



DEBATE PACK

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UK asylum system and asylum seekers' mental health

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Summary

This pack has been prepared ahead of the debate to be held in Westminster Hall on Tuesday 13 April 2021 from 6:50-7:50pm. The debate will be opened by Carol Monaghan MP.

The motion for the debate is:

“That this House has considered the UK asylum system and asylum seekers' mental health.”

Aspects of UK asylum policy and practice have long been criticised by some asylum seekers and their advocates for having a harmful effect on their mental health and psychological wellbeing.

Common areas of concern include the quality of asylum decision-making and delays in processing cases; the restrictions on asylum seekers' rights to work; the adequacy of asylum accommodation and financial support provisions; the use of hotels and former military barracks as contingency accommodation; the (in)effectiveness of policies to identify and provide for adults at risk, victims of trafficking, unaccompanied minors and other vulnerable cases; and the use of immigration detention and lack of a statutory time limit.

The House of Commons Library prepares a briefing in hard copy and/or online for most non-legislative debates in the Chamber and Westminster Hall other than half-hour debates. Debate Packs are produced quickly after the announcement of parliamentary business. They are intended to provide a summary or overview of the issue being debated and identify relevant briefings and useful documents, including press and parliamentary material. More detailed briefing can be prepared for Members on request to the Library.

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1. Background

1.1 Criticisms of the UK asylum system

People seeking asylum may have experienced trauma and have mental health needs because of persecution suffered in their country of origin, events whilst travelling to and after arrival in the UK, and the experience of exile.

Asylum advocates argue that the effects of aspects of the UK asylum system can also be harmful to some asylum seekers' mental health and psychological wellbeing.¹ Causes of stress and anxiety include:

- The asylum determination process – e.g. difficulties accessing quality legal advice; delays in processing applications; quality of Home Office decision-making; adversarial appeals process; use of temporary protection statuses.
- Reception conditions and impact of policies intended to deter asylum 'abuse' – e.g. restrictions on asylum seekers' rights to work; the adequacy of asylum accommodation and subsistence support and limited provision for refused asylum seekers; the suitability of contingency accommodation such as hotels and former military barracks; the effectiveness of processes to identify minors, victims of trafficking and other vulnerable cases; limited grounds for family reunion.
- The use of immigration detention – e.g. the absence of a statutory time limit on immigration detention; the effectiveness of policies to identify individuals at risk; detainees' difficulties in accessing legal advice and bail.

Various Library briefings consider some of these policies in greater depth:

- [Asylum statistics](#), CBP 1403, 25 March 2021
- [Asylum seekers: the permission to work policy](#), CBP 1908, 21 January 2021
- [Asylum accommodation: the use of hotels and military barracks](#), CBP 8990, 24 November 2020
- [Asylum claims in the UK: common questions](#), CBP 9000, 4 November 2020
- [The UK's refugee family reunion rules: a comprehensive framework?](#), CBP 7511, 27 March 2020

1.2 Identifying individuals at risk: guidance for accommodation providers and Home Office staff

Various pieces of Home Office caseworker guidance give advice on identifying claimants with health, disability or other conditions or

¹ E.g. Refugee Council, [Mental health support for refugees and asylum seekers](#) (accessed 6 April 2020)

vulnerabilities and what special procedural or reception needs might be appropriate in such cases.²

Asylum accommodation providers have various responsibilities to support asylum seekers' health needs, under the terms of their Asylum Accommodation and Support (AASC) contracts with the Home Office.³

They should signpost new arrivals in initial accommodation to the local authority health screening process and share information about individual asylum seekers who have healthcare needs with a relevant healthcare provider.

When asylum seekers are moved to dispersal accommodation, accommodation providers must brief them on how to register with a local GP. They must ensure that people with an obvious and urgent healthcare requirement or a pre-existing condition are registered. Furthermore, dispersal accommodation for vulnerable/at risk asylum seekers must meet their specific needs.

Accommodation providers have ongoing responsibilities to proactively monitor people who have specific needs or who may be at risk, and to respond appropriately. Appropriate cases must be proactively referred for needs assessments by relevant services. Accommodation providers must notify the Home Office of people they believe may have such needs or be at risk, and the Home Office should similarly share such information with accommodation providers.

Asylum seekers can also access information about medical and mental health services through the 24-hour telephone helpline operated by the charity Migrant Help as part of its Advice, Issue Reporting and Eligibility (AIRE) contract with the Home Office.⁴

1.3 New Plan for Immigration

The Home Secretary announced the Government's controversial 'New Plan for Immigration' [policy statement](#) document in an [oral statement to the House](#) on 25 March. A related [online public consultation](#) runs until 6 May.

The policy proposals largely focus on addressing the Government's concerns about abuse of the asylum system, deterring illegal immigration and strengthening enforcement of removal decisions. Many of the measures will require new primary legislation, expected to be announced in May's Queen's Speech.

The proposals include ending the use of hotels as contingency asylum accommodation, establishing reception centres to provide basic accommodation for asylum seekers, allowing for the processing of asylum claims overseas, and treating as "inadmissible" asylum claims from people who enter the country illegally and passed through another

² E.g. Home Office, [Asylum screening and routing](#) v6.0, 31 December 2020; [Asylum interviews](#) v7.0, 5 June 2019; [Adults at risk in immigration detention](#) v5.0, 6 March 2019

³ For a summary of the contractual requirements, see Asylum Matters, [The Asylum Accommodation and Support Contracts \(AASC\) A Guide](#), 19 November 2019

⁴ [PQ UIN 149293](#) [Asylum: RAF Coltishall], answered on 10 February 2021

safe country. If people cannot be returned to those countries, their asylum claims will be considered in the UK. But successful applicants would be given a more temporary immigration status (2.5 years) and have less favourable rights than resettled refugees (e.g. no recourse to public funds, limited family reunion rights, regular status reviews and ongoing liability to removal from the UK).

Aspects of the proposals have been heavily criticised by asylum rights campaigners for being unjust, impractical, incompatible with the 1951 Refugee Convention and detrimental to asylum seekers' wellbeing.⁵

⁵ See for example Refugee Support Network, '[RSN statement in response to the New Plan for Immigration](#)', 25 March 2021; Amnesty International UK, '[New immigration plan is a 'false pretence of fundamental change'](#)', 24 March 2021; UKLGIG, '[UKLGIG's response to government's New Plan for Immigration](#)' (accessed 7 April 2021)

2. Press Articles

Please note: the Library is not responsible for either the views or accuracy of external content.

[Patel faces 'serious questions' over putting migrants in barracks](#)

Financial Times, 30 March 2021

[Child asylum seekers 'falling apart' due to Home Office delays](#)

The Guardian, 25 March 2021

[Asylum seekers tell of 'pressure cooker' conditions](#)

The Times, 25 March 2021

[Asylum seekers: Napier Barracks and Penally camp 'filthy and run-down'](#)

BBC News, 8 March 2021

[Covid outbreak 'inevitable' among asylum seekers at barracks, says report](#)

Financial Times, 8 March 2021

[Asylum seekers 'subjected to sexual harassment' in government hotels](#)

The Guardian, 21 February 2021

[Home Office wrong to stop asylum seekers working in UK, court rules](#)

The Guardian, 18 December 2020

[Health officials warned that military barracks were 'not suitable' for asylum seekers](#)

The Independent, 17 February 2021

[Medical staff urge Priti Patel to close barracks housing asylum seekers](#)

The Guardian, 25 November 2020

[It's time to give asylum seekers the right to work](#)

David Simmonds MP for The Times, 18 November 2020

[Serious self-harm incidents surge 2,000% in detention centre holding Channel asylum seekers](#)

The Independent, 16 November 2020

[Pregnant and disabled people among hundreds of asylum seekers placed in hotels for months during lockdown](#)

The Independent, 3 July 2020

3. Parliamentary material

3.1 PQs

[Asylum: Employment](#)

Asked by: Monaghan, Carol (SNP)

To ask the Secretary of State for the Home Department, when her Department's review of the rules regulating asylum seekers' permission to work, commenced in December 2018, will conclude and report.

Answering member: Chris Philp | Home Office

Asylum seeker right to work is a complex issue. A review of the policy is ongoing, and we are considering the evidence put forward on the issue. The findings of the review will be announced once the work has been completed.

25 Mar 2021 | Written questions | House of Commons | 173076

[Refugees: Napier Barracks](#)

Asked by: Lord Dubs (Lab)

To ask Her Majesty's Government what assessment they have made of the living conditions for refugees in Napier Barracks.

Answering member: Baroness Williams of Trafford | Home Office

My Lords, throughout the pandemic, the asylum system has faced significant pressures, and it has become necessary to use additional temporary accommodation to ensure that we meet our statutory obligations at all times. The Government provide destitute asylum seekers with accommodation that is fit for purpose and correctly equipped in line with existing asylum accommodation standards and contractual requirements.

Lord Dubs (Lab)

My Lords, since I had a brief discussion with the Minister a few days ago about this issue, I have learned far more about what is going on. Surely it is unacceptable that asylum seekers—some of whom have suffered dreadfully, including from torture—should be held in conditions where Covid sufferers cannot self-isolate, where there is inadequate medical attention or support, and where there is a lack of hot food and hot water. Surely the Home Office should not be opening more barracks but should be finding decent accommodation for such vulnerable people.

Baroness Williams of Trafford

My Lords, I would reject the description of "decent accommodation" — this accommodation has served our Armed Forces. We are managing any outbreaks in line with Covid guidance, and everyone staying at those barracks has a decent standard of living, including heat, food and accommodation.

Lord Randall of Uxbridge (Con)

My Lords, the health of those accommodated in the barracks obviously must be paramount. Can my noble friend confirm that Public Health England has been closely consulted throughout this period? Can she also agree that the use of these barracks will be a temporary facility only, and that they are not really suitable for long periods? Perhaps she will share my hope that, with a reformed asylum system, the swift processing of applications will enable us to avoid using this type of facility in the future.

Baroness Williams of Trafford

I repeat the point I just made to the noble Lord, Lord Dubs, about the accommodation being good enough for our Armed Forces. I underline that the accommodation is safe, warm, fit for purpose and of an appropriate standard, with three meals provided a day. To put the current demand for asylum accommodation into context, back in 2019 the accommodation asylum population was broadly static at about 47,000, but, as of December last year, we now accommodate in excess of 61,000 people.

Baroness Meacher (Cross Bench)

My Lords, I fear that the Minister has been misinformed for her responses, as the information on the ground is very different, but that is not her fault. It seems that the Home Office is planning to use disused Army barracks such as Napier increasingly to house traumatised and, as the noble Lord, Lord Dubs, said, often tortured asylum seekers for whom prison conditions—as conditions in Napier are described—induce untold suffering, mental health crises and, indeed, suicide attempts. Can the Minister tell the House when Napier will be closed, as it needs to be, and assure the House that barracks will not be used as accommodation to house traumatised asylum seekers in the future?

Baroness Williams of Trafford

I must say to the noble Baroness that the people at Napier are not being detained. I must underline that point very clearly: they are not being detained. I have been through the standards of the accommodation with noble Lords already. In terms of trauma, the access to healthcare in the barracks is of a very high standard. We have a nurse on call from Monday to Friday, nine to five, and out-of-hours healthcare, dental provision and emergency healthcare are available as well. I would reject some of the statements being made by noble Lords.

Lord Boateng (Lab)

My Lords, Churches Together in Folkestone is providing invaluable support to residents of the barracks. The local MPs of all parties and the Bishop of Dover—well known to Members of your Lordships' House—have all expressed concerns about the appalling conditions at the barracks and called for its closure. Two judgments have been made recently whereby residents have been extracted from the barracks because of their vulnerability. When were the barracks last inspected independently or visited by a Minister? If this has not occurred, can the

Minister, who we know is concerned about these issues, assure us that such an independent inspection or visit will soon take place?

Baroness Williams of Trafford

My Lords, I am not sure when a Minister last went in. I would suggest that at this current time, during a pandemic, it might not be the best thing for a Minister to go into the premises. But I can assure the noble Lord that HMIP is going in to do an inspection.

[...]

Lord Kennedy of Southwark (Lab Co-op)

My Lords, I have never been to Napier barracks but, in the past, I have seen accommodation we have provided to our servicepeople in other parts of the United Kingdom. In many cases, it is not of a very high standard, which is very disappointing. Can the noble Baroness justify to the House how we can be sure that this is good-quality accommodation? Do we not have here a public health disaster made in the Home Office?

Baroness Williams of Trafford

I can say to the noble Lord that, first, we are working very closely with public health authorities. Secondly, on the various aspects by which you might judge how people are living, there is drinking water, including bottled water, and three meals a day, two of them hot. I have gone through the healthcare provisions, and legal advice is also available. There is wi-fi on site, and everyone has a phone.

Lord Balfe (Con)

The Minister has outlined the very large increase in the number of people in this sort of accommodation, and I accept that the Minister and the Government are doing their best. The one thing that they are failing on is the number of people who are getting into the country as illegal migrants. What I would like to hear from the department is that Napier barracks is closed because we have got a grip on illegal migration. Can the Minister promise us that that is also a priority?

Baroness Williams of Trafford

I can echo the words of my right honourable friend the Home Secretary, who has said that the asylum system is broken. Over the next few months, we will see how we will change the immigration and asylum process to be firm and fair, while ensuring that it absolutely clamps down on those facilitators of illegal migration, who are criminals.

Lord Kerr of Kinlochard (Cross Bench)

The 600-plus people in Napier and Penally are only the unacceptable tip of an unacceptable iceberg of over 60,000 asylum seekers now waiting for an initial decision on their case. They are not allowed to work, they are expected to survive on less than £40 a week, and three-quarters of them have been waiting for more than six months. It is not just the virus; the numbers more than doubled in the two years before the virus struck. As the Minister said, it is the system that is broken. NGOs such

as the Refugee Council—I declare my interest as a trustee—try to mitigate the consequences, but only the Government can mend the system. Can the Minister assure us that the Government now intend to act to make the asylum system fair?

Baroness Williams of Trafford

I refer the noble Lord back to the answer that I have just gave to my noble friend Lord Balfe, and the answer is yes.

Baroness Goudie (Lab)

On 28 January I asked the Minister what conditions in the barracks were like, and she assured me that they were fit for purpose. In the last few days and weeks we have seen articles in the newspapers and on the news—these barracks are not fit for purpose and we should do our utmost to find other accommodation, remembering that at some point these asylum seekers will become citizens of Great Britain, or they will go elsewhere. What will they think of us as a nation and the way we have treated them?

Baroness Williams of Trafford

I think I have probably answered the noble Baroness's question but, absolutely, there has been additional demand on the system, and we have accommodated it. However, to go back to what the noble Lord, Lord Kerr, said, we need to process those claims as and when it is safe to do so and either grant people asylum or return them to their country of origin.

11 Feb 2021 | Oral questions | House of Lords | 810 c488

[Asylum: RAF Coltishall](#)

Asked by: Lewis, Clive (Lab)

To ask the Secretary of State for the Home Department, what steps her Department is taking to provide (a) physical and (b) mental health care for asylum seekers that are housed in Badersfield.

Answering member: Chris Philp | Home Office

The Home Office is meeting all its statutory duties to accommodate asylum seekers. Due to increased demand on the asylum system it has necessary to use temporary accommodation – this accommodation has always been safe, secure, and funded by the taxpayer

Refugees, asylum seekers and refused asylum seekers can register for and receive primary care free of charge in the same way as any other patient in any nation of the UK.

We work closely with our accommodation providers to ensure that all asylum seekers in supported accommodation are aware of, and have access to, Migrant Help's helpline. This service is available 24 hours a day, 365 days a year, if service users need help, advice or guidance, including signposting to relevant mental and medical health services. Regular welfare checks are conducted on service users, including

behavioural monitoring of those who show signs of vulnerability, and where appropriate safeguarding referrals are made to relevant bodies.

The safety and health of people in the accommodation estate is of the utmost importance. The Home Office has robust contingency plans in place and continues to follow national guidance issued by Public Health England (PHE) and the National Health Service (NHS).

Our providers have put in place a range of measures and additional support to enable households to comply with public measures on social distancing and self-isolation.

Guidance has been issued to all service users in a range of languages relating to hygiene, washing hands, social distancing, coronavirus symptoms and what to do if they become symptomatic.

We keep the use of contingency asylum accommodation under review, according to the availability of more long-term asylum accommodation.

10 Feb 2021 | Written questions | House of Commons | 149293

[Asylum: Napier Barracks](#)

Asked by: Begum, Apsana (Lab)

To ask the Secretary of State for the Home Department, how many asylum seekers at Napier Barracks have had to receive medical treatment for mental health conditions including suicide ideation.

Answering member: Chris Philp | Home Office

The Government takes the wellbeing of asylum seekers extremely seriously. We provide asylum seekers who would otherwise be destitute with safe, warm and secure accommodation, whilst their claims are being processed.

Since Napier Barracks opened as asylum accommodation, the Home Office has worked closely with Clearsprings Ready Homes and Migrant Help, providers of accommodation and advice services, and in partnership with local authorities, the police and other partners to ensure that the site operates safely, securely, and in accordance with public health guidance. In addition to support provided on site, Home Office officials have held discussions with asylum seekers about their concerns and to provide further reassurance, including about their safety, wellbeing and access to relevant healthcare services.

We expect the highest standards from our providers, who are expected to conduct regular checks across the accommodation estate. The Home Office have access to providers' systems to monitor compliance.

Throughout the pandemic, the ability to inspect accommodation in the usual way has faced some understandable logistical challenges, however we have robust systems in place to monitor and ensure continued accordance with the high standards of service we and those we accommodate expect.

Asylum seekers can also raise specific issues or concerns about their accommodation through the 24/7 Advice, Issue Reporting and Eligibility (AIRE) service operated by Migrant Help. The Home Office and our

providers receive feedback on complaints raised through our regular dialogue with Migrant Help, which enables attention to be focussed on any areas of concern.

The Asylum Accommodation and Support Services contracts (AASC) have a robust performance management system, against which providers are expected to deliver. Where performance falls short of the required standard, failures are recorded and can result in the award of points and, ultimately, service credits being applied.

Providers' performance is monitored closely by dedicated staff in each contract area, who are in daily contact with them. This is supplemented by a formal governance process which includes quarterly Strategic Review Management Boards and monthly Contract Management Groups. Service credits and subsequent improvement plans are discussed and monitored as part of this process.

Asylum seekers who are accommodated at Napier receive an induction which outlines the process for raising complaints. A booklet available in ten languages detailing the process is also issued to new arrivals.

Community support workers at the site can also support asylum seekers in accessing the AIRE service to raise a complaint. Providers' staff will make clear to asylum seekers that registering a complaint will not affect their asylum claim.

The Home Office will continue to carefully review the operation of the site and will make any improvements necessary. We continue to work closely with our provider and partners to identify opportunities for improvement, as we do across our entire accommodation estate.

The Home Office does not publish statistics relating to medical treatment provided to, or complaints raised by, those accommodated at Napier Barracks and to provide these data could only be achieved at disproportionate cost to the department.

10 Feb 2021 | Written questions | House of Commons | 148040

[Asylum: Temporary Accommodation](#)

Asked by: McDonald, Stuart C (SNP)

To ask the Secretary of State for the Home Department, what plans she has to end the use of temporary asylum accommodation sites.

Answering member: Chris Philp | Home Office

Asylum seekers accommodated are not detained and so are free to come and go, but are required to follow Covid-19 regulations (including observing a period of self-isolation where required in line with regulations). Movements in and out of sites are monitored and managed, for safety reasons. Asylum seekers are expected to stay in accommodation overnight, and a welfare call is made to anyone not on site by 10pm.

Those working at the sites are also free to come and go freely, again in line with Covid-19 regulations.

The Ministry of Defence has given permission to use the sites for 12 months. The use of contingency initial accommodation is temporary, and we will discontinue it as soon as we are able.

01 Feb 2021 | Written questions | House of Commons | 144705

Asylum: Employment

Asked by: Lucas, Caroline (Green)

To ask the Secretary of State for the Home Department, how many people awaiting a decision on their asylum application have the right to work.

Answering member: Chris Philp | Home Office

Asylum seekers can work in the UK if their claim has been outstanding for 12 months or more, through no fault of their own. Those allowed to work are restricted to jobs on the Shortage Occupation List, which is published by the Home Office and based on expert advice from the Migration Advisory Committee.

The Home Office are unable to state how many people awaiting a decision on their asylum application have the right to work as this information is not held in a reportable format and could only be obtained at disproportionate costs.

The Home Office do publish data on the number asylum applications awaiting an initial decision or further review and can be found at Asy_04 of the published Immigration Statistics, Asylum applications awaiting a decision, by duration:

<https://www.gov.uk/government/statistical-data-sets/asylum-and-resettlement-datasets#asylum-applications-decisions-and-resettlement>

25 Jan 2021 | Written questions | House of Commons | 140024

Asylum: Housing

Asked by: Thompson, Owen |(SNP)

To ask the Secretary of State for the Home Department, what criteria her Department uses to assess the suitability of (a) existing and (b) potential accommodation for asylum seekers in relation to (i) physical health, (ii) mental health and (iii) safety from harm.

Answering member: Chris Philp | Home Office

All asylum seekers in initial and temporary accommodation have access to an initial health screening and health care through in house health care teams and/or provider welfare staff who will arrange health care and signpost to the appropriate health services

Additionally, all asylum seekers have access to a 24/7 AIRE (Advice, Issue Reporting and Eligibility) service provided for the Home Office by Migrant Help where they can escalate any concerns regarding accommodation or support services, and they can get information about how to obtain further support including legal advice where appropriate. AIRE asylum services provide free independent advice, guidance and

information on the asylum process, accommodation, financial support, finding legal representation and any other asylum related matters. AIRE run a national helpline that is free and accessible to all asylum seekers in the UK.

All sites have security staff and our accommodation providers work with local police forces to ensure the safety and security of asylum seeker accommodation.

We expect the highest standards from our providers and monitor performance and the effectiveness of the contracts, including the safeguarding of our service users through the monthly Contract Management Groups and quarterly Strategic Review Management Boards. We also hold daily calls with our service providers to monitor and resolve issues during the current pandemic.

Those accommodated in longer term, dispersed accommodation have the same access to health care as the rest of the general population.

14 Jan 2021 | Written questions | House of Commons | 136009

[Asylum: Employment](#)

Asked by: Coyle, Neil (Labour)

To ask the Secretary of State for the Home Department, pursuant to the oral Answer of the Parliamentary Under-Secretary of 18 November 2020, Official Report, column 198WH, on the Government's reasons for restricting permission to work for asylum seekers, whether her Department has made an assessment of a pull factor that would arise from changing the labour market rules for asylum seekers.

Answering member: Chris Philp | Home Office

It is important to distinguish between those who need protection and those seeking to work here, who can apply for a work visa under the Immigration Rules. Our wider policy could be undermined if migrants bypassed work visa Rules by lodging unfounded asylum claims here.

Unrestricted access to employment could act as an incentive for more migrants to choose to come here illegally, rather than claim asylum in the first safe country they reach.

Although pull factors are complex, we cannot ignore that access to the labour market is among the reasons that so many people currently undertake the extremely hazardous journey across the channel in small boats. When so many lives are put in danger in this way, we cannot have a policy that raises those risks, whatever the number affected.

A review of asylum seeker right to work policy is ongoing, and we are considering the evidence put forward on the issue. The findings of the review will be announced once the work has been completed.

17 Dec 2020 | Written questions | House of Commons | 127570

3.2 Debates

Westminster Hall debate: [Asylum Seekers and Permission to Work](#)

HC Deb 18 November 2020 | Vol 684 cc191-199WH

Urgent question: [Covid-19: Support and Accommodation for Asylum Seekers](#)

HC Deb 29 June 2020 | Vol 678 cc23-36

Adjournment debate: [Covid-19: Asylum Seeker Services in Glasgow](#)

HC Deb 17 June 2020 | Vol 677 cc907-916

Westminster Hall debate: [Asylum Decisions \(Support for Refugees\)](#)

HC Deb 04 March 2020 | Vol 672 cc308-332WH

3.3 Committee reports

Home Affairs Committee, [Home Office preparedness for COVID-19 \(Coronavirus\): institutional accommodation](#), 28 July 2020

4. Further reading

British Medical Association, [Unique health challenges for refugees and asylum seekers](#), 8 September 2020

Lift the Ban, [Why Giving People Seeking Asylum the Right to Work is Common Sense](#), July 2020

Public Health England, [Mental health: migrant health guide](#), 24 January 2019

Refugee and Asylum Seeker Voice, [The Waiting Game: The impact of delayed asylum decisions](#), 2018

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