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### UK politics

# The Rwanda Act 2024

### How one case study can be used in many ways

This article should be read alongside 'The rise and fall of the Rwanda Act' (pp. 16–17)

Using contemporary evidence is essential in UK politics essays. It shows that you understand what the question is asking and can use the skills of analysis (AO2) and evaluation (AO3) in your response. It helps you to prove that your line of argument is the most convincing one. Politics students often find this very challenging: how is it possible to learn several pieces of evidence for each topic on the specification? This article aims to show you that this is not necessary. You can learn a few key case studies, such as the one here, study them in depth, and use them in many different ways, to prove a wide range of points.

## The Rwanda Act: the facts

The Rwanda Act was one of the most controversial pieces of legislation this century. It was rooted in concern over the arrival in the UK of large numbers of migrants in small boats. In February 2022 the Conservative government announced that any asylum-seeker entering the UK illegally could be sent to Rwanda. They argued that this would reduce the numbers arriving by acting as a deterrent. Once in Rwanda they would be processed and if their asylum claim was successful, they would be allowed to remain there. After the Supreme Court ruled that this was unlawful, the bill was introduced to parliament in December 2023.

## How to use this case study

### *1 Protection of rights in the UK*

Critics argued that the Rwanda Act showed that rights are not well protected in the UK and are vulnerable to erosion. Pressure groups such as Amnesty International argued that it created a two-tier system, where asylum-seekers did not get access to human rights protection, challenging the principle of the rule of law. This suggests that rights may need further protection in the UK, for example within a codified constitution.

### *2 Voting behaviour*

In the 2019 general election there was a major shift in voting behaviour in parts of the north of England. Many so-called 'Red Wall' seats, traditionally Labour strongholds, were won by Conservatives for the first time. Voters in these constituencies predominantly voted to leave the EU, and Boris Johnson's 'Get Brexit Done' slogan appealed to them. They were also concerned about immigration and felt that Labour was out of touch on this issue. The Rwanda Act can be seen as a

way of appealing to these voters, aiming to prevent them from shifting their allegiance to Reform, or back to Labour. It failed, as most Red Wall seats returned to Labour in 2024.

### ***3 The role and powers of the Supreme Court***

In November 2023 the Supreme Court ruled unanimously that the Rwanda scheme was unlawful. It stated that Rwanda had a poor human rights record and that any asylum-seeker whose claim was rejected risked being sent back to danger in their country of origin. It also stated that the Rwanda scheme was a breach of the European Convention of Human Rights, which protects individuals from 'torture and inhuman treatment'. However, as you will know, the Supreme Court has only limited powers and cannot strike out legislation. So, in response, the government announced that it would pass emergency legislation to continue with this policy. This shows that the Supreme Court is weak in comparison to the US Supreme Court.

### ***4 The role and powers of the House of Lords***

After the Safety of Rwanda bill passed through the Commons, it faced significant opposition from many members of the House of Lords, who see themselves as protectors of rights. However, it is a useful example of the weakness of the Lords and the need for reform. After the 'ping-pong' process, compromise with the Commons was reached and very few changes were actually made to the law. This raises the question of the purpose of the Lords in its present form. Is it to force the government to make changes, or is this inappropriate in an unelected body? The Rwanda Act could be used as an example to show the ineffectiveness of the Lords and the need for significant changes to make it a proper check on the executive's powers.

### ***5 The need for further reform of the UK constitution***

The debate over the Rwanda Act suggests that there may be a need for a codified constitution in the UK. It shows that rights can easily be eroded by strong governments. It reminds us that the Human Rights Act is not entrenched, and it could be removed – as has been suggested in the past by some Conservative politicians. Today, leading Conservative and Reform Party politicians such as Robert Jenrick would also like to leave the ECHR.

### ***6 The powers of the prime minister and the role of collective responsibility***

The Safety of Rwanda Act 2023 ordered the courts to ignore parts of the Human Rights Act and other British and international rules. It stated that Rwanda was a 'safe country'. This shows that parliament is sovereign and can pass any law that it chooses. During the Commons debates, Rishi Sunak faced challenges from within his party and threats of backbench rebellion, exposing his weakness as leader. Immigration minister Robert Jenrick resigned in December 2023, stating that 'the time for tinkering is over'. He argued that the bill was weak and would lead to further challenge in the courts and called for a much more radical approach. This is a useful example of collective responsibility in action. It is also evidence of a major split in the Conservative Party over immigration.

### ***7 Parliamentary sovereignty***

Finally, the Rwanda Act shows that Parliament is sovereign. As soon as the new Labour government was installed in July 2024, it scrapped the Act. No parliament can bind another.

## Student task

How could you use the Rwanda Act as evidence of the following additional topics?

- 1 The power and influence of pressure groups.
- 2 Pressure groups and the protection of rights.
- 3 Factors affecting the power of the prime minister.
- 4 The ideas and principles of the UK political parties.
- 5 Factions within UK political parties.

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