



FROM ROOTED TO RECOGNISED: UNBLOCKING THE PATHWAY TO CITIZENSHIP

NOVEMBER 2024

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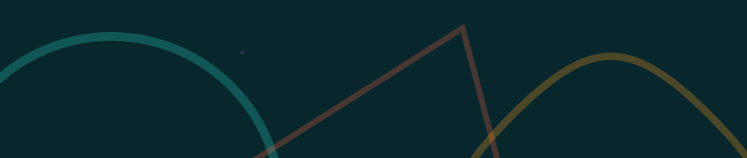
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FOREWORD

For all of my life, the UK has been the only home I've known. I was born here and grew up being on a pathway to citizenship. As a child, I had to get my head around the reality that even if this was home, I had to wait years and pay thousands to formally belong here. I didn't understand why I couldn't do the same things my classmates could. I would often see my parents attempt to hide the extortionate fees we had to pay and the suffering that came with not having status from me and my siblings.

My parents were on a longer pathway than me; always hiding the fear and uncertainty that came from not having the security of citizenship. Over 20 years of growing roots and making the UK home, immigration policies still affect where we can go as a family, the jobs my loved ones have access to, and even the places we can live in. More than two decades of the UK being home, some in my family have status and some don't.

Along with hundreds of others, it is an absolute privilege to be part of Citizens UK's 'Pathway to Citizenship' campaign. Over the course of a year, we've built relationships all over the country, inviting people to share their experiences of being in the immigration system or having loved ones that are. We spoke to over 2,000 people and have seen the depth of the pain and frustration caused by the current system. We also encountered growing support from across different communities, faiths and political inclinations, for a system that works for individuals, communities and the country as a whole.

We are calling for your support for reforming the pathway to citizenship. We want a system that doesn't leave families in limbo, that doesn't leave people destitute and that allows the potential of so many who otherwise wouldn't be able to show it, to show.

GRACE AKINYEMI
DIVINE ASSEMBLY MINISTRIES IN ESSEX &
A MEMBER OF CITIZENS UK'S MIGRANT
AND REFUGEE ORGANISING LEADERSHIP
TEAM

INTRODUCTION

Up and down the country, our communities are filled with people who have migrated to the UK and made this country their home. They have put down roots and work, study, worship and volunteer here. Though almost all are on a pathway to citizenship, this pathway is unnecessarily long, costly, and unfair. We cannot end homelessness, child poverty, violence against women and girls, or mental ill health without fixing the UK's current pathway to citizenship.

Rather than encouraging people to settle and become citizens, the design and delivery of the current system at times actively prevents people who have made the UK their home from becoming British citizens. For many, it will be more than a decade and tens of thousands of pounds before they can finally have the security of permanent residency and access to citizenship. People live in limbo, with constant stress from visa applications, waiting times and ever-increasing fees and charges. Whilst on the pathway, most people will be denied access to basic services and support and some will as a result face poverty and destitution. This disproportionately impacts black and racialised communities.



I came to the UK at 14 and grew up here. I played basketball for Great Britain and was proud to wear that jersey. After 40 years working in the railways, I retired and went to visit family in Zimbabwe. I couldn't return because of the pandemic and was outside the UK for too long so lost my leave to remain - I was destitute. Because I wasn't a citizen, it wasn't enough that I wore the flag on my chest. I didn't have the security and acceptance that comes with citizenship. That's why this matters to people like me who are British whether we have a passport or not - we have put down roots and want those roots to be acknowledged and respected.

**AMANDA, CITIZENS UK
LEADER, LONDON**

The pathway to citizenship has long been the overlooked part of the immigration system, with politicians focusing on migration at the border and neglecting the importance of social integration and inclusion for people who are already here. As successive governments have neglected this issue, more and more barriers have been put in place which prevent people who have put down roots in the UK from living stable lives in this country.

This report details the problem of the UK settlement and citizenship system and sets the agenda for what should be done about it. We make recommendations for initial reforms to the pathway to citizenship that can be made within this parliament as well as outlining principles for longer term comprehensive reform. These changes would enable people who are rooted in our communities to be fully recognised as British.

Citizens UK ran a listening campaign across the UK that involved face-to-face conversations with over 2,000 people who are on the pathway to citizenship. We heard in detail about the struggles people experience whilst on the pathway. We also heard a vision for a reformed pathway that acknowledges the roots that people have put down and enables them to thrive and be fully part of the country that is their home.



OUR TRACK RECORD ON MIGRATION

Citizens UK is the UK's biggest, most diverse, and most effective people-powered alliance. We're working together to make change on the issues that matter, from campaigning for zebra crossings on dangerous roads, to reforming the immigration system, to the Living Wage campaign. We have been campaigning on issues of migration for almost 20 years. By building consensus among diverse groups of people for bottom-up, pragmatic solutions, we have made changes to national government policy and practice, including:

◆ LIVING WAGE

Our campaign for wages that meet everyday needs was started in 2001 and led by migrant workers, calling for a wage to meet living costs. This campaign has since shaped national government wage policy and led to over 15,000 employers paying the real Living Wage.

◆ SPONSOR REFUGEES

We have worked with community groups in every part of the UK to enable them to welcome and resettle a refugee family to their local neighbourhood through community sponsorship. This builds on the work that Citizens UK did to support and channel the refugees welcome movement in 2015 and the creation of Safe Passage.

◆ REGULARISATION

Our Strangers into Citizens campaign, launched in 2006, led to over 150,000 people being able to regularise their immigration status.

◆ ENDING CHILD DETENTION

We led the campaign that ended the detention of children and families for immigration purposes in 2011, saving thousands of kids from being locked up.

◆ DEPUTY MAYOR FOR SOCIAL INTEGRATION IN LONDON.

In 2016, 6,000 members of London Citizens gathered at the Copperbox Arena on the Olympic Park to make the case to the London Mayoral Candidates for a Deputy Mayor of Citizenship and Integration. This post was introduced shortly after the election and has helped drive the Mayor's work on these issues.

◆ SAFE PASSAGE

Our safe passage campaign led to over 900 refugee children being transferred to the UK

◆ CHILD CITIZENSHIP FEE WAIVERS

The government agreed in 2022 to our campaign to introduce a fee waiver for the application for child citizenship and waive the fee entirely for children in care

◆ FREE SCHOOL MEALS AND NRPF

Following years of organising, in 2022 the government agreed to extend free school meals to all children regardless of their parents' immigration status.

BACKGROUND TO THIS REPORT

Having organised communities for more than two decades, we know that there are many people who have made their life in the UK but are facing barriers to work, family and democratic participation due to lack of status, settlement and citizenship.

Through a six-month listening campaign, we went deep into this issue with over 2,000 people in local community institutions across the UK – in schools, faith communities, charities and civic associations - from September 2023 to February 2024. In one-to-one meetings and small groups, people who have put down roots in the UK shared their aspirations to become British citizens and described in vivid detail the barriers to getting settlement and citizenship and the problems created when you are stuck without it.

From workers forced into poverty-paying jobs and young people unable to study, to neighbours turned away from domestic violence shelters and parents facing harrowing choices between paying for visa applications and paying the bills. From people stuck in limbo, waiting years for a decision to those who can't access the legal advice they need. This is the consequence of a system coming apart at the seams, blocking people who have made the UK their home from living a safe and dignified life.

This report was formed on the basis of that listening, alongside a co-production process in which hundreds of community leaders worked with policy and legal experts to develop practical solutions that would improve the pathway to citizenship. Quotes from people with experience of the system, who are driving this campaign, are included throughout. Some names have been changed. We combined listening with data analysis from a researcher at the University of Oxford of the overall numbers of people on the pathway.

In this report, we present what we learned about the pathway to citizenship through the process. We begin with context, move to the challenges of the pathway and close with our recommendations for policymakers. We aim to set an agenda - for Citizens UK to work with partners on this campaign, and for policymakers who want to fix this broken system.



TERMS & DEFINITIONS

● **PATHWAY TO CITIZENSHIP**

We use this phrase to refer to the route to both settlement and citizenship for people who have been in the UK for a long time, typically five or more years.

● **SETTLEMENT**

This refers to permanent residence, or Indefinite Leave to Remain (ILR). People who are 'settled' in the UK can live, work and access state support indefinitely, and no longer apply to extend their right to stay every few years. Unlike citizenship, you can lose your ILR for various reasons, e.g. 2 years residence outside the UK.

● **CITIZENSHIP**

This refers to British citizenship. After having ILR for 12 months, most people can apply for citizenship. Becoming a British citizen brings additional rights and security, along with the right to vote. It is also a powerful symbol of belonging to the UK and having a shared stake in our society.

● **STATUS**

This refers to migration status. People without status are those who lack the documentation to prove their status in the immigration system.

● **LIMITED LEAVE**

This is a migration status based on a visa with an expiry date. It is by definition short-term. Most migrants start with limited leave and after building up enough years of limited leave can apply for ILR.

● **NO RECOURSE TO PUBLIC FUNDS (NRPF)**

This is a condition which restricts access to the welfare safety net including most mainstream benefits and housing assistance. It applies to most people with limited leave to remain and those without status. The NRPF condition can also indirectly affect family members - for example, British children whose parents have NRPF and who cannot claim benefits in their own right.



HISTORICAL CONTEXT

Though it can be taken for granted today, the notion of British citizenship is a relatively new one. Throughout the twentieth century, there was a gradual formation of the concept and legal status of British citizens as opposed to British subjects. The two most significant legal changes were the Nationality Acts of 1948 and 1981.

In the aftermath of the Second World War, as Britain moved into a postcolonial context, the British Nationality Act 1948 was introduced. A key driver was a response to moves within individual Commonwealth countries, particularly Canada, to create their own citizenship policies. The Act introduced the status of 'Citizen of the UK and Colonies' whilst retaining the term 'British subject' to cover every citizen of a Commonwealth country. There were then several legislative changes that restricted the rights of British subjects. For example, the Commonwealth Immigrants Act 1962 ended the notion that any British subject could freely enter the UK.[1]

The British Nationality Act 1981 replaced 'Citizenship of the UK and Colonies' with three separate citizenships: (i) British citizenship, for people closely connected with the UK; (ii) British Dependent Territories citizenship, for people connected with the dependencies; (iii) British Overseas citizenship, for people who did not acquire either of the other citizenships at commencement. This 1981 Act adapted the concept of *jus soli* (right of soil) which originally meant that anyone born within the UK or a colony would be a British citizen. For a child to become a British citizen they would need one parent to be a British citizen or be 'settled', meaning having permanent residence. Children could register as British after 10 years if they remained in the UK.

Since then, the immigration system has become vastly more complex, with different rules for different groups. Successive governments have tended to focus on immigration at the border, neglecting the inclusion of migrants once they are in the UK, despite the importance of integration to the public.[2]

[1] Historical background information on nationality (2023) <https://www.gov.uk/government/publications/historical-background-information-on-nationality/historical-background-information-on-nationality-accessible>

[2] Ford & Morris (2022) A new consensus? How public opinion has warmed to migration. London: IPPR. Available at: <https://www.ippr.org/articles/a-new-consensus>; Cooper et al. (2024) Migration in the age of insecurity. London: Labour Together. Available at: <https://www.labourtogether.uk/all-reports/migration-in-the-age-of-insecurity>

Even policies affecting migrants in the UK (such as the introduction of the ‘hostile environment’) have been focused on disincentivising migration to the UK or encouraging migrants to leave the UK rather than enabling people to become British citizens. The failure to focus on social integration, combined with the ‘hostile environment’, has led to hardship and discrimination, without improving enforcement of the rules.[3]

This was most obvious in the Windrush scandal, where a generation who had been given the right of abode in the UK through the 1948 Act were treated as if they had broken the rules because, through no fault of their own, they had no documents to prove their status. People who have been part of our communities for decades lost jobs, were denied access to public services and were blocked from returning to the UK after holidays and visiting family.[4]

As another example, an estimated 330,000 young people are struggling to access their right to UK citizenship, meaning they cannot access a student loan, get a job, open a bank account, rent a home or take a driving test.[5] Children born in the UK do not automatically become British citizens if their parents don’t have settlement, and children who arrive in the UK at a young age are also affected.

Evidence on the urgent need to fix the pathway to citizenship has been building for some time, including in Parliament. In 2020, Alberto Costa, Conservative MP for South Leicestershire, ran a bipartisan inquiry that urged the government to make a clear and positive policy goal to remove barriers to citizenship, including recommending birthright citizenship.[6]

In 2022 the Work and Pensions Select Committee, chaired by Sir Stephen Timms MP, ran an inquiry into the impact of No Recourse to Public Funds (NRPF) on child poverty and concluded that the policy has “severe impacts on the mental and physical health of children”. The Committee recommended changes to NRPF to protect families with children.[7]

In 2024, the All-Party Parliamentary Groups (APPGs) on Poverty and Migration held a joint inquiry into the effects of UK immigration policy on poverty and concluded that immigration policies are pushing people into poverty and destitution, and making them vulnerable to exploitation. The APPGs made recommendations including shortening routes to settlement, reducing fees and charges, and reducing the scope of NRPF conditions.[8]

[3] Somerville & Mulley (2023) Lawful and fair: Building a better migration system. London: Fabian Society. Available at: <https://fabians.org.uk/publication/lawful-and-fair/>

[4] Williams (2020) Windrush Lessons Learned Review. London: House of Commons. Available at: <https://www.gov.uk/government/publications/windrush-lessons-learned-review>

[5] Calling for a Shorter, More Affordable Route to Settlement for Children and Young People, We Belong, www.webelong.org.uk

[6] Costa et al. (2020) Barriers to Britishness: Report of the Alberto Costa Inquiry into Citizenship Policy. London: British Future. Available at: <https://www.britishfuture.org/publication/barriers-to-britishness-report-of-the-alberto-costa-inquiry-into-citizenship-policy/>

[7] Work and Pensions Committee (2022) Children in poverty: No recourse to public funds. London: House of Commons. Available at: <https://committees.parliament.uk/publications/9616/documents/162588/default/>

[8] APPG on Migration & APPG on Poverty (2024) The effects of UK immigration, asylum and refugee policy on poverty: A joint inquiry. Available at: <https://www.appgpoverity.org.uk/home-page/appg-publishes-joint-report-with-the-appg-on-migration-on-the-effects-of-the-uk-migration-system-on-poverty/>

THE CHALLENGE

THE PROBLEMS WITH THE CURRENT PATHWAY TO CITIZENSHIP

Time and again we hear from people who have put down roots in the UK - care workers, teachers, nurses, churchwardens and football coaches, that the pathway to citizenship is broken. People want citizenship and the security and belonging it brings, in the country that is their home, but are blocked and frustrated, stuck in limbo. The pathway is long, costly and unfair, causing people in our communities to live for years without secure jobs, without access to safety nets, and with constant stress and anxiety.



I came to the UK nearly 20 years ago to build a better life for my daughter. The UK is my home but I'm not yet a citizen. Millions of people like me are blocked and struggling to survive when all we want is to be recognised as British citizens, contribute to society and build our lives.

MARY, CITIZENS UK LEADER, KENT

LONG

In most EU countries, the US, Canada and New Zealand, temporary residents have the right to become permanent residents after five years. [9] In the UK, certain groups must wait much longer - ten, twelve or even thirty years.

An estimated 170,000 people are on the 10-year route to settlement. They have leave to remain because of their family or long-term ties to the UK but must accrue 10 years of continuous residence before they can apply for Indefinite Leave to Remain (ILR), and a further year before becoming eligible for citizenship.[10] This route disproportionately affects black and racialised communities. Analysis of Home Office data showed that all but one country in the top 10 nationalities forced to use this route were those with predominantly non-white populations. The top five were Nigeria, Pakistan, India, Ghana and Bangladesh. Overall, 86% using the route were from Asian or African countries, while 6% were from Europe.[11]

People without status must wait even longer. People who lack documents must wait 20 years before even beginning the 10-year route, making the pathway to citizenship an incredible 31 years. An estimated 674,000 people are in this position.[12]

Thanks to a change in government policy achieved by the campaign group We Belong, non-UK born young people can now join a five-year route to ILR if they have lived at least half their life continuously in the UK.[13]

British children born to migrants without status do not automatically get British citizenship. They must wait 7 years and have lived continuously in the UK for that time. This affects an estimated 106,000 British children.[14]

The pathway can also be excruciatingly long for people in the asylum system. Thousands wait months and even years for the Home Office to decide their case without the right to work. For others it is unclear how they can ever become citizens, as in the case of those who came from Ukraine on short-term humanitarian visas.



[9] Migration Integration Policy Index 2020 <https://www.mipex.eu/permanent-residence>

[10] Mort et al. (2023) 'A Punishing Process': Experiences of people on the 10-year route to settlement. London: IPPR. Available at: <https://www.ippr.org/articles/a-punishing-process>

[11] Home Office urged to scrap long, expensive and 'racist' visa route, The Guardian, 2024 <https://www.theguardian.com/uk-news/2024/sep/19/home-office-urged-to-scrap-long-expensive-10-year-visa-route-racist>

[12] Portes & Ventura-Arrieta (2022) The impact of regularisation. London: Citizens UK. Available at: <https://www.citizensuk.org/about-us/news/impact-of-regularisation/>

[13] <https://www.webelong.org.uk/about-us/our-achievements>

[14] Jolly et al. (2020) London's children and young people who are not British citizens: A profile. London: Greater London Authority. https://www.london.gov.uk/sites/default/files/final_londons_children_and_young_people_who_are_not_british_citizens.pdf

In our listening, we heard about the pain of waiting for a status, waiting for years and even decades to build a life. Limited in choices, unable to move jobs, get an education, visit family. For those without status, waiting 30 years is a lifetime, and those in their 60s and 70s fear they'll die before they can regularise their status.

People feel 'frozen', 'in limbo' and subject to 'never-ending invisibility'. High levels of uncertainty and anxiety over long periods of time have immense repercussions on people's mental health and their ability to thrive in the UK.

COSTLY

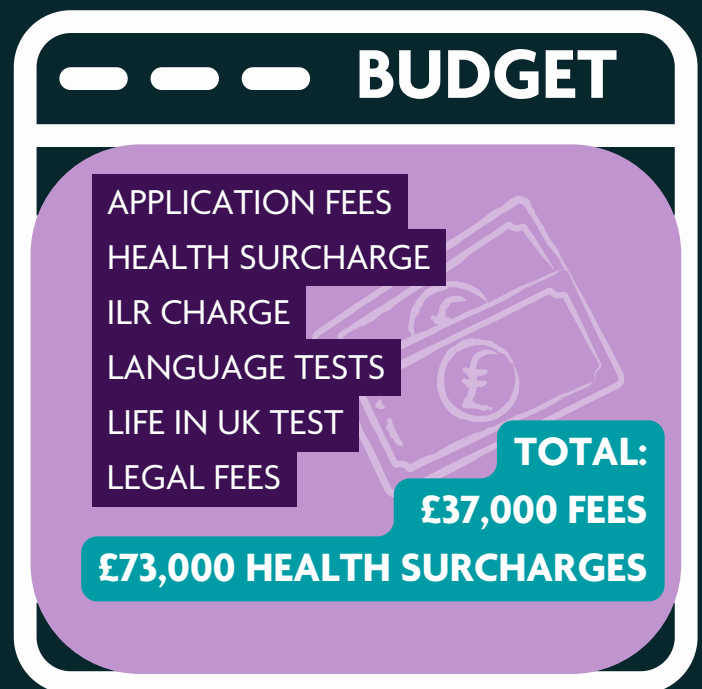
The UK has the **most expensive citizenship system in the Western world**.^[15] The combined cost of applying to become a citizen in Australia, Canada, the USA and France still does not add up to the cost of a single application in Britain.^[16]

Fees have increased rapidly over the last 20 years. At the time of writing, an application for ILR in the UK costs nearly £2,900 and British citizenship costs over £1,600 for an adult and over £1,200 for a child. In addition to immigration and nationality fees, many migrants must also pay an annual health surcharge. As of February 2024, this charge is more than £1,000 per year for adults and almost £800 per year for children in most visa categories. It is charged in addition to normal taxation.

A family of two adults and two children on the 10-year route to settlement in the UK must pay application fees of **over £5,000 every two and half years**, health surcharges of **over £3,500 per year**, and fees of **over £11,500** to apply for Indefinite Leave to Remain after ten years.

Citizenship costs a further **£5,600 in fees**, plus £50 for the 'Life in the UK' test and the cost of English language tests with approved providers for the adults.

This is a cost of over £37,000 in fees alone, and over £73,000 including health surcharges. Families have to pay legal fees on top of this.



[15] Migrant Integration Policy Index (2020)

[16] Costa et al. (2020) Barriers to Britishness: Report of the Alberto Costa Inquiry into Citizenship Policy. London: British Future. Available at: <https://www.britishfuture.org/publication/barriers-to-britishness-report-of-the-alberto-costa-inquiry-into-citizenship-policy/>

Costs can rise at any time. The costs of some visas went up almost 500% over ten years, with particularly high costs for settlement and citizenship.[17] Fee waivers are available for some visa applications, but not all and are inconsistently applied.

The Home Office profits from this system. The estimated actual cost to the government of processing an application for settlement in October 2023 was £646, 24% of the fee charged.[18] UK Visas and Immigration (part of the Home Office) received visa fees totalling £2.2 billion in 2022/23, equivalent to 214% of its costs.[19]

In our listening, we heard of families being forced to make harrowing choices prioritising the visas of certain family members over others. Complex and inaccessible fee waivers mean people can't access their rights. Desperate to stay on the pathway, people have been driven to debt and destitution. High and rising costs have meant that some ended up relinquishing their rights to citizenship, or getting caught in a cycle of limited leave to remain visas without being able to afford ILR, for which there is no fee waiver available.

People on the pathway are not adverse to paying fees for settlement and citizenship, but want these fees to be proportionate to the service received. At the moment, sky high costs are simply a barrier. Complicated processes, regular need for appeals, and shortage of legal aid mean people are forced to seek private legal counsel, further adding to the costs.



Over £1,000 to be British...
I thought I already was.

**DANIEL, CITIZENS UK
MEMBER, SOUTH LONDON,
AGE 10**

[17] Owen et al. (2019) *Managing migration after Brexit*. London: Institute for Government. https://www.instituteforgovernment.org.uk/sites/default/files/publications/IfG-Migration-After-Brexit_4.pdf

[18] Bridle & Walsh (2024) *Briefing: Migrant Settlement in the UK*. Oxford: Migration Observatory. <https://migrationobservatory.ox.ac.uk/wp-content/uploads/2020/08/MigObs-Briefing-Migrant-Settlement-in-the-UK-2024.pdf>

[19] National Audit Office (2023) *Home Office Departmental Overview 2022-23*. <https://migrationobservatory.ox.ac.uk/wp-content/uploads/2020/08/MigObs-Briefing-Migrant-Settlement-in-the-UK-2024.pdf>

UNFAIR

While on the pathway to citizenship, people often find themselves treated unfairly and with a lack of dignity. Having paid expensive visa fees, and whilst paying taxes, many are denied access to public services and the welfare safety net through ‘No Recourse to Public Funds’ (NRPF) conditions on their visas.

NRPF includes childcare entitlements and child benefit, and leaves people, including over 220,000 children, at risk of destitution and vulnerable to exploitation.[20] Joseph Rowntree Foundation research on destitution found that a third of UK children affected by destitution are children of migrants (338,200 children out of 1m destitute children), mostly likely due to NRPF. It recommended reforming NRPF to remedy this shocking situation.[21]

In our listening, we heard about the impoverishing impact of NRPF - being denied public services and facing costs that other families don't, with fewer means. NRPF has prevented people in need from accessing homeless and domestic violence shelters. Some fear going to the GP even when entitled to it. Many spoke of feeling stigmatised and isolated by the system, which takes its toll on mental health.

The lack of a safety net can put people at risk of exploitation, including work without proper pay or conditions. Among asylum seekers and people without status, we heard about the denial of the right to work leading to deep frustration and ongoing poverty.



I had to walk everywhere—two hours there and two hours back—because I couldn't afford travel. It was about making sure my children could eat. I constantly worried my kids felt excluded because we couldn't afford to give them the 'normal' childhood experiences, like school trips. One of my children couldn't access student finance. It's incredibly difficult when you can't help your own child.

NICO, WALSALL



[20] Fernández-Reino. (2022). Briefing: Children of Migrants in the UK. Oxford: Migration Observatory. Available at: <https://migrationobservatory.ox.ac.uk/resources/briefings/children-of-migrants-in-the-uk/>

[21] Fitzpatrick et al. (2023). Destitution in the UK 2023: Joseph Rowntree Foundation <https://www.jrf.org.uk/deep-poverty-and-destitution/destitution-in-the-uk-2023>

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The system is complicated so people often need support to navigate it. Across the board, people spoke of the struggle to access adequate and affordable legal advice. In some places there is not enough provision, and where there is provision it is unaffordable.

Hundreds of people who participated in our listening campaign had paid significant money for bad or incorrect advice which often created long-term complications in efforts to regularise their status.

The system is also unfair for those whose visas do not allow them to access the pathway to citizenship altogether. Ukrainians on resettlement schemes who sought sanctuary to the UK from 2022 have been given temporary leave not refugee status.

Having been here almost 3 years, most Ukrainians now plan to stay in the UK long term. In an April 2024 survey, 68% of respondents said they intended to continue living here even after it was safe to return to Ukraine. Over two-thirds (68%) of Ukrainian adults are now working in the UK.[22]



[22] Cuibis et al (2024) Briefing: Ukrainian Migration to the UK. Oxford: The Migration Observatory <https://migrationobservatory.ox.ac.uk/resources/briefings/ukrainian-migration-to-the-uk/>

HOW MANY PEOPLE ARE AFFECTED?

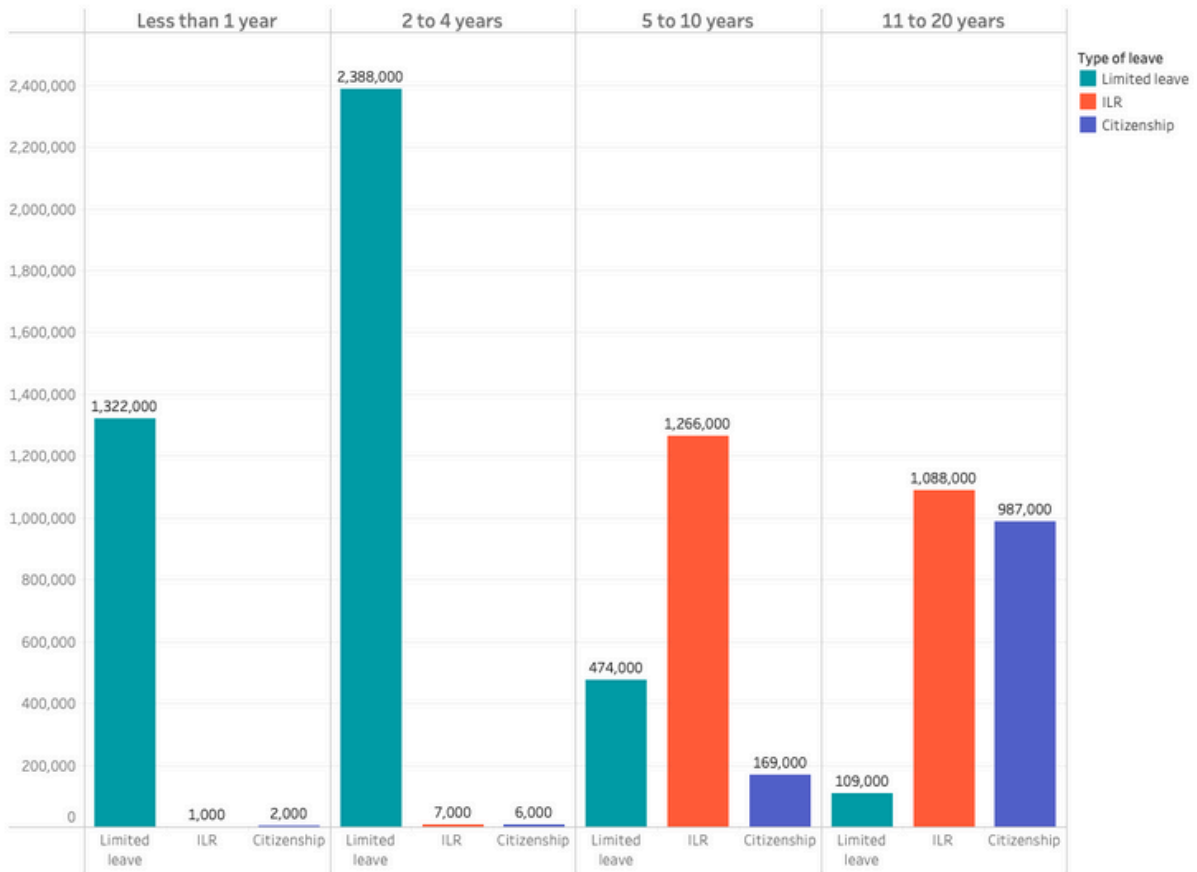
We worked with Denis Kierans, a researcher from the University of Oxford, to look at the number of people on the pathway to citizenship and the proportions who have accessed settlement and citizenship, using both Home Office and Census data.

Of 4 million migrants who have been in the UK for between 5 and 20 years, 2.3 million (58%) have permanent settlement. Just over 1 million (28%) have citizenship. Over half a million (14%) are still on limited leave.

This includes EU migrants, non-EU migrants on work, family and study visas, asylum seekers and people on humanitarian visa schemes (e.g. Ukrainians, Afghans and Hong Kongers) but excludes short-term residents such as temporary workers and short-term students as well as those without status (see the data note in the below figure for more information).

It is revealing to look at access to citizenship over time. Among those who have been in the UK for 5 to 10 years, only 9% have become citizens. Given that the majority of people are eligible for citizenship after six years, this is low. By contrast, of those who have been here for 11 to 20 years, 45% have citizenship and 50% have settlement. This tells us that the majority of people ultimately access settlement or citizenship but only after they have been here one to two decades - a long pathway. Concerningly there are 109,000 people - a significant minority (5%) - who remain stuck on limited leave after 11 to 20 years.



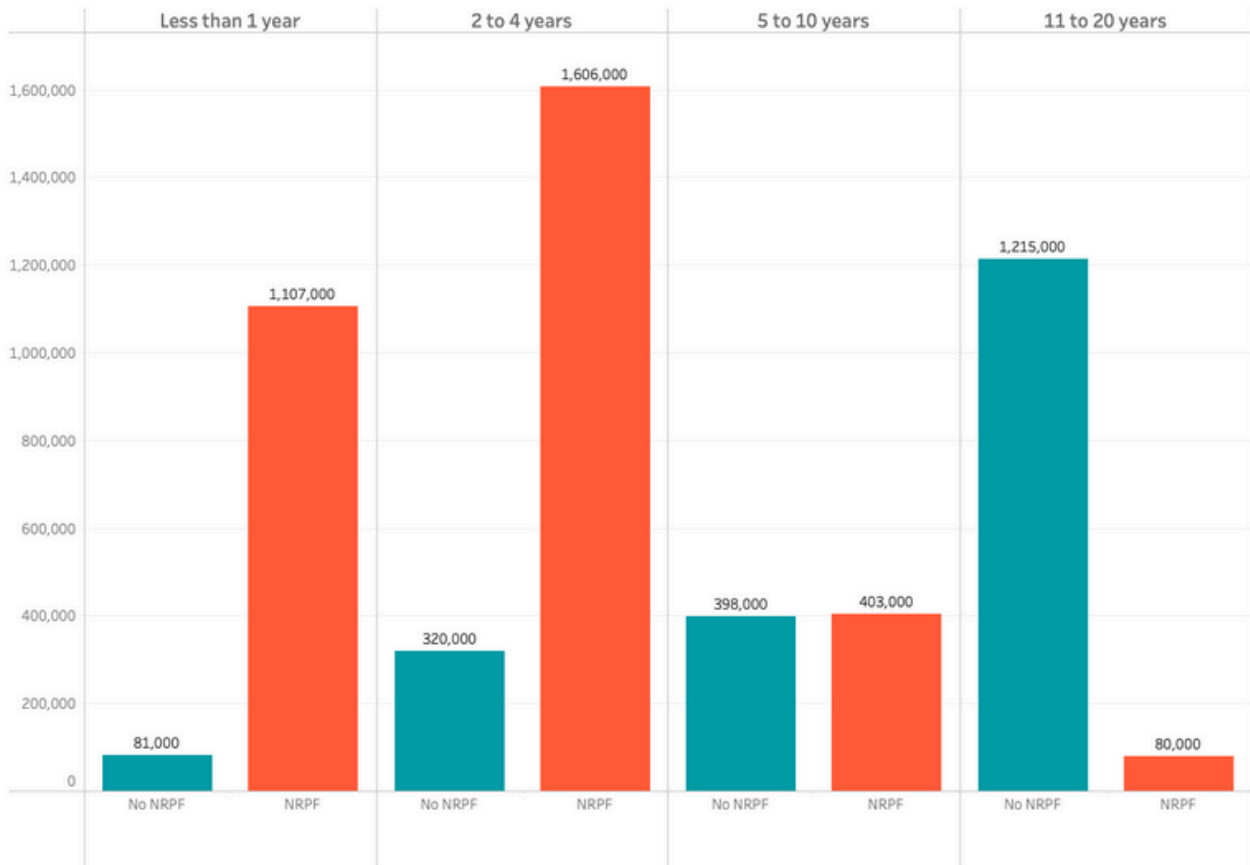


Source: England and Wales Census, 2021 and Home Office, Migrant Journey, Table D01, 2023. Note: For EU nationals, data are from the England and Wales Census 2021; short term residents are excluded. As information on IRL is not available in the Census, 5+ years of UK residence on Census day (21 March 2021), which would typically mean eligibility for Settled Status under the EU Settled Scheme, is used as a proxy. For non-EU nationals, data are from the Home Office Migrant Journey report, which covers the whole of the UK as of 2023, but does not capture migrants who arrived before 2004. Short term students, frontier workers, visitors and transit visas are excluded. Main applicants and dependents are counted. Nationals of Cyprus and Malta are treated as EU rather than Commonwealth citizens. Irish citizens are excluded. Data are indicative only; these are not official statistics; figures are rounded to the nearest thousand.

Chart 1: Type of leave by length of time in the UK

We looked at the numbers affected by a ‘No Recourse to Public Funds’ (NRPF) condition on their visas, which restricts access to the welfare safety net. An estimated 3.2 million people (non-EU migrants and their dependents) are affected by NRPF. 483,000 people are still living with NRPF after living in the UK for between 5 and 20 years, of which 80,000 have been here for between 11 and 20 years.





Source: Home Office, Migrant Journey, Table D01, 2023. Note: Only includes non-EU nationals. Short term students, frontier workers, visitors and transit visas are excluded. We cannot separate out NRPF visa holders who successfully petitioned to have the condition lifted.

Chart 2: No Recourse to Public Funds (NRPF) condition by length of time in the UK

The analysis also highlights the links between lack of citizenship and poverty. Analysis of the Census 2021 finds that children with a non-UK passport are 43% more likely to live in a deprived household compared to their UK/Irish peers.^[23]



[23] We have categorised households as deprived if the household reported two or more of the characteristics of deprivation (i.e. education, employment, health or housing). Includes children under 18 years old in England and Wales only.

RECOMMENDATIONS FOR POLICYMAKERS

Our listening and research demonstrates that the UK's pathway to citizenship needs to change. Citizens UK are campaigning for an improved pathway to citizenship which is timely, affordable and fair, which respects and enables people who have built their lives in the UK to become proud British citizens. Pragmatic reforms, grounded in respect for ordinary people and concerned with competence, would improve hundreds of thousands of people's lives, strengthen communities and undergird a cohesive society.

We outline first a set of principles for making reforms and then a set of policy proposals, all of which were developed with people affected by this issue. We believe these initial proposals are achievable within this parliament and lay the ground for broader reforms of the pathway to citizenship.



PRINCIPLES FOR REFORM

TIMELY

- Processes and waiting periods are explicit, transparent and accountable.
- The length of all pathways are reasonable.
- Acquisition of citizenship is encouraged and promoted.

AFFORDABLE

- No-one is priced out of citizenship.
- No-one is forced into destitution due to fees.
- Costs should be reasonable.

FAIR

- People are treated with dignity and respect on the pathway to citizenship.
- People have the resources needed to navigate the system without fear, detriment to their health or risk of destitution.
- When needed legal advice, language support and health care are easily and safely accessible.

POLICY CHANGES

Our recommendations for policy are divided into three packages:

1. Make acquisition of citizenship for people who have made the UK their home a guiding principle of the migration system.
2. Protect children and families who are on the pathway to citizenship.
3. Create a fit-for-purpose application system for settlement and citizenship.



1. MAKE ACQUISITION OF CITIZENSHIP FOR PEOPLE WHO HAVE MADE THE UK THEIR HOME A GUIDING PRINCIPLE OF THE MIGRATION SYSTEM.

Citizenship is good for individuals and good for the country - it is a symbol of commitment to the UK and practically it makes social integration easier.

Rather than feeling like a distant hope, citizenship should be an achievable goal for people who have put down roots in the UK, shared by individuals and government alike.

Policymakers should aim to reduce friction on the pathway and aim to increase the number of migrants who have put down roots in the UK that become British.

1.1 Set goals to increase the proportion of long-term migrants who access settlement and British citizenship.

Current UK citizenship policy does not seem sure whether citizenship is a good thing or not. By contrast, other countries, such as Canada, set targets for the numbers of people they want to gain permanent residency each year and shape policy accordingly. The UK government should set explicit goals to increase the proportion of long-term migrants accessing settlement and citizenship. It should report on a core set of metrics on an annual basis. The cross-party British Future Citizenship Inquiry^[24] and Fabian Society^[25] have made similar recommendations.

[24] Costa et al. (2020) Barriers to Britishness: Report of the Alberto Costa Inquiry into Citizenship Policy. London: British Future. Available at: <https://www.britishfuture.org/publication/barriers-to-britishness-report-of-the-alberto-costa-inquiry-into-citizenship-policy/>

[25] Somerville & Mulley (2023) Lawful and fair: Building a better migration system. London: Fabian Society. <https://fabians.org.uk/publication/lawful-and-fair/>

This country is my home now, it's the home of my daughters and my newborn baby from my British partner. But I still have to pay £15,000 to renew my leave and leave for my two daughters every 36 months.

**DEBORAH,
WOLVERHAMPTON**

1.2 Implement the recommendations of the Windrush Lessons Learned Review, including appointing a Migrants' Commissioner to ensure those affected by immigration policy have their voices heard.

Solicitor Wendy Williams published her Windrush Lessons Learned Review in 2020 and all 30 recommendations she made were originally accepted by the Home Secretary but some were later dropped. These should now be implemented in full. This recommendation has also been made by the APPGs on Migration and Poverty.[26] The Home Secretary has committed to appointing a Windrush Commissioner. Their remit should be broadened to include preventing another Windrush scandal, by working with people on the pathway to identify barriers to settlement and citizenship and ensuring that the government addresses them.

1.3 Shorten the length of routes to settlement and citizenship. The 10-year family and private life route to settlement should be reduced to five years and the current 20-year route for people with irregular status should be returned to 14 years with immediate Indefinite Leave to Remain after this period.

Across Europe five years is the standard length of time after which most migrants can apply for permanent residency.[27] The 10-year route was introduced in the UK in 2012 and disproportionately affects racialised communities.[28]

People without status have to wait 20 years before they can start the 10-year route, putting them on a 30 year pathway. The wait was previously 14 years but was increased to 20 years in 2012. Reducing the length of routes to settlement is supported by IPPR,[29] the APPGs on Migration and Poverty[30] and a broad coalition of migrant organisations.[31]



[26] APPG on Migration & APPG on Poverty (2024) The effects of UK immigration, asylum and refugee policy on poverty: A joint inquiry. Available at: <https://appmigration.org.uk/the-effects-of-uk-immigration-asylum-and-refugee-policy-on-poverty-a-joint-inquiry-by-the-appg-on-migration-and-the-appg-on-poverty/>


[27] Migration Integration Policy Index 2020 <https://www.mipex.eu/permanent-residence>

[28] Capping routes to permanent settlement at 5 years- Joint Briefing, Praxis (2023) <https://www.praxis.org.uk/briefings/joint-briefing-on-capping-routes-to-permanent-settlement-at-5-years>

[29] A punishing process: Experiences of people on the 10-year route to settlement. IPPR (2023) <https://www.ippr.org/articles/a-punishing-process>

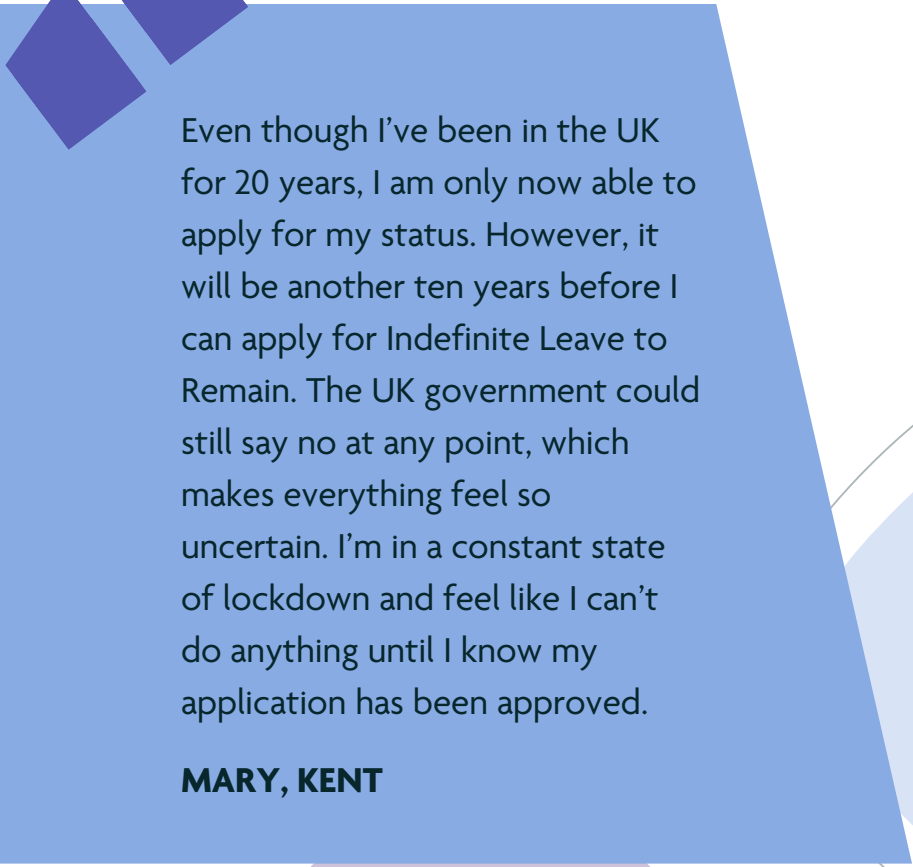
[30] APPG on Migration & APPG on Poverty (2024) The effects of UK immigration, asylum and refugee policy on poverty: A joint inquiry. Available at: <https://appmigration.org.uk/the-effects-of-uk-immigration-asylum-and-refugee-policy-on-poverty-a-joint-inquiry-by-the-appg-on-migration-and-the-appg-on-poverty/>

[31] Capping routes to permanent settlement at 5 years- Joint Briefing, Praxis (2023) <https://www.praxis.org.uk/briefings/joint-briefing-on-capping-routes-to-permanent-settlement-at-5-years>




I've worked so hard to build my business, but every two and a half years, I have to renew my visa every 2 and a half years and wonder if I can stay. It's draining, and the uncertainty affects everything. My children were born here, but they aren't British citizens because of my status. Ten years is too long to wait for peace of mind. We are stuck in limbo, always waiting.

MARIA, LONDON



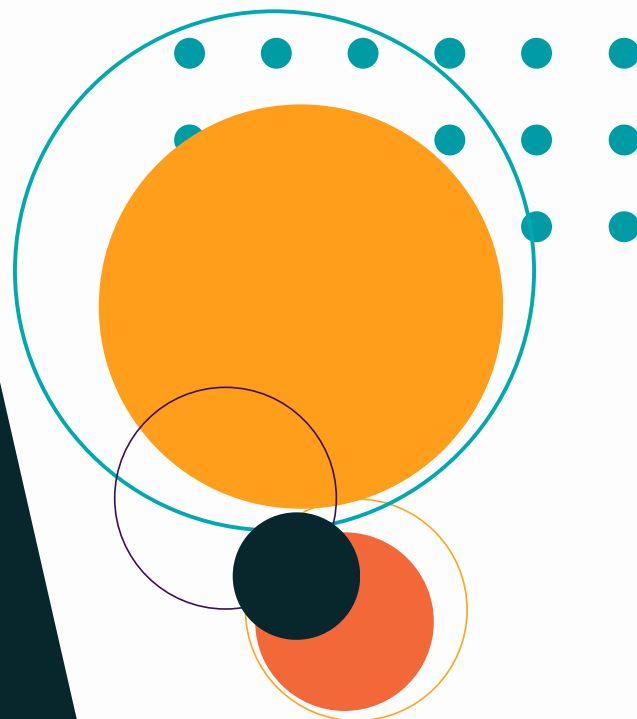
Even though I've been in the UK for 20 years, I am only now able to apply for my status. However, it will be another ten years before I can apply for Indefinite Leave to Remain. The UK government could still say no at any point, which makes everything feel so uncertain. I'm in a constant state of lockdown and feel like I can't do anything until I know my application has been approved.

MARY, KENT



I fled war in Ukraine in 2022. Now I can only extend my visa by 18 months. I am struggling to extend my tenancy agreement due to my status and may become homeless once again – I've experienced 9 months living in a homeless shelter already with my 2 children and my mum

NATALIA, BIRMINGHAM



1.4 Ensure clear pathways to settlement for those on humanitarian routes to the UK.


The ability of people who have been resettled in the UK for humanitarian reasons to access settlement and citizenship varies greatly. Hong Kongers and Afghans can both access citizenship after 5-6 years but there is currently no pathway for Ukrainians. Everyone resettled in the UK for humanitarian reasons should have a pathway to citizenship.

2. PROTECT CHILDREN AND FAMILIES WHO ARE ON THE PATHWAY TO CITIZENSHIP

We cannot tackle child poverty without fixing the UK's pathway to citizenship. Thousands of families are forced into poverty and even destitution because of high visa fees and legal costs over a long period of time, with little support.

2.1 Reduce child settlement and citizenship fees to cost price.

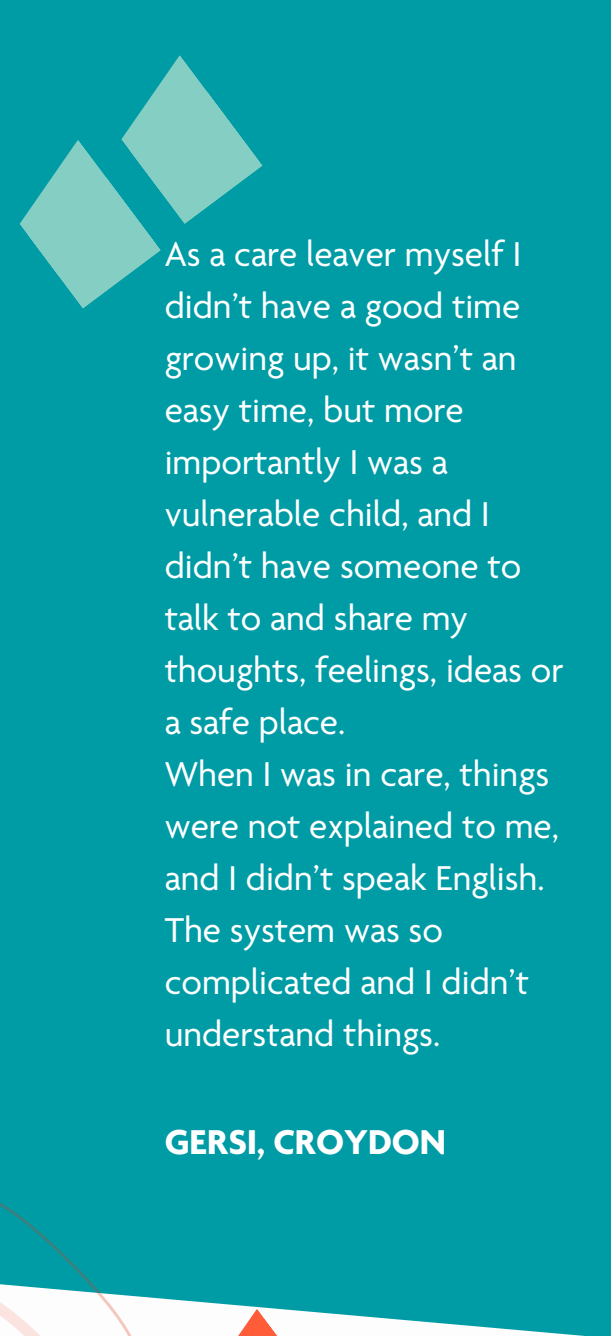
Citizenship costs over £1,600 for an adult and over £1,200 for a child. Indefinite Leave to Remain costs nearly £2,900 for every applicant. The estimated actual cost to the government of processing an application for ILR is just £646.[32]



We had to put the initial application fees on a credit card, which left us in debt. Every two and a half years, we have to renew our visas, and the costs just keep adding up. It's exhausting – the stress of it all affects everything. My children couldn't even go on school trips or enjoy things like visiting tourist attractions because we were always focused on making sure we could pay for the next renewal. It's heartbreaking knowing my children were born here but still couldn't access the same opportunities as other children

MARIA, LONDON

[32] Home Office estimate of cost of processing applications, Q&A: Immigration fees in the UK, The Migration Observatory <https://migrationobservatory.ox.ac.uk/resources/commentaries/qa-immigration-fees-in-the-uk/>



As a care leaver myself I didn't have a good time growing up, it wasn't an easy time, but more importantly I was a vulnerable child, and I didn't have someone to talk to and share my thoughts, feelings, ideas or a safe place.

When I was in care, things were not explained to me, and I didn't speak English. The system was so complicated and I didn't understand things.

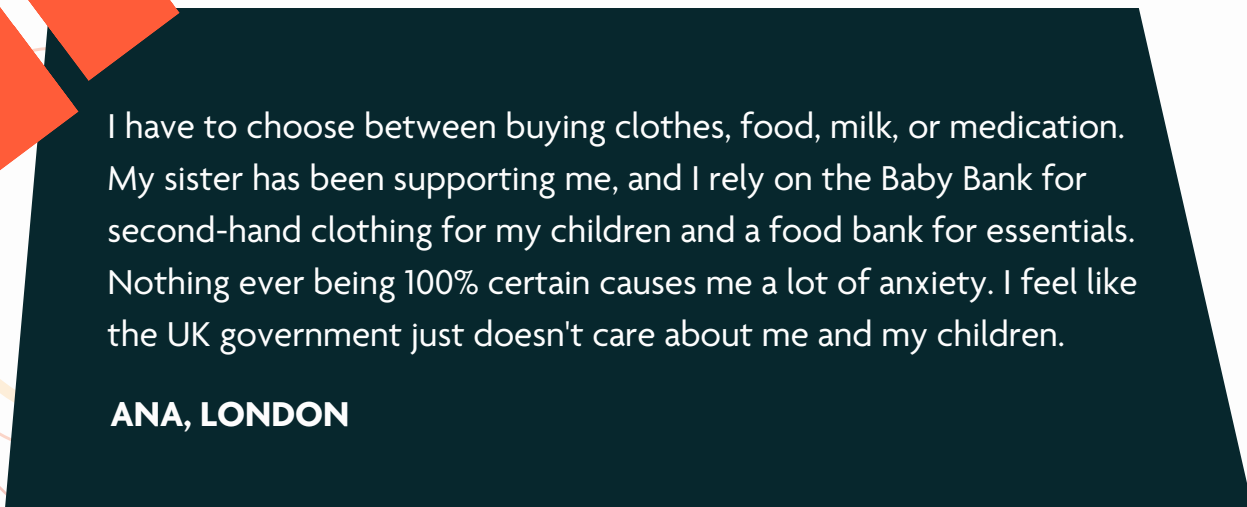
GERSI, CROYDON

2.2 Introduce a statutory duty on local authorities to provide support to resolve status for children in care.

When a child is in care, the local authority becomes the 'corporate parent' with a duty to safeguard and promote the child's welfare. Currently some young people leaving care find that they cannot get a job, open a bank account, rent a home, access benefits or a student loan, or take a driving test because they lack the right documents. They would be eligible for British citizenship or another residence status but have never received their formal documents. Local authorities should be required by law to support children in their care to access a secure status with a pathway to citizenship', with legal advice and help with fees.

2.3 Enable families on the pathway to citizenship to claim support for their children, including child benefit and childcare entitlements, by reducing the scope of the No Recourse to Public Funds (NRPF) condition.

The NRPF condition prevents people from accessing most of the welfare safety net. Even UK-born children - including those with British citizenship - are affected if their parents have an NRPF restriction. Removing child benefit and childcare entitlements from the scope of NRPF has been recommended by the Work & Pensions Select Committee[33] and APPGs on Migration and Poverty.[34]



I have to choose between buying clothes, food, milk, or medication. My sister has been supporting me, and I rely on the Baby Bank for second-hand clothing for my children and a food bank for essentials. Nothing ever being 100% certain causes me a lot of anxiety. I feel like the UK government just doesn't care about me and my children.

ANA, LONDON

[33] Children in poverty: No recourse to public funds, House of Commons Work and Pensions Committee (2022) <https://committees.parliament.uk/publications/9616/documents/162588/default/>

[34] The Effects of UK Immigration, Asylum and Refugee Policy on Poverty: A Joint Inquiry by the APPG on Migration and the APPG on Poverty <https://appgmigration.org.uk/the-effects-of-uk-immigration-asylum-and-refugee-policy-on-poverty-a-joint-inquiry-by-the-appg-on-migration-and-the-appg-on-poverty/>

2.4 Bring immigration back into the scope of legal aid, starting with cases where children and young people are involved.

The Legal Aid, Sentencing, and Punishment of Offenders Act 2012 (LASPO) took most immigration cases out of legal aid (help with the costs of a lawyer). Very few non-asylum immigration cases now qualify. This means that families need to find thousands of pounds to pay for private solicitors to get advice and representation to make visa applications within a complex and ever-changing immigration system. Restoring legal aid for immigration cases involving children and young people (either as independent young adult claimants or as dependent members of their family’s claim) has been recommended by Coram Children’s Legal Centre[35] and the Refugee & Migrant Children’s Consortium.[36]

3. CREATE A FIT-FOR-PURPOSE APPLICATION SYSTEM FOR SETTLEMENT AND CITIZENSHIP

There is an opportunity for policymakers to improve people’s lives and free up government capacity simply by making the visa application system more efficient and effective.

Reforms to streamline applications, reduce processing times and increase transparency would unblock the system and prevent people being blocked from citizenship by administrative backlogs. Ensuring a fee waiver is possible at each stage would prevent people from becoming stuck in the system, making applications for short-term leave when eligible for settlement.

My family found the processes during the route to citizenship so difficult, and the amount of paperwork required was overwhelming. The details that were required were often changed, and any small mistake meant we would need to start our entire application process again.

GRACE, ESSEX



[35] Coram responds to government review of civil legal aid, (2024) <https://www.coram.org.uk/news/coram-responds-to-government-review-of-civil-legal-aid/>

[36] Evidence from the Refugee and Migrant Children’s Consortium for the LASPO Post-Implementation Review, September (2018) <https://refugeechildrensconsortium.org.uk/legal-aid-submission>

3.1 A fee waiver for Indefinite Leave to Remain, bringing it into line with the rest of the system

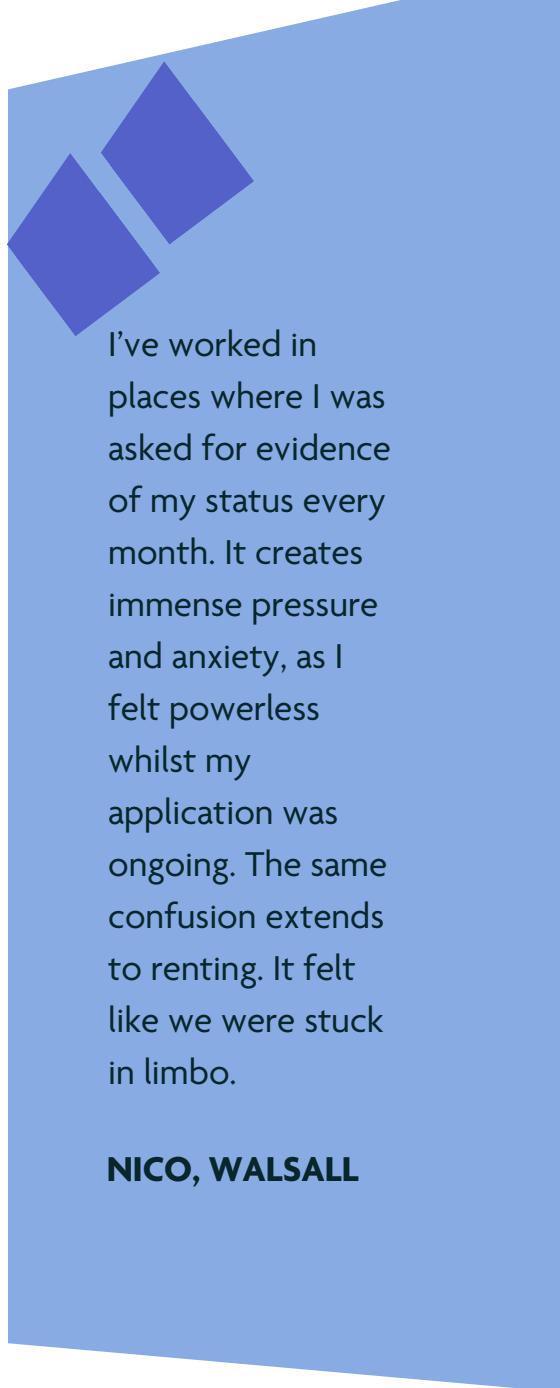
Home Office fee waivers are not currently available when applying for Indefinite Leave to Remain. The only option for anyone who is eligible for settlement but cannot afford the fee is to continue to apply for Limited Leave, with a fee waiver, possibly indefinitely. An extension of the existing fee waiver scheme to settlement would prevent people getting stuck on short-term insecure visas and reduce the burden on the Home Office of processing repeat, unnecessary fee waivers for Limited Leave applications. This recommendation is supported by migrant youth organisation We Belong.[37]

3.2 Automatic fee waivers for those who have already demonstrated financial hardship to the Home Office or local government.

The process of fee waiver applications is time-consuming for both applicants and the Home Office. It makes little sense for applicants to have to provide the same information about their inability to afford fees repeatedly to the same government organisations. When someone has already demonstrated financial hardship, the fee waiver should be automatically applied unless their circumstances have changed.

3.3 An action plan to reduce waiting times for applications across the system including asylum and visa renewals.

Individuals often find themselves waiting for long periods for an answer on applications, whether for asylum, fee waivers or visa renewals. This increases the length of the pathway to citizenship even further. A Home Office action plan should be created to ensure waiting times are reasonable, including for non-straightforward cases.



I've worked in places where I was asked for evidence of my status every month. It creates immense pressure and anxiety, as I felt powerless whilst my application was ongoing. The same confusion extends to renting. It felt like we were stuck in limbo.

NICO, WALSHALL



[37] We Belong launches 'Out of the Loop' campaign to help young migrants get on with their lives (2023)

3.4 Increased transparency on the progress of applications, with applicants issued with a certificate of application that proves status and enables access to housing, work and other rights during the waiting period.


When someone has applied to extend their leave within the deadlines they have the right to work and rent in the UK but are often blocked from doing so because employers and landlords are not aware of this Home Office rule. Applicants should be issued with a certificate to prove they have applied which clearly states that their rights are ongoing. The process of applications should also be easily tracked online, rather than opaque, with some applications taking a very long time for no discernible reason.

3.5 Clarification to be sought on applications with mistakes or errors, rather than being rejected.

Currently, if information on an immigration application is incorrect it is outright rejected and needs to be made again. This causes delays and can cause people to fall out of the system. A process should be introduced that allows the Home Office to query information rather than rejecting applications.

3.6 Automatic right to work for asylum seekers after six months if their application has not been processed.

Currently people seeking asylum in the UK must wait a year before they can apply for the right to work. Even then, the few people who are granted such permission are rarely able to work in practice because their employment is restricted to the narrow list of professions on the Government's Immigration Salary List. This means that people are essentially banned from working whilst they wait months, and often years, for a decision on their asylum claim. Instead, many are left to live on under £9 per week, struggling to support themselves and their families, while their talents are wasted. We should give people seeking asylum and their adult dependents the right to work after they have waited six months for a decision on their initial asylum claim or further submission, unconstrained by the Shortage Occupation List. This recommendation is supported by over 200 non-profit organisations, think tanks, businesses, trade unions and faith groups which make up the Lift the Ban coalition.[38]



I waited over a year for a decision on my asylum claim. There is no progression in life without being allowed to work. I felt like I was left behind, not because of unwillingness to work but because of this barrier which stops me from being a normal person.

JACK, OXFORD

[38] <https://www.refugee-action.org.uk/lift-the-ban/>

CONCLUSION

We have a fundamentally broken citizenship system that is destroying the lives of hundreds of thousands of children and families in our communities. The UK government and British society as a whole has an urgent choice to make - reform the system so that it works better for everyone, or kick the can down the road like previous governments did.

Citizens UK are campaigning for an improved pathway to citizenship which is timely, affordable and fair, which gives everyone who lives in the UK a shared stake in our society, and allows people who have put down roots in this country to become proud British citizens. The reforms we are proposing would transform people's lives for the better, enable communities to flourish and strengthen our democracy.

Acknowledgements

Thousands of community leaders across Citizens UK were part of the listening campaign behind this report and hundreds were involved in turning that listening into solutions and recommendations. We want to take this opportunity to recognise their courage, insight and wisdom. We particularly want to acknowledge Citizens UK's Migrant and Refugee Organising Leadership Team, who have led this process. Denis Kierans, Research Affiliate at the Centre on Migration, Policy and Society (COMPAS) at the University of Oxford, conducted data analysis for us. We also want to thank the policy and legal experts who advised us on the development of policy recommendations: Sarah Mulley, Marley Morris, Colin Yeo, Will Somerville, Anita Hurrell, Josephine Whitaker-Yilmas, Mariam Bafo and Sarah Cutler. Any errors or mistakes are Citizens UK's.

November 2024



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