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3 Ideas to Cut Immigration Without Harming Growth

Introduction

Much of the debate around immigration in the UK is based around false choices. We are told that to control migration we must either choose to leave the EU or to harm the economy by cutting back on talented foreign workers.

Few proposals have been put forward to solve this dilemma. This Bow Group paper aims to correct this omission.

The fact is that the UK remains able to restrict immigration from outside the EU. And, as we will show, the UK can tighten the rule book without cutting back on visas for highly skilled workers. There are numerous routes into the UK. And the UK's immigration rules are at times at the less demanding end of the European spectrum.

This paper highlights some of the ways the UK should tighten the rules to help get net migration back into the 'tens of thousands, not hundreds of thousands' by taking the following action:

- 1) **Extending the naturalisation period from 6 years to 10 years.** This would bring the time to acquire a UK passport similar to that in other EU countries and make it harder to acquire citizenship by residency.
- 2) **Raising the income level needed in order to sponsor a spousal visa from £18,600 to £25,700.** This will help ensure those who bring families to the UK are able to support their dependants and integrate into the community.
- 3) **Allow marriage registrars to suspend proceedings where they are confident a wedding is a sham.** This will empower registrars who are currently forced to preside over bogus marriages. Empowering registrars will create a deterrent in what is seen as an easy immigration loophole to exploit.

The wider point we raise is that the UK remains able to restrict immigration should it choose to do so – it is simply a matter of going through the rule book with a toothcomb to check that each and every entry route to the UK has appropriate and up-to-date policies.

1. Extend naturalisation period from 6 years to 10 years

Background In 2012, 194,344 foreign citizens naturalised as British citizens, up from a five year average of 169,373 from 2006-2010. 53% of naturalisations (102,000) went to foreign nationals.¹ Most of the other 47% of naturalisations are split between spouses and civil partners of British citizens and minor children registering as citizens (see section 2).

The 102,000 foreign citizens naturalising via the residency route can be seen in the context of the 177,000 net migrations into the UK in 2012.² It is both a large number and a large proportion. Even modest changes in the perception of how easy it is to acquire citizenship are likely to have an impact on the net migration figures. Extending the naturalisation period may also encourage more foreign workers to return to their home country before the granting of British citizenship.

Current rules allow naturalisation to those who have lived in the UK for the required five years, plus one additional year required as a settled resident for non-EEA/Swiss nationals. Roughly speaking then, six years residency is required to be able to apply for a British passport.

Given naturalisation is often the end goal of many migrants, tightening this rule could have a marked impact of the overall net migration figure by virtue of making British citizenship harder to obtain.

Comparisons with other EU countries. Currently 6 year's UK residence is required before applying for British citizenship. This is shorter than in many other EU countries, as the table below shows.

Country	Minimum residency period required for naturalisation (main condition only) ³
UK	6 years' residence
Germany	8 years' residence
Italy	10 years' residence, no criminal record and sufficient financial resources
Spain	10 years' residence
Denmark	9 years' residence (with a residence permit)

The Proposal: The Bow Group suggests that the minimum residency period should be extended from 6 years to 10 years. This will bring the UK into line with other EU countries, and lessen one of the pull factors that create the relatively high levels of immigration to the UK.

¹ www.migrationobservatory.ox.ac.uk/briefings/naturalisation-british-citizen-concepts-and-trends

² Naturalisation in this way takes place at least 6 years after migration to the UK. Thus these figures are not from the same cohorts, but are shown together for context.

³ <http://eudo-citizenship.eu/>

Additionally introducing a formal “no criminal record” rule may also be a useful tightening of the existing “good character” criteria that is used and warrants further investigation. Likewise it would make sense to investigate whether a test to ensure ‘sufficient financial resources’ could be introduced, as is the case in Italy.

2. Raise the income level required to sponsor a spousal visa from £18,600 to £25,700

Background: New requirements were introduced for spouse/partner visas in July 2012.

Those sponsoring a spousal visa applicant are now required to have available funds equivalent to a minimum gross annual income of £18,600. This figure was set at the lower end of a range recommended by the government’s Migration Advisory Committee (MAC).

The MAC had recommended a minimum gross sponsor income threshold of between £18,600 and £25,700 per year to sponsor a partner. These limits were suggested so that there would be no ‘burden on the state’. The different thresholds reflected alternative approaches to calculating the costs.⁴

On 11 July 2014 the Court of Appeal upheld the lawfulness of the minimum income threshold for spouses/partners and children applying in the family route. One of the appeal judges Lord Justice Aikens was quoted as saying that the minimum income requirement was “a rational conclusion on the link between better income and greater chances of integration”.⁵

The proposal: The Bow Group proposes to raise the minimum income requirement for sponsoring a spousal/partner visa from the lower level recommended by the MAC to the higher level – that is to raise the income requirement from £18,600 to £25,700.

This will have three benefits.

Firstly, the question of whether some spousal visas put any burden on the state will be put beyond doubt. Secondly by selectively encouraging higher earners it this will help ensure that migration does not push down on wages in the UK. Thirdly it will help the integration of the families who do choose to come to the UK.

3. Give Registrars the power to not proceed with sham weddings.

Background: An estimate 10,000 sham marriages take place every year. Each shame marriage confers the right to reside indefinitely in the UK and to bring children

⁴ <https://www.gov.uk/government/publications/minimum-income-threshold-information-for-family-visa-applicants/minimum-income-threshold-information-for-family-visa-applicants>

⁵ <http://www.theguardian.com/law/2014/jul/11/appeal-court-18600-foreign-spouse-uk>

or dependent children or grandchildren, and their dependent parents or grandparents to live in the UK.^{6,7}

Where sham marriages have been found to take place, few removals from the UK are enforced. Reports suggest that marriage Registrars and members of the public reported more than 9,100 bogus weddings last year but only 90 people were removed.⁸

A recent Home Office Select Committee highlighted how Registrars dislike being forced to participate in sham marriage ceremonies and are powerless in the ceremony itself. For instance, John Kershner, Manchester Senior Registrar commented:

“I think all registrars—certainly the ones I spoke to in my office—said it is almost liked being mocked in your own job... To have to perform what is a total charade of a ceremony... is not a pleasant experience.”⁷

Not only is the current law easy to exploit, but those in a position to act are not able to do so.

The proposal: The Bow Group recommends that marriage Registrars should have the ability to not proceed with sham weddings. We propose that where Home Office enforcement teams do not act upon on a section 24 report notifying the Home Office of their suspicions, and the registrar is confident the wedding is a sham, then the registrar should have the power to not proceed with the wedding. This would empower Registrars and would allow Registrars who were comfortable with stopping proceedings to do so.

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⁶ <http://www.bbc.co.uk/news/uk-28474696>

⁷ <http://www.publications.parliament.uk/pa/cm201415/cmselect/cmhaff/237/23703.htm>

⁸ <http://www.express.co.uk/news/uk/484646/Bogus-citizenship-weddings-bring-9-100-illegal-migrants-to-UK>