

Life sentences for small boat pilots come into force

A range of measures in the Nationality and Borders Act (NABA) are now in force, giving the Government new powers to tackle criminality, secure our borders and deter people from making these dangerous journeys.

The Nationality and Borders Act, which received Royal Assent in April, will radically reform our broken system to better support those in genuine need of asylum through safe and legal routes and break the business model of trafficking networks.

From today, a raft of measures will take effect, including:

- Tougher penalties for those who pilot a small boat or smuggle migrants into the UK via other dangerous or illegal means, with a maximum sentence of life imprisonment
- Increasing the maximum penalty for illegally entering the UK or overstaying a visa from six months to four years imprisonment
- Introduction of a new differentiated approach, whereby those who did not come to the UK directly, did not claim without delay, or did not show good cause for their illegal entry or presence, may be given a different set of entitlements than those who have complied with these requirements, including a shorter grant of permission to stay (a minimum of 30 months instead of 5 years)
- New powers for immigration officers to search containers taken off the ship or aircraft on which they arrived for illegal migrants
- Removing Foreign National Offenders currently held in our prisons sooner by having tougher criteria for those with a criminal history and seeking asylum, meaning offenders can now be removed up to 12 months before the end of the custodial part of their sentence
- An ability to impose visa penalties – this means slowing or stopping our services where countries pose a risk to international peace and security and those that refuse to take back their own citizens who have no right to be in the UK

Home Secretary Priti Patel said:

This is one of the most crucial milestones in delivering on our promise to the British public to take back control of our borders.

While there is no single solution to the global migration crisis, these reforms which come into effect today play a vital role in overhauling the broken asylum system as we put our New Plan for Immigration into action.

We will continue to work tirelessly to ensure that we offer protection and sanctuary to those in genuine need; but these new

measures will enable us to crack down on abuse of the system and the evil people-smugglers, who will now be subject to a maximum sentence of life imprisonment as a result of this law coming into force.

In addition, the Nationality and Borders Act will fix anomalies in UK nationality laws which have denied British nationality to some children of British Overseas Territory citizens.

For instance, before 1 January 1983 women with British Overseas Territory citizenship could not pass on British nationality to children born outside the UK and its territories. Similarly, before 1 July 2006 children born to unmarried British Overseas Territory fathers could not acquire British nationality through their father.

Today, the Home Office is also launching citizenship routes for all those denied citizenship by these anomalies.

The Nationality and Borders Act will scrap outdated rules requiring children born outside an Overseas Territory to British Overseas Territory citizen parents to be registered within 12 months of their birth in order to qualify for citizenship.

Other measures in the act which became law in April, will be implemented over the coming months and into next year.