



UKBA UPDATE- SCOTLAND



NATIONAL ASYLUM STAKEHOLDER FORUM (NASF)

The last National Asylum Stakeholder Forum took place on 24th July. Matthew Coats, Strategic Director for Immigration announced the Refugee Integration and Employment Service (RIES) contractors. They will provide a standard set of integration support for new refugees coming out of the regional asylum process. Attendees drawn from the Voluntary Sector and local government organisations had a lively debate on destitution, particularly in relation to the Still Human Still Here Campaign. They also discussed Asylum Support issues, Unaccompanied Asylum Seeking Children Reform Programme and the Case Resolution Sub-group. They discussed the draft Immigration and Citizenship Bill and how the asylum support system would work within the new Simplification process.

The next meeting is scheduled for 25th September.

REVIEW OF CRIMINALITY INFORMATION (ROCI) PUBLISHED ON 16TH JULY

The independent Review of Criminality Information (ROCI) examines the way in which criminality information is used and shared between agencies and services both within the UK and internationally to protect the public. The review, led by Sir Ian Magee, made recommendations for increasing the efficiency and effectiveness of the whole public protection system.

The review is important to the UKBA because of our work to secure UK borders and control immigration. The report makes some recommendations for how we manage criminal casework (including Foreign National Prisoners), appeals and the immigration detention process as a whole.

The executive summary and full report are available at <http://police.homeoffice.gov.uk/operational-policing/review-criminality-information/>.

MARRIAGE VISA AGE RAISED TO PREVENT FORCED MARRIAGES

On 23rd July, the Home Secretary announced that the age at which anyone can apply for a marriage visa will increase from 18 to 21. This is in line with the Government's commitment to prevent forced marriage and to support victims. You can read more about this at www.ind.homeoffice.gov.uk/sitecontent/newsarticles/marriagevisaageraisedtoprevent.

REFUGEE INTEGRATION AND EMPLOYMENT SERVICE CONTRACTS

On 24th July, UKBA announced that it has awarded contracts for delivery of the Refugee Integration and Employment Service (RIES).

RIES will support refugees by helping them in the early stages of their integration into UK society. The service will focus particularly on employment as a key driver for ensuring successful integration and will also provide practical advice on housing, education and English language. This focus on employment will enable refugees to contribute to our society both economically and culturally.

Delivery of the service will start nationwide from 1st October. Providers for each region are listed below:

- East of England British Refugee Council
- East Midlands Metropolitan Support Trust
- London British Refugee Council
- North East North of England Refugee Service
- North West Refugee Action
- Northern Ireland Multi Cultural Resource Centre (Bryson)
- Scotland Scottish Refugee Council
- South East Refugee Action
- South West Refugee Action
- Wales Welsh Refugee Council

- West Midlands British Refugee Council
- Yorkshire & Humberside Leeds City Council

The work of the RIES supports our aim to operate a fair and compassionate system. Contact nationalrefugeeintegrationserviceproject@homeoffice.gsi.gov.uk for more information. Information will also be available on the UKBA website soon.

POINTS BASED SYSTEM: SPONSOR REGISTRATION

From 28th July, all UK employers and educational institutions can now apply to become a licensed sponsor under the new Points Based System (PBS).

PBS tiers 2 (skilled workers) and 5 (youth & temporary workers), which both launch this November, will replace the current work permit arrangements. Once launched any organisation wishing to bring in non-EEA migrants to work or train must be licensed as a sponsor. We advise these organisations to act now and not to wait until November to apply. Applications for a licence should be put in early to ensure the licence is in place so that overseas recruitment is not delayed.

We will support organisations throughout the application process to ensure that the systems for effective sponsorship are in place. We may also offer pre-registration visits to help with applications. More information is available on our website at www.ukba.homeoffice.gov.uk/employers/points.

POINTS BASED SYSTEM: TIER 4 (STUDENTS) SOI PUBLISHED ON 30TH JUNE

The Statement of Intent (SoI) for Tier 4 (Students) under the new points based system (PBS) was published on 30th June. The SoI sets out key changes to the way the student route will operate under the new system.

Under the new student route, education providers will have to register as licensed sponsors to ensure that they take greater responsibility for the students they bring to this country. Providers will need to prove that they are genuine institutions which are audited, inspected or accredited to provide education to get a licence. This will prevent less scrupulous operators and criminal networks from obtaining licences. As mentioned above, education providers can apply to the UKBA for sponsor licence as from 28th July.

We will carry out more checks to ensure that students actually study once they arrive in the UK. Education providers will have to tell us if any of the students they have sponsored are not attending their courses. We will also grant visas for the full duration of their course up to a maximum of 4 years and expect them to apply for an extension if they wish to stay beyond this period.

All adults studying here will need to be on courses that lead to a qualification at least to National Qualifications Framework (NQF) Level 3 (A level): there is currently no minimum. Courses that involve a work-placement will need to contain at least 50% tuition and no more than 50% of the course length can be taken up by work-placements.

We will have a clearer and more transparent visa application process. Points will be awarded if applicants can meet our objective points tests, demonstrating they have a place on a course and sufficient funds to maintain themselves.

The new route itself will start to be implemented in the first part of 2009, but as with the other PBS tiers, we are setting out our proposals now to allow those who will be affected by them to prepare.

You can read more about this online at www.ukba.homeoffice.gov.uk/sitecontent/documents/managingourborders/pbsdocs/statementofintent/studentsunderthepointsbased.pdf

MIGRATION ADVISORY COMMITTEE FIRST REPORT – NEW SHORTAGE OCCUPATION LIST

The Migration Advisory Committee will publish its first major report in late August. The report will give the Committee's first recommended shortage occupation list for PBS Tier 2 (skilled workers). The report sets the Committee's work in context and describes the methodology used to establish which jobs and occupations are skilled, in shortage and would be sensible to fill through immigration. It also gives their account of the evidence they received and their conclusions.

The report is recommended reading for everyone with an interest in using the immigration system to fill UK skill shortages and will be available on the Committee's website at www.bia.homeoffice.gov.uk/aboutus/workingwithus/indbodies/mac/.

DRAFT IMMIGRATION AND CITIZENSHIP BILL PUBLISHED

Last month we said that we will publish results of the consultation on our Earned Citizenship proposals together with a draft Bill to reform immigration law. On 14th July, we published three new documents:

- A partial draft **Immigration and Citizenship Bill** setting out proposals for the replacement of 10 Immigration Acts with a single piece of new law.
- The Bill narrative, “**Making Change Stick**” setting the context for the Bill and explaining how the gaps in the current draft will be filled in the full Bill which we will introduce to Parliament in the next session.
- Our response to the consultation on the Green Paper covering what people thought about the proposals.

These documents are now available online at www.ukba.homeoffice.gov.uk/immigrationandcitizenshipbill. We hope that publishing these documents will help you understand and continue to consider our proposals. Please share and discuss the published documents as widely as possible and let others know about the public scrutiny questionnaire on www.ukba.homeoffice.gov.uk/immigrationandcitizenshipbill.

LAUNCH OF BUSINESS ENFORCEMENT PARTNERSHIPS

Last month, UKBA and HMRC launched new partnerships with other workplace enforcement agencies to provide a cross-government framework for exchanging local intelligence and jointly targeting illegal migrants and rogue employers. This is in line with plans to target the most serious business offenders.

Partnership working is an ever increasing feature of how we go about our work. High profile operations with the police, the security industry, local authorities and the Fire Service have recently taken place, and have received positive media coverage. This joined up operational approach ensures best value for money in terms of public funding.

You can read more about this in *Enforcing the Deal*, our plan for enforcing immigration law in the UK at www.bia.homeoffice.gov.uk/sitecontent/documents/managingourborders/enforcementbusinessplan08_09/enforcementbusinessplan08_09.pdf?view=Binary.

BIOMETRIC DATA COLLECTION

All visa applicants, with a few exceptions, are required to provide biometric data (10-finger scans and digital photograph) as part of the application process.

We completed global roll out of the programme at the end of 2007, three months ahead of schedule and within budget. We now collect biometric data in 137 countries and over 2.4m visa applicants have provided their biometric data. Over 18,000 of these prints have been matched with prints taken in the UK in connection with previous immigration matters or asylum claims. We have also been able to identify over 3,000 instances of identity swaps.

The biometric data collection process is quick, discreet, simple and non-intrusive. However, all visa applicants have to go in person to their nearest Visa Application Centre (VACs) or to the nearest British Mission where there is no VAC. Applicants' biometric information is stored on, and compared with other information held on a secure database in the UK.

FOREIGN NATIONAL PRISONERS (FNPS)

Scotland and Northern Ireland Region have been playing an active part in Operation Asarina. This operation, which is ongoing, is aimed at the promotion of the Facilitated Return Scheme for FNPs. Those who have been sentenced for a violent crime are not eligible for consideration and must complete their sentence prior to deportation.

LEGACY ENFORCED REMOVAL

The pre-2004 tranche of legacy families is currently being checked through the Lead Professional system. A few legacy families have already been removed but the remainder are expected to be cleared for removal by the end of the calendar year. If necessary enforced detention and removal action will be taken. This will be run in tandem with the alternative to detention pilot. In all cases the families will have had voluntary return explained.

OPERATION PENTAMETER 2

Enforcement Staff across Scotland worked in partnership with other agencies, particularly the police, to identify trafficked people in the community. The training and the experience which all staff gleaned from this operation has better equipped them to deal with this tragic issue as a matter of routine.

KEEPING CHILDREN SAFE FROM HARM

Training for all staff is mandatory and is ongoing. The level of training is dependent on the operational involvement of staff. Although Immigration Officers in SNI have much experience and skill in dealing with children and their family group, often in very challenging circumstances, they will still be required to undertake this new, comprehensive and job specific training.

Detailed consideration of the policy and procedures as they relate to Unaccompanied Asylum Seeking Children (UASC) is ongoing.

THE EMPLOYMENT OF BULGARIANS AND ROMANIANS

Within the next few weeks procedures which allow action to be taken in Scotland against both employer and employee will be in place. Fixed penalties will apply in a similar way to the Civil Penalty system which operates for non EEA nationals.