



House of Commons  
Home Affairs Committee

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# The work of the Immigration Directorates (Q2 2015)

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**Second Report of Session 2015–16**

*Report, together with formal minutes relating to  
the report*

*Ordered by the House of Commons to be printed  
20 October 2015*

## Home Affairs Committee

The Home Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Home Office and its associated public bodies.

### Current membership

[Rt Hon Keith Vaz MP](#) (Labour, Leicester East) (Chair)

[Victoria Atkins MP](#) (Conservative, Louth and Horncastle)

[James Berry MP](#) (Conservative, Kingston and Surbiton)

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### Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via [www.parliament.uk](http://www.parliament.uk)

### Publication

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at [www.parliament.uk/homeaffairscom](http://www.parliament.uk/homeaffairscom)

### Committee staff

The current staff of the Committee are Carol Oxborough (Clerk), John-Paul Flaherty (Second Clerk), Duma Langton (Committee Specialist), Dr Ruth Martin (Committee Specialist), Kunal Mundul (Committee Specialist), Andy Boyd (Senior Committee Assistant), Iwona Hankin (Committee Assistant) and Jessica Bridges-Palmer (Select Committee Media Officer).

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# 1 Key indicators of the Immigration Directorate's performance

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1. In the past, the Home Affairs Committee has assessed the Home Office's performance on a quarterly basis against a number of indicators covering aspects of its work. This report covers three quarters: Q4 2014, Q1 2015 and Q2 2015. The data for the first two quarters were published during or just after the 2015 General Election period. Q2 2015 data was published on 27 August 2015. The report is divided into two sections, reflecting how the work is divided in the Home Office. Part one covers the work of UK Visas and Immigration:

- Visa applications
- Sponsors and licensing
- New asylum cases
- Syrian resettlement
- Asylum and immigration caseload
- Grants of settlement
- Spouse visas
- Appeals and tribunals performance
- MPs' correspondence
- Staff numbers

Part two covers the work of Immigration Enforcement:

- The Migration Refusal Pool
- Sponsors and suspension
- Immigration detention
- Foreign National Offenders

The Committee may decide to add further indicators in future.

## 2 UK Visas and Immigration

### Visa applications

2. The UK points-based system provides for visas in separate categories: Tier 1 is for “high value” individuals; Tier 2 is for skilled workers from outside the EU with a skilled job offer (Tier 2 is subject to an annual upper cap of 20,700); Tier 4 is for students and Tier 5 is for temporary workers.<sup>1</sup> The table below gives the total number of visas granted in the 12 months up to June 2015 and comparison with the previous 12 months.

#### Visas granted by reason<sup>2</sup>

	Work	Study	Family	Other	Total
Year ending June 2015	168,544	216,769	35,245	118,105	538,663
Year ending June 2014	159,231	218,239	35,664	125,370	538,504
Percentage change	+6%	-1%	-1%	-6%	+0%

Source: [www.gov.uk/government/publications/immigration-statistics-april-to-june-2015/visas](http://www.gov.uk/government/publications/immigration-statistics-april-to-june-2015/visas)

The most common nationalities given visas were Chinese (89,593 or 17% of the total), Indian (86,117 or 16%) and nationals of the United States of America (35,966 or 7%).

### Visa applications in-country and out-of-country

#### Improved performance

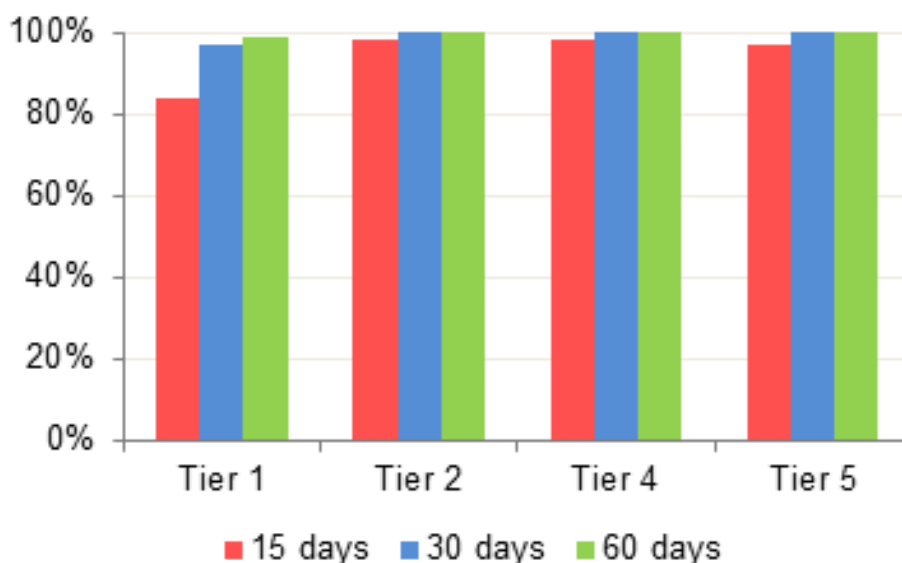
- In Q2 2015, there were 131,333 in-country visa applications which were work in progress. (5% were un-input cases). This is an increase of 9% from Q1 2015 when there were 120,687 in-country visa applications which were work in progress. (9% were un-input cases.)
- There were 77,758 out-of-country visas applications that are work in progress in Q2 2015. This is almost double that in Q1 2015 (39,218).

### Visa processing times

3. The chart below shows out-of-country visa applications processed within 15, 30 and 60 days by Tier in Q2 2015.

<sup>1</sup> There are several categories of Tier 5 work visa: creative and sporting for up to 12 months, unpaid charity workers, religious workers, Government authorised exchange, and foreign workers required in the UK by agreement

<sup>2</sup> Work related visas include various different Tier 1, Tier 2 and Tier 5 visa categories. The total for Tier 4 study visas does not include student visitor visas. Family related visas include partners/spouse, children and other dependants. Other category includes student visitors

**Out-of-country visa applications processed****Worse performance**

- It shows that 84% of Tier 1 applications, 98% of Tier 2 applications, 98% of Tier 4 applications and 97% of Tier 5 applications were processed in 15 days.
- This is a deterioration in performance from Q1 2015 when 89% of Tier 1 applications, 99% of Tier 2 applications, 96% of Tier 4 application and 98% of Tier 5 applications were processed within 15 days.

**Service standards**

4. In January 2014, UKVI introduced a new set of standards with the aim of providing customers with more clarity on when they would receive an outcome to their immigration application. These standards apply for what the Home Office call straightforward applications—where the applicant has met all their obligations. UKVI has said that 98.5% of straightforward cases will be processed within the service standards set out below.

Service Standards for Temporary Migration	Customer Service Standards
Tier 1 Work	8 Weeks
Tier 2 Work	8 Weeks
Tier 4 Study	8 Weeks
Tier 5	8 Weeks
Spouse/Partner	8 Weeks

In Q1 2015, 98% of straightforward Tier 4 student visa, and over 99% of straightforward Tier 1 and Tier 2 visa cases were processed within the standard 8 weeks.

5. Service standards do not apply to cases defined as non-straightforward. The explanatory notes that accompany the relevant statistical tables<sup>3</sup> online explain:

Straightforward cases are non-complex cases where the customer has been compliant and met all of their obligations. Service standards apply to these cases.

Non-straightforward cases are more complex cases, for example Human Right Claims. In this type of case the department informs the customer of their non-straightforward status and where appropriate takes additional steps such as gaining additional information from the customer, interviewing the customer or undertaking additional checks. Note that service standards do not apply to these cases.<sup>4</sup>

6. The quarterly immigration statistics provide the number of cases in progress according to whether they are Within Service Standard, Outside Service Standard, or Service Standards Not Applicable.<sup>5</sup> In Q1 2015, there were 60,759 permanent and temporary migration cases within service standards and only 64 cases outside service standards. But in the same quarter there were 41,452 cases described as Service Standards Not Applicable. These 41,452 cases are non-straightforward cases that are complex, and where either the case is 'blocked' while UKVI seeks further validation from the applicant, or a complex case that is 'workable', e.g. the customer has provided the additional information required.

**7. We welcome the fact that in Q1 2015, over 99% of straightforward Tier 4 student visa cases and over 99% of straightforward Tier 2 work visas were processed within the standard 8 weeks. However, we are concerned that in the same quarter over 40% of all temporary and permanent migration cases—the non-straightforward cases—were not covered by those service standards. The Department has said it is committed to transparency in this area, and it does publish the data on the number of cases to which the service standards apply. We welcome this. At the same time, the Department needs to do more to explain why it is appropriate to say 99% of cases are within service standards when that figure only applies to 60% of all cases. This appears to be so arbitrary as to mean nothing when there is such a large proportion of cases, the non-straightforward ones, to which the service standards are not even applicable.**

## Sponsors and licensing

8. Applications under Tier 2, Tier 4 and Tier 5 require a sponsoring body. Under Tier 2 and Tier 5 (Temporary workers) the sponsor must be an employer based in the UK. Under Tier 4, the sponsor must be an education provider. Such organisations have to apply to UKVI to get sponsor status. There are service standards for the time taken to process applications for sponsor status.

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3 [Table InC5 and Table InC6](#)

4 [Temporary and Permanent Migration Data: August 2015, Notes](#)

5 [Table InC5](#)



**Sponsorship service standards**

Sponsorship	Customer Service Standards
Sponsor (pre-licence)	8 Weeks
Sponsor (post-licence)	18 Weeks
Sponsor (highly trusted sponsorship)	18 Weeks
Sponsor (renewals)	18 Weeks

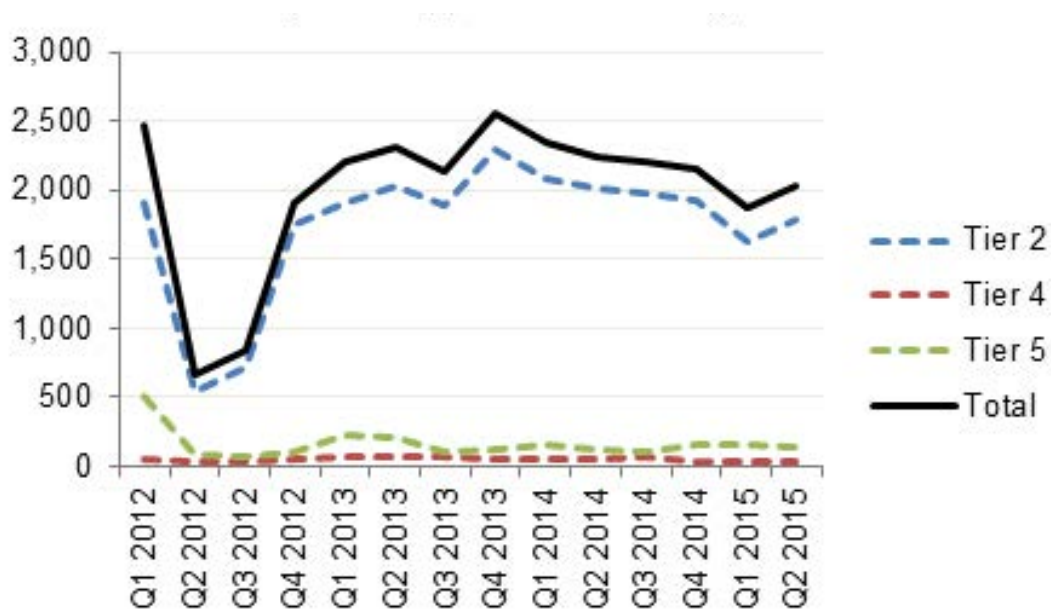
**Improved performance**

- Since Q1 2014, performance against these standards has been 100%, except for a slight dip to 99.7% on Highly Trusted Status in Q4 2014.

*Sponsor applications*

9. The chart below shows sponsor application made by Tier. The majority are for Tier 2 work.

**Sponsor applications made by Tier**



In Q2 2015 1,792 applications were made in Tier 2, 42 applications were made in Tier 4 and 133 applications were made in Tier 5.

- Overall there was an 8% increase from 1,879 applications made in Q1 2015 to 2,025 applications made in Q2 2015.

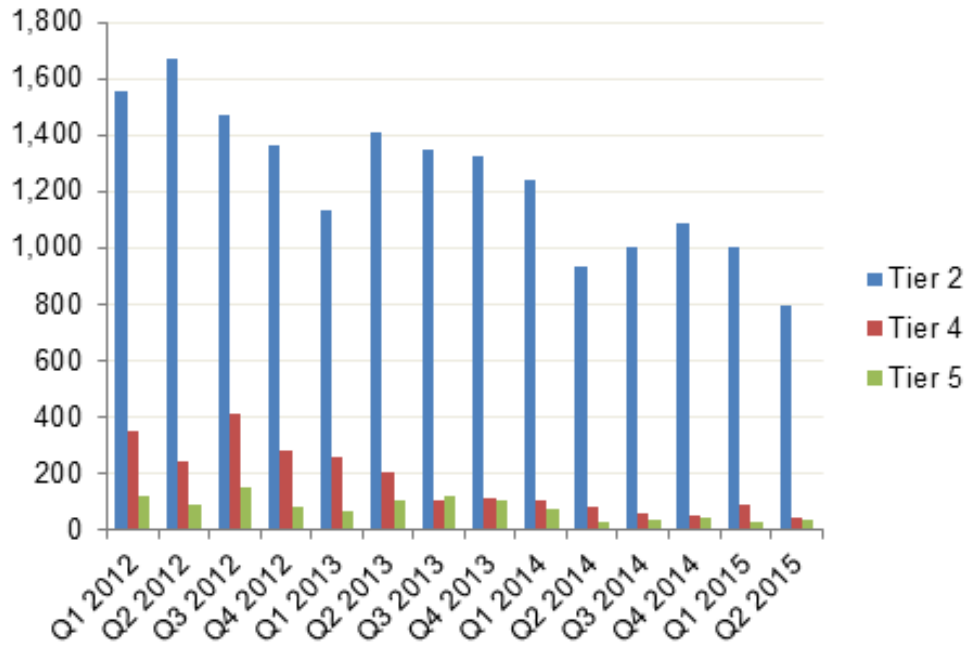
**Improved performance**

- There was a reduction in the average number of days to process a sponsor application from 22 days in Q1 2015 to 19 days in Q2 2015, although we note this is an increase from the 14 days it took in Q2 2014.

### Follow up visits

The chart below shows the proportion of follow up visits to visa sponsors for Tiers 2, 4 and 5. The majority have consistently been to Tier 2 work visa employers.

#### Follow up visits to visa sponsors



#### Worse performance

- In Q2 2015, 914 follow up visits were made to visa sponsors—a reduction of 22% from the previous quarter.
- Most sponsor applications relate to Tier 2. Similarly, most follow-up visits are to Tier 2 sponsors. The proportion of follow-up visits that are unannounced fluctuates. In Q1 2013 it was as low as 20%. In Q1 2014 it rose as high as 77%. In Q2 2015 it fell to 58%.
- We note that follow up visits for Tier 4 sponsors have fallen from 348 in Q1 2012 to only 39 in Q2 2015. 74% of Tier 4 follow up visits were unannounced.

10. **Our predecessor Committee commented on the proportion of post-license visits that were unannounced in all sponsor Tiers. We will continue to monitor this and reiterate our previous recommendation that the Home Office should aim to undertake 100% unannounced visits on sponsors where it suspects non-compliance. The Committee is currently conducting a separate inquiry into immigration and skill shortages. We will revisit the issue of work permits and sponsorship licences when we publish our report on skill shortages.**

### New asylum cases

11. There were 25,771 asylum applications in the year ending June 2015, an increase of 10% compared with the previous year (23,515). This remains considerably below the peak

of 84,132 applications in 2002. The table below shows the number of applications and initial decisions for the year ending June 2015 and the previous year.

	Total applications	Total initial decisions	Granted some form of protection	Granted as a % of initial decisions
Year ending June 2015	25,771	28,538	11,600	41%
Year ending June 2014	23,515	13,795	5,120	37%
Percentage change	+10%	+107%	+127%	

Table as\_01: Asylum applications and initial decisions for main applicants, by country of nationality

12. The total number of applications for asylum has increased each year since 2011—the total number of applications in the year ending June 2011 was 18,823. Since late 2012, the number of applications in each quarter has fluctuated between 5,500 and 6,900. Since Q1 2012, the number of applications for main applicants and dependants in each quarter has fluctuated between 6,300 and a peak of just over 9,062 in Q3 2014. In Q2 2015 the number was 7,567.

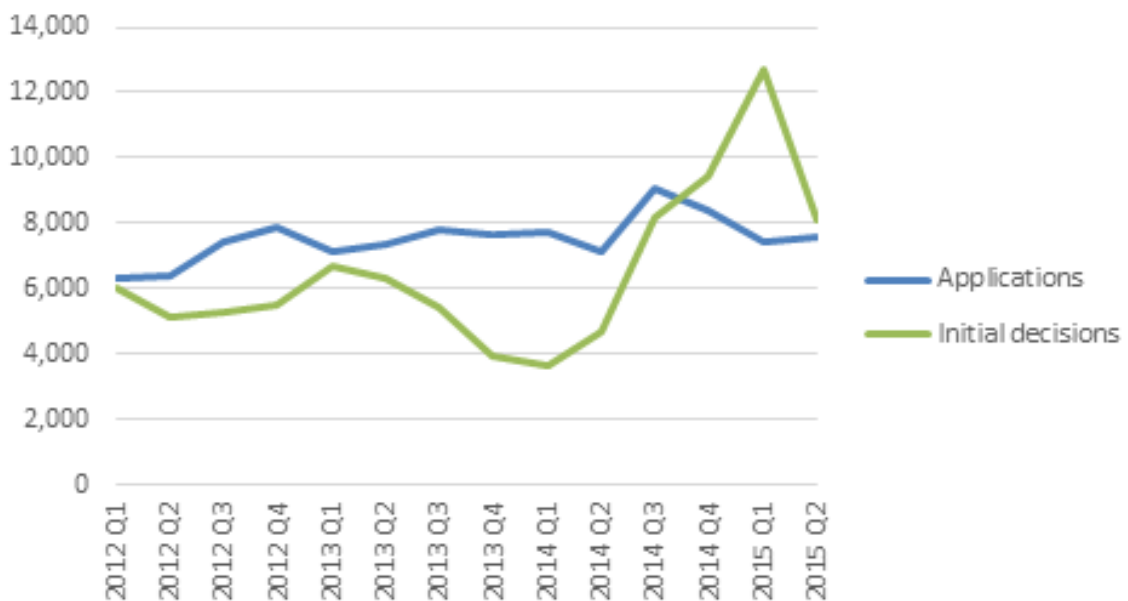
**Improved performance**

- Since Q1 2012, the number of asylum applications has consistently been higher than the number of initial decisions. The number of initial decisions increased in each quarter in 2014.
- In Q4 2014, the number of initial decisions surpassed the number of applications.

**Worse performance**

- However, this progress has stalled. In Q2 2015, 8,112 initial decisions were made, a sharp reduction of 36% from the 12,675 initial decisions in the previous quarter.

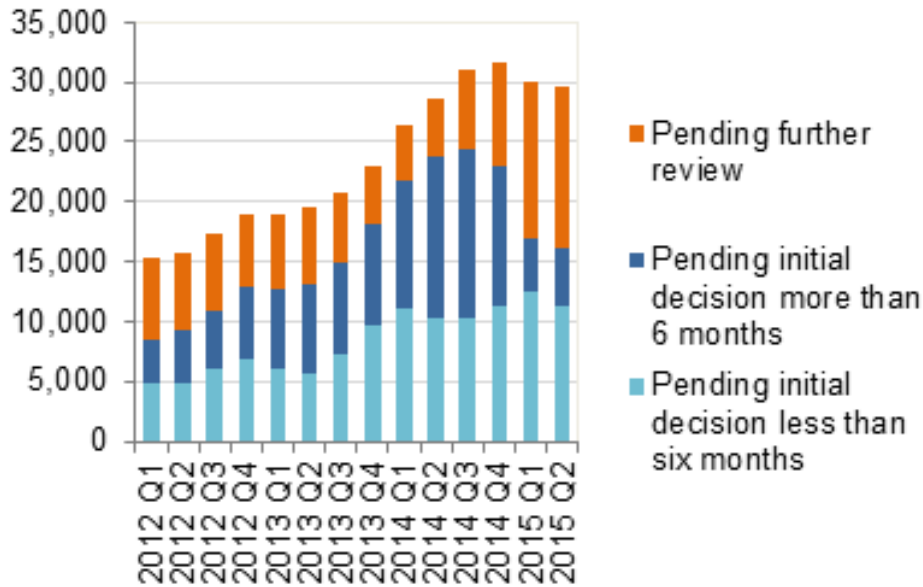
**Asylum applications and initial decisions**



### Asylum applications pending initial decision

13. The chart below shows the number of asylum applications pending an initial decision and further review.

Asylum applications pending initial decision and further review



#### Improved performance

- The number of asylum cases pending an initial decision has decreased each quarter since late 2014. In Q4 2014 it was 31,545. In Q2 2015 it was 29,586.

### Asylum applications pending initial decision for more than 6 months

14. Our predecessor Committee repeatedly raised the question of how long it takes for some asylum applications to receive an initial decision with the Home Office.<sup>6</sup>

#### Improved performance

- In Q2 2015, 4,920 cases had waited more than 6 months for an initial decision.
- This is up from 4,293 cases in the previous quarter Q1 2015 but an improved performance from a year ago in Q2 2014 when 13,435 cases had been waiting more than six months.

15. The Government has said that all straightforward asylum claims made after 1 April 2014 will be given a decision within six months.<sup>7</sup> For those that are considered non-straightforward—too complex to be decided within six months—then UKVI aim to decide these cases within 12 months. Furthermore, the Government has said:

<sup>6</sup> Eighteenth Report of Session 2014–15, [The work of the immigration directorates: Calais](#), HC 902; Third Report of Session 2014–15, [The work of the immigration directorates \(October – December 2013\)](#), HC 237

<sup>7</sup> [Oral evidence taken before the Committee on 1 April 2014](#), Q 115

We will publish new service standards as soon as we are confident that these timescales are the right ones, both for our processes and for asylum seekers themselves.<sup>8</sup>

16. We congratulate the Government on making progress on the number of asylum claims given an initial decision within six months. Furthermore, we welcome their intention to introduce service standards for straightforward cases within six months and for non-straightforward cases within 12 months. We look forward to the Home Office publishing these service standards and its performance against them, both for straightforward and non-straightforward cases.

### *Applications and initial decisions by common nationality*

17. In the year ending March 2015, the largest number of applications for asylum came from nationals of Eritrea, Pakistan, Syria, Iran and Sudan. The table below shows the number of applications from each of those countries for the four quarters up to the end of March 2015.

	Applications Year ending March 2015	Applications Q2 2014	Applications Q3 2014	Applications Q4 2014	Applications Q1 2015
Eritrea	3,552	739	1233	882	698
Pakistan	2,421	610	654	622	535
Syria	2,222	374	612	712	524
Iran	2,000	432	505	628	435
Sudan	1,603	332	471	453	347

Source: Home Office Immigration Statistics, Table as\_01\_q

18. The proportion of decisions leading to a grant of protection, such as asylum, differs for applications from different nationalities. The table below shows the proportion of applications that led to a grant of some form of protection for the five nationalities that made the most applications, for the years 2013 and 2014.

2013				
	Applications	Decisions	Grants of protection	% grants of decisions that lead to protection
Eritrea	1,387	960	787	82%
Pakistan	3,359	2,624	589	22%
Syria	1,648	1,318	1,116	84%
Iran	2,410	1,919	1,063	55%
Sudan	743	593	432	73%

Source: Home Office Immigration Statistics, Table as\_01

8 [Government Response to the Committee's Ninth Report of Session 2014-15, The work of the Immigration Directorates, January-June 2014](#)

Most of the figures are fairly consistent over time. Only about 20-22% of applicants from Pakistan were granted protection; similarly about 50-55% of applicants from Iran were granted protection. Sudanese and Syrian applicants tended to be more successful, reaching between 73% and 86%.

2014				
	Applications	Decisions	Grants of protection	% grants of decisions that lead to protection
Eritrea	3,239	2,484	2,156	87%
Pakistan	2,711	2,286	467	20%
Syria	2,081	1,387	1,198	86%
Iran	2,011	1,827	991	54%
Sudan	1,449	1,000	777	77%

Source: Home Office Immigration Statistics, Table as\_01

19. In 2013 and 2014, over 82% of applications from Eritreans resulted in some form of protection. This dropped to 52% in the first six months of 2015. In Q1 2015, 77% of applications from Eritreans were granted some form of protection. However, in Q2 2015, this fell to 33%.<sup>9</sup>

20. This fall in the proportion of Eritreans granted protection coincided with the UK issuing new country guidance on Eritrea.<sup>10</sup> Several organisations have raised concerns about the reason for changing the guidance and specifically that it appears to be based on the findings of a report commissioned by the Danish Government in 2014, from which the Danish Government has since distanced itself. The UN continues to advocate international protection for Eritrean refugees.<sup>11</sup>

**21. We note that in 2013 and 2014 the proportion of decisions giving Eritreans asylum, or some sort of humanitarian protection, were consistently on a level with those from Syria. However, there was a considerable drop in grants of protection for applicants from Eritrea in Q2 2015. In their response to this report, the Government should explain this.**

## Syrian refugees

22. Syrians, like other nationalities, can apply for asylum in the UK if they can get to the UK. The following table shows the number of applications for asylum from Syrian nationals. The Syrian war started in 2011. The number of applications from Syria more than doubled between 2011 and 2012. It more than doubled again between 2012 and 2014. Over that same period the number of refusals has remained fairly constant at a low level. However, we note that the number of applications pending, and the number pending an initial decision over six months, have both increased dramatically.

9 [Table as\\_01\\_q](#) Q2 2015, 902 initial decisions resulting in 303 grants of protection

10 [Country Information and Guidance, Eritrea, 13 March 2015](#)

11 [Refugee Council, UK paves way to return asylum seekers to Eritrea, 27 August 2015](#); [Migrant Voice, UK Government relying on discredited Danish report to process Eritrean asylum applications, 24 August 2015](#)

**Asylum applications and initial decisions for main applicants from Syria**

Year	Total applications	Total initial decisions	Grants of asylum	Total refusals	Total pending	Pending initial decision for more than 6 months
2001	109	213	22	178		
2002	69	96	17	73		
2003	112	128	9	119		
2004	348	282	12	254		
2005	330	358	12	317		
2006	159	177	15	146		
2007	154	149	27	110		
2008	156	109	18	81		
2009	138	148	30	110		
2010	127	153	30	119	77	18
2011	355	257	93	158	233	16
2012	988	849	625	188	304	32
2013	1,648	1,318	1,106	202	553	73
2014	2,025	1,364	1,175	169	1,169	206

**Resettling Syrian refugees**

23. On 7 September 2015, the Prime Minister made a statement on refugees from Syria in which he set out the various ways in which the UK has assisted those who have fled the conflict in Syria. He said:

Since 2011, the UK has granted humanitarian protection to almost 5,000 Syrians through our normal asylum procedures. A further 216 people have been relocated under the Syrian Vulnerable Persons scheme so far.

He went on to say that the UK would accept up to 20,000 Syrian refugees over the “rest of this Parliament”.<sup>12</sup> This has been interpreted as 20,000 before 2020. A Ministerial Committee on Syrian Refugees has been set up with the terms of reference “to co-ordinate efforts to resettle, house and support Syrian refugees resettled in the UK.” The Ministerial Committee is chaired by Richard Harrington MP, appointed as Minister responsible for Syrian refugees in the UK in September 2015, and met for the first time on Friday 11 September.

24. Currently, the UK government operates three resettlement programmes for refugees. Two schemes pre-date the Syrian crisis: 1) Gateway, an EU resettlement programme prioritises people who have been displaced for over five years, and 2) Mandate, a resettlement scheme that prioritises those with a close family member in the UK who can house and support them. The third is the Syrian Vulnerable Persons Relocation Scheme

<sup>12</sup> [Syria: refugees and counter-terrorism - Prime Minister's statement, 7 September 2015](#)

(VPRS). No Syrians have been resettled to the UK using either the Gateway or Mandate scheme since the Vulnerable Persons Relocation Scheme was started in January 2014.

25. The UK declined to participate in a wider international UNHCR Syrian resettlement scheme, but instead set up its own Syrian Vulnerable Persons Scheme to offer resettlement to some of the most vulnerable refugees, such as victims of sexual violence, the elderly, victims of torture, and the disabled. The scheme did not have a quota, but it was expected that several hundred refugees would arrive over the next three years. The table below shows the number of Syrians that have been resettled in the UK under the Vulnerable Persons Relocation Scheme.

**Refugees and others resettled, including dependants, from Syria**

Year	Vulnerable Persons Relocation Scheme
2014 Q1	13
2014 Q2	37
2014 Q3	40
2014 Q4	53
2015 Q1	44
2015 Q2	29
<b>Total</b>	<b>216</b>

Source: Home Office Immigration Statistics, Table as\_19\_q

26. The Home Office publishes statistics on the number of refugees resettled under all three schemes: Gateway, Mandate and VPRS.

**Refugees and others resettled, including dependants. All nationalities**

Year	Gateway Protection Programme	Mandate Scheme	Vulnerable Persons Relocation Scheme
2004	150		
2005	71		
2006	353		
2007	463		
2008	642	75	
2009	857	90	
2010	669	49	
2011	432	22	
2012	985	54	
2013	935	32	
2014	630	14	143
2015 (first six months)	193	2	73

Source: Home Office Immigration Statistics, Table as\_19\_q



27. We welcome the Prime Minister's commitment made on 7 September 2015 to resettle 20,000 Syrians before the end of this Parliament. To meet this undertaking would require an average of 4,000 Syrians to be resettled each year. According to the Government's own figures, in the last 10 years the highest number of refugees resettled in any one year is 1,039 in 2012. At no point in the recent past has the UK come near to resettling 4,000 refugees in one year. To maintain an even flow throughout the five years of the Parliament, this would equal 333 Syrians resettled each and every month, although it is not the Government's intention to proceed in this way, as the Minister for Syrian Refugees made clear in oral evidence, telling us that while "the mathematical calculation is correct, in practice some quarters may be up and some quarters may be down".<sup>13</sup> We are concerned that the UK will not be able to increase its capacity to manage such numbers at short notice. The Prime Minister told the House on 19 October that "we want to see 1,000 [Syrian] refugees brought to Britain by Christmas".<sup>14</sup> We welcome the Prime Minister's statement, and recommend that the Government set out clearly how it intends to expand the current provision for resettling Syrian refugees to meet the volume that it has said the UK will take.

28. The Minister for Immigration and the Minister for Syrian Refugees both confirmed that the resettlement programme will meet the UNHCR international call for 130,000 places for vulnerable Syrian refugees by the end of 2016. We note that unlike other countries the UK has not provided the UNHCR with a specific pledge of the number of places for the end of 2016 but has relied upon the end of Parliament figure of 20,000. We recommend that the Government publishes as soon as practicable the number of confirmed places that will be made available by the end of 2016.

29. When the Minister for Syrian refugees appeared before the Committee he was asked several times how many Syrians had arrived in the UK since the Prime Minister's announcement on 7 September. Although he informed us that he had the figure, he refused to disclose it. We consider this unsatisfactory. The Minister's stated reason for not providing the number of Syrian refugees that have arrived in the UK since the Prime Minister's announcement that 20,000 would be taken was that the apparatus for taking an expanded number of refugees was still being set up. The Government should inform us, in response to this Report, when that apparatus has been set up, and then provide regular updates on the number of Syrian refugees the UK has taken. Although we appreciate that these are early days, the best way to reassure and inform the public, as well as our European partners, that we are pledged to fulfil our commitments to refugees, in the context of the wider humanitarian effort, is to be open and transparent about this information. Failure to do so will allow those to believe incorrectly that there is another agenda. Merely to refer the Committee to the quarterly statistics does not meet our concerns.

30. We welcome the creation of the Ministerial Committee on Syrian Refugees and support the Minister's stated aim of ensuring a coordinated approach between central Government, local government and the voluntary sector. We agree this is the best way to ensure the resettlement process works effectively for those Syrians who come to the UK. We applaud the offers made by many members of the public, and institutions such as faith groups, who would like to help welcome refugees to the UK and also provide ongoing support. The Minister said he was not able to accept offers made by

<sup>13</sup> Qq 111-112

<sup>14</sup> [HC Deb 19 October 2015, col 661](#)

individuals for Syrian refugees to stay in private homes, because of the risks arising to both the refugee, and the potential host, due to the vulnerability of the refugees being taken. We consider that this is something that needs to be further examined and we welcome the Minister's commitment to look at it again. The Government should do more to explore how members of the public can help provide that ongoing support, in particular in the provision of housing which is likely to be one of the bottlenecks on where refugees will be able to be resettled.

## Asylum and immigration caseload

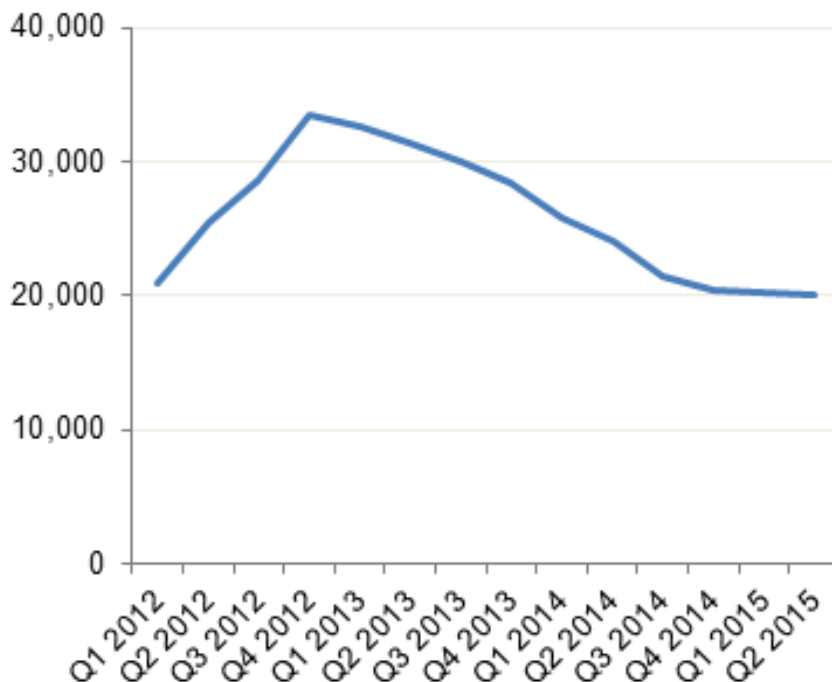
31. The Home Office carried out a programme of work to resolve legacy asylum cases in 2006. This took five years and was overseen by the Case Resolution Directorate (CRD). The workload relating to cases the CRD were unable to conclude were passed to the Case Assurance and Audit Unit (CAAU). The CAAU was renamed the Older Live Cases Unit (OLCU) in 2013 to reflect the fact that the focus would be on reviewing the remaining live legacy cases. When the CRD closed in March 2011, it handed over 124,000 archive cases to the CAAU. The 124,000 cases included 98,000 asylum cases where the claim had been made before 5 March 2007. Legacy cases are concluded by granting leave, removing individuals from the country or by cleansing the data of clear errors and duplications.

### Legacy asylum cases

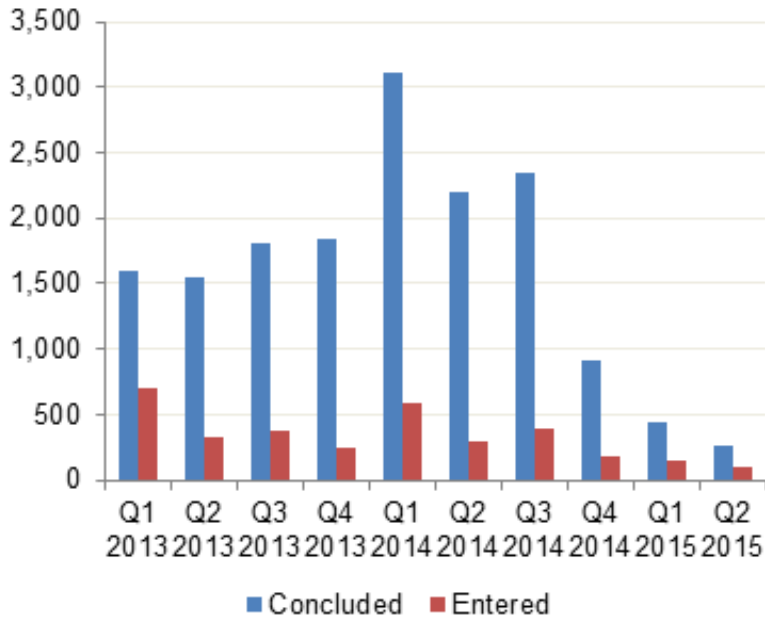
#### Improved performance

- The total number of asylum cases in the Older Live Cases Unit has continued to fall from 33,500 in Q4 2012 down to 20,017 in Q2 2015.
- The rate of reduction has slowed down recently. There were 265 legacy asylum cases concluded in Q2 2015. This was down from 448 in Q1 2015 and 912 in Q4 2014.

Asylum cases in the Older Live Cases Unit



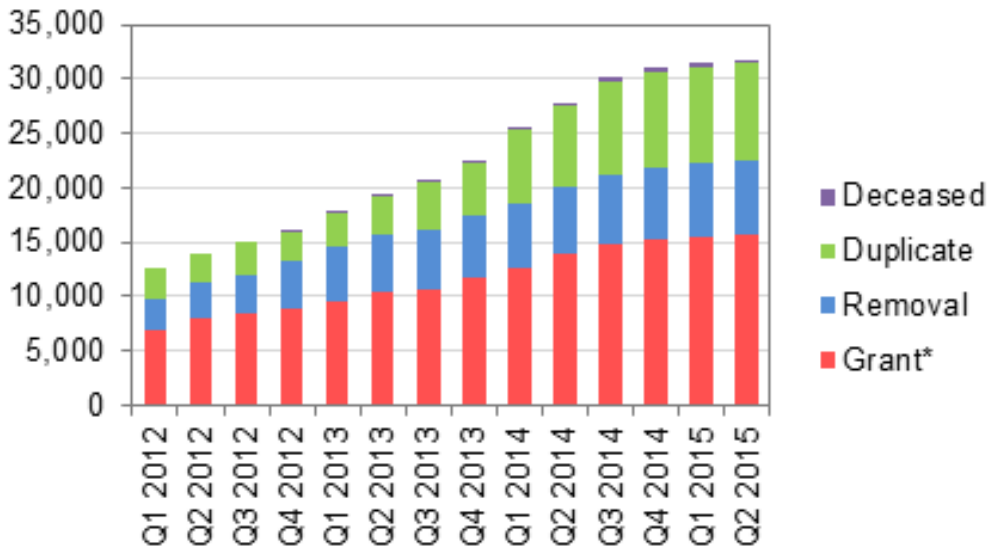
**Legacy asylum conclusions and new cases**



*Worse performance*

- The number of asylum cases concluded has regularly outstripped the new cases being added to the OLCU each quarter. However, the number of cases concluded has reduced markedly from 3,112 in Q1 2014 down to 265 in Q2 2015.
- At the end of Q2 2015, 49% of all legacy asylum applications concluded had been granted leave to remain, 22% were removed and 28% were found to be duplicates.

**Legacy asylum conclusions (cumulative figures)**



### Legacy immigration cases

32. When the CRD closed in March 2011, it handed over 124,000 archive cases to the CAAU. The 124,000 cases included 26,000 immigration cases where the applicant could not be located. Legacy cases are concluded by granting leave, removing individuals from the country or by cleansing the data of clear errors and duplications.

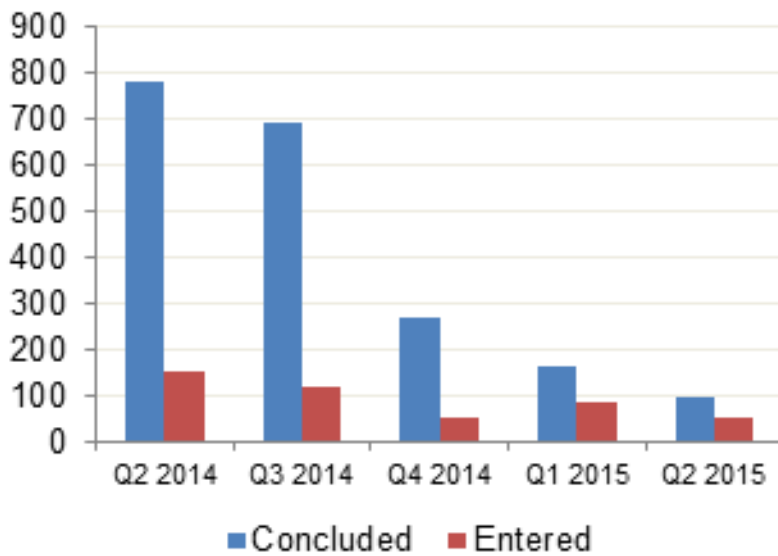
#### Improved performance

- The total number of immigration cases in the OLCU as of Q2 2015 is 4,542. A year ago this figure was 5,808.

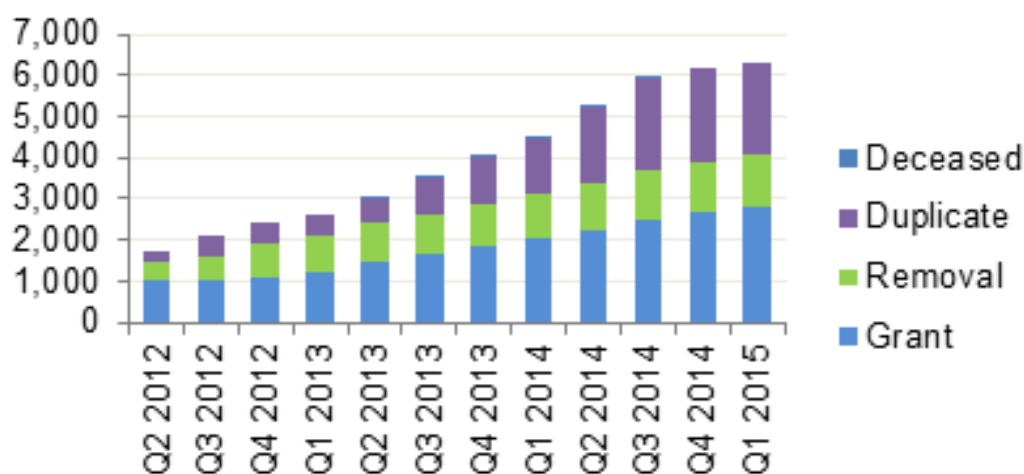
#### Worse performance

- The rate of removing immigration cases from the OLCU has slowed. 97 cases were concluded in Q2 2015 compared to 780 cases concluded a year ago in Q2 2014.

#### Legacy migration conclusions and new cases



## Legacy immigration conclusions



33. The chart above shows the number of legacy immigration applications concluded altogether each quarter since Q2 2012.

- 6,462 legacy immigration applications had been concluded by the end of Q2 2015. Of these, 44% had been granted leave to remain and 20% of applications were removed. 35% were found to be duplicates.

**We are concerned that over a third of the legacy immigration cases have been found to be duplicates. While we welcome the gradual reduction of the legacy immigration caseload, we note that the number of conclusions fell dramatically from Q2 2014, and at the same time the number of cases entered onto the system actually rose slightly between Q4 2014 and Q1 2015. We request that, in response to this Report, the Home Office explains why the number of cases entered onto the legacy system has started to rise again.**

### Grants of settlement

34. Settlement, or indefinite leave to remain, allows foreign nationals to live in the UK without a visa. The Home Office data shows grants of settlement based on employment, asylum, family, and other. There were 103,147 grants of settlement for the year 2014, a considerable reduction from over 152,000 in 2013, and under half the 241,192 grants of settlement made in 2010.

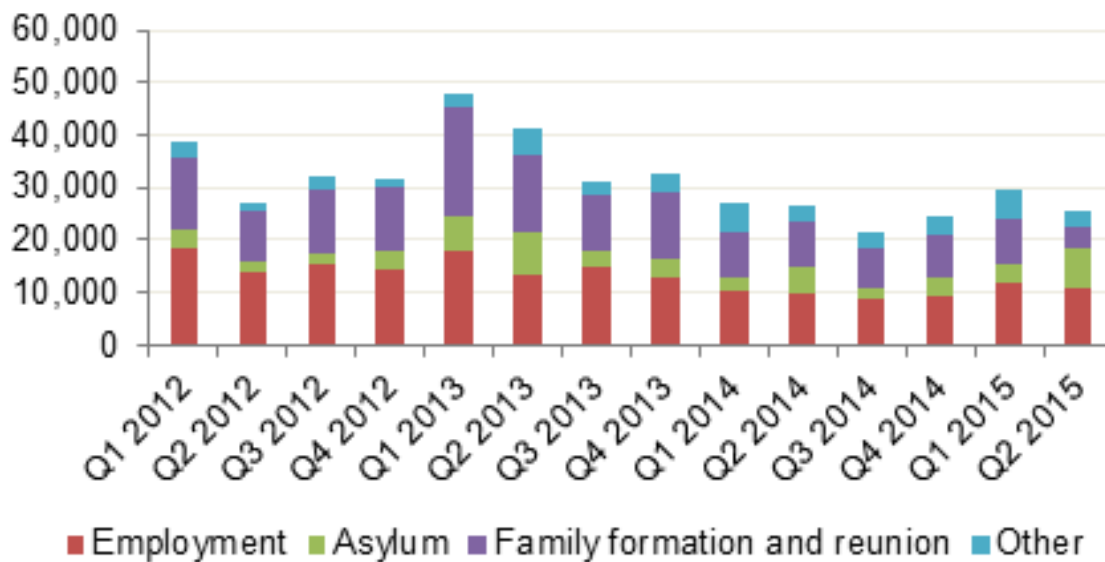
Year	Total grants of settlement
2004	139,209
2005	179,121
2006	134,447
2007	124,854
2008	148,936
2009	194,781
2010	241,192

2011	166,878
2012	129,749
2013	152,949
2014	103,147

Source: Table se\_06

35. The chart below shows grants of settlement each quarter by category. In Q1 2013, when there were over 47,000 grants of settlement, 20,701 were for family reasons (or 43%). By Q2 2015, settlement grants for family reasons had reduced to 4,022 (15%).<sup>15</sup> The most popular category for settlement is employment. There were 25,611 grants for settlement in Q2 2015, 42% of which were for employment.

**Grants of settlement**



**Spouse visas and the £18,600 threshold**

36. A number of Members of Parliament have contacted the committee following the introduction of the £18,600 threshold for those who wish to bring their spouses into the country. In some cases the £18,600 figure is above the average for the region. **In its response to this report, the Home Office should set out the number of applications, on behalf of a spouse, for entry clearance and settlement, that were made since the introduction of new £18,600 threshold, and how this compares to previous years.**

37. **We will consider holding an inquiry into spouse visas if we continue to receive examples of hardship. Our predecessor Committee stated that it found it unacceptable that an EU citizen is able to bring a spouse from outside the EU into the UK without having regard to the £18,600 limit, whereas a British citizen living next door would have to abide by this rule. British ministers have shared the concern about the unacceptable way in which the EU rules operate, and we invite the Government to set**

<sup>15</sup> [Table se\\_02\\_q: Grants of settlement by category of grant and refusals](#)

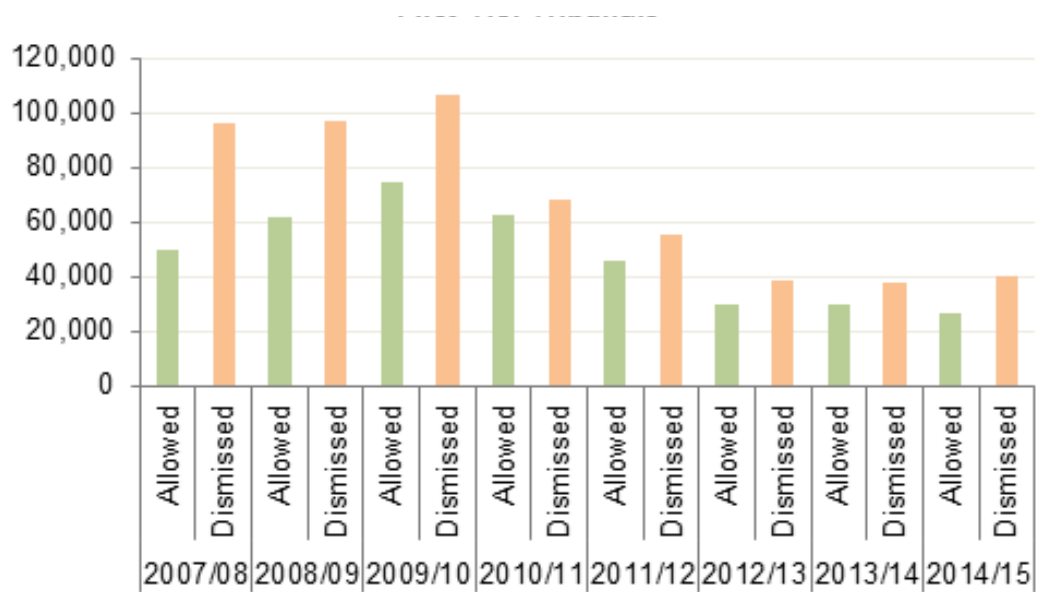
out, in response to this Report, what steps can be taken to regularise this situation, whether those steps have been taken and, if not, why not.

### Appeals and tribunals performance

38. The First Tier Tribunal (Immigration and Asylum Chamber) hears first instance appeals against decisions made by the Home Office on immigration, asylum and nationality matters. The Upper Tribunal (Immigration and Asylum Chamber) deals with appeals against decisions made by the First-tier Tribunal (Immigration and Asylum Chamber).

39. In Q2 2015 there were a total of 3,919 Asylum appeals received in the First Tier Tribunal (Immigration & Asylum) an increase of 65% on Q2 in 2014. The number of Asylum appeals in the Upper Tribunal (Immigration & Asylum Chamber) increased by 27% from Q2 2014 to Q2 2015.<sup>16</sup> The chart below shows the proportion of First Tier Tribunal (Immigration & Asylum chamber) decisions allowed or dismissed since 2007-08.

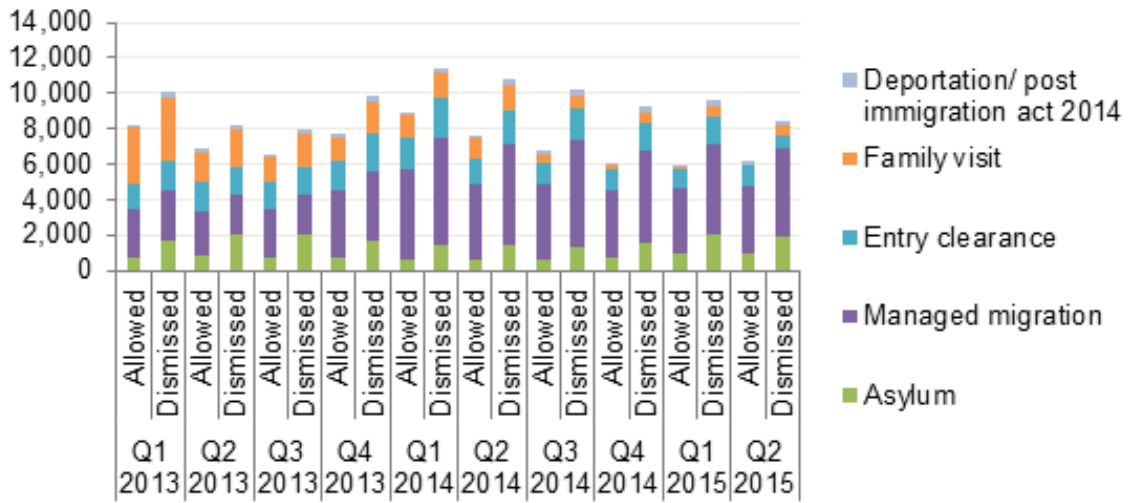
First Tier Tribunals



First Tier Tribunal (Immigration and Asylum Chamber) Number of appeals determined each quarter 2013 to 2015

16 Ministry of Justice, [Tribunals and Gender Recognition Certificate Statistics Quarterly](#), April to June 2015, 10 September 2015

**First Tier Tribunals**



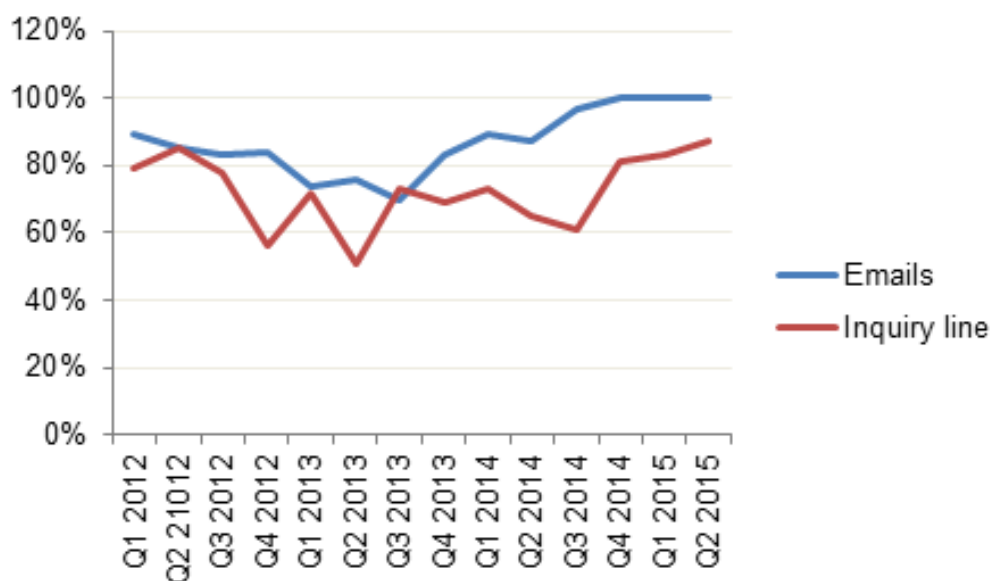
The highest proportion of Asylum appeals allowed was 48% in 2010-11. In 2014-15 it fell to 40%.

In Q1 2015 the Home Office achieved a 97% representation rate at First Tier Tribunal which is slightly less than the 99% achieved in the previous quarter.

**MPs’ correspondence**

The chart below shows the proportion of MPs’ emails and enquiries made via the MPs’ inquiry line responded to in target time.



**MPs' correspondence***Response to emails***Improved performance**

- The Home Office aims to respond to 95% of emails within 20 days. 100% emails were responded to within 20 working days in Q2 2015.

*Response to MPs' inquiry line***Improved performance**

- The Home Office aims to resolve 90% of queries via the MPs' inquiry line within 10 working days. In Q2 2015, 87% of queries were resolved in 10 working days, up from 83% in the previous quarter.

**Staff numbers**

40. In Q2 2015, there were 11,879 full time equivalent staff working in UK Visas and Immigration and Immigration Enforcement. This is a 3% reduction from 12,234 staff in the previous quarter.

**Staffing total within the immigration directorates Q2 2015**

	<b>Staffing Total (FTE)</b>	<b>Civil servants (FTE)</b>	<b>Agency (FTE)</b>	<b>Other (FTE)</b>
UKVI	6,653	5,799	551	303
Immigration Enforcement	5,226	4,869	50	307

41. UKVI has several Account Management Teams across the UK which handle enquiries from MPs on matters to do with UKVI, Immigration Enforcement and Border Force. A diagram showing the territory covered by each Account Management Team is below.

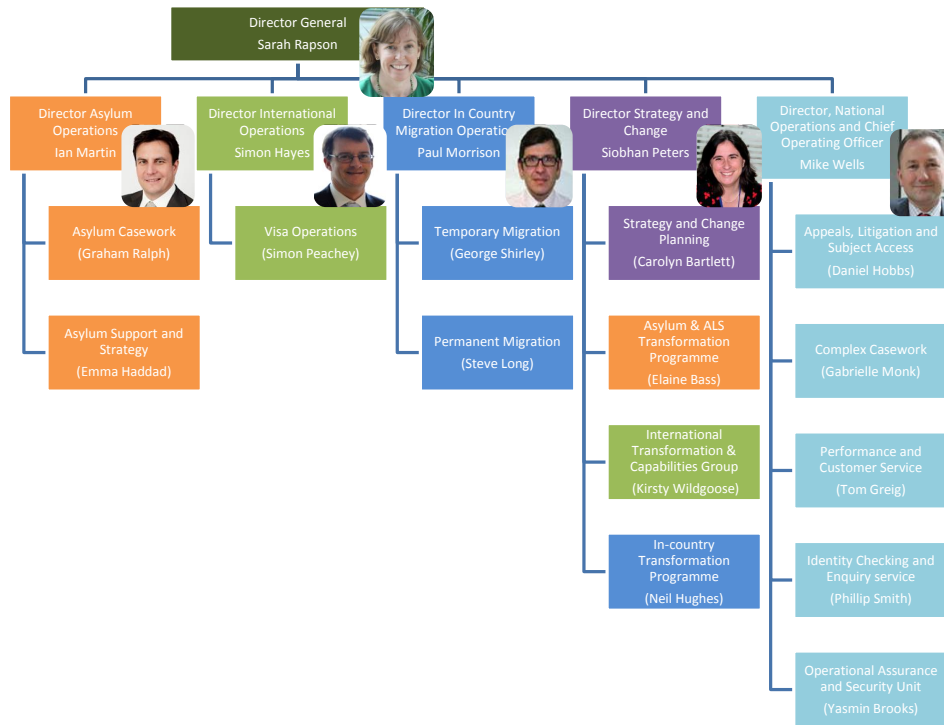
42. Sarah Rapson, Director General of UKVI, has told the Committee in the past that customer service remains her key priority. Members of Parliament are asked to contact their 'account manager' on immigration cases. We have received no evidence that additional resources have bolstered the work of the account manager who is not a decision maker but merely passes on correspondence to caseworkers. In their response to this report, we ask the Government to set out how many levels of management exist between the account manager and the Director General. Cutting bureaucracy and increasing efficiency will result in a reduction in the number of letters sent by MPs.

### **Interviewing all applicants in posts abroad**

43. In our previous reports we have stated that the most effective way of combatting forced marriages and fraudulent entry into the UK is to do this before people enter the country. There is no substitute for a face to face interview with an Entry Clearance Officer. We have also stated that in our view the international section of the Home Office under Simon Hayes is the most effective of the sections in the UKVI. **In its response to this report the Home Office should set out:**

- **How many face to face interviews were conducted in 2014 in contrast to the number of applications made;**
- **How many interviews were conducted on shore in the UK through the Sheffield hub as a percentage of overall numbers;**
- **The number of Entry Clearance Officers in each UKVI post outside the UK.**

Organisation Chart UKVI (SCS), as of 30 June 2015





**UKVI MP Account Management Teams UK Regional Map**

Regional MP Account Management Teams (MPAM Teams) handle all enquiries from MPs covering UK Visas & Immigration, Immigration Enforcement and Border Force.

For information about a constituent's case you should ring or email your regional team with the details and if your enquiry is urgent please contact your MP Account Manager direct by telephone using the numbers below.

For further information about our service or to arrange a visit please contact your Regional Account Manager.

**Scotland and Northern Ireland**  
**MPAM Team Contact numbers**  
 0141 555 1272/0141 555 1505  
**Acting MP Account Manager**  
 Toby Newton 07827 981096  
**Email:**  
 SNIMPS@homeoffice.gsi.gov.uk

**North East, Yorkshire & Humberside**  
**MPAM Team contact numbers**  
 0114 207 2015/0114 207 3371/  
 0114 207 2135  
**MP Account Manager**  
 Lisette Sokell-Morgan  
 07771 888686  
**Email:**  
 NEYHMPS@homeoffice.gsi.gov.uk

**North West**  
**MPAM Team Contact numbers**  
 0161 261 0944 or  
 0151 213 4503  
**MP Account Manager**  
 Sharon Mason 07795 605683  
**Email:**  
 NWMPS@homeoffice.gsi.gov.uk

**Midlands and East of England**  
**MPAM Team Contact numbers**  
 0121 713 3116  
**MP Account Manager**  
 Maxine Minister 07909 873049  
**Email:**  
 MEEMPS@homeoffice.gsi.gov.uk

**Wales and South West**  
**MPAM Team Contact numbers**  
 02920 924668  
**MP Account Manager**  
 Helen Hurley 07500 921456  
**Email:**  
 MPCorrespondence@homeoffice.gsi.gov.uk

**London and South East**  
**MPAM Team Contact numbers**  
 0345 609 0395  
**MP Account Managers**  
 Sarah Hanrahan 07500 051127  
 Sarah Wells 07500 918082  
**Email:**  
 LSEMPs@homeoffice.gsi.gov.uk

**Other useful contacts**

**British passports:** queries should be directed to Her Majesty's Passport Office:  
 Email: MPenquiries@hmpo.gsi.gov.uk, Tel: 020 7752 7362

**Appeal of an immigration decision:** queries, for example about the appeal hearing date, expediting the appeal and submitting an appeal should be directed to the Tribunal Service for Immigration and Asylum:  
 Email: customer.service@hmcts.gsi.gov.uk, Tel: 0300 123 1711

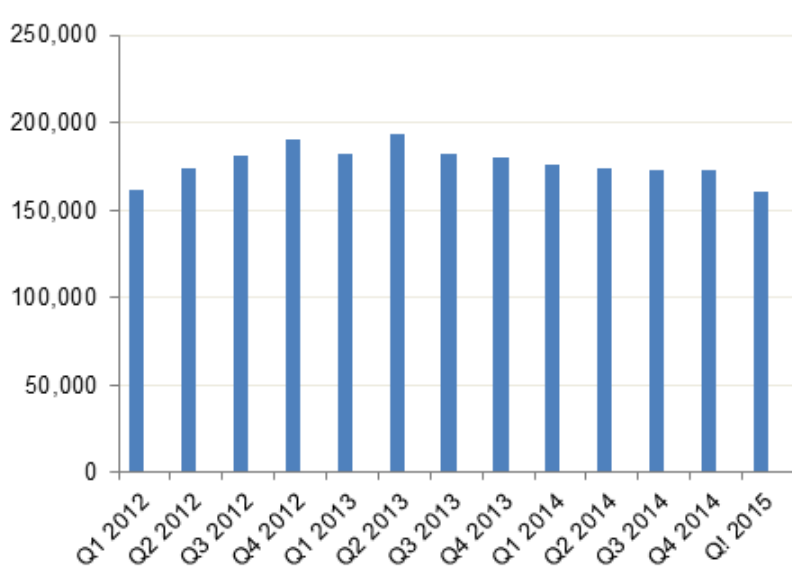
**British nationals requiring assistance overseas:** Queries should be directed to the relevant British Embassy at the Foreign and Commonwealth Office. Further information on this can be found at: [www.gov.uk/government/world](http://www.gov.uk/government/world).

## 3 Immigration Enforcement

### The Migration Refusal Pool

44. The Migration Refusal Pool (MRP) is a count of records of refusal of leave where the Home Office lacks evidence that the individual concerned has departed from the UK or obtained a separate grant of leave. It started in 2008. Records enter the Migration Refusal Pool as applications are refused or leave expires. Records leave the pool as people leave the UK, either forcibly or voluntarily, are granted leave, or lodge an appeal or a new application. In September 2012, the Home Office contracted Capita to carry out a cleansing operation on the Migration Refusal Pool.

#### Size of Migration Refusal Pool, by quarter



At the end of Q2 2015, Capita had assessed 398,000 records. Of these 214,400 had been passed back to the Home Office because there had been a barrier to contact. 82,000 had been confirmed as having departed from the UK.<sup>17</sup> Our predecessor Committee has raised concerns about the operation of the contract in previous Reports.<sup>18</sup>

#### Improved performance

- At the end of Q2 2015, there were 157,142 cases in the Migration Refusal Pool (MRP) down from 160,588 in the previous quarter. There has been a downward trend in the total number in the MRP since Q2 2013.

### Non-compliance notifications

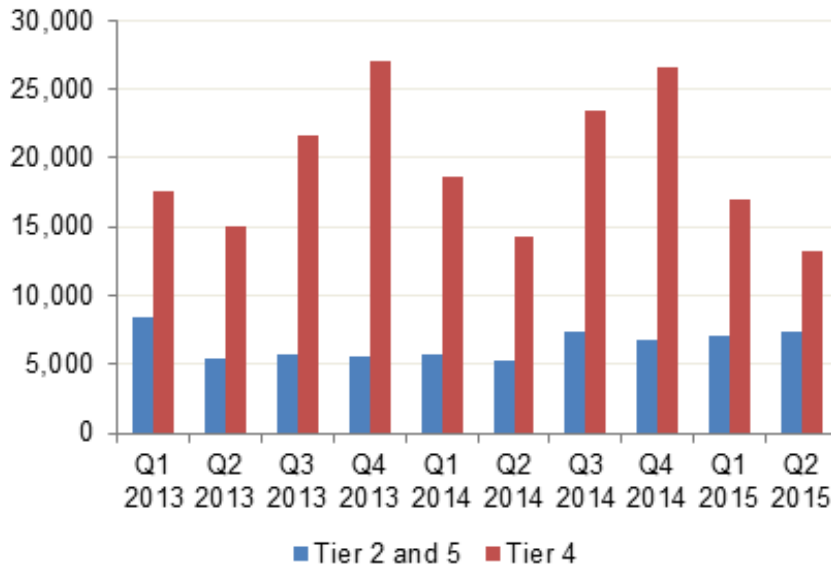
45. The sponsor is obliged to notify Immigration Enforcement when there is a change in the situation of the person they are sponsoring. This includes a non-compliance

<sup>17</sup> [Table Post MRP\\_3: Cumulative number of Post 2008 Migration Refusal Pool records assessed since the beginning of the Capita contract and the end of each quarter](#)

<sup>18</sup> Fifteenth Report of Session 2013-14, [The work of the Immigration Directorates \(April-September 2013\)](#), HC 820, paras 47-52

notification—where that individual is no longer complying with the conditions of their visa. The charts below show the number of non-compliance notifications received and the number of such notifications followed-up.

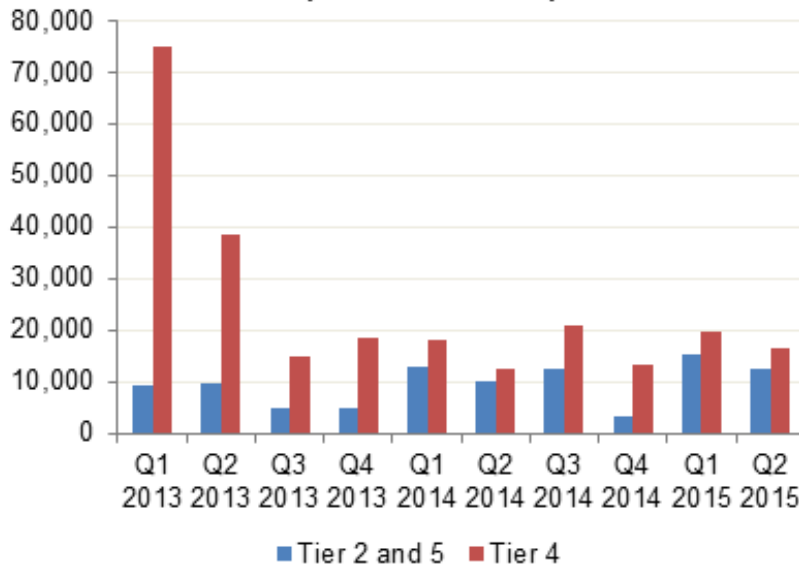
**Sponsor notifications regarding potential non-compliance**



**Notifications**

- The majority of non-compliance notifications were in the education sector. 13,299 notifications of potential non-compliance were received in Q2 2015 for Tier 4, down from 17,023 in Q1 2015.
- In comparison, there were 7,457 non-compliance notifications in Q2 2015 for Tiers 2 and 5, up from 7,097 in Q1 2015

**Sponsor notifications regarding potential non-compliance followed up**



*Suspensions and revocations*

As a result of this activity, licences can be suspended or revoked. In Q2 2015:

- 108 Tier 2 sponsors had their licences revoked and 190 Tier 2 sponsors had their licences suspended.
- 16 Tier 4 sponsors had their licences revoked and 18 Tier 4 sponsors had their licences suspended.
- 8 Tier 5 sponsors had their licences revoked and 14 Tier 5 sponsors had their licences suspended.

**Immigration detention**

46. Immigration detention is the practice of detaining asylum seekers and other migrants for administrative purposes, to enable their claim to be resolved, or their possible removal. In Q3 2014, the average cost per day of holding an individual in immigration detention was £97.<sup>19</sup>

47. In 2014, 30,364 people entered immigration detention. The following table shows the number of people in immigration detention at the year end, since 2009. The proportion of those entering detention who were female has varied between 15% and 19% since 2009.

<sup>19</sup> Migration Observatory, [Immigration Detention in the UK](#), February 2015

**Number of people in immigration detention, at the end of year**

	<b>Total</b>	<b>Male</b>	<b>Female</b>
2009	2,595	2,350	245
2010	2,525	2,248	277
2011	2,419	2,178	241
2012	2,685	2,412	273
2013	2,796	2,505	291
2014	3,462	3,135	327

Source: Home Office Immigration Statistics, Table dt\_13

The following table shows the number of incidents of people entering immigration detention over the last six quarters.

**Number of people entering immigration detention, by quarter**

<b>Quarter</b>	<b>Total</b>	<b>Male</b>	<b>Female</b>
2014 Q1	7,031	5,899	1,132
2014 Q2	6,995	5,877	1,118
2014 Q3	8,341	7,049	1,292
2014 Q4	7,997	6,903	1,094
2015 Q1	7,569	6,530	1,039
2015 Q2	8,146	6,957	1,189

Source: Home Office Immigration Statistics, Table dt\_01\_q

**Worse performance**

- The number of people held in immigration detention each year has increased since 2011.
- The number of women held in immigration detention each year has increased over the last five years from 277 in 2010 to 327 in 2014
- The proportion of all those who entered detention and who were then removed from the UK has gradually fallen from 63% in Q1 2010 to 48% in Q2 2015.<sup>20</sup> Fewer than half of those people who enter immigration detention are removed from the UK.

**48. The Committee notes with concern the increasing number of asylum seekers and other migrants detained for administrative purposes. The Government should publish the Stephen Shaw review of the immigration detention estate and its response as soon as possible to inform the remaining stages of the Immigration Bill.**

**Rule 35 report**

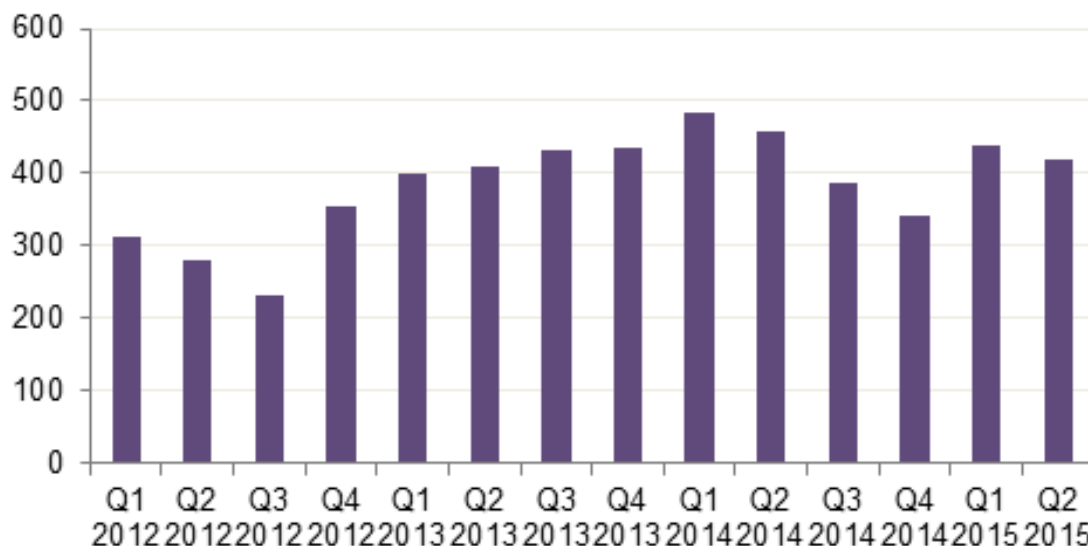
49. Rule 35 of the Detention Centre Rules states that medical practitioners are required to report to the Home Office any detainee whose health is likely to be injuriously affected by detention or any condition of detention and any detainee they are concerned may be

<sup>20</sup> [Table dt\\_05\\_q: People leaving detention by reason and age](#)



a victim of torture. The chart below shows the number of Rule 35 Reports made to the Department since the beginning of 2012.

**Rule 35 Reports**



- The number of Rule 35 Reports peaked in Q1 2014. They fell in every quarter of 2014, then climbed again in Q1 2015

**Improved performance**

- In Q2 2015, 74 out of 420 Rule 35 Reports led to the person being released. This is the highest percentage since Q1 2012.

**Number of Rule 35 reports made and the numbers of individuals released as a result**

	Rule 35 reports made	People released as a result of the Rule 35 report	
2012	1179	93	7.75%
2013	1679	146	8.7%
2014	1671	206	12.3%
2015 (Q1 & Q2)	860	158	18.4%

**Improved performance**

- In fact, the number of people released as a result of Rule 35 Reports has increased for the last three years.

**50. In 2012, under 8% of people were released following a Rule 35 Report. The percentage for the first half of 2015 is over 18%. This appears to show some improvement in the care shown to those who have suffered trauma due to torture elsewhere and then find themselves in immigration detention in the UK.**

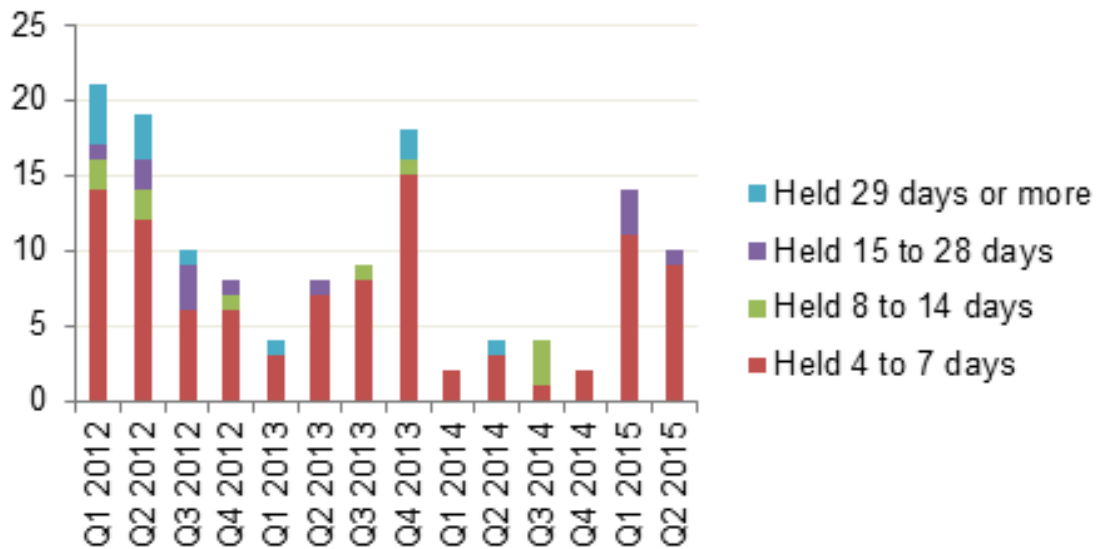
### Children in immigration detention

51. The Coalition Government committed to end the detention of children for immigration purposes. In 2009, over 1,100 children entered immigration detention; in 2010 the number was 436; and in 2014 it was down to 128. However, the practice has not stopped entirely.

#### Worse performance

- In Q2 2015 38 children entered immigration detention. This is an increase from one year previously where only 19 children entered detention in Q2 2014.
- The number of children held over three days had been showing signs of improvement. In Q4 2014 only 6% of the children leaving immigration detention had been held longer than three days. However, in Q1 2015 this rose to 32%—14 of 43 children being held longer than three days.
- In Q2 2015 it had started to improve, with 26%—10 of the 39 children—being held longer than three days.

Children leaving immigration detention by length held, those over 3 days



52. It is unacceptable that after the Government said it would stop placing children in detention, and there were signs that it was maintaining very low figures throughout 2014, there was then a sudden increase at the beginning of 2015. In its response to this report, the Government should explain why, at the beginning of 2015, there was a sudden increase in the number of children being detained for immigration purposes, and why the proportion being held for longer than three days has also increased.

## Foreign national offenders and ex-foreign national offenders (FNOs)

53. In June 2015, there were over 10,500 foreign nationals in prison in England and Wales. The Government has said it wishes to deport as many FNOs as possible to their home countries. In 2013, the Government produced an Action Plan on FNOs with the aims of increasing removals from 4,600 a year to 5,600 a year over the next three years, and reducing the number of FNOs in the UK by 2,000 over the same period. In February 2015, Mr Brokenshire said the Government had removed 5,097 FNOs in the last year.<sup>21</sup>

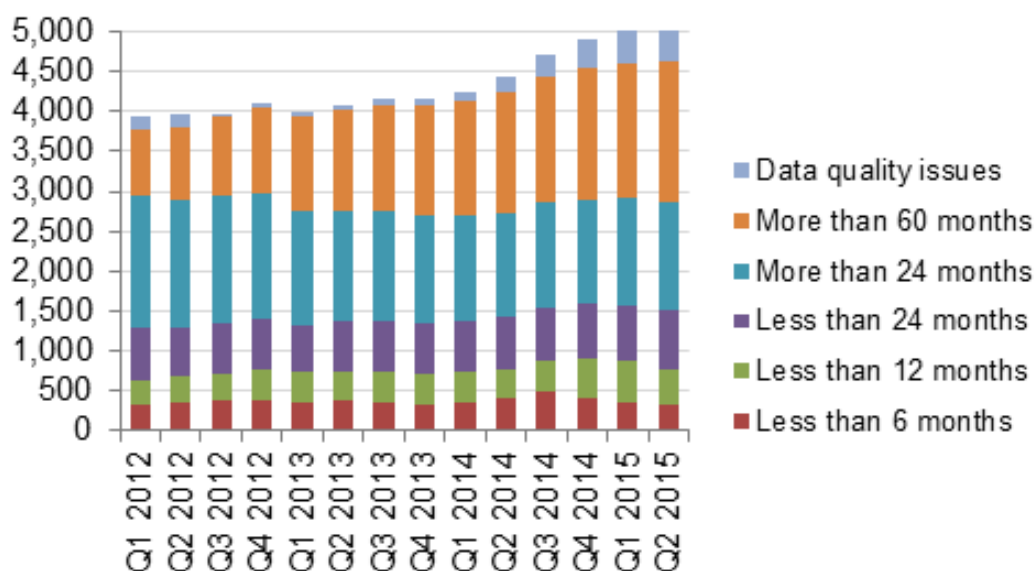
### Improved performance

- In Q2 2015, it took an average of 113 days to deport an ex-FNO, down from 139 days in Q1 2015

### Worse performance

- In Q2 2015, 389 ex-FNOs eligible for deportation were released into the community. This is the highest figure since the beginning of 2012.
- In Q2 2015, there were 5,021 ex-FNOs living in the community. The figure of 5,053 in Q1 2015 is the highest number of ex-FNOs living in the community since 2012.
- At no point since the beginning of 2012 has the percentage of ex-FNOs living in the community for more than 24 months dipped below 60%.

### Ex-FNOs living in the community by time since release



### Foreign national prisoners

54. On his visit there in September 2015, the Prime Minister said that the Government would fund the building of a prison in Jamaica. The Committee has noted in the past that the country with the highest number of FNOs currently in the UK was Jamaica. We note this decision, however we are concerned that of the list of top 10 countries prisoners in

<sup>21</sup> [Answer to written parliamentary question 225270, 2 March 2015](#)

UK, four are from the EU and we are puzzled at this failure to get EU countries to take people back.

**Top ten foreign nationalities in the UK prison population**

Nationality	Number in UK prison
Polish	979
Irish	755
Jamaican	619
Romanian	601
Lithuanian	488
Albanian	483
Pakistani	479
Indian	475
Somalian	435
Nigerian	411

Source: Table A1.11i: Prison population by nationality, data as of 30 June 2015

55. In the last Parliament, the Public Accounts Committee looked at the subject of returning FNOs and found that while the National Offender Management Service had told them in February 2014 that compulsory agreements with EU Member States would significantly increase numbers removed from UK prisons, they had found no significant improvement by November 2014. The two countries with the largest number of foreign nationals in the prison estate, Poland and Ireland, would not have compulsory agreements in place for some time, and that Poland has an exemption from the EU prison transfer agreement until December 2016.<sup>22</sup>

**56. In its response to this Report, we request that the Government set out what action it is taking place to improve the return of Foreign National Offenders, specifically to other EU member states, and provide statistics on the number of successful returns to each EU member state in the last 12 months.**

## Reporting illegal immigration

57. The Committee remains concerned about the speed and effectiveness with which the enforcement section of Home Office deals with complaints from members of the public and others in respect of people in this country illegally. There is little point in encouraging the public to work with the authorities when the public is not given the feedback it needs to give it confidence that the system is working.

**58. In its response to this Report, we request that the Home Office state:**

- **How many people have made complaints to its enforcement section about illegal activity,**

<sup>22</sup> Committee of Public Accounts, Twenty-ninth Report of Session 2014-15, [Managing and removing foreign national offenders](#), HC 708

- **How many of those complaints led to an arrest, and**
- **How many of those people were subsequently removed from the UK.**

**The process of enforcement is unnecessarily slow. Those members of public who complain about breaches of immigration law that they have reported to the Home Office need to be kept informed of progress in the investigation. Failure to do so may undermine confidence in the system.**

### **100,000 immigration cap**

59. In the last Parliament, the coalition failed to reach their net migration target of 100,000. The latest figures, published on 27 August, show that immigration from both the EU and from outside the EU continues to rise, while emigration has fallen. Net migration in the year ending March 2015 was 330,000, the highest net migration on record.<sup>23</sup> Net migration is three times higher than the Government's net migration target.

60. The Home Secretary gave evidence to us prior to the publication of these statistics. During her evidence session, the Home Secretary repeated that "we have the target of the tens of thousands."<sup>24</sup>

Chairman: Just to be clear, what you are saying to this Committee is that you will have met your target within the whole Parliament, that is five years, or is it before the five years?

Mrs May: The aim is to meet it by the end of the five-year term of Parliament.<sup>25</sup>

**61. We consider that an immigration target with an arbitrary figure is difficult to achieve when you simply cannot control the number of people who leave the country and have very limited ability to control migration from EU member states. We also consider that the Government should look again at the issue of whether student numbers should be included in that figure as our predecessor Committee said. We will return to this subject during this Parliament.**

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23 ONS, [Migration Statistics Quarterly Report](#), 27 August 2015

24 Oral evidence taken before the Home Affairs Committee, [The work of the Home Secretary](#), HC 299, 21 July 2015, Q27

25 Oral evidence taken before the Home Affairs Committee, [The work of the Home Secretary](#), HC 299, 21 July 2015, Q30

## 4 Immigration Backlogs

	No. of cases Q2 2014	No. of cases Q3 2014	No. of cases Q4 2014	No. of cases Q1 2015	No. of cases Q2 2015	Difference on a year earlier	% change
Live asylum cohort	23,974	21,363	20,473	20,181	20,017	-3,957	-17%
Live immigration cases	5,808	4,930	4,662	4,587	4,542	-1,266	-22%
FNOs living in the community	4,428	4,702	4,903	5,053	5,021	593	13%
Migration refusal pool	173,562	173,514	173,371	160,588	157,142	-16,420	-9%
No of cases still to be loaded on CID	3,255	6,456	5,050	10,969	6,855	3,600	111%
Temporary and permanent migration pool	93,195	140,655	120,460	109,718	124,582	31,387	34%
Total	304,222	351,620	328,919	311,096	318,159	13,937	5%

62. Backlogs at the UKVI have always been a concern to this Committee under successive governments. The current backlog of cases remains at 318,159. There has therefore been an increase between Q1 and Q2. As we have said previously, the biggest contributor to the backlog is the Migration Refusal Pool. In its response to this Report, we expect the Home Office to set out a timetable for further reduction of this backlog. We are now coming to the end of the £4 million contract awarded to Capita with the view to the Migration Refusal Pool backlog being reduced. We would like a full assessment of this contract before there is any possibility of renewal.

63. We are deeply concerned that there has been a 111% increase in 12 months on the number of cases to be uploaded onto CID. Putting cases on this database should be a priority and this dramatic increase is unacceptable. The Government should explain why this figure has increased to such an extent. As MPs write in, the case files should be inputted immediately. We repeat our previous recommendations that clearing these backlogs must be a priority.

## Conclusions and recommendations

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### Visa applications

1. We welcome the fact that in Q1 2015, over 99% of straightforward Tier 4 student visa cases and over 99% of straightforward Tier 2 work visas were processed within the standard 8 weeks. However, we are concerned that in the same quarter over 40% of all temporary and permanent migration cases—the non-straightforward cases—were not covered by those service standards. The Department has said it is committed to transparency in this area, and it does publish the data on the number of cases to which the service standards apply. We welcome this. At the same time, the Department needs to do more to explain why it is appropriate to say 99% of cases are within service standards when that figure only applies to 60% of all cases. This appears to be so arbitrary as to mean nothing when there is such a large proportion of cases, the non-straightforward ones, to which the service standards are not even applicable. (Paragraph 7)

### Sponsors and licensing

2. Our predecessor Committee commented on the proportion of post-license visits that were unannounced in all sponsor Tiers. We will continue to monitor this and reiterate our previous recommendation that the Home Office should aim to undertake 100% unannounced visits on sponsors where it suspects non-compliance. The Committee is currently conducting a separate inquiry into immigration and skill shortages. We will revisit the issue of work permits and sponsorship licences when we publish our report on skill shortages. (Paragraph 10)

### New asylum cases

3. We congratulate the Government on making progress on the number of asylum claims given an initial decision within six months. Furthermore, we welcome their intention to introduce service standards for straightforward cases within six months and for non-straightforward cases within 12 months. We look forward to the Home Office publishing these service standards and its performance against them, both for straightforward and non-straightforward cases. (Paragraph 16)
4. We note that in 2013 and 2014 the proportion of decisions giving Eritreans asylum, or some sort of humanitarian protection, were consistently on a level with those from Syria. However, there was a considerable drop in grants of protection for applicants from Eritrea in Q2 2015. In their response to this report, the Government should explain this. (Paragraph 21)

### Syrian refugees

5. We welcome the Prime Minister's commitment made on 7 September 2015 to resettle 20,000 Syrians before the end of this Parliament. To meet this undertaking would require an average of 4,000 Syrians to be resettled each year. According to the Government's own figures, in the last 10 years the highest number of refugees

resettled in any one year is 1,039 in 2012. At no point in the recent past has the UK come near to resettling 4,000 refugees in one year. To maintain an even flow throughout the five years of the Parliament, this would equal 333 Syrians resettled each and every month, although it is not the Government's intention to proceed in this way, as the Minister for Syrian Refugees made clear in oral evidence, telling us that while "the mathematical calculation is correct, in practice some quarters may be up and some quarters may be down".<sup>1</sup> We are concerned that the UK will not be able to increase its capacity to manage such numbers at short notice. The Prime Minister told the House on 19 October that "we want to see 1,000 [Syrian] refugees brought to Britain by Christmas".<sup>2</sup> We welcome the Prime Minister's statement, and recommend that the Government set out clearly how it intends to expand the current provision for resettling Syrian refugees to meet the volume that it has said the UK will take. (Paragraph 27)

6. The Minister for Immigration and the Minister for Syrian Refugees both confirmed that the resettlement programme will meet the UNHCR international call for 130,000 places for vulnerable Syrian refugees by the end of 2016. We note that unlike other countries the UK has not provided the UNHCR with a specific pledge of the number of places for the end of 2016 but has relied upon the end of Parliament figure of 20,000. We recommend that the Government publishes as soon as practicable the number of confirmed places that will be made available by the end of 2016. (Paragraph 28)
7. When the Minister for Syrian refugees appeared before the Committee he was asked several times how many Syrians had arrived in the UK since the Prime Minister's announcement on 7 September. Although he informed us that he had the figure, he refused to disclose it. We consider this unsatisfactory. The Minister's stated reason for not providing the number of Syrian refugees that have arrived in the UK since the Prime Minister's announcement that 20,000 would be taken was that the apparatus for taking an expanded number of refugees was still being set up. The Government should inform us, in response to this Report, when that apparatus has been set up, and then provide regular updates on the number of Syrian refugees the UK has taken. Although we appreciate that these are early days, the best way to reassure and inform the public, as well as our European partners, that we are pledged to fulfil our commitments to refugees, in the context of the wider humanitarian effort, is to be open and transparent about this information. Failure to do so will allow those to believe incorrectly that there is another agenda. Merely to refer the Committee to the quarterly statistics does not meet our concerns. (Paragraph 29)
8. We welcome the creation of the Ministerial Committee on Syrian Refugees and support the Minister's stated aim of ensuring a coordinated approach between central Government, local government and the voluntary sector. We agree this is the best way to ensure the resettlement process works effectively for those Syrians who come to the UK. We applaud the offers made by many members of the public, and institutions such as faith groups, who would like to help welcome refugees to the UK and also provide ongoing support. The Minister said he was not able to accept offers made by individuals for Syrian refugees to stay in private homes, because of the risks arising to both the refugee, and the potential host, due to the

<sup>1</sup> Qq 111-112

<sup>2</sup> [HC Deb 19 October 2015, col 661](#)



vulnerability of the refugees being taken. We consider that this is something that needs to be further examined and we welcome the Minister's commitment to look at it again. The Government should do more to explore how members of the public can help provide that ongoing support, in particular in the provision of housing which is likely to be one of the bottlenecks on where refugees will be able to be resettled. (Paragraph 30)

### Asylum and immigration caseload

9. We are concerned that over a third of the legacy immigration cases have been found to be duplicates. While we welcome the gradual reduction of the legacy immigration caseload, we note that the number of conclusions fell dramatically from Q2 2014, and at the same time the number of cases entered onto the system actually rose slightly between Q4 2014 and Q1 2015. We request that, in response to this Report, the Home Office explains why the number of cases entered onto the legacy system has started to rise again. (Paragraph 33)

### Spouse visas and the £18,600 threshold

10. In its response to this report, the Home Office should set out the number of applications, on behalf of a spouse, for entry clearance and settlement, that were made since the introduction of new £18,600 threshold, and how this compares to previous years. (Paragraph 36)
11. We will consider holding an inquiry into spouse visas if we continue to receive examples of hardship. Our predecessor Committee stated that it found it unacceptable that an EU citizen is able to bring a spouse from outside the EU into the UK without having regard to the £18,600 limit, whereas a British citizen living next door would have to abide by this rule. British ministers have shared the concern about the unacceptable way in which the EU rules operate, and we invite the Government to set out, in response to this Report, what steps can be taken to regularise this situation, whether those steps have been taken and, if not, why not. (Paragraph 37)

### Staff numbers

12. Sarah Rapson, Director General of UKVI, has told the Committee in the past that customer service remains her key priority. Members of Parliament are asked to contact their 'account manager' on immigration cases. We have received no evidence that additional resources have bolstered the work of the account manager who is not a decision maker but merely passes on correspondence to caseworkers. In their response to this report, we ask the Government to set out how many levels of management exist between the account manager and the Director General. Cutting bureaucracy and increasing efficiency will result in a reduction in the number of letters sent by MPs. (Paragraph 42)

### Interviewing all applications in posts abroad

13. In its response to this report the Home Office should set out:
- How many face to face interviews were conducted in 2014 in contrast to the number of applications made;
  - How many interviews were conducted on shore in the UK through the Sheffield hub as a percentage of overall numbers;
  - The number of Entry Clearance Officers in each UKVI post outside the UK.

(Paragraph 43)

### Immigration detention

14. The Committee notes with concern the increasing number of asylum seekers and other migrants detained for administrative purposes. The Government should publish the Stephen Shaw review of the immigration detention estate and its response as soon as possible to inform the remaining stages of the Immigration Bill. (Paragraph 48)

### Rule 35 report

15. In 2012, under 8% of people were released following a Rule 35 Report. The percentage for the first half of 2015 is over 18%. This appears to show some improvement in the care shown to those who have suffered trauma due to torture elsewhere and then find themselves in immigration detention in the UK. (Paragraph 50)

### Children in immigration detention

16. It is unacceptable that after the Government said it would stop placing children in detention, and there were signs that it was maintaining very low figures throughout 2014, there was then a sudden increase at the beginning of 2015. In its response to this report, the Government should explain why, at the beginning of 2015, there was a sudden increase in the number of children being detained for immigration purposes, and why the proportion being held for longer than three days has also increased. (Paragraph 52)

### Foreign national offenders and ex-foreign national offenders (FNOs)

17. In its response to this Report, we request that the Government set out what action it is taking place to improve the return of Foreign National Offenders, specifically to other EU member states, and provide statistics on the number of successful returns to each EU member state in the last 12 months. (Paragraph 56)

## Reporting illegal immigration

18. In its response to this Report, we request that the Home Office state:
- How many people have made complaints to its enforcement section about illegal activity,
  - How many of those complaints led to an arrest, and
  - How many of those people were subsequently removed from the UK.

The process of enforcement is unnecessarily slow. Those members of public who complain about breaches of immigration law that they have reported to the Home Office need to be kept informed of progress in the investigation. Failure to do so may undermine confidence in the system. (Paragraph 58)

## 100,000 immigration cap

19. We consider that an immigration target with an arbitrary figure is difficult to achieve when you simply cannot control the number of people who leave the country and have very limited ability to control migration from EU member states. We also consider that the Government should look again at the issue of whether student numbers should be included in that figure as our predecessor Committee said. We will return to this subject during this Parliament. (Paragraph 61)

## Immigration Backlogs

20. Backlogs at the UKVI have always been a concern to this Committee under successive governments. The current backlog of cases remains at 318,159. There has therefore been an increase between Q1 and Q2. As we have said previously, the biggest contributor to the backlog is the Migration Refusal Pool. In its response to this Report, we expect the Home Office to set out a timetable for further reduction of this backlog. We are now coming to the end of the £4 million contract awarded to Capita with the view to the Migration Refusal Pool backlog being reduced. We would like a full assessment of this contract before there is any possibility of renewal. (Paragraph 62)
21. We are deeply concerned that there has been a 111% increase in 12 months on the number of cases to be uploaded onto CID. Putting cases on this database should be a priority and this dramatic increase is unacceptable. The Government should explain why this figure has increased to such an extent. As MPs write in, the case files should be inputted immediately. We repeat our previous recommendations that clearing these backlogs must be a priority. (Paragraph 63)

## Formal Minutes

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**Tuesday 20 October 2015**

Members present:

Keith Vaz, in the Chair

Victoria Atkins

Tim Loughton

James Berry

Stuart C. McDonald

David Burrowes

Mr David Winnick

Draft Report (The work of the Immigration Directorates (Q2 2015)), proposed by the Chair, brought up and read.

*Ordered*, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 63 read and agreed to.

*Resolved*, That the Report be the Second Report of the Committee to the House.

*Ordered*, That the Chair make the Report to the House.

*Ordered*, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Wednesday 21 October at 2.00 pm.]

# List of Reports from the Committee during the current Parliament

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All publications from the Committee are available on the Committee's website at <http://www.parliament.uk/business/committees/committees-a-z/commons-select/home-affairs-committee/publications/>

## Session 2015–16

First Report	Psychoactive substances	HC 361
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