

## Written evidence submitted by Stephen Francis MSc (BSAIB15)

My specific comments are as follows below:

### 5.2 “Endangerment” offence

#### Clause 18: Endangering another during a sea crossing

My comment is that to be effective this “Endangerment offence” does not need nor should it be linked to an illegal entry offence by travelling by water from France, Belgium, or the Netherlands. It should stand in its own right as dangerous act per se and should be expanded to include those who put themselves in danger not just the helmsperson. In my opinion it should be rewritten:

***It is an offence to facilitate or participate in a sea crossing which endangers anyone at any time between first leaving dry land and reaching dry land in the UK, by doing an act or through an omission or negligence thereby which caused or created a risk of death or serious physical or psychological injury to any person in that sea crossing.***

In my opinion there is a need for a further offence to address undocumented refugee status in the case of irregular entry. Let us call it Clause 18(2). Cancellation of a refugee’s initial application for protection is set out in the 1967 Protocol Relating to the Status of Refugees, Article 1F which states where there are serious reasons for considering that a refugee has been guilty of acts contrary to the purposes and principles of the United Nations their protection is cancelled. The Purposes and Principles (Articles 1-2) of the United Nations provide:

#### Article 1

The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;

I believe under Article 1 it is reasonable to conclude that a refugee entering the UK illegally and without valid documents of identity or authorisation is a threat to the peace and national security of the UK. In my opinion under Article 1 the refugee protection is removed and deportation possible. See suggested offence below:

#### ***Clause 18(2) Undocumented entry to the UK***

***In addition to any other offences under the Immigration Act 1971 it is an offence to enter or attempt to illegally enter the UK without a full set of valid and proper documents of***

***identification and authorisation. An immigration officer and or a police constable shall detain such person(s) at a secure location to wait for efficient deportation.***

That concludes my observations on this legislation.

Regards

Stephen Francis

*27 February 2025*