



The “one in, one out” policy – Parliamentary briefing January 2026

The “one in, one out” policy was introduced in pilot form in 2025, as a “deterrent” to the Channel crossings. However, like other deterrence policies, “one in, one out” constitutes performative cruelty, does real additional harm to people seeking safety, and fails to deter the crossings.

The policy allows for the detention of people seeking safety who arrive in the UK via small boat, rejection of their asylum claims as inadmissible, and their deportation back to France. It also allows for an equivalent number of people seeking entry to the UK to travel here safely, if they are successful in applying from France.

We are calling on Parliamentarians to challenge and hold Government to account for this hostile and harmful policy.

Key points

1. The Government is using its predecessors’ anti-refugee law to deny basic rights

- In 2025 [Amnesty International](#) found that the Government’s retention in full of the Nationality and Borders Act 2022 (NABA), which the UNHCR previously stated “undermines established international refugee protection”, contradicts the UK’s international legal commitments.
- Despite its manifesto pledge to “uphold human rights and international law”, the Government has not only failed to repeal NABA but now uses its inadmissibility rules for “one in, one out”, refusing to fully assess the asylum claims of some people arriving from France after making Channel crossings.

2. France is not a “safe” country for everyone

- To justify the policy, the Government calls France a “safe” country. That is not how it is experienced by many impacted by the policy – mainly Black and Brown people seeking safety from countries in Africa, Asia and the Middle East.
- People on the move in northern France are routinely subject to degrading treatment. Refugees – including children – hoping to seek asylum in the UK, where they have family or other social ties, are forced to stay in unsafe and unsanitary living sites around Calais and Dunkirk under the “Zero Fixation Points” policy and are subjected to constant police harassment.
- Refugee Action’s ongoing cross-border research and a recent Humans for Rights Network [report](#) reveal systemic racism and state violence in the treatment of people on the move in northern France. Deporting people back to France under these circumstances is cruel and irresponsible.

3. The policy dehumanises racialised people and exacerbates systemic racism

- “One in, one out” is based on a view that it is acceptable for two majority-white European states to “trade” or “exchange” people – almost all of whom come from countries in Africa, Asia and the Middle East.
- This dehumanises people, treating them like objects rather than human beings with rights and agency. In this way, the policy revives colonial racism; Britain and France previously treated African lives as commodities, as two of the leading states involved in the transatlantic slave trade.

- “One in, one out” denies people of colour arriving by small boat the right to claim asylum and subjects them to detention and deportation for seeking safety, exacerbating racial injustice in the UK and internationally. As our research has shown, asylum is a racial justice issue, and this policy contributes to upholding the same systemic racism that led to the Windrush Scandal.
- The Government of “[an anti-racist party](#), committed to combating and campaigning against all forms of racism”, should dismantle, not intensify, systemic racism in the UK.

4. The policy endangers and limits access to basic rights that should be universal

- This policy involves a refusal to process asylum applications for some people arriving in the UK by small boat. In practice, only a very small proportion of arrivals can be detained, making their selection arbitrary. This arbitrariness directly contradicts the Government’s stated aim of “fairness” in asylum policy.
- Deeming some asylum claims inadmissible by virtue of how claimants arrive in the UK erodes the right to seek asylum enshrined in the Refugee Convention.
- This assault on the fundamental right to asylum is compounded by the Government’s promise to water down other human rights protections guaranteed by the ECHR – in particular the freedom from torture, inhuman or degrading treatment, and the right to family and private life (Articles 3 and 8) – as set out in a Government [Command Paper](#) in November 2025.

5. Cross-border legal challenges are already mounting

- Like previous anti-refugee policies that conflict with legal and moral obligations to people seeking safety, the policy is already facing multiple legal challenges.
- Challenges to individual deportations from the UK and a constitutional legal challenge to the treaty underpinning the scheme in France mean this policy will cost much time and money.

6. People seeking safety have already been directly harmed by the policy

- Detentions under the policy began in August 2025, and the first deportations took place in September. By October, some deported people were found to have made a second dangerous crossing and arrived back in the UK.
- People returned to France have also reported living in fear of violent attacks by smugglers.
- This means the policy exposes people to even greater risk of injury or death, by encouraging multiple crossings and placing them in harm’s way.
- Meanwhile, 80 people detained under “one in, one out” in the UK have called on the UN to investigate the policy and the “severe psychological harm” they have [suffered](#).

Calls to action

- Challenge this policy through parliamentary questions, speak in debates, write to the Minister, and encourage other parliamentarians to support our work.
- Speak publicly on this topic in Parliament and with your constituents.

About Refugee Action

Refugee Action is a national charity with 40 years’ experience helping refugees rebuild their lives. We assist thousands of individuals and families seeking asylum to access support.

More information

Please contact katyp@refugee-action.org.uk if you require further information or any support to take action, or would like to meet to discuss this or hear from people with lived experience of these issues.