of State for the Home Department Home Office

Following our inquiry on *Brexit: refugee protection and asylum policy*¹ the Home Affairs Sub-Committee has been holding evidence sessions with local authorities to hear about their experiences of refugee resettlement programmes, specifically the Vulnerable Persons' Resettlement Scheme (VPRS) and the Vulnerable Children's Resettlement Scheme (VCRS).

The purpose of the sessions was to learn more about the effectiveness of these schemes and the challenges faced by the refugees and local authorities participating in them.

The Committee heard evidence from a range of individuals working in local authorities and Strategic Migration Partnerships across the UK, including the devolved regions. Their testimony impressed us, as it showed a clear commitment by the organisations they represented to support and improve the lives resettled refugees. The evidence also demonstrated the positive benefits of close collaboration between third sector organisations and local authorities, without which the delivery of the schemes would not have been possible.

A list of witnesses is in the annex below. We would encourage those wishing to learn more about the schemes, including local authorities who have not yet participated, to contact them for more information.

The Committee was impressed by the commitment shown by all witnesses and the organisations they represented to supporting the needs of resettled refugees.

In June 2019 the then Home Secretary announced his intention to launch a new, global resettlement scheme later this year, which will consolidate the above two schemes, along with the gateway protection programme into one global scheme.² This announcement and the Committee's report underscored the importance of resettlement schemes in the UK's overall provision of sanctuary for those who can no longer remain in their home countries.

The Committee would therefore be grateful to receive a response to the questions below concerning the evidence it has heard about those schemes.

Detailed information for local authorities about the new global resettlement scheme

The Committee heard evidence that the Government had consulted some local authorities involved in the resettlement schemes about how the new scheme should operate.

The Committee has also seen the 'Note for Local Authorities' produced by the Home Office in August 2019³ that gives a brief overview of how the new global scheme will operate, including the number of people the scheme aims to resettle in its first year of operation (5000) and confirmation that the funding package available under the new scheme will mirror that currently paid under the VPRS and VCRS. The estimated commencement date for the new scheme given in the note is 'spring 2020'.

However, the Committee also heard evidence that local authorities needed more information on the new scheme. Ian Snowden, Chief Executive of Land and Property Services at the Department of

¹ <https://publications.parliament.uk/pa/ld201719/ldselect/lddeucom/428/42802.htm>

² <https://www.gov.uk/government/news/new-global-resettlement-scheme-for-the-most-vulnerable-refugees-announced>

³ <https://www.local.gov.uk/sites/default/files/documents/UK%20Resettlement%20Scheme%20Briefing%20Note%20for%20Local%20Authorities%20WEB.pdf>

Finance in Northern Ireland Executive commented ‘*the details are a bit sketchy*’ and asked ‘... *if the Government could clarify a few things about how exactly the scheme will operate.*’

- Can the Government therefore indicate when it will be providing a detailed summary to local authorities of how the new global resettlement scheme will operate and what that information will include?

Communicating the purpose and benefits of refugee resettlement to local communities

The Committee heard evidence about how some local authorities had undertaken steps to inform their local communities about the purpose of the VPRS and VCRS and how they would operate. These steps included holding workshops with community groups and using social media.

One of the reasons for this engagement was to help prevent negative responses in communities to refugee resettlement by explaining key issues of potential concern, such as housing the refugees by means other than using social housing stock.

David Brown, the Head of Migration Yorkshire which delivers the Strategic Migration Partnership process for Yorkshire and Humber, told the Committee: ‘*We have worked ... to get the messaging right [...] making sure that people do not feel it is being done to local authorities and local communities, but they are part of it.*’ Councillor Joyce McCarty, Deputy Leader of Newcastle City Council, observed: ‘*The more we can do to raise awareness of the reality of asylum seekers’ lives the better it is.*’

The Committee also heard evidence from across the UK about the positive reaction from many communities to the resettlement of refugees in their area. Evidence of negative responses were limited to comments expressed on social media and some isolated cases of small-scale demonstrations and violence against refugees’ property.

The Committee welcomes this promotion of the purpose and benefits of resettlement schemes, to help raise local communities’ awareness and understanding of them and the integration of resettled refugees in those communities.

- Can the Home Secretary therefore provide information how the new global resettlement scheme will promote the benefits to communities of participation by their local authorities in the scheme?
- Can the Home Secretary also say how the new scheme will support local authorities to undertake effective communications to explain the operation and benefits of the scheme to their local populations?

Sharing learning from participation in resettlement schemes

Several witnesses gave evidence to the Committee about the benefits of local authorities and Strategic Migration Partnerships sharing their learning and best practice with each other. Kelly-Anne Phillips, the lead officer at the South West Strategic Migration Partnership, told the Committee: ‘*the sharing of best practice is something of a triumph for the scheme*’, while Layla Davies, the Lead Resettlement Officer at St Helen’s Council, observed the six weekly meetings to share best practice in the Liverpool region are ‘*very good*’ [and] *if that was adopted in other regions it would offer comfort to people who are not familiar with the scheme*’.

The Committee welcomes the sharing of learning between local authorities and strategic partnerships and hopes that it will continue and develop under the new global resettlement scheme.

- Can the Home Secretary explain how the new scheme will encourage and promote the sharing of learning and best practice between agencies participating in the new global resettlement scheme, specifically what mechanism(s) it will employ to achieve this?
- Further, can the Home Secretary set out what learning and best practice was identified by agencies involved in the VPRS and VCRS and how that learning has influenced the development of the new scheme?

- Can the Home Secretary also confirm that the scheme will facilitate learning not just between agencies local to each other but, where necessary, between authorities and partnerships that are geographically diverse and set out how this will be accomplished?

Government support to meet the housing needs of resettled refugees

Many witnesses gave evidence to the Committee that the greatest challenge facing local authorities participating in the VPRS was the lack of available housing to meet refugees' needs.

Some witnesses came from regions that had adequate quantities of social, or private housing for this purpose. But others spoke of the difficulty of finding affordable private accommodation for families where social housing was not otherwise available. Anne Forbes, a refugee resettlement coordinator at Ashford Borough Council described finding *'private rented accommodation closer to local Housing Allowance Rates can be a major challenge.'* Kelly-Anne Phillips told the Committee: *'For us in the south-west, probably the no.1 challenge is affordable and available property.'* David Brown commented: *'The size of houses and housing stock in general has become a greater challenge. I do not mean just council housing but general housing. A lot of our authorities do not use council housing at all.'* Councillor Simmonds CBE MP, Chair of the Asylum, Refugee and Migration Task Group, Local Government Association, similarly commented that local authorities had no alternative but to try and find affordable private accommodation for refugees *'because of the shortage of local authority accommodation.'*

- Can the Home Secretary confirm whether the new global resettlement scheme will include any provision to support local authorities to meet the housing needs of the refugees they resettle?

Recognising refugees' academic and professional qualifications

The Committee heard evidence that resettled refugees faced challenges accessing education and employment because either they did not have the evidence of their own qualifications awarded outside the UK, or those they possessed were not recognised in the UK.

Councillor Jim Gifford the leader of Aberdeenshire Council observed: *'... the challenge on the education side is the process of assessing what people have with them [...] the UCAS system demands evidence of performance and experience. If people have no paperwork with them, they have no evidence whatsoever, so there is a challenge in helping youngsters coming through to go further forward.'* Councillor Joyce McCarty told the Committee: *'There is an issue about qualifications being recognised and validated, and more needs to be done nationally to support local universities to accept qualifications and find an easy route to transfer skills.'*

Kelly-Anne Phillips commented: *'We feel that there is work to be done with accreditation bodies, to look at creating pathways to make it a more streamlined process. It is costly, so some funding to support that would be helpful, as with the example that has just been given.'* In his evidence Simon Shreeve, the Social Work Team Manager at Norfolk County Council stated: *'I have one Syrian refugee who was a dentist in Syria. He struggled [...] to get his Syrian dentistry qualifications recognised in the UK. It has taken a lot of effort on his part. He persists in sitting the exams, and we have used some charitable sources of money to help pay his exam fees. The fee rates for refugees are quite high and it takes a lot of dedication to get them through.'*

The Committee is concerned about the implications for resettled refugees where their educational and professional qualifications are not recognised or cannot be evidenced.

In such circumstances there is a risk that individuals may not be able to access the educational services they need or undertake employment relevant to their skill level to support themselves and their families and contribute fully to their communities.

- Can the Home Secretary confirm whether the government has plans to address the question of the recognition of resettled refugees' academic and professional qualifications?

Equality of provision for all asylum seekers

Many witnesses spoke positively about the funding available under the VPRS and VCRS, and the fact that it was provided over a five-year period ensured a degree of stability and support that permitted individuals to integrate into society, access employment and education and begin to restore their lives. However, the Committee heard evidence that because the funding packages available under the schemes provided for a greater level of support than was usually available to those seeking asylum outside them, this created an inequality of support in the asylum system that should be remedied.

The Committee recommended in its report *Brexit: refugee protection and asylum policy* that the same package of financial and other integration support should be offered to all recognised refugees in the country, regardless of whether they arrive through a resettlement programme or by their own efforts as an asylum seeker.

There was evidence that such inequality could cause hostility between individuals who had received different levels of support. Layla Davies told the Committee: *'Locally there is [hostility between them.] That is the reality; that is how people feel. If we were to make it more equal, we could benefit all round, including local authorities supporting refugees with an asylum seeker background, and minimise that hostility.'*

- Can the Home Secretary confirm therefore whether the government will take steps to ensure that all recognised refugees in the UK will receive equality of support, no matter how they arrive in country?

Local authorities' non-participation in the Vulnerable Persons Resettlement Scheme

The Committee asked witnesses for their views on the possible reasons for local authorities' non-participation in the VPRS.

It did so in response to Home Office data, published in May 2019 which showed that many local authorities had not resettled a single refugee since the commencement of the scheme in 2015.⁴

Responses from witnesses were mixed. Some said that all local authorities in their region had resettled some refugees. Councillor David Simmonds expressed the view that the number of non-participating local authorities had to be seen in its correct context, namely that some of the councils listed did not have legal capacity to support unaccompanied children or to house individuals through the schemes. Simon Shreeve observed that although only one of the seven district councils had physically resettled refugees all seven were 'co-operating and are financially contributing' towards them.

However, the reasons why many local authorities had not participated in the scheme remained unclear to the Committee. Members remained therefore concerned that there may be a number of councils who chose not to resettle refugees for reasons that are not valid.

- Can the Home Secretary first explain their understanding of why many local authorities did not participate the schemes and whether they expect those reasons to apply to involvement in the new scheme?
- Secondly, can the Home Secretary explain what steps the Government will take to encourage all local authorities to participate in the new global resettlement scheme and whether this will include highlighting the inarguable humanitarian and ethical duty to support those genuinely in need of refuge and the concomitant benefits to individuals and communities of doing so?
- Thirdly, can the Home Secretary set out how they anticipate local authorities will be involved in the new scheme?

⁴ <https://www.gov.uk/government/publications/immigration-statistics-year-ending-march-2019/list-of-tables#asylum>

Annex – List of Evidence Session Witnesses

- Simon Shreeve, Social Work Team Manager, at Norfolk County Council, for the People Abroad Team
- Anne Forbes, Refugee Resettlement Coordinator, Ashford Borough Council
- Kelly-Anne Phillips, Lead Officer, Strategic Migration Partnership, South West Councils
- David Brown, Head of Migration Yorkshire, (delivering the Strategic Migration Partnership process for Yorkshire and Humber)
- Layla Davies, Lead Resettlement Officer, St Helens Council
- Councillor Joyce McCarty, Deputy Leader of Newcastle City Council
- Councillor Jim Gifford, Leader of the Council, Aberdeenshire Council
- Councillor Susan Elsmore, Cabinet Member for Social Care, Health and Well-being, Cardiff Council
- Ian Snowden, Chief Executive of Land & Property Services, Department of Finance, Northern Ireland.
- David Simmonds CBE MP, Chair of the Asylum, Refugee and Migration Task Group, Local Government Association.

RECOMMENDATION FOR A COUNCIL DECISION TO AUTHORISE THE OPENING OF
NEGOTIATIONS FOR AN AGREEMENT BETWEEN THE EUROPEAN UNION AND
JAPAN FOR THE TRANSFER AND USE OF PASSENGER NAME RECORD (PNR) DATA
TO PREVENT AND COMBAT TERRORISM AND OTHER SERIOUS TRANSNATIONAL
CRIME (12197/19)

**Letter to the Chair from Rt Hon James Brokenshire MP Minister of State for Security
Home Office**

I am writing to inform you that the European Commission proposed a Council Decision to authorise the opening of negotiations between the European Union and Japan on a Passenger Name Record (PNR) Agreement. The document was not deposited as it was marked LIMITE. This proposal cited a JHA legal base.

After careful consideration, I can confirm that prior to the UK leaving the EU, the Government decided not to opt-in to this Council Decision. I will be issuing a Written Ministerial Statement on this opt-in decision shortly. The Decision has now been adopted by the Council (18 February 2019), and the final draft that was approved by COREPER (5 February 2019) is attached to this letter. The negotiating directives themselves are still LIMITE.

The draft negotiating directives proposed that a PNR Agreement with Japan should ensure that its data protection safeguards reflect the conclusions of the Court of Justice of the European Union in its Opinion I/15 on the envisaged EU-Canada PNR Agreement from 2014. The UK had reservations about some of the proposed safeguards in the proposal. In particular, those relating to purpose limitation, right to individual notification, retention of PNR data and onward transfers of PNR data.

An opt-in to this decision would have indicated acceptance of these negotiating directives. By not opting in to this decision, we protect our negotiating position with the EU on our future relationship on the transfer and use of PNR data.

The UK's exit from the EU means we can determine and pursue our own policy on the international transfer and use of PNR data, with Japan and other partners, which acknowledges the significance of this valuable and unique dataset for countering terrorism and serious crime subject to safeguards ensuring respect for individuals' fundamental rights.

25 March 2020