



WE BELONG

**CALLING FOR A SHORTER, MORE
AFFORDABLE ROUTE TO SETTLEMENT FOR
CHILDREN AND YOUNG PEOPLE**

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THE ISSUE?

The current immigration system is failing young people who have grown up in the UK and have the right to stay and contribute to the country they consider home. There are over 330,000¹ children and young people with precarious immigration status, who face a long, complex and expensive process before they are able to obtain the permanent status needed to plan for their futures and contribute fully to society.

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

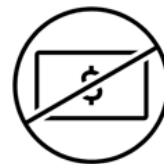
The high cost of these fees and the length of time to regularise status have a hugely negative impact on young people who were brought to the UK as young children.

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

ABOUT THE CURRENT SYSTEM

Most young migrants applying to remain in the UK on the basis that they have grown up here and have strong ties to the UK are on a ten-year route to settlement. An application for 2.5 years of leave to remain for these young people costs £2,593 per person up-front (£1,033 of this is the Home Office fee and £1,560 is an immigration 'health surcharge')

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.*



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

Families are expected to save the equivalent of a deposit on a detached house for immigration fees.²

²<https://www.gov.uk/government/publications/uk-house-price-index-summary-april-2019/uk-house-price-index-summary-april-2019>

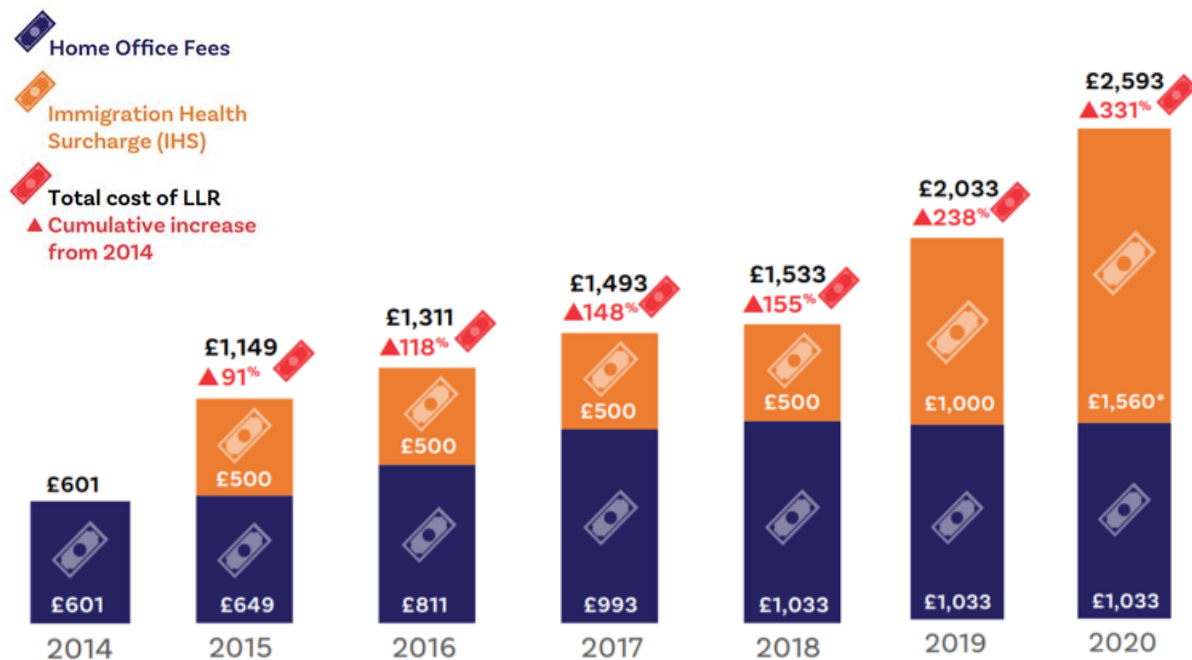
The cost of leave to remain (LLR) applications is increasing every year and is next due for review in April 2021. Administration fees for LLR are £142, meaning 86% (£891) of this total represents profit to the Home Office.

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

This does not take into account the Immigration Health Surcharge (IHS) which is set to £1,560 for a leave to remain application (LLR). Taking the

total cost of LLR applications to £2,593, an increase of 331% since 2014. 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.”³ 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.

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



³ Home Office, [Media factsheet- The Immigration Health Surcharge](#), 2020

WHAT IF SOMEONE CAN'T AFFORD TO PAY?

Those who can prove that meeting the cost of the fees would push them into destitution are eligible for fee waivers. However, the criteria for eligibility is extremely restrictive and in the last 5 years, the Home Office rate of rejection for fee waiver applications has ranged from 72-90%⁴, including 69% of those made by children. 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, 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 leave.

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.

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

10-YEAR ROUTE VS 5-YEAR ROUTE

Currently, only those applying on the basis of their strong ties are on the ten-year route to settlement – **all other categories of migrant have shorter routes.** For example, a partner/spouse of a British citizen or parent of a British child will be on a five-year route to settlement.

European citizens who have also been lawfully resident in the UK for five years can apply for settlement under the EU settlement scheme.

Home Office guidance states that individuals should 'serve a probationary period of limited leave before being eligible to apply for ILR'⁵ but young people who have already grown up in the UK must endure a 'probationary period' that is twice as long as other individuals eligible for leave to remain. This prevents children and young people from fully integrating financially and socially and increases the risk of them falling back out of the system and being subject to immigration control.

These children and young people are growing up in limbo instead of being citizens in the country they call home.

⁵ Home Office, Leave outside the Immigration Rules, v. 1.0, February 2018

SHAHMIR'S STORY

Shahmir came to the UK from Pakistan at the age of 5 with his parents and younger brother. 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 also deprived his family of its 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. Shahmir describes the toll on his mental health. "The constant Home Office delays and uncertainty about my future in the UK led to me being put on antidepressants, and I had to attend therapy sessions, due to the dark place I was in. I felt there was nothing to look forward to – I lost a lot of hope."

Despite his difficult circumstances, Shahmir did well at school and won a place to study medicine. Having seen how hard his parents worked, he was keen to make them proud. Even though Shahmir had LLR, his immigration status meant he did not qualify for a student loan. In another crushing blow, he was forced to give up his hard-won place at medical school.

*Shamir's story was part of We Belong research on the toll of the Immigration system on young migrants' mental health. 15 young migrants described a raft of physical and mental symptoms and behavioural changes triggered by the financial and emotional stress of being on the 10-year path to settlement in the UK, and the pressure of making repeated Home Office applications. You can find the report [here](#)

FIXING A BROKEN SYSTEM

The need to repeatedly make detailed and expensive applications increases the likelihood of children and young people falling out of legal status as, for example, they cannot raise the fees or afford a lawyer. Research by the Children's Commissioner has highlighted the trauma, stress and anxiety caused by 'living in a state of limbo'.⁶ This is corroborated by We Belong's Mental Health Check where young migrants interviewed described 'a raft of physical and mental symptoms' triggered by the financial stress of the 10-year route.⁷

In 2019, the Independent Chief Inspector of Borders and Immigration recommended that the Home Office 'review the routes to settlement, including assessing the negative effects

on individuals and families of requiring repeated applications': the government responded that it would 'reflect' on this.⁸

The current system also increases the burden on Home Office administration: requiring consideration of five separate applications when a long-term solution could be provided in one or two is inefficient and ineffective.

A shorter route to permanent status would ensure that children and young people who have grown up and been educated in this country are able to fully integrate both financially and socially, alongside the benefit of permanent residence. It would reduce the risk of them falling back out of the system if they are unable to raise the funds for application and legal fees and would ease the burden on the Home Office in processing these applications.

OUR SOLUTIONS:

- **Introduce a shorter, five-year route to permanent status ensuring stability for all children and young people with strong ties to the UK.**
- **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.

⁶ Office of the Children's Commissioner [Children's Voices: A review of the evidence on the subjective wellbeing of children subject to immigration control in England](#), August 2017

⁷ We Belong: [Mental Health Check](#), November 2020

⁸ Independent Chief Inspector of Borders and Immigration, [An inspection of the policies and practices of the Home Office's Borders, Immigration and Citizenship Systems relating to charging and fees](#), April 2019

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
