



Immigration System, Asylum & Policy

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EU Migration

1. European Union citizens currently have the right to live and work in other EU countries - a right first established by the Treaty of Rome in the 1950s. ([For a short history of the EU see here](#)) EU citizens can now reside legally in the UK as a job-seeker, a worker, a student or as persons of independent means. Their dependants are also entitled to move with them.
2. Free movement of people should come to an end when Britain leaves the EU in March 2019. However, Britain is not leaving Europe and there will remain strong economic, cultural and historical ties. For this reason we believe that EU tourists, visitors, students and those who are self-sufficient should continue to be able to enter the UK without needing a visa. ([For more on our proposal for EU migration after Brexit see here](#))
3. However, controls should be introduced on those wishing to work in the UK. Work permits, confined to those offered a job in a skilled role, could reduce EU net migration by as much as 100,000 a year from recent levels. ([For more on this see here](#))

Non-EU migration

4. Citizens of countries outside the EU are subject to immigration control. This means that they do not have the right to enter the UK to live, work or study unless they are granted a visa. Citizens of most, but not all, countries also need a visa to enter the country as a visitor. Foreign citizens who do need to obtain a visa prior to travelling to the UK as a visitor/tourist are called visa-free nationals and these include Americans and Australians. Instead, they are granted leave to enter when they arrive at the border.
5. The Home Office administers the granting of visas. Applicants have to meet the relevant criteria set out in the immigration rules. Some applicants will also be interviewed to assess the merit of their application. In 2016 the Home Office issued 2.5 million visas.

6. Visas for work, study or family are usually valid for a fixed amount of time. Depending on the category, some visa holders can legally extend their stay in the UK by applying for 'Further Leave to Remain', or by applying to settle indefinitely. Applicants who have settled can later apply for British citizenship.

7. Migrants who remain in the UK without valid permission become illegal immigrants (see our overview on illegal immigrants [here](#)).

Non-EU work immigration

8. The largest category of work visa is for migrants sponsored by a company to undertake skilled work in the UK. This includes those recruited directly for jobs in the UK and those transferred within an international company to its UK offices. There is a cap of 20,700 places per year on applicants recruited directly for jobs in the UK although there are exemptions for the very highly paid. In addition about 36,000 senior staff of international companies are admitted on transfer every year.

9. Work visas are also available for 'high value' individuals including investors, entrepreneurs and those with outstanding talent in the science or arts.

10. Other visa categories include the Youth Mobility Scheme which is open to young people of certain nationalities to experience life in the UK temporarily. We believe that this scheme should be extended to include EU nationals after Brexit. There is also a scheme for domestic workers. Foreign nationals with British grandparents can apply for a British Ancestry visa to come to the UK. Over the last ten years an average of 165,000 work visas were granted every year.

Non-EU students

11. Non-EU citizens wishing to come to study must be sponsored by an educational institution such as a university or college in order to get a visa. There is no limit on the number of students that can come to the UK from outside the EU to study. The student route underwent considerable reform in 2012 in response to widespread abuse, with around 900 bogus colleges closed down. ([For more on international students see our summary](#))

12. Study is the largest category of non-EU migrants coming to the UK with an average of 235,000 student visas granted each year in the last ten years, although not all stay in the UK for a year or more. Some have argued that students should not be categorised as immigrants because they are only here temporarily. However, students who remain long term contribute to net migration like other migrants which is no doubt why all of the UK's competitor countries also count students as net migrants. Home Office analysis of settlement data found that an annual average of 27,000 non-EU migrants who originally arrived as students or their dependants obtained settlement in the years 2009-2015. ([For more on student settlement see here](#))

Non-EU family

13. There are a number of routes through which non-EU family members can come to the UK. Some come as dependants of other migrants who are coming to work or study in the UK. Others come as spouses or civil partners of British citizens or those with settlement in the UK. Other non-EU migrants can come to the UK as family members of EU nationals. At present EU nationals wishing to bring their non-EU partners to the UK do not have to satisfy the minimum income threshold of £18,600. It would be unfair to British nationals if this was to continue once Britain leaves the EU in March 2019. ([For more on the future family reunion rights of EU nationals see here](#))

Asylum

14. In addition to the immigration system, the UK offers refuge to those who meet the criteria of the Refugee Convention or are in need of “Humanitarian protection”. There have been 245,000 applicants (excluding dependent family members) for asylum over the last ten years. Of these 40% have been granted refugee status or humanitarian protection. For more on asylum [please see our overview here](#).

Non-EU Visitors

15. Citizens of many non-EU countries also require a visa to visit the UK. Categories include visiting family members, tourism and business trips. Over the last ten years, the total number of non-EU visitors admitted to the UK has averaged 8.1 million a year. However, in 2016 visitor numbers reached over 10 million made up of 8.8 million ordinary visitors and business visitors who numbered 1.4 million.

Recording Arrivals and Departures

16. A record is kept of all of those admitted to the UK and since April 2015 those who depart (with the exception of those arriving/departing via the Common Travel Area with Ireland). This means that the Home Office now has the capacity to identify those who overstay their visa. Analysis of the first year of exit checks data shows that, of those whose visas (all visas, including visit, work, study and family) expired in 2016/17 and who did not obtain an extension, 96% left on time with 3% showing no record of departure. (For more on this see [here](#)).

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