

Controlling our borders: Making migration work for Britain

Five year strategy for
asylum and immigration

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Five year strategy for
asylum and immigration

**Presented to Parliament by
the Secretary of State for the Home Department,
by Command of Her Majesty**

February 2005

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Foreword

Tony Blair, Prime Minister



This five year plan for our immigration and asylum system is based on three sound principles. It shows how we are going to enforce strict controls to root out abuse. It will ensure Britain continues to benefit from people from abroad who work hard and add to our prosperity. And, importantly, it puts forward solutions to a difficult issue which are clear, workable and in the best interests of this country. I believe it will meet both the public's concerns and our nation's needs.

There is no doubt that concerns over immigration have increased in recent years. But immigration, of course, is neither new nor unique to Britain. Our country's history and success would be very different without the enterprise and energy of people who, over centuries, have come to settle here. We would be poorer in every way without them.

This is as true today as in the past. The movement of people and labour into the UK remains vital to our economy and our prosperity. Visitors from outside the European Union spend over £6 billion a year and those from within the EU billions more. Overseas students spend a further £2.7 billion on goods and services and £2.3 billion on tuition fees.

Our vital public services depend upon skilled staff from overseas. Far from being a burden on these services, our expanding NHS, for example, would have difficulty meeting the needs of patients without foreign-born nurses and doctors. The expertise of IT and finance professionals from India, the USA and the EU help maintain London as the financial centre of the world. Managed migration is not just good for this country. It is essential for our continued prosperity.

And, of course, levels of migration into Britain are far less than into many other countries. Even today, we have a lower level of foreign-born nationals than Australia, Germany and the United States. The rise in people coming here in recent years has been in line with most of our European neighbours and far less than in Spain, Ireland, Australia or the US. And migration is not all one way. Thousands of Britons leave for a life abroad every year.

I believe the people of this country understand all this. It is in their nature to be moderate and tolerant. They have, over many decades, welcomed those who desperately need a safe haven. This generosity and tolerance helps explain why race relations here have, in general, been a quiet success story. And many of us now, of course, are first or second-generation immigrants ourselves.

But this traditional tolerance is under threat. It is under threat from those who come and live here illegally by breaking our rules and abusing our hospitality. And, unless we act to tackle abuses, it could be increasingly exploited by extremists to promote their perverted view of race.

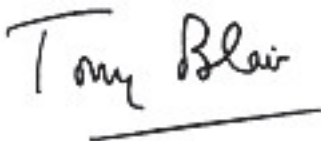
The challenge for the Government is to maintain public confidence in the system by agreeing immigration where it is in the country's interests and preventing it where it is not. We have made progress towards these goals over the last eight years. We have sorted out the asylum shambles we inherited. Asylum applications are, for example, now less than half their peak. Removals have doubled since before 1997. Backlogs are sharply down. We have increased investment in extra immigration staff and equipment. But at the same time, we have enabled skilled staff to come here to fill the vacancies our growing economy has created.

We now need to build on these foundations to root out remaining abuses and ensure the whole system works in the interests of this country. This five year plan explains how.

There will be a new drive to prevent illegal entry, to crack down on illegal working and a tough policy of removals for those who should not be here. There will be on-the-spot fines for employers who collude with illegal immigration. We will fingerprint visitors who need visas, and those planning longer stays, before they arrive. We will, where necessary, use our powers to demand financial bonds from migrants in specific categories where there has been evidence of abuse, to guarantee their return home. And over time, we will move towards the point where it becomes the norm that those who fail can be detained, as asylum intake falls and removals become easier as we negotiate ever more effective returns agreements.

We will replace out-dated and confusing rules with a clear and modern points system so we only allow into Britain the people and skills our economy needs. Those who want to settle permanently in the UK will have to show they bring long-term benefits to our country. But while making the rules strict and workable, we will make sure we don't slam the door on those genuine refugees fleeing death and persecution.

I believe the changes we will introduce will meet the needs of the country and maintain public confidence in our immigration and asylum system.

A handwritten signature in black ink that reads "Tony Blair". The signature is written in a cursive style and is underlined with a single horizontal line.

Tony Blair
Prime Minister

Foreword

Charles Clarke



When I became Home Secretary I said that my top priority is public confidence in the immigration system.

Migration is vital for our economy. Moreover it is our moral duty to protect those genuinely fleeing death or persecution.

But it is essential that we enforce the rules rigorously and fairly. We have made major progress in the last few years. We have strengthened our borders by operating our own controls in Northern France and Belgium, supported by sophisticated new technology to detect illegal immigrants in freight vehicles. This has substantially cut illegal entry through the Channel Tunnel, Calais and other ports. We have tightened the asylum system against abuse, reducing applications by 67% from their peak. We have doubled the number of removals of those not entitled to be here since 1997. We have made our legal routes for migration much more robust against abuse.

The challenge of the next five years is to build on these successes in a clear and robust way, showing who we admit to the UK temporarily and who we allow to stay permanently and why we do so; and operating an effective control to prevent those who do not meet our criteria from getting here and ensuring people leave when they are no longer entitled to be in the UK.

This plan sets out a major programme of measures to deliver this.

We will continue to welcome economic migration within strict criteria. Visitors, students and migrant workers make huge contributions to the UK economy. The system we have at present works well but it is complex and difficult to

understand. We will bring all our current work schemes and students into a simple points based system designed to ensure that we are only taking migrants for jobs that cannot be filled from our own workforce and focussing on the skilled workers we need most like doctors, engineers, finance experts, nurses and teachers.

The system will be supported by new measures to ensure that it is not abused. We will require economic migrants to have sponsors (including employers or educational institutions) who share responsibility with us to ensure they leave at the end of their time in the UK. We will, where necessary, use our powers to demand financial bonds from migrants in specific categories where there has been evidence of abuse, to guarantee their return home.

We will set up an independent body to advise us on labour market needs. The system will be flexible and employer-led. This is what our economy needs, not a rigid, arbitrary quota.

We will continue to welcome genuine refugees, respecting our obligations under the 1951 Geneva Convention, which is part of the international legal and ethical framework that enshrines basic principles of human decency. I reject the idea of a fixed quota of refugees and withdrawal from the Convention as unworkable, unjust and counterproductive. It would destroy the international cooperation that we need to deal with the real problems of asylum like resolving conflict, combatting immigration crime, and returning failed asylum seekers to their country of origin.

We will continue to root out abuse of the system by rigorously implementing the measures we have taken to ensure that we distinguish

between genuine refugees and those who are looking to come here to work or claim benefits, and by further strengthening our borders and removing those whose claims fail.

We will rationalise the appeals system to improve access to justice but focus it on areas where fundamental issues are at stake and prevent it being used to delay or circumvent our control. We will implement the new streamlined single tier of appeal, abolish the right of appeal against refusal of leave to enter the UK for work or study and tighten up the operation of family visit appeals.

We will continue to allow a small proportion of those who come here to settle permanently where there is clear economic benefit and where they are prepared to integrate socially. We will tighten our conditions to reflect this by requiring those who want to settle to pass tests on English language and knowledge of the UK; restricting settlement for economic migrants to skilled workers only; and granting genuine refugees temporary status to begin with while we assess whether the situation in their country improves rather than giving them immediate permanent status as now.

Over the next five years we will transform our immigration control. Using new technology we will develop an integrated control before people enter the UK, at our borders and while they are in the country. We will fingerprint everyone when they apply for a visa. These fingerprints and other personal travel information will be checked against our own watch lists of those who present an immigration or security threat. Airlines will not have authority to carry people until this check has been made.

ID cards will provide a simple and secure way of verifying identity, helping us to tackle illegal working, organised crime, terrorist activity, identity theft, and fraudulent access to public services. The new borders technology will record people's departure from the country. This will mean we know who has overstayed in the UK, which will help us target our immigration checks.

We have removed many more failed asylum seekers and other immigration offenders from the UK than ever before, but we will substantially increase the number in future. Swift removal is central to the credibility of our system. A system that decides who may stay and who may not makes no sense if the latter are not removed. We will introduce a new asylum process, detaining more people and using other means of contact like tagging to prevent people absconding when they are ready to be removed. We will take new measures to prevent people from concealing their identity by destroying their documents and thus making it much harder to get their own countries to take them back. We will have a new drive to secure more effective returns arrangements with the countries from which most of our failed asylum seekers come.

We will achieve all this through effective international cooperation not through isolation. Partnerships with other countries, the European Union and the UNHCR are essential to delivering our objectives.

Taken together this is a major programme to build on the foundations we have laid. It will enable us to attract those migrants that our economy needs and provide a safe haven to genuine refugees. It will also ensure we enforce the rules systematically and rigorously to benefit Britain.

A handwritten signature in blue ink, appearing to read 'Ch Clarke', with a long horizontal flourish underneath.

Charles Clarke
Secretary of State for the Home Department

Executive Summary

This strategy is the next stage of the Government's comprehensive reform of the immigration and asylum process, which has already succeeded in strengthening our border control, reducing the level of asylum applications by 67% from its peak, and doubling the number of removals from pre-1997 levels. It builds on these foundations and supplements the comprehensive review of our legal migration routes, which the Prime Minister announced last year. It develops an approach to immigration which is simple, straightforward and robust. The strategy shows:

- who we admit and why; and
- who we allow to stay permanently in the UK and why.
- we enforce the rules rigorously to admit only those who meet the criteria and prevent those who do not from getting here; and
- we ensure people leave when they are no longer entitled to be here.

Section 2: Who we admit and why

This section sets out who can enter the UK. It demonstrates the economic benefits they bring and reaffirms our commitment to our international obligations to refugees who need our protection. It sets out how we will further develop our approach by:

- introducing a transparent points system for all those who come to the UK to work
- requiring a sponsor for all but the most highly skilled and bonds for specific categories where there has been evidence of abuse, where necessary to guarantee that migrant's return home

- phasing out low skilled migration schemes, in the light of new labour available from the European Union
- accepting genuine refugees but preventing abuse of the asylum system within an agreed international framework
- rooting out abuse of our legal system with a clampdown on bogus advisers
- ending appeals from abroad to work or study

Section 3: Who we allow to stay and why

This section sets out who we allow to stay in the UK permanently, and how we will tighten the criteria further to ensure that we carefully control permanent migration to provide long term economic and social benefit. We will:

- introduce English language tests for everyone who wants to stay permanent in the UK
- grant refugees temporary leave to begin with and keep the situation in their countries under review. If it has not improved within five years we would allow them to stay, if it does they will be expected to return
- only allow skilled workers to settle long-term in the UK
- increase the period skilled workers have to be here before being allowed to stay permanently from four years to five years
- end chain migration – no immediate or automatic right for relatives to bring in more relatives

- we already have tight rules about migrants' eligibility for benefits and public services but will review them and how they are enforced to see whether any tightening is necessary.

Section 4: Secure borders

This Section sets out how within the next 5 years we will introduce a fully integrated pre-entry, border and in-country control. We will:

- introduce fingerprinting of all visa applicants (currently over 2 million a year) before they travel to the UK by 2008, to prevent people concealing their identity after entry
- introduce pre-boarding electronic checks of all persons entering and leaving the UK by air
- require all foreign migrants stay in UK for more than 3 months to have an ID card with their photograph and fingerprints by 2008
- screen visa applicants for tuberculosis on high risk routes and require those diagnosed to seek treatment before they would be allowed entry to the UK
- expand the network of Airline Liaison Officers (who work with carriers overseas to preventing undocumented passengers reaching the UK)
- introduce fixed penalty fines on employers for each illegal worker they employ.

process including through more detention capacity and the use of electronic tagging. Over time, as intake falls and removals become easier as we negotiate even more effective return agreements, we will move towards the point where it becomes the norm that those who fail can be detained.

- Preventing applicants concealing their identity to frustrate removal. We will continue to prosecute those who arrive without documents and ask airlines to copy passengers documents on more high risk routes. We fingerprint people from some high risk countries on arrival.
- Working with countries which generate the most failed asylum seekers to ensure that they re-document and accept back failed asylum seekers. We will place this at the centre of our relationship, supporting them in their efforts, including through a new migration fund, but making clear failure to co-operate will have implications for our wider relationship – including their access to some migration schemes.
- Expanding our voluntary returns schemes, maximising returns to safe countries and finding ways to return unaccompanied asylum seeking children.

Section 5: Removal

The Strategy sets out the progress we have made in recent years in removing a greater absolute number and a greater proportion of failed asylum seekers. It acknowledges the importance of doing more in this area. That is why the Government wants the monthly rate of removals to exceed the number of unfounded applications by the end of 2005. We will achieve this by:

- Detaining more failed asylum seekers
- Introducing fast track processing of all unfounded asylum seekers, with greater control over applicants throughout the

Section 1

Introduction: The international context

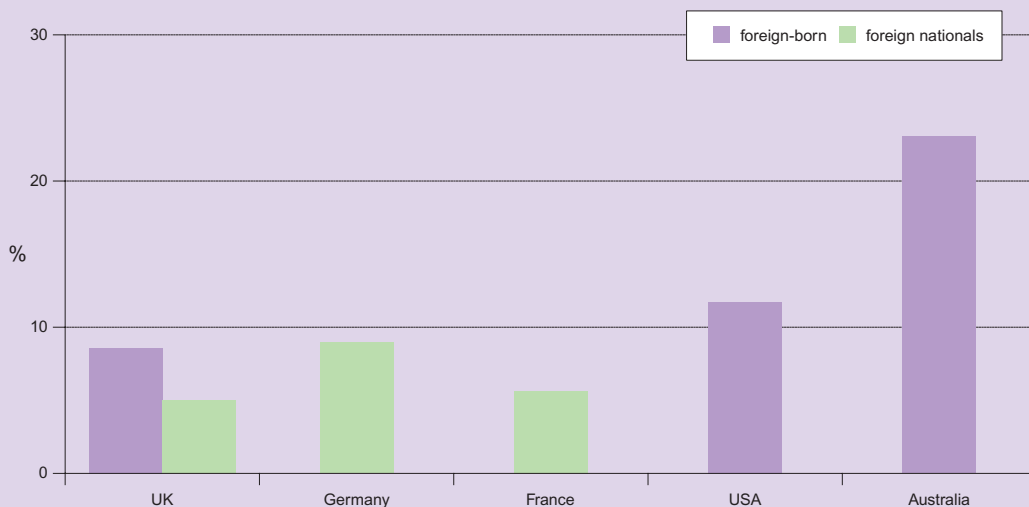
1. Global migration is a **major phenomenon** of our times. It is not new, but the scale of it is. The United Nations estimates that around 175 million people are living outside their country of birth. Almost one in ten people living in developed parts of the world are migrants. Migration is driven by globalisation, the opening up of labour markets, and the speed and ease of international travel on the one hand; and by war, political unrest and economic disparity on the other.

2. Like most developed countries, **the UK needs migration for economic reasons**. There are gaps in our labour market that cannot be

filled by the domestic workforce. Skilled migrants, students and visitors bring major economic benefits, with net inward migration contributing 10-15% of forecast UK trend economic growth. Even so, we are not a particularly high migration country in international terms (see Figure 1). Like all developed countries, **the UK accepts an obligation to protect those genuinely fleeing death and persecution and for that reason is a signatory to the 1951 Geneva Convention on Refugees**.

3. It is understandable that people migrate to seek a better life for themselves and their

Figure 1
Foreign/foreign-born as a proportion of the Total Population, 2003¹



(1) Source: OECD, Trends in International Migration 2003 for data on France (1999), in-country contacts for data on Germany, USA, Australia and the UK. 'Foreign': Germany, France and the UK (12 month period ending February 2004). 'Foreign-born' UK, USA and Australia.

families. But this can leave settled populations, including many in the UK, concerned about the impact on public services and on their way of life.

4. We have substantially tightened our controls in the last few years. We have strengthened our borders by operating our own controls in Northern France and Belgium, supported by sophisticated new technology to detect illegal immigrants in freight vehicles. We have tightened the asylum system against abuse, reducing applications by 67% from their peak. Since 1997 we have doubled the annual number of removals of those not entitled to be here. The Prime Minister announced last year a comprehensive review of our legal migration routes to ensure they benefit Britain and are robust against abuse. It has led to the reforms set out in this plan.

5. The challenge of the next five years is to develop this approach to immigration in a simple, straightforward and robust way, showing people:

- **who we admit to the UK and why;**
- **who we allow to stay permanently in the UK and why;**
- **that we enforce the rules rigorously to admit only those who meet the criteria and prevent those who do not from getting here; and**
- **that we ensure people leave when they are no longer entitled to be here.**

6. This strategy, which sets out the Government's policy priorities for immigration and asylum over the next five years will be financed within available resources through 2007/08. Future resources will be determined in the normal way. We believe the major programme of measures it describes will maintain the public confidence we need to welcome the migrants who are essential to our continued prosperity and to protect those who desperately need a safe haven.

Section 2

Who we admit to the UK and why

7. We will admit:

- **European Union (EU) and other European Economic Area (EEA) nationals** who have free movement rights deriving from the EU Treaties in the same way that UK Citizens have the right to live and work elsewhere in Europe
- **People who come here to visit, work or study** within strict criteria
- **Those genuinely fleeing persecution**

Economic Migration

EU and EEA citizens

8. Just as UK citizens can and do live and work elsewhere in Europe, we welcome EU and EEA citizens coming to live and work here. EU citizens may not come to this country simply to claim benefits. The EU Treaties do not allow them to become an unreasonable burden on the state and the vast majority have no intention of doing so.

9. Those coming to work from the new Central and Eastern European Member States need to register. They are only entitled to in-work benefits and only around 1% have been granted any. Labour from the new member states will over time enable us to phase out our current low skill migration schemes for people from other parts of the world (see paragraph 19). This will be taken forward in a review with the sectors concerned.

Visitors

10. The large majority of travellers to Britain come from within the EU and EEA but 7.5 million others came on short visits to the UK for tourism, business and other purposes (see Figure 2). People from overseas spent £11.9 billion in the

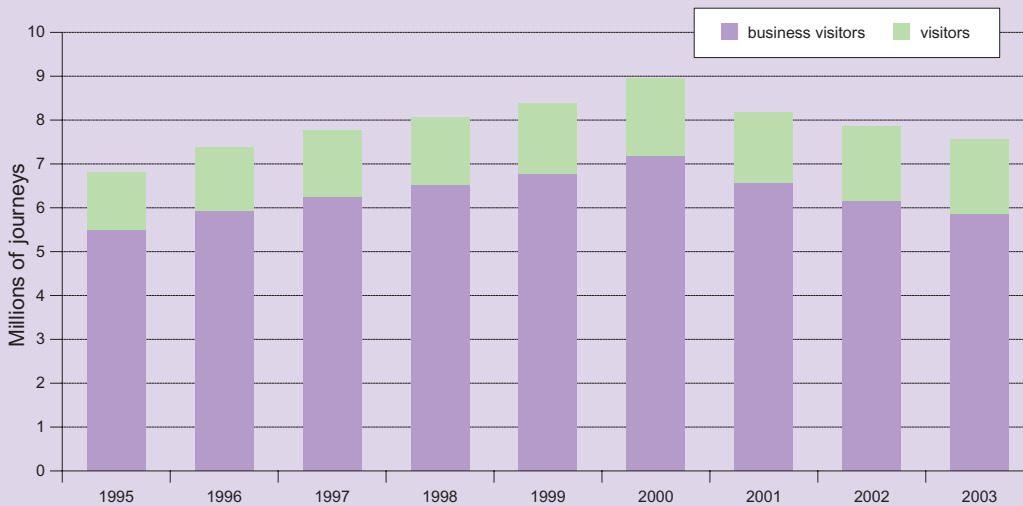
UK in 2003. The tourism industry in 2003 was worth £38.3 billion and 2.2 million people were employed in tourism related industries. Business people need to travel as business becomes more global. Exports of goods and services are equivalent to 25% of the UK's GDP.

11. The Government will continue to encourage visitors, provided we are persuaded they will go home at the end of their stay and will not seek to work here; and are not terrorists, criminals or others whose presence here is not conducive to the public good. We have stopped visitors from being able to stay longer than originally allowed by changing the purpose of their stay into work or study (except for degree level courses) after they have arrived as some had used this as an attempt to circumvent our control. We will introduce new measures to ensure they do not overstay (see Section 4). We will reduce the length of short stay visits from six to three months. Everyone, whether they are from a country which requires short term visas for the UK or not, will need even more stringent checks before they enter the UK for longer stays.

Workers

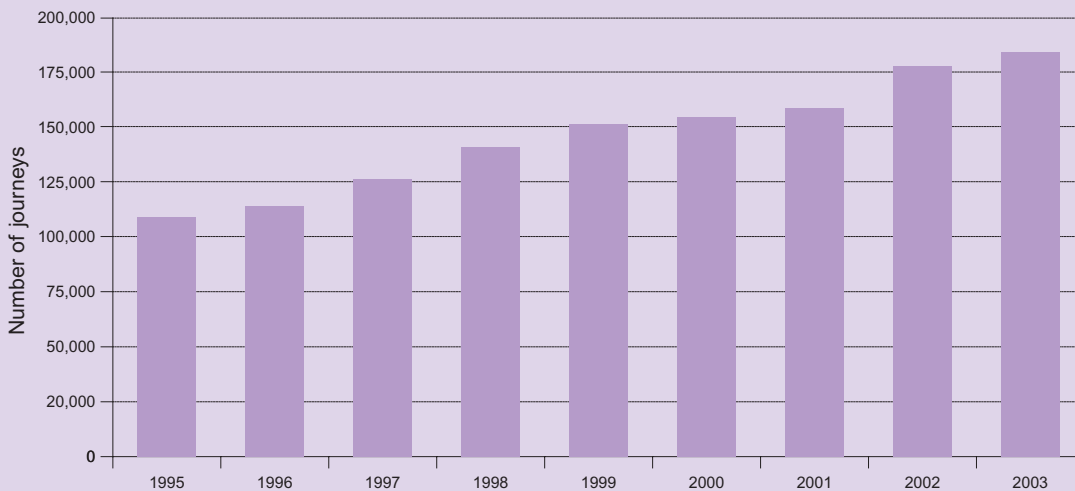
12. In addition to those who arrived from elsewhere in the EU and EEA, 180,000 people came to the UK to work in 2003 (including their immediate families), reflecting the strength of the UK economy (see Figure 3). There are more than 600,000 vacancies in the UK labour market, particularly in the service sectors, and unemployment is at historically low levels. Without migration, our rate of economic growth would be much lower. In Scotland, managed migration is already recognised as one way to address the population and demographic changes there. Around one third of our work permits issued in 2003 were for health sector workers. London has the highest proportion of foreign-born people per head of population in

Figure 2
Passengers¹ given leave to enter as visitors and business visitors, 1995 to 2003^P



(1) Excluding EEA nationals, and Swiss nationals from 1 June 2002.
(P) Provisional and subject to change.

Figure 3
Passengers given leave to enter the UK in employment related categories

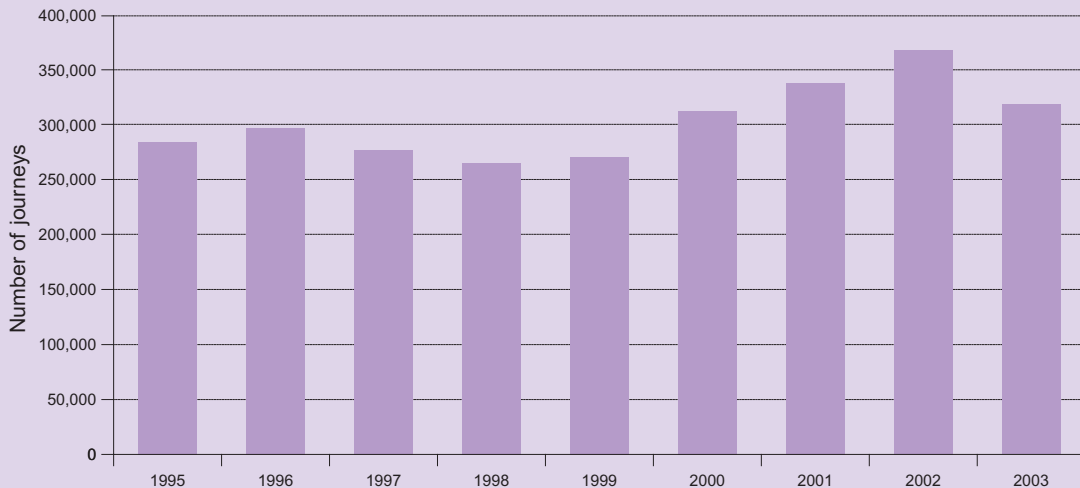


These figures do not include some categories of passenger that seek entry in a work category due to the way in which data are recorded at ports

the UK; it is also the most prosperous part of the UK and the EU as a whole. Migrants have brought dynamism to the economy, the most successful of them have created many jobs for others.

13. Skilled migrants bring new skills, ideas and attitudes to the UK, and help meet skill and labour shortages, easing inflationary pressures and increasing productivity. They make an important contribution to our broader

Figure 4
Passengers¹ given leave to enter as students, 1995 to 2003^P



(1) Excluding EEA nationals and Swiss nationals from 1 June 2002.
(P) Provisional and subject to change.

government objectives to increase innovation, to respond to the challenges of global economic change, to shift towards a high-skill economy and to deliver high-quality public services.

14. Our current system generally works well for employers, but is complex. We operate a range of different schemes from the Highly Skilled Migrants programme, to the general Work Permits scheme, and some quota-based low skilled schemes, as well as a range of specialist routes for others (described in paragraph 19 below).

15. We will continue to encourage migration for work through a flexible system that is employer-led and responsive to market needs, rather than a rigid and arbitrary quota. We will reform it to make it simpler; less bureaucratic; and more closely integrated with domestic labour market initiatives to ensure that we are only taking migrants for jobs that cannot be filled from our own workforce, or those who can make a significant contribution to our economy through the skills they bring. We will do this in consultation with employers and other stakeholders.

The biggest single challenge facing **Scotland** in the 21st century is its falling population. There is an economic and social case for increasing Scotland's population through promoting specific

measures within the UK's policy of managed migration. The Fresh Talent Initiative aims to help address the demographic challenge by attracting bright, hardworking and motivated people to live, study and work in Scotland and make a positive contribution to the economy and society.

Students

16. In addition to those from EU and EEA countries, 319,000 students came to the UK in 2003 for higher education, further education, to learn English or to attend private schools (see Figure 4). Collectively they are worth some £5 billion a year to the economy. They are a key factor in the economic sustainability of many of our educational institutions, and enable bright young people from abroad to develop lifelong ties with the UK which are of long-term benefit to the country.

17. We will continue to encourage students to come here, while tightening our approval processes to ensure applications are genuine. Students need an offer on a course at a recognised educational institution; and evidence that they are capable of funding themselves throughout and completing the course. Our checks will be supported by the new register of recognised educational establishments,

by co-operation between the British Council and visa-issuing posts in certain countries to encourage higher quality applications, and by careful scrutiny at posts to check that supporting documents are not forged.

A new points system

18. We will bring all the current work schemes and students into a single points-based system, so that there will no longer be a range of routes with specific criteria for each. Points will be allocated according to qualifications, work experience, income, and other relevant factors. It will be easy for individuals, employers and the public to see what is needed to qualify. It will also be straightforward to adjust the points levels to respond to changes, for example in the labour market.

19. The scheme will have four tiers:

Tier 1 (Highly Skilled): The most highly skilled – including doctors, engineers, finance experts and IT specialists – will be able to come to the UK without a job offer. This will be on the basis of their qualifications from graduate level upward, work experience and current salary, with additional points for those with the skills we need the most. This will ensure that highly skilled individuals can enter the UK to look for work or self-employment opportunities. Investors and entrepreneurs will continue to be welcome to the UK and will score enough points on the basis of the level of their investment or the jobs they create.

Tier 2 (Skilled): Others, with skills at NVQ level 3 (A level equivalent) and above, will be able to come if they have a job offer in a shortage area, and where an employer cannot find the skills they require within the UK or EU. This will ensure that UK employers have access to the skills and experience they need. Tier 2 workers would include nurses, teachers and administrators.

Tier 3 (Low Skilled): In the light of the additional labour now available from the new EU countries, we will phase out over time our current quota based schemes in the agricultural, food processing and hospitality sectors. We will take this forward in a review with the sectors concerned. Where additional needs are identified in future, we will introduce small tightly managed quota

based schemes for specific shortage areas and for fixed periods only, with guarantees that migrants will leave at the end of their stay.

Tier 4 (Students and Specialists): This tier will bring together students and a range of schemes where there is no significant issue of competition with the domestic labour force, including visiting workers representing overseas Governments or international companies based in the UK. Skilled workers in these categories can choose to come in Tiers 1 or 2 if they wish to make the UK their home. We will retain the Working Holidaymaker scheme for young Commonwealth nationals but tighten the criteria.

20. The scheme will introduce a number of **obligations** on the various parties who benefit:

- Below Tier 1, each migrant will need a **sponsor**. This would normally be the employer or educational institution, but could, for example, be a representative of a faith community for Ministers of Religion, or the devolved administrations or local authorities, who may wish to sponsor migrant workers to address their particular needs. Sponsors will share the responsibility of ensuring that migrants comply with the requirements attached to their leave. They will be expected to including report if the migrant has left employment or is failing to attend studies. The detail of the obligations and expectations of sponsors will be worked up in consultation.
- Tier 3 schemes and some schemes under Tier 4, for instance the Working Holidaymaker scheme, will only be available to nationals of countries with a satisfactory **returns** arrangement with the UK.

Where there is evidence of previous abuse and where necessary, we will require migrants (or their sponsors) from higher risk countries or visa categories to deposit a financial **bond**, which would be forfeited if they did not leave at the end of their stay.

- We will continue to recover the costs of the scheme through **charges** on migrants, to enable us to offer the most efficient service.

21. We will work with the Skills for Business Network to set up an independent **skills**

advisory body to advise on labour market and skills shortages. This will ensure that we have a flexible and responsive system that takes full account of our national needs.

22. We will merge the current immigration and employer checks into a **single, pre-entry check**. This will be simpler and more robust against abuse than the current system.

Asylum

23. The UK has a long and proud tradition of protecting those who are fleeing persecution, from the Huguenots, to those who suffered at the hands of the Nazis, to victims of the Milosevic regime.

24. Like all other developed countries and the rest of the 145 nations which are now signatories, the Government will continue to meet its obligations under the 1951 Geneva Convention on Refugees and, in common with 42 other countries across Europe, the European Convention on Human Rights (ECHR).

25. The 1951 Convention is part of the legal and ethical framework that enshrines basic principles of human decency. We reject the idea

of a fixed quota on refugee numbers or pulling out of the Convention as unworkable, unjust and counter-productive. International co-operation is essential to address the real problems that arise – including returning those whose claims fail to their own countries. We need to work with others to resolve the conflicts that lead people to flee their countries.

26. However, since the late 1980s there has been significant abuse of the asylum system by those who are economic migrants but claim to be persecuted. The major factors in encouraging this have been a slow, bureaucratic system of decision-making and appeals, and practical problems in returning failed applicants to the countries from which they have come given lack of co-operation from overseas Governments. This has left people believing they will be able to stay even if they have no right to be here.

27. We have made significant progress in addressing this, reducing asylum applications from a peak of nearly 9,000 a month in October 2002 to under 3,000 a month now. The year on year figures are set out in Figure 5. This has been achieved by tightening the system, and strengthening our control, as described in Sections 4 and 5 (see Figure 6).

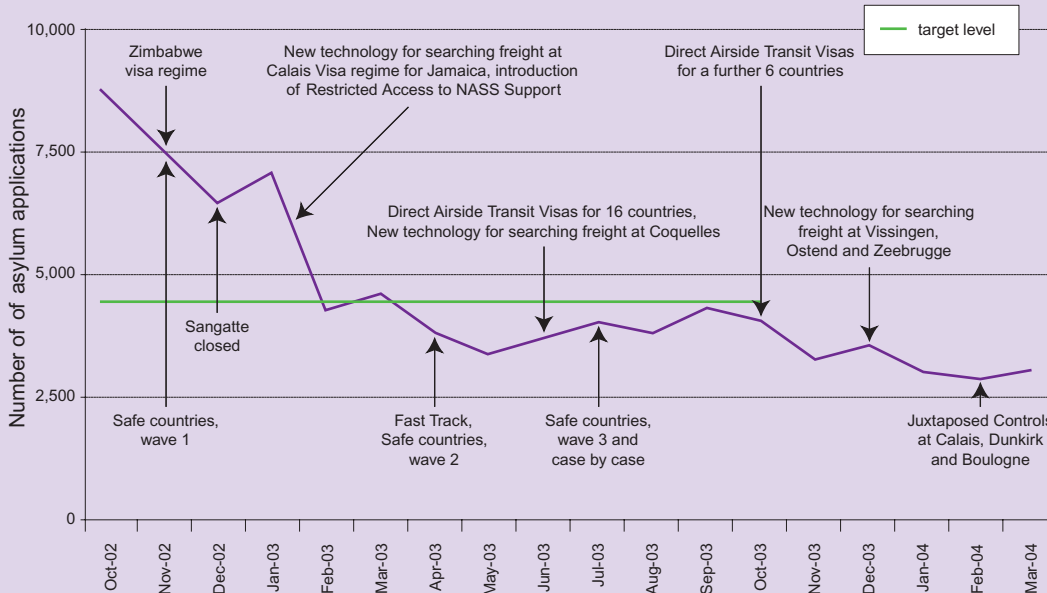
Figure 5
Applications¹ for asylum in the UK, 1995 to 2003



(1) Excluding dependants.
(2) May exclude some cases lodged at Local Enforcement Offices between January 1999 and March 2000.

Figure 6
Modelling the effects of intake reduction measures on the number of asylum applications
October 2004 to March 2004 (Source: National Audit Office analysis of asylum intake reduction model)

The Home Office has modelled the combined effects of various measures on the number of asylum applications



28. To balance these measures, we will take some genuine refugees direct from their regions. Under the **Gateway** programme we have begun to do so: groups have been accepted in Sheffield and Bolton. We aim to expand this programme in co-operation with the UNHCR, refugee organisations and local authorities.

29. We are also working with UNHCR and other international partners to improve **protection for refugees in their regions of origin**. It is our moral duty to combat poverty and disease, improve human rights, help ease political conflict in other countries and protect people displaced from their homes by war or persecution. The Department for International Development, the Foreign and Commonwealth Office and the Treasury in particular – as well as the relevant international institutions – are heavily engaged in this, and our G8 Presidency this year is an important part. Improving education, health, job opportunities and the social and political environment elsewhere will help reduce the pressure for migration to the developed world.

We also have a responsibility to ensure that our migration policies do not compromise the economic well being of poor countries, for example by accentuating skills shortages.

30. The steps we have taken to tighten our asylum system to counter abuse include:

- **Rigorously examining each case** based on up to date information about source country conditions.
- Designating certain source countries as **safe**.³ Unless the applicant can prove otherwise, we treat asylum claims from nationals of these countries as unfounded; fast track them back to their country of origin; and give them no right of appeal from within the UK.
- Introducing much tougher rules to deny asylum to those who have committed **serious crimes**, on top of excluding **terrorists**.

³ Those currently designated as safe countries are: the Republic of Albania, Bulgaria, Serbia and Montenegro, Jamaica, Macedonia, the Republic of Moldova, Romania, Bangladesh, Bolivia, Brazil, Ecuador, Sri Lanka, South Africa, and Ukraine. Subject to the agreement of Parliament, India will shortly be added.

- Designating other countries as **safe third countries**. If an asylum applicant has passed through a country on the way to the UK which provides an adequate level of protection, he or she should have applied there. An EU agreement (the Dublin Regulation), supported by the Eurodac fingerprinting database, enables us to return around 200 asylum seekers a month to other European countries without considering their claims ourselves. This is far more effective than the Gentleman's Agreement which applied until 1997, under which fewer people were removed in a year than the Dublin agreement enables us to remove in a month.
- Speeding up **processing times** (two months for initial decision in 80% of cases now, against an average of 22 months in 1997) and we will go further. Failed asylum seeker adults who do not co-operate over return to their countries of origin are not entitled to **support**. In the small number of cases where they cannot leave the UK, through no fault of their own, we will provide support. But we can require them to do community activities in return. The message to people refused asylum is clear: they must go home and the UK taxpayer will not support them if they do not.
- Restricting further any abuse of the **legal aid** system.
- Regulating **immigration advisers**.
- Tackling **claimants without travel documents**. Some failed asylum seekers destroy their documents and conceal their identity because this makes it more difficult for us to persuade their home country to accept them back. We have made it a criminal offence to arrive in the UK without travel documents for no good reason.

31. Alongside these measures we will further **strengthen our border controls**; introduce a **new fast track managed asylum process**; and swiftly **remove** failed asylum seekers (as described in Sections 4 and 5).

Appeals

32. Everyone applying to enter or remain in the UK faces a decision to accept or reject their application. Some types of application raise fundamental issues. In these cases it is right that it should be possible to appeal against a decision to refuse the application. This applies to asylum applications, where the person concerned claims that they face persecution or death in their own country, and to marriage and family cases. However, applicants should not be able to abuse that right by making unmeritorious appeals to frustrate our efforts to remove them. From April we will begin operating a **streamlined single tier of appeal** (replacing the existing multi-tiered system) which will speed up the process and reduce delays before removal.

33. There are other categories of entrant who should not have the same right of appeal because the issues raised are less important. We will legislate to abolish **appeals for work and study routes** for those refused an entry clearance overseas and those refused entry at a UK port or airport. We will extend the current independent entry clearance monitoring process to guard against any risk of unreasonable decisions.

34. Visitors, apart from those visiting family, already have no right of appeal. We will retain **appeals for family visits** because we recognise the importance of family life. But we will remove the possibility of an oral hearing and deal with all appeals on papers only; and we will limit the right of appeal to cases where the proposed visit is to a close family member. This will discourage speculative appeals. We will subsequently review whether to charge for these appeals.

Section 3

Who we allow to stay and why

Permanent Settlement

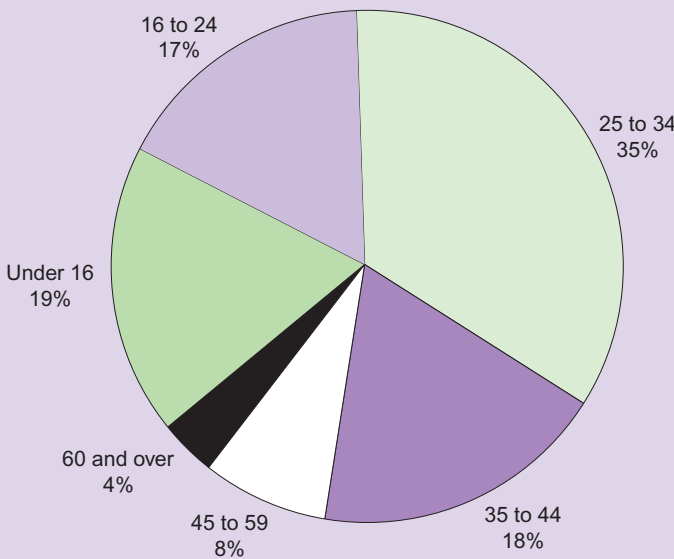
35. Permanent migration raises a different set of issues to temporary migration. As they learn English and acquire new skills, those who settle in the UK make a larger contribution. But they also start to have families and to make greater use of public services. Long term settlement must be carefully controlled and provide long term economic benefit. Permanent migrants must be as economically active as possible; put as little burden on the state as possible; and be as socially integrated as possible. The overwhelming majority of those seeking permanent settlement are young (see Figure 7).

36. There is a good, economic case for allowing certain **skilled workers** to stay. Research shows that their economic contribution grows the longer they stay as they acquire increased UK specific skills and experience, and because some skills shortages will be long term.

37. Genuine **refugees** should be allowed to stay where there is no prospect of conditions in their country improving. We will help them to find work and participate in community life.

38. British citizens and those settled here should be allowed to be joined by their spouses or fiancé(e)s. Those allowed to settle may also bring **immediate family** (spouses and children

Figure 7
Grants of Settlement¹ by age, excluding EEA nationals, 2003
 (Total number of persons 136,830)



(1) Excludes 2,865 persons given settlement on arrival, and a further 1,795 persons for whom an age analysis is not available.

under 18), but others only in exceptional circumstances. We will continue to allow people to be joined by parents and grandparents who are over 65 and have no other relatives to support them in their own countries. A rigid quota would cause considerable hardship and is not acceptable. We have raised the minimum age for leave as a spouse or a partner to 18, to help address the problem of forced marriages, and will consider raising it further to 21 if necessary. We have dealt firmly with marriage abuse by introducing a requirement for a Home Office certificate on immigration status before notification and only allowing foreign nationals to apply at designated register offices. Individuals have to demonstrate that the marriage has subsisted for two years before permanent status can be granted.

39. These are tight conditions, which will be applied rigorously. However, we will make further changes to increase the economic benefit to the UK of permanent settlement, and bring its requirements closer to the rights and obligations of full citizenship. We now require much more from those who wish to become citizens – they must pass a residence test; be intending to make the UK their home; be of good character; and pass an English language requirement and (from later this year) a test of knowledge of life in the UK. These requirements are related to the factors that are most closely linked to migrants succeeding in the UK and becoming economically active, and are intended to encourage greater social integration. We will bring the criteria for settlement nearer to those for citizenship by:

- Requiring people to **pass English language/ knowledge of the UK tests** before they are granted permanent settlement rights.
- Granting **refugees** (those whose asylum applications are agreed) temporary leave rather than permanent status to begin with, while we review whether the situation in their country has improved. If it has not improved after five years, we would grant them permanent status. Otherwise we would expect them to return. They may be joined by their immediate family and will be encouraged to find work and participate in local communities

during their period of temporary leave. This will ensure they make a full contribution to the UK while here, and that they have skills to benefit their country if they are able to return. A number of other European countries, including France, Germany, the Netherlands, Denmark and Norway grant refugees temporary leave to begin with rather than immediate settlement.

- **Lengthening the period before settlement.** Skilled workers will need to have been present, in employment and contributing to the Exchequer for five years (rather than four as now) before becoming entitled to apply for settlement. This brings our practice more into line with the European norm.
- **Restricting the categories with a route to settlement.** Only skilled workers (ie. those under Tiers 1 or 2 of the new points scheme) will be eligible. These will be people who are making a positive contribution including highly skilled and well paid doctors, scientists and engineers, and skilled workers in shortage areas, such as nurses and teachers.
- **Ending chain migration.** We will end the practice where those who have settled on a family reunion basis can themselves immediately sponsor further family members, consistent with our ECHR obligations. In future they will not be able to do this until they have been settled for five years or have citizenship here.

Citizenship

40. The Government will strongly encourage those who have permanent status to make a commitment to the UK by accepting the full rights and responsibilities of citizenship. This does not mean that we want to create a monoculture. British nationality has never been associated with membership of a particular ethnic group. For centuries we have been a multi-ethnic nation. This diversity is a source of pride.

41. We want to develop among migrants and the settled population a stronger sense of social participation and shared values. Those here should accept that individual freedom and

tolerance of diversity are fundamental to our democracy and society. Citizens should understand their rights and their obligations. This will help strengthen mutual understanding between people of diverse cultural backgrounds. We acknowledge that there is a potential issue here with nationals of countries which do not allow dual nationality, and we will address this.

Access to benefits and public services

42. We already operate tight rules on access to benefits for migrants. Temporary migrants are not entitled to benefits except certain in-work benefits after having made the necessary national insurance contributions. They are entitled to free school age education and to some healthcare. Those who have permanent status have the same rights as citizens, but have to be able to demonstrate, before they are granted that status, that they can support themselves and their families. Our measures to tighten the criteria for settlement should reduce further the need for permanent migrants to access benefits.

43. However, we will conduct a review of the existing rules and how they are enforced to ensure they are coherent, consistent and fair.

Section 4

Secure borders

44. Over the next five years, we will use new technology to implement a **fully integrated control** before people arrive, at our borders, and within the UK.

Tackling organised crime and people trafficking

45. Much illegal immigration is supported by organised crime – from document forgery to smuggling to trafficking in women and children. This is a particularly vicious form of crime, targeting the vulnerable, the poor and the young. We have introduced tough new penalties, targeted the assets of the criminals and established the multi-agency '**Reflex**' task force which co-ordinates intelligence and law enforcement activity. We have a network of Immigration **Liaison Officers** who work with host Governments in key source and transit countries. Human trafficking will be a major priority for the new Serious Organised Crime Agency (SOCA).

46. There have been significant successes. Reflex disrupted 38 major networks and achieved 38 convictions between April 2003 and April 2004. As an example, Operation Gular disrupted a network responsible for smuggling over 400 people into the UK over a two year period. Five men were sentenced to a total of 20 years. This was conducted with the support of the French authorities. We work with many Governments and with the EU and Europol in this area.

Controls before entry to the UK

47. Our controls before entry are designed to process efficiently those who meet our criteria and rigorously prevent those who do not from

reaching the UK. It is better to control entry before arrival, as far as possible, given the extra difficulties removal from UK territory can present.

a) Visas

48. People from countries where we have concerns about possible immigration abuse need visas to enter the UK. We will not hesitate to add new visa requirements where necessary, as we have done in recent years for Jamaica and Zimbabwe. We have substantially increased the nationalities that require visas just to pass through the UK. This has had a significant impact on unfounded asylum applications.

49. Those who require visas are subject to rigorous checks at our diplomatic posts abroad. They are conducted by Entry Clearance Officers trained in assessing credibility and recognising forged documents. Applications are checked against UK watch lists for terrorists, criminals and others whose presence would not be conducive to the public interest.

50. These Officers are supported by a cross-Government operation to gather **intelligence** about methods of abuse. Sometimes it will be necessary to suspend routes where we suspect abuse until the problem has been tackled. We will also consider regulating those overseas advisors who help people make visa applications, just as we regulate those based in the UK who offer immigration advice.

51. All visa applicants will be **fingerprinted** by 2008, in line with an EU wide agreement. We are rolling out the programme. Visa applicants are already fingerprinted in Sri Lanka and certain countries in East Africa. We are

working with our EU partners to develop a Visa Information Database for exchanging information on visa refusals.

b) Health

52. Our approach to **health checks** is based on expert advice on protecting the nation's health. We are implementing our existing powers by targeted health screening for tuberculosis in high risk areas at the entry clearance stage. Those who are diagnosed would then need to seek treatment at home before being allowed to enter the UK.

c) On route to the UK

53. We deploy **Airline Liaison Officers** (ALOs) on high risk routes across the world to advise airline check-in staff on forged documents. Over 33,000 people were denied boarding in 2003 at airports where ALOs operated. We will expand the network of ALOs year on year in line with intelligence on risk and provide them with the most up-to-date equipment to help detect fraud. We apply **carriers' liability charges** to airlines, train and ferry companies and hauliers who carry people who do not have the right documents.

54. We already ask airlines to **copy passenger travel documents** on certain routes to deter people from destroying them and claiming asylum in a different identity. This will be rolled out further from June in consultation with the airline industry. We fingerprint certain high risk categories on arrival in the UK for the same reasons and will extend this further as necessary.

d) Action in Europe

55. The EU has established a new **border agency** to co-ordinate control at the EU's external border. This will substantially improve Europe's capacity to deal with vulnerable crossing points and in particular to work to strengthen the EU's new border to the East.

56. We are engaged with our EU partners on **strengthening the security of EU travel documents** including by introducing digital photographs and fingerprints in passports.

During our Presidency of the EU later this year, we will make progress on strengthening the security of EU national identity cards, which can also be used as travel documents.

57. UK Immigration Officers now operate controls at key departure points in **Northern France and Belgium**. This is supported by highly effective new technology to detect illegal immigrants hidden in vehicles. This co-operation with the French and Belgian Governments has radically cut illegal entry through Calais and other ports, and through the Channel tunnel.

Border Controls

58. This major strengthening of our controls before entry will enable us to focus the controls at our own borders more effectively on the highest risk categories. There is growing co-operation between the Immigration Service, HM Customs and the Police. We will introduce legislation to enable them to share data on passengers and freight.

59. As major ports become harder to breach, there is a risk that small ports will increasingly be targeted. It is not practical to operate full-time controls at every fishing port, marina, private airfield or other point of arrival that could be used. But we will increase our mobile capability for intelligence-led checks at small ports and increase co-operation with the Coastguard to deter illegal arrival along the coast. We also work with Governments across the Channel on this.

Controls inside the UK

60. We carried out 1,600 **enforcement operations against illegal work** in 2004, a 360% increase on the previous year, and picked up 3,330 people working illegally. We are setting up a Licensing Authority to regulate the **Gangmasters** who recruit and supply workers for various areas, including agriculture. We have strengthened legislation on the **document checks** employers must carry out to assure themselves that they are not taking on illegal workers.

61. We will introduce **on the spot fines of £2,000** per illegal employee for employers caught using illegal workers. We will introduce

a new approach to **workplace inspections** with relevant Government departments and agencies sharing information they pick up in the course of their checks in different areas (tax, health and safety etc). A joint team is already being set up in the West Midlands.

A fully integrated control

62. Over the next five years we will transform our immigration control. We will use new technology to create a fully integrated control before entry to the UK, at our borders and inside the UK. We will fingerprint everyone when they apply for a visa. Through the **e-Borders** programme (described at Annex 1) these fingerprints as well as information in travel documents and airline booking information will be checked against UK databases of those who present a known immigration or security threat. Only when this check has been made will the airline have authority to carry the passenger. We have begun to roll out the programme already. By April we will be screening six million passengers a year on ten important routes.

63. All those here for more than three months will need to carry residence permits, which will act as **ID cards**. These will provide a simple and secure means of verifying identity, helping us tackle illegal working, organised crime, terrorist activity, identity theft, and fraudulent access to public services. The e-Borders technology will also mean that people's departure from the country is recorded. This will mean that we will know who has overstayed in the UK, which will help us target our immigration checks.

Section 5 Removal

64. By the end of 2005, we want the monthly rate of removals to exceed the number of unfounded applications so that we start making in-roads into the backlog.

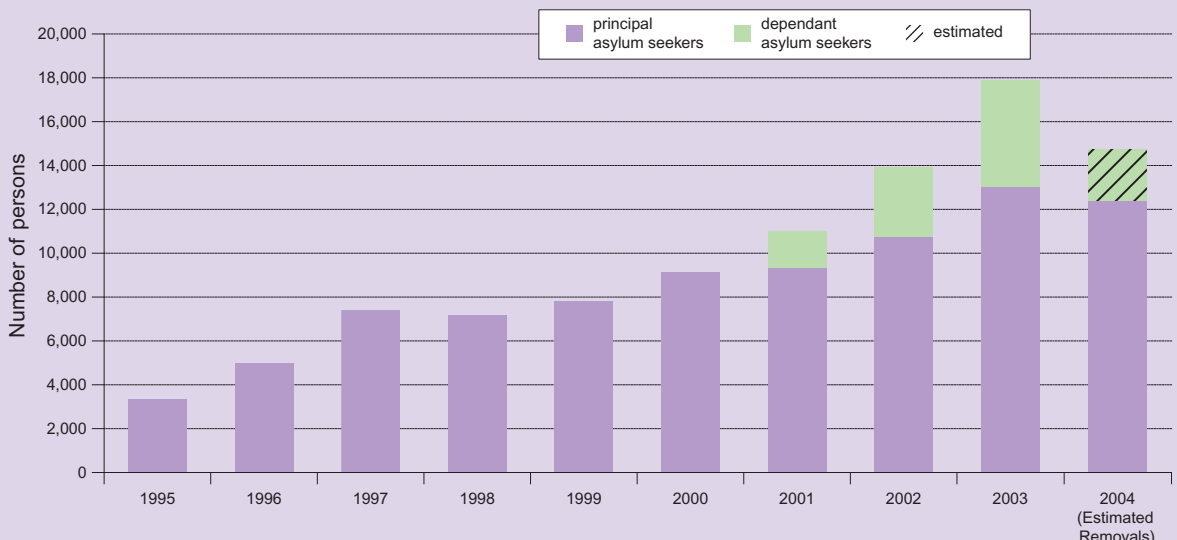
65. Swift removal is central to the credibility of our immigration system. An immigration system that decides who may stay and who may not makes no sense if the latter are not removed. This is the most effective form of entry control because it sends a signal to those who want to abuse our asylum system or work illegally that there is no point in trying to come. We removed 18,000 failed asylum seekers in 2003 (see Figure 8), more than ever before. And we removed 46,000 others, including illegal workers and those refused entry at port. In 1996, the number of failed asylum

seeker removals was equivalent to only 20% of new unsuccessful claims. In the first six months of 2004, the proportion was estimated to be around 50%.

66. Allowing people to remain here, often unsupported and underground, encourages illegality and threatens community cohesion. Those who have entered the country illegally, have overstayed their visa, or have not been offered protection, have no further right to stay in the UK. It is unfair on those who respect the rules, as well as the UK tax-payer, if those who should not be here are able to stay.

67. There are three key elements to achieving more removals: firstly maintaining **contact** with asylum seekers throughout their application

Figure 8
Asylum removals from the UK¹, 1995 to 2004



(1) Includes those who departed voluntarily after enforcement action had been initiated against them, and those who departed under voluntary assisted return programmes organised by the International Organisation for Migration. Estimated removals for 2004 is calculated from published figures on asylum removals Q1 – Q3 and provisional management information.

and, in particular, at the point when failed asylum seekers become removable; secondly preventing them concealing their true identity by **destroying their travel documents**; and finally working with foreign governments to ensure **swift return** to their countries of origin.

Better contact management

68. In order to increase the level of removals we will introduce a **new process for considering asylum claims** (see Annex 2) which will enable us to exert much greater control over asylum seekers. We will expand the detention capacity we have for those whose claims are considered under our current fast track processes, for those suitable for a quick decision. We will open a new detention facility for single females linked to the fast track process.

69. Alongside this we will introduce a new faster process for most other cases. Although this will not involve detention right through the process, close contact will be maintained through a variety of other means, including: managed accommodation; regular reporting requirements; arrangements for paying asylum support; serving the outcome of appeals in person; and electronic means such as tagging.

70. Over time, as asylum intake falls and removals become easier as we negotiate more effective return arrangements, we will move towards the point where it becomes the norm that those who fail can be detained.

Preventing applicants concealing their identity

71. The asylum system has been abused by people destroying or concealing their travel documents and then claiming asylum in a false identity. This makes it harder to remove them because their country of origin often requires lengthy checks to establish their true identity before accepting them back. We have recently introduced a new **criminal offence** of arriving in the UK without documents and no reasonable excuse. To back this up, travellers on certain routes will have **their documents copied** by airlines before they travel. We **fingerprint** certain high risk categories on arrival in the UK and will

extend this approach as necessary, and as described above we are rolling out a programme to fingerprint all those who apply for visas.

72. Taken together this will mean that it will be much harder to abuse the asylum system in this way. Where we already have fingerprints or a photograph for comparison, it will be much easier to establish an asylum seeker's true identity and therefore to get their country to take them back.

International solutions

73. Not all countries co-operate – either speedily or at all – in confirming the identity of their citizens and issuing new documents for their return home. This is particularly true of some of those countries from which a significant proportion of asylum claimants currently come. Their refusal swiftly to take back their own citizens creates a perverse incentive for those whose motivation is economic to make unfounded asylum claims – knowing it will be difficult for us to remove them if their claim fails.

74. We need **arrangements with source countries from which failed asylum seekers come** to allow the swift return of their nationals. We have successfully negotiated arrangements with Afghanistan, India, Sri Lanka, Turkey, China, Albania, Bulgaria, Romania, Vietnam and the Somaliland authorities, and have good longstanding arrangements with many others. We are in negotiation with further countries. We will put immigration at the centre of our relationship with all major countries from which failed asylum seekers and illegal migrants come. We will approach this in a spirit of partnership, and will be willing to support them in reintegrating failed asylum seekers, strengthening their own immigration controls and helping their nationals to access legal routes to the UK. We will set up a new **migration fund** to finance projects of this kind. But we will leave our partners in no doubt that accepting return of their nationals is a duty and failure to do so will have implications for our wider relationship. In some cases, migration schemes will not be available to countries without effective returns arrangements with the UK. These will include the Commonwealth Working Holidaymakers scheme and low skill work schemes.

75. Co-operation with the EU in dealing with immigration is particularly important. It is clear that we need to work with our nearest geographical neighbours on immigration, since many illegals destined for the UK pass through their territory. Their laws on asylum have a direct impact on us. As described earlier we benefit from the ability to return asylum seekers to other EU countries where they have already claimed; the strengthening of the EU's external border; joint work on the security of EU travel documents; and tackling organised immigration crime. We will also, during our EU Presidency later this year, lead a renewed effort to reach EU returns agreements with source countries. The EU has substantial political and economic clout which should be used in this context.

Other Removals Initiatives

76. In addition to the three key elements of our approach to increasing removals there are a range of other initiatives we are now pursuing. More people returned voluntarily under our **assisted schemes** in 2003 than ever before (1,750 compared to 900 in 2002). We will continue to seek new ways to incentivise return. **Voluntary returns** are cheaper and more dignified than enforced returns. We will maximise returns to **safe third countries**. The Dublin Regulation supported by the Eurodac fingerprint database enables us to return to other EU countries individuals who have already claimed elsewhere. This is working well. We are now returning more than 200 a month to EU countries. We will address the difficult issue of returning **unaccompanied asylum seeking children**. The key is to trace their families in their countries of origin or to create other acceptable reception arrangements. We are beginning a project in Albania. We do not believe that it is in a child's best interests to remain in the UK separated from their parents or communities.

77. In addition to failed asylum seekers we are removing record numbers of other people who have no right to remain in the UK. We will continue to improve in this area – responding to intelligence, working with the police and ensuring we maintain a sensible balance between increasing removal and other activity – to disrupt abuse of the immigration control, in particular of marriage

and student routes and illegal working. New requirements for sponsors for migrants, ID cards and checks on departure from the UK will make it much harder to be present illegally in the UK.

Conclusion

78. Over the next five years we will:

- Introduce a **single points-based scheme** to ensure all migration benefits Britain.
- **Tighten our rules on settlement** to ensure all those settling permanently in the UK bring a long term benefit.
- Undertake a **systematic drive against illegal entry, illegal working and abuse of our asylum system** by creating a fully integrated immigration control based on new technology before people reach the UK, at our border and inside the UK.
- Ensure **people leave**, when they are no longer entitled to be here by introducing new requirements for sponsors of workers and students, financial bonds, and even stronger action to return failed asylum seekers.

79. Taken together, this will provide an immigration system that is better understood by the British people, welcomes those who meet our economic needs and moral obligations, and rigorously prevents those who do not from coming or remaining here.

Annex 1

e-Borders

The e-Borders Programme will create a joined-up modernised intelligence-led border control and security framework. Enhanced information about passengers and their movements, and its communication through the use of new technology, processes and procedures will allow Immigration Service and other agencies including Police, Customs and Excise, Security Services to work more closely together to maintain the integrity our border control, target activity against those who have no right to be in the UK and assist in the fight against terrorists and criminals.

It will allow us to introduce pre-boarding electronic checks of all persons flying to the UK, which will let us stop known security risks travelling. It will also collect information on when people arrive and whether they leave, which will help us stop people staying in the UK when they have no right to. Bona fide travellers will also gain from faster clearance at points of entry.

At Post

The e-Borders systems will collect both arrivals and departure information, together with immigration status and other related details. Staff who deal with visa applications overseas will be able to check applications against that database, for example to check the credibility of applicants or their sponsors. Supported by biometric visas, this will enhance the effectiveness of the entry clearance operation.

Pre-entry controls

Carriers will provide advance passenger information (API) and passenger name records (PNR) electronically. Passenger details (including names, dates of birth, nationality and

travel document details) will be checked against multi-agency watchlists prior to boarding a flight.

Under an authority to carry scheme the Immigration Service will be able to prevent specified categories of passenger from travelling to the UK (including where they are security risks or because we think they will abuse the immigration control) and require carriers to submit passenger details for a check against relevant Government databases before departure. Any carrier that fails to seek authority to carry or has been refused authority to carry a particular passenger, but nonetheless lets him/her travel to the UK, will be subject to a penalty.

The provision of API and PNR data will allow the border agencies to identify persons of interest before they travel to the UK and to target further action in anticipation of their arrival in the UK. This might include deploying immigration officers from the intelligence unit to operate surveillance on a particular flight to help identify a suspected facilitator, or for police officers to apprehend immediately a passenger wanted for questioning.

In country

Because both arrivals and departure information will be collected, as will the immigration conditions of entry, we will have a much clearer picture of passengers' movements in and out of the country. This wealth of information will help border control, law enforcement and intelligence agencies, and other Government departments to target their activity. In particular it will enable IND to measure compliance with entry conditions and make it easier to identify those who have no entitlement to be in the UK.

The database of information and increasing collection of biometric data will make it harder for people to conceal their identity to frustrate our controls and make it easier to remove those who have no right to be in the country.

Project Semaphore

e-Borders is initially being rolled out as Project Semaphore which will inform the design of, and allow us to identify and address risks for, the main e-Borders Programme. Semaphore will also provide operational benefit on routes of interest. Project Semaphore commenced in December 2004, with the capture of API on a limited number of the selected routes. It will run for 39 months when it will be superseded by full e-Borders system implementation. Semaphore will:

- capture passenger information on ten routes to the UK (inbound and outbound) selected by multi-agency consensus covering 10 million passengers
- match names against Watch lists from UKIS, Police and Customs and Excise
- score PNR (Passenger Name Records) against risk profiles
- provide alerts to Government agencies to take appropriate action
- monitor movements into and out of the UK by passengers carried on selected airlines and routes
- provide for closer working between different agencies through a Joint Border Operations Centre (JBOC) which will be staffed by representatives of the Police, Customs, the Immigration Service and UKVisas working on a co-operative basis
- introduce the concept of “single window” for carriers (deliver data to Government agencies once only rather than separately to each requesting agency)
- provide lessons for all e-Borders activities
- increase capability during its operational lifetime.

Project IRIS

As part of the e-Borders programme, Project IRIS (Iris Recognition Immigration System) is being introduced to provide fast and secure automated clearance through the UK immigration control for certain categories of regular travellers using biometric technology. The system will store and verify the iris patterns of qualifying travellers, giving watertight confirmation of their identity when they arrive in the UK.

IRIS implementation will commence at Terminals 2 and 4 Heathrow, with the first enrolments from 28 February 2005. Roll out to Heathrow Terminals 1 and 3, Gatwick North and South Terminals, Birmingham, Manchester and Stansted will follow during the remainder of 2005.

It is anticipated that, within five years, more than a million people will be registered to use the system.

Annex 2

New asylum model

We have already made real progress in reducing the number of unfounded asylum applications and speeding up the process for deciding who needs protection and who does not.

- We have reduced the number of asylum applications from a peak of nearly 9,000 claims a month in October 2002 to consistently under 3,000 a month now.
- We have dramatically reduced processing times. In 1997 it took an average of 22 months to make a decision on a claim, excluding the appeals process. Now around 82% of cases are decided by the Home Office within two months. And around 60% go through the whole process including the independent appeal system within 6 months of the claim being made.
- We have consistently decided more cases than we have received new applications, and got on top of backlogs. The number of asylum claims waiting for a decision by the Home Office has fallen from a peak of around 125,000 to under 10,000.

The current structure of the asylum system has enabled us to make these very important achievements. But now that we have reduced the volume of cases so much, we have the opportunity to change the way we handle asylum claims so that we are better able to remove those whose claims are rejected and to assist identity and those who are found to be genuine refugees. We will introduce a new asylum model with faster tightly managed processes for all new asylum applicants.

In the past, the same administrative process has been applied to decide most asylum claims. We have started to change that.

- We have expanded our ability to identify asylum applicants who have passed through other European Union states before arriving in the United Kingdom. On the basis of information from the EU-wide Eurodac fingerprint database, we are now able to remove in the region of 200 asylum applicants per month to other European Union countries for their claims to be considered there.
- We have introduced a detained fast track process for applicants from countries designated as generally safe and others whose claims are suitable for a quick decision. This is backed up by legislation, passed in 2002, under which applicants from safe countries and others whose claims are clearly unfounded cannot remain in the United Kingdom while they appeal against the refusal of their application.
- We have introduced a separate detained fast-track process at Harmondsworth for other applicants whose claims are suitable for a quick decision. If their claims are refused, a rapid appeals procedure follows before removal. Over half of unfounded cases are removed within 42 days of the application being made and over 85% within about three months.
- We have also just introduced a non-detained tightly managed approach in the North West. Applicants are interviewed and receive a decision on their claim quickly – in under a

month rather than the usual two months in non-detained cases. They will then be closely managed either to removal or leave to remain in the UK.

We will build on this by phasing in fast tightly managed processes for all asylum applicants. Detained processes will continue to play an important role, and we plan some expansion. We will increase the capacity of the detained fast track at Harmondsworth. We will also introduce in May a fast track process at Yarl's Wood for single females. By the end of 2005, we project that up to 30% of new asylum applicants will be put through a fast track detained process. New faster non-detained processes are also being developed, and will play a key role.

Key features of the new approach will include:

- A new screening process for asylum applicants that enables us to put them through a processing track tailored to the characteristics of their claim. For example, a significant number of asylum applications are late or opportunistic. The asylum claim is made only when the person concerned is arrested for illegal working or their permission to remain in the United Kingdom is about to expire. Only a very small proportion of these applicants are found to be genuine refugees. We will shortly be introducing a new tightly managed process for such cases.
- Specialist case managers will be responsible for ensuring the management of asylum applicants and their cases through the system from when the asylum claim is first made right through to either integration or removal.
- For each processing track, we will have a clear strategy for maintaining contact with the applicant through leave to remain in the UK or removal. This will include whether or not the applicant should be detained and, if not, how we manage their accommodation, when and where they must report to us, and when to use technology such as tagging and voice recognition techniques. We took new powers to use such technology in legislation passed in 2004.
- As part of this we will link support arrangements for asylum seekers more directly to how we manage the processing of the asylum claim. We will use closely managed accommodation where appropriate. If asylum applicants do not attend a Reporting Centre when they are supposed to, we plan to cut off access to support payments accessed via their "ARC" card (a card now issued to all asylum seekers). We are currently testing this in the North West.
- We will continue to work further to improve quality throughout the entire asylum process.

This further modernisation of the asylum system will enable us to:

- Ensure that a higher percentage of asylum seekers whose asylum claims fail are removed from the country quickly.
- Maximise deterrents against unfounded applications.
- Ensure that asylum seekers who are genuine refugees have their claims settled quickly and accurately and are then granted leave to remain in the UK.
- Improve cost effectiveness including reduced support costs.

Annex 3

Creation of a single points based migration scheme

All the current, complicated routes for economic migration will be brought into a single, simple scheme. It will no longer be necessary for an employer to apply for a work permit and the migrant to seek separate leave to remain. The migrant will simply apply for leave to enter or remain under one of the tiers. This will reduce bureaucracy and costs. An independent advisory body will be set up, working with the Skills for Business Network to assess the labour market and identify the shortage occupations for which migrant workers are needed. The system will still be employer-led. It will take into account wider strategies for upskilling the resident labour force, as well as the impact of EU enlargement. The list of shortage occupations, and the simple system that will be derived from the list, will be capable of being administered in a quick and effective way by caseworkers, so that decisions will be made quickly. The system, and the points requirements, will be reviewed regularly to allow for quick responses to changing labour market conditions.

The four tiers will be:

- Tier 1, highly skilled individual
- Tier 2, skilled worker, with a job offer
- Tier 3, temporary low skilled worker schemes
- Tier 4, specialist and temporary workers, trainees and students.

They will operate broadly as follows.

Tier 1: Highly skilled individual/no job offer

- The most highly skilled, including doctors, scientists, engineers, innovators and entrepreneurs will be welcome to come to the United Kingdom whether or not they already have a job. The criteria will be based around qualifications, from graduate level upwards, work experience and current remuneration or income. The criteria will be targeted and transparent, designed to leave as little scope as possible for subjective judgements. There will be an English language requirement – Band 8 on the IELTS scale. The points threshold will be met automatically for MBA graduates of a Treasury list of elite international business schools. Bonus points may be awarded for those with a job offer, and for the salary attached.
- This tier will replace the Highly Skilled Migrant Programme (HSMP), which was introduced in 2001. Some workers who currently come in on work permits (eg. doctors) will also come in under Tier 1. Tier 1 workers will be free to move around the labour market, and will have a route to settlement.

Tier 2: Skilled individual: with a job offer

- Those who have skills equivalent to NVQ 3 (ie. A level equivalent, or above) and a job offer in a shortage occupation, or where an employer cannot find the skills they need within the UK or the EU, will be able to come to the UK to do that job. They may be able to move round the labour market to other approved jobs on the shortage list but will need approval from IND to do so. Shortage occupations, as defined in the light of advice from the new

advisory body, will attract bonus points, which will also be awarded for qualifications, work experience, and the salary of the job on offer.

- The employer will act as sponsor for the migrant worker, and will share responsibility for the migrant worker's compliance with immigration requirements. They will be expected to report to the Home Office if the worker leaves their employment.

Tier 3: Temporary low skill schemes

In the light of EU enlargement it seems unlikely that there will continue to be a case for specific low skill schemes. They will be phased out over time, in consultation with the sectors concerned. If it is agreed that there is a case for any new scheme, it would be on condition that the scheme was:

- Managed under contract by bona fide operator or agent, who would be the sponsor for the migrant workers, and accountable for them staying in the employment specified, and returning home at the end of the period
- Quota-based
- Not open to nationals of countries without satisfactory returns arrangements with the UK
- Time-limited and subject to review.

Tier 3 workers will not be able to be joined by dependants.

Tier 4: Specialist workers, trainees and students

This tier is for categories that raise no labour market issues. The tier will replace some existing permit-free categories, and some existing work permit categories. All entry under this tier will be temporary, with no route to settlement, and will be subject to a mandatory entry clearance. Migrants under this heading will require a sponsor – which could be an employer, an institution, an

educational establishment or a community, as in the case of Ministers of Religion, or another authority. Tier 4 will include:

- Working visitors/visiting workers – skilled or specialist workers whose presence here is incidental to, or consequent upon, their employment overseas: eg. intra-corporate transfer and GATS work permits; many sports and entertainment work permits; and many permit-free categories – newspaper reps, employees of overseas governments, academics, sole representatives, and overseas domestic workers. Some workers who may previously have entered under this kind of category may now qualify under Tiers 1 or 2 and may prefer to adopt that route if they want to make the UK their home.
- Knowledge exchange, students and trainees – specific provision for exchange teachers, gap-year students, voluntary workers and various kinds of training and work-experience should be brought under this heading, including the Training and Work Experience Scheme (TWES) which is currently run as a work permit scheme.
- Youth mobility and cultural exchange – including Commonwealth Working Holiday Maker scheme, BUNAC etc. These schemes should increasingly be available only to those countries who have satisfactory returns arrangements.
- Ministers of religion – this is a route on which there is currently a wider consultation about the requirements to be attached. There should be further discussion about where Ministers should fit into the new scheme.

Annex 4

Key statistics

Table 1
Passenger arrivals to^{1,2} and persons refused entry at port and subsequently removed from UK, 1993-2003

Year	Passenger arrivals (number of journeys)				Persons refused entry at port and subsequently removed ³	
	Total ²	Non-EEA Nationals ^{4,8}	British Citizens ²	Other EEA and Swiss nationals ⁹	Total	Of whom, port asylum seekers ⁵
	(millions)	(millions)	(millions)	(millions)		(units)
1993	57.7	9.86	38.4	9.5	16,740	1,240
1994	63.0	9.2	41.7	12.1	17,220	1,350
1995	68.1	9.6	44.8	13.7	19,150	1,880
1996	72.5	10.3	46.6	15.6	21,200	2,700
1997	78.6	10.9	51.5	16.2	24,540	4,100
1998	84.4	11.5	57.1	15.8	27,605	3,540
1999	86.4	12.0	58.8	15.6	31,295	4,860
2000 ⁷	89.2	13.0	60.9	15.3	38,275	5,440
2001 ⁷	88.1	12.8	61.1	14.2	37,865	4,175
2002	89.3	12.6	62.1	14.6	50,360	3,730
2003	90.7	12.2	63.4	15.1	38,110	2,980

1 International arrivals from outside the Common Travel area (i.e. excluding arrivals from the Irish Republic, Channel Islands and the Isle of Man).

2 Including airside transfer/transit passengers of all nationalities who did not pass through immigration control.

3 Not necessarily in the same year as arrival.

4 Includes people granted leave to enter the UK in the year shown but who may have been temporarily admitted in previous years.

5 Persons who had sought asylum at some point, excluding dependants.

6 8.6 million excluding nationals of Austria, Finland, Norway and Sweden, which became part of the EEA on 1 January 1994 and excluding Norway, part of the EU on 1 January 1995.

7 A change in procedures may have resulted in some under-recording for the fourth quarter of 2000 and the first quarter of 2001.

8 Includes Swiss nationals up to quarter 2 2002.

9 From 1 June 2002 the EEA conferred on Swiss nationals the same rights as those enjoyed by EEA nationals and their family members.

Table 2
Passengers given leave to enter the United Kingdom by purpose of journey, excluding EEA nationals¹, 1993-2003

Year	Total admitted	Visitors	Students	Work permit holders & their dependants	Admitted as a spouse or fiancé(e)	Accepted for settlement on arrival ²	UK ancestry ³	Others given leave to enter ⁴	People returning after a temporary absence abroad
	(000's)	(000's)	(000's)	(000's)	(000's)	(000's)	(000's)	(000's)	(000's)
1993	8,590	6,050	211	44.5	18.8	3.6	4.1	973	1,280
1994	9,180	6,570	249	47.5	18.8	2.6	5.2	986	1,300
1995	9,620	6,800	285	52.1	19.1	2.4	6.6	1,090	1,370
1996	10,300	7,350	298	58.1	21.0	2.1	7.4	1,140	1,470
1997	10,900	7,760	278	63.0	26.4	2.4	8.4	1,250	1,560
1998	11,500	8,040	266	68.4	32.2	2.1	10.2	1,310	1,780
1999	12,000	8,370	272	76.2	30.3	2.5	11.9	1,340	1,910
2000 ⁵	13,000	8,930	312	91.9	33.0	2.3	10.9	1,430	2,200
2001 ⁵	12,800	8,170	339	108.9	29.1	2.9	10.7	1,510	2,620
2002	12,600	7,850	369	120.1	30.3	2.5	10.4	1,480	2,740
2003	12,200	7,550	319	119.1	31.4	2.7	9.2	1,390	2,780

1 Excludes EC nationals up to 1993, and EEA nationals since 1994.

2 Excludes asylum-related cases given indefinite leave to enter; these are included in 'others given leave to enter'.

3 Commonwealth citizens with a United Kingdom born grandparent who are taking or seeking employment are included in the category 'Others given leave to enter'.

4 Includes 'passengers in transit', 'au pairs', 'refugees, exceptional leave cases and their dependants' and 38,800 journeys made in 2003 for which the category of admission is unknown.

5 A change in procedures may have resulted in some under-recording for the fourth quarter of 2000 and the first quarter of 2001.

Table 3
Applications, decisions and other information for those applying for asylum in the United Kingdom, excluding dependants, 1995-2003

	1995	1996	1997	1998	1999	2000	2001	2002	2003
Applications received¹									
of which: Applied at port	43,965	29,640	32,500	46,015	71,160	80,315	71,025	84,130	49,405
Applied in-country	14,410	12,440	16,590	23,345	29,455	25,935	24,865	26,560	13,720
Initial decisions in year	29,555	17,205	15,915	22,670	41,700	54,380	46,160	57,570	35,685
Cases reconsidered (year of outcome) ²	27,005	38,960	36,045	31,570	33,720	109,205	120,950	83,540	64,940
Decisions (year of outcome)³	..	..	..	..	..	1,160	11,260	4,780	3,770
Granted asylum ^{2,3}	27,005	38,960	36,045	31,570	33,720	98,655	125,520	86,460	68,245
Granted exceptional leave to remain, humanitarian protection or discretionary leave ^{2,3,4}	1,295	2,240	3,985	5,345	7,815	10,595	13,495	10,240	4,265
Refused asylum, ELR, HP and DL ^{2,3,4}	4,410	5,055	3,115	3,910	2,465	11,425	21,615	21,020	7,535
<i>Granted asylum %^{3,4}</i>	21,300	31,670	28,945	22,315	11,025	64,975	90,410	55,200	56,445
<i>Granted ELR, HP or DL %^{3,4,5}</i>	(5)	(6)	(11)	(17)	(36)	(12)	(11)	(12)	(6)
<i>Refused asylum, ELR, HP and DL %^{3,4,5}</i>	(16)	(13)	(9)	(12)	(12)	(13)	(17)	(24)	(11)
Granted asylum or exceptional leave under backlog criteria ⁶	(79)	(81)	(80)	(71)	(52)	(75)	(72)	(64)	(83)
Refused under backlog criteria ⁶	..	..	..	..	11,140	10,325	..	..	..
Applications withdrawn³	..	..	..	..	1,275	1,335	..	..	..
Adjudicator Appeals	2,565	2,925	2,065	1,470	730	1,750	2,725	1,530	1,900
Appeals received by the Home Office	14,035	22,985	20,950	14,320	6,615	46,190	74,365	51,695	46,130
Appeals determined by the IAA	7,035	13,790	21,090	25,320	19,460	19,395	43,415	64,405	81,725
Of which appeals allowed	230	515	1,180	2,355	5,280	3,340	8,155	13,875	16,070
appeals allowed %	(3)	(4)	(6)	(9)	(27)	(17)	(19)	(22)	(20)
Total granted asylum, ELR, HP, DL or appeal allowed (year of outcome)⁵	5,935	7,810	8,280	11,610	26,700	35,685	43,265	45,135	27,870

1 May exclude some cases lodged at Local Enforcement Offices between January 1999 and March 2000.

2 Cases reconsidered for which initial decision in 2000, 2001, 2002 or 2003. Outcomes related to date of reconsideration (see Explanatory Note paragraph 20).

3 Includes outcomes of cases reconsidered for which initial decision in 2000, 2001, 2002 or 2003. Outcomes related to date of reconsideration (see Explanatory Note paragraph 20).

4 Cases considered under normal procedures. Data for 2000 may include some cases decided under the backlog criteria.

5 Humanitarian Protection (HP) and Discretionary Leave (DL) replaced exceptional leave to remain (ELR) from 1 April 2003.

6 Cases decided under measures aimed at reducing the pre-1996 asylum application backlog.

Table 4
Grants of settlement in the UK by category of grant, excluding EEA nationals, 1993-2003

Category of grant	1993 ¹	1994 ¹	1995 ¹	1996 ¹	1997 ¹	1998 ¹	1999	2000	2001	2002	2003
Grants in own right or on a discretionary basis (excluding spouses and dependants)											
On completion of four years:											
in employment with a work permit	2,980	3,640	3,390	3,320	2,845	3,155	3,285	4,455	4,335	5,845	9,190
in permit free employment ²	850	780	680	620	705	855	700	1,415	890	980	1,325
as business or self employed, or as persons of independent means	190	220	240	200	265	200	130	260	160	115	230
Commonwealth citizens with a UK-born grandparent, taking or seeking employment	10	480	1,080	1,100	1,110	1,675	2,240	2,580	3,255	4,060	5,275
British Overseas citizens with special vouchers	430	310	280	300	220	170	220	160	140	60	†
Refugees and persons given exceptional leave to remain	3,990	3,290	1,600	4,200	4,830	6,675	22,505	25,355	17,965	18,235	12,580
of which: recognised refugees ³	2,850	2,260	680	1,120	2,405	4,270	22,505	25,355	17,965	10,955	5,265
persons given exceptional leave to remain	1,140	1,030	920	3,080	2,425	2,405				7,280	7,310
Other grants on a discretionary basis	2,360	2,350	2,720	2,840	2,160	3,700	2,580	6,150	4,190	6,730	11,235
Total granted in own right or on a discretionary basis ⁴	10,810	11,080	10,000	12,600	12,145	16,435	31,665	40,380	30,935	36,020	39,880

	50	20	20	20	15	10	15	25	55	45	85
Spouses and dependants											
Husbands: settled on arrival											
settled on removal of time limit:	11,950	12,060	12,660	12,430	11,240	13,620	15,370	15,730	17,780	16,640	19,495
of which: on basis of marriage	11,670	11,670	12,230	11,900	10,700	13,010	14,565	14,460	16,850	15,470	17,285
at same time as wife	280	380	430	530	540	610	805	1,270	930	1,170	2,210
Total husbands	12,000	12,080	12,680	12,450	11,260	13,635	15,385	15,755	17,835	16,685	19,580
Wives: settled on arrival	350	170	140	120	150	125	150	165	240	190	230
settled on removal of time limit:	18,750	17,940	19,800	21,400	20,250	22,165	24,800	30,750	30,745	30,535	37,790
of which: on basis of marriage ⁵	15,940	14,920	17,010	17,570	16,160	18,390	19,945	24,100	26,590	24,930	30,565
at same time as husband	2,810	3,020	2,780	3,830	4,090	3,775	4,855	6,655	4,155	5,605	7,225
Total wives	19,100	18,110	19,940	21,520	20,400	22,290	24,950	30,920	30,985	30,725	38,020
Children: settled on arrival	1,500	1,300	1,330	1,230	1,535	1,430	1,710	1,520	1,730	1,505	1,355
settled on removal of time limit:	7,050	7,980	7,300	9,520	9,985	10,850	17,725	27,485	18,400	19,725	26,065
of which: with parent accepted on basis of marriage	1,770	1,800	1,640	1,620	1,395	1,615	2,005	3,580	3,830	3,420	4,560
Other	5,280	6,180	5,660	7,890	8,590	9,235	15,720	23,900	14,570	16,305	21,505
Total children	8,550	9,280	8,630	10,740	11,520	12,280	19,435	29,005	20,130	21,235	27,420
Parents and grandparents joining children or grandchildren:											
on arrival	290	270	250	280	295	285	265	265	295	215	70
on removal of time limit	2,320	1,840	1,760	1,330	885	1,050	815	2,175	1,465	1,530	3,020
Other and unspecified dependants ⁶	2,030	1,780	1,660	2,230	1,870	3,510	4,380	7,150	6,600	6,940	6,905
Total spouses and dependants	44,290	43,360	44,920	48,550	46,230	53,045	65,225	85,265	77,305	77,335	95,020
Claim to right of abode upheld and other grants	540	580	570	580	350	310	230	295	170	120	130
Category unknown ⁷	..	..	..	..	..	..	..	..	..	2,490	6,510
All grants	55,640	55,010	55,480	61,730	58,725	69,790	97,115	125,945	108,410	115,965	141,490

1 Includes a small number of EEA nationals.

2 Includes ministers of religion, writers and artists. Includes also EC nationals up to 1993, and EEA nationals from 1994 accepted on employment grounds.

3 Includes refugees from South East Asia and their dependants and persons granted settlement under measures aimed at reducing the pre-July backlog as announced in the White Paper in July 1998.

The 1999 figures are provisional and may be underestimates.

4 Includes Commonwealth citizens ordinarily resident on 1 January 1973 and for 5 years.

5 Data from 1997 include unmarried partners.

6 Includes those dependants of port asylum seekers given indefinite leave to enter (since 27 July 1998).

7 See Explanatory Notes paragraphs 34-41.

Table 5
Persons removed from UK and those subject to enforcement action¹, 1993-2003

Type of removal	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Persons refused entry at port and subsequently removed ²	16,740	17,220	19,150	21,200	24,540	27,605	31,295	38,275	37,865	50,360	38,110
of whom: <i>principal asylum applicants</i> ^{3,4}	1,240	1,350	1,880	2,700	4,100	3,540	4,860	5,440	4,175	3,730	2,980
non-asylum cases ⁵	15,500	15,870	17,270	18,510	20,430	24,065	26,435	32,835	33,690	46,630	35,130
Persons removed as a result of enforcement action ^{2,6}	6,080	5,210	5,080	5,460	6,610	7,315	6,440	7,820	10,290	14,205	19,630
of whom: <i>principal asylum applicants</i> ^{3,4}	580	870	1,290	2,130	3,060	3,450	2,755	2,990	4,130	6,115	8,270
non-asylum cases	5,500	4,340	3,790	3,340	3,550	3,865	3,680	4,830	6,160	8,090	11,365
Principal asylum applicants leaving under Assisted Voluntary Return Programmes ⁷	..	..	..	..	..	..	50	550	980	895	1,755
Total persons removed ^{2,4}	22,820	22,430	24,230	26,660	31,140	34,920	37,780	46,645	50,625	68,630	64,390
of whom <i>principal asylum applicants</i> ³	1,820	2,220	3,170	4,820	7,160	6,990	7,665	8,980	9,285	10,740	13,005
<i>dependants of asylum applicants</i> ⁴	..	..	..	..	..	..	..	..	1,495	3,170	4,890
<i>non-asylum cases</i> ⁵	21,000	20,210	21,060	21,840	23,980	27,930	30,120	37,665	39,850	54,720	46,495

1 Under sections 3(6), 3(7) or 33(1) of the Immigration Act 1971, or under section 10 of the Immigration and Asylum Act 1999.

2 Including persons departing 'voluntarily' after enforcement action had been initiated against them.

3 Persons who had sought asylum at some stage, excluding dependants.

4 Data on dependants of asylum applicants removed have only been collected since April 2001.

5 Figures up to March 2001 may include a small number of dependants of port principal asylum applicants removed.

6 Excludes Assisted Voluntary Returns.

7 Persons leaving under Assisted Voluntary Return Programmes run by the International Organisation for Migration. May include some on-entry cases and some cases where enforcement action has been initiated.

8 Illegal entrants detected and persons issued with a notice of intention to deport, recommended for deportation by a court or proceeded against under Section 10.

9 Deportation figures may be under-recorded in 1999 and 2000. 2001 figure may exclude some persons recommended for deportation by a court.



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