



Dynamic Reinforcement for
European Adaptation of Migrants



Erasmus+

NATIONAL STRATEGIES AND POLICIES *UK & NORTHERN IRELAND*





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SITUATION

The latest estimate released is that total net migration to the UK in the year ending September 2016 was **273,000**.

EU – 165,000

Non EU – 164,000

Citizens of European Union countries have ‘free movement’ rights within the EU. At present this gives them the right to live and work in the UK. These rules, as they apply to the UK, are likely to change when Britain leaves the EU, possibly as early as 2019.

Non-EU citizens have to meet criteria set out by the UK government in order to enter, work, study or settle in the UK.



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EU Migration

European Union citizens have the right to live and work in other EU countries - a right first established by the Treaty of Rome in the 1950s. 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. The government has indicated that it intends to control EU migration when Britain leaves the EU.

Non-EU migration

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 and study unless they are granted a visa. Citizens of most countries also need a visa just to visit the UK.

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.

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 then apply for British citizenship.

Migrants who remain in the UK without valid permission become illegal immigrants



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Asylum

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 just under 240,000 applicants (excluding dependent family members) for asylum over the last ten years. Of these 36% have been granted refugee status or humanitarian protection.



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Refugees

There are an estimated 60 million people throughout the world who have been forced to flee their homes. The numbers of protracted conflicts have increased. This has created more than 15 million refugees worldwide - but developing countries host over 80 per cent of people.

There are an estimated **117,234 refugees** living in the UK. That's just **0.18 per cent of the total population** (64.1 million people).



APPLICATIONS

In 2016 the number of applications for asylum in the UK, excluding dependants, (30,603), was 7% lower than in 2015, (32,733). After a significant drop in the number of applications from 2009 to 2010 there had been an upward trend from 2011 to 2015.

Asylum applications in the UK (excl. Dependants)

	2012	2013	2014	2015	2016
Applications	21,843	23,584	25,033	32,733	30,603
% change from previous year	+10%	+8%	+6%	+31%	-7%



APPLICATIONS BY NATIONALITY

In 2016 there were significant increases in the number of applicants from Iran, Pakistan, Iraq, Bangladesh, and India, and significant decreases for Syria, Sudan and Eritrea, compared with 2015.

Top ten asylum applicant producing countries (excl. Dependants)

Country	2015	2016	% change
Iran	3,242	4,192	+29%
Pakistan	2,470	2,857	+16%
Iraq	2,216	2,666	+20%
Afghanistan	2,261	2,341	+4%
Bangladesh	1,110	1,939	+75%
Albania	1,519	1,488	-2%
India	1,014	1,488	+47%
Syria	2,539	1,409	-45%
Sudan	2,912	1,314	-55%
Eritrea	3,693	1,238	-66%



APPLICATIONS BY LOCATION

	2012	2013	2014	2015	2016
In-country	19,202	20,796	22,423	29,815	26,717
% change from previous year	+9%	+8%	+8%	+33%	-10%
Port	2,641	2,788	2,610	2,918	3,886
% change from previous year	+14%	+6%	-6%	+12%	+33%
Total	21,843	23,584	25,033	32,733	30,603
% change from previous year	+10%	+8%	+6%	+31%	-7%



DECISIONS

	Decisions	Refugee status	Humanitarian Protection	Discretionary Leave	Family or Private Life / UASC Leave	Refusals
Iran	3,915	1,333	3	4	115	2,460
Iraq	2,388	164	25	5	92	2,102
Pakistan	2,032	279	0	2	11	1,740
Syria	1,859	1,579	3	1	8	268
Eritrea	1,833	986	122	2	125	598
Afghanistan	1,715	293	3	13	294	1,112
Sudan	1,384	1,168	1	0	4	211
Bangladesh	1,231	62	0	1	7	1,161
India	914	3	0	2	2	907
Albania	823	11	0	13	197	602



DECISIONS:

- In 2016 66% of initial decisions were refusals, 29% were grants of asylum, just over 1% were grants of Humanitarian Protection or Discretionary Leave, and 4% were grants of leave to remain under other categories, such as family or private life rules; a category introduced in 2011.
- The percentage of decisions to grant refugee status was the lowest in the past 5 years.
- There has been a steady decline in the number of decisions to grant discretionary leave to remain. This is related to a change in the way decisions are made on applications from unaccompanied children, who used to be frequently granted discretionary leave when they were under 18.
- The 'other grants of leave' category now includes UASC leave, the temporary leave now often given to unaccompanied children.
- The percentage of refusals increased in 2016 compared with other recent years.
- Among the countries with large numbers of asylum applicants those from which the highest percentages were given refugee status, humanitarian protection, or discretionary leave in 2016 were Eritrea, Iran, Sudan, and Syria as can be seen from the table below although the refusal rate for Eritrea was much higher than in the years before 2015.
- In contrast, among the countries with relatively large numbers of applicants Pakistan, Albania, Iraq and India had well above average refusal rates, as did Nigeria and Sri Lanka.
- The larger number of decisions to grant UASC leave for applicants from Afghanistan, Albania, Iran, and Eritrea relates to larger numbers of applications from unaccompanied children from these countries.



REFUGEES RESETTLED:

- Refugees may be accepted for resettlement in the UK via the Gateway programme, the Mandate Scheme, or most recently via the Syrian Vulnerable Persons Relocation Scheme (started in 2014).
- The UK commitment to the Gateway programme is for 750 refugees per year, referred by the United Nations High Commissioner for Refugees (UNHCR). The Mandate scheme covers people who have been granted refugee status by UNHCR and have ties to the UK.

	2012	2013	2014	2015	2016
Gateway Programme	985	935	630	652	804
Mandate Scheme	54	32	14	18	8
Syrian Vulnerable Persons			143	1,194	4,369



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ASYLUM SUPPORT:

- The total number of asylum seekers (including dependants) in receipt of Section 95 asylum support at the end of 2016 was 39,389 of whom 36,626 were in dispersal accommodation and 2,763 were receiving subsistence only.
- The numbers rose during 2016 and are now at their highest since 2007, which relates in the main to the rise in the number of applications for asylum in recent years before 2016.
- The region of the UK with the largest number in dispersal accommodation at the end of 2016 was the North West (9,491). This region has had the largest number since the beginning of 2008.
- 1,990 asylum seekers were in initial accommodation under Section 98 support at the end of 2016. There has generally been an upward trend in the numbers supported under Section 98 since 2009 although the numbers have stabilised in the last 3 quarters of 2016.



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LEGISLATION

Key UK immigration legislation includes:

[Nationality, Immigration and Asylum Act 2002](#)

This Act includes a number of provisions about the way in which those in the asylum system are supported. It introduces citizenship ceremonies and measures against sham marriages.

[Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004](#)

Among its provisions, this Act introduced a single form of appeal and established the Asylum and Immigration Tribunal to consider all appeals against immigration and asylum decisions. It withdrew support for refused asylum seekers with children who did not take reasonable steps to leave the UK voluntarily.

[Immigration, Asylum and Nationality Act 2006](#)

Among the provisions, this act introduced a system of fines payable by employers for each illegal employee. It also granted powers to the home secretary to remove British citizenship from dual nationals if deemed conducive to the public good.

[UK Borders Act 2007](#)

This act provided immigration officers with police-like powers, including increased detention, entry, search and seizure powers. It also brought in the power to impose compulsory biometric identity cards for non-EU migrants.



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[Borders, Citizenship and Immigration Act 2009](#)

This act amended the rules on naturalisation so that those seeking citizenship need to have had residential status for eight years before being eligible. For those seeking naturalisation through marriage or civil partnership, a period of five years' residential status was required. The act also allowed imposed a duty on the home secretary to safeguard and promote the welfare of children during the discharge of functions relating to immigration, asylum or nationality.

[Immigration Act 2014](#)

Among its provisions, this act covers new powers to regulate migrants' access to services. In general, landlords will be liable to a civil penalty if they rent out premises to migrants who are not lawfully present in the UK. This scheme has been piloted in the West Midlands and has not yet been rolled out to Northern Ireland. Migrants with time-limited immigration status, such as certain categories of workers and students, can be required to make a contribution to the NHS via a charge payable when applying for entry clearance or an extension of their leave to enter or remain. Banks will be required to undertake an immigration status check before opening a current account and will be prohibited from opening new accounts for those who are known to be unlawfully in the UK. Provision is also made for the enforcement of civil penalties against employers of persons without a right to work in the UK.



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Northern Ireland Equality Legislation:

[The Northern Ireland Act \(1998\)](#) developed a framework of statutory responsibilities and detailed safeguards for equality under Section 75 which identifies a 'statutory duty on public authorities...to promote equality of opportunity between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation.'

Public bodies need robust information to monitor inequalities, develop evidence-based policy and to plan service delivery. In 2011 the Office of the First Minister and Deputy First Minister published [Guidance for Monitoring Racial Equality](#) to assist public bodies in improving service delivery and equality for minority ethnic and migrant groups living in Northern Ireland. The guidance presents a standardised monitoring framework for the collection of data.

The [Equality Commission](#) has a number of publications which provide guidance to public authorities and registered employers (those with 11 or more full-time employees) on meeting their obligations under equality legislation:

[Section 75 Monitoring Guidance for Use by Public Authorities](#) provides practical assistance and advice to public authorities in monitoring for the purposes of section 75 of the Northern Ireland Act 1998.

[A Unified Guide to Promoting Equal Opportunities in Employment](#) provides employers with practical guidance on how to comply with their responsibilities under each of the anti-discrimination laws and to promote equality of opportunity in employment across all of the statutory equality grounds.

[A Step by Step Guide to Monitoring](#) provides information and practical guidance on systems and procedures to assist organisations to meet their fair employment monitoring obligations.

[Employing Migrant Workers](#) provides employers with practical guidance on how best to comply with their responsibilities under anti-discrimination laws regarding their treatment of migrant workers.