

# How to Solve a Problem like a Visa

## The unhappy state of Commonwealth migration in the UK

*It seems that almost all parts of the Commonwealth are brimming with a new energy and optimism, at precisely the time that the European Union is struggling. As we reconsider Britain's place in the world, I want us to reconsider how we engage with Commonwealth peoples. Therefore I welcome this report by Commonwealth Exchange as the beginning of a long-overdue discussion about how we engage with Commonwealth citizens, specifically on the matter of visas to work and invest in the UK.*

**Boris Johnson / Mayor of London**



### Why Commonwealth migration?

At present the UK under-utilises the Commonwealth network, which is undermined by an outmoded UK visa regime. Therefore, we want to add distinct value to Commonwealth citizenship for those who wish to visit, work or study in the UK. The Commonwealth matters to the UK because it represents not just the nation's past but also its legacy in the present, and its expanded potential is the UK's future.

### Commonwealth Immigration Act 1962

Marked the first attempt in the UK to restrict Commonwealth immigration from the Caribbean. Demonstrated a break in the idea that the Commonwealth constituted a single territory in which British subjects could move freely.

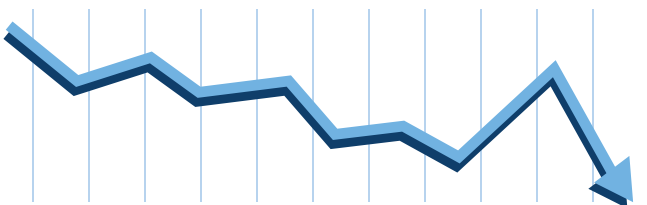
### Commonwealth Immigration Act 1971 & EEC application

Note the removal of the word Commonwealth from the Act's title. It made provision to control immigration into the UK from peoples of all nationalities. There were now few distinguishing features for Commonwealth nations. The UK's European Economic Community (EEC) application was taking place at the same time. Just when Commonwealth nationals were put on the same level as any other foreigner now EEC nationals would have increased rights to enter the UK.

### The Past Decade 1999-2010

#### Old Commonwealth - Year-on-Year arrivals

- Australia** – Dramatic drop in annual Australian migration to the UK from **40,000 in 1999** to **26,000 in 2011**.
- New Zealand** - **18,000** annual migration reduced to **8,000 between 2000-11**. Note - 2012 did bring a slight increase in Australian and New Zealand migration.
- South Africa** - Tumbled from **37,000 in 2004** to just **5,000 in 2012**.
- Canada** - Only Old CW nation to increase from **6,000 to 9,000 (1999-2012)**



#### New Commonwealth

- Commonwealth Africa (excluding South Africa)** - Also saw a drop from a peak of **45,000 in 2004** to **19,000 in 2012**.
- Indian sub-continent** - Rose rapidly from **40,000 in 1999** to **122,000 in 2011**. This has crashed back down to **69,000 in 2012**.



### Pre 1945

There was no conception of modern citizenship prior to the end of World War II. Every Commonwealth citizen was a British subject under the Crown.

### Canadian Citizenship Act 1947

Gave a political and legal status separate from British nationality.

### British Nationality Act 1948

Introduction of Citizens of the United Kingdom and Colonies status (CUKCs). CUKCs were allowed to enter the UK freely as British subjects; however, as British colonies increasingly became independent and enacted their own citizenship laws, the CUKCs' status as British subjects was slowly eroded.

### Commonwealth Immigration Act 1968

Introduction of the concepts *Belonging Citizens and Patriality*. This meant those with provable British ancestry, from British born parents or grandparents would still retain freedom of entry. The majority of individuals from the Asian, African, or Caribbean Commonwealth would often lack this ancestry claim. The Act was also pushed through Parliament in just seven days.

### Abolition of the Commonwealth Working Holiday Scheme 2008

Visa previously allowed young people (17-27) from every Commonwealth nation the opportunity to visit the UK for two years and gave them the option of working during this period for 12-months. There were also no quotas.

### 2010-present

David Cameron made an election pledge to reduce net migration levels to the tens of thousands. His pledge still remains difficult to deliver on despite changes to non-EU migration because any spike in EU nationals would legally be free from any cap.

The 2011 Census does shed light on the current totals of Commonwealth born migrants in the UK.

Country of Birth	Numbers	Country of Birth	Numbers	Country of Birth	Numbers
India	729,000	Jamaica	145,000	Ghana	80,000
Pakistan	465,000	Kenya	142,000	Malaysia	55,000
Bangladesh	234,000	Sri Lanka	131,000	New Zealand	54,000
South Africa	209,000	Australia	110,000	Zambia	34,000
Nigeria	180,000	Canada	90,000	Tanzania	31,000

This is compared to 643,000 Polish; 397,000 Irish, 297,000 German; 189,000 American; and 137,000 French born residents in the UK.

The knock on effect has made the UK and its policy makers come to understand the Commonwealth and its citizens as completely foreign, while ignoring the shared history and potential.



# Our Recommendations

“The amount of processes that Australian and New Zealand and other Commonwealth citizens have to do just to stay in the UK is absolutely ridiculous. Something needs to be done.” – Australian teacher in the UK



## I: Restore the Commonwealth to the Youth Visa

- Used to possess a full Commonwealth component. Now it contains only three Commonwealth nations - Australia, Canada, and New Zealand.
- Keeping with the UK's current theme of annually recruiting highly economic developed Asian countries we recommend discussions between Malaysia and Singapore.
- South Africa with previously strong application success rate should also be restored.
- We recommend that the UK work towards admitting Indian nationals. This could be limited to 1000 places as has been the case with previous additions.
- As the Youth Mobility visa is based on reciprocity, the numbers of those leaving the UK should balance out with those entering the UK, thereby keeping the net migration target stable.

## II: Provide a Commonwealth Concession to the Tourist and Business Tourist Visas

- Both visas cost £83 are multiple-entry and last for six-months.
- Old Commonwealth nations do not require a Tourist visa except surprisingly South Africa, yet African neighbours Namibia and Botswana do not.
- Jamaica is the only Caribbean nation and Commonwealth Realm that requires a visa.
- Commonwealth Asia with the smaller and wealthier nations like Malaysia and Singapore can visit as tourists visa free.
- The UK should make sure that it provides value for being a Commonwealth citizen through a reduction in the visa cost for the **21 nations** which still require a Tourist visa.
- **50 Commonwealth nations** need a Business-Tourist visa. Our Commonwealth Concession should also apply.



Commonwealth tourists who need a visa also play an key part in the UK tourist economy despite lack of media coverage like Chinese visitors.

Nation	Average Spend as Tourists (2012)	Number of Holiday Visitors (2012)
China	£1,268	88,000
Nigeria	£1,579	67,000
South Africa	£1,283	49,000
Pakistan	£1,139	15,000
Jamaica	£302	1,000
India	£484	118,000
Sri Lanka	£855	4,000

Nation	Business visits	Business total spend
China	46,000	£74m
South Africa	46,000	£50m
Nigeria	18,000	£30m
India	92,000	£164m
Pakistan	11,000	£13m
Canada	95,000	£114m
Australia	63,000	£119m
New Zealand	11,000	£18m
Sri Lanka	5,000	£7m



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**Conclusion:** It would be shameful and a deep error to ignore the shared language, legal system, and customs that the Commonwealth family provides. UK soft power depends on it.

“Britain's strength has for centuries been based on its position as an open, trading nation, with strong connections across the globe. It is deeply worrying that Britain is shutting out people from Commonwealth countries who want to come here to work.”

– Simon Walker, Director General, Institute of Directors

## III: The Case for Boris' Bilaterals

- We echo Mr. Johnson's call for a 'bilateral mobility zone' between Australia and New Zealand - allowing for freedom to live and work.
- A variation of the Trans-Tasman Travel Arrangement between Australia and New Zealand (TTTA) provides one such solution.
- TTTA should be seen as a starting point for the UK to build a flexible, fair, reasonable, and reciprocal regime. The New Zealand approach of a two-year wait for welfare provision and five years eligibility for citizenship appear sensible ideas which the UK may wish to replicate.
- We recommend Canada's inclusion given its similar ties to the UK.
- This bilateral approach could also be opened up to include other Commonwealth nations over time after greater economic development within those nations.
- There is no EU law that controls member countries non-EU migration.



## IV: Add a Commonwealth component to the Exceptional Talent Visa



- We recommend that a Commonwealth agency be added to the current five British designated institutions who support exceptionally talented individuals.
- We urge the Home Office to broaden the parameters of the Exceptional Talent visa so as to allow for the full take-up of quotas.



## V: Pilot a UK Commonwealth business visa and create a Realm airport queue

- Pilot a Commonwealth-wide visa originating in the UK based on the Association of Southeast Asian Nations' (ASEAN) Business Travel Card, which includes fast track airport lanes.
- Revisit Andrew Rosindell MP's Private Members' Bill on the creation of a Commonwealth Realm airport queue to address the *second class* status for 135million people including Britons.
- This queue would also allow Britons the chance to identify and choose freely between the Realm and the EU national queues.

## VI: Retain the Tier 1 Post-Study Work Visa

- Its abolition has led some to claim that the UK is a less attractive destination for international students and weakens the wider economy by not having these students study in the UK or remain for a further two years post study.
- The system is described by Sir James Dyson as being one where “We take their money, we give them our knowledge, and then we kick them out”.

