



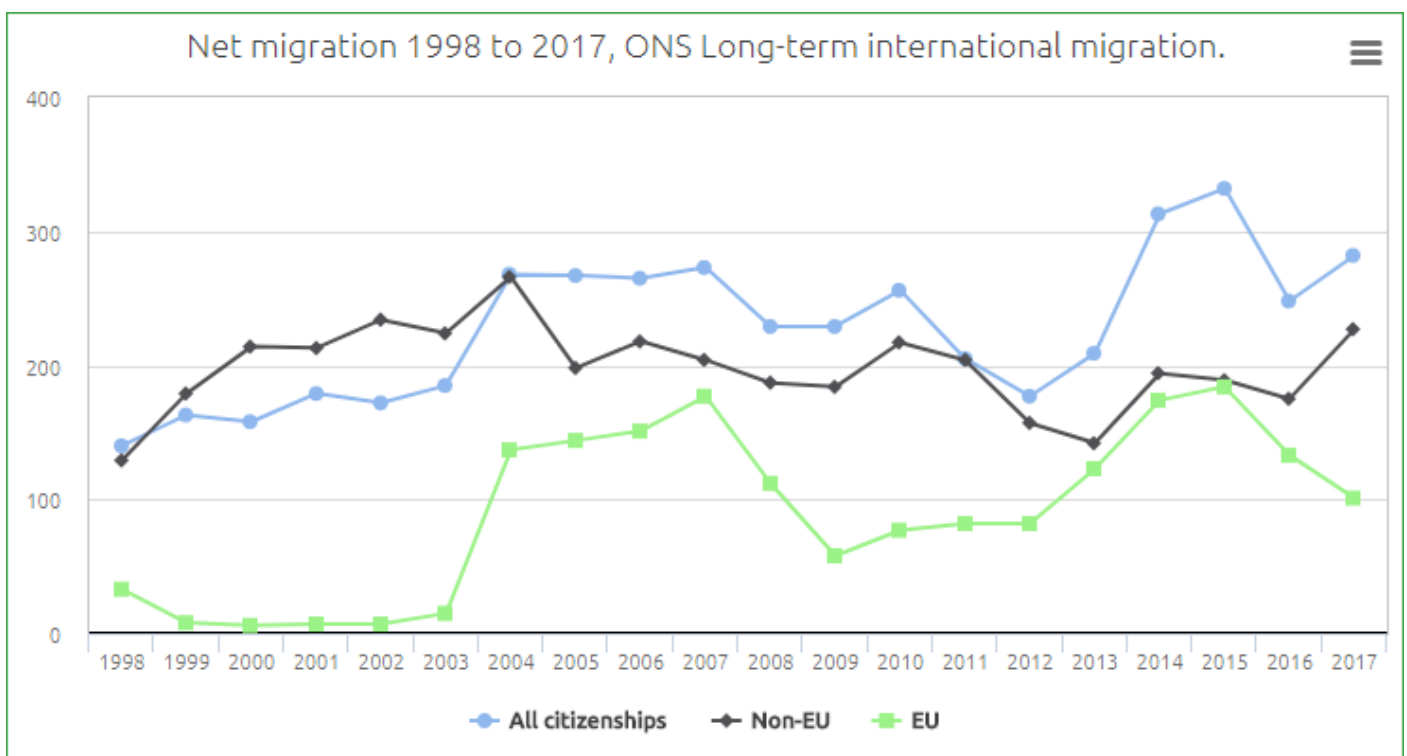
How to deliver a significant reduction in non-EU net migration

Immigration System, Asylum & Policy: MW 453

Summary

1. Non-EU net migration of 235,000 comprised nearly three-quarters of total non-British net migration in the year to March 2018. The government's 2017 election manifesto stated the objective of delivering a sizeable reduction in overall net migration by 2022. Polling suggests that the public strongly support this. Restoring sovereign border control after Brexit is an essential part of achieving it. The 2017 Conservative manifesto also promised to 'bear down on immigration from outside the EU'. The Government can make progress in delivering on this commitment via a major tightening of the non-EU family, student and work routes, as well as through an increase in the removal / departure of those with no right to be in the UK. This paper draws on recommendations previously made by the independent Migration Advisory Committee (MAC), where appropriate. For a summary of our proposals, see Annex A on page 14.

Figure 1: Net migration 1998 to 2017, ONS Long-term international migration.



Introduction

2. Net migration from outside the European Union in the year to March 2018 was 235,000 – having risen by over 50,000 on the previous year and by 36,000 since the Conservatives took office at the head of the Coalition Government in the Spring of 2010. It comprises nearly three-quarters (73%) of total non-British net migration. Subtracting British emigration of 50,000 and adding EU net migration of nearly 90,000, overall net migration stood at 271,000 in the year to March 2018.

3. It has been suggested by some commentators recently that polling shows a ‘softening’ of public attitudes on immigration.¹ Yet 63% of UK voters still consider overall immigration levels to have been too high over the past ten years, a figure similar to the 65% recorded at around the same time the previous year.² YouGov has also found voters consider immigration to be the 2nd or 3rd most important issue facing the country and the most important issue facing the EU.³ Meanwhile, the largest share of those who have become more positive about immigration ‘say it is either because numbers have already come down or because they expect numbers will go down after we leave the EU’, according to Ipsos MORI.⁴

4. The ‘target’ to reduce net migration to less than 100,000 per year is not ‘arbitrary’, as some commentators have suggested. Instead, it stems from a clear promise, originally made to voters in 2010 in the context of rapid population growth that was being driven by high levels of immigration. The circumstances which gave rise to this original commitment have, if anything, become more acute since 2010. The population continues to rise rapidly (and did so by 450,000 in the year to June 2017). And, as we recently reported, 82% of population growth between 2001 and 2016 was the direct or indirect result of immigration.⁵

5. Home Secretary Sajid Javid has not said much about overall immigration control, while he has demonstrated a willingness to liberalise rather than toughen policy on non-EU immigration. However, reducing immigration is essential both to rein in population growth and to honour a promise made to the electorate. Doing so will require firm political will and decisive action. Migration Watch UK has already put forward proposals for post-Brexit reforms that would enable the government to reduce EU net migration by around 100,000 compared to recent record levels.⁶ In addition, this paper argues that a reduction of non-EU net migration will require a determined tightening of the conditions applied to the work, student and family routes, while there should also be more robust action to remove those with no right to be in the UK. Research by the London School of Economics has found that the public are most concerned about reducing non-EU migration that EU migration.⁷

6. Figure 2 below depicts non-EU net migration by category according to the International Passenger Survey (IPS) over the past five years or so. The graphs should be treated as provisional. Recent

1 *The Times*, July 2018, URL: <https://www.thetimes.co.uk/edition/business/letting-eu-workers-stay-for-90-days-could-solve-our-brexit-single-market-deadlock-3lvq807t5> & the FT, July 2018: <https://www.ft.com/content/b9cfac7a-836e-11e8-a29d-73e3d454535d>

2 YouGov, April 2018, URL: https://d25d2506sfb94s.cloudfront.net/cumulus_uploads/document/dqjh8rbx2e/InternalResults_180425_Immigration.pdf

3 YouGov, April 2018, URL: https://d25d2506sfb94s.cloudfront.net/cumulus_uploads/document/6qz917s9ky/EUIResults_Europe_April2018_Toplines_FINAL_180430_w.pdf

4 Ipsos MORI, May 2018, URL: <https://www.ipsos.com/ipsos-mori/en-uk/attitudes-towards-immigration-after-windrush>

5 MW452, August 2018, URL: <https://www.migrationwatchuk.org/briefing-paper/452>

6 See Migration Watch UK paper, MW447, URL: <https://www.migrationwatchuk.org/briefing-paper/447>

7 LSE blog, May 2017, URL: <http://blogs.lse.ac.uk/politicsandpolicy/non-eu-migration-is-what-uk-voters-care-most-about/#Q>

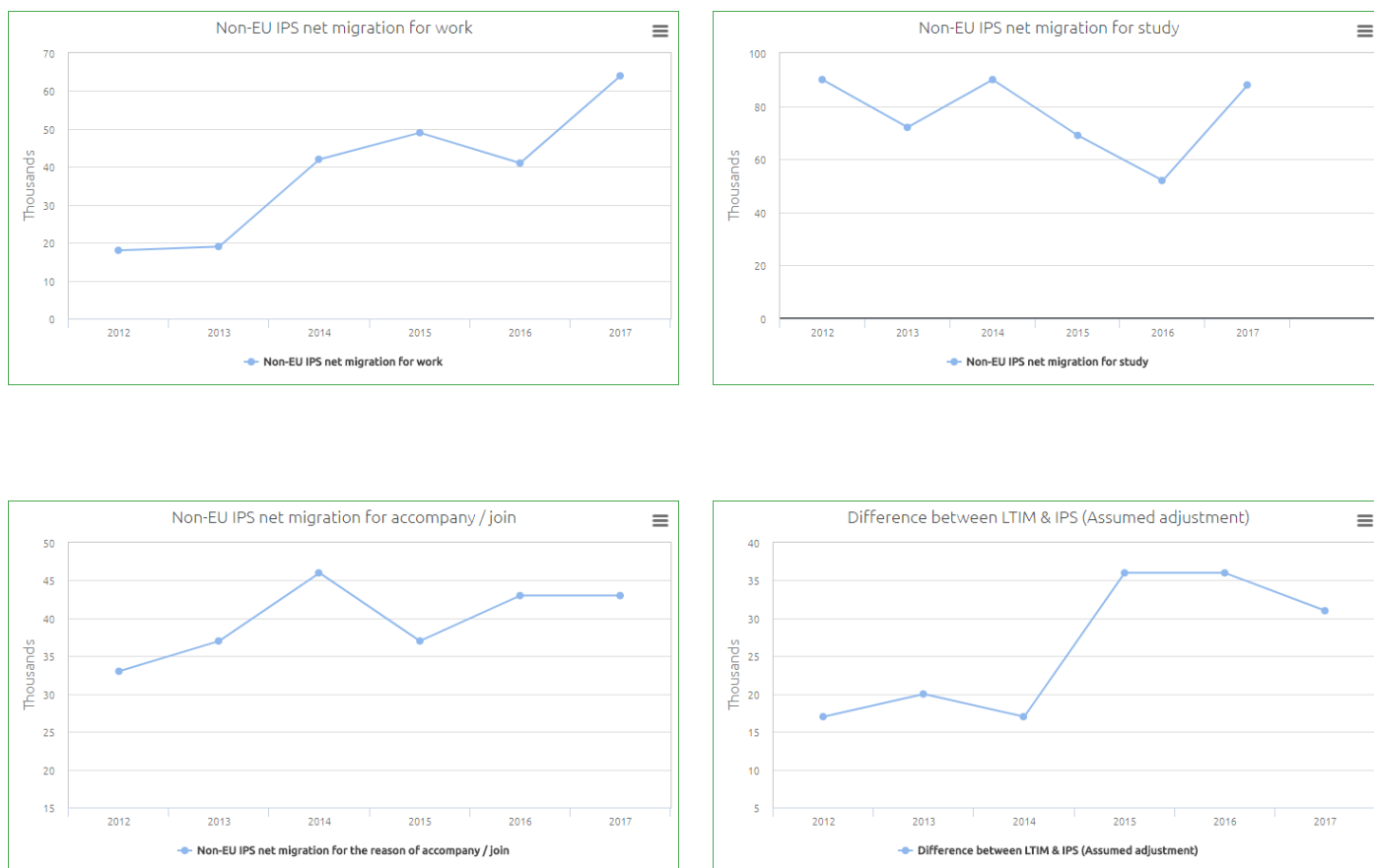
publication of analysis of Exit Check data (in August 2018) suggested that 97% of non-EEA nationals with visas expiring in 2017/18, that is who were due to leave, departed on time.⁸ In particular, the figures appear to suggest that visa overstaying by those who arrived as students has been much lower than shown in the IPS. Others students will, of course, have obtained an extension of their visas for further study, work or marriage.

7. Despite this, the Home Office (HO) themselves say that the analysis 'may not be representative of all those issued visas, now or in the past'. Poor data quality, data matching issues and gaps in data collection remain. The HO also pointed in 2016 to a number of notable caveats in the coverage and completeness of the data.⁹ Meanwhile, a report by the Independent Chief Inspector of Borders and Immigration, published in March 2018, pointed to major continuing gaps in our knowledge about who is leaving the UK and who is not so the picture of overall visa compliance is not much clearer.¹⁰

8. The ONS has said that the International Passenger Survey (IPS) is still the best available source of information by which to measure long term international migration. But it is increasingly clear that a much better system is needed.¹¹ The graphs below provide an approximate, though not conclusive, picture of net flow within each category.

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- 8 Home Office, '3rd report on Exit Checks', August 2018, URL: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/735224/third-report-on-statistics-being-collected-under-exit-checks.pdf
- 9 Home Office, 'First report on exit checks', August 2016, URL: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/547989/report-on-statistics-being-collected-under-exit-checks-programme.pdf
- 10 Independent Chief Inspector of Borders and Immigration, 'An inspection of Exit Checks', March 2018, URL: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/695321/An_inspection_of_exit_checks.pdf
- 11 Parliamentary answer, March 2018, URL: <https://hansard.parliament.uk/Lords/2018-03-12/debates/96801921-31BB-4DA8-A34C-8C1E9A772C0C/ImmigrationStatistics>

Figure 2: Non-EU IPS net migration and LTIM / IPS assumed adjustment¹²



Study

9. 'Formal study' remains the largest single reason of migration for non-EU arrivals in the year to March 2018 (stated by 45% of non-EU immigrants). However, HO Exit Checks analysis found that 97.6% of those here on study visas expiring in 2017/18 did so before their permission to remain in the UK had expired. Because a number of students will have extended their stay in the UK via study, work or family visa extensions, this does not mean that 97.6% of student visa arrivals left as some people have occasionally implied.

10. However, Exit Checks analysis has found that the number of departures was higher than that recorded in the IPS. Given that the number of student departures may be higher than the IPS net data suggests, it is not currently possible to definitively state the proportion of non-EU net migration that is accounted for by international students. However, in July 2018, the ONS said there was not 'sufficient evidence to suggest that these findings affected total net migration figures'.¹³ In other words, while the constituent parts of the net migration figure may not be as indicated by the IPS, the total net migration figure itself would appear to be correct.

12 The difference between non-EU net migration in the IPS and the Long-term International Migration (LTIM). It is made up of flows to and from Common Travel Area countries including Ireland, adjustments for asylum seekers / enforced removals and an adjustment for those who change intentions (switchers). The ONS does not break down the adjustment into EU and non-EU.

13 ONS, 'Report on international migration data sources: July 2018', July 2018, URL: <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/articles/reportonthecomplexityandqualityofinternationalmigrationstatistics/july2018>

11. As noted above, it is clear, however, that a large number of students extend their stay in the UK each year (in 2017 there were 46,400 extensions, of which 37,900 were for further study and the rest were for work or family).¹⁴ The HO acknowledges that not all students depart the UK when they have completed their studies, while significant numbers are granted settlement.¹⁵ Recent HO analysis of migrant journeys has found that, of those granted settlement in 2016, 17,800 (or 28% of a total of 63,900 settlement grants) had initially arrived as students or as dependants of students. This represented an increase from 12% of those granted settlement in 2009 (although the overall number of settlement grants has declined considerably over the same period). The HO has said: *“As this is a temporary route, these student migrants will, in most cases, have subsequently switched into another route to permanent settlement or used the long-term residency rule.”*¹⁶

12. In their 2017 election manifesto, the Conservatives promised to ‘toughen the visa requirements for students’. While the UK should of course encourage the most able to come to study in the UK, ultimately and if their circumstances merit it, to stay, this must surely involve only small number of the overseas students who come here. It has to be right the majority should return to their own countries and contribute to the societies from whence they came. If necessary, there should be measures to encourage the rest to go home on completion of their studies; a process in which the universities and other higher education institutions could participate. What, absolutely must not be allowed to happen is a return to the previous rampant abuse of the student route, which reached a height in 2009/10. The opportunity to study in this country must not be regarded by overseas students as the first step towards permanent settlement.

13. Proposals:

- a) Each student visa application should be assessed on its merits. Interviews, which were re-introduced by the government in 2013 for 100,000 applicants per year, should be made more rigorous and expanded to every applicant in order to ensure that their intention to study, and to leave on completion of studies, is genuine. Interviews should be conducted by officials with local knowledge so that they do not end up being little more than a formulaic box-filling exercises.
- b) Students who extend their stay in the UK via the Tier 2 (General) route should be subject to the Resident Labour Market Test to ensure that UK graduates are not disadvantaged.

Family

14. Net migration from outside the EU for the purposes of ‘accompany / join’ has averaged just over 40,000 per annum over the past five years. The true total may be higher if, as the ONS suspects, student outflow has been underestimated by the IPS. Meanwhile, about 2.8 million non-EU born residents of the UK in 2017 stated ‘accompany / join’ as their reason for arrival in the UK. Measures should be aimed at reducing the burden on the UK taxpayer of non-EU family migration which is likely to be a drain on public finances. They should also encourage integration:

14 HO, Extensions tables, May 2018.

15 HO, ‘Second report on Exit Checks’.

16 HO, ‘Statistics on changes in migrants’ visa and leave status: 2016’, February 2018, URL: <https://www.gov.uk/government/publications/statistics-on-changes-in-migrants-visa-and-leave-status-2016/statistics-on-changes-in-migrants-visa-and-leave-status-2016#data-tables>

15. Proposals:

- a) English language requirements for the grant of a family visa should be toughened. Currently, partners and parents who apply for initial leave to remain are only required to demonstrate the ability to have basic factual conversations in English, also known as level A1 of the Common European Framework of Reference (CEFR) for languages. This means that applicants must be able to interact in a simple way provided the other person is prepared to repeat or rephrase things in slower speech and is able to recognise familiar words and very basic phrases.¹⁷ Meanwhile, partners and parents who apply for further leave to remain via the family route after two and a half years are currently required to meet level A2 of the CEFR, or be able to deal with simple and straightforward information at the same time as starting to express themselves in familiar contexts. *There is a strong case for a major toughening of these requirements.* In March 2018, the government revealed that around 20% of both Pakistanis and Bangladeshis have poor English language skills.¹⁸ Half of non-EU arrivals for the reason of 'accompany / join' in the year to 2017 [24,000 of 48,000] were citizens of South Asian countries, although not all would have come to settle. In the interests of integration, those applying for both initial leave to remain under a family visa as a partner / parent should be required to meet Level B1 of the CEFR (ie they should have the ability to express themselves in a limited way in familiar situations and to deal in a general way with non-routine information). Those extending their partner visa should be required to meet Level B2 of the CEFR (ie they should be able to demonstrate the capacity to achieve the majority of their goals and to express themselves clearly on a range of topics).
- b) The Conservative General Election Manifesto of 2017 promised to 'increase the earnings thresholds for people wishing to sponsor migrants for family visas'.¹⁹ In line with this, we recommend that the earnings threshold for the sponsor of a partner / spouse from outside the EU (currently £18,600 per year) should be raised to £25,700 per year. The MAC has noted that '*a higher pay benchmark would apply if avoiding becoming a burden on the state also required that the family was expected to contribute to public spending on public services such as healthcare, education and defence*'. It recommended the threshold be set at a level between £18,600 and £25,700 (equal to mean household income). The MAC noted in 2011: "*Based on only economic criteria, there is a case for such a benchmark.*"²⁰
- c) In August 2018, *The Times* highlighted the problem of forced marriage which affects many young British women and involves immigration from more than 90 countries. The report noted that there have been 3,500 reports of forced marriage to British police in the past three years. It also noted that 42 visas were granted in 2017 to spouses despite blocking attempts by those forced to marry them or by third parties. At present, the immigration rules mean that women and girls can only be assured of preventing their spouse from coming to the UK if they sign a public statement. However, many are reluctant to do this because this legal document can be seen by their families, putting them at risk of harm. As both *The Times* and the Home Affairs Select Committee have

17 For breakdown of categories of the CEFR see here: <https://www.examenglish.com/CEFR/cefr.php>

18 HMG, 'Integrated Communities Strategy Green Paper', March 2018, URL: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/696993/Integrated_Communities_Strategy.pdf

19 Conservative General Election Manifesto, 2017, p.54. URL: <https://s3.eu-west-2.amazonaws.com/conservative-party-manifestos/Forward+Together++Our+Plan+for+a+Stronger+Britain+and+a+More+Prosperous....pdf>

20 Migration Advisory Committee, 'Review of the minimum Points Based System income requirement for sponsorship under the family migration route', 2011, URL: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/286548/Family_report_Final.pdf

recommended, these visa rules should be changed so that women are entitled to alert the authorities anonymously.

Work

16. According to the IPS, net migration for work-related reasons by those from outside the EU has risen significantly since 2012, with inflows nearly doubling from 44,000 in 2012 to 87,000 in 2017 and outflows declining slightly, from 26,000 to 23,000.

Intra-company transfers (ICTs)

Current requirements

17. The ICT route is split into three sub-categories: a) long-term (lasting between five and nine years), b) graduate trainee (lasting up to a year) and c) skills transfer (lasting up to six months). Reforms announced by the government in March 2016, and which came fully into force in April 2017, mean that most ICT visa applicants are currently subject to a minimum salary threshold of £41,500. The exceptions are the graduate trainee category, where the salary threshold was reduced from £24,800 to £23,000, and those coming to work in the UK for between five and nine years (see below). The number of trainees that an employer may bring to the UK was also increased from five to 20. The previous short-term ICT visa category (lasting up to 12 months) was closed. However, the reforms also led to a loosening of requirements for long-term ICT visas. This was achieved through a lowering of the salary threshold for ICTs to work in the UK for between five and nine years from £155,300 to £120,000 a year. Meanwhile, the requirement that the applicant should have at least one year of work experience with the company was removed for applications where the worker is paid over £73,900.²¹

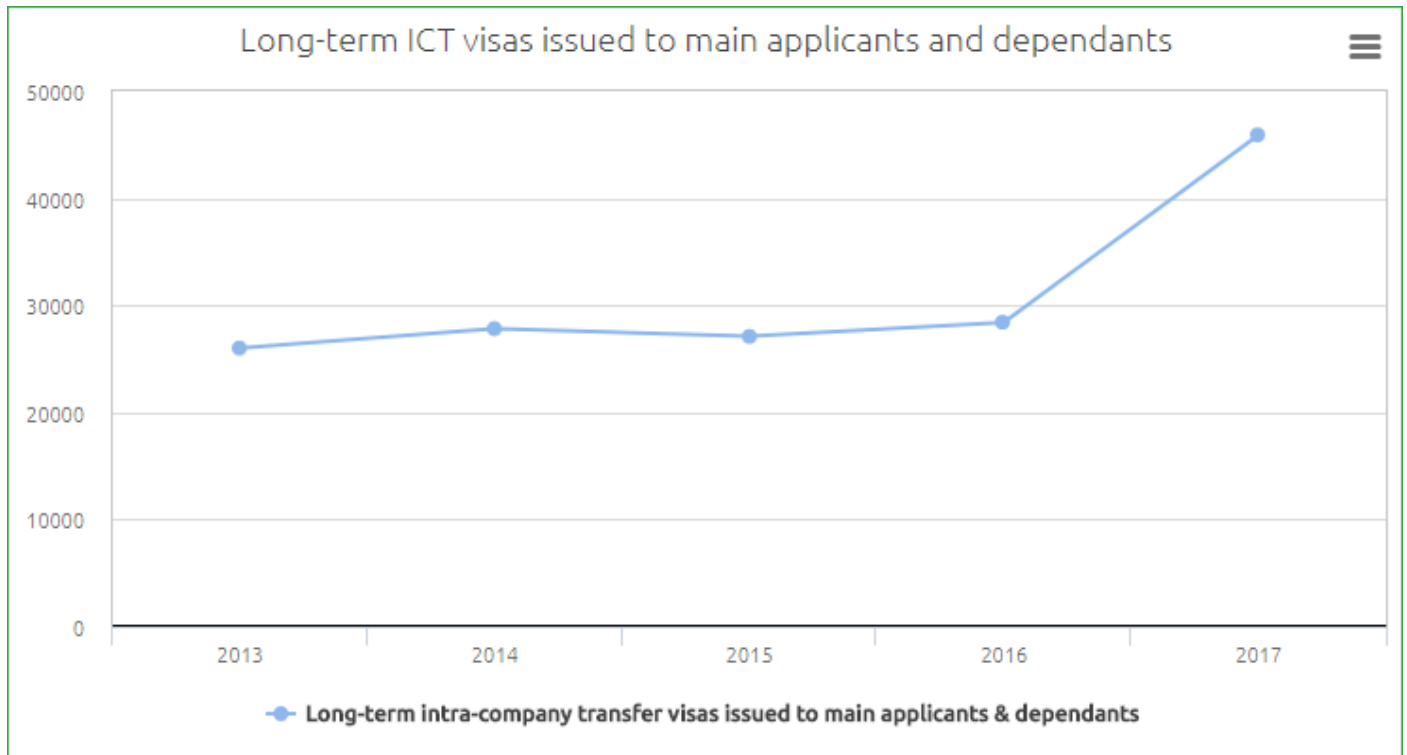
Number of ICTs issued

18. The ICT route forms the largest component of Tier 2 visas issued (comprising 62% of Tier 2 grants to main applicants in 2017). An average of 58,000 Tier 2 ICT visas were issued per year for main applicants and dependants over the past five years (2013-2017). This is nearly double the equivalent figure for Tier 2 (General) main applicants and dependants. As figure 3 below indicates, 2017 witnessed a sharp rise in grants of long-term ICT visa for main applicants and dependants, from 26,000 in 2013 to 46,000. This was likely a partial result of the loosening of the long-term ICT requirements, announced in March 2016 (at a time when overall net migration stood at a near record high of a third of a million a year). For more information on the impact of these changes, see our recent paper, ('Distortion of the ICT visa system').²²

21 Government written statement, March 2016, URL: <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2016-03-24/HCWS660/>

22 MW451, August 2018, URL: <https://www.migrationwatchuk.org/briefing-paper/451>

Figure 3: Long-term ICT visas issued to main applicants and dependants



19. Proposals:

- a) The qualifying time that ICT applicants must have worked for their company overseas should be *restored* for all applicants and increased from twelve months to two years (with an exemption for graduate trainees) in order to ensure that the route is used by experienced staff and managers, as originally intended.
- b) Each company making use of this route should be regularly assessed to ensure that ICT visa holders are carrying out the role for which they were originally recruited. Checks should also ensure that the salaries and working conditions of ICT workers are fair and do not undercut those of UK workers.
- c) There is evidence that the ICT route is being used in the IT sector to replace UK workers on cost grounds, either by helping to relocate the work overseas or by filling UK based jobs with overseas workers.²³ Indeed, in January 2016 the MAC noted: *“Third-party contracting cuts companies’ IT costs but does not sufficiently contribute to the stock of IT skills within the UK.”* To address this, in line with a recommendation by the MAC, third-party contracting should become a separate route under Tier 2. The current salary threshold of £41,500 – which the MAC says is *‘an effective proxy for senior managers and specialists’* - should be extended to cover this route.²⁴
- d) Companies making use of graduate trainee ICTs should be required to check for available UK recruits and demonstrate that they cannot fill the post from within their current UK operation. This means extending the Resident Labour Market Test to the ICT graduate trainee route.
- e) Tax and National Insurance rules are heavily biased towards ICTs to the dis-advantage of UK

²³ See our paper ‘The abuse of ICT visas in the IT sector’, URL: <https://www.migrationwatchuk.org/briefing-paper/209>

²⁴ MAC statement, January 2016, URL: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/493040/MAC_TIER_2_REVIEW_PRESS_NOTICE_FINAL.pdf

workers. This is because no National Insurance is payable for the first year by either the employer or the employee and accommodation allowances can make up to 30% of the salary. This means companies have a financial incentive to hire an ICT rather than a UK worker and encourages them to replace UK workers on cost grounds.²⁵ To address this, expenses and accommodation should be removed from salary calculations of ICT visa holders.

- f) Currently only those extending their leave in the UK to beyond three years are subject to an English language requirement. This should be extended to *all* ICT applicants at the independent advanced level (B2).

Tier 2 (General)

Current requirements

20. Tier 2 (General) applicants are required to take up a graduate-level job (Regulated Qualifications Framework level 6 or above) at a salary of at least £30,000 a year (for experienced workers over the age of 26) and of £20,800 (for new entrants to the labour market). Employers are required to conduct a Resident Labour Market Test to ensure that there are no suitable UK workers available for the role. There is an annual cap of 20,700 on the number of Tier 2 work permits that can be issued. However, doctors and nurses were recently exempted from the cap and there are special exemptions for a range of other roles on the Shortage Occupation List.

Number of Tier 2 (General) permits issued

21. As figure 4 below shows, the number of Tier 2 (General) visas issued to main applicants and dependants rose from 24,000 to 35,000 over the past five years. An average of 30,800 Tier 2 (General) visas were issued per year during this period.

25 MW224, URL: <https://www.migrationwatchuk.org/briefing-paper/224>

Figure 4: Tier 2 (General) visas issued to main applicants and dependants.



22. Proposed changes

- a) Like Tier 2 ICT applicants (see proposal at paragraph 19f above), applicants for Tier 2 (General) visas should be required to have the capacity to express themselves in English on a range of topics (Level B2 CEFR), up from the present intermediate B1 threshold, which requires applicants to have the ability to express themselves only in a limited way in familiar situations and to deal in a general way with non-routine information.
- b) The Tier 2 (General) salary threshold should be raised for all entrants to £30,000 per year. The current lower band of £20,800 for new labour market entrants should be removed. This is in line with recommendations made by the MAC in January 2016. Students switching into highly-skilled work from the Tier 4 route should also be subject to this threshold.
- c) Employers should be required to demonstrate evidence of a shortage of potential UK recruits (ie carry out a Resident Labour Market Test) before applicants can switch from the Tier 4 study route into the Tier 2 (General) route
- d) Applicants for Tier 2 (General) work permits should be required to hold a degree that is relevant to the job for which they are applying e.g. skills acquired through a university degree must be at least partly or indirectly required for the job (as under the EU's Blue Card system).²⁶
- e) The salary threshold required for the settlement of highly-skilled workers should be raised from £35,000 per year up to the maximum value recommended by the MAC in 2011 (£49,000), with exemptions for certain public sector workers and other value adding emerging sectors.²⁷ This is only slightly higher than the current main Blue Card annual salary threshold for highly-skilled

²⁶ MW406, April 2017. <https://www.migrationwatchuk.org/briefing-paper/406>

²⁷ Migration Advisory Committee, 'Analysis of the Points Based System', 2011, URL: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/257256/mac-settlement-report.pdf

workers in Germany (52,000 Euros or £47,100).

- f) The Conservatives promised in their 2017 manifesto to double the Immigration Skills Charge to £2,000 per year.²⁸ To encourage the training of UK workers, the government should follow-through and raise the ISC to £2,000 per year from the current £1,000 per year by 2022.²⁹
- g) The Tier 2 (General) cap 'was introduced (in 2011) while the UK labour market was still relatively weak following the economic crisis and has not increased over time', as Migration Observatory noted recently.³⁰ The level of this cap should be reviewed by the MAC in order to ensure that it meets the UK's current requirements. However, as is argued below, the policy alternatives of training and improving working conditions and pay for UK workers should always take precedence over any policy which encourages employers to seek talent from abroad.

Reducing dependence on non-UK labour; more opportunities for UK workers

23. The 3.27 million workers in the UK who were born outside the EU comprise 10% of the labour force.³¹ Meanwhile, there are around four million UK born people who are not working but looking for work or who are working but would like to work more hours.³² Actions that lessen employer dependence on migrant labour overall may help to open up more opportunities for UK recruits.

24. High levels of non-EU immigration may have had a negative effect on job opportunities for native UK workers. As the MAC reported in January 2012, an increase of 100 non-EU migrants was associated with a reduction in employment of 23 native workers over the period 1995-2010.³³ In March 2016, the MAC pointed to 'indications that migrant nurses have been used to save costs'.³⁴ Non-EU nationals are also paid 56 pence less per hour than UK nationals, suggesting that there may be a risk of undercutting.³⁵

25. While there is currently no specific route for non-EU migrants to take up lower-skilled jobs, such roles are open to non-EU dependents as well as to those who are resident in the UK on a family visa. For instance, in 2016, the second largest share - 21% - of non-EU nationals in the UK labour market were employed in wholesale retail trade, hotels and restaurants. The IPPR said in a 2012 report: *"The inward flow of migration from other regions and abroad has resulted in a highly competitive environment at the*

28 Conservative General Election Manifesto, 2017, pp.20-21. URL: <https://s3.eu-west-2.amazonaws.com/conservative-party-manifestos/Forward+Together++Our+Plan+for+a+Stronger+Britain+and+a+More+Prosperous....pdf>

29 Conservative General Election Manifesto, 2017, URL: <https://s3.eu-west-2.amazonaws.com/conservative-party-manifestos/Forward+Together++Our+Plan+for+a+Stronger+Britain+and+a+More+Prosperous....pdf>

30 Migration Observatory, 'Skilled Non-EU Migration: Is the Cap In Hand?', March 2018, URL: <http://www.migrationobservatory.ox.ac.uk/resources/commentaries/skilled-non-eu-migration-is-the-cap-in-hand/>

31 ONS figures on employment by country of birth and nationality, August 2018, URL: <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/datasets/employmentbycountryofbirthandnationalityemp06>

32 See our paper, MW446, May 2018, URL: <https://www.migrationwatchuk.org/briefing-paper/446>

33 NB This faded over 5 years. MAC report, January 2012, URL: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/257235/analysis-of-the-impacts.pdf

34 MAC, March 2016, URL: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/510630/Partial_review_of_the_shortage_occupation_list_-_review_of_nursing.pdf

35 Median gross hourly pay in 2016. UK workers were on £11.53, while non-EU workers were on £10.97. The national average was £11.30. ONS, April 2017, URL: <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/articles/migrationandthelabourmarketuk/2016>

*lower end of the labour market.*³⁶

26. Boosting opportunities for UK workers requires reforming and investing more in the UK's technical education system. New T level courses in construction, digital and education and childcare will commence from September 2020. A further 22 courses are set to be rolled out in stages from 2021. However, as the Centre for Policy Studies (CPS) has pointed out, existing technical and vocational schools are 'languishing at the bottom of the league tables and struggling to fill their places'. Nearly a third of those which have opened since 2011 'have already closed'. In contrast to the German technical education system, there is no separate vocational system in the UK for pre-16s.

27. The think tank Politeia has called for pre-16 as well as post-16 'differentiation by ability', and for 'technological teaching', maths and science to be included in the curriculum from the age of 11, 'with encouragement to the able to follow that pathway post-16 through to specialist tertiary education.'³⁷ The CPS has recommended allowing specialist schools to select their pupils according to aptitude for occupational specialisms. It also says that pupils at these schools should still be expected to complete the 'common core' curriculum.³⁸ Both sets of recommendations should be taken seriously by the government in a bid to address what Politeia calls the UK's large 'tail' of underachievement'. Such action would also help to fill 3.6 million vacancies in mid-level skilled occupations, including in advanced manufacturing, which are predicted to arise by 2022.

28. Reducing dependence on migrant labour would also increase incentives for employers to invest more training and retraining their workers. There has been a past lack of government investment in apprenticeships. A study by Baroness Wolf, one of the UK's leading experts on social mobility, found that the number of employees attending training sessions away from the work place declined from 180,000 in 1998 to just 20,000 in 2014. The government has committed to an additional three million apprenticeship starts in England by 2020 and an Apprenticeship Levy for employers, charged at a rate of 0.5% of an employer's paybill, was introduced in April 2017.³⁹ One commentator says it is too early for a meaningful assessment of the value of the Levy. However, there remains a need for more management level apprenticeships as they would help 'provide much-needed upskilling of the workforce'.⁴⁰

29. The largest share (28%) of non-EU nationals in the UK labour force in 2016 were employed in public administration, education and health. In this regard, the government also needs to ensure that its own employers do not turn to migrant labour as a 'get out of jail free card' so they can avoid having to provide adequate training places or improve conditions to attract to retain thousands of UK young people who would like to work in the medical field or to become teachers. The MAC has pointed to a failure by the health sector to invest sufficiently in training UK medical staff. Former Health Secretary Jeremy Hunt pledged in October 2016 that the NHS would be 'self-sufficient' in terms of providing domestically-trained recruits for doctor vacancies within ten years. This is the correct approach but his successor, Matt Hancock, should follow through. As the Royal College of Physicians has noted: "*The long-term focus needs*

36 IPPR, 2012, URL: https://www.ippr.org/files/images/media/files/publication/2012/08/learning-to-earning_Aug2012_9516.pdf

37 Politeia, April 2018, URL: <http://www.politeia.co.uk/wp-content/Politeia%20Documents/Unpublished/Reversing%20Decline%20Vocational%20Training%20and%20Education%20for%20a%20Highly%20Skilled%20Workforce%20Sheila%20Lawlor.pdf>

38 CPS paper by Toby Young, August 2018, URL: <https://www.cps.org.uk/files/reports/original/180814101155-TechnicallyGiftedReport.pdf>

39 UK government, Apprenticeship Levy, URL: <https://www.gov.uk/government/publications/apprenticeship-levy/apprenticeship-levy>

40 People Management, June 2018, URL: <https://www.peoplemanagement.co.uk/voices/comment/uk-needs-more-higher-level-apprenticeships-lynette-ryals>

*to be on developing the homegrown healthcare workforce.*⁴¹

30. In February 2016, the House of Commons highlighted a shortfall in meeting teacher training targets across secondary schools, and, in particular, for hard-to-fill subjects. In 2017, the MAC analysed the need for migrant recruits to fill teaching posts and reported a shortfall in teacher training places in parts of England. It also quoted the Association of Teachers and Lecturers as saying that ‘only 80% of those who start initial teacher education go on to take their first role in schools’.⁴² Many of those who did not continue on to teach cited stress or lack of support from the school where they were placed as key reasons. The government should work harder to provide more support for trainees as well as to ensure the supply of adequate training places in all parts of the country. It should also work to raise the retention level of those who start teacher training.

Removals and Enforcement – Restoring credibility and deterring illegality

31. There should also be a renewed effort to deter the scourge of people-smuggling and clandestine entry, and to remove failed asylum seekers, overstayers and foreign national offenders from the UK.

32. Proposals:

- a) There should be a substantial increase in Border Force resources, as well as a major new recruitment and training drive for enforcement staff.
- b) There should be an expansion of the detention estate, including more removal centers near Dover. One-stop shops should also be established at detention centers for the speedy processing of the large backlog of asylum claims. This partly depends upon the re-introduction of the Detained Fast-Track policy, which was first introduced in 2000 but which remains in suspension following a 2015 High Court ruling.⁴³ Originally this policy meant that persons making an asylum claim could be detained if a quick decision was likely in their case. The policy also meant that fast-tracked cases could be completed within 12 working days of an initial decision and the conclusion of an appeal to the First-tier Tribunal. In light of the High Court decision, in 2017 the government announced new proposals that would mean a time limit of between 25 and 28 working days (rather than 12 days). Prior to implementation, this proposal is subject to review by the Tribunal Procedure Committee. The government said recently that this body was still considering the proposal and is set to conduct a consultation before coming to a final decision. Urgent action on this is needed.⁴⁴
- c) There should be mandatory checks on the immigration status of suspects after Police arrest.
- d) Full bilateral readmissions agreements should be pursued with source countries. The offer or potential removal of visa-free access and the UK’s aid budget should be used as leverage to encourage other countries to take back overstayers.
- e) In tandem with (d) above, there should be a review of arrangements for the nearly 60 countries

41 Royal College of Physicians, October 2017, URL: <https://www.rcplondon.ac.uk/guidelines-policy/migration-advisory-committee-response-call-evidence-rcp>

42 MAC report, January 2017, URL: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/585998/2017_01_26_MAC_report_teachers_SOL.pdf

43 House of Commons Library, Immigration detention in the UK: an overview, June 2017, URL: <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-7294>

44 Parliamentary answer HL9105, July 2018, URL: <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-06-29/HL9105/>

whose nationals do not require visas to visit the UK. This should include an investigation into the level of overstaying that has resulted from non-visa travel. It is relevant that neither the August 2017 nor August 2018 Exit Checks analyses did not cover the majority of visitors to the UK who are from non-visa countries, nor did they cover visa nationals who came to the UK on long-term visit visas.

- f) Routes that allow the regularisation of status by overstayers, including the 20 year rule and the family life as a partner (10 year route), incentivise the flouting of UK immigration law. Such routes should be closed.
- g) The Metock route, which stems from a 2008 European Court of Justice judgment, allows non-EU nationals who are in the UK illegally to remain if they form a genuine relationship with an EU citizen. This should be closed as soon as possible after Brexit.

Conclusion

33. The government have repeatedly made a firm political commitment to reduce the very high levels of net migration which have built up since 1998. In this they have the support of a clear majority of the public who are conscious that our island is becoming ever more crowded and less integrated as a society. This paper has illustrated what needs to be done. It is essential that the new Home Secretary should take matters in hand and press ahead with the necessary measures.

31 August 2018

Annex A: Summary of proposals for reduction in non-EU immigration

Students

- a) Interviews of student visa applicants should be extended to all, made more rigorous and conducted by officials with local knowledge to ensure that standards are maintained.
- b) Students who transfer into Tier 2 (General) should be subject to a Resident Labour Market Test and included in the Tier 2 cap, which may need adjusting.

Family

- a) The English language requirement for spousal visas should be raised from basic (A1/A2) to independent (B1/B2).
- b) The earnings threshold to sponsor a partner should be raised to £25,700 per year, which the MAC assessed as the level necessary if the household was to contribute to public spending on services such as healthcare, education and defence.
- c) As part of a new crackdown the illegal practice of forced marriage, victims should be able to object to spousal visas without disclosing their identities, as previously recommended by the House of Commons Home Affairs Select Committee.

Highly-skilled work - Tier 2 (General)

- a) The English language threshold should be raised from independent basic B1 to advanced B2.
- b) The salary threshold should be raised for all entrants to £30,000 a year in line with MAC [recommendations](#) made in January 2016. The same should be applied to students who switch from the study route (Tier 4).
- c) Applicants should be required to hold a degree relevant to the job in hand, as per the EU Blue Card (see our [paper](#) which summarises the Blue Card conditions).
- d) The salary threshold for *settlement* should be raised to £49,000 (the upper threshold of a range [proposed](#) by the MAC) with exemptions for some vital public sector jobs, including NHS roles on lower salaries, that prove more challenging to source domestically in the longer-term.
- e) As promised by the government, the Immigration Skills Charge should be increased to £2,000 a year.

Highly-skilled work - Intra Company Transfers (ICTs)

- a) The route needs thorough re-examination. Originally designed for cross-posting key personnel in international companies, it seems to have expanded to cover middle management and technical staff.
- b) While ICTs are subject to salary thresholds to prevent undercutting, different income tax and National Insurance treatment can still provide distortive incentives to bring in staff from overseas

(e.g. new ICT recruits are **exempt** from paying National Insurance Contributions for the first year). The same employment taxes should be paid for ICTs as are paid for ordinary employees on ostensibly the same salary.

- c) Companies that make extensive use of this route should be regularly assessed to ensure that ICT visa holders are carrying out the role for which they were recruited.
- d) The qualifying time for previous work with an employer should rise to 2 years (graduate trainees exempted).
- e) The use of ICTs to carry out work for a third party was never the original intention and should become a separate route under Tier 2, as **recommended** by the MAC. The salary threshold for this new route should be £41,500.
- f) The Resident Labour Market Test should be extended to the ICT graduate trainee route.
- g) Currently only those extending their leave in the UK to beyond three years in total are subject to an English language requirement. This should be required for all applicants, at independent advanced level B2.