

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT

Fourth Delegated Legislation Committee

DRAFT IMMIGRATION (LEAVE TO ENTER AND
REMAIN) (AMENDMENT) ORDER 2016

Thursday 21 April 2016

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The Committee consisted of the following Members:

Chair: MR ADRIAN BAILEY

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| † Adams, Nigel (<i>Selby and Ainsty</i>) (Con) | † Harrington, Richard (<i>Parliamentary Under-Secretary of State for Refugees</i>) |
| † Anderson, Mr David (<i>Blaydon</i>) (Lab) | † Hayes, Helen (<i>Dulwich and West Norwood</i>) (Lab) |
| † Bruce, Fiona (<i>Congleton</i>) (Con) | † Heaton-Jones, Peter (<i>North Devon</i>) (Con) |
| † Burns, Sir Simon (<i>Chelmsford</i>) (Con) | † Jarvis, Dan (<i>Barnsley Central</i>) (Lab) |
| † Champion, Sarah (<i>Rotherham</i>) (Lab) | † Mak, Mr Alan (<i>Havant</i>) (Con) |
| Coffey, Ann (<i>Stockport</i>) (Lab) | † Pursglove, Tom (<i>Corby</i>) (Con) |
| Crawley, Angela (<i>Lanark and Hamilton East</i>) (SNP) | † Whittaker, Craig (<i>Calder Valley</i>) (Con) |
| † Elphicke, Charlie (<i>Lord Commissioner of Her Majesty's Treasury</i>) | † Winnick, Mr David (<i>Walsall North</i>) (Lab) |
| † Field, Mark (<i>Cities of London and Westminster</i>) (Con) | John-Paul Flaherty, <i>Committee Clerk</i> |
| | † attended the Committee |

Fourth Delegated Legislation Committee

Thursday 21 April 2016

[MR ADRIAN BAILEY *in the Chair*]

Draft Immigration (Leave to Enter and Remain) (Amendment) Order 2016

11.30 am

The Parliamentary Under-Secretary of State for Refugees (Richard Harrington): I beg to move,

That the Committee has considered the draft Immigration (Leave to Enter and Remain) (Amendment) Order 2016.

It is a huge pleasure to serve under your chairmanship, Mr Bailey, and I welcome other Committee members. The Leader of the Opposition is currently making his contribution to the debate on the 90th birthday of Her Majesty the Queen in the main Chamber. I shall endeavour to keep my remarks as brief as possible so that right hon. and hon. Members might also be able to enjoy his comments.

The UK welcomes record numbers of visitors who come to see our historic sights, sample our vibrant culture and attend business conferences and events. In the year to June 2015, 9 million non-European economic area visitors came to the UK—an increase of half a million compared with 2014. Some 1.9 million visit visas were issued in 2015, which was a 2% increase on the previous year. The Government are keen that the UK continues to attract business and leisure travellers who will help our economy to grow further.

In April 2015, we simplified the immigration system for people visiting the UK. We streamlined the routes by reducing their number from 15 to four, and created more flexibilities so that visitors could undertake a wider range of activities. For example, a visitor with a standard visit visa is now allowed to come to the UK for a holiday, take part in a sporting event, attend meetings and visit family, without having to apply for separate visas. The UK's visa service is one of the most flexible and comprehensive on offer, but remains one of the safest and most secure in the world, reassuring customers of the value that the Government place on security in the UK.

The order's provisions are of a technical nature and have two basic purposes. First, they will update provisions in the Immigration (Leave to Enter and Remain) Order 2000 that relate to the extent to which entry clearance will have effect as leave to enter, to the categories of persons who may be granted leave to enter automatically, and to who can be granted or refused leave orally. Secondly, the order makes provision for leave not to lapse.

The order extends the period for which entry clearance takes effect as leave to enter for certain categories of visitor who may exceptionally be granted a visa for a period longer than the usual six months. For example, private medical treatment visitors may be granted a visa for up to 11 months and academic visitors may be granted a visa for up to 12 months. With the simplification

of the visitor routes of entry, two routes—those for visitors coming to study for a short period and for parents coming to stay with their children at school in the UK—are no longer treated as visitors. That was done to make their purpose clearer.

The order makes a change to ensure that short-term students and parents of tier 4 child students are included in the categories of persons to whom leave may be given or refused orally. It also makes changes to update the categories of person who may, provided they are a registered traveller, be granted leave to enter automatically if they enter via an e-gate. A registered traveller is a low-risk frequent traveller of a specified nationality who can benefit from quicker processing at the border by entering via an e-passport gate. Such gates are available at most UK airports.

Finally, the order makes a change to ensure that leave granted to partners and children of certain British or settled Crown servants and British Council employees does not lapse after two years when they are accompanying their partner or parents on an overseas posting. The change also means that those granted leave under the family provisions of the immigration rules can complete their probationary period outside the UK before they apply for indefinite leave.

11.34 am

Sarah Champion (Rotherham) (Lab): As ever, it is a pleasure to serve under your chairmanship, Mr Bailey. I am very proud to be speaking here about orders and visas on the day of the Queen's 90th birthday, because she does a phenomenal amount for this country, helps tourism and promotes our interests overseas.

I agree with the Minister that these are technical updates. We will therefore not be opposing them, but I want to ask a few probing questions, mainly on borders and security. Will the Minister update us on the roll-out and impact of the e-gate scheme, addressed in article 8A—specifically, the impact on delays and processing times at borders, as well as the wider impact on security? In the light of new and emerging terrorist and security threats, what further steps are the Government taking or considering to improve border security? Does the Minister share our concerns, raised yesterday by my right hon. Friend the Member for Leigh (Andy Burnham), that the reported cuts to the Border Force could compromise the speed and security of our borders? We do not oppose the measures in this order, but we are concerned about whether the Border Force officers and immigration staff who have to action this legislation have the support they need from the Government and the reassurance that we respect and value their services.

11.36 am

Richard Harrington: Unfortunately, we have missed our window of opportunity to hear the Leader of the Opposition speak in the Chamber today—I see that my right hon. Friend the Member for Mid Sussex (Sir Nicholas Soames) is already on his feet.

I will endeavour to answer the hon. Lady's questions, although they are not specifically relevant, before I return to the order itself. The e-gate scheme has spread quite a lot since it started. We now have a second variety of e-gate, which is a lot more linked up with different database systems than the first. I understand

that, since 2010, 141 e-gates have been installed at 18 airport terminals. Without doubt, they improve the detection of forgery and imposters and free up Border Force officers for other security and intelligence work. I hope that those hon. Members—including you, Mr Bailey—whose onerous duties allow them time for the occasional trip overseas will agree that it seems a very efficient system, both logistically, for people trying to get through, and electronically. The links to the necessary security information have hugely increased, which means that passengers aged 12 to 17 who have electronically chipped passports and are accompanied by an adult can use the e-gates. Quite a lot of things have improved since the system started; the Government believe strongly that convenience and extra security are hugely enhanced under it.

On the hon. Lady's second question, I am afraid I cannot assist her directly, but I will write to her on that issue, if I may. Her final question was to do with issues raised by the shadow Home Secretary in his urgent question on the Border Force budget yesterday. I was present for that, as were all other Home Office Ministers, because we take these things very seriously. The Home Secretary's announcement included the Border Force budget for the years to come. I can assure the hon. Lady that the Government believe strongly that the Border Force has improved dramatically over the last few years since its inception and will be an important part of our security.

When I opened the debate, I said that the order had two purposes. First, following changes made to the routes of entry for visitors, it updates provisions in the 2000 order relating to the extent to which entry clearance will have effect as leave to enter, provisions setting out the category of person who may be granted leave to enter automatically via an e-gate and who can be granted or refused leave orally. Secondly, it ensures that partners and children of Crown servants and others, when accompanying their partner or parent on an overseas posting, can complete their probationary period before

they apply for settlement in the UK. The order means that they will not have to return here to do that; it ensures their leave will not lapse.

This is an administrative measure. I thank the hon. Lady for her very sensible support for it. We judge that the provisions in this order that are technical in nature will not deter visitors who make a valuable contribution to UK's growth from coming to the UK. Indeed, in the year to September 2015, after the visa routes were simplified to give more flexibility, 2% more visitor visas were issued.

I reiterate that the security of the UK's border is a key priority for this Government. It is the role of Border Force to ensure that the UK is protected from potential threats while facilitating the smooth passage of legitimate travellers. As we have heard, the changes in the order do nothing to detract from that approach. We will still check 100% of scheduled passengers arriving at the border—we could do so automatically for those using e-gates—and exit checks will remain in place across almost all scheduled commercial services departing from the UK and from international railway stations. Exit check data already provide the police and security services with information to help track the movements of known criminals and terrorists. Border Force also checks and risk-assesses all unscheduled flights and maritime arrivals in advance and physically examines the majority of flights and vessels and their passengers and goods.

The Government have completely reformed the immigration system, cutting abuse and focusing on attracting the brightest and best. As I have explained, the order deals with a small and administrative part of the system, and is a significant but non-controversial measure. I hope that the Committee will be minded to support it.

Question put and agreed to.

11.41 am

Committee rose.

