



Home Office

# Family migration: evidence and analysis

2nd edition

July 2011

Occasional Paper 94

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## Aim

The aim of this research paper is to provide additional evidence on the scale and nature of family migration to the UK. It has been produced to accompany the government's Family Migration<sup>1</sup> consultation.

This report brings together previously published statistics, new information from the UK Border Agency, and some additional data and analysis on specific questions relating to family migration. The document is set out as follows.

- Contextual material providing definitions of family migration and key statistics.
- UK Border Agency management information on family migration and additional analysis on 'switching' into the family route.
- Analysis of Labour Force Survey data on migrant spouses and sponsors.
- Analysis of visa application forms to provide further information on the characteristics of family visa applicants and their sponsors.
- Management information and visa application analysis on possible sham marriages.
- UK Border Agency information on English language requirements, and Department for Work and Pensions' information on translation and interpretation costs.
- Management information and analysis on family visit visas.
- Information on reasons for visa refusal.

## 1. Context: family migration to the UK

The 'family route' is the main route for family migration to the UK and the primary focus of the Family consultation. It comprises those non-EEA nationals entering, remaining in or settling in the UK on the basis of a relationship with a British citizen or a person settled in the UK. This includes fiancé(e)s, proposed civil partners, spouses, civil partners, or unmarried or same-sex partners, dependent children and adult and elderly dependent relatives.

People can either apply for a visa to enter the UK on the family route, or they can 'switch' into the family route after having entered the UK on another basis, for example to work or study. An analysis of migrants switching from different migration categories into the family route is provided later in this report.

Family route migrants can settle in the UK if they fulfil the appropriate requirements, and some are granted immediate settlement on arrival (indefinite leave to enter).

There are other forms of family migration, which can be divided into two groups:

- Those with a route to settlement
- Those without a route to settlement.

Those family migrants with a route to settlement include:

- Dependants of people granted asylum or humanitarian protection.<sup>2</sup>

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<sup>1</sup> See 'Family Migration: A Consultation' at <http://www.ukba.homeoffice.gov.uk/policyandlaw/consultations/>

- Dependants of investors and entrepreneurs and people who have come to the UK to work in skilled occupations (Tiers 1 and 2 of the points-based system (PBS) and their pre-PBS equivalents).
- Dependants of other migrants who are not British citizens or settled persons, but who have a route to settlement, for example those with UK ancestry who have come to the UK to work.<sup>3</sup>

Some of the analyses in this paper groups these categories together under the broader heading of 'family migration' and this is specified at the appropriate points in this paper.

Dependants entering the UK on a temporary basis, without a route to settlement include:

- Dependants of migrants who have come to the UK to work on a temporary basis (Tier 5 and pre-PBS equivalents; overseas domestic workers; and some other permit free employment).
- Dependants of people who have come to the UK to study for extended periods (Tier 4 and pre-PBS equivalents).

An additional stream of family migration is that of third country (non-EEA) nationals (TCNs) who are family members of EEA nationals exercising Treaty rights in the UK.<sup>4</sup> This group can apply for documentation to prove their status and facilitate entry to the UK or confirm their right to reside here. However, having this documentation (EEA family permits out of country, and EEA residence and permanent residence permits in country) is not compulsory, and so data only exists for those who apply rather than for all TCN family members of EEA nationals. This needs to be taken into account when looking at the management information on EEA family permits, reported in this paper.

People may also come to the UK to visit family members living here and leave is granted for a period of no more than six months in these cases (family visitors). Family visit visas are also discussed later in this paper.

An annex to this report provides a note on statistical sources and tables bringing together key migration statistics and selected management information on:

- Family migration within the context of long-term international migration;
- Visas issued on different family migration routes;
- Extensions of leave to remain in the UK for family migrants; and
- Grants of settlement for family migrants.

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<sup>2</sup> This category is known as 'refugee family reunion' and is recorded as 'Family route: Other' in the published statistics. People entering the UK on the refugee family reunion route are not subject to the same requirements as other family route migrants.

<sup>3</sup> See section 2 (management information) for more information on the 'dependants joining / accompanying' category.

<sup>4</sup> This route arises from the EU Freedom of Movement Directive (2006). This enables third-country (non-EEA) nationals (TCNs) who are family members of EEA nationals to exercise EEA-treaty rights to travel freely and reside within the EEA area, seek work and access benefits in line with nationals of the countries they are residing in. TCN family members of EEA nationals are not subject to immigration control, but may apply for a family permit to facilitate entry to the UK. The UK Border Agency does not hold records of those who do not apply for such a permit.

## 2. Management information on family and marriage migration

This section reports on previously unpublished management information on family migration. Like the management information presented elsewhere in this report, it is derived from live UK Border Agency administrative systems and means that the final statistics may be liable to change. Data presented are rounded to the nearest five, except where data were provided rounded to a higher level.

### 2.1 Family route

This section discusses migrants entering on ‘the family route.’

Table 1 shows the number of family visa applications in each category on the family route in 2010 and the proportion of those granted. For those coming to the UK as a spouse or civil partner, applications are more likely to be granted to those applying for immediate settlement on entry. This may reflect the fact that spouses and civil partners are only eligible for this visa if they have been married or in a civil partnership for at least four years, and therefore find it easier to demonstrate they meet the other criteria for a spouse or partner visa. This is not true for other family route applicants – children and others are more likely to be granted a visa leading to settlement (with a probationary period of two years). In line with the definition of the family route in the consultation document, the total for the ‘family route’ in Table 1 excludes refugee family reunion applications and grants. Numbers for refugee family reunion are shown within the ‘other’ category. Further tables (Tables 2 and 3) provide the age of applicants granted visas and the ten most prominent nationalities.

**Table 1: Volume of applications and outcomes, 2010**

	Number of applications	Number of decisions <sup>3</sup>	Number of grants	Number of refusals	Number of other outcomes	Grant rate
Child (probationary period)	115	120	105	10	0	91%
Child (indefinite leave to enter) <sup>1</sup>	8,485	9,810	5,595	4,165	55	57%
Partner (probationary period)	48,945	48,945	38,440	10,260	245	79%
Partner (indefinite leave to enter)	1,735	2,245	2,055	175	15	91%
Other adult and elderly dependants (indefinite leave to enter)	3,390	4,120	2,665	1,440	15	65%
<b>Total – Family Route</b>	<b>62,670</b>	<b>65,240</b>	<b>48,855</b>	<b>16,055</b>	<b>335</b>	<b>75%</b>
Other (refugee family reunion)	6,155	7,055	4,885	2,105	65	69%
Child (Join / Acc) <sup>2</sup>	13,705	13,505	10,215	3,260	30	76%
<b>Total including Other and Child (Join / Acc)</b>	<b>82,530</b>	<b>85,800</b>	<b>63,955</b>	<b>21,420</b>	<b>425</b>	<b>75%</b>

Figures other than percentages are rounded to the nearest 5 and may not sum to the totals shown because of independent rounding. Grant rate is based on unrounded data.

<sup>1</sup> Immediate settlement on arrival.

<sup>2</sup> Visa endorsements for non-PBS and pre-PBS entry clearance visas have been re-aligned, in particular within the employment and family categories. A new category of ‘dependant joining / accompanying’ has been created to capture dependants of migrants outside the work route. In 2010, this category included 10,215 children. Some of these children would be joining / accompanying a family route migrant but it is not possible to separate these out from the total figure.

<sup>3</sup> Decisions and their outcomes may relate to some applications made in earlier years as well as the current year.

**Table 2: Summary of age distribution for family route visas granted, 2010**

Age (at application)	Partner (probationary period)	Partner (indefinite leave to enter)	Child (probationary period)	Child (indefinite leave to enter)	Other adult and elderly dependants (indefinite leave to enter)
0-15	0%	0%	99%	72%	8%
16	0%	0%	0%	9%	2%
17	0%	0%	1%	12%	1%
18	0%	0%	0%	3%	0%
19-20 <sup>1</sup>	1%	0%	0%	2%	0%
21-64 <sup>1</sup>	99%	87%	0%	2%	37%
65-70	0%	8%	0%	0%	31%
71+	0%	4%	0%	0%	19%
<b>Total (all ages)</b>	100%	100%	100%	100%	100%

<sup>1</sup> There are a small number of 'child' dependants included in these age groups because the 'child' visa category will include those over 18 who are still dependent on a parent or carer. Table excludes 'other' (refugee family reunion) and children accompanying / joining. Percentages rounded independently and totals may not add up to 100 per cent due to rounding.

**Table 3: Ten largest volume nationalities for family route visas granted and the total, 2010**

Nationality	Number of family route visas granted <sup>1</sup>	Proportion of total family route visas
Pakistan	6,620	14%
Nepal	4,745	10%
India	4,670	10%
United States	2,625	5%
Philippines	1,945	4%
Thailand	1,800	4%
Bangladesh	1,700	3%
Nigeria	1,485	3%
China	1,370	3%
Turkey	1,360	3%
<b>Total for the ten largest nationalities</b>	<b>28,330</b>	<b>58%</b>

<sup>1</sup>This table excludes visas granted for refugee family reunion and children accompanying / joining, in line with the definition of the 'family route' in the family migration consultation. If refugee family reunion visas were included, the top 10 nationalities would include Somalia and Zimbabwe. UK Border Agency management information suggests that, in 2010, 65% of family visas issued to Somalis (1,330 out of 2,030) were for refugee reunion; for Zimbabweans, it was 72% (1,280 out of 1,790). Figures other than percentages are rounded to the nearest 5 and may not sum to the totals shown because of independent rounding. Percentages rounded independently and totals may not add up to the total shown due to rounding.

## 2.2 Marriage and partnership only

Marriage and partnership visas dominate the family route, with 83 per cent<sup>5</sup> of the visa grants being for marriage, civil partnership, other partnership, fiancé(e)s or proposed civil partners.

<sup>5</sup> This percentage is based on the total visas granted on the family route, excluding the 10, 215 children in the 'joining / accompanying' category and other (refugee family reunion).

Table 4 gives the male/female split for those in the 'partner' and 'partner settlement' categories (as in Table 1). This shows that over two-thirds (68%) of applicants coming to the UK as a spouse are female; 32 per cent are male. This split by sex is the same for both applications and grants.

**Table 4: Partner applications by sex, 2010**

Proportion of family visa applications female	68%
Proportion of family visa applications male	32%

Table 5 provides a nationality breakdown for visa grants for marriage and partnership visas. Again it shows the top ten nationalities and the total number of visa grants.

**Table 5: Nationality breakdown for visa grants for marriage and partnership only**

Nationality	Issued	Proportion of all applications
Pakistan	6,460	16%
India	3,940	10%
United States	2,490	6%
Nepal	2,050	5%
Bangladesh	1,670	4%
Thailand	1,605	4%
Philippines	1,385	3%
Turkey	1,260	3%
Nigeria	1,150	3%
South Africa	1,105	3%
<b>Total</b>	<b>23,110</b>	<b>57%</b>
<b>Other countries</b>	<b>17,385</b>	<b>43%</b>
<b>Overall number</b>	<b>40,495</b>	<b>100%</b>

Figures other than percentages are rounded to the nearest 5 and may not sum to the totals shown because of independent rounding. Percentages may not sum to the totals shown due to independent rounding.

### 2.3 Entering the family route through 'in-country' switching

In 2010, just under 48,900 migrants (excluding refugee family reunion) were granted a visa to come to the UK on the basis of a relationship with a British citizen or a person settled in the UK. This includes fiancé(e)s, proposed civil partners, spouses, civil, unmarried or same-sex partners, dependent children, and adult and elderly dependent relatives.

A further 22,090 grants of leave to remain were issued in-country on the family route. Some of these grants would have been extensions for people previously granted family route visas, rather than new additions to this group. In order to understand how many people are in the family route, it is important to be able to differentiate the extensions for existing family visas from the numbers switching into the family route from other routes for the first time, as well as looking at those who apply for a visa and enter the family route from abroad.

Therefore, in order to obtain a complete picture of the family route, we undertook an analysis to identify those migrants who switched from other routes along with those who had no

previously recorded immigration status.<sup>6</sup> The data used for this analysis was based upon the same dataset used in the report 'The Migrant Journey' (Achato *et al.*, 2010<sup>7</sup>).

**Table 6: Migrants entering family route in 2010 by switching 'in country'**

	<b>All</b>	<b>Marriage</b>	<b>Child</b>	<b>Other</b>
<b>In-country migrants entering family route</b>	<b>16,800</b>	11,600	4,300	900
<b>Of which the <i>previous</i> route was:</b>				
<b>Study</b>	<b>6,900</b>	5,800	1,000	100
<b>Work</b>	<b>5,000</b>	4,400	500	100
<b>Visit</b>	<b>600</b>	400	200	0
<b>Not recorded</b>	<b>4,300</b>	1,000	2,600	700

Rounded to the nearest 100.

Most migrants entering the family route in-country had previously been in the UK for the purposes of study or work. The 'visit' route includes migrants who entered the UK with a general visit or family visit visa and who then switched into the family route.

There are some migrants who entered many years ago and then obtained leave to remain on the 'family' route, for example through marriage.

At first sight, the 'not recorded' group appears large, amounting to 4,300 cases. However, the category refers to migrants that do not have a previous immigration history recorded on the 'in-country' system and 60 per cent are migrants who are children (less than 18 years of age), with one in eight of these children born in the UK to temporary migrants. Of the remaining 40 per cent of this group, 1,000 were marriage cases. Around 400 cases of these 4,300 cases were flagged on the system as potential overstayers or illegal entrants.

### **3. Earnings and employment of spouses, civil and other partners and dependants**

Data from the Labour Force Survey were used to provide estimates for the likely earnings and employment of spouses, civil and other partners and dependants coming to the UK. In order to ensure statistically robust samples the analysis used data for all four quarters of 2010.

The analysis covered all economically active migrants. Table 7 gives the employment rates for the largest nationalities by volume entering the UK as spouses, civil and other partners and dependants.

The employment rate for all male migrant spouses, civil and other partners and dependants is 66 per cent, compared to 64 per cent for all UK males. For those who arrived as a spouse, civil or other partner or dependant and have become a UK citizen, the employment rate is 68 per cent. The male employment rate for spouses, civil and other partners and dependants from less developed countries is generally higher than the UK average. In contrast, the

<sup>6</sup> There are various reasons why a migrant might not have a visa, including children of temporary migrants born in the UK and migrants whose entry predated the administrative systems.

<sup>7</sup> See <http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/immigration-asylum-research/horr43/>

employment rate for male Americans who came to the UK as a spouse or civil or other partner is lower than the UK average (but very similar to female American spouses).

For female migrants who were spouses, civil and other partners and dependants, the overall employment rate is 44 per cent, considerably lower than the UK average for female employment (53%). Employment rates for Bangladeshi and Pakistani migrant spouses are especially low. Across other nationalities, the picture is more mixed. The employment rate for those who have become a UK citizen is slightly higher than the overall spouse and civil and other partner rate, at 47 per cent. As noted in the previous section, around two-thirds of spouses or civil or other partners coming to the UK are female.

**Table 7: Employment rates for the largest migrant family route nationalities**

<b>Economic activity (all years of arrival)</b>	<b>Male</b>	<b>Female</b>
<b>Nationality</b>	Proportion of age 16+ population that are employed	Proportion of age 16+ population that are employed
Pakistan	73%	8%
India	74%	43%
United States	54%	55%
Bangladesh	79%	20%
Thailand	*	49%
Nigeria	74%	60%
South Africa	77%	57%
United Kingdom <sup>1</sup>	68%	47%
<b>Whole UK population</b>	<b>64%</b>	<b>53%</b>
All migrants	68%	52%
All migrant spouses	66%	44%

\* - sample size is not sufficient for publication.

<sup>1</sup> This refers only to migrants who came to the UK as a spouse or dependant but have since become a UK citizen.

The pre-tax median wage of all males who have come to the UK as a spouse, civil or other partner or dependant was £21,300. This compares to £24,000 for all males employed in the UK. This includes both full-time and part-time workers.

Female migrant spouses, civil and other partners and dependants have a median wage of £15,000, the same as the UK female median wage. One possible reason for female wages being lower is that women will tend to work part time more than men do. As with the men, those women coming from developed countries tend to have higher wages, but the gap is much smaller than for men.



**Table 8: Median earnings of those who have come to the UK as a spouse, or civil or other partner**

Nationality	Men	Women
	Median wage	Median wage
Pakistan	£13,600	*
India	£13,700	£14,300
United States	£28,000	£18,300
Bangladesh	£10,400	*
Thailand	*	£7,000
Nigeria	£14,900	£13,800
South Africa	*	£15,000
United Kingdom <sup>1</sup>	£24,900	£16,800
<b>Whole UK population</b>	<b>£24,000</b>	<b>£15,000</b>
All migrants	£20,800	£15,600
All spouse and civil and other partner migrants	£21,300	£15,000

\* - sample size is not sufficient for publication

<sup>1</sup> This refers to migrants who came to the UK as a spouse or dependant but have since become a UK citizen.

In the absence of employment and wage estimates for sponsors, in order to try to estimate the numbers of sponsors who may be affected by proposed changes to the maintenance and accommodation threshold, it has been necessary to use the employment rates and median earnings for the different ethnic groups in the UK population, as the best available proxy measure for certain nationalities. Table 9 highlights (in bold) those ethnicities whose expected earnings fell below the UK average for both males and females, and thus which ethnicities may be affected by an enhanced maintenance and accommodation threshold.

**Table 9: Employment rates and median wages – UK population by ethnicity and sex**

	Whole UK population					
	Male			Female		
	Emp rate	Median wage	Expected earnings	Emp rate	Median wage	Expected earnings
	(A)	(B)	(A*B)	(A)	(B)	(A*B)
<b>UK population</b>	<b>64%</b>	<b>24,000</b>	<b>15,300</b>	<b>53%</b>	<b>15,000</b>	<b>7,900</b>
British	63%	24,000	15,200	53%	14,600	7,800
Other White	71%	22,000	15,600	58%	15,600	9,000
White & Black Caribbean	57%	28,000	15,900	54%	18,000	9,600
White & Black African	65%	24,000	15,600	58%	15,600	9,100
White & Asian	67%	26,400	17,700	58%	19,200	11,100
Other Mixed	70%	22,000	15,400	59%	17,500	10,400
Indian	72%	23,400	16,700	56%	18,000	10,200
Pakistani	63%	15,500	<b>9,800</b>	27%	9,700	<b>2,600</b>
Bangladeshi	62%	8,400	<b>5,200</b>	28%	10,700	<b>3,000</b>
Other Asian	67%	18,000	<b>12,100</b>	51%	13,200	<b>6,700</b>
Black Caribbean	59%	20,800	<b>12,200</b>	56%	19,200	10,800
Black African	63%	19,500	<b>12,300</b>	50%	15,600	7,900
Other Black	62%	19,800	<b>12,300</b>	48%	16,900	8,100
Chinese	57%	20,000	<b>11,400</b>	53%	19,000	10,100

Rounded to the nearest 100

## 4. Characteristics of family visa applicants and their sponsors

To provide further information on the characteristics of family visa applicants and their sponsors an analysis of a sample of visa application forms was undertaken for granted applications from nationals of nine of the ten highest-volume countries applying to come to the UK via the family route in 2009.<sup>8</sup>

This analysis of case file information was used to supplement data gathered from the in-country applications database (for extensions and changes in status). Additional data were also drawn from the out-of-country (visa application) database, and the analysis of migrants' paths through the immigration system reported in 'The Migrant Journey' (Achato *et al.*, 2010). Where relevant, these additional sources are referenced in the discussion that follows.

The application form sample comprised 531 cases.<sup>9</sup> Separate samples were drawn for each nationality, representing between 2.5 per cent and five per cent of the total marriage and civil partnership visas issued in each case. The sample was filtered to exclude fiancé(e) and immediate settlement on arrival endorsements (11% and 3% respectively in 2009), and so includes only husbands, wives and civil partners who entered the UK with a two-year probationary period of leave. Three cases (1%) were for same-sex partnerships. It should be noted that the achieved sample sizes for individual applicant nationalities were small, and therefore the findings contained in this report should be treated as indicative only.

**Table 10: Nationalities included in the analysis, sample size and total number of marriage and civil and other partnership probation visas issued in 2009**

	Total number of marriage probation visas issued in 2009	Percentage of all marriage probation visa grants, 2009	Number of cases analysed in our Visa file sample
Pakistan <sup>1</sup>	6,035	18%	200
India	3,425	10%	82
Bangladesh	2,105	6%	52
USA	1,415	4%	35
Nigeria	1,125	3%	34
South Africa	690	2%	33
Thailand	1,330	4%	40
China	710	2%	24
Afghanistan <sup>1</sup>	1,040	3%	31
<b>All nationalities sampled</b>	17,870	52%	531
<b>Total – all nationalities<sup>10</sup></b>	34,115	100%	N/A

Figures for the total number of marriage probation visas issued are rounded to the nearest 5 and may not sum to the totals shown because of independent rounding.

<sup>1</sup> Due to data availability, Pakistan and Afghanistan samples were drawn from 2010 data, but the sampling strategy is based on 2009 data. The Pakistan sample was drawn from provisional management information higher numbers than the published figures.

<sup>8</sup> The countries sampled were: Pakistan, India, Bangladesh, USA, Nigeria, South Africa, Thailand, China, Afghanistan (Table 10). The exception was Turkey, which was the fifth largest nationality.

<sup>9</sup> This sample is a subset of a wider study of migrants granted spouse/civil partner (with two-year probation) visas. Additional findings from the same dataset are due to be reported in a forthcoming 'Migrant Journey' (Achato *et al.*, 2011) publication.

<sup>10</sup> Total for all nationalities is taken from Table 1.1 Control of Immigration: Quarterly Statistical Main Tables (Q4 2010): <http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/immigration-asylum-research/control-immigration-q4-2010/control-immigration-q4-2010-t?view=Binary>

## 4.1 Applicant characteristics

Based on management information for 2009, two-thirds of applicants (67%) were female. However, the proportion of female applicants varied by nationality as Table 11 shows.

**Table 11: Applicant sex, by nationality, 2009**

	Female		Male		Total (n)
	Number	Percentage	Number	Percentage	
<b>Pakistan</b>	3,530	58%	2,505	42%	6,035
<b>India</b>	2,255	66%	1,170	34%	3,425
<b>Bangladesh</b>	1,275	61%	830	39%	2,105
<b>USA</b>	1,070	76%	345	24%	1,415
<b>Nigeria</b>	545	49%	580	51%	1,125
<b>South Africa</b>	385	56%	305	44%	690
<b>Thailand</b>	1,310	98%	20	2%	1,330
<b>China</b>	650	92%	60	8%	710
<b>Afghanistan</b>	965	93%	75	7%	1,040
<b>Total</b>	11,985	67%	5,885	33%	17,870

Totals may not add up to 100 per cent due to rounding. Sampled cases for Pakistan and Afghanistan were drawn from 2010 cases, but sampling strategy was based on 2009 cases as above.

Notably, amongst Nigerian nationals there was a near equal split of male and female applicants. A particularly high proportion of Afghan and Thai applicants were female.

Most of the applicants in our case file sample had not been to the UK before, although there was again a great amount of variation by nationality, perhaps reflecting the relative wealth amongst the communities and families from which those applicants came (Table 12).

**Table 12: Number of applicants who had previously travelled to the UK, by nationality**

	No (n)	Percentage	Yes (n)	Percentage	Total (n) <sup>11</sup>
<b>Pakistani</b>	172	86%	26	13%	200
<b>Indian</b>	63	77%	19	23%	82
<b>Bangladeshi</b>	40	77%	12	23%	52
<b>American</b>	3	9%	32	91%	35
<b>Nigerian</b>	18	53%	14	41%	34
<b>South African</b>	3	9%	30	91%	33
<b>Thai</b>	15	38%	25	63%	40
<b>Chinese</b>	10	42%	14	58%	24
<b>Afghan</b>	31	100%	0	0%	31
<b>Total</b>	355	67%	172	32%	531

Totals may not add up to 100 per cent due to rounding and 'not known' responses.

All Afghan applicants in our sample and the vast majority of Pakistani, Bangladeshi, and Indian applicants had not previously travelled to the UK. In contrast, most applicants from the USA and South Africa had travelled to the UK previously.

<sup>11</sup> There were four cases where this information was not available.

## 4.2 Age of applicant spouses and civil partners

UK Border Agency management information was analysed to establish the age profile of marriage visa applicants in 2009 and 2010. These two years were chosen in order to be relatively unaffected by the change in policy at the end of 2008, which saw the minimum age for marriage and civil partnership visas increased from 18 to 21.<sup>12</sup> The analysis suggests that applicants from Pakistan, Bangladesh and Afghanistan tend to be younger than the applicants from the other high-volume nationalities which were included in the case file analysis (Table 13).

**Table 13: Marriage and civil partnership visa grants by applicant age, by nationality 2009 and 2010<sup>13</sup>**

	Age band (percentage)						Applicants (n)
	18-20	21-23	24-27	28-30	31-40	Over 40	
<b>Pakistan</b>	4%	30%	32%	14%	16%	4%	14,460
<b>India</b>	1%	19%	32%	18%	22%	8%	8,920
<b>Bangladesh</b>	6%	37%	23%	13%	16%	5%	3,860
<b>USA</b>	2%	9%	19%	14%	31%	25%	7,690
<b>Nigeria</b>	0%	3%	15%	18%	44%	20%	2,585
<b>South Africa</b>	0%	6%	20%	15%	28%	31%	3,035
<b>Thailand</b>	0%	6%	18%	18%	44%	14%	3,450
<b>China</b>	0%	4%	18%	15%	37%	25%	2,240
<b>Afghanistan</b>	3%	35%	28%	10%	20%	4%	1,975
<b>Total</b>	2%	19%	26%	15%	25%	12%	48,220

Figures for the total number of marriage visa applicants are rounded to the nearest 5 and may not sum to the totals shown because of independent rounding. Totals may not add up to 100 per cent due to rounding.

Data for 2007 and 2008, that is prior to the policy change in relation to the minimum age for a marriage visa (Table 14), show the same pattern in that applicants from Pakistan, Bangladesh and Afghanistan were generally younger than applicants from the other high volume nationalities, and it was primarily these nationalities that were affected by the change in policy. The current minimum age requirement of 21 for marriage visa applicants and sponsors was introduced in November 2008, and was intended to protect young people from being forced into marriage. Prior to this date the minimum age for marriage was 18. The only exceptions are when either the sponsor or applicant is a serving member of the Armed Forces.

<sup>12</sup> The grants for 18- to 20-year-olds in 2009/10 will relate to applications made before the rule change.

<sup>13</sup> Source: Visa applications operational database.

**Table 14: Marriage and civil partnership visa grants by applicant age, by nationality 2007 and 2008**

	Age band (percentage)						Applicants (n)
	18-20	21-23	24- 27	28-30	31-40	Over 40	
<b>Pakistan</b>	18%	25%	29%	12%	13%	4%	20,715
<b>India</b>	4%	12%	33%	21%	24%	6%	23,055
<b>Bangladesh</b>	23%	22%	23%	13%	15%	4%	5,560
<b>USA</b>	2%	9%	19%	14%	30%	25%	8,035
<b>Nigeria</b>	1%	3%	17%	19%	43%	17%	5,485
<b>South Africa</b>	0%	8%	23%	14%	28%	27%	4,540
<b>Thailand</b>	2%	8%	20%	19%	40%	10%	4,580
<b>China</b>	0%	5%	23%	15%	36%	20%	2,700
<b>Afghanistan</b>	16%	26%	25%	10%	19%	3%	2,780
<b>Total</b>	9%	15%	27%	16%	24%	10%	77,450

Figures other than percentages are rounded to the nearest 5 and may not sum to the totals shown because of independent rounding. Totals may not add up to 100 per cent due to rounding.

### 4.3 Age at time of marriage or civil partnership

In our sample of visa files, the average age of applicants at the time of marriage (27 years) was lower than for sponsors (31 years), and some variation by nationality was evident. As in the administrative data, our case file sample suggested that the Pakistani, Bangladeshi and Afghan applicants and sponsors were younger on average than those of other nationalities (see Table 15).

**Table 15: Applicant and sponsors' ages at marriage or civil partnership by sex, by applicant nationality**

	Applicants' average (mean) age at marriage	Sponsors' average (mean) age at marriage	Difference between sponsors and applicants' average ages	Total number of applicants
<b>Pakistan</b>	24	27	3	188
<b>India</b>	26	30	4	71
<b>Bangladesh</b>	24	28	4	47
<b>USA</b>	32	32	0	30
<b>Nigeria</b>	33	39	6	32
<b>South Africa</b>	32	37	5	29
<b>Thailand</b>	30	41	11	34
<b>China</b>	32	38	6	22
<b>Afghanistan</b>	22	29	7	27
<b>Total</b>	27	31	4	480

### 4.4 Location of marriage or civil partnership

From the visa file sample, more than four out of five applicants (83%) married in their home country with only a small number of applicants marrying in the UK (6%).

**Table 16: Location of marriage or civil partnership, by applicant nationality**

	Married in home country <sup>14</sup>		Married in the UK		Total number of applicants <sup>15</sup>
	Number	Percentage	Number	Percentage	
<b>Pakistan</b>	192	96%	4	2%	200
<b>India</b>	68	83%	3	4%	82
<b>Bangladesh</b>	46	88%	2	4%	52
<b>USA</b>	22	63%	6	17%	35
<b>Nigeria</b>	26	76%	6	18%	34
<b>South Africa</b>	18	55%	5	15%	33
<b>Thailand</b>	32	80%	2	5%	40
<b>China</b>	18	75%	3	13%	24
<b>Afghanistan</b>	20	65%	0	0%	31
<b>Total</b>	442	83%	31	6%	531

#### 4.5 Applicant employment status and intention to work

Only 28 per cent of the applicants in our case file sample reported being in paid employment at the point of their application and 53 per cent reported being unemployed. Fourteen per cent of applicants reported that they were homemakers and three per cent said they were students.

Sixty-seven per cent of the applicants in our sample reported that they intend to work whilst in the UK. The applicants from South Africa were most likely to say that they intended to work, whereas applicants from Afghanistan were least likely, in part possibly reflecting their employment status in their home country at the time of application.

**Table 17: Number of applicants intending to work in the UK, by applicant nationality**

	Number of applicants intending to work whilst in the UK		Total number of applicants in sample
	Number	Percentage	
<b>Pakistan</b>	124	62%	200
<b>India</b>	66	81%	82
<b>Bangladesh</b>	37	71%	52
<b>USA</b>	30	86%	35
<b>Nigeria</b>	27	79%	34
<b>South Africa</b>	33	100%	33
<b>Thailand</b>	17	43%	40
<b>China</b>	16	67%	24
<b>Afghanistan</b>	8	26%	31
<b>Total</b>	358	67%	531

Given the low numbers of applicants in employment at the point of application, it was not possible to conduct any meaningful analysis of applicants' occupations or their monthly earnings.

<sup>14</sup> 'Home country' refers to the country of the applicant's nationality.

<sup>15</sup> Row totals will not equal the total number of applicants as the table does not include numbers of applicants who married elsewhere, were not married or where the location of marriage was not known.

## 4.6 Sponsor employment status and earnings

The vast majority of sponsors of all applicant nationalities (94%) in the case file sample were in paid employment at the time of the application.

The figures on median monthly earnings in the tables are based on post-tax earnings, so gross earnings will be higher, except for those on the lowest incomes.<sup>16</sup>

**Table 18: Percentage of sponsors in paid employment at point of application and median monthly (post-tax) earnings, by applicant nationality**

	Percentage of sponsors employed <sup>17</sup> at application	Sponsors' reported median monthly earnings (GBP)	Total number of sponsors <sup>18</sup>
Pakistan	98%	£1,050	200
India	98%	£1,245	82
Bangladesh	96%	£ 875	52
USA	91%	£1,750	35
Nigeria	91%	£1,520	34
South Africa	79%	£1,300	33
Thailand	90%	£1,750	40
China	83%	£1,235	24
Afghanistan	97%	£1,470	31
<b>Total for sampled nationalities</b>	<b>94%</b>	<b>£1,200</b>	<b>531</b>

Median earnings rounded to the nearest 5 (GBP).

The majority (62%) of the sponsors in our sample had annual take-home (post-tax) earnings of between £10,000 and £25,000. Twenty per cent of sponsors took home less than £10,000 and 16 per cent more than £25,000 (see Table 19).

**Table 19: Sponsors' annual (post-tax) earnings (all countries)**

Earnings (GBP)	Number of sponsors	Per cent
Less than £5,000	36	7%
£5,000 to <£10,000	70	13%
10,000 to £<15,000	164	31%
£15,000 to <£20,000	106	20%
£20,000 to <£25,000	58	11%
£25,000 to <£30,000	30	6%
>=£30,000	55	10%
Not known	12	2%
<b>Total</b>	<b>531</b>	<b>100%</b>

<sup>16</sup> Income tax personal allowance was £6,475 for 2009/10 and 2010/11, and £6,035 for 2008/9.

<sup>17</sup> Includes both those in full-time and part-time employment.

<sup>18</sup> The number of cases is based on responses to the question of sponsor employment at the time of application (n=531), which slightly differs from the number of cases used for the calculation of median income (n=519).

## 4.7 Sponsor occupations

Table 20 shows the occupations of the sponsors in the case file sample by Standard Occupation Classifications and applicant nationality. The top occupation category for each nationality has been highlighted in bold. This table is based on a relatively small sample for each nationality, so should be taken as illustrative rather than definitive.

**Table 20: Number of sampled cases for sponsors employed in different Standard Occupation Classification categories,<sup>19</sup> by applicant nationality**

	Pakis- tan	India	Bang- ladesh	USA	Nige- ria	South Africa	Thai- land	China	Afghan- istan
1- Managers & senior officials	18	10	2	5	2	<b>7</b>	5	5	2
2- Professional occupations	21	6	0	<b>9</b>	<b>7</b>	4	4	<b>6</b>	1
3- Associate professional & technical occupations	14	11	3	6	2	3	<b>7</b>	1	0
4- Administrative & secretarial occupations	29	5	8	5	6	2	3	1	1
5- Skilled trades occupations	8	5	5	2	2	2	6	3	6
6- Personal service occupations	19	4	3	0	4	1	1	1	0
7- Sales & customer service occupations	<b>40</b>	8	<b>11</b>	3	2	3	0	2	5
8- Process, plant & machine operatives	18	10	3	1	0	1	6	0	<b>8</b>
9- Elementary occupations	27	<b>13</b>	10	2	5	3	4	1	7
<b>Total</b>	194	72	45	33	30	26	36	20	30

## 4.8 Applicants with children

Twenty-two per cent of applicants in our case file sample reported having dependent children and 12 per cent reported having one or more children accompanying them to the UK (Table 21). The Thai applicants in our sample were the most likely to report having dependent children and the most likely to report having children accompanying them to the UK. The numbers of applicants with children accompanying them to the UK were low in our sample, but still higher than the numbers from UK Border Agency administrative data shown in Table 22 for all nationalities.

<sup>19</sup> Standard Occupation Classifications used are based on the SOC 2000 classification system.



**Table 21: Number of applicants with dependent and accompanying children, by applicant nationality**

	Applicants with dependent children		Applicants with 1 or more accompanying children		Total applicants (n)
	Number	Percentage	Number	Percentage	
<b>Pakistan</b>	26	13%	15	8%	200
<b>India</b>	12	15%	0	0%	82
<b>Bangladesh</b>	12	23%	8	15%	52
<b>USA</b>	5	14%	3	9%	35
<b>Nigeria</b>	14	41%	5	15%	34
<b>South Africa</b>	9	27%	7	21%	33
<b>Thailand</b>	23	58%	23	58%	40
<b>China</b>	5	21%	2	8%	24
<b>Afghanistan</b>	10	32%	0	0%	31
<b>Total</b>	116	22%	63	12%	531

### **Family size on entry**

The government has asked the independent Migration Advisory Committee (MAC) for advice on a new minimum income threshold for sponsors of family migrants to ensure they are able to maintain and accommodate them at a reasonable level. This includes how the threshold should take into account the number and age of dependants sponsored. To support the MAC's work, we looked at family sizes for main applicants granted an initial non-visitor visa on the family route in 2004. The family size is at the date of the initial visa grant and does not include dependants joining after that date.

The analysis uses a subset of the dataset used in 'The Migrant Journey' report (Achato *et al.*, 2010) with additional information extracted from the 'in-country' system which allowed for the main applicant's case records to be linked to dependants' records. The analysis is restricted to those applicants who had extended in-country before the end of 2009.

The data comprised of 33,210 family groups of different sizes. A family size of one is a main applicant joining a sponsor. A family size of two is a main applicant and dependant joining a sponsor (with larger families having two or more dependants). As shown in Table 22, the vast majority of people entered alone. Of those that did bring dependants, most only brought one dependant.

**Table 22: Family size by type of main applicant for the family route**

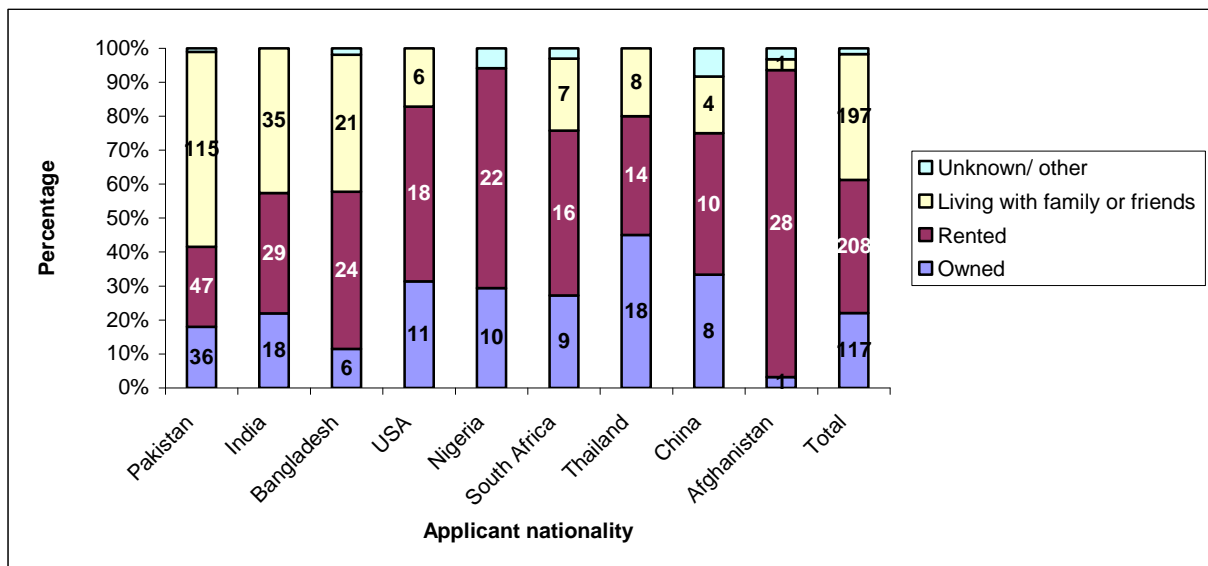
Initial family size	Spouse/partner	Child	Total of main applicants	Percentage
1	30,380	1,195	31,580	95%
2	1,055	40	1,095	3%
3	320	20	340	1%
4+	145	5	150	<1%
<b>Total</b>	<b>31,905</b>	<b>1,260</b>	<b>33,165</b>	

Does not include 45 'other' dependants. Totals for spouse/partner and child will not sum to the total frequency, due to independent rounding. Data in the commentary has been rounded to the nearest 5.

#### 4.9 Sponsor accommodation

Figure 1 shows the sponsors' type of accommodation by applicant nationality, as recorded in our sample of visa files. Overall, 39 per cent of sponsors in the sample reported living in rented accommodation; 37 per cent lived with family or friends; and 22 per cent owned their own accommodation.

**Figure 1: Sponsor accommodation, by applicant nationality**



Total number of cases: 531

#### 4.10 Sponsor history

Almost six out of ten (59%) sponsors in the case file sample had been British citizens since birth. However, two out of five (41%) had been born outside the UK and subsequently acquired citizenship or settlement (Table 23).

**Table 23: Sponsors' citizenship status, by applicant nationality**

	Sponsors who were British citizens from birth		Sponsors gaining citizenship or settlement		Total number of sponsors <sup>20</sup>
	Number	Percentage	Number	Percentage	
<b>Pakistan</b>	123	62%	77	39%	200
<b>India</b>	47	57%	35	43%	82
<b>Bangladesh</b>	17	33%	35	67%	52
<b>USA</b>	31	89%	4	11%	35
<b>Nigeria</b>	19	56%	15	44%	34
<b>South Africa</b>	23	70%	9	27%	33
<b>Thailand</b>	39	98%	1	3%	40
<b>China</b>	13	54%	11	46%	24
<b>Afghanistan</b>	0	0%	31	100%	31
<b>Total</b>	312	59%	218	41%	531

One South African applicant was sponsored by a person described as an EEA citizen.  
 Rows may not add up to 100 per cent due to rounding.

For sponsors in the sample who had been migrants to the UK themselves, Table 24 presents the average (mean) time elapsed between obtaining UK settlement or citizenship and sponsoring a marriage visa application, and between getting married or entering into a civil partnership and sponsoring a visa application.<sup>21</sup>

**Table 24: Timing of sponsor's marriage or civil partnership (where the sponsor was a migrant), by applicant nationality**

	Average time between obtaining settlement or citizenship and sponsoring a marriage visa application (years)		Average time between marriage and sponsoring a visa application (years) <sup>1</sup>	
	Mean	Number of cases	Mean	Number of cases
<b>Pakistan</b>	10	74	2	188
<b>India</b>	7	34	2	71
<b>Bangladesh</b>	16	29	2	47
<b>USA</b>	23	3	1	30
<b>Nigeria</b>	10	19	3	32
<b>South Africa</b>	7	8	1	29
<b>Thailand</b>	N/A		0	34
<b>China</b>	2	11	3	22
<b>Afghanistan</b>	2	29	3	27
<b>Total</b>	9	207	2	446

Table excludes missing cases.

<sup>1</sup> Unlike the previous column, these figures include British-born sponsors.

In relation to the time between obtaining UK settlement or citizenship and marrying, most nationalities in our sample had average times of between seven and sixteen years. There

<sup>20</sup> Row totals will not equal total number of sponsors due to repeat counting because sponsors born in the UK will also be counted in one of the columns relating to their citizenship.

<sup>21</sup> See section 7 for analysis on remarriages following settlement on the basis of marriage.

was less variation in the average time between marriage to the partner and sponsoring the visa application, with all averages between one and three years.

## 5. English language and life in the UK

Understanding the English language and life in the UK are already enshrined in the immigration system, based on their importance for both integration and economic outcomes. Migrants applying for settlement need to demonstrate that they meet Knowledge of Life and Language criteria by taking either the Life in the UK Test (KOL) or an English for Speakers of Other Languages (ESOL) course using citizenship materials. The Life in the UK test certificate is equivalent to level B1 of the Common European Framework of Reference, demonstrating an understanding of everyday English. Alternatively, the ESOL option can be taken by those whose language ability is below this level.

UK Border Agency management information indicates that 20 per cent of all migrants granted settlement in 2010 (excluding those exempt from a test) presented an ESOL test certificate. However, 31 per cent of those granted settlement on the basis of marriage or civil partnership during the same period presented an ESOL test certificate (see Table 25). This suggests that although the majority of migrants settling in the UK on the basis of marriage or civil or other partnership have reached B1 level, the percentage of spouses and civil and unmarried partners taking an ESOL qualification is higher than for other migrants, suggesting that the spouses and other partners might have a lower standard of English.

**Table 25: Grants of ILR 2009 and 2010 by whether Knowledge of Life (KOL) or English Speakers of Other Languages (ESOL) certificate presented**

	All settlement grants				Marriage grants			
	2009		2010		2009		2010	
ESOL	15,410	18%	16,615	20%	14,090	27%	14,765	31%
KOL	69,080	82%	66,670	80%	38,360	73%	33,325	69%
<b>Total</b>	84,490		83,290		52,450		48,090	

Table does not include those exempt from a test due to age, disability or domestic violence  
 Figures other than percentages are rounded to the nearest 5 and may not sum to the totals shown because of independent rounding.

Management information on grants of settlement on the basis of marriage, civil partnership or partnership also shows that nationals of some countries are more likely to complete an ESOL qualification to achieve settlement. Table 26 shows that nationals of Afghanistan, Pakistan and Bangladesh are more likely to present an ESOL certificate than a KOL certificate, suggesting that they might typically have a lower standard of English than others settling in the UK on the basis of marriage or civil or other partnership.

**Table 26: Marriage and civil partnership grants of ILR 2009 and 2010 for selected nationalities by whether KOL or ESOL certificate presented**

	2009				2010			
	ESOL		KOL		ESOL		KOL	
Afghanistan	1,135	69%	520	31%	810	74%	280	26%
Bangladesh	1,900	51%	1,865	49%	1,945	62%	1,215	38%
Pakistan	5,315	52%	4,855	48%	4,895	57%	3,705	43%

Figures other than percentages are rounded to the nearest 5 and may not sum to the totals shown because of independent rounding.

Under the Immigration Rules, 16 countries are classified as majority English-speaking countries. Nationals of these countries are deemed to automatically meet pre-entry language requirements as we would expect them to be able to meet the proposed English language requirement for settlement without difficulty.

Management information shows that, for 2010, nationals of these 16 countries accounted for approximately 13 per cent of marriage and partner visas. It would be expected that these applicants should be able to meet the new English requirement for settlement without difficulty (see Table 27).

**Table 27: Majority English Speaking Countries (MESC) granted a marriage visa in 2010**

	<b>Total</b>
Total MESC	5,270
Total all countries	40,495
<b><i>Per cent granted to 16 MESC</i></b>	<b>13%</b>

Total excludes refugee family reunion.

As well as social and economic costs to individuals, lack of English language ability can also bring costs to the state in translation and interpretation. An illustration of this is provided by information from the Department of Work and Pensions on translation and interpretation costs (see Table 28). These are the costs to only one central government department.

**Table 28: DWP written and verbal translation costs**

	<b>2006/07</b>	<b>2007/08</b>	<b>2008/09</b>	<b>2009/10</b>
Document translation	£267,500	£134,945	<sup>1</sup> £459,555	<sup>1</sup> £382,460
Face to face and telephone interpreting	£ 4.5m	£ 3.5m	£3.8m	£ 5.5m
<i>Of which the following is face to face<sup>2</sup></i>	<i>£3.14m</i>	<i>£1.88 m</i>	<i>£2m</i>	<i>£2.9m</i>

<sup>1</sup> These figures include all translation costs for the International Pensions Centre (IPC) which were previously not held centrally. The IPC spend was £381,370.59 for 2008/09 and £252,632.08 for 2009/10.

<sup>2</sup> Includes British Sign Language, which cannot be separated out from the overall figure.

## **6. Family visits**

### **6.1 Management information on family visit visas**

People may come to the UK to visit family members living here and leave is granted for periods of no more than six months in these cases. Table 29 shows the volumes of family visitor visa applications, and their outcomes. Table 30 shows the five nationalities with the highest number of refused family visit visas and Table 31 the five nationalities with the highest proportion of refused visas.

**Table 29: Family visit visas, 2010**

	Applications	Issued on application	Issued after appeal lodged	Refused	Withdrawn	Lapsed	Resolved
Numbers, with % issued and refused	423,100	317,800 (73%)	32,500 (8%)	81,000 (19%)	900	500	432,700

Rounded to the nearest 100.

**Table 30: Top five nationalities refused family visit visa by total volume of refusals, 2010**

	Number
Pakistan	18,250
India	12,980
Nigeria	11,290
Bangladesh	4,240
Iran	3,960

**Table 31: Top five nationalities refused family visit visas as a proportion of applications received from that nationality, 2010**

	Percentage of applications refused
Pakistan	48%
Zimbabwe	46%
Afghanistan	42%
Uganda	39%
Bangladesh	38%

Only includes nationalities with an application volume of at least 1,000.

Applicants refused a family visit visa are currently able to appeal. Currently, it can take up to 34 weeks for a family visit appeal to be concluded. In contrast, in 2010/11, 95 per cent of visa decisions were made within 15 days of application (see Table 32).

**Table 32: 2010/11 visa performance**

Global Performance	15 days	30 days	60 days	120 days	Total decisions made
Family visit (6 months or fewer)	95%	99%	100%	100%	362,500

Rounded to the nearest 100.

## 6.2 Asylum applications linked to family visit visas

Intelligence from the UK Border Agency has suggested that some asylum applicants enter the United Kingdom on a family visa and then subsequently apply for asylum. In order to investigate this, a special matching exercise was undertaken to identify those asylum

applications where the initial entry route was a family visit visa. Table 33 shows the nationalities of the 935 asylum applications identified where the applicant initially entered the UK on a family visit visa issued on appeal between December 2007 (when biometric checks were introduced) and December 2010.

**Table 33: Asylum applications matched to family visit visas issued on Appeal, 2007-2010**

<b>Country</b>	<b>Matches</b>
Pakistan	467
Zimbabwe	104
Bangladesh	70
Sri Lanka	60
Iran	58
Iraq	44
Afghanistan	31
India	13
Nigeria	11
DRC	9
Other Nationalities	68
<b>Total</b>	<b>935</b>

Table 34 shows the number of asylum applications matched to family visit visas issued by entry clearance officers (ECOs) in 2009 and 2010 and the number of asylum applications that resulted following a successful appeal against an initial refusal of a family visit visa. Although the total matched family visit-asylum cases are roughly the same in both years, there has been a marked shift away from applications that followed the issue of a visa to those that follow a successful appeal against an initial refusal. 26 per cent of asylum applications which followed the issue of a family visit visa in 2009 were linked to visas issued following an appeal (279 out of 1085), compared to 46 per cent (482 out of 1047) in 2010.

At a country level, the data also shows that the proportion of asylum claims associated with family visit visas issued on appeal were much higher for some countries. For Pakistan nationals, in 2010 seven out of ten asylum applications that resulted from a family visit visa came following an initial refusal. However, the nationality data should be treated with caution as the numbers are small for most other countries.

**Table 34: Asylum applications in 2010 matched to family visit visas issued by Entry Clearance Officers (ECOs) and issued on Appeal, 2009 and 2010**

Nationality	Appeal		ECO		Total	
	2009	2010	2009	2010	2009	2010
Pakistan	136	275	208	116	344	391
Sri Lanka	8	19	204	130	212	149
Iran	15	33	93	62	108	95
Bangladesh	21	45	15	16	36	61
Zimbabwe	58	32	49	7	107	39
Nigeria	1	8	24	27	25	35
Iraq	12	11	44	18	56	29
Afghanistan	**	16	**	4	**	20
Algeria	**	2	**	18	**	20
India	**	8	**	12	**	20
Sudan	**	2	**	18	**	20
Other Nationalities (fewer than 20 matches in total)	28	31	169	137	197	168
<b>Total</b>	<b>279</b>	<b>482</b>	<b>806</b>	<b>565</b>	<b>1,085</b>	<b>1,047</b>

\*\* = fewer than 20 matches for year (of these, there were no Appeal matches for Algerians in 2009).

The matching exercise identified more Asylum claims associated with family visit visas issued on appeal from Pakistan than from any other country, and so further analysis was carried out on the cases found for this nationality (see Table 35). The majority of cases were still going through the Asylum process, but only 12 per cent had been granted asylum (8% substantively, and a further 4% following appeal). Thirty per cent of these cases had been removed from the UK, with a further 34 per cent refused having exhausted their appeal rights and 19 per cent having had their initial application refused.

**Table 35: Outcomes of Asylum Claims lodged in 2010 by Pakistan nationals previously issued with family visit visa on appeal**

Outcome	Number of cases	Per cent
Grants	20	8%
Allowed at Appeal	11	4%
Removed	77	30%
Appeal Rights Exhausted	66	26%
Appeal Rights Exhausted (No Appeal)	20	8%
No Decision	6	2%
Asylum Refused - Appeal Lodged	36	14%
Asylum Refused - No Appeal Lodged	12	5%
Withdrawn	5	2%
Other resolved cases	2	1%
<b>Total</b>	<b>255<sup>22</sup></b>	<b>100%</b>

<sup>22</sup> It was not possible to match 20 of the original 275 cases through this exercise. There will be instances where an individual linked to a particular Port Reference Number later becomes dependent on a family member's asylum claim; meaning that a link between their port reference and the lead asylum claim is not clear in these separate databases.



A separate study was also made of family visit visa allowed appeal determinations between 4 April and 28 April 2011.

The UK Border Agency Specialist Appeals Team, who receive and review copies of all allowed appeal determinations from the Immigration and Asylum Chamber (First Tier), selected 25 family visit visa allowed appeals at random each day. This represented around a quarter of the total allowed appeals received in that category each day. The team reviewed the determinations, categorising reasons why the appeal was allowed according to the following categories.

- Decision flaw
- Different interpretation of the rules
- Appellant found credible
- Change in circumstances
- Remitted
- New evidence provided – (sponsor written, sponsor oral or other)
- Other

The results are presented in Table 36. The provision of new (i.e. additional) evidence at the appeal stage was the single most significant factor in the courts allowing an appeal. New evidence was the only reason for the appeal being allowed in 63 per cent of the cases in this sample and one of the reasons in a further 29 per cent of cases.

**Table 36: Allowed appeals – sample exercise of 363 allowed appeals conducted by UK Border Agency from 4 April to 28 April 2011**

Reason appeal allowed	Number of appeals		Percentage	
<b>New evidence – a factor</b>	335		92%	
New evidence – only reason		230		63%
New evidence – one reason		105		29%
<b>New evidence – not a factor</b>	28		8%	
Credibility of appellant – only reason		19		5%
Other reasons		9		3%
<b>Total</b>	363	363	100%	100%

## 7. Tackling sham marriage

A sham marriage, or marriage of convenience, is contracted between (a) a British citizen, a person settled in the UK, an EEA national, or a non-EEA national with existing leave, and (b) a non-EEA national without leave or whose leave is about to expire, solely as a basis for trying to enable the latter to enter, remain in or extend their leave in the UK. There is no subsisting relationship and the parties do not intend to live together permanently, if at all. One indication of the possible scale of sham marriages is provided by section 24 reports, through which registration officers notify the UK Border Agency if they believe a marriage they have been asked to officiate may not be genuine. Each report is investigated by the UK Border Agency, and the numbers of reports for the last six years are given in Table 37.

**Table 37: Section 24 reports received, 2005–2010**

2005	2006	2007	2008	2009	2010
452	282	384	344	561	928

In 2010, more than half of section 24 reports were associated with three applicant nationalities, the largest being Pakistan (Table 38).

Just over half (52%) of the sponsors were non-British EEA nationals (Table 39).

**Table 38: Top three applicant nationalities in Section 24 reports, 2010**

<b>Applicant nationality</b>	<b>Total</b>	<b>Percentage</b>
Pakistani	338	36%
Indian	111	12%
Nigerian	105	11%
<b>Other</b>	<b>374</b>	<b>40%</b>
<b>All nationalities</b>	<b>928</b>	

Total may not add up to 100 per cent due to rounding.

**Table 39: Section 24 report sponsor nationality, 2010**

<b>Sponsor nationality</b>	<b>Total</b>	<b>Percentage</b>
British citizens	357	38%
EEA nationals	481	52%
Non-EEA	90	10%
<b>All nationalities</b>	<b>928</b>	

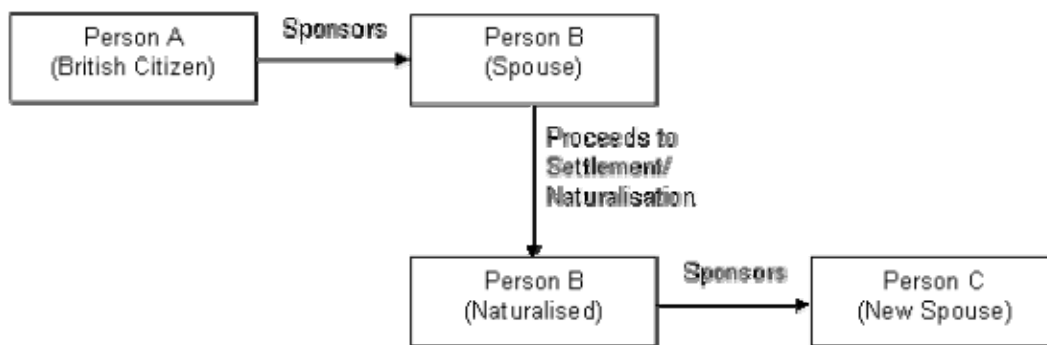
An EEA family permit allows the holder to enter the United Kingdom as a family member of an EEA national. As previously noted, these permits are not mandatory and will therefore only provide a partial record of the number of EEA nationals bringing a spouse to the UK. UK Border Agency refused just under 20 per cent of EEA family permit applications overseas in 2010 (see Table 40). Many refusals were on the basis that the Agency was not satisfied that the family relationship was as claimed.

**Table 40: EEA family permits, 2010**

	<b>Number</b>	
Total EEA family permit applications	25,225	
<i>Of which refusals</i>	<i>4,835</i>	<i>(19%)</i>

**Analysis of remarriages following settlement on the basis of marriage**

Discussions with UK Border Agency caseworkers highlighted a potential pattern of abuse whereby migrants (Person B in diagram below) enter into a sham marriage with a British citizen or person settled here (Person A) and once granted settlement then divorce and go on to sponsor a new spouse, possibly their 'genuine' partner (Person C), to come to the UK.



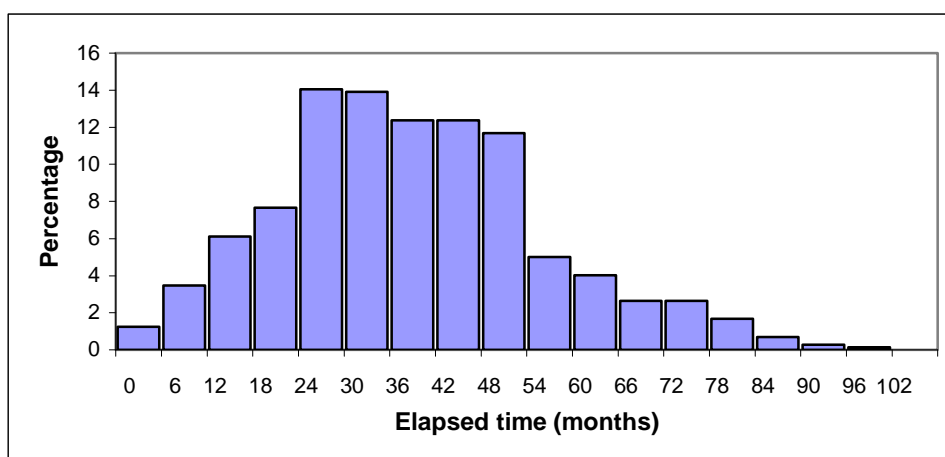
In order to try to shed some light on this, additional analysis was carried out on the in-country database to look at the numbers of sponsors who gained settlement as a spouse to a British citizen and then went on to sponsor a new spouse, and the time between these events. This analysis therefore looked at only those sponsors who had previously been sponsored to enter the UK as a spouse or civil partner themselves.

Migrant journeys for the sponsors (Person B) and the sponsored applicants (Person C) were established from the dataset used for the report 'The Migrant Journey' (Achato *et al.*, 2010). A total of 719 individuals were identified where the sponsor and applicant journeys consisted of an initial marriage visa followed by a settlement grant and subsequent application to sponsor a new spouse.

The elapsed time was calculated between the date of the sponsor's settlement grant (Person B) and the date of the associated applicant's marriage visa grant (Person C). This is a measure of the time between the sponsor's initial establishment in the UK with their initial marriage partner and the formation of the new relationship with the new spouse or partner.

Figure 2 provides a frequency distribution of the elapsed time between these two events for the 719 sponsors where there appears to have been a second marriage by a recently settled migrant to a new foreign spouse. In nearly half (47%) of these cases, the sponsor sponsored another migrant as their spouse within three years of gaining settlement. Thirty-four cases (around 5% of these cases) appeared to sponsor a migrant spouse within one year of settlement, and 133 (19%) within two years.

**Figure 2: Sponsor elapsed time**



Number of cases = 719

## 8. Reasons for refusals for family route visas

In order to establish reasons why family visa applications might be rejected, ten overseas visa posts, processing the bulk of applications from the top ten nationalities for the family route visas, were contacted to gather more information about rejected family visa applications for these nationalities. All posts contacted responded: Abuja (for Nigeria); Bangkok (for Thailand); Chennai, Mumbai, and New Delhi (for India and Nepal); Dhaka (for Bangladesh); Islamabad (for Pakistan); Manila (for the Philippines); New York (for USA) and Pretoria (for South Africa and Zimbabwe). Information systems were not able to provide data on the reasons for refusal, so senior caseworkers in the overseas posts were asked to give their best estimates for the proportions of cases they believed were refused under various categories. These are subjective assessments, so only provide a broad indication of the extent to which particular refusal reasons feature in the cases being dealt with by these posts.

Visa posts were specifically asked about the requirement to show that spouses and dependants will be maintained and have accommodation in the UK.

Responses from the posts showed the following.

- Initial refusal on the basis of maintenance and accommodation was the main reason for refusing an application in at least a quarter of family visa applications. Two posts reported that it was the reason for almost all refusals of a family visa.
- In cases where insufficient evidence was provided to allow a decision to be made on maintenance and accommodation, the majority went on to appeal. Half of the posts reported that nearly all such cases went on to appeal.
- Six posts reported that around a half of rejections were upheld at appeal. Two posts felt very few were upheld. A further two posts reported that around three-quarters were upheld.
- Eight of the ten posts thought at least three-quarters of previously rejected applications presented new evidence on appeal to show they could meet the Maintenance and Accommodation requirement. This would also chime with the fact that a large proportion of refusals of family visit visas are overturned on appeal due to the production of new evidence.

**Table 41: Responses from overseas visa posts on rejected family visa applications**

	Number of posts reporting this proportion					Total
	Very few (less than a quarter)	Around a quarter	Around a half	Around three- quarters	Nearly all	
Approximate proportion of family visa applications rejected in 2010 where maintenance and accommodation was a reason for rejecting the application	0	4	2	2	2	10
Proportion of applications going to appeal where they had been initially rejected on the basis of insufficient evidence (to allow for a decision to be made regarding maintenance and accommodation)	0	1	3	1	5	10
Proportion of these rejections upheld at appeal	2	0	6	2	0	10
Proportion of those granted on appeal which presented new evidence to show they could meet the maintenance and accommodation requirement	2	0	0	3	5	10

## **Annex: Sources of statistics on family migration**

### **International Passenger Survey (IPS) – estimates of long-term migration**

The Office for National Statistics International Passenger Survey (IPS) provides estimates of net migration (the difference between the numbers of people entering and leaving the UK). The IPS is a sample survey conducted at UK ports and not a count of all passengers entering and leaving the UK. For the purpose of IPS analysis, long-term migration relates to those persons stating that they intend to migrate for a period of at least one year.

IPS long-term migration data are able to be broken down by the main purpose of journey as stated by survey respondents; i.e. whether their purpose for coming to the UK was work related, formal study, to accompany or join family, other, or not stated.

Two sets of IPS based long-term migration estimates are produced. 'LTIM' estimates use the IPS long-term estimates and include additional adjustments to take into account asylum seekers, migration through Northern Ireland and people switching into a long-term category having arrived as a short-term migrant. IPS long-term migration estimates are derived from IPS data alone. While LTIM estimates are considered the most accurate measure of migrant numbers, IPS estimates can provide a more detailed breakdown of long-term migration by key variables such as purpose of visit and nationality grouping.

The statistical tables present the Office for National Statistics data for IPS long-term migration estimates for 2005 to 2009 for migration for all purposes and where the main purpose is reported to be to join or accompany family.

The IPS 'family purpose' category would be expected to encompass family migration in the wide sense, so covering those migrants included in the UK Border Agency Migration Statistics 'family formation and reunion' (with a British citizen or settled person) route 'and those coming as dependants of persons arriving in the UK for work or study.'

### **Home Office Migration Statistics**

In contrast to the IPS data, Home Office Migration Statistics are derived from administrative records which count migrants at different points of their interaction with the immigration system. Immigration controls do not apply to EEA nationals and therefore their number are not recorded in the statistics.

The key Home Office Migration Statistics are:

- visa grants – these indicate the number of people requiring visas and given the right to enter the UK in a particular year for specific purposes; not all persons granted visas will use these and not all those granted visas in a particular year will travel within that year;
- grants of extensions of leave to remain; and
- grants of settlement – these indicate the number of people given the right to remain in the UK for an indefinite period.

These figures are presented for family migrants in the tables that follow.

**Table A1: Long-Term International Migration - Family and all reasons for migration<sup>1</sup>**

Year	2005		2006		2007		2008		2009		Rolling year to Sept 2010 <sup>2</sup>	
	In	Net	In	Net	In	Net	In	Net	In	Net	In	Net
<b>All purposes</b>												
<b>All nationalities</b>	<b>496</b>	<b>+ 168</b>	<b>529</b>	<b>+ 160</b>	<b>527</b>	<b>+ 209</b>	<b>538</b>	<b>+ 129</b>	<b>528</b>	<b>+ 191</b>	<b>553</b>	<b>+ 243</b>
Brit Citizens	91	- 83	77	- 119	71	- 88	82	- 84	98	- 29	79	- 43
EU nationals	118	+ 17	136	+ 78	172	+ 107	178	+ 46	150	+ 48	162	+ 71
Other foreign (excluding Brit and EU)	287	+ 180	315	+ 200	284	+ 190	278	+ 168	280	+ 172	312	+ 215
<b>Family purposes</b>												
<b>All nationalities</b>	<b>83</b>	<b>+ 30</b>	<b>104</b>	<b>+ 54</b>	<b>85</b>	<b>+ 43</b>	<b>87</b>	<b>+ 29</b>	<b>76</b>	<b>+ 32</b>	<b>71</b>	<b>+ 33</b>
Brit Citizens	13	- 25	21	- 12	10	- 23	7	- 29	16	- 12	12	- 11
EU nationals	5	+ 1	9	+ 5	11	+ 8	19	+ 11	9	+ 2	6	+ 1
Other foreign (excluding Brit and EU)	65	+ 55	74	+ 62	65	+ 58	61	+ 47	51	+ 42	53	+ 44
<b>Family as a proportion of total inflow</b>												
<b>All nationalities</b>	<b>17%</b>		<b>20%</b>		<b>16%</b>		<b>16%</b>		<b>14%</b>		<b>13%</b>	
Brit Citizens	14%		27%		14%		9%		16%		15%	
EU nationals	4%		7%		6%		11%		6%		4%	
Other foreign (excluding Brit and EU)	23%		23%		23%		22%		18%		17%	

**Source:**

Long-Term International Migration (LTIM) tables: 1991 – latest (<http://www.statistics.gov.uk/statbase/Product.asp?vlnk=15054>) and Provisional International Passenger Survey (IPS) estimates of long-term international migration (<http://www.statistics.gov.uk/STATBASE/Product.asp?vlnk=15240>).

**Notes to table:**

<sup>1</sup> Figures are 1,000s.

<sup>2</sup> Rolling data for the year ending September 2010 (the latest data available), so data are on a different basis to that presented in preceding columns.

These statistics are derived from a statistical survey (the International Passenger Survey administered by the Office for National Statistics) and therefore the estimates will have associated confidence intervals. These are available from the ONS website, and care should be taken in making comparisons between figures taking into account the statistical confidence around each estimate.

IPS estimates for 2010 are due to be published on 25 August 2011 (for provisional estimates) and 24 November (for the estimates broken down by purpose).

**Table A2: Family migration - Migration by persons seeking to join or form families in the UK – Visas Issued**

	2005	2006	2007	2008	2009	2010
<b>Visas issued on routes leading to settlement:</b>						
Families - main applicants and dependants <sup>1</sup>	66,325	70,120	64,390	53,545	49,480	53,755
<i>of which: refugee family reunion</i> <sup>2</sup>	7,730	5,275	4,495	3,630	4,210	4,890
Dependants Tiers 1 & 2 and pre-PBS equivalents (skilled workers)	49,665	57,480	36,380	30,250	41,985	45,225
Dependants joining / accompanying <sup>3</sup>	28,420	27,560	42,090	41,460	17,480	15,360
Dependants of domestic workers in private households	180	265	150	75	245	335
<b>Total visas issued to family migrants leading to settlement</b> <sup>4</sup>	<b>144,590</b>	<b>155,425</b>	<b>143,010</b>	<b>125,335</b>	<b>109,190</b>	<b>114,680</b>
<b>Visas issued on routes not leading to settlement:</b>						
Dependants of Tier 5 & pre-PBS equivalents (temporary workers & youth mobility)	..	..	..	..	755	1,280
Dependants of Tier 4 & pre-PBS equivalents (students)	16,010	20,895	19,275	24,200	30,160	31,760
<b>Total visas issued to family migrants not leading to settlement</b> <sup>5</sup>	<b>16,010</b>	<b>20,895</b>	<b>19,275</b>	<b>24,200</b>	<b>30,915</b>	<b>33,040</b>
<b>Visas issued on other routes:</b>						
Family visitors <sup>6</sup>	330,600	375,900	354,100	313,400	332,800	350,300
EEA family permits <sup>7</sup>	24,435	25,870	23,415	18,670	19,370	20,755

**Source:**

Except for 'Family visitors' data are sourced from the Home Office Control of Immigration: Quarterly Statistical Summary, quarter 1 2011 (<http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/immigration-asylum-research/control-immigration-q1-2011-t/>) or subsets of the published data.

Figures for 'Family Visitors' are taken from unpublished management information.

**Notes to table:**

All visa figures are derived from UK Border Agency administrative systems and are therefore provisional and subject to change. Visa data may be revised in August 2011.

Figures are rounded to the nearest 5 (unless otherwise stated) and may not sum to the totals shown because of independent rounding.

<sup>1</sup>Families' include spouses, partners and other dependants migrating to form or join British Citizens or settled persons; this includes family members of persons granted settlement through the asylum route.

<sup>2</sup> Family members of persons granted settlement through the asylum route.

<sup>3</sup> Dependants joining or accompanying another migrant. Includes those dependants of migrants with a visa leading to settlement and those with a visa that does not lead to settlement. It is not possible to assess the exact numbers of this split, but investigations suggest the majority are on a route to settlement. Also includes UK ancestry dependants, who are similarly non-identifiable in the entry clearance visa data.

<sup>4</sup> Total includes some dependants joining or accompanying a migrant not on a route to settlement. It is not possible to assess these numbers.

<sup>5</sup> Total excludes some dependants joining or accompanying a migrant on a route not leading to settlement. These are included within 'dependants joining / accompanying.'

<sup>6</sup> Figures are MI derived from UK Border Agency records of visit visas endorsed as 'family visit'. They will not include all persons who visit the UK in order to visit family members. These figures are rounded to the nearest 100.

<sup>7</sup> EEA family permits are issued, on an optional basis, to third country nationals who are family members of EEA nationals exercising treaty rights in the UK.

.. Not available



**Table A3: Family Migration - Migration by persons seeking to join or form families in the UK – Extensions of leave to remain**

	2005	2006	2007	2008	2009 <sup>(1)</sup>	2010 <sup>(1)</sup>
<b>Extensions of leave to remain granted on routes leading to settlement:</b>						
Family (main applicants and dependants of fiancé(e)s, spouses (probationary period applications), and UK born children) <sup>1</sup>	18,055	22,510	30,650	28,565	23,595	22,090
Dependants Tiers 1 & 2 and pre-PBS equivalents (skilled workers) <sup>2</sup>	52,555	59,665	50,660	63,920	53,560	36,645
UK ancestry dependants <sup>3</sup>	635	1,480	1,785	1,475	1,165	460
Dependants of domestic workers in private households	165	330	500	510	545	610
<b>Total extensions of leave to remain granted to family migrants on routes leading to settlement<sup>4</sup></b>	<b>71,410</b>	<b>83,985</b>	<b>83,595</b>	<b>94,465</b>	<b>78,870</b>	<b>59,805</b>
<b>Extensions of leave to remain granted on routes not leading to settlement:</b>						
Dependants Tier 5 (Temporary workers & Youth Mobility)	:	:	:	0	15	140
Dependants of students (Tier 4, pre-PBS students and trainees)	25,895	24,645	25,875	22,180	21,055	20,255
<b>Total extensions of leave to remain granted to family migrants on routes not leading to settlement</b>	<b>25,895</b>	<b>24,645</b>	<b>25,875</b>	<b>22,180</b>	<b>21,070</b>	<b>20,390</b>
<b>Other extensions of leave to remain granted:</b>						
Dependants of other work related categories <sup>5</sup>	605	2,665	470	600	410	470
Dependants of persons granted extensions on other bases <sup>6</sup>	3,600	405	1,710	3,785	4,530	5,115
Dependants of all applicants for extension of leave as visitors	120	135	105	100	20	20

**Source:**

Figures for 2007 to 2010 taken from Table 4.1 of the HO Migration Statistics publication: Control of immigration quarter 4 2010 <http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/immigration-asylum-research/control-immigration-q4-2010/?view=Standard&pubID=864988>.

Figures for 2005 and 2006 taken from Table 4.1 of the HO Migration Statistics publication: Control of Immigration: UK Statistics 2009.

**Notes to table:**

Figures are rounded to the nearest 5.

<sup>1</sup> UK born children are children born in the UK who are not British Citizens. Spouses includes unmarried and civil partners.

<sup>2</sup> May include a small number of low skilled and non-PBS work categories.

<sup>3</sup> Dependants of Commonwealth citizens with a UK-born grandparent who are taking or seeking employment.

<sup>4</sup> Most but not all of the migrants on these routes will have a route to settlement.

<sup>5</sup> Includes: independent means; business; au pairs; working holiday makers; and investors & innovators.

<sup>6</sup> Includes grants where the category is unknown.

<sup>(1)</sup> Initial figures, with final release due August 2011.

: Not applicable

**Table A4: Family migration - Migration by persons seeking to join or form families in the UK – Grants of settlement**

	2005 <sup>7</sup>	2006 <sup>8</sup>	2007 <sup>8</sup>	2008	2009 <sup>(i)</sup>	2010 <sup>(i)</sup>
<b>Grants of settlement:</b>						
Family formation and reunion <sup>1</sup>	37,335	59,800	50,820	55,350	72,240	65,310
Other Dependants of persons granted settlement on work routes	28,805	14,610	18,650	32,160	45,740	45,650
Dependants of persons given asylum (ELR, HP or DL) <sup>2</sup>	33,960	11,580	3,940	830	1,010	1,960
UK Ancestry dependants <sup>3</sup>	1,895	740	730	970	965	945
Dependants of Domestic Workers in Private Households	105	45	120	205	200	300
<b>Total grants of settlement to family migrants</b>	<b>102,105</b>	<b>86,775</b>	<b>74,260</b>	<b>89,515</b>	<b>120,160</b>	<b>114,165</b>
<b>Other grants of settlement:</b>						
Spouses and dependants granted settlement on a discretionary basis <sup>4,5,6</sup>	2,280	1,430	9,940	13,270	12,825	16,795

**Source:**

Figures for 2007 to 2010 taken from Table 4.3 of the HO Migration Statistics publication: Control of immigration quarter 4 2010 <http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/immigration-asylum-research/control-immigration-q4-2010/?view=Standard&pubID=864988>  
 Figures for 2005 and 2006 taken from Table 4.4 of the HO Migration Statistics publication: Control of Immigration: UK Statistics 2009.

**Notes to table:**

When comparing aspects of settlement data, changes in the immigration rules, enlargement of the EU, and various UK Border Agency programmes need to be considered.

Figures are rounded to the nearest 5.

Data exclude dependants of EEA and Swiss nationals in confirmed relationships granted permanent residence.

<sup>1</sup>Settlement on the basis of family formation or reunion with British Citizens or settled persons

<sup>2</sup> Family members who applied to join or accompany main applicants on the asylum route prior to the main applicant being granted settlement as a Refugee, Exceptional leave to remain (ELR), Humanitarian Protection (HP), or Discretionary Leave (DL).

<sup>3</sup>Dependants of Commonwealth citizens with a UK-born grandparent who are taking or seeking employment.

<sup>4</sup> Includes reconsideration cases and the outcome of appeals.

<sup>5</sup> Data include persons granted indefinite leave outside the immigration rules under measures aimed at clearing the backlog of outstanding unresolved cases.

<sup>6</sup> These figures are not published but are a subset of figures published in table 4.3 (other grants on a discretionary basis) in the Quarter 4 Control of Immigration Statistics 2010.

<sup>7</sup> Family formation and reunion grants in 2005 were affected by a change in the qualifying period for settlement in April 2003, delaying grants that would otherwise have occurred earlier.

<sup>8</sup> Employment-related grants in 2006 and 2007 were affected by a change in the qualifying period for settlement in April 2006, delaying grants that would otherwise have occurred earlier.

<sup>(i)</sup> Initial figures, with final release due August 2011.

ISBN 978 1 84987 485 4

## Errata

Page 9 - Third paragraph, sixth line, 'Six cases (1%)' amended to 'Three cases (1%)'.

Page 13 - Title of Table 17 amended from 'Number of applicants in paid and number intending to work in the UK, by applicant nationality', to 'Number of applicants intending to work in the UK, by applicant nationality'.

Page 22 - Paragraph 1, line three, amended from 'on a family visit visa issued between December 2007' to 'on a family visit visa issued on appeal between December 2007'.

Title of Table 33 amended from 'Asylum applications matched to family visit visas, 2007-2010' to 'Asylum applications matched to family visit visas issued on Appeal, 2007-2010'.