

Fairness in the Historical Context of UK Asylum Law

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How was the historical analysis conducted?

Research questions

- How has fairness in UK asylum law, policy and practice been interpreted historically?
- How have different appeals to fairness shaped the development of the UK's asylum system?

Method

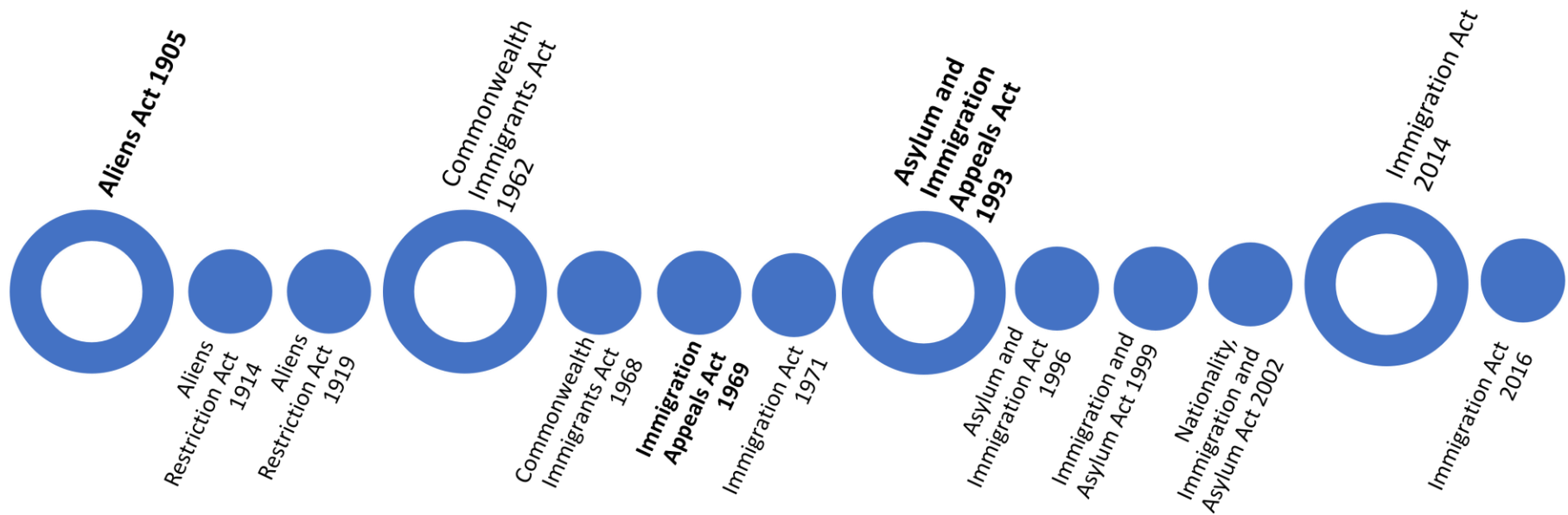
- Plotted domestic reforms and reviewed legislation and Hansard reports.
- Plotted developments in international law and reviewed UN documents.
- Reviewed academic literature.

Five key time periods

- Turn of the 20th Century
- Wars and Post-War Era
- 1960s
- 1990s
- Post-2013



Timeline of key legislative asylum reforms



Summary of key findings

- Asylum fairness is an historically contingent concept, shifting in the UK context from fairness as **a fair chance for asylum seekers**, to **fairness for and between states**, to **fairness as a sense of fair dealing**, to **fairness as fast decisions**, and **fairness as tipping the scales**.
- Competing notions of fairness (from refugee-centred to state-centred) have underpinned the development of the asylum system.
- Notions of fairness are deployed to mask prejudice and highly restrictive asylum regimes.
- Legislative reforms tend to offer a veneer of fairness to asylum-seekers while state control is expanded, and asylum rights are diminished.



Diolch yn fawr

Thank you



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