

WE BELONG

WESTMINISTER HALL DEBATE:
**IMMIGRATION AND NATIONALITY
APPLICATION FEES**

25th of March

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KEY POINTS

- **Thousands of young people who came to the UK as children face paying astronomical fees** to maintain 'leave to remain*' in the country.
- The cost of leave to remain fees has **increased by 331% in just six years.**
- The ten-year route to permanent settlement through leave to remain **requires five applications totaling £12,771 per person.**
- **The cost to the Home Office of processing each application is just £142,** meaning 86% (£891) of the application fee represents profit to the Home Office.
- Young people who have grown up in the UK and want to contribute to the country they call home face the very real risk of being driven into illegal status.
- The Covid-19 pandemic has disproportionately impacted young people, increasing the risk of young migrants falling out of legal status.
- **The Home Office must reduce the cost of fees** to avoid driving young people who have grown up in the UK into illegal status.

KEY RECOMMENDATION

- **Leave to remain fees** should be reduced to cost of processing each application and **a shorter, five-year route to permanent status should be introduced ensuring stability for all children and young people with strong ties to the UK**

***LEAVE TO REMAIN** - Most young migrants applying to remain in the UK on the basis that they have grown up here are on a ten-year route to settlement. This means that after their first application they will be granted 2½ years of 'leave' (permission) to remain and will have to make three more applications before they have had ten years' leave and can apply for indefinite leave to remain (settled status).

THE ISSUE?

Over 330,000 children and young people who came to the UK as children have precarious immigration status¹. Most young people who regularise their status on the basis that they have grown up here and have strong ties to the UK are put on a ten-year route to settlement and receive 'leave to remain'. Costs for leave to remain applications have risen astronomically in recent years, **increasing by 331% since 2014**. Each application is for 2.5 years of leave to remain and costs £2,593 per person up-front (£1,033 of this is the Home Office fee and £1,560 is an immigration 'health surcharge').

**THE GLA ESTIMATES THAT
THERE ARE AT LEAST
330,000
CHILDREN AND YOUNG PEOPLE
WITH PRECARIOUS STATUS
IN THE UK**

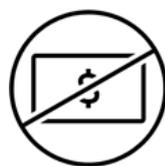
Including the final Indefinite Leave to Remain application, ***this route requires five applications currently costing a total of £12,771 in fees for each individual before they will have secure, permanent status.***

The cost of limited leave to remain (LLR)

are reviewed each year. These reviews often lead to increases, despite the cost of processing an application not increasing. Administration fees for LLR are £142, meaning 86% (£891) of this total represents profit to the Home Office.

**86% OF LLR FEES
IS A PROFIT
TO THE HOME OFFICE**

This does not take into account the compulsory Immigration Health Surcharge (IHS) which is set to £1,560 for a leave to remain application. The IHS was introduced in 2015 to ensure "that temporary migrants make a financial contribution to the range of NHS services available to them during their stay."² However, the government does not acknowledge that the charge also applies to young people who have grown up in this country, and whose lives and futures are here. These young people are not in the country on a 'temporary' basis.



**A FAMILY OF FOUR
WILL HAVE TO PAY
£10,372
EVERY 2.5 YEARS**

The Home Office has stated that fees remain high to ensure that the immigration system is funded by those who use it³. Other government services are not funded in this way and as many of those on the ten-year route also work

¹ GLA, [London's children and young people who are not British citizens: A profile](#), 2020

² Home Office, [Media factsheet – The Immigration Health Surcharge](#), 2020

³ <https://www.gov.uk/government/news/new-immigration-and-nationality-fees-for-2016-to-2017>

and pay taxes, they are already contributing to the cost of government services. It is estimated that there are over 330,000 children and young people living in the UK with precarious status, many of whom will have limited leave to remain.

many young people cannot pay and are unable to fully contribute to British society.

This status is given only to those who have established strong ties in the UK. With the cost of retaining status so high,

The system is not working. Fees need to be at an affordable rate that considers the impact on children and young people. prepared

The high cost of these fees and the length of time to regularise status have a hugely negative impact on young people who were brought to the UK as young children.

LEAVE TO REMAIN APPLICATIONS HAVE INCREASED BY 331%, SINCE 2014



WHAT IF SOMEONE CAN'T AFFORD TO PAY?

It has been stated by the Home Office that applicants can simply apply for fee waivers which will be awarded if they can prove that paying these fees will push them into destitution. However, the fee waiver criteria is extremely restrictive and requires a high evidence threshold that young people cannot reach. As a result, between 2015-18, 72-90%⁴ of applications were rejected. Since the start coronavirus pandemic, the Home Office has significantly increased the number of applications it has accepted, it is crucial that the rejection rate does not rebound following the pandemic. If a waiver application is rejected, the applicant has ten days to pay the fee.

If they cannot, their entire immigration application is rejected and they lose their legal status alongside their right to work, rent and study, and further integration is hampered. In addition, any residence to date is invalidated and they must accrue another ten full years continuous residence to apply for permanent status.

Many young people will undoubtedly be driven into poverty or lose their lawful status by the high costs associated with their visa fees. At We Belong, we have seen cases of parents

who cannot afford the fees and costs associated with regularising the whole family's immigration status, so they have had to choose between their children.

IMPACT OF COVID-19

The pandemic has exasperated the problems young people face because of high fees associated with regularising and maintaining a lawful immigration status. Migrant families have been pushed into abject poverty, forcing them into unsustainable debt and at times homelessness. A recent report from The Children's Society found that almost half of children with foreign-born parents live in poverty⁵. Therefore, over 100,000 of these children are living in poverty, with parents reporting that they are unable to meet even their children's most basic needs.

Young people are economically one of the hardest hit groups of the pandemic. A third of working 18- to 24-year-olds have lost work because of the pandemic⁶. Young migrants with precarious status are deeply affected by the Covid-19 recession and simply do not have the disposable income free to pay these extortionate visa fees. This leaves them in a vulnerable position, at risk of illegality and being subjected to the hostile environment. For them, losing work when unemployment is at a record high now also means losing the right to live in the UK.

Many of the young people affected will also have a No Recourse to Public Funds (NRPF) condition attached to their leave to remain.

⁴ <https://www.theguardian.com/uk-news/2019/apr/04/over-70-of-uk-immigration-fee-waiver-requests-by-destitute-are-rejected>

⁵ <https://www.childrenssociety.org.uk/sites/default/files/2020-10/a-lifeline-for-all-summary.pdf>

⁶ <https://www.bbc.co.uk/news/explainers-54005156>

This means that job losses leave them with no financial safety net as they have no access to the support network provided by public funds leaving them vulnerable to exploitation and unable to keep with extortionate payments to the Home Office.

This increases the pressure put on local authorities who will need to support young people facing destitution through housing routes as homelessness risk increases.

The Local Government Association has noted that high numbers of migrant families with NRPF have been approaching councils for support and have also warned that some councils will need extra funding so they can increase their levels of support⁷. This will substantially increase the burden on the public purse and runs counter to the government's stated aim of making the immigration system 'self-funded'.

OUR SOLUTIONS:

- **Leave to remain fees** should be reduced to cost of processing each application and a **shorter, five-year route to permanent status should be introduced ensuring stability for all children and young people with strong ties to the UK**
- Any further fee increases should be contingent on the Home Office producing a young person and children's rights impact and equalities assessment and a clear justification for why a fee increase is required
- **Review the Immigration Health Surcharge.** We believe there should be an urgent review to consider introducing an exemption for migrants who have lived in the UK for more than half their lives

⁷ <https://www.local.gov.uk/councils-call-suspension-no-recourse-public-funds-during-covid-19-crisis>

SHAHMIR'S STORY

Shahmir came to the UK from Pakistan at the age of 5 with his family. Shahmir was granted Limited Leave to Remain (LLR) when he was 19, but he will be in his 30s before he is eligible for British citizenship.

Over time, it has deprived his family of financial stability and affected their mental and physical health: **they ended up in £27,000 debt from paying Home Office and legal fees**; while his mother endures chronic back pain from years of sleeping on the floor in their one-bedroom flat (they couldn't afford an additional bed). Shahmir says his little sister, who was born in the UK, can't run and skip like other children her age, as her mobility has been limited from having grown up in such cramped conditions.

TOSIN'S STORY

Tosin came to the UK aged 9 from Nigeria with his family. He received his Leave to Remain status in 2014.

Tosin works multiple part time jobs to fund his university studies as well finance his visa fees. **Every 30 months his family has to pay around £7,000 in visa fees to the Home Office.** Financing his latest renewal was especially hard for Tosin as he was furloughed because of Covid-19. He had to rely on others and his mum, who is an essential social care worker on the London Living Wage of £10.35, to help with food and essentials. Even after facing all these difficulties he managed to persevere with his education and is on track to receive a first at university.

ABOUT WE BELONG

We Belong is an innovative new organisation led by young people who migrated to the UK. We work with and for young migrants like ourselves, who are subject to the hostile environment in the country we and they call home.

Our vision is to see young migrants living in the UK being treated equally and fairly in the society they call home. We fight to end the hostile environment around immigration, ensuring barriers preventing full integration for migrants are removed so that we can contribute to British society.

We work by setting and leading the agenda as we aim for better outcomes and opportunities for individual young people. We continue to campaign for shorter and more affordable routes to citizenship, equal access to higher education and developing young leaders to become changemakers within the sector.

webelong.org.uk
