



House of Commons Home Affairs Committee 8 February, 2011

Examination of Witnesses

Witnesses: **Sir Andrew Green KCMG**, Chairman, MigrationWatch UK, and **Mr Alper Mehmet**, Member, Advisory Council, MigrationWatch UK, gave evidence.

Q125 Chair: Sir Andrew, Mr Mehmet, you are old stagers at this Committee, so you know the format, so I will not go through it again, and you have been sitting in at the evidence. Thank you very much for coming to give evidence. The Committee always is very keen to hear from MigrationWatch. Could I start with this issue of when is a migrant not a migrant? You have heard the evidence. I am sure you have followed this issue in the press as well.

Sir Andrew Green: I have indeed, Mr Chairman. We are—as one of your Members mentioned—a lone voice, but we do speak for, I think, about 77% of the population.

Q126 Chair: Indeed. Specifically on the issue of students, there is a feeling—and I know this is not a definition of this Government, but it is an EU definition—that a student is a migrant if they stay over 12 months. All the evidence that we have received indicates that a student—what you and I would regard as being a student—is somebody who comes to this country for a short period of time to complete a course, and when that course is over, unless they stay 10 years, which of course the time limit for applying for indefinite leave, they have to return at the end of their course. Do you think that that is a correct definition of what a student is?

Sir Andrew Green: Just before I answer that, Chairman, can I make it clear to the Committee that we do not support cuts in students for the sake of cuts. We do not believe that is the purpose of this exercise. We would not support it if it was. The whole purpose of this exercise is to tackle bogus students, because they add to net migration. Both bogus students and genuine students who overstay add to net migration and if we don't get net migration down, our population will hit 70 million in 20 years' time. That is a racing certainty. So I would like to invite the Committee, as they examine this subject, to bear well in mind that the only way this very difficult issue can be addressed is to bear down on every route of migration within that.

Chair: We understand that, but can I just concentrate on—

Sir Andrew Green: Yes.

Q127 Chair: Within that, you mentioned, quite rightly, what you were after is bogus students and bogus colleges.

Sir Andrew Green: Yes, exactly.

Chair: Not genuine people who wish to come into this country to study—

Sir Andrew Green: Exactly right.

Chair: —because you yourself learnt Arabic when you were in Lebanon.

Sir Andrew Green: I did indeed.

Chair: You are a very distinguished Arabist, you have held many diplomatic positions. The Committee went yesterday to a language school in Brighton, where we met people from Lebanon and Syria and Saudi Arabia, very wealthy individuals who were coming to this country to learn a language in the country where

the language is spoken. So you did the same thing.

Sir Andrew Green: Yes.

Chair: So to be very, very clear, MigrationWatch is concerned with issues of abuse, bogus applications, bogus students and bogus colleges and not genuine people?

Sir Andrew Green: Exactly, and overstayers.

Chair: Of course, we will come on to overstayers.

Sir Andrew Green: Absolutely.

Chair: That is very, very clear.

Sir Andrew Green: Exactly so.

Chair: Excellent.

Sir Andrew Green: To answer your specific question, Chairman, as to the definition of a student, because that is quite central.

Chair: Yes, please.

Sir Andrew Green: As you know, the definition of a migrant is someone who is here for a year or more. Now, there are three reasons why we have to maintain that. One is that that is the international definition set down by the United Nations, and as this is an international issue, it is obvious that you need an international and agreed criterion. Secondly, there is the question of the Government's credibility. I think any Government that said, "Oh well, we are just going to change the definition" would find their credibility out of the door, as over cost of living and unemployment and so on. Thirdly, and this is quite crucial, an amazing proportion of migrants, incoming migrants, are in fact students. So if you took them out of the definition, you would have an enormous impact, apparently, on the numbers.

Q128 Chair: But if you break that link between someone coming to study, as you have acknowledged, as your whole career has shown, you were able to go to a country like Lebanon and learn Arabic, you break the link between coming to study—which is what the witnesses have said to us—and settlement. You would be happy with that?

Sir Andrew Green: We support that, both in terms of students and of work visas, that there shouldn't be an automatic move on to settlement, but that is a later stage in the process, if you like. If you look at the migration point, can I just outline in a couple of sentences the broad picture, which is this—

Chair: We have individual questions. If you could stick to the questions, other colleagues will—

Sir Andrew Green: I understand that, but it is directly relevant to your question just then.

Chair: Okay, if it is about student migrants, as migrants.

Sir Andrew Green: Yes. We issue about 2 million visas a year, as you know. The International Passenger Survey interviews a small proportion of those and it is grossed up. They ask people whether they are going to come for a year or more. If they say yes, they are migrants. That gives you a figure of about 500,000 people arriving every year saying that they are migrants. Now, of those—and this is the point—of those, 200,000 are coming because they are students, and indeed, last year it was 300,000. So the inflow in terms of students is huge.

Q129 Chair: Sure. Now, sticking to this point, how many of those 200,000 does your organisation believe are bogus students?

Sir Andrew Green: A significant proportion.

Chair: So over 50%?

Sir Andrew Green: Oh no, no. The major difficulty—

Chair: What is the kind of rough percentage?

Sir Andrew Green: If I had to guess, I would say 20%, 25%.

Chair: So a quarter of the students coming into this country are bogus?

Sir Andrew Green: No. Either bogus or at risk of over-staying, which has the same effect on net migration, of course.

Chair: Sure. That is very helpful.

Sir Andrew Green: You were talking earlier about Australia. The big difference with Australia is they do

have a system that counts individuals in and individuals out.

Chair: Yes. Well, we are coming to that now.

Sir Andrew Green: You have done a report on that.

Chair: Yes, we are coming straight to that now, e-borders.

Q130 Mr Winnick: If there are genuine students, Mr Green, Mr Mehmet, you are quite satisfied about their coming to the United Kingdom, as I understand it?

Sir Andrew Green: I entirely support it. It is in their interests, in our interests. I agree exactly with what Mr Scott said earlier. That is not the issue.

Q131 Mr Winnick: The issue is bogus students?

Sir Andrew Green: Bogus students and people who stay on, and just to make the point that even if the college is genuine, they can still receive applications from bogus students.

Q132 Mr Winnick: Did you take the view that as far as bogus colleges are concerned, action has been taken both by the previous Government and the present Administration?

Sir Andrew Green: Some action has been taken, clearly not enough. Well, you will hear from the Minister. He made a speech only a week or so ago, in which he pointed out that something like 90,000 students arrived last year to colleges that are not in the highly trusted sponsor category. So the scope for abuse—his words—is enormous.

Q133 Mr Winnick: As for the Government's proposal that a student, having completed one course, if he wants to do another course should return home—well, you have heard the evidence, you were sitting at the back, of those who told us this would be very impractical—do I take it that MigrationWatch are in favour of that?

Sir Andrew Green: I don't have a strong view on that. I think that that is very much a matter for discussion and negotiation between the academic world and the UKBA. It is not for us.

Q134 Mr Winnick: As far as e-borders are concerned, what action further do you want to see taken?

Sir Andrew Green: Well, as you know—you did a report, I believe—it will be four or five years before we have that, and until then, we are wide open. The same speech that I mentioned referred to applications in New Delhi, of which 35% included bogus documents. So they are clearly bogus applications. To answer your question more specifically, I would have to say this, that the points-based system for students is a terrible shambles. It has posed serious difficulties for the UKBA, and I suspect also for the colleges. The reason is this: the reason is that the points-based system has turned on its head the system that we had before.

Q135 Chair: Which was direct interviews?

Sir Andrew Green: Which was—yes, but the key—

Chair: This question for the entry clearance officers.

Sir Andrew Green: I am coming to that. Exactly, yes. Exactly, because the whole issue was—and still should be—is this a genuine student, in the sense that he intends to return home? Now, under the present system, that question is not even addressed, let alone tested, and we believe therefore that the points-based system has blown a hole in our immigration system. We saw last year a 30% increase in students in one year. We saw in your own question, Mr Chairman, you asked about—

Chair: Bangladesh.

Sir Andrew Green: Bangladesh. We had a fivefold increase in applications.

Q136 Chair: Yes, but Sir Andrew, surely there will be clever people sitting in the UKBA who would know by February of any given year that the number of visas issued to Bangladesh had gone up from 3,000 to 17,000. You do not have to wait for the end of the year for that, do you? What you are talking about is not a policy change. You are talking about better administration, e-borders, plus a much stricter way in which people enter the country.

Sir Andrew Green:

Well, we are five years from e-borders. Certainly the Home Office will know from their management information about this kind of thing. That is why they had to suspend the issue of visas in the subcontinent. But just to, if I may, Chairman, for a second elaborate this—

Chair: Yes, but not for too long, because lots of other colleagues want to come in. They are all going to ask you questions, so if you can make it very, very brief.

Sir Andrew Green: Well, I hope I have made it clear that this is absolutely central, that unless we move to a situation where in countries “at risk” we have at least the option of an interview--

Chair: Yes, we are coming on to that.

Q137 Dr Huppert: I was very interested to look at some of your submissions and the issue of evidence. There seemed to be a number of things here which seemed to take a large number of estimates, subtract a few and multiply by some others, which of course gives huge errors, and a lot of the numbers that you give about earnings and so forth and fees differ markedly from what we have had in evidence from other people who work in the sectors. But can I focus on this issue of numbers of bogus students, because I think there is general agreement that that is the thing, the only thing, that we are really concerned about at the moment. You said moments ago to the Chair that roughly 50,000 students were bogus.

Sir Andrew Green: It could be as many as that, yes.

Q138 Dr Huppert: Your submission comes up with the number of 32,000 based on a paper on your website, which cites a Home Office paper, which as far as I can tell—and I possibly am misreading it—has different figures in that. Can you explain to me where you get this figure of bogus students and how would we be targeting them? What evidence do you have that there are anything like 50,000 of them?

Sir Andrew Green: Well, I was asked by the Chairman for a top-of-the-head estimate and I gave him one, and that is out of 270,000, 50,000 is of the order of what, 20%. I think that is not an unreasonable estimate. Of course we are getting more information as we go along and the speech that I have referred to twice already gave us information that was not available at the time. There has been Home Office research that has shown a high degree of irregularity in the applications. I don't think we will get anywhere by arguing about percentages. What I am really talking about is the system and I think I have demonstrated that it is seriously weak.

Q139 Dr Huppert: But I think that numbers do matter, because I think this Committee likes to have some evidence. You said 50,000. Your paper here, your submission to us said 32,000 students in higher education per year. If I look at the university section on your original paper, it has 3,000. There is a huge discrepancy here, and 3,000 bogus students in higher education is a very different order of problem to 32,000 or to 50,000.

Sir Andrew Green: Yes. Well, you are taking different paragraphs of it, which will just confuse—

Dr Huppert: Well, they refer to each other as source data, so—

Sir Andrew Green: I am afraid you will confuse the Committee and confuse everybody else. What I am saying to you, the essential point is that as an order of magnitude, there is substantial abuse of the student system. That is not in doubt. I don't think anybody doubts that, and we are suggesting a way in which that could be addressed. It is as simple as that.

Q140 Dr Huppert: Just one last question: your briefing paper on the cost of bogus students, which you refer to in your submission—point 2 on page 3 of your submission—has universities, non-compliant numbers 2,895. Now, I don't quite understand where those figures come from, but those are figures that you have supplied.

Sir Andrew Green: They came from the Home Office. Dr Huppert: 2,895.

Mr Clappison: Will you let the witness answer your question, please?

Dr Huppert: 2,895 is a very, very different—

Chair: Order, Mr Clappison. I am chairing this meeting.

Sir Andrew Green: Well, you see, you are trying to pick out the odd figure and put it out of context. The

number you quoted was for higher education—the universities, I think you quoted—not for the whole student body, which is 270,000. Secondly, the percentage of university students, the 2% figure that you are talking about, that is a self-declared figure by five universities who were seeking Highly Trusted Sponsor status. So let's not get lost in the detail. You are going down a rabbit hole, frankly. There is a broad issue of serious policy here, and that is what I hope the Committee will address.

Q141 Chair: Sir Andrew, what I think would be helpful in view of the fact that there is a dispute about figures is if we could write to you—

Sir Andrew Green: Yes, sure.

Chair: —and you could then write back and comment on it.

Sir Andrew Green: Absolutely.

Q142 Mr Clappison: You mentioned as well the question of overstayers as well as people who came here as bogus students in the first place. Do you think more could be done to enforce the rules on overstayers and students whose visas had expired and they continue to stay in the country?

Sir Andrew Green: Well, it is very hard because we don't know that they have not left, for a start. Even if we did know they had not left—and e-borders, Mr Chairman, would only tell you that, it wouldn't tell you where they are. So you come back to the question, unless you check that these people are genuine before they come, you have a problem, and a problem multiplied by the problems of removal. We may come to that, but the difficulties of removal are enormous. So our suggestion is to take every measure you can to prevent bogus students or people who intend to overstay from coming in the first place.

Q143 Mr Clappison: The point you are making there is the loss of discretion which there was for immigration officers overseas when the points-based system was introduced, because their discretion could be overridden.

Sir Andrew Green: Another important point: they no longer have discretion. I hope that is understood by the Committee, Chairman.

Chair: Indeed. It is a point we have made many times and luckily the head of policy is coming in and perhaps he can explain why the loss of discretion occurred.

Sir Andrew Green: Good question.

Chair: This is a very good point.

Q144 Nicola Blackwood: It is specifically on your point about stopping bogus students at source, and we have heard evidence that there can be problems with agents which are used by higher and further education institutions, and would you support an accreditation system for agents in particular to try and weed that out at that point?

Sir Andrew Green: It would do no harm. But, of course, they will simply appoint their brother as the agent, so it is a very difficult thing to control. It is worth pointing out that every single person in the chain, as we now have it, has a financial interest in granting the visa—obviously the institution itself and the agent on the ground—and nobody does not.

Chair: I think you have made that point.

Q145 Mark Reckless: The 32,000 figure for students overstaying or intending to overstay, I am not sure whether the difference between that and the 50,000 is because some people come bogus, do not study but then leave before they overstay, certainly either now or in writing it would be helpful to clarify that, in reaction to what Dr Huppert said. I note that when you talk about 32,000, 25,000 are at private sort of institutions. I am not sure how many of those have been cut out when we have moved from 12,000 to 2,300, but I wonder is the way to drive down on the visas potentially through the accreditation process or do we need to target the visas directly?

Sir Andrew Green: I will leave the numbers, but—

Mr Mehmet: Chairman, I should say—

Chair: You have been before. If you wish to chip in, please—

Mr Mehmet:

I certainly shall, sir.

Chair: —do not hesitate. Yes, Andrew.

Sir Andrew Green: I will leave aside the numbers. We will write about that, if you would like it, but the essential point is you have to deal with this at the point of application abroad before they arrive, otherwise you have lost it.

Q146 Chair: Before they arrive?

Sir Andrew Green: Before they arrive, otherwise you have lost it. Once they are here—

Mr Mehmet: Perhaps I could comment on that, sir.

Chair: Yes, Mr Mehmet.

Mr Mehmet: The points-based system introduced the system whereby you acquired a certain number of points if you had a letter of acceptance.

Chair: Indeed. I think we understand that, as we wrote the report on this. We know the points. Tell us what is wrong with it.

Mr Mehmet: It was simply to emphasise the point that as a former immigration officer and entry clearance officer, that loss of discretion is crucial in determining the future intentions of an individual who is applying.

Q147 Chair: So bringing that back into the system would be very positive to tackling the issues of bogus colleges?

Mr Mehmet: If not in its entirety, certainly to a certain extent it would be a huge benefit.

Q148 Chair: There is nothing wrong with a student in Delhi or Mumbai being able to have a face-to-face interview with an ECO rather than arriving at Heathrow Airport, where they are asked questions—they are granted admission, aren't they, because once they have their visa, they have their visa.

Sir Andrew Green: Exactly, yes.

Chair: So this would help the system of shaking out who are bogus people.

Sir Andrew Green: Enormously.

Mr Mehmet: Very well put, if I may say so, Chairman.

Q149 Mark Reckless: It seems that you are saying that you are not at all concerned with the numbers of genuine students, if they are not bogus and if there is not a suggestion of inappropriate overstaying. I just wanted to slightly clarify on this, because if you have very large numbers of overseas students here, is it not inevitable, given not least the age group that they come from, that significant numbers of those may settle down, get married, have children and so on, and as such, there will be at least some movement from the student route into the family route?

Sir Andrew Green: Yes, there will. The only way in which genuine students add to net migration is through work or family and the order of magnitude there is quite low. It is of the order of 10%. I won't give you a precise number, but it is of the order of 10%. So if you had a massive increase in students, you would have a significant increase in net migration, but that is not where the issue is today.

Q150 Nicola Blackwood: Could I just ask you about the post-study work route? Obviously these recommendations are to close it entirely. I understand that that is your preference. However, of our main competitors in recruiting international students, Australia allow six months, Canada allows you to apply for a post-study work permit, providing it is less than the duration of the study, the US allows you to apply for a post-study work permit and Germany also allows you 12 months. I understand France is also considering such a route. Do you think that this is going to cause us a problem in recruiting the best students and maintaining the standard of our educational institutions in this country?

Sir Andrew Green: I think the first thing to say is that we have 20% unemployment among British graduates, and frankly, I think that almost makes the case by itself. Secondly, the Migration Advisory Committee described our present system as among the most generous in the world. Thirdly, we have done some informal inquiries which suggest that the number of foreign students applying for each place is of the order of eight or ten times the number of places, so we are not short of applications. I suppose you could

argue that we get slightly less good ones, perhaps. It is hard to say. It would surprise me if there was any problem with either Oxford or Cambridge in recruiting foreign graduates or under-graduates.

Mr Mehmet: Might I give some specific figures on that, sir. As a result of our very quick research, we found that Bristol University, for example, has already received 122 applications for their BA in architecture next year for 16 places; for chemical engineering, there are 71 applications for 15 places, and for electrical engineering, 70 applicants for 21 places.

Chair: But these are on the current rules.

Mr Mehmet: Under the current rules.

Chair: Yes, that is very, very helpful.

Q151 Nicola Blackwood: Do you accept that for some courses, some form of post-study training is necessary in order to gain the qualification?

Sir Andrew Green: Oh, yes.

Q152 Chair: You are not against that?

Sir Andrew Green: No, no. I mean, that is really for the educational people to talk about, it is not for us. We certainly wouldn't oppose that.

Chair: Sir Andrew, Mr Mehmet, thank you very much for coming in. Let me just be clear, so you are not misquoted: what you are against are bogus students, not genuine students coming into this country to study. Secondly, you would like to see a break in the cycle between somebody coming to study and someone staying permanently?

Sir Andrew Green: It should not be semi-automatic, yes.

Chair: Thirdly, that you yourself value the fact that people might want to come to England to learn English?

Sir Andrew Green: And fourthly, if I may, the points-based system is a seriously weak system that has turned the process on its head.

Chair: Thank you very much.

Mr Mehmet: Might I add one point, sir?

Chair: Yes.

Mr Mehmet: In 1980, I was an entry clearance officer in Nigeria, when we introduced full fees for overseas students, and everything I have heard this afternoon about being closed for business and being unwelcome was used at that time. There were 88,000 foreign students in this country at that time, going up to the present number.

Q153 Mr Winnick: The Chair asked you a number of questions. In conclusion, just one to reaffirm, that you are not yourself or the organisation is not necessarily in favour, in fact you are neutral, on whether students should have to go back if they want to start a new course?

Sir Andrew Green: I think that is not a matter for us. It is a very detailed point and needs to be worked out with the educational establishment.

Q154 Mr Winnick: But it is not part of your policy in any way?

Sir Andrew Green: It is not for us to say, no.

Mr Winnick: Thank you very much.

Chair: Sir Andrew and Mr Mehmet, thank you so much for coming. I am sure we will call on your services again in the future. Thank you. Order, could I call the Minister and his officials to the dais, please.

25 February, 2011