EUROPEAN MIGRATION NETWORK
ANNUAL REPORT ON ASYLUM
AND MIGRATION STATISTICS
FOR THE UK 2007

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1. Introduction

The National Contact Points of the European Migration Network (EMN) have been commissioned to describe the statistical trends on migration, asylum and refusals, apprehensions and removals for the reference year 2007 in their Member State, and relate these trends to the broader policy context and source country events. This report has been produced for the UK Home Office by the Migration Research Unit at University College London. The analysis in this report relates to conditions as they existed in 2007. Since that time, several major legislative and procedural shifts have occurred in the management of immigration by the Home Office, notably the creation of the semi-autonomous United Kingdom Border Agency (UKBA) and the introduction of a Points-Based System for controlling entry.

The statistics are examined under the headings ‘Asylum’, ‘Migration’, and ‘Refusals, Apprehensions and Removals’. The text in italics at the start of each section represents the EMN specification for the report.

The views expressed in this report are those of the authors. They do not necessarily reflect those of the Home Office nor do they represent UK Government policy.

1.1 Methodology

Outline methodology followed in the production of your National Report, including in the verification of your data (e.g. sources used for data), their reliability, any changes in definitions compared to previous years, what (if any) caveats should be applied and any difficulties encountered. If possible, include also whether it was (yet) possible to provide data consistent with the Migration Statistics Regulation.

The data provided by Eurostat were checked by the relevant data providers in the UK Home Office and Office for National Statistics. In some instances, the data providers did not agree with the data provided by Eurostat. In these instances the data have been amended and Eurostat notified of these amendments. Further information on data sources can be seen below.

Definitions of which countries are in the European Union (EU) are not entirely consistent because the definitions vary in the data sources. For migration flows and population by citizenship, the EU is defined as EU15¹ prior to 2004 and EU25 – i.e. it includes the EU15 plus the ten accession states (A10)² – for 2004-06. For all other areas, the EU is defined as EU15 prior to 1 May 2004 and EU25 after this date. The accession of Bulgaria and Romania in 2007 means that for 2007 the EU is defined as EU27. Third countries are those countries not in the EU.

In relation to regulation (EC) No 862/2007 of the European Parliament and of the Council on Community statistics on migration and international protection, the UK continues to experience some difficulties with Article 4 on asylum statistics and Article 6 on residence permits and residence of third-party nationals. In order to move towards compliance with one aspect of Article 4, the UK proposes to implement an action plan which would come to fruition in respect of data relating to 2010. The UK aims to be fully compliant with other aspects by 2010 for data in respect of 2009. The UK is committed to the development of systems that will facilitate the timely supply of data required under Article 6. Remaining difficulties will be addressed in the longer term, when the UK will be introducing an electronic border system (e-Borders). The UK greatly appreciates the migration related assistance awarded to the Home Office under the ILMAS project and to ONS under the MIMOSA project. These valuable contributions will, of course, be integrated into the overall UK improvement strategy.

¹ Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden and UK.
² Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia.
1.1.1  Asylum

‘Refugee Convention status’ refers to people who have been granted asylum. In this section, a grant as refugee in accordance with the 1951 UN Convention relating to the status of refugees will be referred to as ‘Refugee Convention status’. People who are found not to be refugees within the terms of the Convention will be refused asylum. In certain circumstances they may be granted Humanitarian Protection (HP) or Discretionary Leave (DL) for a limited period. (HP and DL replaced Exceptional Leave to Remain (ELR) on 1 April 2003). In this section, people granted these statuses will be referred to as ‘humanitarian status’.

The majority of figures used in the Asylum section were provided by Eurostat. Both these and any additional figures were obtained from a combination of National Statistics data from the Home Office statistical bulletin ‘Control of Immigration: UK Statistics 2008’ and unpublished management information. Throughout the Asylum section, figures are rounded to the nearest five. Unless stated, figures include dependants.

Section 2.1.1 requires information ‘on the basis of persons’, e.g. dependent children would be counted separately. Therefore, in almost all instances, figures are shown for principal applicants including dependants. Table 2.1 and the information relating to it is shown for principal applicants only since this information is not produced for dependants.

1.1.2  Migration

Throughout the Migration section, figures are rounded to the nearest 1,000.

1.1.2.1  Migration Flows

The Office for National Statistics’ Total International Migration (TIM) estimates were used to provide a fuller picture of international migration to and from the UK. The estimates of immigration and emigration in the data source are based on three main sources.

i) The International Passenger Survey (IPS), a sample survey of passengers travelling through the major air and sea ports of the UK. This is the primary source of migration data providing estimates of both inflows and outflows, but does not cover all migration types.

ii) Home Office data on asylum seekers and their dependants.

iii) Information from the Irish Central Statistics Office on migration between the UK and the Republic of Ireland.

In addition to these three sources, because the IPS provides estimates based on respondents’ intended length of stay in the UK or abroad, some statistical adjustments for people who change their intentions are made – so-called ‘switchers’. There are two groups of these: asylum switchers and other switchers. The former group consists of those asylum seekers who announced their intention upon entry of staying in the UK for less than a year but have actually stayed more than a year while awaiting the outcome of their asylum claim. The second group includes others who initially intended to stay for less than a year but, owing to a change in circumstances, stay for more than a year. Combining data from the above sources with adjustments produces the most inclusive estimate.

A migrant is defined here as someone who changes his/her country of usual residence for a period of at least a year, so that the country of destination effectively becomes the country of residence.

4 This is the most up-to-date information, as figures for 2007 were revised in the 2008 report.
5 http://www.statistics.gov.uk/STATBASE/Product.asp?vlnk=507
1.1.2.2 Population by citizenship

Estimates are derived from the Annual Population Survey (APS), which is based on the Labour Force Survey (LFS) with various sample boosts. Estimates are calculated from those respondents who answered the nationality question in the LFS, including people aged under 16, and those who did not answer. For 2007, the EU is defined as the EU27.

It should be noted that the nationality question in the LFS:

- excludes those who have not been resident in the UK for at least the past six months;
- excludes students in halls of residence who do not have a UK-resident parent;
- excludes people in most other types of communal establishment (hotels, boarding houses, hostels, mobile home sites, etc.);
- is analysed by grossing to population estimates that only include migrants staying for 12 months or more.

Microdata are grossed to population estimates consistent with those published in spring 2007. These are lower than the latest population estimates for 2006, which were published in spring 2008.

The datasets are weighted to local authorities, sex and age, but not nationality, so the weighting does not adjust for non-response bias in nationality.

The population estimates used to weight the LFS are of the ‘usually resident’ UK population. The population figures cover long-term international migrants (people who change their country of usual residence for 12 months or more). They do not include short-term migrants, such as people moving to the UK for less than 12 months, nor do they exclude from the usually resident population people moving out of the UK for less than 12 months.

As with any sample survey, the LFS results are subject to the usual margins of uncertainty.

1.1.2.3 Residence Permits

The UK does not publish data on the number of positive decisions for residence permits. Therefore, the information in the ‘Residence Permits’ section has been estimated and is based on passengers given leave to enter the UK in selected categories. These estimations of authorisations to reside are from a combination of National Statistics information published in the Home Office statistical bulletin ‘Control of Immigration: Statistics United Kingdom, 2008’ and unpublished management information.

Statistics are based on the number of journeys made. Therefore, a person who makes more than one journey is counted on each occasion, either in a new category if given fresh leave to enter or as a ‘passenger returning’.

The statistics exclude the following categories of arrival: visitors, business visitors, passengers in transit and people returning after a temporary absence abroad. The statistics exclude European Economic Area (EEA) and Swiss nationals. Nationals of the A10 Accession States are included up to 1 May 2004 and excluded after that. Nationals of Bulgaria and Romania are excluded in 2007.

A summary chart of the control of immigration process can be seen at Annex A, while further information on the breakdown of each category for ‘on-entry’ grants can be seen in the explanatory notes and definitions in ‘Control of Immigration: Statistics United Kingdom 2007’.

6 http://www.homeoffice.gov.uk/rds/immigration-asylum-stats.html
It should be noted that, owing to the question asked by EMN on residence permits for this year’s report, the figures shown in this report are based on a different definition to those shown in reports prior to 2006 and also to those provided in response to other data requests. Previous figures showed all authorisations to reside, whereas figures shown in this report show only first issuances of authorisations to reside.

As statistics are for ‘on-entry’ only, they may not include all first authorisations. For example, people who have entered in a category for less than six months are not included in these figures, but if they subsequently switch to a different category ‘in-country’ they will still not be included under the definition required for this report. The statistics also exclude third-country nationals who are family members of EEA nationals, who can (but are not obliged to) obtain a residence card to confirm they are exercising a treaty right and figures on these cannot be broken down to show the number of first issuances of these cards.

1.1.3 Refusals, Apprehensions and Removals

Throughout the Refusals, Apprehensions and Removals section, statistics are rounded to the nearest five. In all cases, figures include cases dealt with at juxtaposed controls outside the UK.

1.1.3.1 Refusals

The UK began publishing information on non-asylum passengers initially refused entry at port in 2004. Therefore, comparative figures are available only for 2004 to 2007. Prior to 2004, the figures published were of non-asylum passengers refused entry at port and then subsequently removed. They did not include people who had been refused but not removed (i.e. those who abscond or who are non-removable because of a lack of documentation). The statistics include people who are known (from other sources) to have departed voluntarily after enforcement action had been initiated against them.

Overall figures were obtained from the Home Office statistical bulletin ‘Control of Immigration: Statistics United Kingdom 2008’.

1.1.3.2 Apprehensions

Data are not collected in the UK on the number of ‘apprehended aliens’. Data are collected on the initiation of enforcement action (illegal entrants detected and people issued with a notice of intention to deport, recommended for deportation by a court or proceeded against under Section 10 of the Immigration and Asylum Act 1999). However, from 2003 onwards, these figures were unavailable owing to data quality issues. Therefore, the information requested is not available for 2007.

The Case Information Database (CID) has been the main source of UK Border Agency enforcement data since April 2003; however, the service of papers is not fully recorded on CID. The Agency is currently putting in place new processes to improve its data collection systems for the future in this area.

1.1.3.3 Removals

Overall figures were obtained from the Home Office statistical bulletin ‘Control of Immigration: Statistics United Kingdom 2008’.

Data on dependants of asylum seekers have been collected only since April 2001. Therefore, figures prior to 2001 exclude dependants of asylum seekers and from 2001 onwards, figures include dependants of asylum seekers.

The statistics include enforced removals, persons departing voluntarily after notifying the UK Border Agency of their intention to leave prior to their departure, since 1999 persons leaving under Assisted Voluntary Return Programmes run by the International Organization for Migration (IOM) and, since 2005, persons who it has been established left the UK without informing the immigration authorities.
2. Asylum

There are many factors that may be necessary to consider when explaining the trends in asylum figures. In this summary, the effects of policy initiatives, legislation and source country events have been touched upon. A number of potentially important factors have not been included in this discussion because they were not in the remit for the report. These include: the role of facilitators (smugglers and traffickers); demographic characteristics; cultural affinity to destination countries; ease of travel; and extent of organised crime. It is important to mention these factors and to emphasise that they do not work in isolation but are interconnected and complex in terms of the effect each factor has on the other. For example, political upheaval, economic difficulties and conflicts tend to occur simultaneously and asylum seekers and other migrants may have many motivations for moving. Equally, some factors, such as the availability of travel routes, may neither ‘push’ individuals from their country of origin nor ‘pull’ them to a particular destination country. Predicting whether someone will migrate is an extremely complex process.

As in the case of other countries, in the five years or so preceding 2007, the UK Government has introduced a number of legislative and procedural changes designed to speed up the asylum determination process. The aim is to fast-track asylum decisions, remove those whose claims fail and integrate those needing protection.

2.1 Analysis and interpretation of asylum statistics

2.1.1 Trends in first-time asylum applications

Please describe trends in first-time asylum applications (on the basis of persons, e.g. dependent children should be included, but counted separately) in 2007 compared to the previous year. Are these trends related to legislative or administrative developments/changes?

In 2007, the number of first-time applicants for asylum in the UK was essentially the same as in 2006, with 28,300 applications in 2007 compared to 28,320 in 2006 (a year-on-year fall of 0.1 per cent). As Figure 2.1 shows, the overall trend in the last four years has been similar to that for the rest of the EU 27, suggesting common factors were involved. A series of procedural changes introduced by the UK Government since 2005, aimed to increase the speed with which asylum decisions are made and to improve the efficiency with which failed applicants are removed from the UK, may have had some effect on discouraging unfounded applications – hence the levelling out of numbers while the EU figure has increased.

Figure 2.1: Applications for asylum in the UK and the rest of the EU 27 (including dependants), 1998-2007

[Diagram showing trends in asylum applications for the UK and the rest of the EU 27 from 1998 to 2007]

7 A dependent child refers to a person under the age of 18 who claims asylum with his/her parents or guardians and would then be counted as an individual person. In addition, the parents/guardians would also be counted as separate person(s).
In 2007, the top ten nationalities made up 71 per cent of all first asylum applications, a greater proportion than in 2006 (68 per cent). Figure 2.2. shows the ten countries of nationality with the highest numbers of first asylum applications in 2007 and compares these figures with those in 2006 and 2005.

The country with the highest number of applications was Afghanistan (2,840, ten per cent of all first asylum applications). This was followed by Iran (2,525, nine per cent of all first asylum applications). Sri Lanka replaced Sudan in the top ten countries by nationality. The other countries remained in the top ten but in a slightly different order. Of the countries in the top ten in 2006 and 2007, Afghanistan, Zimbabwe, Iraq and China recorded increases in asylum applications; Iran, Somalia, Eritrea, Pakistan, and Nigeria recorded decreases in asylum applications.

In 2007, with an increase of seven per cent compared to the previous year, Afghanistan replaced Eritrea as the country of nationality with the most asylum applications (2,840). This followed a 50 per cent increase between 2005 and 2006.

Iran fell to second place on the list of asylum applications as numbers decreased by six per cent to 2,525. This was a smaller reduction than that of 23 per cent between 2005 and 2006.

Zimbabwe moved from fifth in 2006 to third place in 2007. Over this period the number of initial asylum applications from Zimbabwe increased 12 per cent to 2,400. With 2,235 applications – a ten per cent increase compared to 2006 – China moved into fourth place in the top ten list. Iraq experienced an increase of 57 per cent in initial applications for asylum, placing it fifth highest. This marked a change from the period between 2005 and 2006 where Iraq recorded a 17 per cent decrease.

Along with Iran (six per cent) the other countries in the top ten to experience a decrease in the number of initial asylum applications were Somalia (nine per cent), Eritrea (thirty per cent), Pakistan (three per cent), and Nigeria (four per cent).

There are many reasons why asylum applications from a particular nationality might change or, indeed, be maintained at a relatively constant level. ‘Pull’ factors of the UK for asylum seekers could include the presence of family members or resident ethnic communities with which they have connections. Some suggested ‘push’ factors from country of origin which may have contributed to high numbers of asylum applications from some of the ten countries of citizenship cited above include:
• the political situation in the country, including political upheaval and unrest;
• the economic situation, including extreme poverty, corruption and high levels of inflation and unemployment;
• wars and conflict;
• deterioration in personal and social freedoms, including marked discrimination against various groups, for example, on grounds of ethnicity, gender, sexual orientation or religion.8

Two-thirds of all initial asylum applications in 2007 were from males – 18,605 (66 per cent of the total) compared to 9,645 (34 per cent) from females. These proportions are almost identical to those in 2006.

Asylum applicants tend to be young. The majority of initial applicants in 2007 – 54 per cent – were between the ages of 18 and 34 (15,375 in total). Minors between the ages of zero and seventeen made up 28 per cent of initial applications (7,800). Overall, just under 82 per cent of initial asylum applicants were under 35 years old, a similar figure to 2006 (84 per cent of initial asylum applicants were under 35 years of age). The bias towards applicants under 35 years of age carries over to gender: 79 per cent of female applicants and 84 per cent of male applicants were under the age of 35. Of the remaining initial applicants for asylum in 2007, 16 per cent were aged between 35 and 59 (4,645), and one per cent (420) were aged 60 or over.

8 Further country-specific information may be obtained from the UK Border Agency’s ‘Country of origin Information Service’ at http://www.homeoffice.gov.uk/rds/country_reports.html
In 2007, there were 3,645 initial applications for asylum from unaccompanied minors. This was a slight increase (up 5.6 per cent) compared to 2006. The gender balance of unaccompanied minors was heavily skewed towards males, who accounted for 81 per cent of applicants. The bias was even more pronounced than in 2006 when 75 per cent were male.

The age was unknown for 14 per cent (510) of unaccompanied minors in 2007. This is a much higher proportion of unaccompanied minor applicants than in 2006. Of those unaccompanied minors whose age was known in 2007, 385 (12 per cent) were between 0-13 years of age, 890 (28 per cent) were 14-15 years of age.

### 2.1.2 First and final positive decisions

*What is the total number of first and final positive decisions (again on the basis of persons) in 2007, disaggregated by the citizenship of the person concerned? Please explain changes in the total number of positive decisions in comparison to the previous year.*

A total of 26,665 initial decisions were made on asylum applications in 2007, a five per cent increase from 2006 (25,475). Of the 26,665 decisions, 26 per cent were positive (6,810 – up 35 per cent compared to 2006) and 74 per cent were negative (19,850 – a decrease of three per cent compared to 2006). This represents an increase in the overall proportion of initial positive decisions compared to 2006 when 80 per cent were negative. In 1,400 cases, no decision was made because the application was withdrawn.

The five countries of nationality to receive the highest number of positive, first instance, asylum decisions made up 61 per cent of all positive, first instance decisions – a smaller proportion than in 2006 (65 per cent). The countries were Eritrea (1,230, 18 per cent), Somalia (1,100, 16 per cent), Afghanistan (945, 14 per cent), Iran (515, eight per cent), and Zimbabwe (365, five per cent), the same group as the year before. In 2007, Somalia and Eritrea swapped first and second place compared to 2006 with Eritrea becoming the top nationality, while Afghanistan, Iran, and Zimbabwe maintained their respective rankings of third, fourth, and fifth.

As can be seen in Figure 2.4, each of the countries within the top five positive decisions (first instance) had an increasing number of positive decisions compared to 2006: Eritrean numbers increased by 37 per cent, Somali by 17 per cent, Afghan by 13 per cent, Iranian by 36 per cent, and Zimbabwean by 53 per cent. For Somalia and Iran the increase in 2007 represented a reverse of the decline in positive (first instance) decisions between 2005 and 2006. For Eritrea, Afghanistan and Zimbabwe the increase in positive (first instance) decisions in 2007 compared to 2006 continued the pattern between 2005 and 2006. Over the whole period between 2005 and 2007, all of the top five countries had an overall increase in positive decisions. Eritrea increased by 67 per cent, Somalia five per cent, Afghanistan 74 per cent, Iran seven per cent, and Zimbabwe 184 per cent.
Asylum claims are decided on their individual merits and a large number of applications does not necessarily result in a large number of positive decisions. However, in 2007, all five nationalities receiving the highest numbers of positive decisions were in the list of top ten nationalities with the highest numbers of applications. This was also the case in 2006.

Table 2.1 shows that overall 7,475 (32 per cent) of the 23,430 principal applications (excluding dependants) in 2007 resulted in the granting of Refugee Convention status (granting of asylum) (16 per cent), HP or DL (nine per cent), or in appeals that were allowed by the Asylum and Immigration Tribunal (AIT) (a further seven per cent). This is based on cases where data are available. A proportion (2,820, 12 per cent) of applications made in 2007 were still awaiting the outcome of an initial decision or an appeal at the time of writing.

Table 2.1: Cohort analysis of applications for asylum, excluding dependants, made 2004 to 2007: initial decisions, appeal outcomes and removals as at May 2009

<table>
<thead>
<tr>
<th></th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Principal Applicants</td>
<td>33,960</td>
<td>25,710</td>
<td>23,610</td>
<td>23,430</td>
</tr>
<tr>
<td>of which - initial decisions by Home Office</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recognised as a refugee and granted asylum (Refugee Convention status)</td>
<td>1,250</td>
<td>1,940</td>
<td>2,670</td>
<td>3,660</td>
</tr>
<tr>
<td>Not recognised as a refugee but granted HP or DL (1)</td>
<td>3,520</td>
<td>2,780</td>
<td>2,340</td>
<td>2,125</td>
</tr>
<tr>
<td>Refused asylum, HP and DL (1)</td>
<td>27,510</td>
<td>19,345</td>
<td>16,475</td>
<td>14,370</td>
</tr>
<tr>
<td>Applications withdrawn</td>
<td>1,110</td>
<td>910</td>
<td>1,025</td>
<td>1,235</td>
</tr>
<tr>
<td>Cases with decision not known (2)</td>
<td>565</td>
<td>735</td>
<td>1,100</td>
<td>2,040</td>
</tr>
<tr>
<td>Appeals Lodged</td>
<td>20,595</td>
<td>13,845</td>
<td>11,140</td>
<td>8,905</td>
</tr>
<tr>
<td>of which - Appeals outcomes by the Immigration Appellate Authority (IAA) / Asylum and Immigration Tribunal (AIT) (3)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Allowed</td>
<td>3,375</td>
<td>2,800</td>
<td>2,340</td>
<td>1,690</td>
</tr>
<tr>
<td>Dismissed</td>
<td>16,400</td>
<td>10,185</td>
<td>8,060</td>
<td>6,345</td>
</tr>
<tr>
<td>Withdrawn by appellant</td>
<td>260</td>
<td>165</td>
<td>125</td>
<td>90</td>
</tr>
<tr>
<td>Withdrawn by Home Office</td>
<td>255</td>
<td>200</td>
<td>260</td>
<td>145</td>
</tr>
<tr>
<td>Appeals with outcome not known (2)</td>
<td>300</td>
<td>500</td>
<td>355</td>
<td>635</td>
</tr>
<tr>
<td>Removals and voluntary departures (4)</td>
<td>6,725</td>
<td>5,490</td>
<td>4,825</td>
<td>3,980</td>
</tr>
<tr>
<td>Summary of estimated outcomes (including appeal outcomes at IAA/AIT)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recognised as a refugee and granted asylum</td>
<td>4,420</td>
<td>4,595</td>
<td>4,860</td>
<td>5,190</td>
</tr>
<tr>
<td>as a percentage of total applications</td>
<td>13%</td>
<td>18%</td>
<td>21%</td>
<td>22%</td>
</tr>
<tr>
<td>Not recognised as a refugee but granted HP or DL</td>
<td>3,730</td>
<td>2,925</td>
<td>2,490</td>
<td>2,290</td>
</tr>
<tr>
<td>as a percentage of total applications</td>
<td>11%</td>
<td>11%</td>
<td>11%</td>
<td>10%</td>
</tr>
<tr>
<td>Refused asylum, HP or DL, or withdrawn by appellant (5)</td>
<td>24,690</td>
<td>16,760</td>
<td>14,545</td>
<td>13,135</td>
</tr>
<tr>
<td>as a percentage of total applications</td>
<td>73%</td>
<td>65%</td>
<td>62%</td>
<td>56%</td>
</tr>
<tr>
<td>Cases with decision not known (2)(6)</td>
<td>1,120</td>
<td>1,435</td>
<td>1,715</td>
<td>2,820</td>
</tr>
<tr>
<td>as a percentage of total applications</td>
<td>3%</td>
<td>6%</td>
<td>7%</td>
<td>25%</td>
</tr>
</tbody>
</table>
2.1.3 Changes in the statuses regularly granted to particular citizen groups

When compared with the previous year, can you observe changes in the statuses regularly granted to particular citizenship groups? How do you explain these changes or continuity?

The proportion of Refugee Convention status and humanitarian status positive (first instance) decisions over the period 2005-2007 can be seen in Figure 2.5. Compared to 2006, in 2007 there was an increase in the proportion of decisions granting Refugee Convention Status. In 2007, 66 per cent of positive (first instance) decisions were granted Refugee Convention status. This compares to 46 per cent and 52 per cent of positive (first instance) decisions in 2005 and 2006 respectively. Between 2005 and 2007, there was an annual increase in the total number of Refugee Convention status decisions and a decrease in the number of humanitarian status decisions. In 2007, there was a 71 per cent increase in the number of Refugee Convention status decisions compared to 2006; in 2006 there was a six per cent increase compared to 2005. For humanitarian status decisions there was a decrease of minus four per cent between 2006 and 2007, and decrease of minus 18 per cent between 2005 and 2006.

Figure 2.5: Total number of overall positive (first instance) decisions by type, 2005-2007

![Graph showing Refugee Convention Status and Humanitarian Status trends from 2005 to 2007]

A breakdown of the proportion of the two statuses for the five nationalities with the highest number of overall positive (first instance) decisions in 2007 can be seen in Figure 2.6.

Figure 2.6: Total number of overall positive (first instance) decisions by type and country of nationality, five countries with the highest number of positive (first instance) decisions 2005-2007

![Graph showing Refugee Convention Status and Humanitarian Status for five countries from 2005 to 2007]
In 2007, nationals of the two countries with the highest number of positive grants, Eritrea and Somalia, along with Iran and Zimbabwe, received a higher proportion of Refugee Convention status (94 per cent, 90 per cent, 57 per cent, and 93 per cent respectively) than humanitarian status. Nationals of Afghanistan received a greater proportion of humanitarian status (86 per cent).

Compared to 2006, the proportion of nationals granted Refugee Convention status, compared with the proportion gaining humanitarian status, increased for all five of the top five countries.

The number of positive initial decisions of Refugee Convention status increased for all five of the nationalities with the highest number of positive (first instance) decisions in 2007. The number of decisions for Refugee Convention status increased by 330 (up 40 per cent) for nationals of Eritrea, 215 (up 28 per cent) for nationals of Somalia, 75 (up 121 per cent) for nationals of Afghanistan, 185 (up 176 per cent) for nationals of Iran, and 145 (up 76 per cent) for nationals of Zimbabwe.

Positive decisions on grants of humanitarian status increased from 2006 to 2007 by less than five for Eritrea (three per cent) and for Afghanistan by 35 (five per cent). However, Somalia, Iran, and Zimbabwe all experienced a reduction in the number of positive decisions on humanitarian status, though at variable rates: respectively 55 (34 per cent), 50 (19 per cent), and 20 (43 per cent).

2.2 Contextual interpretations (legal, political and international factors)

2.2.1 New or amended laws

Please describe briefly any new or amended laws on asylum and relevant case law effective in 2007. Have there been important changes in comparison with the previous year?

Other changes are detailed in the migration and refusals, apprehensions and removals sections of this report and should be read in conjunction with this section, as changes in law in these areas may also affect the outcome of asylum cases or the number of applications.

UK Borders Act 2007

The most important legislative development in 2007 was the UK Borders Act 2007 which implemented aspects of the Government’s 2005 Five-Year Plan for immigration and asylum. This plan proposed a Points-Based System for work-based immigration applications from non-EEA foreign nationals and an increased use of biometrics and other technology under an e-Borders programme. The 2007 Act introduced a wide range of measures to better control the UK’s borders, and to increase the Border and Immigration Agency’s (BIA’s) capacity to detect illegal immigrant workers.10 It included measures on biometric identity cards for non-EEA foreign nationals; gave immigration officers powers, both at ports in England, Wales and Northern Ireland to detain those wanted by the police; provided increased enforcement powers in relation to asylum support offences and also provided for automatic deportation for foreign nationals convicted of serious crimes, with limited exceptions.11 The Act also created the role of independent Chief Inspector to monitor and report on the Border and Immigration Agency’s efficiency and effectiveness. The Chief Inspector reports directly to the Home Secretary.

9 Details may be found at http://ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/legislation/ukbordersact/
10 The Border and Immigration Agency is now the UK Border Agency (see section 3.2).
11 More information can be found in the UK ‘EMN Annual statistical report on migration, asylum and refusals, apprehensions and removals’ (2006).
Further Extension of the Non-Suspensive Appeals (NSA) Process
The Nationality, Immigration and Asylum Act 2002 (Section 94 (4)) made provision for a list of countries from which asylum or human rights claims are to be certified as clearly unfounded unless the applicant is able to satisfy the Secretary of State that his/her asylum claim is not clearly unfounded. The effect of certification is that there is no in-country right of appeal against removal. This is known as the Non-Suspensive Appeals process.\(^\text{12}\)

As from 1 January 2007 there were fourteen countries subject to the NSA list. These were Albania, Bolivia, Brazil, Ecuador, Ghana (males only), India, Jamaica, Macedonia, Moldova, Mongolia, Nigeria (males only), Serbia (including Kosovo), South Africa, and Ukraine. In July 2007, a further ten countries were added to the NSA list. These countries were Bosnia, Mauritius, Montenegro and Peru, and, for male applicants only, Gambia, Kenya, Liberia, Malawi, Mali, and Sierra Leone. This took the total number of countries on the list to 24. The expansion of the NSA is likely to have acted as a significant barrier to potential asylum applicants from those countries. It is notable that only one country on the NSA list – Nigeria (males only) – was ranked in the top ten countries of citizenship for asylum applications.\(^\text{13}\)

2.2.2 Procedural changes

Procedural changes effective in 2007

Please explain briefly administrative or legal changes in the application, decision, or appeals process contributing to any numerical changes. Have there been important changes in comparison with the previous year?

2007 also saw the completion of the on-going introduction of the Government’s end-to-end process for asylum cases – the so-called New Asylum Model. The New Asylum Model (NAM) aims at ensuring that applicants for asylum are either granted leave to remain or removed from the UK within a specified time period by introducing a single case owner model for the management of individual asylum applications. By April 2007 all new asylum applications (aside from those made by persons serving a custodial sentence, who were managed separately) were handled under the single case owner model.

Through 2007, the Border and Immigration Agency continued to work collaboratively with the UNHCR (the United Nations Refugee Agency) to make a series of improvements to the asylum system.

2.2.3 European/international factors explaining certain changes/continuity

Can you identify European/international factors explaining certain changes regarding asylum trends in 2007 in your Member State? Has the situation changed in comparison with the previous year?

During 2007 the UK transposed provisions into national law from Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status. Where existing national law did not already make the necessary provision, new legislative instruments came into force, as follows: Statement of Changes to the Immigration Rules HC 82; the Asylum and Immigration Tribunal (Procedure) (Amendment No.2) Rules 2007; the Special Immigration Appeals Commission (Procedure) (Amendment No.2) Rules 2007 and the Asylum (Procedures) Regulations 2007.\(^\text{14}\)

\(^{12}\) More information can be found in the UK national report for the EMN Annual Report on Asylum and Migration Statistics (2006).


3. Migration

3.1 Analysis and interpretation of migration statistics

As explained in section 1.1.2.1, asylum applicants may be included in flow and stock data if they stay for more than a year.

Given the scale and complexity of migration flows into and out of the UK, it is extremely difficult to relate most changes in migration directly to developments in government policy. The most obvious exception to this has been the large-scale in-migration following the accession of new countries to the European Union in 2004. In general, many forces determining migration lie in the personal circumstances of individuals and conditions in country of origin, as well as the recruitment activities of employers and the actions of others who facilitate movement.

It should be borne in mind that the following figures, other than those on work permits and worker registration, are estimates calculated by methods described in section 1.1 and are not actual recorded numbers of migrants.

3.1.1 Migration Flows

How did migration flows in your Member State change compared to the previous years, from 2002 onwards? Please explain the reasons for changes. Did the migration trends observed in this field reflect immigration policies at the time?

Total International Migration to and from the UK for the period 1999-2007 is shown in Figure 3.1.

![Figure 3.1: Total international migration to/from the UK, 1999 – 2007](image)

In 2007, the number of people arriving to live in the UK for at least a year was 577,000. This was 14,000 less than in 2006, when the figure was the highest since records began. Over the last four years, the inflow has fluctuated between 563,000 and 591,000 suggesting that the upward trend from the mid-nineties has been halted. In 2002 and in 2003, the number coming in was a little above 500,000.

The number of people leaving the UK in 2007 to live abroad for at least a year was 340,000. This was 60,000 less than in 2006, when the figure was the highest recorded in recent years. Outflow figures have fluctuated since 2002, when the total was 358,000.
The net inflow of migrants was 237,000 in 2007. This figure was 46,000 higher than in 2006 owing to a sharper decline in the number of people leaving the country rather than more coming in, as the above data show. There was a sharp rise in net inflow in 2004 but no subsequent trend of increase.

The inflow of British citizens was 75,000 in 2007, the lowest since 1991, while the outflow was 171,000, the lowest since 2001.

The inflow of non-British citizens was 502,000 in 2007, slightly lower than in 2006 when there was the largest inflow on record. In 2002/03, the annual inflow was a little above 400,000. The outflow in 2007 was 169,000, 25,000 lower than in 2006 when the outflow was the highest on record. Outflows have fluctuated since 2002, when the figure was 174,000.

The overall picture is one in which non-British citizens predominated among in-migrants in 2007 (87 per cent of the total), while British and non-British citizens leaving the country were closely similar in number. This pattern has been broadly the same in most years during the last decade.

Annual inflows from the European Union have grown substantially over the last six years, principally because of migration from the A8 countries (from Central and Eastern Europe). Inflows from the fifteen countries which comprised the European Union/European Free Trade Association (EU/EFTA) (excluding the UK) in 2002 have increased from 59,000 at that date to 79,000 in 2007, while outflows have declined from 52,000 to 41,000 over the same period. However, in both cases, numbers have fluctuated in the years between.

Data since 2004 show that the number of migrants from the A8 countries has increased continuously, with an estimated total of 112,000 arrivals in 2007, more than twice the number in 2004. Outflows of A8 citizens have also increased significantly, from 3,000 in 2004 to 25,000 in 2007, but the numbers are small relative to the inflow. The low figure in 2004 reflects the fact that an emigrant has to have lived in the UK for at least a year before being classed as such. Given that most A8 citizens entered after May 2004, by definition many of those who left during 2004 could not be classed as emigrants. The inflow statistics, as already explained, relate to people entering the country and stating the intention of staying for at least a year. Data from the Worker Registration Scheme, on which A8 nationals who wish to take up employment in the UK for at least a month are generally required to register (other than the self-employed), suggest there might have been a downturn in total movement in 2007. The total number of initial applications approved in 2007 was 211,000 compared to 228,000 in 2006.

Patterns and trends in migration to the UK from non-EU countries have shown some variation depending on origin. The inflow from Old Commonwealth countries in 2007 was the lowest for a decade, while the outflow fell to its lowest in eight years. Inflows and outflows from other parts of the world have been fluctuating in recent times and were lower in 2007 than in 2006. Overall, in 2007, 38 per cent of the total net gain of non-British migrants was from the EU27, 31 per cent from the New Commonwealth, four per cent from the Old Commonwealth and 26 per cent from other foreign countries.

The most frequently cited reasons for entering the UK were again work-related. Forty-two per cent of all in-migrants in 2007 said they had a ‘definite job to go to’ or were ‘looking for work’. About a quarter of the inflow gave ‘formal study’ as their main reason, while 15 per cent said they were accompanying or coming to join people already in the country. The proportions in each of these categories have not changed greatly over the last few years, though there have been small fluctuations. In the case of the outflow, there has been a slight upward trend in the proportion citing work reasons: 44 per cent in 2004 rising to 51 per cent in 2007.

There is a continuing trend for more males than females to migrate from and to the UK. Men accounted for 54 per cent of the inflow and 56 per cent of the outflow. Among those aged between 25
and 44 this imbalance was particularly marked for the inflow (58 per cent male) but not for outflow (54 per cent male). In the 15-24 age group, the gender balance of the inflow was more or less even, but there was a male preponderance in the outflow (55 per cent).

Over the last decade there was a general upward trend in net immigration for 15- to 24-year-olds until 2004, since when the number has been relatively stable, with 143,000 in 2007. For 25- to 44-year-olds, net immigration over the last decade had a fluctuating rise to peak in 2004 at 105,000 before falling to 68,000 in 2006 then increasing to 97,000 in 2007. The UK generally gains those aged under 15 and loses the 45-59/64 age group. For most of the last decade there were net gains in the numbers of children: 6,000 in 2007. Net outflow for the 45-59/64 group was 10,000 in 2007, down from a peak of 21,000 in 2002. For the 60/65 and over group, net losses of 15,000 in 2005 and 20,000 in 2006 became an estimated 1,000 gain in 2007.

3.1.2 Population by Citizenship in 2007

As well as giving the total number of third-country nationals residing in your country, provide information on the largest groups (by citizenship) of third-country nationals in 2007. If significant changes occurred in reference to the size of particular groups of third-country nationals in 2007, what were the underlying causes of these changes (e.g. legal, political, economical etc.)?

The data in this section are from the spring quarter wave of the Labour Force Survey, provided by the Office for National Statistics. In 2007, the Labour Force Survey recorded that there were 56,192,000 British nationals (93 per cent) and 3,953,000 non-British nationals (seven per cent) in the UK. This represented an increase of 30,000 British and 359,000 non-British as compared to 2006. Since 2002, the number of British nationals has risen by six per cent, while the number of non-British has risen by 46 per cent.

Third-country (non-EEA) nationals totalled 2,387,000 in 2007. Figure 3.2. shows the ten largest groups by country of nationality. Indian citizens have constituted the biggest group since 2002, with numbers increasing continuously from 170,000 in that year to 263,000 in 2006 and 296,000 in 2007.

Citizens of the United States of America formed the second largest group in 2007 with 137,000, less than half the Indian total. The USA has been in second position since 2002 but numbers have fluctuated rather than steadily increasing. Nevertheless, the 2007 figure was the highest in six years and 15 per cent higher than 2006.

Figure 3.2: Total number of third country nationals in the UK for the ten largest groups (by country of nationality), 2005 – 2007
Pakistan (135,000), Australia (111,000) and South Africa (103,000) held the next three positions in the list of third-country nationals in 2007. The same countries have occupied these three positions since 2002 but not always in the same order. The number of Pakistani nationals rose by 23 per cent between 2006 and 2007 and the number of Australians by 31 per cent, whereas the number of South Africans fell by five per cent.

Citizens of Nigeria, China, Zimbabwe, the Philippines and Bangladesh numbered 70,000-79,000 in each group in 2007. As Figure 3.2 indicates, the trend was upward in the first three groups; the total of Philippine nationals remained the same while the number of Bangladeshis fell compared to 2006.

In the case of Indian nationals, there are extensive, long-standing links with the UK with migration flows for work, education and family reasons. In recent years, India has provided growing numbers of skilled workers in computer services, many of them intra-company transfers (see section 5). They also constituted the largest number entering the UK on the Highly Skilled Migrants Programme (HSMP) in 2007, accounting for an estimated 37 per cent of HSMP approvals.

USA nationals were the only other group among the ten in Figure 3.2. where work permit issues increased in both 2006 and 2007, receiving the second largest number in both years. Australians were the second largest component of the inflow on the HSMP.

The Points-Based System referred to below did not become operational until 2008, so it did not directly affect 2007 migration patterns. However, it may be the case that some workers, and some employers seeking to transfer workers, made particular efforts to gain approval for entry to the UK in 2007 to avoid the scrutiny of the new system. If so, the numbers are likely to be very small.

### 3.1.3 Residence Permits: annual total of first issuing in 2007

How did the total number of residence permits issued for the first time in 2006 change in comparison to the previous year? Please explain the reasons for this (legal, political, administrative changes, etc.). Note that this section should refer only to the first issuing of residence permits and not any subsequent extensions to a residence permit issued in previous years.

In 2007, an estimated 774,000 authorisations to reside in the UK were issued for the first time. This was one per cent more than in 2006 (769,000). Figure 3.3. shows the trend in numbers for the major categories.
The number of authorisations for family formation/reunification and employment decreased in 2007. The number of first issuances authorisations for family formation/reunification fell by seven per cent to 135,000 and the number for employment by 15 per cent to 153,000. In contrast, the number for study rose by 11 per cent to 343,000 and there was a five per cent rise in ‘other categories’ to 144,000.

The proportions of each category for migration remained broadly similar to those of recent years. As can be seen in Figure 3.4., study made up 44 per cent of authorisations to reside in 2007, continuing the increase of 2005 and 2006 when the proportions were 39 and 40 per cent respectively. Employment made up 20 per cent, compared to 25 per cent in 2005 and 23 per cent in 2006. Family formation/reunification made up 17 per cent, the same as in 2005 but down from 19 per cent in 2006.

![Figure 3.4: Authorisation to reside in the UK by main categories of acceptance, 2007](image)

3.2 Contextual interpretations (legal, political and international factors)

3.2.1 What have been the main trends and most important developments in the area of migration policy in your Member State since the previous year (political stance; new or amended laws; procedural changes etc? Please give a short overview.

This section covers main trends and developments as specified. It does not, however, include information about developments relating to asylum as these have been included in Part 2 of this report, nor does it cover those incorporated in Part 4. It should be borne in mind that all changes in policy and legislation can potentially affect the migration flows described above.

**Institutional developments**

As of 1 April 2007, the UK Home Office’s Immigration and Nationality Directorate became the Border and Immigration Agency, subsequently the UK Border Agency. Whilst still part of the Home Office, shadow agency status conferred on BIA greater freedom to improve and change the way it operated and more accountability for its strengths and any failings. In July 2007, it was further announced that, from 2008, the UK would have a unified border force which would bring together the work of the Border and Immigration Agency, UKvisas and the detection work at the border by HM Revenue and Customs into a single organisation responsible for tackling smuggling as well as immigration control.

The main legislative development in 2007 was the UK Borders Act 2007 (please see 2.2.1 for more information).

15 [http://ukba.homeoffice.gov.uk/aboutus/](http://ukba.homeoffice.gov.uk/aboutus/)
At the end of 2007, it was announced that the UK Government would publish a draft Bill on citizenship and immigration the following year. Its purpose is to simplify UK immigration law, replacing earlier Immigration Acts with one clear, transparent piece of legislation. A consultation exercise in 2007 showed clear support for the simplification principles outlined in the proposal.\textsuperscript{16} The draft Immigration and Citizenship Bill was published for consultation in 2008.

\textbf{Economic Migration}

In April 2007, the UK’s Immigration Minister announced the timetable for introducing the new Points-Based System for migration into the UK.\textsuperscript{17} The Points-Based System allows non-EEA migrants to come to the UK under one of five tiers, replacing approximately 80 previous routes of entry for work and study. To underpin the Points-Based System (PBS), the UK government also established the Migration Advisory Committee (MAC) in 2007. The MAC is tasked with providing independent, evidence-based advice to the Government on skilled occupations in the labour market where shortages exist which can sensibly be filled by migration. This is to inform the shortage occupation list route of Tier 2 of the PBS. The Government also asks other immigration-related questions of the Committee from time to time.\textsuperscript{18}

A Migration Impacts Forum was also established in 2007\textsuperscript{19} to help build the evidence base for the effects that migration is having on communities and public services throughout the UK and on how these challenges can best be met.\textsuperscript{20}

\textbf{Citizenship and Naturalisation and Integration}

In the UK, 2007 saw the introduction of language and citizenship knowledge testing for all settlement applications. As of 2 April 2007, all applicants for indefinite leave to remain (settlement) were required to provide evidence that they had either passed the new ‘Life in the UK’ test\textsuperscript{21} or an English for Speakers of Other Languages (ESOL)\textsuperscript{22} test that includes citizenship materials.

3.2.2  \textit{What were the existing categories of admission or non-admission in 2007?}

The UK has categories of admission which are recorded for statistical purposes. In 2007 these were as follows (in alphabetical order).\textsuperscript{23}

On entry ‘leave to enter’ Categories
- Asylum-related cases and their dependants.
- Au Pairs.
- Business visitors.
- Children given leave to enter under paragraphs 301/302 of HC 395 for a probationary period with view to settlement.
- Civil partner admitted for a probationary period.
- Common-Law spouses admitted for a probationary period.
- Common-Law spouse of a diplomat admitted for a probationary period.
- Dependants of people with UK Ancestry.
- Dependants of students, student nurses and postgraduate doctors and dentists.
- Dependants of work permit holders.
- Diplomats, consular officers and people on foreign and Commonwealth government missions.

\begin{footnotesize}
\bibitem{16} http://www.bia.homeoffice.gov.uk/managingborders/simplifying
\bibitem{17} Details of the Points-Based System may be found at http://ukba.homeoffice.gov.uk/managingborders/managingmigration/
\bibitem{18} http://www.ukba.homeoffice.gov.uk/aboutus/workingwithus/indbodies/mac/
\bibitem{19} http://www.ukba.homeoffice.gov.uk/managingborders/managingmigration/migrationimpactsforum/
\bibitem{20} The Migration Impacts Forum reached the end of its programme of work in July 2009.
\bibitem{21} http://www.lifeintheuktest.gov.uk
\bibitem{22} http://www.direct.gov.uk/en/EducationAndLearning/AdultLearning/ImprovingYourSkills/DG_10037499
\bibitem{23} Further information on these sub-categories can be found in the Home Office publication ‘Control of Immigration: Statistics United Kingdom 2007’ (http://www.homeoffice.gov.uk/rds/immigration-asylum-stats.html).
\end{footnotesize}
● Domestic workers, i.e. workers accompanying employers granted leave to enter (excluding servants of diplomats).
● Fiancé(e)s – people, male or female, given limited leave to enter for the purpose of marriage to a UK resident.
● Highly Skilled Migrant Programme.
● Holders of work permits given leave to enter for less than 12 months, excluding trainees.
● Holders of work permits given leave to enter for 12 months or more, excluding trainees.
● Holders of work permits issued to trainees.
● Husbands of women settled in the UK given leave to enter for probationary period with a view to settlement.
● Innovators.
● Investors.
● Leave outside the rules (concession).
● Leave outside the rules (concession) – Dependents.
● Leave outside the rules (no concession).
● Leave outside the rules (no concession) – Dependents.
● Ministers of religion, missionaries or members of religious orders.
● Non-Asylum Discretionary Leave.
● Non-Asylum Discretionary Leave – Dependents.
● Nurses – Supervised Practice.
● People in transit through the UK to the Channel Islands, the Isle of Man and the Republic of Ireland who have no other reason for entering.
● People, other than seamen and aircrew, in transit through the UK who have no other reason for entering.
● People with UK Ancestry.
● Postgraduate doctors or dentists.
● Proposed civil partner.
● Retired people of independent means.
● Returning residents and passengers returning from temporary visits abroad to continue their stay in the UK within their existing leave.
● Same sex partner admitted for probationary period.
● Same sex partner of a diplomat admitted for a probationary period.
● Seamen and aircrew arriving as passengers under contract to join ships or aircraft at UK ports.
● Seasonal agricultural workers.
● Students and student nurses given leave to enter for 12 months or more.
● Students, student nurses and prospective students given leave to enter for less than 12 months.
● Student visitor.
● Visitors.
● Visitors (Approved Destination Status) (only applicable to Chinese nationals).
● Wife of a man settled in the UK given leave to enter for probationary period with a view to settlement.
● Working Holidaymakers.
● All other passengers given limited leave to enter, who are not included in any other category.

On-entry Settlement Categories
● Child given Indefinite Leave to Enter the UK under paragraphs 296-297 of HC 395.
● Civil Partner given Indefinite Leave to Enter the UK, joining or accompanying civil partner.
● Elderly relative given Indefinite Leave to Enter the UK.
● Husband given Indefinite Leave to Enter the UK as the spouse of a person settled in the UK.
● Wife given Indefinite Leave to Enter the UK as the spouse of a person settled in the UK.
● All other people given Indefinite Leave to Enter.
Two additional admission category codes were added in 2007 (Highly Skilled Migrant Programme and Student visitor). All other codes remained the same as in 2006. No formal categories of non-admission are used in the UK.

3.2.3 Could you identify European/international factors explaining certain changes/continuity regarding migration in your Member State in comparison to the previous year?

Accession Countries
On 1 May 2004, ten accession countries joined the EU. The UK did not impose any transitional measures although nationals of the ‘A8’ countries from Central and Eastern Europe\(^{24}\) were required to register on the Worker Registration Scheme (WRS) on taking up employment (other than the self-employed). These arrangements continued in 2007. There was no requirement for nationals from Cyprus and Malta to register on the WRS.

On 1 January 2007, Bulgaria and Romania joined the EU. The Government announced in October 2006 that nationals of these countries would be afforded gradual access to the UK’s labour market. There would continue to be access for skilled workers who met the skills requirements of the UK’s work permit arrangements and the Highly Skilled Migrant Programme. Access for lower skilled workers would be quota-limited and restricted to those accessing existing schemes (the Seasonal Agricultural Workers Scheme – see section 5 - and the Sectors Based Scheme) for the agricultural and food processing sectors. At the same time, these low-skilled schemes would move to being restricted to Bulgarian and Romanian nationals only.

The Accession (Immigration and Worker Authorisation) Regulations 2006 gave effect to this policy. These regulations made Bulgarian and Romanian nationals taking employment in the UK after 31 December 2006 subject to a requirement to hold an appropriate work authorisation document.\(^{25}\)

\(^{24}\) Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia.

\(^{25}\) http://www.opsi.gov.uk/si/si2006/20063317.htm
4. Refusals, apprehensions and removals

It is difficult to say with any certainty how policies or initiatives have impacted on the numbers of illegal entrants and returnees. Illegal migrants, almost by definition, fall outside official statistics. Furthermore, it is likely that many of those who fall into illegality will have entered legally but changed status, perhaps through overstaying. Only those people who come to the attention of the authorities are counted in the official data. It is, therefore, even more difficult to ascertain the exact effects of policy to prevent illegal entry and residence, as it is impossible to tell how many potential migrants have been prevented from attempting to enter, remain illegally, or have entered illegally without detection. The following analysis can only provide an indication of the possible effects that policies have had.

4.1 Analysis and interpretation of statistics

4.1.2 Please describe developments/trends pertaining to the number of refusals in 2007 in comparison to the previous year. Have there been changes in the main countries of citizenship of refused migrants since the previous year? If possible, give reasons for these changes/continuity.26

There are many reasons why a non-asylum passenger might be initially refused entry at port. For instance, he/she might be unable to satisfy an immigration officer that he/she qualifies for leave to enter because of failure to produce the correct documentation or as a result of intelligence.

In 2007, 28,140 non-asylum passengers were initially refused leave to enter the UK (Table 4.1.). This was a fall of six per cent on the figure for 2006 (29,945). Twenty per cent of refusals in 2007 were at juxtaposed controls.27

<table>
<thead>
<tr>
<th>Table 4.1: Top ten countries of nationality with the highest number of nationals initially refused leave to enter the UK, 2007</th>
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<td><strong>Total</strong></td>
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<td>China</td>
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<td>Others</td>
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Figure 4.1. shows a breakdown of the ten countries of nationality with the highest number of initial refusals of leave to enter in 2007 and compares these figures with the 2005 and 2006 figures. The country with most refusals in 2007 was Brazil (4,930) with 18 per cent of the total, over twice as many as the USA (2,205) which was second on the list. Four of the top five countries showed reductions in

26 In this section, ‘refusals’ refer to refusals of leave to enter; other refusals, such as refusals to issue a visa, are not included.

27 The UK has bilateral agreements with France and Belgium which allow UK officers to carry out controls in defined geographical areas such as Channel ports and Eurostar terminals. These allow the UK to carry out immigration controls before a person physically enters the country.
numbers of refusals compared with the year before: Brazil, Nigeria, Malaysia and South Africa. All six other countries experienced increases. Nigeria (20 per cent) and Malaysia (19 per cent) had the biggest reductions; China (30 per cent) and Australia (19 per cent) had the largest increases.

**Figure 4.1**: Top ten countries of nationality with highest number of people initially refused leave to enter the UK 2005 – 2007

Data are not collected in the UK on the number of apprehended aliens. Data are collected on the initiation of enforcement action (illegal entrants detected and people issued with a notice of intention to deport, recommended for deportation by a court or proceeded against under Section 10 of the Immigration and Asylum Act 1999). However, from 2003 onwards, these figures were unavailable owing to data quality issues. Therefore, the information requested is not available for 2007.

The Case Information Database (CID) has been the main source of UK Border Agency enforcement data since April 2003; however, the service of papers is not fully recorded on CID. The UK Border Agency is currently putting in place new processes to improve its data collection systems for the future in this area.

The number of persons who were removed or departed voluntarily from the UK in 2007 was 63,365, a decrease of 1 per cent on 2006 (63,865) (Figure 4.2.). The break in series in 2001 is explained in section 1.1.3.3. Of those removed or departed voluntarily in 2007, 49 per cent were initially refused entry at a port and subsequently removed, 33 per cent were enforced removals and notified voluntary departures, seven per cent left under Assisted Voluntary Return Programmes run by the International Organization for Migration and 11 per cent were other voluntary departures.
Within the total number of persons removed or departing voluntarily in 2007, 12,705 persons had sought asylum at some stage as principal applicants, 22 per cent less than in 2006 (16,330). Including dependants, this number rises to 13,705, 25 per cent less than in 2006 (18,280).

There were 21,180 enforced removals and notified voluntary departures in 2007, similar to that in 2006 (21,320). This includes 8,140 principal asylum applicants, 620 dependants of asylum seekers and 12,420 non-asylum cases.

In 2007, 4,155 persons left under Assisted Voluntary Return Programmes run by the IOM, 33 per cent less than in 2006 (6,200). This includes 2,540 principal asylum applicants, 325 dependants of asylum seekers and 1,290 non-asylum cases leaving under the Assisted Voluntary Return for Irregular Migrants Programme.

In 2007, there were 6,885 other voluntary departures, 28 persons who it has been established left the UK without informing the immigration authorities.

The removals of people in the ten countries of nationality with the highest number of nationals removed or departing voluntarily from the UK made up 47 per cent of the total, the same proportion as the year before (Table 4.2., Figure 4.3.). With 11 per cent of all removals and voluntary departures, Brazil nationals account for the highest number of removals and voluntary departures (6,725). This was followed by India, Pakistan and Nigeria (each six per cent).

28 Persons who it has been established left the UK without informing the immigration authorities.
In 2007, Afghanistan replaced Romania in the list of the ten countries of nationality with the highest number of removals and voluntary departures from the UK. Romania left the list on becoming a member of the EU at the beginning of 2007.

The ten nationalities with the highest number of removals and voluntary departures in 2007 displayed variable trends in numbers. The greatest percentage increases from the previous year were among Afghans (up 29 per cent) and Indians (27 per cent), followed by Americans (13 per cent). In contrast, the numbers of Iraqis fell by 32 per cent and Turks by 19 per cent.

The breakdown of removals and voluntary departures into asylum and non-asylum cases shows that in all cases the vast majority of removals were in the latter category although proportions varied. For example, almost 100 per cent of Brazilians, 81 per cent of Nigerians and 68 per cent of Iraqis had not claimed asylum.

4.1.4 In cases of refused, apprehended, and removed aliens in 2006, are these from the same countries in all categories, or are particular citizenship groups more common in a particular category? If possible, explain the underlying causes.

In the absence of data on apprehensions, this section is concerned only with refusals and removals and voluntary departures (Tables 4.1. and 4.2.). It should be noted that these figures do not in themselves indicate risk of refusal/removal by nationality since they do not take into account either the population of the country concerned or the total number of passenger movements of its nationals.

Brazil topped the list in both categories with 18 per cent of refusals and 11 per cent of removals. Seven countries (Brazil, USA, Nigeria, Malaysia, South Africa, Pakistan and India) appeared on both lists. Canada, Australia and China were in the top ten for refusals but not removals; Iraq, Turkey and Afghanistan were in the top ten for removals but not for refusals.

The reasons why particular nationalities appear on the lists are complex and not immediately obvious. Many of those refused entry will have had false or questionable documentation. Others will have been unable to persuade immigration officials about their reasons for entry. Among those removed will be failed asylum seekers, some of whom are departing voluntarily, those convicted of criminal activity and others who have overstayed their entry conditions.
4.2 Contextual interpretations (legal, political and international factors)

4.2.1 New or amended laws influencing irregular immigration in 2007.

*Please explain the most important changes in policies regarding refusal of entry or return from the previous year.*

In 2007, the UK signed the Council of Europe Convention on action against human trafficking and published the UK Action Plan on Tackling Human Trafficking. A dedicated project team was set up within the Border and Immigration Agency to lead on implementation. The subsequent operation was the largest ever police-led multi-agency enforcement campaign to combat human trafficking for sexual exploitation.

4.2.2 Procedural changes influencing irregular migration in 2007.

*Please describe modifications to the procedure in case of identified illegal entry, illegal residence and return since the previous year. Include changes that are the result of both administrative and legal developments.*

In March 2007, the Home Office announced a new strategy to ensure and enforce compliance with the UK’s immigration laws. Central elements of the strategy included: the creation of immigration crime partnerships across the country, across government agencies and across public services to tackle harm and exploitation; transformation of the collection, analysis and dissemination of immigration crime information and intelligence; removal of the privileges of the UK to those there illegally and stepping up detection and removal; and measures to increase public confidence in the system and to make it easier to obey the rules. However, these measures would not have affected the numbers in 2007.

Following detailed discussions with the judiciary and with stakeholders, the Border and Immigration Agency implemented a change of policy on the handling of Judicial Review challenges to removal as part of a new enforcement strategy in March 2007. Since that date, those facing removal are given at least three days notice of their removal (including two working days), but removal is deferred only if a Judicial Review is filed with the Court accompanied by detailed grounds of challenge. The new arrangements aimed to discourage speculative claims designed simply to disrupt the removal process, and ensure that claimants do not benefit from lodging a weak claim.

The UK also announced a programme to strengthen the UK’s offshore border controls with new passenger screening technology: the e-borders system. The e-Borders system will require carriers to provide passenger and crew details in advance of travel for screening against immigration, customs and police watch lists. This will allow the authorities to identify and intervene against those of interest. By the end of 2007 a successful pilot of the new system had led to more than 18,000 alerts being issued to the border agencies and more than 1,500 arrests being made.

Since 2007, third-country cases are no longer automatically defined as asylum cases unless the person has claimed asylum in the UK. A third-country case is an application from a person who can be returned to a safe third country. A safe third country is not the applicant’s country of origin, it is one where the UK Border Agency are satisfied a person will be neither persecuted nor subjected to torture, inhuman or degrading treatment, or punishment and one which would not remove a person in breach of the principles of the UN Refugee Convention or the European Convention on Human Rights (ECHR). This change affects a small number of cases.

4.2.3 Can you identify European/international factors explaining certain changes/continuity regarding illegal entry in 2007 in your Member State?

See Section 2.2.3

29 http://www.ukba.homeoffice.gov.uk/sitecontent/documents/managingourborders/enforcementstrategy/
5. Optional data

5.1 Brain gain

Changes in work permit issues have reflected particular sectoral requirements. Although data indicate a wide range of occupational skills brought in, for the most part the process has been very selective.

Table 5.1 shows a breakdown of work permit (WPs) and first permission (FPs) approvals for the main industry groups using the work permit system.

<table>
<thead>
<tr>
<th>Industry</th>
<th>Absolute figures</th>
<th>Per cent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Computer services</td>
<td>23,677</td>
<td>27</td>
</tr>
<tr>
<td>Admin., business, management services</td>
<td>11,273</td>
<td>13</td>
</tr>
<tr>
<td>Financial services</td>
<td>9,666</td>
<td>11</td>
</tr>
<tr>
<td>Health and medical services</td>
<td>7,526</td>
<td>9</td>
</tr>
<tr>
<td>Education and cultural activities</td>
<td>7,087</td>
<td>8</td>
</tr>
<tr>
<td>Hospitality, hotels, catering and other services</td>
<td>4,799</td>
<td>5</td>
</tr>
<tr>
<td>Entertainment and leisure services</td>
<td>4,619</td>
<td>5</td>
</tr>
<tr>
<td>Telecommunications</td>
<td>3,699</td>
<td>4</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>2,958</td>
<td>3</td>
</tr>
<tr>
<td>Construction and land services</td>
<td>2,953</td>
<td>3</td>
</tr>
<tr>
<td>Sporting activities</td>
<td>2,360</td>
<td>3</td>
</tr>
<tr>
<td>Retail and related services</td>
<td>1,536</td>
<td>2</td>
</tr>
<tr>
<td>Extraction industries</td>
<td>1,401</td>
<td>2</td>
</tr>
<tr>
<td>Law-related services</td>
<td>1,216</td>
<td>1</td>
</tr>
<tr>
<td>Transport</td>
<td>834</td>
<td>1</td>
</tr>
<tr>
<td>Utilities: gas, electricity, water</td>
<td>817</td>
<td>1</td>
</tr>
<tr>
<td>Government</td>
<td>492</td>
<td>1</td>
</tr>
<tr>
<td>Agriculture activities</td>
<td>405</td>
<td>0</td>
</tr>
<tr>
<td>Real estate and property services</td>
<td>329</td>
<td>0</td>
</tr>
<tr>
<td>Unconfirmed</td>
<td>177</td>
<td>0</td>
</tr>
<tr>
<td>Security and protective services</td>
<td>144</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>87,968</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

Source: Management Information from UK Border Agency. These figures are based on management information and are not subject to the detailed checks that apply for National Statistics. They are provisional and may be subject to change.

Just a few industries account for most issues with the dominance of computer services unchallenged (27 per cent), followed by administration, business and management services (13 per cent) and financial services (11 per cent). A comparison with 2005 shows substantial change in the proportions of work permits in different industries. These three sectors increased their proportions of the total, the rise in computer services being particularly marked. In contrast, approvals in the health sector declined from 26 per cent to eight per cent.

Table 5.2 shows the breakdown of WPs and FPs by nationality for 2007. Indians, with 41.2 per cent, are easily the leading group, followed by Americans.

30 Work permits were obtained by an employer for a non-EEA citizens living outside the UK; first permissions applied to non-EEA citizens already living in the UK.
### Table 5.2: Work permits and first permissions issued in the UK by nationality, 2007

<table>
<thead>
<tr>
<th>Nationality</th>
<th>Absolute figures</th>
<th>Per cent</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Nationalities</td>
<td>87,968</td>
<td>100</td>
</tr>
<tr>
<td>India</td>
<td>36,254</td>
<td>41</td>
</tr>
<tr>
<td>USA</td>
<td>11,126</td>
<td>13</td>
</tr>
<tr>
<td>Australia/New Zealand</td>
<td>5,427</td>
<td>6</td>
</tr>
<tr>
<td>China</td>
<td>4,578</td>
<td>5</td>
</tr>
<tr>
<td>South Africa</td>
<td>2,883</td>
<td>3</td>
</tr>
<tr>
<td>Pakistan</td>
<td>2,223</td>
<td>3</td>
</tr>
<tr>
<td>Japan</td>
<td>2,186</td>
<td>2</td>
</tr>
<tr>
<td>Canada</td>
<td>2,083</td>
<td>2</td>
</tr>
<tr>
<td>Philippines</td>
<td>1,844</td>
<td>2</td>
</tr>
<tr>
<td>Malaysia</td>
<td>1,375</td>
<td>2</td>
</tr>
<tr>
<td>Russia</td>
<td>1,182</td>
<td>1</td>
</tr>
<tr>
<td>Nigeria</td>
<td>1,004</td>
<td>1</td>
</tr>
</tbody>
</table>

Source: Management information from UK Border Agency. These figures are based on management information and are not subject to the detailed checks that apply for National Statistics. They are provisional and may be subject to change.

### 5.2 Intra-corporate migration

### Table 5.3: Intra-company transfers work permits by sector, 2007

<table>
<thead>
<tr>
<th>Sector</th>
<th>ICT</th>
<th>Total</th>
<th>ICT%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Computer services</td>
<td>26,131</td>
<td>31,320</td>
<td>83</td>
</tr>
<tr>
<td>Admin., business, management services</td>
<td>6,697</td>
<td>16,065</td>
<td>42</td>
</tr>
<tr>
<td>Financial services</td>
<td>5,665</td>
<td>12,765</td>
<td>44</td>
</tr>
<tr>
<td>Telecommunications</td>
<td>2,905</td>
<td>4,242</td>
<td>68</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>1,940</td>
<td>3,979</td>
<td>49</td>
</tr>
<tr>
<td>Extraction industries</td>
<td>1,161</td>
<td>1,904</td>
<td>61</td>
</tr>
<tr>
<td>Construction and land services</td>
<td>860</td>
<td>4,338</td>
<td>20</td>
</tr>
<tr>
<td>Retail and related services</td>
<td>748</td>
<td>2,141</td>
<td>35</td>
</tr>
<tr>
<td>Transport</td>
<td>566</td>
<td>1,308</td>
<td>43</td>
</tr>
<tr>
<td>Health and medical services</td>
<td>450</td>
<td>18,259</td>
<td>2</td>
</tr>
<tr>
<td>Utilities: gas, electricity, water</td>
<td>449</td>
<td>1,082</td>
<td>41</td>
</tr>
<tr>
<td>Law-related services</td>
<td>349</td>
<td>1,581</td>
<td>22</td>
</tr>
<tr>
<td>Entertainment and leisure services</td>
<td>223</td>
<td>5,363</td>
<td>4</td>
</tr>
<tr>
<td>Education and cultural activities</td>
<td>203</td>
<td>10,853</td>
<td>2</td>
</tr>
<tr>
<td>Real estate and property services</td>
<td>134</td>
<td>462</td>
<td>29</td>
</tr>
<tr>
<td>Hospitality, hotels, catering and other services</td>
<td>129</td>
<td>9,562</td>
<td>1</td>
</tr>
<tr>
<td>Security and protective services</td>
<td>73</td>
<td>179</td>
<td>41</td>
</tr>
<tr>
<td>Agriculture activities</td>
<td>28</td>
<td>508</td>
<td>6</td>
</tr>
<tr>
<td>Government</td>
<td>12</td>
<td>792</td>
<td>2</td>
</tr>
<tr>
<td>Sporting activities</td>
<td>10</td>
<td>2,637</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>48,734</td>
<td>129,340</td>
<td>38</td>
</tr>
</tbody>
</table>

Source: Management Information from UK Border Agency. These figures are based on management information and are not subject to the detailed checks that apply for National Statistics. They are provisional and may be subject to change.
The sectoral changes outlined in section 5.1 are strongly influenced by how large companies recruit and move staff within their global labour markets. Almost 40 per cent of all work permits and first permissions in 2007 were given to intra-company transferees (ICTs), moving within the internal labour markets of their employers (Table 5.3.). However, the extent of this practice varies enormously across sectors. Not surprisingly, there are few such moves within national industries such as health and education. At the other end of the spectrum, over 80 per cent of permits in computer services and almost 70 per cent in telecommunications were ICTs. These sectors have seen the biggest growth recently in permits issued and those coming to the UK do so for relatively short periods while working with clients. Extractive industries such as oil and gas, transnational manufacturing firms and large financial services employers increasingly regard their employees as global resources to be deployed internationally for career development and client co-operation purposes.

5.3 Low Skilled Labour Migration: Agriculture

The Seasonal Agricultural Workers Scheme (SAWS) originates from immediately after the Second World War. It was designed to facilitate the movement of young people from across Europe to work in agriculture, in particular as an additional source of labour in peak seasons.

Participants are mainly students, although it is no longer a requirement that participants be drawn from overseas colleges. The operation of the scheme involves operators (nine in number) who are contracted with the UK Border Agency to recruit participants, allocate them to farms and ensure they receive the appropriate wages and conditions, including suitable accommodation. Quotas are used to manage the numbers of people that may participate in the scheme and the work cards issued to participants authorise employment in the agricultural sector for a maximum of six months. Throughout the 1990s, the quota was 10,000, rising to 15,200 in 2001 and 25,000 in 2003. Following the accession of the new EU member states in May 2004, the quota was cut to 16,250 places for 2005 and 2006. Following the accession of Bulgaria and Romania at the beginning of 2007, the SAWS was closed to non-EU nationals and the quota became available to nationals of Bulgaria and Romania only. The quota was, on the recommendation of the Migration Advisory Committee, increased to 21,250 places for 2009.

Table 5.4. (a,b,c) shows the fluctuating number of work cards issued during 2005-2007 for the top ten countries. SAWS is a major route of entry for citizens of those countries of Eastern Europe and the former USSR that are not A8 members. In 2007, 16,971 work cards were issued. Bulgaria was the leading supplier with 5,640, followed by Ukraine (4,177), Romania (2,290) and Russia (2,235). Between them, these four countries accounted for 85 per cent of the total.

Table 5.4: SAWS work cards issued with a planned start date between
a) 01/01/2007 - 31/12/2007

<table>
<thead>
<tr>
<th>Nationality</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>16,971</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>5,640</td>
</tr>
<tr>
<td>Ukraine</td>
<td>4,177</td>
</tr>
<tr>
<td>Romania</td>
<td>2,290</td>
</tr>
<tr>
<td>Russia</td>
<td>2,235</td>
</tr>
<tr>
<td>Moldova</td>
<td>1,036</td>
</tr>
<tr>
<td>Belarus</td>
<td>777</td>
</tr>
<tr>
<td>Macedonia</td>
<td>142</td>
</tr>
<tr>
<td>Armenia</td>
<td>115</td>
</tr>
<tr>
<td>Georgia</td>
<td>79</td>
</tr>
<tr>
<td>Serbia</td>
<td>72</td>
</tr>
<tr>
<td>Nationality</td>
<td>Number</td>
</tr>
<tr>
<td>-------------</td>
<td>--------</td>
</tr>
<tr>
<td>Total</td>
<td>16,127</td>
</tr>
<tr>
<td>Ukraine</td>
<td>5,290</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>3,604</td>
</tr>
<tr>
<td>Russia</td>
<td>2,572</td>
</tr>
<tr>
<td>Romania</td>
<td>2,026</td>
</tr>
<tr>
<td>Moldova</td>
<td>1,033</td>
</tr>
<tr>
<td>Belarus</td>
<td>912</td>
</tr>
<tr>
<td>Macedonia</td>
<td>143</td>
</tr>
<tr>
<td>Serbia</td>
<td>97</td>
</tr>
<tr>
<td>Yugoslavia</td>
<td>94</td>
</tr>
<tr>
<td>Armenia</td>
<td>91</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Nationality</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>15,714</td>
</tr>
<tr>
<td>Ukraine</td>
<td>5,072</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>3,006</td>
</tr>
<tr>
<td>Russia</td>
<td>2,466</td>
</tr>
<tr>
<td>Romania</td>
<td>1,954</td>
</tr>
<tr>
<td>Belarus</td>
<td>1,625</td>
</tr>
<tr>
<td>Moldova</td>
<td>1,077</td>
</tr>
<tr>
<td>Georgia</td>
<td>114</td>
</tr>
<tr>
<td>Macedonia</td>
<td>73</td>
</tr>
<tr>
<td>Albania</td>
<td>70</td>
</tr>
<tr>
<td>Serbia</td>
<td>66</td>
</tr>
</tbody>
</table>

Source: Management information from UK Border Agency. These figures are based on management information and are not subject to the detailed checks that apply for National Statistics. They are provisional and may be subject to change.
Annex A: Summary Flow Chart – Control of Immigration

Legend
- Likely path
- Possible other paths

Non-Visa national
- Prior entry clearance not required
- Apply at a British mission overseas for leave to enter the United Kingdom
- Refused leave to enter
- Granted leave to enter
- Granted indefinite leave to enter

Visa national
- Prior Entry clearance is mandatory
- Apply for asylum at the border (Chapter 2)
- Refused leave to enter
- Granted leave to enter

Border Control

UK Border

Refused asylum, humanitarian protection or discretionary leave (Chapter 2)
- Apply for asylum in country (Chapter 2)
- Granted asylum, humanitarian protection or discretionary leave (Chapter 2)
- Apply for extension of leave to remain
- Refused asylum, humanitarian protection or discretionary leave (Chapter 2)
- Refused extension of leave to remain (Chapter 4)
- Granted extension of leave to remain (Chapter 4)
- Refused settlement (Chapter 4)
- Granted settlement (Chapter 4)
- Breach a condition of leave granted or commit a criminal offence
- ‘Permanent residence in the UK: no restrictions’

Stay in the UK

Grant entry to the UK (Chapter 1)
- Stay in the UK
- Breach a condition of leave granted or commit a criminal offence
- ‘Permanent residence in the UK: no restrictions’

UK Border

Persons who evade border control
- Illegally reside in the UK
- Return home/further travel
- ‘Permanent residence in the UK: no restrictions’

UK Border

Refused asylum, humanitarian protection or discretionary leave (Chapter 2)
- Apply for asylum at the border (Chapter 2)
- Refused leave to enter (Chapter 1)
- ‘Permanent residence in the UK: no restrictions’

Refused leave to enter
- ‘Permanent residence in the UK: no restrictions’

Refused leave to remain
- ‘Permanent residence in the UK: no restrictions’

Removed or departed voluntarily
(Chapter 3)

Returned to: country of nationality; country where journey originated; or other safe third country

Detained and/or granted temporary admission while asylum claim processed

Grants of British Citizenship
Detailed statistics on Citizenship can be found in the Home Office Statistical Bulletin ‘Persons Granted British Citizenship United Kingdom’

Enforcement/removal action initiated

Non-Visa national
- Prior entry clearance not required
- Apply at a British mission overseas for leave to enter the United Kingdom
- Refused leave to enter
- Granted leave to enter
- Granted indefinite leave to enter

Visa national
- Prior Entry clearance is mandatory
- Apply for asylum at the border (Chapter 2)
- Refused leave to enter
- Granted leave to enter

Border Control

UK Border

Refused asylum, humanitarian protection or discretionary leave (Chapter 2)
- Apply for asylum in country (Chapter 2)
- Granted asylum, humanitarian protection or discretionary leave (Chapter 2)
- Apply for extension of leave to remain
- Refused asylum, humanitarian protection or discretionary leave (Chapter 2)
- Refused extension of leave to remain (Chapter 4)
- Granted extension of leave to remain (Chapter 4)
- Refused settlement (Chapter 4)
- Granted settlement (Chapter 4)
- Breach a condition of leave granted or commit a criminal offence
- ‘Permanent residence in the UK: no restrictions’

Stay in the UK

Grant entry to the UK (Chapter 1)
- Stay in the UK
- Breach a condition of leave granted or commit a criminal offence
- ‘Permanent residence in the UK: no restrictions’

UK Border

Persons who evade border control
- Illegally reside in the UK
- Return home/further travel
- ‘Permanent residence in the UK: no restrictions’

UK Border

Refused asylum, humanitarian protection or discretionary leave (Chapter 2)
- Apply for asylum at the border (Chapter 2)
- Refused leave to enter (Chapter 1)
- ‘Permanent residence in the UK: no restrictions’

Refused leave to enter
- ‘Permanent residence in the UK: no restrictions’

Refused leave to remain
- ‘Permanent residence in the UK: no restrictions’

Removed or departed voluntarily
(Chapter 3)

Returned to: country of nationality; country where journey originated; or other safe third country

Detained and/or granted temporary admission while asylum claim processed

Grants of British Citizenship
Detailed statistics on Citizenship can be found in the Home Office Statistical Bulletin ‘Persons Granted British Citizenship United Kingdom’

Enforcement/removal action initiated

31 Data related to the detention of an individual are shown in Chapter 3. An individual may be detained under Immigration Rules at any time during the immigration process. The decision to detain may be appropriate in one or more of the following circumstances: individuals and families may be detained whilst identity and the basis for their claim are established, because of the risk of absconding, as part of a fast-track process, or to effect removal.

32 Data related to appeals against an immigration or asylum decision are shown in Chapter 5.

33 Applications for, and decisions on, work permits and applications under the ‘Worker Registration Scheme’ are not included in this flowchart. The chart also excludes references for resettled refugees and persons that ‘switch’ their immigration status.

34 Data related to visa applications and decisions are published by the UK Border Agency and can be found at http://www.ukvisas.gov.uk/en/aboutus/statistics/

35 Non-visa nationals seeking to enter the UK in a visa category or for > 6 months require a visa, whereas those seeking to enter the UK for ≤ 6 months do not.