

Written evidence submitted by Helen Dempster, Lee Crawford, and Ian Mitchell, Center for Global Development (IAB64)

Immigration and Asylum Bill — Public Bill Committee

Summary

1. This submission covers Part 1 of the Bill (the Independent Immigration Appeals Authority) and Part 4 (the asylum support contribution payment). It presents new evidence on both.
2. **Part 1.** New CGD research on all 46,573 published Upper Tribunal immigration and asylum decisions, coding those from April 2015, finds that which judge hears an appeal matters a great deal. Judges at the 90th and 10th percentiles of leniency differ by 31 percentage points in how often they decide for the individual, and around one appeal in seven would be decided differently by another judge.
3. The disagreement is concentrated in judgments about whether the claimant is believed, and binding country guidance does not narrow it. These are exactly the judgments the IIAA will make. Yet the Bill does not require IIAA decisions to be published or their consistency to be monitored.
4. We recommend that the IIAA publish anonymised decisions; that monitoring consistency between adjudicators be part of its quality assurance and of the Chief Inspector's remit; and that training and case management focus on credibility assessment.
5. Part 4. Clauses 23 and 24 would let the Home Secretary require people who have received asylum support to pay a contribution towards its cost, which the Home Office expects to be "around £10,000". The amount, income thresholds and collection method are all left to regulations. The Home Office Impact Assessment does not estimate how much the measure would raise or what it would cost to run.
6. Our modelling, using the Home Office's own data on refugee employment, suggests around two-thirds of people liable would never pay back anything, and only around 22 percent would repay in full over a 40-year working life. The charge would recover about a sixth of its face value: roughly £82 million per annual cohort of asylum claims, before administration costs.
7. The main reason is the ban on asylum seekers working. People cannot work for at least their first 12 months, and are then restricted to a narrow list of shortage jobs. The ban both creates the support costs the charge seeks to recover and depresses the later earnings from which repayments would come.
8. Allowing asylum seekers to work after six months would, on conservative assumptions, be worth roughly £294 million per cohort to the public finances. That is about three and a half times what the contribution payment would raise.
9. On Part 4, we recommend that the Committee (a) consider a new clause giving asylum seekers permission to work after six months, without occupation restrictions; (b) amend clause 23 so that no charge can be imposed until the Government has published an estimate of its net yield, and require a review of its net yield after three years; and (c) ask the Minister how much the measure is expected to raise, net of administration costs.

Introduction

10. The [Center for Global Development](#) (CGD) is an independent, non-partisan think tank with offices in London and Washington DC. It works to reduce global poverty through economic research. CGD does not take institutional positions; this submission reflects the views of its authors.

11. Helen Dempster is Programme Co-Director, Migration and Displacement, and Policy Fellow at CGD Europe, and has researched the economic inclusion of refugees and asylum seekers in the UK and internationally. Lee Crawford is a Senior Research Fellow at CGD Europe and an economist. Ian Mitchell is Co-Director, Europe, and Senior Fellow at CGD Europe, and has published on the cost of hosting refugees in the UK and other OECD countries.

12. This submission addresses Part 1 of the Bill (clauses 1 to 16) and Part 4 (clauses 23 and 24), together with the related question of asylum seekers' permission to work. It draws on two pieces of original research. On Part 1, it draws on a forthcoming CGD working paper by Lee Crawford, *Refugee Roulette in the UK*, which we can share with the Committee on request. On Part 4, it draws on modelling published in summary on CGD's website, which we set out and extend here; the full calculations are available [on GitHub](#).

Part 1: the Independent Immigration Appeals Authority

Which judge hears an appeal matters

13. Clauses 1 to 16 would transfer the First-tier Tribunal's asylum and human rights appeals, among other functions, to a new Independent Immigration Appeals Authority (IIAA). The IIAA would decide a very large volume of cases. In the year to June 2026, 69,848 asylum applications were made, the Home Office refused 62 percent at initial decision, and the First-tier Tribunal allowed 39 percent of the asylum appeals it decided in April–June 2026. Whether the IIAA decides like cases alike should be a central test of its design.

14. New research by one of us (Lee Crawford, *Refugee Roulette in the UK*, CGD working paper, forthcoming) offers the most comprehensive evidence to date on consistency in UK immigration appeals. It draws on all 46,573 [published Upper Tribunal decisions](#) on immigration and asylum appeals, coding the outcomes of those from April 2015 onwards. Within a hearing centre and day, appeals of the same type brought by the same side are assigned to judges as good as randomly, so differences between judges reflect the judges, not their cases. First-tier Tribunal decisions are not published, so this is the closest available evidence on how the IIAA might perform.

15. Which judge hears an appeal makes a large difference, even at a tribunal whose task is legal review. A judge at the 90th percentile of leniency decides for the individual 31 percentage points more often than a judge at the 10th percentile. The spread (standard deviation) of judges' effects is 13.2 percentage points.

16. Around one appeal in seven (15 percent, about 430 decisions a year) would be decided differently by another judge at the same centre on the same day, and this is a lower bound. Where two judges would disagree, at least one of them must be wrong. This holds whatever view one takes of the right answer.

17. These differences are stable. The same judges are lenient or strict over a decade (correlation 0.76 between 2015–19 and 2019–26), and the pattern is similar at Field House in London and at regional hearing centres.

Disagreement is about credibility, and guidance does not fix it

18. Judges disagree most where the case turns on whether the claimant is believed. In protection appeals that usually turn on credibility, the spread of judge effects is 17.7 percentage points, against 13.5 in other protection appeals.

19. More legal guidance does not narrow the gap. Across 18 binding country guidance decisions from 2015 to 2022, guidance shifted outcomes in the direction it pointed, but every judge moved by the same amount. A judge's leniency predicted outcomes just as strongly after the guidance as before; the research rules out a reduction of more than 22 percent in how much the judge matters.

20. Some judges also treat particular groups differently from their other cases, notably claimants from Pakistan, Iraq and Iran and claims based on gender-based harm. This is a concern for consistency, though not by itself evidence of bias.

21. Outside pressure does not explain the differences. After correcting for the 13 influences tested, decisions show no reliable response to political attacks on judges and lawyers, anti-migrant violence, media coverage or public attention. Judges' observable backgrounds explain little: there is no difference between salaried and fee-paid judges, and no clear difference by gender.

What this means for the IAA as drafted

22. The IAA will make first-instance findings of fact, including on credibility, which is where our evidence shows disagreement is greatest. If inconsistency at first instance is similar to that at the Upper Tribunal, far more people are affected, because most appeals end at first instance. The stakes are high: a wrong refusal risks return to persecution, and a wrong grant undermines public confidence.

23. Inconsistency also adds cost and delay. The Upper Tribunal finds an error of law in around 59 percent of the First-tier decisions it hears, leading to further appeals and remittals. And Upper Tribunal themselves disagree substantially. And Upper Tribunal judges themselves disagree substantially, so the appeal route in clause 7 cannot be relied on to correct inconsistency. An IAA that is quicker but less consistent could shift delay to the Upper Tribunal rather than remove it.

24. The Bill gives the IAA's Chief Appeals Officer responsibility for allocating cases, "overseeing the quality of decisions" and "developing a quality assurance mechanism" (clause 3(3)). It says nothing about consistency between adjudicators. It does not require IAA decisions to be published, so, as with the First-tier Tribunal today, consistency could not be monitored from outside. The Chief Inspector's new remit over the IAA (clause 13) singles out premises, technology and training for particular attention, but not the consistency of decisions.

25. Under clause 2(8), only senior adjudicators must be legally qualified or have equivalent experience; there is no such requirement for executive adjudicators. Our research does not test the effect of legal qualification directly. But it shows that even experienced, legally qualified Upper Tribunal judges disagree substantially on credibility. A new body, with a new appointments model, should be able to show from the outset that it decides like cases alike.

26. We welcome clause 1(6), which requires Ministers to uphold the IIAA's independence. Our research finds no reliable effect of public political attacks on judges' decisions, but such attacks may have other costs, including for the safety of lawyers and judges.

Recommendations on Part 1

27. **Recommendation A: publish IIAA decisions.** Anonymised publication, with the adjudicator identified, would allow consistency to be monitored where most appeals are decided. In clause 3, after subsection (6), insert:

(6A) The IIAA must publish, in a form which does not identify the parties, each decision made in the exercise of its primary function, together with the name of the IIAA adjudicator who made it.

28. **Recommendation B: make consistency part of the IIAA's quality assurance, and of its inspection.** Monitoring is now cheap: the research coded every published Upper Tribunal decision with an AI classifier. In clause 3(3), after paragraph (d), insert:

(e) monitoring the consistency of decisions made by different IIAA adjudicators in similar cases, including by nationality and type of claim, and publishing an assessment of that consistency at least once a year.

In clause 13(2)(c), in new subsection (2ZA), after paragraph (c) insert:

(d) the consistency of decisions made by different IIAA adjudicators in similar cases.

29. **Recommendation C: allocate cases in a way that allows consistency to be measured.** The Chief Appeals Officer allocates cases (clause 3(3)(a)). Allocating comparable cases at random among available adjudicators, and recording that allocation, would make consistency measurable without further data collection. Making anonymised decision data available to accredited researchers, for example through the Ministry of Justice's Data First programme, would allow the IIAA's consistency and effects to be evaluated independently.

30. **Recommendation D: target credibility assessment, not more guidance.** Training under clause 3(2) should cover structured credibility assessment (for example, UNHCR's *Beyond Proof* framework), trauma, and cross-cultural communication. The Chief Appeals Officer should consider a second look, by a senior adjudicator or a two-adjudicator panel, in appeals that turn on the claimant's credibility. Adjudicators should also receive regular, private feedback on how their decisions compare with those of colleagues in similar cases.

31. **Recommendation E: get decisions right first time.** Better evidence at first instance, including recorded Home Office interviews, good-quality interpretation and timely medical and expert reports, would reduce the weight placed on contested credibility findings at appeal, and with it the scope for inconsistency.

32. The amendment text above is illustrative. We would be glad to work with Members or the Clerks on drafting.

Part 4: the asylum support contribution payment

What clauses 23 and 24 do

33. [Clause 23\(3\)](#) allows the Secretary of State to require anyone who has received asylum support to make payments towards its cost. Clause 23(4) leaves the calculation of the sums, the financial thresholds, the payment period and the collection method to regulations. Clause 23(5) provides that no one should be required to pay if doing so would make them destitute. Children, and people who started receiving support before commencement, are exempt (clause 23(6)).

34. The Bill itself contains no figure. The Home Office's [press release](#) of 30 June 2026 states that "migrants are expected to have to pay a total sum of around £10,000", as a flat-rate charge paid monthly above a set threshold, and that the full amount must be paid before a person can apply for settlement.

35. The [Delegated Powers Memorandum](#) states that regulations on the calculation of sums and financial thresholds (clause 23(4)(a) and (b)) will be subject to the affirmative procedure, which we welcome. Other regulations, including on how payments are collected (clause 23(4)(e)) and further exemptions (clause 23(6)(c)), are subject to the negative procedure. As things stand, Parliament would be asked to approve the charge without any estimate of what it will raise.

36. The [Impact Assessment](#) states the aim is to "lower the cost to the taxpayer" (paragraph 20). But it monetises neither the measure's set-up costs (Table 1) nor its ongoing costs (Table 3), and acknowledges that administration costs "remain uncertain at this stage of implementation". It contains no estimate of revenue. The Committee is therefore being asked to approve a fiscal measure without any estimate of its fiscal effect.

How much the contribution payment would raise

37. We estimate the charge would raise about £82 million per annual cohort of asylum claims, in real terms and before administration costs. That is around a sixth of its £10,000 face value.

38. In the absence of published detail, we assume a scheme modelled on student loans, as the Home Office has indicated: repayments of [9 percent of earnings above £25,000](#) a year, over a working life of up to 40 years. We apply this to earnings trajectories from the Home Office's [Refugee Integration Outcomes](#) data, which track refugees for up to eight years after grant.

39. Refugee earnings are low. Only 24 percent of refugees work in the year they are granted status, rising to 45 percent by year two and 48 percent by year eight ([Home Office](#)). The Migration Observatory [estimates](#) that only 13 percent of people granted refugee status five years earlier earned at least £20,000 in 2023. Even at year eight, only around 13 percent of refugees earn above our assumed £25,000 threshold.

40. On these assumptions, around two-thirds of people liable would never pay anything, and only the top 22 percent would repay in full. The cohort arithmetic is set out below.

Step	Number
Asylum claims per year (Commons Library)	around 100,000
Of whom adults	around 85,000
Granted protection, including on appeal (around 60%)	around 51,000
Face value of charge at £10,000 each	around £510 million
Expected recovery over a working life (around one-sixth)	around £82 million

41. This is an upper estimate of net yield, because it excludes the cost of administering a collection system for 40 years. For comparison, the Student Loans Company has a core operating budget of around £44 million a year ([Guardian](#)). Higher thresholds, which the Bill's destitution safeguard in clause 23(5) may require, would reduce the yield further.

The work ban drives both support costs and low earnings

42. Asylum seekers in the UK [cannot apply for permission to work](#) until their claim has been outstanding for 12 months. Even then, they are restricted to jobs on a list of shortage occupations and cannot be self-employed. This is the longest waiting period among the high-income countries we assessed; several, including Canada, Greece and Sweden, allow immediate access ([Commons Library](#); [EUAA](#)).

43. Because they cannot work, most asylum seekers depend on state support. Supporting one asylum seeker cost around £41,000 a year in 2023/24, up from £17,000 in 2019/20 ([IPPR](#)). Total costs are £4.7–£5.4 billion a year ([NAO](#); [Migration Observatory](#)), of which £3.1 billion went on hotels. The UK reports the [highest in-country refugee costs in the OECD](#), at nearly US\$26,000 per refugee.

44. The ban also has lasting effects on employment, known as "scarring". Each additional year Swiss asylum seekers waited reduced their later employment by 4–5 percentage points ([Hainmueller et al., 2016](#)). Across Europe, exposure to an employment ban on arrival reduced refugees' later employment by 15 percent, with effects lasting up to a decade ([Fasani et al., 2020](#)).

45. The work ban therefore undermines the contribution payment twice over. It creates the support costs the Government wants to recover, and it lowers the earnings from which repayments would be made.

The fiscal value of permission to work after six months

46. Allowing asylum seekers to work after six months, while their claim is pending, would be worth roughly £294 million per annual cohort. That is about three and a half times the £82 million the contribution payment would raise.

47. We estimate three effects, using deliberately cautious assumptions:

- **Lower accommodation costs.** We assume the Government succeeds in halving annual support costs to £20,000 per person, and that only a fifth of adults newly able to work find their own accommodation, saving £10,000 each. This saves around £170 million per cohort.

- **Tax receipts.** The same people would pay around £22 million in tax and National Insurance. Together with the accommodation saving, this is about £11,300 per person, and it accrues whether or not their claim ultimately succeeds.
- **Reduced scarring.** Applying the studies in paragraph 44, cutting the ban from 12 to six months would raise later employment by around 3 percentage points. This adds around £102 million per cohort in present value (£122 million over the decade).

Policy	Estimated value per annual cohort (£ million, real terms)
Contribution payment (clauses 23–24), before administration costs	82
Permission to work after six months: accommodation savings	170
Permission to work after six months: tax and National Insurance	22
Permission to work after six months: reduced scarring	102
Permission to work after six months: total	294

48. Earlier permission to work would also raise the yield of the contribution payment itself, should the Committee retain it. Higher earnings after grant mean more people pass the repayment threshold, and sooner. The two policies are not alternatives; the work ban is a major reason the charge would yield so little.

49. Permission to work from an earlier point, or without occupation restrictions, would increase these gains further. Sources and full derivation are [on GitHub](#).

Concerns about pull factors and removals are not supported by evidence

50. The Impact Assessment argues that the charge "may discourage people from making the journey to the UK" (paragraph 22), and successive governments have argued that permission to work would act as a "pull factor". Neither claim is supported by the evidence. Studies find [no relationship between asylum applications and the length of work bans](#); destination choices are driven by factors such as family links, colonial ties and language. The Migration Observatory has similarly found ["no clear evidence"](#) that reducing support for asylum seekers deters arrivals.

51. A second objection is that a refused asylum seeker with a job is harder to remove. We know of no evidence for this. [Section 117B of the Nationality, Immigration and Asylum Act 2002](#) already requires that little weight be given to a private life established while a person's status is precarious. Legal work brings people into the tax system, with employer and address details on record. A ban pushes some into informal work that is invisible to the Home Office, which also undermines collection of the contribution payment.

Recommendations on Part 4

52. Our evidence is relevant to [Amendments 17 and 18](#) (Siân Berry), which would leave out clauses 23 and 24. It shows the measure is likely to raise little, at uncertain cost. Should the Committee retain the clauses, we recommend the following.

53. **Recommendation 1: give asylum seekers permission to work after six months.** This would do far more to reduce the cost of asylum support than the contribution payment. A possible new clause:

Permission to work for asylum seekers

(1) The Secretary of State must, within six months of the day on which this Act is passed, make changes to the immigration rules so that a person whose protection claim has not been determined within six months of being made may apply for permission to take employment.

(2) Permission granted under rules made under subsection (1) must not restrict the person to employment in particular occupations, and must permit self-employment.

54. **Recommendation 2: require an estimate of net yield before any charge is imposed.** Parliament should know what the measure will raise, and what it will cost to collect, before it takes effect. In clause 23, after subsection (5), insert:

(5A) The Secretary of State may not make the first regulations under subsection (4) unless the Secretary of State has laid before Parliament an assessment of—

(a) the sums expected to be paid under this section,

(b) the expected costs of administering and collecting those sums, and

(c) the expected effect of the requirement to make payments on the employment and earnings of persons granted protection.

55. **Recommendation 3: review the measure's net yield after three years.** Given how little the charge is likely to raise, Parliament should be able to judge whether it is worth its administration costs. After clause 24, insert:

Review of payments by recipients of asylum support

(1) The Secretary of State must, before the end of the period of three years beginning with the day on which section 23 comes fully into force, lay before Parliament a report on the operation of sections 23 and 24.

(2) The report must set out—

(a) the sums paid under section 23,

(b) the costs of administering and collecting those sums, and

(c) the Secretary of State's assessment of the effect of section 23 on the employment of persons granted protection.

56. The amendment text above is illustrative. We would be glad to work with Members or the Clerks on drafting.

Questions the Committee may wish to put to the Minister

57. How much does the Home Office expect the contribution payment to raise each year, and over what period? Why does the Impact Assessment not estimate this?

58. What will it cost to set up and run a collection system for up to 40 years, and how does that compare with the expected revenue?

59. What proportion of people granted protection does the Home Office expect ever to earn enough to repay in full, given its own data that fewer than half are in work eight years after grant?

60. Has the Home Office assessed whether allowing asylum seekers to work earlier would reduce support costs by more than the contribution payment would recover? If so, will it publish that assessment?

61. What evidence does the Home Office hold that permission to work after six months would act as a pull factor?

62. On Part 1: how will the IIAA measure whether different adjudicators decide similar cases alike, and will it publish the results?

63. Will IIAA decisions be published, as Upper Tribunal decisions are? If not, how will Parliament and the public assess their consistency and quality?

64. What training and support in assessing credibility will executive adjudicators, who need not be legally qualified, receive before they decide appeals?

Sources

All sources are linked in the paragraphs where they are used. The key documents are the [Bill as introduced](#), the [Impact Assessment](#), the [Delegated Powers Memorandum](#), Lee Crawford, *Refugee Roulette in the UK* (CGD working paper, forthcoming; data from the [Upper Tribunal decisions database](#)), and our earlier summary of the Part 4 analysis: [Asking UK Asylum Seekers to Work Would Net 3.5 Times More Than New £10,000 Charge](#) (CGD, 16 July 2026).

9 October 2026