



Home Affairs Committee

Oral evidence: Legal Migration, HC 718

Wednesday 15 May 2024

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Members present: Dame Diana Johnson (Chair); Brendan Clarke-Smith; James Daly; Kim Johnson; Marco Longhi; Tim Loughton; Alison Thewliss.

Questions 1 - 98

Witnesses

I: Professor Brian Bell, Chair, Migration Advisory Committee; Marley Morris, Associate Director, Institute of Public Policy Research; Dr Madeleine Sumption, Director, Migration Observatory.

II: Caroline Coombs, Executive Director, Reunite Families UK; Kate Roberts, Head of Policy, Focus on Labour Exploitation (FLEX); Jonathan Thomas, Senior Fellow and Migration Researcher, Social Market Foundation.

Written evidence from witnesses:



Examination of witnesses

Witnesses: Professor Brian Bell, Marley Morris and Dr Madeleine Sumption.

Q1 Chair: Good morning and welcome to the Home Affairs Committee. This is part 1 of our inquiry into legal migration. We are aiming this morning to hear from two panels. We want to examine the impact of the Government's five-point plan to reduce net migration, consider the benefits and disbenefits of reducing net migration in the short and longer term, and understand what more needs to be done to prevent labour exploitation, including for those working in the health and social care sector. We will be having a second session on this topic with the Minister for Legal Migration on 5 June.

A very warm welcome to our first panel this morning. Could you each introduce yourselves, for those who are watching the Committee's proceedings?

Professor Bell: I am Brian Bell, chair of the Government's Migration Advisory Committee and a professor of economics at King's College London.

Marley Morris: I am Marley Morris, associate director for migration at the Institute for Public Policy Research.

Dr Sumption: I am Madeleine Sumption, director of the Migration Observatory at the University of Oxford

Q2 Chair: You are all very welcome. Professor Bell, the very quick review that you did into graduate visas was published yesterday. Could you update this Committee on its key findings? I will then ask each of you to comment on the five-point plan.

Professor Bell: The committee published its report yesterday, following a commission from the Home Secretary in March. Our conclusion was that the graduate route was fulfilling the objectives that the Government had set for it in 2021 when they introduced the measure in Parliament. The Government's objectives were to increase the number of international students who studied in the UK, consistent with the international education strategy of having 600,000 students in the UK. It increased educational exports. It allowed that talent to remain in the UK for a period after graduation and increased the attractiveness of our offer in the international student market.

On all those criteria, the committee concluded that the route was broadly meeting those objectives and therefore recommended that the route remain in place.

Chair: This was to allow graduates to stay for two years after graduation and those with a PhD to stay for three years.

Professor Bell: That is correct, with no right to settlement. It is an explicitly temporary route.



Q3 **Chair:** Professor Bell, would you like to tell the Committee your views on the five-point plan that was announced? In particular, we would be very grateful if you set out for us your understanding of the evidence basis that was used for making those policy announcements. Who was consulted, and what engagement took place? We are very mindful that this was announced very quickly after the current Home Secretary was appointed. It was a matter of a few weeks, so we are quite interested in that.

Professor Bell: There are three main areas. There are five points, but three elements to it. One is that there was a restriction on dependants of international students. From now on, international students on postgraduate taught courses, where the biggest share of visas are issued, will not be able to bring dependants. Undergraduates have never been allowed to bring dependants, so essentially it is bringing it into line with undergraduates. That is distinct from research students, who will still be able to bring dependants with them.

I think that the logic of that was the staggering increase that we saw in dependant numbers. In 2019, something in the order of 15,000 dependants came in total. In 2022-23, it was more like 140,000 or 150,000 who came. Essentially, there has been a big growth in the market for one-year taught master's students and they were able to bring dependants, so they did. The graduate route undoubtedly contributed to some of that growth and the attraction of bringing a partner who has an unlimited right to work in the UK while studying.

The Government—personally, I think quite reasonably—looked at those numbers and said, “Action needs to be taken on this.” It is not the intention of the student route to provide a route for dependants. Their own estimates suggest that that will reduce immigration by around 140,000, simply because you just take the number away who were using it.

The second area was care work. Again, that was driven by the very noticeable rise in the number of dependants who were coming on the care route. The care route brings in far more dependants than the average skilled worker route. About 120,000 dependants were coming in on the care worker route. Again, the Government took the view that that was not acceptable. That should lead to, as I said, a reduction of about 120,000 in immigration.

The effect on exploitation might be mixed on that one, in the sense that it may help to reduce exploitation because it will reduce the attractiveness of the package of coming to the UK for a family, and so they may not get into as much debt bondage. The risk is that they are potentially by themselves while their family are abroad, and that may increase their risk, so it is unclear on that.

Then the final big policy change was the skilled worker changes, where the salary thresholds have risen. It is fair to say that probably about half



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of the increase in the thresholds would have happened if the Government had just been uprating the thresholds on an annual basis, which we have always said they should do. The other half is that they actually raised the thresholds and made it more restrictive. In reality, the skilled worker route is therefore back to becoming essentially a graduate route. Most of the mid-skilled jobs will no longer be eligible. The Government think that that may reduce net migration by around 15,000.

Q4 Chair: You have said that the Government are thinking that restructuring the international students would reduce by 140,000, the care workers by 120,000 and the skilled worker one by 15,000. Do you agree that those are the numbers?

Professor Bell: I think that they will overachieve, as it were. The big ones are students and care. Those numbers are simply estimating what will happen because dependants cannot come any more. It assumes no behavioural response for main applicants. Essentially, it assumes that for every student who brought a dependant, the dependants will not come—either the student will still come, leaving their dependants abroad, or a different student will come—and the same for care.

That is probably unlikely. There will be larger reductions: we are seeing that, we think, in the student numbers already. If I were a betting man, I would say that the Government will achieve more than they expected at the time of the announcement.

Q5 Chair: Can I ask one thing about the care workers and the dependants? In terms of the gender breakdown, more women would be coming under that particular category and are likely to need to bring dependants with them. Has there been an equality impact assessment about that, and how it affects women in particular not being able to bring dependants?

Professor Bell: I have not seen one. It is not the MAC's responsibility. I have not seen one from the Home Office.

Q6 Chair: No, of course not, but you have not seen one. Mr Morris, would you like to comment generally on the five-point plan?

Marley Morris: I am happy to. There are three comments from me. First, I think that this is an attempt by the Government, to some extent, to have their cake and eat it. They want to reduce net migration, but at the same time they do not want to tackle the big challenges with the higher education funding model and the social care funding model that are driving a lot of the current figures. As Brian said, it is targeted particularly at dependants in the care sector and the higher education sector.

Indeed, it has excluded health and care from most of the increases in the salary threshold. You have the situation where the Government are trying to dodge the trade-offs by allowing the social care route and the higher education route to still function as they did. Of course, as Brian said, there might be knock-on effects, because we might see a reduction in



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main applicants coming through those routes from the targeting of dependants.

Secondly, it is worth saying that net migration may fall regardless of these policy decisions. The latest signs, for instance, in the health and care sector are that the main applicants in the first quarter of 2024 have fallen by nearly three quarters compared with the first quarter of 2023. That is a very big reduction before most of those policies have been introduced. Lots of things could be happening independently of Government policy.

Q7 **Chair:** Why has there been that fall?

Marley Morris: There are two possible reasons, but it would be good to hear from others as well. One is potentially that there could be fluctuations in labour demand. There may be less demand at the moment; that might change in the future.

Q8 **Chair:** Do you mean less demand in the care sector? I think that as MPs we would all say that one key issue for us is that care providers in our constituencies tell us that getting staff is just so difficult.

Marley Morris: Absolutely, yes. There is a second reason, which could be one of the key factors too: late last year, the Home Office introduced operational changes to tackle some of the abuse it was seeing in the social care sector. It has introduced, for instance, a new genuineness rule for applicants and new compliance teams within the Home Office. That could be driving some of the reduction in numbers. It would be good to get Brian and Madeleine's views on that, too.

Chair: That is very helpful.

Dr Sumption: Picking up on that particular point, we are seeing this really sharp decline in the health and care main applicants this year. It is in the first quarter of the year. It is probably a little bit early to say for sure if that is a long-term trend. You see blips. Especially with the policy changes, it may be that there are sponsors who are waiting for CQC registration. There are a number of reasons that there may be a delay and some people may come back into the system.

Like Marley, I think that the operational changes of having more scrutiny on the sponsor licences are probably having a significant impact. I would be surprised if the decline were exclusively due to people not being able to bring dependants any more, just because we know that in other visa types, if you look at the seasonal workers scheme for example, there are schemes that have much less advantageous conditions but where employers are able to recruit quite substantial numbers of people to come to the UK. I would be surprised if the reason were that people no longer want to come to the UK as care workers.

In terms of the overall package, I would expect the overall economic impacts of the work measures to be relatively small. Partly, that is



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because they mostly affect the private sector. Last year, that was around 30% of skilled worker grants that were going to the non-health and care workers anyway.

What was striking to me about the package for work is that it is primarily focused on the private sector and, other than the dependants ban, does not really do much about main applicants in the health and care sector. It does not address the underlying problem in the care sector, which is the poor pay and conditions for workers, which has driven the demand for overseas workers in the first place. We will see what happens. Maybe the numbers will taper down. If they go up again, there is a possibility that we will still be having this debate about how to address shortages in the care sector.

On the point on numbers, the 300,000 estimate from the Home Office seems fine to me, in terms of looking at immigration. Obviously the impact on net migration will be smaller than that, because some of the people would not have stayed permanently anyway. There is a lot of uncertainty at the moment about the rates at which people are staying in the UK and they have increased for students in particular. I would expect that if you had a reduction of around 300,000 in immigration, it would probably translate into a reduction of net migration of something more in the region of 150,000 to 200,000, plus the declines that would have happened anyway in overall net migration, which were expected to happen because of more international students emigrating over the next couple of years and maybe some work migrants emigrating. That could be another couple of hundred thousand.

Q9 Chair: Is this work that was going on in the Home Office prior to the new Home Secretary arriving? This announcement came very quickly after he had arrived. I wonder whether there was consultation going on. Are you aware of any engagement that the Home Office had, in terms of looking at how it was going to put forward new policies on legal migration?

Dr Sumption: You would have to ask the Home Office about that. I am not sure, personally.

Chair: Does anybody else know whether there was any consultation going on?

Professor Bell: I will just point out that, of the five points of the plan, one was announced under Suella Braverman as Home Secretary. The student dependant change was announced in May 2023, I think.

Chair: Thank you for that. It is hard to keep up—because there have been so many Home Secretaries—with which Home Secretary said what.

Q10 Tim Loughton: Professor, the report yesterday is projecting some quite stark numbers. These are big changes in numbers. It leads one to think, “How genuine were the increases from 2019?” You have just quoted the graduate dependants going from 15,000 to 150,000. What was behind that? You mentioned an increase in one-year master’s degrees. Why did



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that happen all of a sudden? Was it pandering to a market where people were attracted to it beyond just it being a good master's course?

Professor Bell: The first thing I would say is that the UK, perhaps unlike other countries, has always had a one-year master's programme as its main postgraduate. There was nothing unusual about offering a one-year postgraduate.

There are two things that happened. One is that, unfortunately, the Government found themselves in an unlucky storm in 2022, in terms of particularly net migration. On the international student side, the UK opened up, essentially, from covid much earlier than our main competitors, particularly Australia, Canada and the US. It is much more fun to be educated in person than it is online. We have a chart in our report yesterday where you see this very big increase in the UK numbers at the same time as big decreases in Australia, Canada and the US. You are now seeing the bounce-back as those countries have completely opened after covid.

To Madeleine's point, we have already seen some numbers declining. We are going to see more of that. That is probably separate to Government policy. That is just a readjustment of the market, where students get more opportunities to study abroad now.

Why did universities do it? I think they did it because the funding model is in crisis. At the time, in 2012, £9,000 was set as the fee for domestic students. That has not changed. It was £250 more at one point, but it has basically not changed. That is a 25% reduction in real terms. I do not know of any other business that is told, "You cannot raise your prices when costs go up," but that is what the universities are told to do.

They lose money on teaching domestic students. Structurally, they lose money on research, because the funding councils say, "How much does it cost to do research?" When you answer that question, the funding council says, "We will give you 80% of that amount." You lose money on research. You lose money on teaching domestic students. The only way you can make money is to charge international students. The business model forces them to do that.

Q11 **Tim Loughton:** There has been a lot of speculation about the high dependence of universities on various foreign students, which is obviously not healthy in certain cases. Where have most of those increases come from? Are there certain nationalities that have accounted for most of it?

Professor Bell: It is almost entirely from India and Nigeria.

Q12 **Tim Loughton:** What sort of proportion is it between India and Nigeria? India has always been a very big graduate source.

Professor Bell: It has been, although when the previous post-study work route closed in 2012 there was a big decline in Indian students at UK universities, which has then rebounded once the graduate route was



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introduced. Off the top of my head, I think we are now up to about 40% Indian students, about 40% Chinese students, about 10% Nigerian students, and then a mix across other countries. The universities are very heavily dependent on those three countries and all at postgraduate level, essentially.

Q13 Tim Loughton: There is a backlog bubble to do with covid that you have mentioned. How flexible are these markets with other countries taking large numbers? Are they also allowing dependants still to come, or are they making changes as well? Is somebody who is coming from Nigeria to the UK, who has brought a dependant before, now equally likely to go to Australia, America or somewhere else if they have a different policy? What is the assessment of that?

Professor Bell: On dependants, I cannot remember. I think that the US allows dependants to come on the visa as a student; I do not think you get work rights on that visa. Australia and Canada allow dependants on the route. In that sense, that offer is now more generous in other countries on the dependants side. That will undoubtedly encourage some people with dependants who want to bring their dependants to choose other countries.

Q14 Tim Loughton: That would suggest that many of those students were more interested in the add-ons rather than the quality and appropriateness of the course.

Professor Bell: They may just want to have their partner with them while they are studying.

Q15 Tim Loughton: How does that work in America if they do not have working rights as well? Is there a marked reduction in the numbers who go there compared with other countries that allow them to work?

Professor Bell: I could get back to you on that. I would have to look at the numbers.

Q16 Tim Loughton: It is important. If this is a very fluid market—and your figures are suggesting that this is going to lead to a big reduction in those dependants—and if they are not going to come here at all, we are going to have a student shortage, which is going to have knock-on financing consequences as well.

Professor Bell: That was the point of our report yesterday. The early indications, which are just indications at this stage, are that international postgraduate applications—and turning those into actual offers and places—are down quite significantly for this coming academic year. Our concern is that if you also did something on the graduate route in the short term, it would exacerbate that fall. That would potentially cause very serious problems for universities in the short term.

Q17 Tim Loughton: On the care workers, you cited 120,000. What was the comparable figure in 2019? I do not think that you gave us that.



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Professor Bell: It did not exist, because care workers were not eligible to use the skilled worker route.

Q18 **Tim Loughton:** So care workers could not bring any dependants?

Professor Bell: There was no route for care workers from outside the European Union to work in the UK.

Q19 **Tim Loughton:** How did those come who did come? They had to have more than just a sponsored licence from an employer.

Professor Bell: No, prior to the changes in 2021-22, when care work was added to the skilled worker route, if you were outside the European Union you could not come into the UK to work as a care worker, because it was not on what used to be called a tier 2 work route. You may have come through other routes. For example, you could have come through family reunification and then got a job in care, or you could have come as a dependant of a student and got a job in care, but you could not come as a worker.

Q20 **Tim Loughton:** What evidence is there, or are we lacking evidence, that we are going to have a big shortage if they can no longer bring their dependants?

Professor Bell: Do you mean workers in the care sector?

Tim Loughton: Yes. Is there evidence from other countries that are as desperate as we are to get those workers?

Professor Bell: I think that all countries that are advanced economies are desperate to get care workers. I do not think we are unique in that. The Home Office's assessment of its policy in December 2023 said, "We are going to assume that, because we are desperate for workers in that area and because it is still an attractive offer for international workers to come to the UK and get settlement after five years, we would be able to replace anyone who did not come because they could not bring dependants with someone who either was happy to leave their dependants in their own country or was single."

As we have said, and has been made clear, in the last few months there has been a significant decline in the number of people applying for visas under the health route. As to whether that is the first indication of that decline, it should not be, because actually you should have got your application in quickly to avoid the change. I suspect that there will be some significant decline in the numbers that come. In other words, I do not think that there will be a one-to-one replacement of people who wanted to bring dependants.

Q21 **Tim Loughton:** Can I ask if anybody else wants to come in on this as well? On doctors and nurses and the red list, there appears to be quite an alarming increase in recruitment from red list countries, which we have been quite good at avoiding in the past. How has that come about? What is the law about recruiting from red list countries? Is it just a



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recommendation that we should avoid wherever possible, or are there consequences?

I remember starkly that one of the first countries I ever visited when I got elected to this place was Ethiopia, about 25 years ago. One of the most alarming facts was that there were more Ethiopian doctors in New York than in the whole of Ethiopia. We do not want to go back to those days.

Dr Sumption: The situation is that there is a code of practice developed by the World Health Organisation, which NHS employers have signed up to. It effectively specifies that you should not actively recruit in countries where there are health shortages—shortages of health professionals. The issue is with modern recruitment online. If you are from Nigeria, say, you can apply to an individual vacancy that is posted online and would still be able to get that job. The code of practice does not prevent that.

That, in some sense, makes sense: it is one thing to go and actively recruit, whereas it could potentially be discriminatory to say, "If you are Nigerian, you are not allowed to work in the health service." There may be people who have already left those countries. There is a lot of complexity and possible discrimination associated with saying, "Simply because of your passport, we will not hire you at all." The focus was on active recruitment. The problem is that this does not work so well any more, because it is so easy for people to apply online.

Tim Loughton: So there are no restrictions on a doctor or nurse from a red list country applying for a job and being accepted by my hospital trust or anybody else's. There are no consequences to that under the code of conduct, as long as you do not go to Lagos, set up a stall and say, "We need to recruit your doctors and nurses," for example.

Dr Sumption: That is my understanding, yes.

Q22 **Tim Loughton:** It is rather pointless then, is it not? The red list is going to grow and grow, potentially.

Dr Sumption: I think that that is why we have seen so many people recruited from red list countries. You go on to the NHS Jobs website. It is very transparent now where the jobs are. Obviously that is a good thing for many workers, including UK workers, but it means that that old mechanism of the code of practice is probably going to be much less effective.

Q23 **Alison Thewliss:** I want to ask some questions about the changes to the minimum income requirement and the impact that you think they would have. Dr Sumption, perhaps you could tell us first whether you think that that will significantly reduce net migration.

Dr Sumption: When you say the minimum income requirement, do you mean for family visas?

Alison Thewliss: Yes.



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Dr Sumption: In the context of all of the changes announced, the impact on numbers is likely to be relatively small, because family migration made up around 7% of overall non-EU immigration, according to the ONS stats in the most recent data that we have. The Home Office estimate is that it could have an impact in the low tens of thousands on numbers. It is very difficult to say at this stage, because we do not know how many people may qualify through other means such as having significant savings.

The impacts will obviously be very significant for the individuals concerned. Under the £18,600 threshold, you could earn that kind of money with a minimum wage job. There are going to be lots of people who simply cannot get a job that earns even £29,000, and certainly not £38,700.

To me, in some ways, that was the most surprising of the package of measures. The work salary thresholds are reasonably mainstream by international standards. Some countries have lower thresholds, but it is not off the charts. If you do an international comparison of the family policy that is proposed here, it is off the charts. I am not aware of any high-income country that has anything that would exclude such a high proportion of its citizens from sponsoring someone from overseas.

Q24 **Alison Thewliss:** Do you think it will have an impact on the number of families taking the 10-year route?

Dr Sumption: Yes. There is a lot of uncertainty at the moment. If people are already in the UK, there are more options for them to get leave to remain in the UK with exceptional circumstances than if they are coming in. My expectation would be that you may then have people coming in and dropping below the threshold, or here for other reasons and then making a family application and getting leave on the 10-year route, which then increases the costs for that family.

There is basically no transparency around what happens with entry clearance for exceptional circumstances. We asked the Home Office through a freedom-of-information request recently, and it said that it did not know how many people were granted entry clearance for exceptional circumstances.

Marley Morris: It is worth saying that the Home Office itself has said that while currently only several hundred such claims are made a year, it is likely that a greater proportion will no longer meet the threshold based on earnings alone and so rely on their article 8 rights, which means you will have more people on the 10-year route. The Home Office itself suggested in its assessment that there will be more people on the 10-year route. We have done some research suggesting that people on the 10-year route are particularly vulnerable to poverty, because they have to pay extensive fees every two and a half years.

Q25 **Alison Thewliss:** It's a big chunk of a family's income to keep on that



route, is it not?

Marley Morris: Absolutely, yes. The impacts, as Madeleine said, are likely to be quite small in terms of overall net migration, but for individuals you could have lots of people who are still in the UK—they are still coming—but are on a longer route to settlement, having to pay fees, not necessarily having access to any welfare support and at greater risk of poverty. There are lots of families with children, so there is a risk of child poverty as well.

Q26 **Alison Thewliss:** Do you think that it is a disproportionate policy?

Marley Morris: Yes. The increase in the family income threshold is significant, as Madeleine said. It does not strike me as reasonable that you would attach the final threshold as matched with the new threshold for skilled workers. There does not seem to be a clear rationale for that. It seems to be out of step with international comparisons and, as I said, could have a detrimental impact on some individuals who are still coming to the UK. There will be no impact on net migration, but they will be at greater risk of destitution.

Q27 **Alison Thewliss:** When we had a debate on this the other week, the Minister seemed to suggest that the Government were trying to dissuade people from reaching the end of that 10-year route, at which point they might be able to claim benefits. Does that seem entirely unreasonable as an objective?

Marley Morris: Do you mean extending it to make it harder for people to get benefits after that 10 years?

Alison Thewliss: After that 10-year period, yes.

Marley Morris: I don't think that it ultimately achieves anything, because most of those people are likely to stay in the UK for the long run, so for their integration it makes sense to make those settlement routes more quickly. Lots of people can apply for a change of conditions, so they can access welfare. If anything it makes more work for the Home Office, because when they are destitute they then have to apply, or indeed for local authorities that then need to provide support under the Children Act when they become destitute.

Dr Sumption: There is a really interesting question about how the threshold was set. It is not obvious to me, conceptually, why there is any relationship between the threshold for the skilled worker route, which is skilled people coming here for work, and family migration. If you were to think about it as, "What is a rational process for setting the threshold from scratch?", you would think about what the actual goal is and how you achieve it.

There is an interesting disconnect around the way the policy is described, in terms of ensuring that people are self-sufficient, and then the threshold that is based on the earnings of skilled workers. If you take it



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literally, you would be saying that, effectively, under the £38,700 policy, 70% of British people cannot support themselves, which is a slightly odd interpretation.

Q28 **Alison Thewliss:** It is an interesting message, certainly. Brian Bell, do you have any particular things to add to this conversation?

Professor Bell: Building on Madeleine's point, it was the MAC itself that recommended the minimum income requirement in 2012, following a Government request. We explicitly set the level to be consistent with essentially no burden on the public purse. We looked at what you would have to earn to not be able to claim in-work benefits of any type. That was why the number was as it was.

Unfortunately, the Government did not uprate that number over time. This gets back to a basic gripe we have all the time, which is that if you set a number in nominal terms, you should uprate it every year. When benefits are going up, you should be updating that number. Some of the increase would have occurred anyway if the minimum income requirement had just kept pace.

The key point is that the methodology that we used, and that in the end was endorsed by the Supreme Court, cannot be used to justify this threshold. The Government will need to come up with a justification for the threshold that is based on evidence and thus far they have not done so.

Q29 **Alison Thewliss:** Were you consulted on the threshold?

Professor Bell: We were not, no.

Q30 **Alison Thewliss:** Were you surprised at the level it was set at?

Professor Bell: I was surprised by the level it was set at, yes.

Q31 **Alison Thewliss:** From my own experience, in the casework I see in my office, there is a lot of complexity around applying for family visas. There is a lot of time wasted as well. Do you think they represent good value for money, given the amount of money people are having to pay for them?

Marley Morris: Clearly there are extraordinarily high fees at the moment, and they do not remotely reflect the unit cost for the Home Office of processing those applications. As I said, there are also the change-of-conditions applications. There are options for people to apply for fee waivers under certain circumstances, but that is an additional administrative cost for the Home Office. Lots of people are not necessarily aware of when they can apply for fee waivers, and fee waivers are not available for settlement. People might get to the end of the 10-year route, but then be unable to afford settlement.

It is worth saying that lots of the people on the 10-year route are people who have not met the family threshold, as we were saying, so they are



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more likely to be less well off. They are in a particularly vulnerable place and it seems illogical to ask them to pay more because they have to pay additional fees for those 10 years, when they are by definition more likely to have lower incomes.

Chair: I wanted to check that nobody has seen a full impact assessment of these changes, have they? I am just checking that it has not come out yesterday. No, nobody has seen this.

Q32 **James Daly:** Professor Bell, is it the stated objective of the British Government to attract the brightest and best to UK universities?

Professor Bell: Yes.

Q33 **James Daly:** Looking at your report—tell me if I am wrong in respect of this—it certainly suggests that 41% of graduate route visa holders earn less than £15,000 a year. Is that correct?

Professor Bell: It is a difficult one to answer. The most useful way of thinking about it is to look at their earnings after a year in the labour market. When they first join, they might get a very part-time job in a pub as a starting job. Our focus is more on, “After a year on the graduate route, what are your earnings like?”

Q34 **James Daly:** Sure, but let’s just take year one. Is it correct?

Professor Bell: For the whole year, yes.

Q35 **James Daly:** Therefore it does seem to me that those two things are completely and utterly contradictory. The graduate visa route is not achieving the aim for which the Government have a very clear and stated objective. Would you agree?

Professor Bell: I would say that it was one of the objectives of the Government. It is dangerous to pick and choose which objective you want to focus on. The Government also have an objective of achieving 600,000 international students in the UK.

Q36 **James Daly:** Do you think it was the aim of Government policy that they would bring in the visa graduate route so that 41% of people in year one would earn £15,000 a year?

Professor Bell: You would have to ask the Government.

James Daly: Well, it’s clearly not, is it?

Professor Bell: I don’t know.

Q37 **James Daly:** If the Government were to reform the graduate route—because it seems to me that it needs to be reformed—could I ask for your view on the introduction of a price floor? If we had courses, say, that cost £15,000 or £20,000 a year, that is the best way to ensure that two-year visa-free access to the UK labour market is effective in terms of the Government’s objective behind the policy.



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Professor Bell: You are suggesting that you should only be able to go on the graduate route if you paid higher fees.

James Daly: Exactly, yes.

Professor Bell: That would be an option for the Government. To caution you on this, you may be looking at one of our tables later on in the report where we show average fees per university. That data is from 2020-21. There is no more recent data. All of those fees will have increased significantly since then, so there are an awful lot of universities that are already charging about £15,000 for postgraduate courses.

Q38 **James Daly:** In terms of answering the question, I have asked you a question about a price floor. It could be £15,000 or £20,000. It could be £25,000, whatever it is. That is the best way for the Government to attain their objective regarding the brightest and best contributing to the economy, in terms of the two years' visa-free access to the labour market. It is a very simple and straightforward way to achieve that, is it not?

Professor Bell: It's not. First of all, that implies that best and brightest is equivalent to richest. I do not think that they are the same things, myself. You may; I don't.

Secondly, I go back to my basic point. You are picking one objective that the Government have and saying that that is the only one that matters. If you restrict the visa in the way you are suggesting, you will not achieve the objective set out in the international education strategy. That is, as I understand it, Government policy.

Q39 **James Daly:** Let's look at the wider impact of the graduate route. I am looking at your report. One of the points, I am assuming—it's just a general point; I don't think anybody can possibly argue with this—is that there must be a point in terms of adding to the skills base of the UK labour market, adding to the economy and the value added. Now, I have looked at your report, and it seems to me absolutely crystal clear that the graduate route does not offer any value to the skills of the UK labour market at all, does it?

Professor Bell: That is broadly fair, in the sense that had we been asked the question by Government, "Do you think the graduate route is necessary, in addition to the skilled worker route, to bring skilled work into the UK?", our answer would probably have been that the arguments are less compelling. That was not the question the Government asked us. The Government asked us, "Given the objectives we set for the graduate route, has it achieved those objectives?" The answer to that is yes.

Q40 **James Daly:** I completely understand that, but we are asking you our questions as the Home Affairs Select Committee. I want to clarify this point, because this is a matter of grave concern to my constituents and to constituents and people throughout the country. It is correct, whatever one's view of the graduate visa route, that there is not one piece of



evidence that says that the graduate visa route adds value to the skills of the UK labour market, is there?

Professor Bell: There is, in the sense that if you look at chart 2.3 in our report, you can see that, compared to UK domestic graduates, a year after starting on the graduate visa, 15 months after graduation, the larger proportion of international graduates earn in the top bracket. There is also a larger proportion earning in the bottom bracket, so it is the middle that is being squeezed, but there are some very high achievers on the graduate route. We can see them switching into the skilled worker route at the end of their two years, so it is retaining some of that talent. I do not think that it is at all fair to say that there is no evidence at all. There is some evidence.

Q41 **James Daly:** The best-case scenario is that a very small number of people are adding to the UK labour market skills base. In terms of value added for the British taxpayer and the cost involved, it is not benefiting the economy in a reasonable and proportionate way, compared with what it is supposed to be achieving, is it?

Professor Bell: It depends what you think it is supposed to be achieving. I go back to my point: you think it should only be achieving one thing. That is not what the Government think it should be achieving.

Q42 **James Daly:** As a Member of Parliament—perhaps it is an unfashionable viewpoint—I think that if you are going to create a graduate visa route, the whole point is to widen and expand the skills base of the UK economy, so as to grow the UK economy. The best that you can say, Professor Bell, is that for a very small number of people that may well be the case, but the graduate route has no significant effect on the skills base of the UK economy at all, does it?

Professor Bell: It has a small effect.

Q43 **Kim Johnson:** Good morning, panel. Professor Bell, you have mentioned that the five-point plan is likely to achieve the Government's objectives in terms of reducing net migration. However, that will be to the detriment, we have heard, to the social care sector and universities. I wanted to know what work has been undertaken to do a level of assessment of just how much detrimental impact that is likely to have.

Professor Bell: There is none that I am aware of.

Q44 **Kim Johnson:** UNISON, the union that organises in the health and social care sector, calls these policies disastrous in terms of the impact they are likely to have on social care workers, particularly those who work for precarious organisations. If they lose their job, they are faced with likely deportation and then having to pay ongoing visa fees for every other job that they want to go to. I wanted to know what work has been undertaken to look at some of those unscrupulous organisations that exploit these workers.



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Professor Bell: To be fair to the Government, one key change that was introduced in December was to require that, going forward, all workers coming in on the care visa would have to work for CQC-registered employers. That will somewhat reduce the number of migrants who come in on the route, so it reduces net migration but also begins to introduce an element of dealing with exploitation. The Government deserve credit for introducing that restriction that means that there is an element of regulation within the sector that is being applied. That is a positive.

On the broader question, for the care sector as a whole, it will partly depend on this currently unknowable fact, which is whether care organisations are able to still recruit the numbers they want of people who either do not want to bring their dependants with them or do not have dependants. That is very unclear at the moment. It will take a number of months into the new financial year, when the restrictions are actually in place, to see whether that is having an effect. That is the risk that exists.

Marley Morris: I agree with Brian. It is good to see that the Government introduced that new rule around CQC registration, but there is a lot more that could be done and is not touched on. For instance, we think that there should be greater conditionality with sponsorships. Beyond CQC registration, there should be more rules for sponsors to ensure that they are upholding the employment rights of the people they are recruiting, and there should be a clear code of conduct for those sponsors.

Secondly, we need greater investment in enforcement and a single enforcement body. We have called for that as well. That has been on the books for a while, but we think that it needs to be expedited.

Thirdly, as you mentioned, at the moment there is a risk of people coming forward to report exploitation. If the sponsor licence of the organisation they are working for is revoked, they lose their leave to remain within a short period. Extending that period, if they are coming forward to report exploitation, would help to encourage people to come forward and tackle some of these issues.

Dr Sumption: I agree. The operational changes will have some impact, but what has not really been addressed is some of the structural factors that make care workers vulnerable. There are lots of different things that have been proposed. There is some work to be done around facilitating transfers. I do not think there is a huge amount of transparency at the moment around where the vacancies are. You have this odd situation where sometimes people have lost their job or have tried to leave an exploitative sponsor, or maybe the sponsor's licence has been revoked, and they are unable to find a new job. They struggle to find a new job within the UK within 60 days, even though you still have new people being sponsored from abroad.

Under the post-Brexit immigration system, the MAC actually recommended that the labour market test be removed. When that



recommendation was made, there was a slightly different system, with a salary threshold of £30,000 at the time. There is a question about whether you want to create some kind of transparency around what the vacancies are before people are sponsored from abroad, if there are people who need to be able to switch employer from inside the country.

Probably more thinking is needed around what happens when the sponsor licences are revoked, because currently the workers lose out if their employers exploit them. There is some qualitative evidence that employers can use this as a threat against the employee, saying, "If you complain, the licence might be revoked and then you will lose your job and have to leave."

Q45 Kim Johnson: Local authorities are very dependent on care workers to deliver adult social care. We know that payment and terms and conditions are often not great. UNISON has suggested that more local authorities be given funding to look at unscrupulous care providers. What are your thoughts on that?

Dr Sumption: I do not have strong views on precisely who should do it. The resources in the system have been an issue. There are a very large number of care sponsors now in a system that was not originally designed for these low-wage, high-exploitation-risk jobs. There is a question of the fragmentation of the enforcement arrangements and the amount of resources going into this high-risk industry.

Marley Morris: We have also thought that maybe there are ways to increase the level of funding available for enforcement by increasing some of the costs for employers as well. Employers, for instance, pay quite low costs on certificates of sponsorship at the moment, compared with to the costs we were talking about earlier for people on the 10-year route. Perhaps those costs could be increased to pay for an additional level of enforcement from the Home Office.

Q46 Kim Johnson: Professor Bell, as part of the five-point plan there is a suggestion that we have less reliance on international workers meeting the needs within the care sector, and for us to grow our own, as it were. How do you see that happening in future, given that a lot of those jobs are so low-paid and a lot of local people do not want to work in that sector?

Professor Bell: The MAC reported on social care in April 2022. As far as I am aware, it remains the only report that we have submitted to which the Government have never responded. They accepted, essentially, one recommendation from our report, which was to open the route for care workers. There has been no progress whatsoever on our main recommendation, which was that unless you change the pay of care workers, you cannot deal with this problem. It is depressing that no progress has been made.



Frankly, it does not take a genius to work out that if Aldi is paying £12.50 to stack shelves, you are probably not going to want to work in a care home at the minimum wage. Everyone agrees with that—I see lots of nodding around the table—and then no funding is put in place to deal with it. Until that happens, we will continue to rely on immigration more and more.

Q47 **Brendan Clarke-Smith:** To pick up the point that James was making about attracting the brightest and best and what the salaries tend to be at the moment, I take the first point—that the way the academic year falls, they may take a job at a pub, or however it goes. My concern is how that affects GDP and various other things, and whether there is a knock-on effect with those figures.

I am wondering how many actually do graduate jobs. Professor Bell, I think you were saying that some of those are high earners. Has there been some research into which universities they are coming from? For example, if we look at Russell Group universities, are we seeing a higher proportion taking these graduate positions? Other universities have been accused recently of selling visas rather than courses, with dependants and so on. Are there some universities where people are taking a disproportionately higher number of lower-income jobs? Is that something that could be targeted? I have seen one suggestion that you could almost license some of the better universities to have a graduate visa, while others do not. Have you noticed that from your research so far? Is there anything that has particularly stood out about certain universities and certain graduates with their income levels?

Professor Bell: I can answer some of those questions. For some of them, I am going to say that we do not have the data to be able to answer at the moment.

On average, it turns out that about 10% of postgraduates who study at the top 200 universities in the world, which includes almost all the Russell Group universities, for example, go on to the graduate route. It is more like 30% going on to the graduate route from postgraduate studies at the lower-ranked universities. There is a noticeable difference.

A very significant part of the reason for that goes back to the nationality of students. Russell Group universities rely very heavily on Chinese students, who are much more likely to want to go home at the end of their studies than Indian and Nigerian students, who are more interested in both the education and the work opportunities. There is a difference there.

What we cannot do, unfortunately, because the data does not currently exist, is link those universities with the earnings that they have on the graduate route. It is feasible to do it, because we have linked the graduate visa; we just have not been able to get, in time, the link to the university. We cannot answer the question whether someone who went to



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Oxford on a postgraduate course earns more than someone who went to the University of Hertfordshire.

- Q48 **Brendan Clarke-Smith:** Okay, but we are able to link certain universities with nationalities, for example. If there has been a huge uptake in, say, one of the newer universities that tends to have a disproportionately high number of students from—I don't know—Nigeria, we are able to map that out. Is that the case?

Professor Bell: Yes, we can do that. The Government themselves published some statistics yesterday where they show earnings by nationality. I think US citizens were the highest earners on the graduate route. You can do it by nationality, but you cannot do it by university.

The other thing I would say is that, unfortunately, when they are on the graduate route, we do not actually know what job they are doing; we just know how much they are earning. You cannot turn that into a graduate job calculation. You could earn £40,000, but you might not be in a graduate job; you might be a bricklayer.

- Q49 **Brendan Clarke-Smith:** Does anybody else have any observations on that point? I mentioned GDP and so on. Is it something that is going to be significant, or is this something that statistically is not particularly affecting us?

Dr Sumption: The impacts of the graduate route are probably very small. The report suggests that there is probably a small fiscal positive, because people are young and not eligible for benefits while they are on the route.

As we have discussed, if you look at the labour market outcomes, they are okay. They are not stellar if you look at the averages. It is fair to say that the graduate route has been much more successful if you look at the objective of attracting students to universities than it has been in bringing in people who have good labour market outcomes in the UK. For people who move from the graduate route to the skilled worker route—those who stay—the outcomes are broadly the same as for domestic graduates, but not better.

- Q50 **Brendan Clarke-Smith:** So there is no benefit in the wider economic sense. I know we talked about the Government's objectives—it is about getting the students in, and there is a product to be sold there—but society-wide, there is no wider benefit statistically that we have seen.

Dr Sumption: "Society-wide" and "wider benefit" are quite broad. You can look at things like impacts of diversity and so forth, which I will not get into. In terms of the economics of it, if the only objective is labour market, it is not an economic necessity that the UK has this route. The objective that is being fulfilled primarily, in my view, is the one about attracting students to universities.



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Marley Morris: As Madeleine said, there is likely to be a small positive fiscal impact, which presumably is worth considering.

Q51 **Marco Longhi:** Do you believe it is right that the Government should have a 600,000 target for international students?

Dr Sumption: Any target is arbitrary.

Marco Longhi: In your view, is it right that there should be?

Dr Sumption: To be honest, I do not know how much impact the 600,000 target actually has. The students did not come because of the 600,000 target. The students came because of a combination of the education, the graduate route and the universities actively recruiting abroad.

Q52 **Marco Longhi:** The graduate route was implemented because it tried to aid the 600,000 target. Do you believe that the target should exist in the first place?

Marley Morris: It is worth saying that in the last few years a key priority for Government has been to boost exports, and international education is a major service export. I do not know about the specific target of 600,000, but there is a clear case for making an ambitious target to boost exports in the education sector.

Q53 **Marco Longhi:** One could argue that exports would be around the globe rather than just India, China and Nigeria. Is there something about Nigeria and India that is very appealing for exports for the UK?

Marley Morris: There is no specific requirement on nationality. It is an open system. It is for people to decide whether they want to come to study here with the universities.

Q54 **Marco Longhi:** Is it not the case, therefore, that what we are really talking about here is the funding model for British universities? Pre the graduate student visa, universities were actually doing fine. We have suddenly decided that we should be boosting the pockets of universities by bringing in international students.

Professor Bell: In answer to your first question, I have no idea where the 600,000 comes from. The international education strategy, as far as I can see, has no understanding of why it is 600,000. It just came up with a number.

Marco Longhi: The question was whether there should be one.

Professor Bell: I do not see the point of a target unless you explain why you are having it.

Marco Longhi: You do not see the point of the 600,000.

Professor Bell: Probably Government should stay clear of setting targets. It is really important to understand the financing model that is going on here. It gets back to this basic point that the Committee has



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made repeatedly, which is that so often immigration is being used to solve problems that frankly politicians do not want to deal with. The higher education model is one of those.

The problem with the higher education model is that there was a new funding model put in place in 2012 that said that tuition fees were going to pay for this because the taxpayer should not—because a lot of the benefit goes to the individual, so they should pay for their education. Uniquely, we have said, “Every single year, we expect that service to be provided cheaper and cheaper.” We do not do that for anything else, but we do it for education. That is not a model that works, so we are crippling universities on the domestic fee side. We do not fund research for full economic costs, so universities lose money on that, so the only way they can break even—it is not making a profit; they are non-profit organisations—is to bring in more international students and charge them a lot.

It is very easy to say, “Let’s cut the number of international students.” It is as if that will have no impact on the higher education sector. It would be useful to start by saying, “How do we deal with higher education sector funding problems?” If we deal with those, many universities will say, “We don’t need anywhere near as many international students, because we are making money on domestics. We can cover our costs.” They cannot do that at the moment, so politicians have driven universities to do this.

Q55 **Marco Longhi:** Is it politicians or officials?

Professor Bell: It is the policymakers.

Q56 **Marco Longhi:** Yes, that is probably more accurate. I have been a politician here, as a Member of Parliament, since 2019. The longer I have been here, the more I have realised that it is not so much the politician who is running the country as the official who advises the politician. I would not expect you to comment, of course.

I will move on to salaries of earners in respect of international students who decide to stay on. I have seen my daughters come through higher education; I have seen extended family members. There has been this notion that everybody should go to university and that it is the right thing to go to university. Blair came out with this 50% target—you yourself have said that it is not a particularly good idea to be setting targets. We had institutions that were not universities that suddenly became universities.

You have this plethora of students who come out with a qualification that is quite often not worth the paper it is printed on, frankly, and who then struggle to get jobs. It is not a surprise to me at all that we are talking about graduate students then earning only £15,000. International students are competing for jobs that British people find hard to get themselves. Does this, from a policy perspective, make sense to you?



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Professor Bell: Just to make sure that we do not under-emphasise the value of a degree, it is still true that there is, on average, a very large wage premium to getting a degree. Even though we have massively increased the number of graduates who graduate from British universities, it is still true, when you look at the data, that the average person benefits from university financially. But it is absolutely true, as you say, that there is a tail who, if you take their lifetime earnings, will turn out to have been worse off going to university than if they had just got a job.

To be fair to the Government, they have made significant progress in publicising that data better. Perhaps we need to do more of that by saying to students, "If you are thinking of going to this university to do this course, look at the graduate outcomes that people achieve and think about that as an investment." I do not think that we do enough of that in this country, so I would welcome that.

In terms of taking people's jobs, the numbers on the graduate route overall are very small compared with the UK labour market size. It would be extremely unlikely, given all the research that has been done on immigration in general, that these migrants are having very significant downward impacts on wages in the UK. It is, at most, 200,000 people at any one time on the graduate route. That is a very small percentage of the UK workforce, and so it would be inconceivable that they could have such a large effect on British workers' wages.

Q57 **Marco Longhi:** None the less, it has a negative effect on GDP per capita, does it not?

Professor Bell: No, probably not, actually, because GDP per capita includes all the people who do not work. If you increase the number of people working in Britain, and most of these people on the graduate route are working, that increases GDP per capita. GDP per worker probably does not go up.

Marco Longhi: I mean the working population.

Professor Bell: Yes, it will not go up because they are earning less than the average earnings.

Marco Longhi: It has a negative impact.

Professor Bell: Yes. Again, it is fairly small, but negative.

Q58 **Marco Longhi:** Do other panel members wish to comment on the questions? I see you wanted to answer but then Professor Bell jumped in to the rescue, I think.

Dr Sumption: Sorry, which question do you mean?

Marco Longhi: It was about the 600,000 target and whether it should exist. The whole point is that this is about the funding of universities. It seems to be another sector where Government and officials seem to think



that immigration is the sticking plaster that solves the problem, rather than solving what appears to me to be a structural problem.

Dr Sumption: On the target, I agree with Brian. Any target is arbitrary. Maybe all sorts of work went on behind the scenes, but it is not clear to me how that target was arrived at. I am not totally sure how much impact the target has, though. It is not obvious to me that what happened would have been different if the target had been 500,000 or 700,000. We might have seen exactly the same thing happen.

As it happens, they got to around that level, but I do not think that was because there was some kind of wonderfully centrally planned scheme that landed just there. I think it is a coincidence that they happened to hit about 600,000. You could leave the target in place with the policy changes that we have been talking about, and we might potentially see lower numbers of students. The targets often end up being largely symbolic anyway.

Marley Morris: It is worth saying that, as we said at the beginning, this is in the context of potentially quite a significant drop in international students coming in the next academic year. There is a logic to perhaps being cautious around changing the graduate route too much because some of the impact that the Government want on overall net migration may be happening anyway in the course of the coming months.

Q59 **Tim Loughton:** Can I come back on a quick point? Professor, you have mentioned targets being all a bit unnecessary and arbitrary. Would you agree that net targets are completely ridiculous, because you can have no control over people leaving the country?

Professor Bell: I agree. You certainly cannot hit it accurately.

Q60 **Tim Loughton:** Also, these figures can show very large movements. For example, if the Ukrainian situation were resolved tomorrow, we could see 150,000 people all of a sudden leaving the country if they are minded to go back to Ukraine, as they are entitled to do. That would have a very substantial impact on the migration figures, on an entirely artificial basis.

Professor Bell: Yes, absolutely, which is why we have always said that you should try to avoid looking too much at any one set of figures. You should take a fairly long period to average it out over. To be fair to the Government, even if you average out the numbers over a 10-year period, you are still at 200,000, 250,000 or 300,000 net migration. That may be higher than the Government want, and then policy should respond to that. It should not respond to the fact that it so happened that last year it was 750,000. As you say, part of that was because we decided to be generous to Ukraine and Hong Kong. Would we not have done that just because it would ruin our net migration number? Surely not.

Q61 **Chair:** We have to draw this part of the session to an end soon. Professor Bell, I wonder whether you could write to the Committee about the rapid review that you carried out on the composition of the new immigration



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salary list. We are particularly interested in what that means for employers and employees, what they can expect, what the 20% going rate salary discount means and what impact its removal will have.

Finally, there has been a recent report by the Centre for Policy Studies; I think a number of our colleagues were authors of that report. One of its recommendations was retiring the shortage occupation list altogether, rather than just creating this new opaque immigration salary list. Do you have a view on that?

Professor Bell: We have historically said that we would be in favour of abolishing the shortage occupation list. We do not think it fulfils a phenomenally useful purpose. It suffers from giving the false impression that we can respond really rapidly to short-term changes in the labour market. By the time the process goes on, it is already too late to have dealt with any crisis, so that is probably best left to emergency action by the Home Office.

In reality, the immigration salary list, as we expect it to run going forward, is likely to be very small and have very little impact on the labour market. I am happy to write to you on this, but our expectation would be that if the Government stick with what they plan for the immigration salary list, it will not make much difference to most employers.

Marley Morris: On that point, it is important to note that there was a major review of the shortage occupation list last year by the MAC. At that point there was a call for perhaps abolishing the list. That was before December, which is when the Government increased the salary thresholds. At that point, there is more of a case for a salary list, because at that point the salary list allows for occupations to be paid at a lower rate than the general threshold, which becomes much more important for some occupations. There are some occupations, such as chefs and butchers, that are basically priced out of the current system because their median salary is much lower than the new general salary threshold.

It is also worth saying that because of the way the Government implemented this policy, it was really rushed through and the MAC was not given a chance to do a proper review of all occupations for the new immigration salary list before these new salary thresholds were introduced. That is generally a bad way of doing policy. It is not the MAC's fault, obviously; it is because of the way the Government rapidly introduced this policy.

Chair: That is helpful. Dr Sumption, is there anything you want to add to that?

Dr Sumption: I agree with Brian that sometimes people do not quite appreciate how difficult it is to identify where the shortages are and meet them. My view is that probably it is so difficult to do that we should not bother. If you want lower salary thresholds for certain jobs, it should probably be more long-term. There would be a list, like we have



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currently, effectively, for doctors and nurses. We say that they do not have to meet the salary thresholds because they are on the public sector pay scales and there is a value in admitting those workers.

Thinking about whether it is sensible in the long run to allow certain occupations, perhaps because of their strategic value to the UK, to have a lower salary threshold might be a more rational process than trying to chase the shortages. It sounds sensible, but when you actually look at the implementation, it is too hard to do.

Q62 Chair: For a long time, we had one Minister responsible for immigration and migration, legal and illegal. We now have two. Do you feel it is a positive development that we now have focus on legal migration? Does anybody have a view about that?

Professor Bell: We in the MAC only deal with the Minister for Legal Migration. In one sense it has not changed how we deal with Ministers, because we used to just deal with the Immigration Minister, and of course the Home Secretary. There is probably an advantage. It is a massive area of Government policy, so it is probably quite hard for one Minister to cover the entire topic themselves.

Q63 Chair: Yes, not being able to give it as much attention. I think that the Committee feels that we have spent a lot of time on illegal migration over the last few years, and this Committee has had to do that as well. Is there any other view?

Dr Sumption: No. I do not have a problem with that layout. It seems perfectly sensible.

Q64 Marco Longhi: There is actually a connection between the two as well, though. One question I wanted to ask was whether we know how many students abscond. Once they have first registered at a university or educational establishment, they then disappear, and potentially subject themselves to exploitation as well. How many overstay their visa after they have completed the visa period itself?

Chair: I am very conscious that the Home Office does not seem to have any data about decisions that it makes around exceptional circumstances.

Marco Longhi: They become illegal at that point.

Chair: I would be very surprised if the Home Office had any data about that point.

Professor Bell: The Home Office will have no data on that. Overstaying, historically, has been very low on the student route, but you would have to ask the Home Office.

Marco Longhi: There is a link between legal and illegal in that respect.

Chair: There is, of course.



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Marley Morris: Can I make one brief point about the link between? One thing to bear in mind is that the immigration salary list is used for asylum seekers' right to work. The fact that the list is now being restricted and high-paying jobs are no longer eligible for the immigration salary list leads to this slightly strained system where asylum seekers cannot work in high-paid occupations because of the way the immigration salary list works. Maybe that is not going to be very common, but it still seems bizarre in principle that asylum seekers can work in some low-paid occupations such as care but would never be able to work in a higher-paid occupation.

Marco Longhi: They shouldn't work at all.

Chair: Thank you all very much for your contribution this morning. It has been very helpful, and we will be reflecting your comments in the report we write.



Examination of witnesses

Witnesses: Caroline Coombs, Kate Roberts and Jonathan Thomas.

Q65 **Chair:** Good morning, and welcome to our second panel. May I ask each of you to introduce yourselves?

Caroline Coombs: My name is Caroline Coombs. I am the co-founder and executive director of Reunite Families UK. We represent thousands of families who are separated or impacted by the family migration rules.

Kate Roberts: Hi, my name is Kate Roberts. I work at FLEX, or Focus on Labour Exploitation, a small UK-based organisation that carries out research and policy work to better understand the factors that create risks of exploitation and how they can be prevented and addressed.

Jonathan Thomas: Hello. I am Jonathan Thomas, senior fellow at the Social Market Foundation think-tank, with a focus on migration.

Q66 **Chair:** You are all very welcome. I think you were all in the room for the first session, so you heard the contributions that were made. Could I ask each of you in turn to reflect on the five-point plan that was announced last December, and the particular issues from your organisation's perspective that you are more concerned about? I would also be interested to know whether you have engaged in any way with the Home Office on the proposals that were put forward.

Kate Roberts: My overarching reflection on the five-point plan is that exploitation was mentioned, but the plan did not aim to prevent or address exploitation. It was primarily looking at net migration figures.

Certainly we were surprised by several elements of it. It came in the context of a lot of concern around social care workers being exploited, but the main changes, as was discussed by the other panel, were preventing social care workers from bringing dependants and the CQC registration requirement. We know that the main ways to address exploitation are to make sure that all workers have options to report exploitation without fear that things will ultimately work out worse for them.

As the previous panel mentioned, we have seen, through a lot of reporting on the social care worker visa, that when workers are scammed, they are brought on the promise of work. They have left their jobs and their communities to come here, and then the work does not exist or they are paid very badly and exploited. The impact is that the employer loses their licence, and then the worker has 60 days to find new work, but in the interim they are facing destitution and mounting debt. We also hear alarming stories that as workers get near the deadline for finding a new sponsor, people are attempting to scam them again, saying, "I can sponsor your visa again, but there will be a high fee."



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We would have liked to see a focus on proactive labour market enforcement and a safety net for workers who are exploited, so they know that if they speak to the authorities, the outcome is more likely to end up in redress for them, improvement in their situation and support to find decent work, rather than their immigration status being at risk.

Q67 Chair: Have you been able to feed in your concerns about exploitation in the labour market to the Home Office? Are you engaged in any dialogue with the Home Office?

Kate Roberts: It has been challenging to engage with the Home Office. The Home Office's vulnerability advisory group was reconfigured some years ago. We have been requesting discussions that focus on the risks of exploitation in the immigration system, but that has not been forthcoming, no.

Chair: So you have not met with officials or Ministers—that has not been available to you.

Kate Roberts: No.

Q68 Chair: Mr Thomas, is there anything you would like to say about the five-point plan?

Jonathan Thomas: Unlike the other two members of this panel, I have a broader remit. There has been a lot of discussion of it already today. I would say that overall it is quite a scattergun approach, but its common denominator is clearly focused on reducing numbers while having the least impact on the positive contributions of certain parts of immigration to the UK.

One of the reasons that dependants have been focused on is that they are a lever that can be moved very quickly: they can be directly controlled and stopped. Also, as the MAC pointed out yesterday in its report on students, dependants are not really tracked by the Home Office—or indeed by anybody else—in terms of their contribution, so we do not know what they do. In terms of arguments about stopping dependants of care workers or students, we are focused on the impact on the students and the care workers, but what have those dependants been doing? We do not really know, so it is easier to cut back on those.

I could say quite a lot about social care and students and exploitation, and I am sure we will get on to some of that, but I thought I would focus on those private sector changes, because until the last two minutes of the first panel there was a feeling that the private sector changes are quite small, for two reasons. One is that a lot of jobs are not in that sector and there are special dispensations for health and care education. Also, quite a lot of the impact should have been made already. Of course, businesses lost their access to freedom of movement, so there is a feeling that, "Have they not changed already? What is the problem here?"



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We can get into a bit more detail about why some have not changed very much so far, and why some have already changed a lot. The changes are big changes. They are fourfold, and they are all linked together. There is the salary threshold change. There is the occupation-specific threshold change from 25% to 50%. That is quite a big deal. There was the debate at the end of the last panel about the SOL and the new immigration salary list, but whatever way you look at it, that has hugely reduced over the recent period. There is also the end of the going rate threshold discount for being on that list.

They are all pretty big changes, taken together, and indeed the MAC pointed that out. If you read right to the end of its immigration salary list report, it said, "We recommended that you do away with the going rate discount. Thanks for doing that now, but we didn't realise you were going to do it at the same time as making these other changes."

Marley Morris made this point at the end of the last panel, and indeed this is part of the student debate as well: the MAC is saying, "We thought we were going to have to look at the graduate visa route, but we didn't know you were going to make this dependant restriction at the same time." When you look at things altogether, you might then need to revisit some of the changes. The MAC has said, "You might want to think about this again, now that you have made all these other changes."

Business is now going to have to adapt to this. Business generally adapts where it gets a very clear long-term steer. One of the things to look at, certainly in the private sector space, is what will happen after the next election. Whoever wins the next election, are the rules going to stay broadly the same? In that case, business will know that it is in a brand new world that it needs to adapt to.

Q69 Chair: That is very helpful. Are you able to say whether the business organisations have access to the Home Office? Are they consulted? Are they engaged with and able to influence policy?

Jonathan Thomas: Of all the six panellists this morning, I am probably the last person to ask about access to the Home Office. In fact, one of the gratifying things about coming to a hearing like this is that I hear that it is not just me who is not able to access the Home Office.

Chair: I wouldn't take it personally.

Jonathan Thomas: I am not taking it personally. When I mentioned private sector and business, there is always this huge caveat that that covers lots of different types of sectors, but also businesses within sectors.

One of the big issues that business has, for understandable reasons, is that it tends to be quite disparate in how it feeds into policy—or it feeds in at such a high level, like the CBI, that it is quite hard to represent



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different views. Some of these impacts of a migration system can be quite specific. They can be quite inadvertent, and you need to feed in.

Everybody has that issue, but business more so because of things that have happened with freedom of movement, the post-Brexit immigration system, and now this. Of course they try to influence, but business and the private sector are always seeing the world and life change. It is maybe not that they do not want the best rule set, but more that they need to adapt to what the rule set is.

The final point I would make is that they adapt to what the rule set is, not what politicians say it should be. We had a lot of tough rhetoric about immigration but an unbelievably liberal freedom-of-movement system. We had a lot of tough rhetoric about immigration, and then a pretty liberal post-Brexit immigration system. That is one of the reasons they did not make many changes.

I know we are talking about exploitation and people who do not abide by the rules, but most of the business world does abide by the rules and looks at what the rules are, not at what somebody says they would like them to be.

Q70 Chair: Ms Coombs, would you like to comment on your particular concerns?

Caroline Coombs: I can only speak to family migration, but we were deeply concerned, and quite frankly very shocked, by the sudden increase to the threshold. It is fair to say that there had not been an increase since 2012. However, we represent a lot of families, and women in particular, who simply cannot meet even the £18,600 threshold because they are looking after children as well as trying to sponsor their partner. This affects younger and older couples.

We have an awful lot of people who were suddenly thrown into chaos. There was no impact assessment; there was no consultation. It was pegged to a skilled worker route, and we just did not know where that came from. This is a space that has become so toxic in this country.

We deal with an area of migration that most of the public do not know is an issue. When I speak about my own personal lived experience, they simply say, "What? You're married. You have a child together. How can you be unable to be in this country?" The fact is that most people do not realise it is a qualified right, which is absolutely outrageous. As a British citizen, I should be able to be here in this country with my non-British partner and our child without concern, but that is absolutely not the case.

Q71 Chair: Are you able to say briefly what happened to you? What was your personal experience—do you feel comfortable saying that?

Caroline Coombs: Yes. My situation was very different. I met my husband in Ecuador when I was living over there. We got married, then I became pregnant, and I thought, "I need to get back to England before I



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can no longer carry a camera," because at the time I was working in television.

I came back. I had the baby in Britain. I fell into a very serious depression and had exceedingly dark thoughts, and then there was an earthquake in Ecuador where we were living, which was very serious. My husband was over here at the time, so he was able to be here with me for the birth.

We sought legal advice. It was not great legal advice, to be fair. We were refused, and we then went on to do an appeal, which took a year and basically wiped out the first year of my family life. Even to this day, I find it quite difficult to talk about, because we were put on an exceptional circumstances route. At the appeal, they overturned it in 20 minutes and said, "This is ridiculous. You are a family. You should be able to be here."

Chair: You now offer support to individuals who are in similar circumstances and need help.

Caroline Coombs: Yes, because of that. I was one of the lucky ones. Most of our families are separated for months, if not years. We have so many families. I have my own mental health issues because of that. We have families who are separated, and I cannot even tell you how desperate it is every single day to have to hear the stories that we hear. There is depression and anxiety. The worst part is having to listen to how children are being utterly devastated.

Chair: Thank you for that. It is very helpful to hear about what was an awful experience, to help put this into context when you are dealing with families, husbands, wives and children. It is very upsetting to hear what happened to you and to so many other people.

Caroline Coombs: As I say, I was one of the lucky ones. It is so upsetting when you hear people talking about how they simply want to be here. We have the narrative of dependants and the burden to taxpayers. Repeatedly, against a brick wall, we hear people saying that there is no recourse to public funds.

We are still on a route, by the way. We have spent £12,000 so far, in a cost of living crisis. We have not even been able to go back to Ecuador so that my son, who is now eight, can meet his family over there. My stepdaughters have to get visit visas to come here, which is expensive. For our family to be complete, we still have to go through that hurdle as well.

It is incredible the absolutely complex, expensive, ridiculous and unnecessary pathways that you have to go through, as a British citizen—and for settled citizens as well—to be here. We have families who are exiled. They cannot even come back post Brexit.

A lot are not even realising that this applies to them. It is only when they have a situation where perhaps mum or dad is older and they are



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needing care that they suddenly look into it. I certainly did not go and look at whether there was an issue for me and my husband being here. There just was not even that thought process. It was only when we came up against it that we thought, "What? This is crazy."

Chair: We are going to have some more questions on that directly.

Q72 Tim Loughton: Could I come on to the issue of non-UK nationals coming to work in the UK on a temporary basis and what impact the changes to people working in the care sector and their dependants has had? Ms Roberts, what impact have you seen so far? We have heard about the potential impact ahead of the changes coming in. Are you seeing evidence of that?

Kate Roberts: The issue is that we are still in a situation where we are seeing the effects of workers being invited here to work and taking up a job in good faith, and there being very little labour market enforcement or protection of their conditions when they are here. There is still the situation whereby once workers get here and things are not what they were promised, it is very hard for them to know how they can access redress in any way.

The sector remains massively under-resourced and under-regulated in terms of labour market enforcement. There has been the change with the CQC, but the CQC looks at quality of care. It does not look at working conditions and pay; it is not a labour market regulator.

Q73 Tim Loughton: There were certainly some stories about people coming here to work in care homes that did not exist. Were those scams by people traffickers? Were the people being recruited being duped, effectively? There seemed to be quite a big increase in those cases, where enforcement clearly was not all that it needed to be.

Where is the real abuse coming from? People are being falsely trafficked here for non-existent jobs, or they are being trafficked here for jobs that do not come up to the quality that one would expect if they were UK nationals. Where is the real abuse going on?

Kate Roberts: There are a number of different things; there is not one factor that has caused this crisis. The adult care sector is massively unregulated. This is a core part of this problem. It has been underfunded for a very long time.

On top of that, there was a lack of due diligence in the issuing of the visas, which has resulted, as you say, in people in very large numbers applying for jobs that did not exist, and being issued visas to come to the UK. Either the jobs did not exist or the work was not what they were promised, so the workers have been left in a situation where they may have incurred significant amounts of debt, have no recourse to public funds and be literally looking at destitution.



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There is not one silver bullet to solve that problem. It is compounded by the fact that once workers arrive here and face that situation in this sector, where there is a real lack of proactive labour market enforcement, it is very hard for them to know where they can turn for help, because they will be threatened or told that the effect of speaking out will mean that the sponsor gets their licence revoked.

Q74 Tim Loughton: Has that improved? In my constituency, I am certainly hearing a lot of complaints from legitimate care homes that are having to wait ages for the licences to be granted, such that they cannot then fill the spaces that they have, so the job offer lapses. That suggests that there is now better enforcement, although the Home Office is still being very inefficient in its processes. Do you think things have changed?

Kate Roberts: They may have. As the previous panel spoke about, there have been changes. There should be more checks prior to visas being issued. There are still people who are coming here, being exploited and being left in a situation of extreme vulnerability. That is still happening now. It is particularly frustrating, as you say, at a time where there are workers here who are left without work, and there are care home providers who desperately need workers. It seems to make no sense at all.

Q75 Tim Loughton: Ms Coombs, can I ask you about the impact of the clampdown on dependants coming with workers in the care home sector? Are you seeing that deterring people, or are people still coming but without the dependants that they might have been able to bring before? Are we seeing the impacts of that yet?

Caroline Coombs: Care workers in that space is not an area that we deal with, so that is not something that I can answer. We specifically deal with British and settled citizens who are here and whose partners are not from here and are coming into this country. They may be care workers, but that is not something I can answer, I am afraid.

Tim Loughton: Mr Thomas, do you have any comments on that situation?

Jonathan Thomas: You have hit a very important nail on the head, which is that one of the explanations from the Home Office for how this arose was partly that it was very cognisant of the shortages in the sector and the need to get these applications to go through quickly. Clearly there is a balancing act but, as has been said, it is a very unregulated sector.

Because of the other things that have happened in the immigration system, you have this strange dichotomy that it is a very unattractive job but a very attractive immigration route, because most of those other low-paid, low-skilled routes have now gone. There are low barriers to entry, and most of the other things that had low barriers to entry are not so available any more.



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It is a very disparate, lightly regulated sector. There is a lot of demand, which supports working by people who are here lawfully and people who are here unlawfully. In one sense it is a terrible job, but in another sense it is what I would call the golden rung on the bottom of the ladder into the UK.

For instance, there is a lot of discussion in the MAC report yesterday about how many international students are then going into social care. This was a point made by Brian Bell: he said that there has not been a bespoke care route before and that this is quite a new thing. The thing to remember about the old system was that, as he said, people who worked here or who should have been working here in social care from outside the EU had come through other routes, and therefore had a lot more flexibility and power in what they could do.

Also, under freedom of movement, there were not huge numbers of people from the EU. Brexit was not a total disaster for the social care system. The social care system did not totally consist of people from the EU, but there were people who would come from the EU. They would work in hospitality; they would do a social care job; they would go back and forth and move around. It brought a lot of flexibility to the edges of the system. If those people did not really like it, they could go and work in a pub or just go back home and then decide what they were going to do. That landscape has changed quite dramatically.

Kate Roberts: In the context of the deep concern about the widescale exploitation in the adult care sector, we have then seen the Gangmasters and Labour Abuse Authority's budget cut for 2024-25. If we are going to be inviting people here on restrictive visas, we need to be proactively having a labour market enforcement approach for the conditions of work.

Q76 **Kim Johnson:** Good morning, panel. Kate, I want to pick up your point about exploitation, which we discussed with the first panel. You talked about labour enforcement. Could you say a little more about who you think should be doing that and how it should be happening?

Kate Roberts: It was mentioned briefly in the earlier panel. There was a mention of a single enforcement body for labour market enforcement, which has been long promised. We strongly support the idea of an effective single enforcement body.

There are certain elements that would need to be included to make this effective. Unfortunately, one of them is resourcing. We need to properly enforce our labour market enforcement in the UK. At the moment, the labour inspector landscape is highly fragmented, so there is lots of scope for sectors to fall between the gaps. Whose responsibility is it to enforce?

While there is no enforcing, I am afraid to say that unscrupulous employers can make the assessment that it is more profitable for them to exploit their workers because the workers, particularly if they are on sponsor-specific visas, will not speak out, given the consequences we



have already covered. What is going to happen to them? If there is only an immigration enforcement response, in terms of compliance, the worst thing that happens to them is that they will lose their sponsor licence. We need a situation where employers know that they will be inspected by labour market enforcement and held to account.

Another element that we would like to see, as well as enough resourcing for proactive labour market enforcement inspections, is secure reporting embedded so that labour market enforcement is dealt with separately from immigration enforcement. Workers would then know that if they are speaking about workplace exploitation and abuse, it will be dealt with completely separately from their immigration status.

Q77 Kim Johnson: You mentioned that the health and social care sector is very fragmented. Earlier, I mentioned UNISON and some of its recommendations from its work within the field. It has talked about increased roles for local authorities. I wonder if you had any thoughts about an increased role for local authorities in looking at unscrupulous care sector providers.

Kate Roberts: There is potentially a role for local authorities, but ultimately that should be in addition to having an effective single enforcement body for labour market enforcement, so we move away from having these high-risk sectors where there is a real downward pressure on pay and conditions.

Local authorities could have a role in that, but ultimately they would make up part of what would be a single enforcement body. We would like to see a situation where workers would not really need to work out whether they have to go to the local authority or to HMRC. They would go to the single enforcement body, and the specialist enforcement agency would then deal with the issue.

Q78 Kim Johnson: The CQC has a much more expanded role now in looking at sponsorship issues. I just want to know whether, from your point of view, it has been adequately resourced and has the capacity to undertake this enhanced role.

Kate Roberts: I do not believe it has been adequately resourced. With all respect to the CQC, it is not a labour market enforcement body. Is this its expertise? It is a Care Quality Commission, so I would have questions about resourcing. I have not heard of any substantive increase in its resourcing, but I have also not heard why it would be placed in charge of labour market enforcement.

Q79 James Daly: Mr Thomas, the information that I have in front of me here is that the Home Office granted 350,000 health and care visas in 2023 in total, including dependants, compared with 118,000 skilled visas in other sectors. Clearly, we have a very top-heavy use of granting social care visas in terms of that route into this country.

If I were applying to come into this country and I said that I was a social



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care worker, what qualification would I need to prove that I was a social care worker and could work and carry out the duties in a social care home or facility?

Jonathan Thomas: The first thing to say is that there has been an explosion in the number of visas because it is a new route that started from February 2022 in a sector that is in a particular situation.

You are right that there is not a formal qualification. There are arguments and debates within the sector about how to professionalise it more, but also about how to certify that professionalisation. That is not in place at the moment.

One other thing I would say is that there is some difference in the care sector between different types of care providers. There are huge numbers of small providers in this sector, but we should not forget that there are also some very big providers in this sector. There are very big providers that span care and health, and they tend to be much more focused on the types of people they can get in. A lot of the people coming in might have a background where they can work in health as well.

Q80 **James Daly:** Mr Thomas, you answered the question, and thank you for that: you need no qualification whatsoever to come in.

In terms of the health and care visa, it is uniquely susceptible, at both ends of the spectrum, to fraud. We have just heard Kate describe how bogus employers are sponsoring people coming into the country on bogus jobs, which I can only accept at face value. It also allows people who have never worked in social care in their lives who want to come into this country to claim they are a social care worker and then disappear within five minutes of coming into this country. That offers an extremely easy route to migration status, does it not?

Jonathan Thomas: I would push back on the use of the word "fraud". There are a number of entry-level jobs in this country, and there always have been, whether that is in social care or hospitality. People can work in those jobs with either minimal or no qualifications. That is not fraudulent; that is just part of the way that industry and that sector works.

Q81 **James Daly:** If you claim that you want to come and work in the social care sector, there is no qualification required whatsoever. You have the intent that you are not coming over to work in the social care sector; you are coming over to take advantage of whatever you see as the benefits of living in this country. We are seeing the widescale exploitation of this route and means of immigration into the country through this social care visa, are we not?

Jonathan Thomas: That would only become clearer when you know what the progression of the people in social care is. They obviously have the social care visa; they have other ways into the social care visa through different routes, but at the moment it is not clear.



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A lot of people are going to work in social care. A lot of those people might not have worked in social care before. It is absolutely true that, for a lot of people working in social care in this country, it is not their ideal job. That does not mean that they are fraudulent people. A lot of migrants will take a job to get their feet on the ground.

Q82 James Daly: That is all opinion, Mr Thomas, is it not? When you were talking about employers in the private sector, what you basically meant was that it suits private sector employers to have cheap labour because it gives them better profits. The more cheap labour the private sector can import into this country, the better off they are. That is what we have seen over the last 10, 15 or 20 years, which has motivated the reasons why care homes and others will take advantage of this.

Jonathan Thomas: I don't think I did say that, but I would not necessarily disagree with the idea that businesses are focused on the costs of people they are employing and that they would like to employ the most cost-effective employee.

Q83 James Daly: Kate, I think you used the phrase—forgive me if I have got this wrong—“a lack of due diligence in the Home Office”, in terms of processing social care visa applications. Not only do we have the situation that I have described to Mr Thomas, but we have a Home Office that is not checking. It is not carrying out the most basic tasks to ensure that these jobs exist or that these people are serious about working in the social care sector. Is that correct?

Kate Roberts: Yes. I am sure you are familiar with the ICIBI's inspection report into the social care sector. There have been examples of licences being offered when it is really questionable whether there was work. Certainly the experience of workers is that they have arrived having migrated in good faith, believing that they were coming to work, and the work that was promised has not been available.

As was referred to in the earlier panel, and as I understand it, there have been some changes in the way that visas are checked to try to address this. I would hope that things are going to improve.

Q84 James Daly: Kate, you can understand that—certainly from my individual perspective, but probably also from the Committee's—we have a system where 350,000 visas have been granted and there seems to be no due diligence at all carried out by the Home Office in respect of that. You simply put on a piece of paper, “I want to come and work at this care home in this part of the country,” and you are in—that's it.

Kate Roberts: I am not privy to the insider Home Office processes, but it is certainly of great concern that there are workers who, as I have said, have come to this country in good faith and are left in a situation where they are facing destitution and cannot support themselves.

Q85 James Daly: Clearly that is a very unfortunate situation, but I take it that it would be your view that where there is a risk of destitution, we



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should be looking at a scheme or process whereby the British Government, if they require funds, can help them to go back to their country of origin if there is no job here for them. Clearly the whole point of being here has gone, and therefore it would seem to me a good idea to assist them to do that, would it not?

Kate Roberts: My view would be that if workers have come here in good faith to work in a sector where we have a clear need for workers, we have systems and processes in place to secure fairness and redress for those workers. We certainly do not want a two-tier workforce with one group of workers whose employer, because they have the power of being their visa sponsor, can say anything to them to threaten them not to speak up. What we need is for those workers to be able to be supported to find decent employment.

Q86 **James Daly:** If I were a criminal listening to this evidence, I would think, "Fantastic. What we need to do is bring somebody into the country, bring their dependants in on a completely false prospectus, and then they can disappear when they are in this country because there is no job. We can bring them within the black economy."

Essentially, what that allows is a criminal free-for-all for people to do whatever they want. It is incredibly dangerous for us to go down that route. We cannot have a situation where, because of overt fraud, we are therefore allowing people to stay in this country. It seems utterly bizarre.

Kate Roberts: What appears very clear to me is that we need a system whereby workers who are in this country are supported to remain legal, visible and incentivised to go to the authorities for assistance because they know it will work out well for them.

Q87 **James Daly:** You and I both know that that is never going to happen in a million years, is it?

Kate Roberts: Workers do not want to be driven into exploitation and underground, so what we need is a system where workers feel confident that if they go to the authorities for assistance, it will work out well for them.

Q88 **Alison Thewliss:** I have a constituent who has ended up in this situation where he has come over here to work and the job has not been there for him, and then he has been plunged into this uncertainty of trying to find something else, so I understand some of the issues that you are talking about.

Can I ask what the situation would be for Scotland? The CQC does not have any remit in Scotland; the care sector in Scotland is regulated under the Care Inspectorate and the Scottish Social Services Council.

Kate Roberts: Apologies, but I do not know the answer to that. Sorry.

Q89 **Alison Thewliss:** That is fine. I am just curious as to whether there had been any discussions on that, because I note that the MAC report on care



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services reflected that Scotland has a lower take-up rate for care worker visas because the sector has higher remuneration and a professionalisation under the workforce strategy that we had. Would that be a better model to implement for the rest of the UK?

Kate Roberts: As I say, I am not familiar with the system, but certainly we would want to see a driving up of standards, pay and conditions and qualifications in the sector, yes.

Alison Thewliss: Jonathan, you were nodding.

Jonathan Thomas: Yes. From what the MAC has written, it is very clear that, yes, it thinks that the Scottish approach is a better approach. But that is based on reading that one line and around that one line.

Q90 **Alison Thewliss:** I wanted to ask about the issue around family visas in a bit more detail. Caroline, you said that the policy coming in had been quite a shock; it had been quite sudden. There was a particularly difficult period for my constituent, certainly between the announcement being made and the slight changes and nuances in the policy over Christmas. Can you tell us a wee bit more about what you were dealing with, for the folk that you deal with in your organisation, over that period?

Caroline Coombs: There was no consultation. It came just before Christmas—it was a very lovely Christmas present for our families, at what is already a difficult time for those who are separated.

First of all, it was announced and we did not know whether it affected people who were already here, myself included. Then there was a turnaround and it was going to be for people who were coming into the country, as if that was okay. We still have lots and lots of families who simply want to be a family and cannot be a family. It was horrendous. Christmas was literally blighted once again. On boxing day of the previous year, there had been an article in *The Times* alluding to the fact that there might be changes to the family migration threshold, and then nothing had been said since.

We have engagement with the Home Office, so we were very surprised that there was no forewarning or consultation. We are known for what we do, because we specifically deal with this area. On 4 December, our organisation had a steady 2,500 members. Between then and now, we have over 4,600 members. It went up massively, and every single day we have new members coming.

There are so many people who do not even know that we exist. When they come to us, they say, "How did we not know you exist? We are so grateful and thankful that you are here." They are lost, scared and vulnerable, and they cannot understand why they are being targeted in this way.

Q91 **Alison Thewliss:** I have had much the same experience in the emails that I have received from people. From hearing those stories, it has been



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quite difficult for lots of folk. How do you regard the move from the £18,000 to the £29,000, and then this potential further threshold of £38,000?

Caroline Coombs: As I have mentioned, we have members, especially women, who are trying to juggle childcare and a job, while also trying to raise money for the extortionate fees. They were not even meeting the £18,600, so to suddenly raise it to £29,000, which half the population would not earn, was crazy. When it first came out at £38,700, we just did not know what to think about that, because such a vast amount of the population does not earn that.

It is basically saying, "You and your family are not welcome here because you do not earn enough. You are not good enough. You are not worthy, so toddle off. Go back to your partner's country or stay in your partner's country." What an awful message.

Equally, the impact on the children is absolutely unacceptable and simply outrageous. Children are being devastated. Also, what are we saying to the next generation? "Go off—go and work or travel abroad, but don't dare fall in love with somebody, because you will not be allowed back here."

Most people should be very worried about that. Their children might be blocked out of family life here, and they may suddenly find themselves unable to see their grandkids and their children.

Q92 **Alison Thewliss:** How do you feel about the notion that it only really affects the income of one person? It does not take account of the whole family's potential income from the partner's earnings.

Caroline Coombs: In the first application, it absolutely falls on the British or the settled citizen's shoulders, and that is a massive pressure. We have partners who are IT engineers, software engineers, teachers, chefs and tradespeople. Regardless of what they do for a living, they work and they want to contribute. They are not dependants when they come here.

Quite frankly, it is massively insulting to be regarded as a dependant. My husband was a businessman. When he got here and was able to work, he went to factories. He did not care what he did; all he wanted to do was provide for us. That gets completely overlooked. They just wheel out the narrative of being a burden to the taxpayer.

I repeat that there is no recourse to public funds. Even if there is a very small chance that that gets lifted, there are about 2.5 million people who have no recourse to public funds; 2,500 of those were successful.

The exceptional circumstances route is so exceptional that nobody knows what is exceptional. There are children who are being devastated, and that is not classed as exceptional. A freedom-of-information request was



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done, as we heard earlier. There are no stats on that. If it is a provision, why do we not have figures on how many are applying?

We know that there is going to be a lot more demand on that, which means that there is going to be a demand on the Home Office. There are going to be fee waivers. We know that there is already a backlog because people cannot afford the fees. They are extortionate. The administration costs versus what we pay, which we do not get back when we are refused, are outrageous.

We are struggling with putting food on our tables and people not being able to pay bills. You have mums pushing themselves crazy because they are trying to sponsor their partner. I have had some people say, "I am struggling to eat because I am making sure my kids eat."

Q93 Alison Thewliss: I have had constituents putting these things on credit cards as well and being massively in debt.

Caroline Coombs: I went into massive credit card debt just to be able to keep us afloat. I regard myself as quite successful in my career. At one point, we were in a caravan in my friend's garden with a six-month-old baby because of this, and I was thinking, "How did it come to this?" It is outrageous.

Q94 Alison Thewliss: Yes, absolutely. I share your concerns about this—it is awful. Can you tell me what impact this increase will have on the number of families opting for the 10-year route now?

Caroline Coombs: People are not going to be able to meet the £29,000. It is as simple as that. We do not even know how many people are affected, because there are so many people who could not even meet the £18,600. How much is that going to push up those who are affected?

Seeking exceptional circumstances is expensive. It is an onerous application process, and, as I mentioned, we do not even know what constitutes "exceptional". The bar seems so very high, and it is a 10-year route, so that is thousands and thousands of pounds. It is making people vulnerable. We have seen how quickly the goalposts can be shifted and how that can devastate families.

The number of exceptional circumstances will no doubt go up. In fact, I was on a call with lawyers who were specifically going through exceptional circumstances as an application process, because they recognise just how much need there is going to be. They were specifically saying, "You need to get your head around this route, because there is going to be a lot." That is going to have a massive impact on the resources from the Home Office, which is already struggling.

Q95 Alison Thewliss: On top of the visa fees, you have the immigration health surcharge as well. Do you have any particular views on that and the impact it has?



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Caroline Coombs: We paid the surcharge on application. Then, when my husband was able to work, he pays national insurance and he pays his income taxes, so we are effectively double-taxed.

Our route is a seven-and-a-half-year route, because they also have a stop-the-clock mechanism. We had no idea that this was the case. We just went along with our two-and-a-half-year route to say, "We meet the minimum income requirement", even though we had met it before. They said, "We are now going to put you on the five-year route, but that means we are going to put you back to zero". The two and a half years we had done no longer mattered, and so we were randomly on a seven-and-a-half-year route. There has been an acknowledgement in the Home Office that that is not a fair element of the policy.

Q96 **Marco Longhi:** I am slightly loth to come to you here, Ms Coombs. I am sorry, because you have spoken a lot about your personal experience, which I find eminently relatable, but I also acknowledge, through my own personal experiences, that we live in a rules-based society.

While it is important for us policymakers to hear where perhaps those rules might not be right and need changing, I am not hearing suggestions coming from the panel that would do that. The inference from everything you have said is that what we have at the moment simply does not work and that you would prefer it to be very different, but you do not say how. Something has to be there, because otherwise what we are talking about is a complete free-for-all.

I know that a lot of the countries that people come from have rules themselves. Try going to live and work or becoming a citizen of Australia: it is tough, and there are reciprocal arrangements. Like you, I am married to a South American—a Brazilian. My father is Italian, and a lot of my extended family are from all over the place, so I could sit there as a witness just as much as you, Ms Coombs.

While I really do not want to comment on your specific case, you have used your specific case to say just how awful the system is, but you have not really come forward with a suggestion as to what might be productive and an alternative to the system that you have faced.

Caroline Coombs: I have not been able to get to that point yet, but as an organisation we have certainly been having discussions about what it could look like. We agree that as British and settled citizens, there ought to be a right to be here as a family in the UK.

There was not a minimum income threshold prior to 2012, and it seemed to be working just fine in terms of numbers, but if there has to be one, at least peg it to something like the minimum wage, which would make it fair and accessible. It would also be easier for the Home Office to administer, because it would be pegged to a minimum wage.

The route to settlement is long. It lasts five years. There is a lot of onerous and repetitive paperwork involved as well. We would like to see a



shorter route to settlement. For meeting the MIR, it should be a two-year route. An exceptional route should be capped at five years.

The process should be simplified. When it gets to our renewal, the heart rate goes up: "Here we go again." We get a lot of people who are extremely worried about answering the questions incorrectly, because the consequences are so vast.

Q97 **Marco Longhi:** Would you accept that some of the systems are in place to test the strength of the relationship in the marriage, and whether something is genuine or not? We have all heard about scam marriages. We have all heard about how people offer their services in order to get a piece of paper that then says, "Yes, you are now free to stay in the country forever," and there was not a real marriage or a real relationship there at all.

I am not envious of the people who have to come to these judgments and set up a rules-based system that explores effectively and fairly how that works. Yes, it would be nice not to have these rules at all. It would be nice if everything was a lot easier and a lot shorter, but I have not really heard—not just from yourself, but from the rest of the panel—what that might look like.

Caroline Coombs: When you start talking about sham marriages, it is conflating it a bit.

Marco Longhi: They exist.

Caroline Coombs: We, as an organisation, support and work with genuine couples and families who simply want to be here, and that is who they are. The application process is so incredibly intrusive, and there are simpler ways in which you can prove your relationship. The amount of evidence that you have to give—the photos, going into your WhatsApp and everything—is incredibly intrusive. That should not need to be the case.

Jonathan Thomas: Having a broader remit, I am a bit more in it. I am trying to work out how the system works between people and systems, and there needs to be a balance.

I am in Madeleine Sumption's camp: when you look at the changes in the five-point plan, this was a huge outlier, and the rationale did not appear to make sense in the same way that it did for the other changes. Whether you agreed with those changes or not, there seemed to be coherence there.

One of the things that comes out to me a lot, from trying to intermediate between the Home Office and people like those who are on this panel, is that this side of the debate gets to put their evidence to the Home Office, but rarely do you see what evidence the Home Office is looking at. Everybody assumes that the Home Office is making terrible, unevicenced decisions, but it is seeing some of the things that you were talking about.



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The problem is that we never see what it is seeing; it never reveals its evidence.

Across the system as a whole, it would be a real eye-opener for people working in policy and for some NGOs if the Home Office said, "Yes, I hear you, but here is all the abuse, all the exploitation, and all the things going wrong that we see." We do not see what it sees, so it is hard to have a rational debate.

Chair: That is a very interesting point, because we have certainly asked the Home Office for evidence on a number of occasions and it has not been forthcoming to the Committee. Transparency would be very helpful.

Q98 **Brendan Clarke-Smith:** Obviously there are the more clearcut spousal issues with getting visas and with the amount you have to earn. One of the criticisms in the past, whether it has been on social care visas or whatever, has been about people bringing relatives over, whether they have been elderly or have had significant health problems. In your experience, have you seen a disproportionate amount of that going on? We have put things in like the surcharge for the NHS and so on. Has there been a problem or a bit of a pushback that there are some people who have tried to use the system for that, or that there is a disproportionately high amount of that coming from certain areas?

Jonathan Thomas: I cannot really speak to the evidence, but I would see that in exactly the same camp. There are obviously good reasons for letting some of those people enter the country and reunite with their families. There are clearly also incentives for people to use that to access certain services here, and there is evidence that that has happened. The whole point of the system is to try to find a balance: being fair to people who want to come, but also being fair to people who are relying on the system to have a fair rules-based approach.

Kate Roberts: We need to be very careful that we are not just, in effect, having a two-tier system where some workers have rights because they are not on a restrictive visa, while other workers—who we have, I reiterate, invited here because our sectors need them—are treated as commodities. They do not have family rights or, in effect, the right to get ill, because if they get ill they might be sacked and lose their visa. We just need to be very careful that we are not creating a two-tier workforce.

Chair: We are coming to the end of this session. If there is anything else that you feel we have not asked you about, but that you wanted to tell us, would you please write to us and we will certainly consider it?

Can I thank all three of you for your contributions this morning? It has been very helpful and interesting. Thank you so much for sharing your personal experience. We appreciated hearing it, so thank you.