

Royal College of Nursing briefing - Border Security, Asylum and Immigration Bill – Third Reading – 17 November 2025

The Royal College of Nursing (RCN) is the largest professional body and trade union for nursing staff in the world. We represent around half a million members who are registered nurses, midwives, students, and nursing support workers across the United Kingdom and beyond.

1. Background

- 1.1 The Border Security, Asylum and Immigration Bill was introduced to the House of Commons on 30 January 2025. The Bill is predominately focused on law enforcement powers and the Border Security Command.
- 1.2 According to Home Office data, there was a 13% increase in potential victims of modern slavery and trafficking from 2023 to 2024.ⁱ Across the world, over 80% of trafficking survivors seek medical care within the first year of being trafficked.ⁱⁱ Nurses are key participants in identifying victims of trafficking.
- 1.3 The RCN welcomes provisions in the Bill to repeal in full the Safety of Rwanda Act, and aspects of the Illegal Migration Act. The RCN opposed both Acts on the grounds that they are inconsistent with the UK's international obligations under the Refugee Convention. However, we are concerned the Bill does not go far enough to protect vulnerable people from prolonged periods of detention, and victims of human trafficking or slavery

2. Retention of certain provisions of the Illegal Migration Act 2023

- 2.1 The Border Security, Asylum and Immigration Bill repeals several aspects of the Illegal Migration Act 2023 but falls short of repealing the legislation as a whole. During the passage of the Illegal Migration Act, the RCN rejected the Bill in its entirety.ⁱⁱⁱ
- 2.2 The RCN is concerned by the failure to repeal Section 29 of the Illegal Migration Act, which introduced a duty to disqualify any non-British survivor of trafficking convicted of an offence of any length of sentence. This decision strips protections afforded to individuals who may have been forced to participate in criminal activity because of human trafficking, modern slavery or exploitation.^{iv} The RCN considers that the disapplication of modern slavery protections threatens to discourage those at risk from receiving necessary medical care.
- 2.3 The RCN is also concerned by the retention of Section 12 of the Illegal Migration Act. This provides powers to the Secretary of State to extend the period for which an individual is detained for as long as they deem "reasonably necessary", replacing independent judicial oversight. Prolonged periods in detention are known to cause psychological distress.^v Under no circumstances should children, pregnant women or vulnerable adults be detained. The Bill in its current form is a missed opportunity to establish a fixed limit on the maximum length of detention and strengthen processes to identify at risk individuals.

2.4 The RCN welcomes that the Bill in its current form repeals Section 58 of the Illegal Migration Act which presumed adulthood if a person refused consent for an age assessment. The RCN raised concerns regarding the use of contested and harmful scientific methods used for age assessments.^{vi}

Suggested questions to ask the Minister

- As this Bill does not repeal Section 29 of the Illegal Migration Act, which introduces a duty to disqualify any non-British survivor of trafficking convicted of an offence of any length of sentence, can the Minister give assurances that victims of crimes associated with human trafficking and coercion will not be stripped of protections when seeking asylum?
- When will this government uphold its duty under international law, and commit to establishing safe and legal routes for people seeking asylum?
- What assurances can the Minister provide that the government is providing victims of human trafficking and or slavery, and what resources are being allocated to healthcare professionals to identify possible cases of these crimes?

ⁱ [Modern slavery: National Referral Mechanism and Duty to Notify statistics UK, end of year summary 2024 - GOV.UK](#)

ⁱⁱ [Nurses play key role in identifying victims of human trafficking | ICN - International Council of Nurses](#)

ⁱⁱⁱ [Royal College of Nursing \(RCN\) Parliamentary Briefing: Illegal Migration Bill | Royal College of Nursing](#)

^{iv} [Denying vital support to survivors of trafficking who are considered a 'threat to public order' | Asylum Aid](#)

^v [The psychological impact of spending a prolonged time awaiting asylum | Helen Bamber](#)

^{vi} [Royal College of Nursing \(RCN\) Parliamentary Briefing: Illegal Migration Bill | Royal College of Nursing](#)