

In her response to the rt hon Gentleman's urgent Question on 8 March, my hon Friend the Minister for Citizenship and Immigration described guidance which had been issued in the Sheffield office of IND on the handling of business applications under the European Communities Association Agreements. This guidance had been issued locally without clearance by Ministers or senior officials in an effort to clear a backlog of applications.

My hon Friend announced that she had ordered a full investigation of how the guidance had come to be issued. In a Written Statement on 12 March, she indicated that she had asked the investigating officer also to report on current longstanding and any previous exercises over the last 10 years to deal with backlogs. Such backlogs have, regrettably, been a feature of general after-entry casework which Governments of both parties have had to address. When the investigation has been concluded, she will report again to the House on all these matters.

In the meantime I should remind the House that the first EC Association Agreements were signed in 1994. They anticipated the benefits of enlargement by allowing nationals of acceding countries to establish themselves in business or self-employment in Member States on an equal basis. The numbers of applications under this route in the UK reflect the lack of unnecessary regulatory burdens on business in this country. We welcome entrepreneurs and those who provide valuable services - whether they are cleaning, plumbing, building - who can find a demand for their services in this country.

This Government takes a balanced approach to migration - tackling abuse of the asylum system while welcoming migrants with the skills we need to fill recruitment gaps and boost our economy. We increasingly have a grip of the asylum system. The dramatic reduction in asylum numbers reflects this. Border controls have been significantly strengthened and removals of failed asylum seekers and other illegal immigrants have increased.

Since the beginning of last year, in anticipation of the introduction of charging for applications for leave to remain on 1 August 2003, we have significantly increased the number of staff working on general casework [from 780 in December 2002 to almost 1300 now - need to add something on nationality casework]. New applications are being dealt with in accordance with demanding service standards, and

the backlog of outstanding applications has reduced to the point where special measures are no longer necessary.

(9) TO BE WITHHELD

From:
Sent:
To:

Rogerson Lorraine
18 March 2004 13:33
Jeffrey Bill; Baird Nick; Higson Paula; [REDACTED]; [REDACTED]
[REDACTED]; Cavanagh Matt; Evans Huw (Special Advisor); [REDACTED]
[REDACTED]; Sedgwick Jonathan; [REDACTED]; Sutton Ken (SCS); Tanzer Mark;
Barnett Steve; [REDACTED]; [REDACTED]
McDougall Sue
BACKLOG CLEARANCE: BRIEFING:UPDATE

Subject:

(9)



MAR18.LRB.doc

together

Attached is a slightly updated version of the brief which has already been sent to No10, with a draft of the topline material which was requested at yesterday's meeting between the Home Sec and the PM:



GENERAL LINES FOR
PMOs.doc

The first document now includes some numbers as commissioned by John Gieve's office. The second needs to be reviewed and cleared. I am not currently being pressed by No10 (unusually).

As background, two sets of briefing attached- defensive and positive. Some work is still being done on both. We need to put together also a line-by-line rebuttal to the points in the leaked e mails. I have not kicked this off yet- Paul, as discussed, this may be something you could take on? I have the e mails referred to in hard copy.



Sunday
Times 14Mar1.doc



positive (ND narrative -
Leads...

Also, the narrative on backlog clearance exercises - will need to be supplemented by further work and Ken's investigation.



TOP LINES ON
ACE.doc

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SUBJECT

"IMMIGRATION ROW"

PMO COMMENTS

In addition to an update on last week's claims needs to deal with further "revelations" in yesterday's Sunday Times and followed up in today's Mail

I would like confirmation that this brief has been signed off at official level by a SCS.

BRIEF

Accusation

Lies, dam lies & migrant statistics. True, shocking immigration cover-up laid bare after leaked documents reveal 15000 a year take part in sham marriages (Mail splash). Hughes faces renewed calls to quit in asylum row after claims in leaked email that 1000s more migrants let into UK without proper checks (Express)
Hughes finally admits 25k migrants allowed in following decision to drop background checks.. in written answer quietly slipped out (Saturday's Mail)

Migration Watch call for the reinstatement of recording of foreign arrivals and departures

Facts

Last weekend (7 March) there were allegations about the relaxation of standards at the IND office in relation to EC Association Agreements casework, and estimates of the numbers affected. Beverley Hughes made a statement on Monday 8 March about the circumstances, and announced that she had ordered an investigation. On Friday 12 March in a Written Ministerial Statement she gave further details of the investigation, and some estimates of the numbers of cases which had been received and decided under this route. By far the majority of these were in-country applications.

This weekend (14 March) there were further newspaper reports about the way immigration casework is dealt with and further estimates of people granted leave under different categories as a result of the procedures under question.

On 16 March there were further allegations relating to the handling of nationality casework.

In the WMS on Friday Beverley Hughes had already told the House that the investigation would extend to the wider context of guidance to caseworkers about quicker decision-making to clear backlogs.

The embarkation control was withdrawn at seaports in 1994 and reconfigured at major airports in 1998. Reconfiguration allowed the Immigration Service to concentrate its resources on key delivery areas such as tighter on-entry controls and removal of failed asylum seekers.

Elephant Traps

- Suggestion that thousands of immigrants are being allowed to remain in the country without checks
- Beverley Hughes misled the Commons. This wasn't a one-off unauthorised relaxation of standards in respect of a single category of case. The relaxation had been authorised at a senior level and applied to all kinds of cases
- The numbers keep changing- "7000 backlog" on Monday, "under 40,000 applications" on Wednesday, "26,000" decisions on Friday. Seems to be out of control.
- Estimated number of bogus marriages is 15,000 - but official statistics suggest 1,700[2,700 was published in answer to a PQ]
- Students are being allowed to stay, without proper checks that they or their college are genuine, or that they can support themselves

Lines To Take

Positive story on ECAA

- Migration brings significant benefits, both economic and social. EU Enlargement is welcome. A number of A-8 nationals have been coming here to work legally in recent years- some 11,000 in the high and low-skilled sectors in 2003, and around 10,000 short-term seasonal agricultural workers in 2002. In 2001, around 30,000 A-8 nationals were given leave to be here as students.

- Workers from the A-8 states will fill key labour and skills gaps – boosting productivity and overall economic growth. The UK has one of the most dynamic economies in the world, with record employment levels. As long as they are self-sufficient, they are welcome.
- The rt hon Gentleman seems to forget that the first EC Association Agreements were signed in 1994. They anticipated the benefits of enlargement by allowing nationals of acceding countries to establish themselves in business or self-employment in Member States on an equal basis.
- The relatively large numbers of applications under this route in the UK [compared to some other member states] reflects the lack of unnecessary regulatory burdens on business in this country. We welcome entrepreneurs and those who provide valuable services- whether they are cleaning, plumbing, building - who can find a demand for their services in this country.
- We remain absolutely committed to maintaining the integrity of the applications process, which is why we immediately set up an investigation. But it is also important to remember that the vast majority of those affected by the local guidance issued in Sheffield were already lawfully resident in the UK and were simply applying for an extension.

Positive story on the economy

- This Migration and low regulatory burdens are is one of among the reasons why our economy is thriving :
- The UK labour market has upwards of 550,000 vacancies[571,900 in January 2004]
- UK employment at record highs - up by 1.7 m since spring 1997
- UK ILO unemployment down by 0.6m since spring 1997
- Long-term unemployment down by more than three-quarters since April 1997
- Lowest ILO unemployment rate in the G7 one of the lowest ILO unemployment rates in the EU: almost half that of France and Germany [4.9% compared with 9.3% in Germany and 9.5% in France]
- Around 15% of UK trend economic growth depends on migration
- Migrants make up just 8% of the population but generate 10% of our total wealth

- Migrants are substantial net contributors to the Exchequer - studies show that they paid £2.5bn more in taxes in 1999/00 than they consumed in benefits and services

Positive story on asylum

- The Opposition prefer to ignore the fact that we now have an increasing grip of the asylum system. The dramatic reduction in asylum numbers reflects this.
- border controls have been significantly strengthened;
- removals of failed asylum seekers and other illegal immigrants has increased
- Continuing proud tradition of helping genuine refugees with new UNHCR resettlement scheme and working internationally to help more refugees closer to regions of origin.

Guidance to caseworkers on backlog clearance

- The Home Office is investigating the guidance to staff on managing backlogs in immigration casework and my rt hon friend will make a full report to the House when the outcome of the investigation is known.
- Long backlogs are unacceptable. Delays are unfair to genuine applicants, and allow others to simply stay in the country while the application waits for consideration. Successive administrations dating back to the 1980s have grappled with backlogs and have had to take measures to deal with them.
- A balance has always to be struck between holding up the straightforward and genuine cases and properly pursuing those which are suspicious and bogus. This is not a new challenge, previous administrations have also faced it.
- The introduction of charging for leave to remain and work-permits allows us to properly resource this area of the business and is a key step in becoming modern, competitive and effective.

There should be checks when people leave the country

- I am surprised that the rt.hon Gentleman does not recall the reasons why the Immigration Service stopped doing embarkation checks in 1994. It is estimated that the cost of reintroducing embarkation controls and establishing new ones at ports within the Common Travel Area would be in excess of £26 million per year. We do not consider this a cheap option, especially where there is no evidence that this requirement would contribute greatly to the overall effectiveness of the control, but would be likely to cause significant passenger congestion at ports.

- We are keeping the option for embarkation controls under review whilst exploring the extent to which new technology could provide us with more efficient ways of checking those leaving the country.

Key Quotes

- A report from the Ernst and Young Item Club on 3 March said "an influx of workers in the UK from the 10 Eastern European countries set to join the EU is necessary to alleviate the nation's growing labour shortages" and "that modest increases of 70,000 migrants would boost GDP by £10 bn in a decade." It said the UK needed Eastern European migrants to fill unpopular jobs. It added that people from countries including Hungary and the Czech republic are well-educated by international standards.
- Lukas, a Polish carpenter, came to the UK from Poland six years ago and now lives in East London with his wife and young son. He used to work on the black market but, tired of poor pay and of looking over his shoulder the whole time, he decided to enter the mainstream building trade and regularised his stay. He said "it was quite difficult.. I had to prove I was self-employed by showing receipts, bank-statements and invoices." He doesn't believe that people like him should claim benefits- "I think it's enough if someone's willing to pay taxes and can get work here- he doesn't need to apply for any benefits does he?" [BBC website]
- According to the Boarding Schools Association's website, overseas boarders bring into the UK foreign earnings of £243,041,100 (ISC census 2003) in fees alone.