

The Migrant Journey

Lorrah Achato, Mike Eaton and Chris Jones

Context

The Coalition Government has proposed changes to the way migration to the UK will be managed in order to reduce the level of net migration. The Coalition Agreement stated that:

The Government believes that immigration has enriched our culture and strengthened our economy, but that it must be controlled so that people have confidence in the system. We also recognise that to ensure cohesion and protect our public services, we need to introduce a cap on immigration and reduce the number of non-EU immigrants.
(The Coalition: Our programme for Government, May 2010)

Analysis of the current routes into the UK and the different ways that migrants are able to reach settlement provides evidence about the routes migrants use to enter and remain in the UK, indications of how long they stay and when they leave. This evidence can assist policy makers in considering changes to the immigration system.

The aim of the ‘migrant journey’ analysis was to provide evidence on:

- the behaviour of migrants entering the UK immigration system in the major non-visit visa routes; and
- the common pathways through the immigration system that result in settlement.

This report presents the initial results of this analysis based on the behaviour of migrants granted leave to enter the UK in 2004 and those granted settlement in 2009.

Approach

This report draws on findings from quantitative analysis of administrative data extracted from UK Border Agency databases. Data on grants of entry clearance (visas) were matched to data on grants of further leave to remain to provide details of all types of leave granted to a migrant from the point they received entry clearance, until they were granted settlement or their last recorded leave expired.¹

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Keywords	
migrant	leave to remain
immigration	routes for migration
settlement	
indefinite leave to remain	
entry clearance	
visa	

The report presents findings relating to the main non-visit visa routes covered by government policy and the Immigration Rules:²

- family;
- work (leading to citizenship);
- work (not leading to citizenship);
- study;
- direct settlement; and
- other routes.

The findings are presented in two ways: a forward view and a backward view. The forward view looks at all migrants granted non-visit visas in 2004 in order to show those individuals' immigration status at the end of each year up to 2009. It also shows patterns in extensions or changes to leave to remain that were made over that period. The backward view focuses on the cohort of migrants granted settlement in 2009, tracing them back through their immigration histories to show their initial route of entry into the UK, the year of entry and any extensions or changes to leave prior to their grant of settlement.

Results

Forward-view analysis³

The analysis of migrants entering the UK in a non-visit visa route in 2004 shows the following.

Family route

The family route comprises migrants entering the UK as a relative of someone who is a British citizen or settled in the UK. These can include: husbands, wives, civil partners, fiancé/es, proposed civil partners, or unmarried or same-sex partners. This category (63,400 cases) made up approximately 12 per cent of all migrants granted non-visit visas in 2004. Table SI shows the proportion of migrants under the major entry routes who remained in the immigration system after five years. Approximately 63 per cent of migrants who entered the UK via the family route in 2004 were still in the immigration system five years later.

Work (leading to citizenship) route

The work (leading to citizenship) route, comprising mainly highly skilled workers or those with a job offer in a shortage or other occupation (105,880 cases), made up approximately 19 per cent of all migrants granted non-visit visas in 2004. Approximately 40 per cent of migrants in this route were still in the immigration system at the end of 2009. Of those with valid leave at the end of 2009 almost three-quarters had reached settlement, most obtaining this after the five-year qualifying period.

Table SI Proportion of migrants in 2004 cohort granted non-visit visas under the main entry routes still in the UK after five years

Route	Migrants in 2004 cohort granted non-visit visas	Proportion of migrants still in the UK after five years	Proportion of migrants achieving settlement after five years
Family	63,400	63%	55%
Work (leading to citizenship)	105,880	40%	29%
Work (not leading to citizenship)	94,540	11%	3%
Study	185,600	21%	3%

1 Migrants are expected to leave the UK once their visa expires. Therefore, for the purposes of this research, the expiry date of a migrant's last recorded grant of leave indicates the migrant is no longer considered a live case in the UK immigration system.

2 Migrants are expected to leave the UK once their visa expires. Therefore, for the purposes of this research, the expiry date of a migrant's last recorded grant of leave indicates the migrant is no longer considered a live case in the UK immigration system.

3 This section reports key findings from analysis of the four main routes of entry to the UK. These routes made up 82 per cent of migrants granted non-visit visas to the UK in 2004. The remaining 18 per cent comprised migrants granted visas in the EU & EEA route and the Other route.

Work (not leading to citizenship) route

The work (not leading to citizenship) route (94,540 cases) made up approximately 17 per cent of all migrants granted non-visit visas in 2004. The majority of migrants who entered the UK in this route appeared to stay in the UK for a relatively short period of time. After two years, 84 per cent no longer had valid leave to remain in the UK. By the end of 2009 just over ten per cent still had valid leave, the majority having moved into the work (leading to citizenship) route. Approximately three per cent of migrants who entered the UK in this route had obtained settlement by the end of 2009.

Study route⁴

In 2004, approximately 185,600 non-visit visas were issued to migrants coming to the UK to study. Migrants in this route made up 34 per cent of all those issued non-visit visas in 2004. After two years, 59 per cent of the migrants who entered the UK on a student visa were no longer in the immigration system. At the end of five years almost 80 per cent no longer had valid leave to remain. Those who remained in the UK tended to have moved into the work (leading to citizenship) route, were still students, or changed into the family route (for marriage). Very few of these students (3%) had reached settlement after five years in the UK.

Backward-view analysis

The largest proportion of those granted settlement in 2009 had entered the UK via the work (leading to citizenship) route and the family route. The migrants in the 2009 cohort who entered the UK through a route that did not lead to citizenship tended to move directly into one of the immigration categories with a route to settlement before applying for permanent status.

Approximately 34 per cent of those granted settlement in 2009 came to the UK via the family route. Approximately 32 per cent reached settlement after entering the UK in the work (leading to citizenship) route, 13 per cent started their journey in the study route, with a further 15 per cent entering the UK in a direct settlement route. Those who entered the UK in the study route switched to the work (leading to citizenship) route or the family route before achieving settlement; more students switched to the work (leading to citizenship) route than the family route. Migrants who entered the UK via the work (not leading to citizenship) route, (around 4% of the total settlement grants in 2009), tended to switch into the family route (mainly for marriage) before achieving settlement.

Analysis of the 2009 cohort by year of entry and initial entry route suggests that most of the migrants receiving settlement in 2009 via the family and work (leading to citizenship) routes applied for settlement immediately after the qualifying period. A small proportion of migrants (15%) who achieved settlement in 2009 had initially entered through the settlement route. This group comprises migrants granted indefinite leave to enter before they came to the UK, and a number of migrants (already living in the UK) whose first recorded grant of leave to remain was settlement. The latter group are likely to have entered the UK before current databases were in place; therefore their initial visa record could not be identified.

Discussion

The quantitative analysis of migrants entering the immigration system in 2004 and those granted settlement in 2009 has highlighted some important points for government and policy makers to consider.

Those who entered the UK under the family route tended to stay in the immigration system. After the two-year qualifying period for the family route most of those still in the system had applied for and been granted settlement. There was also evidence that migrants who entered the UK through the work (leading to citizenship) route tended to apply for settlement immediately after the end of their five-year qualifying period. Few migrants in the student and work (not leading to citizenship) routes had been granted settlement after five years in the immigration system. The vast majority of migrants in these groups were no longer in the immigration system after five years.

The backward-view analysis also confirms the results from the forward-view analysis. The majority of migrants granted settlement in 2009 entered the UK via either a family route or a work (leading to citizenship) route, and did not move through any other immigration categories. Unsurprisingly, migrants who entered the UK via the temporary work (not leading to citizenship) route tended to switch into one other route if they later applied for settlement, primarily the family route indicating marriage or the establishment of a civil partnership.

Student visas do not normally have a direct route to settlement, and therefore those who initially arrived as students and achieved settlement had switched into another category – generally either through employment or marriage. A greater proportion of these migrants switched into the work (leading to citizenship) route than the family route, despite the latter route providing a faster path to settlement.

⁴ The study route includes migrants granted leave to enter as a student. This does not include student visitor visa categories.

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1. Context

Immigration has been an increasing priority for government in recent years. Growing concern over the number of migrants in the UK has become a political and social issue that has prompted the Government to propose changes to the way migration will be managed in the future. In 2009 net migration was 142,000.⁵ While acknowledging the role of migration in the UK's economic recovery and future growth, the Coalition Government has proposed reducing this figure to the rate seen in the early 1990s, when tens of thousands per year were migrating to the UK. The Points-Based System (PBS), introduced by the previous Labour Government, was intended to simplify channels for migration to the UK and provide a flexible system to manage migration for the good of the UK. But, in order to reduce net migration, the Government has proposed introducing an annual limit on the number of non-EU economic migrants admitted into the UK to live and work.

The immigration system provides options for certain migrants eventually to obtain settlement and British citizenship. Policy makers are interested in the behaviour of migrants to ensure policies take into account which types of migrants are likely to settle in the UK and to identify any loopholes that might allow abuse. Evidence on where migrants start and finish their journeys through the immigration system and how long they stay in the UK can help government in developing its policies to manage migration.

In order to enhance the evidence base for policy development, the UK Border Agency used information held in its own administrative databases to understand the way different migrants progress through the UK's immigration system. The aim of this migrant-journey analysis was to provide evidence on:

- the behaviour of migrants entering the UK immigration system in the major non-visit visa routes; and
- the common pathways through the immigration system that result in settlement.

This report presents initial findings from this research based on the behaviour of migrants granted leave to enter the UK in 2004 and those granted settlement in 2009.

2. Methods

The methods used to gather and analyse data in this research are new and innovative. The findings in this report should therefore be considered as experimental statistics.⁶ It is intended that this will be the first of a series of research reports which explore the issue of migrants' journeys through the UK's immigration system. Further analysis will be undertaken as the methodology is developed.

The findings presented here are based on data collected from two UK Border Agency administrative databases. These databases hold records of individuals granted entry clearance visas, and any subsequent grants of extensions or variations of leave to remain in the UK.⁷ These data thus provide information on migrants from the point they receive clearance to enter the UK until they leave the immigration system or are granted settlement.

Data on grants of entry clearance visas are collected on the Central Reference System (CRS). The CRS was introduced in 2002 and is used to collect details of entry clearance applications in diplomatic missions abroad. In-country grants of leave to remain or extensions were extracted from the Case Information Database (CID). The CID was introduced in 2000 as the Asylum Case Information Database (ACID). It was then expanded in 2002 to cover non-asylum extensions of leave to remain, settlement and British citizenship casework in 2002. Finally,

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systems dealing with port and enforcement casework were added in 2003. No records of migrants issued leave to remain in the UK before 2000 were transferred to the CID. This means that the database did not contain complete case histories until 2004.

There are different ways in which migrants can enter the UK. This research focuses on non-visit visa routes and is primarily concerned with short-term and long-term migrants.⁸ It excludes tourists and other groups that only intend to spend short periods of time in the UK. Migration to the UK via non-visit visa routes is mainly managed through the Points-Based System (PBS). The PBS was introduced in 2008 and consists of five 'tiers', three of these (Tiers 1, 2 and 5) relate to permission to work. Tier 1 provides a route for highly skilled workers; its phased implementation took place between February 2008 and June 2008, replacing the Highly Skilled Migrant Programme (HSMP) which also led to settlement. Tier 2 and Tier 5 were implemented in November 2008. Tier 2 replaced the Work Permit scheme and provides a route for skilled (non-EEA) nationals with sponsorship from a UK employer to come to live and work in the UK. The Work Permit scheme granted skilled migrants leave to remain in the UK in order to work in a skilled occupation. Tier 5 is for temporary workers and youth mobility, providing a route for those coming to the UK for primarily non-economic reasons. The additional tier (Tier 3) relates to unskilled workers and is currently suspended. Tier 4 was implemented in March 2009 and provides a route for students to study with an approved education provider.⁹ Other non-visit visa categories outside of the PBS allow migrants to come to the UK for family reunion (through marriage and migration of dependent children) or to obtain settlement (indefinite leave to remain).

5 Net migration to the UK for the year end September 2009. Net migration refers to the number of people who come to live in the UK minus the number who move abroad. Office for National Statistics. *Migration Statistics Quarterly Report* (2010) <http://www.statistics.gov.uk/pdffdir/mig0510.pdf> August 2010

6 Experimental statistics are those that are in the testing phase and are not fully developed. Office for National Statistics. *Experimental Statistics* (2008) <http://www.statistics.gov.uk/cci/nugget.asp?id=173> August 2010.

7 Entry clearance can be granted in the form of a visa as leave to enter (LTE) or leave to remain (LTR). Settlement is usually granted to a migrant as indefinite leave to remain (ILR).

8 The ONS uses the United Nations (UN) definition of an international migrant. The UN defines a migrant as a person who moves to a country other than that of his or her usual residence for a period of at least a year, so that the country of destination effectively becomes his or her new country of usual residence.

9 Home Office. Control of Immigration: Quarterly Statistical Summary United Kingdom April – June 2010 (August 2010) <http://rds.homeoffice.gov.uk/rds/pdfs10/immig210.pdf> August 2010.

The asylum route is another way that migrants can enter the UK and achieve settlement. The number of settlement grants issued to migrants granted asylum fell from 67,810 in 2005 to 30,655 in 2006. By the end of 2009, 3,110 migrants in the asylum route had been granted settlement. This decrease is partly due to changes to asylum policy in 2005. Prior to August 2005, those granted asylum were immediately entitled to indefinite leave to remain. Migrants granted asylum after that date are entitled to receive five years' leave to remain, after which they can apply for settlement. The migrant-journey analysis excludes asylum seekers without an initial visa record from the cohort in order to focus on regular migrants who are managed through the UK's immigration system.

Data matching

Data on visas issued are collected on a different database to grants of leave to remain (LTR) and visa extensions issued to applicants once they reach the UK. Therefore a data-matching exercise was undertaken to link out-of-country grants of LTE to in-country grants of leave to remain (LTR) and indefinite leave to remain (ILR). The nature of immigration system databases prior to 2003, and the length of time it takes before migrants might be eligible for settlement (up to five years for some common categories of entry) means that this analysis has not been feasible until now. Criteria were defined to ensure migrants' details were accurately matched, and the results of the data-matching exercise were rigorously checked for coherence and consistency. A data-cleansing exercise excluded migrants whose records contained a visa record without an issue date and/or a last recorded grant of leave to remain without an expiry date.¹⁰

The criteria used to match data from the two databases were passport number, name, date of birth and nationality. Five matching levels were created – the exercise attempted to match migrants at the highest level possible (level one). Only negative matches at level one led to an attempt to match a case at level two. The first level matched migrants' passport number, nationality and year of birth; 75 per cent of all positive matches were achieved at this level. The second level matched passport number and nationality (1% of all matches); and the third level (name, date of birth and nationality) made up 21 per cent of all positive matches. Records of migrants who could not be

10 Groups not included in this research are, children born to UK migrant parents, general visitors and asylum seekers. Individuals from countries not part of the EU when they applied for leave to enter but who subsequently joined the EU were excluded from the sample after the data-matching exercise.

matched at the five levels were included in the analysis of migrants granted settlement in 2009 but excluded from the analysis of migrants granted a visa in 2004.

The assessment of the overall data matching worked on the assumption that in-country grants of LTR and ILR are preceded by an out-of-country grant of LTE. It should be noted, however, that there are legitimate reasons why a migrant may not have a visa record on the out-of-country database. Migrants who came to the UK before the existence of out-of-country databases or children born to parents with temporary leave to remain may not have been granted a visa. Individuals who entered the UK as illegal immigrants or asylum seekers would not be identified on out-of-country databases. However, they may be identified on the in-country database if they applied for leave to remain after they had entered the UK.

Migrants not matched to an initial visa record were included in the analysis of the cohort granted settlement in 2009. This analysis traced migrants back through the immigration system until their earliest record (in some

cases this was as early as 2000), and acknowledges there are several reasons (as described in the previous paragraph) why a migrant may not have an initial visa record. Analysis of the cohort of migrants granted a non-visit visa in 2004 identified migrants' immigration statuses at the end of each year over a five-year period. Therefore this analysis could not include cases without a visa record (non-matched cases) or those granted a visa prior to 2004.

In order to facilitate analysis, the more detailed breakdown of possible visa categories was grouped to present the major non-visit routes covered by the Immigration Rules. Descriptions of each of the routes in this research are provided in Table 1.

For the purposes of this research, each migrant's journey through the immigration system was tracked from the original visa category granted to them, through all the grants of entry clearance (leave to enter) or leave to remain (LTR) and indefinite leave to remain (ILR) recorded in UK Border Agency databases. The data collected for each migrant consisted of the type of leave granted ('route'), the grant

Table 1 *Main immigration routes to the UK*

Route ^a	Description	Route leading to settlement?
Family	A person entering the UK on the basis of a family member that is a British Citizen or settled in the UK. Family members eligible to apply in this route are: husband, wife, civil partner, fiancé/e, proposed civil partner, or unmarried partner or same-sex partner.	Yes (after two years) ^b
Work (leading to citizenship)	Individuals who are highly skilled, wish to find work, are self-employed or who have a job offer (PBS, Tiers 1 and 2). Migrants in this category are eligible for settlement after a specified time period. It also includes spouses, children and other dependants of the main applicant.	Yes (after five years) ^c
Work (not leading to citizenship)	Individuals who want to work in the UK on temporary basis (PBS, Tier 5).	No
Study	Adult (age 16+) and child students (aged between 4 and 15 years) who come to the UK for educational reasons (PBS, Tier 4). This route also includes prospective students who want to come to the UK to decide which course to study.	No
EU and European Economic Area (EEA)	Third-country nationals having formed a relationship with a European Union national.	Yes
Settlement	Individuals granted settlement before entering the UK and other exceptional grants of leave that fall outside of the Immigration Rules.	Yes
Other	More minor categories of entry clearance or LTR that fall outside of the major routes to enter the UK.	No

a Each route also contains the leave granted to spouses, children and other dependants who entered the UK at the same time as the main applicant.

b Prior to April 2004 migrants in the family route could qualify for settlement after completing one year in an eligible immigration category.

c Prior to 2006 migrants in the family route could qualify for settlement after completing four years in an eligible immigration category.

issue date and the expiry date. These details were put in chronological order using the grant issue date, with the type of leave granted (usually a visa) denoting the initial route of entry. This chronological ordering showed when and how each individual entered the immigration system, and the date of expiry of their last recorded extension or change of leave.

Quantitative analysis of the data was conducted in two ways.

Forward-view analysis

The forward-view analysis used data from the 2004 cohort of migrants, that is all those granted non-visit visas to the UK in 2004, to show their journey through the immigration system.¹¹ After data matching and cleansing this cohort comprised over 551,200 cases. This analysis provides details on:

- i) individuals' immigration status at the end of each year up to 2009 for each initial entry route; and
- ii) patterns in journeys taken through the immigration system, that is extensions to LTR or changes to another type of LTR.

As previously explained, not all migrants can be matched to a visa record on current databases and therefore the cohort used for this analysis represented 78 per cent of migrants granted non-visit visas in 2004.

In some cases, migrants reached a status whereby the last grant of leave to remain had expired. This status is shown in the results as 'expired'. It should be noted that an 'expired' status does not necessarily represent the date the migrant left the UK, as a migrant may have returned to their home country before their last grant of leave to remain expired. For this time period, it is also not possible to confirm that a migrant left the UK after their visa expired. However an expiry date with no pending applications means that, for this study's purposes, the individual is no longer considered a live case in the immigration system.

Backward-view analysis

The backward view of the data reviews the journey through the immigration system of migrants who received a grant of settlement in 2009, providing details on:

- i) the initial entry route;
- ii) the year of the initial grant issued; and
- iii) different journeys through the immigration system that result in settlement, that is extensions to LTR or changes to another type of LTR.

¹¹ Due to data quality issues it was only possible to use data from 2004 onwards.

After data matching and cleansing, the 2009 cohort of migrants (176,470 cases) makes up approximately 90 per cent of those granted settlement that year (194,780 visas).¹² For the backward view, it was not possible to identify all the initial entry routes (i.e. visa grant) for all the migrants granted settlement in 2009. This is partly due to data quality issues but also the time span of the databases used in the analysis, as some individuals granted settlement in 2009 will have initially entered the UK prior to the period covered by this dataset.¹³

3. Results

Forward-view analysis

The forward-view analysis examines migrants granted non-visit visas to the UK in 2004. This analysis explores the routes taken by migrants through the immigration system for the four main routes of entry to the UK:

- family;
- work (leading to citizenship);
- work (not leading to citizenship); and
- study

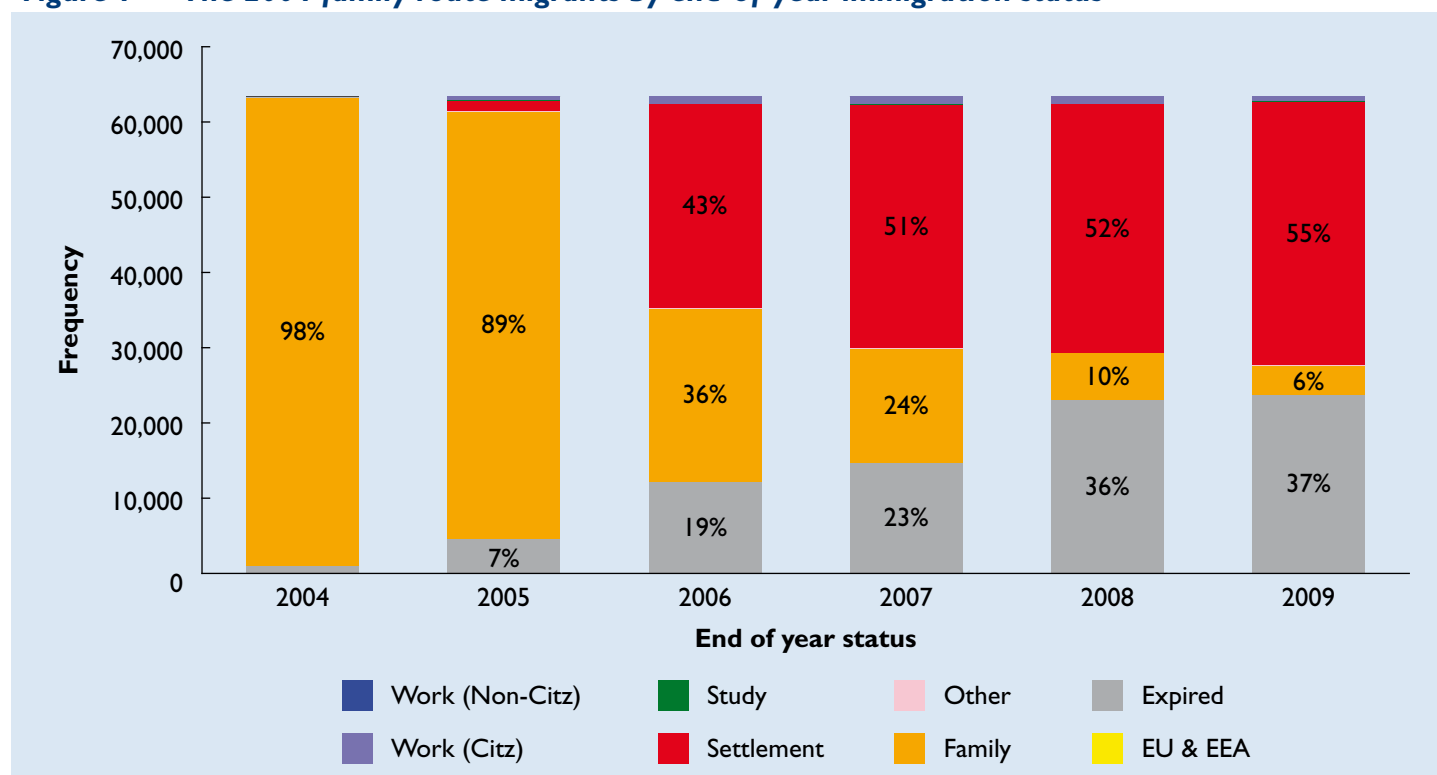
The analysis tracks migrants who were granted visas in each of these routes through the immigration system in order to identify their immigration status at the end of each year between 2004 and 2009.

The forward-view analysis of migrants granted non-visit visas in 2004 identifies the point at which an individual's leave to enter (LTE) or LTR expired. This is not necessarily confirmation that the migrant has left the UK and returned to their home country. In fact, there are three possible outcomes for such migrants:

1. the migrant has left the UK;
2. the migrant is still in the UK (as an overstayer); or
3. the migrant has made an application for further leave that has not been identified/recorded.

¹² Home Office. Control of Immigration: *Quarterly Statistical Summary United Kingdom April – June 2010* (August 2010) <http://rds.homeoffice.gov.uk/rds/pdfs/10/immig210.pdf> August 2010.

¹³ Further details of any effects of these data issues are provided in the findings below.

Figure 1 The 2004 family route migrants by end-of-year immigration status

As the UK does not at present have exit controls, it is not possible to estimate the proportion of the 'expired' group that have left the UK.¹⁴ However, research into the behaviour of irregular migrants has suggested that a smaller number of migrants stay permanently in the UK than is commonly thought; almost half of all overseas-born immigrants left the UK within five years of arrival between 1981 and 2002.¹⁵ On this basis it seems plausible that the vast majority of migrants granted non-visit visas in 2004, and who were subsequently identified as having expired leave to remain, have probably left the UK.

Appendix A (Tables A1-A7) present statistics on the number of migrants granted non-visit visas in 2004 by their immigration statuses and route of entry.

Family route

The family route (63,400 cases) comprises visa categories that allow migrants to come to the UK to join a family member already in the UK or applying to stay under a different visa category. Migrants in this route made up approximately 12 per cent of those granted non-visit visas in 2004. At the end of five years, the majority (63%) of

these migrants who entered the UK via the family route in 2004 were still in the immigration system. These migrants had either obtained settlement or still had leave to remain in a visa category in the family route. Just over a third (37%) of the cohort were no longer recorded as having 'live' status in the immigration system after five years.

Figure 1 presents the immigration status of the 2004 family route cohort at the end of each year. Over 40 per cent of the 2004 family route cohort received a grant of settlement in 2006, having spent two years in the UK. This is consistent with the settlement rights of the visa categories that make up the family route. After two years, migrants with a spouse, civil partner, partner or unmarried same sex partner, fiancé/e or proposed civil partner settled in the UK or applying to be settled in the UK are eligible to apply for settlement. The findings of the forward analysis thus indicate family route migrants take up their opportunity to obtain settlement soon after they become eligible.

Between 2005 and the end of 2008 some family route migrants had moved into the work (leading to citizenship) route. A very small number of migrants in the family category moved into a route that does not allow migrants to apply for settlement (for example the work (not leading to citizenship) route). By the end of 2009 just over half (55%) of those who entered the UK in 2004 via the family route had been granted settlement.

¹⁴ The Coalition Government has committed to reintroducing exit controls at the UK borders.

¹⁵ Office for National Statistics Population Trends (2004) http://www.statistics.gov.uk/downloads/theme_population/PT116.pdf August 2010.

Work (leading to citizenship) route

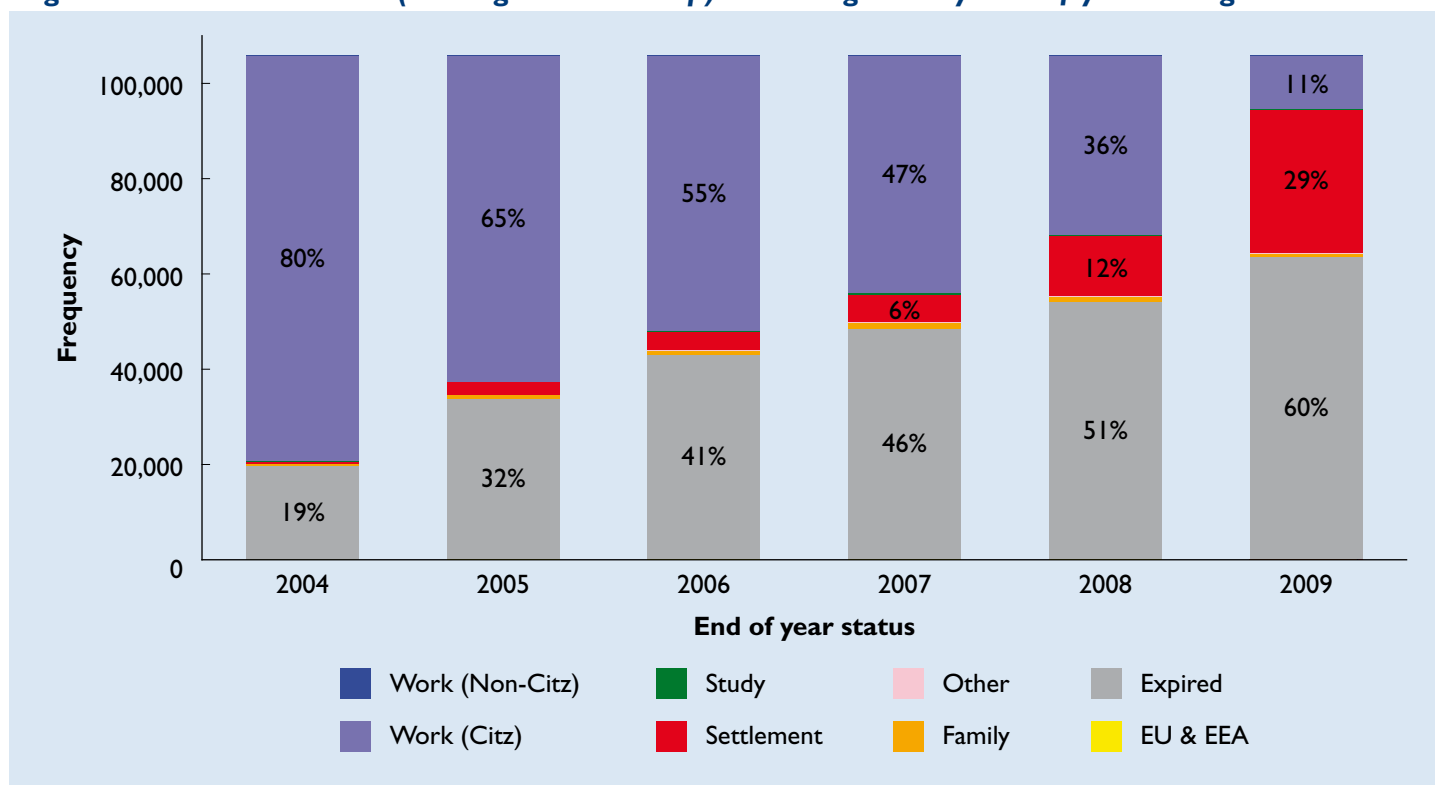
The work (leading to citizenship) route (105,880 cases) contains migrants granted a visa in 2004 for the purpose of working in the UK and made up approximately 19 per cent of all migrants issued non-visit visas in 2004. Visa categories in the work (leading to citizenship) group were typically granted entry clearance through the Highly Skilled Migrant Programme (precursor to Tier 1 of the Points-Based System), or via other categories that have now been subsumed by Tiers 1 and 2 of the PBS. This route therefore tends to represent skilled foreign workers or those where there was a recognised shortage in the domestic labour force. The visas granted in this route differ from others that allow migrants to work in the UK as they permit the migrant to apply for settlement after working in the UK for five years.¹⁶ Over a quarter (29%) of those who entered the UK in the work (leading to citizenship) route in 2004 were granted settlement after five years. The majority (60%) of migrants granted work (leading to citizenship) visas were no longer in the immigration system after five years.

Figure 2 shows the immigration status of the 2004 work (leading to citizenship) cohort at the end of each year until the end of 2009. By the end of 2005, nearly a third of the cohort had already left the immigration system. Over the remaining four years the proportion of those leaving the system or moving into another route (e.g. permanent settlement) increased while the number still in the work category decreased to just over ten per cent at the end of 2009. By the end of 2009, nearly three-quarters of those who had remained in the immigration system had reached settlement (or 29% of all those 2004 arrivals in this category). In total 60 per cent of migrants arriving in the work (leading to citizenship) route appeared to have left the immigration system five years later.

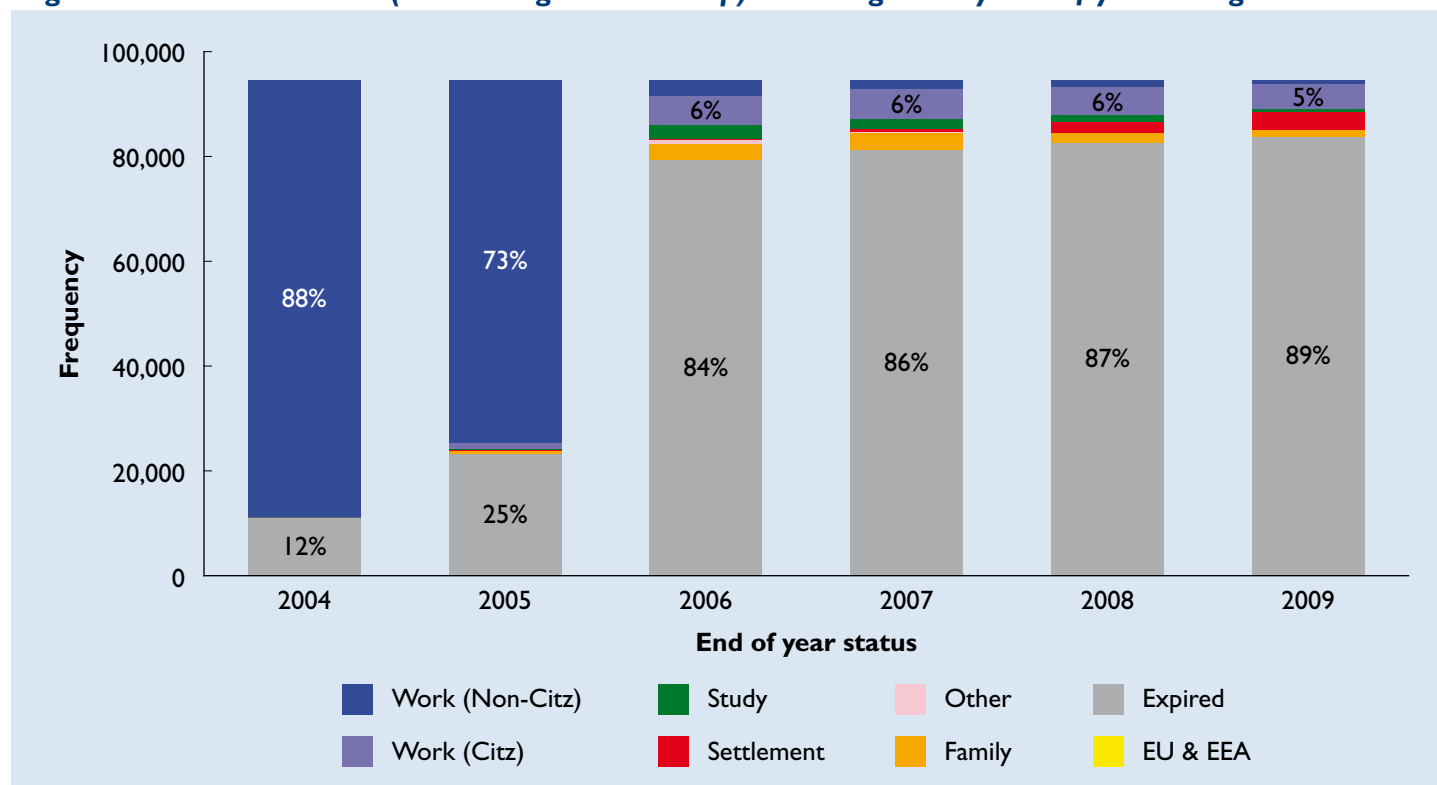
Work (not leading to citizenship) route

Migrants granted a visa under the work (not leading to citizenship) route are not normally permitted to apply for settlement in the UK. Visa categories in this route are typically those under Tier 5 of the PBS and other temporary worker schemes. In order for these migrants to apply for permanent status in the UK, they would need to be granted leave in a different visa category that does allow settlement.

Figure 2 The 2004 work (leading to citizenship) route migrants by end-of-year immigration status



¹⁶ See paragraph 245E of the Immigration Rules.

Figure 3 The 2004 work (not leading to citizenship) route migrants by end-of-year immigration status

The migrants (94,540 cases) granted visas in the work (not leading to citizenship) route made up approximately 17 per cent of non-visit visas issued in 2004. Generally migrants in this route seemed to be behaving in a manner consistent with the type of leave they initially applied for. Figure 3 shows that the vast majority of temporary workers appeared to leave the immigration system by the end of the second year. At the end of 2006 around 80 per cent of those granted visas in the work (not leading to citizenship) category were no longer in the immigration system. Those who did remain in the system tended to change to another route that would extend their stay in the UK (primarily work (leading to citizenship) or the family route). By the end of 2009 just over ten per cent of the 2004 cohort still had valid leave in the UK; however, the vast majority had moved into a different immigration route. Less than five per cent of the migrants in the work (not leading to citizenship) route had settled. This is expected as those who applied under a temporary worker scheme are likely to have only intended to stay in the UK for a short amount of time.

Study route

The study route (185,600 cases) comprises those migrants granted visas in categories that allow them to study in the UK (currently PBS Tier 4). Students made up approximately 34 per cent of migrants granted non-visit visas in 2004. As the migrant-journey research excludes visitors to the UK, our analysis only includes students in the UK for courses of at least six months duration (for example graduate and postgraduate courses, as well as further education or longer English language courses).¹⁷ Analysis of the study route showed that almost four out of five (79%) students who entered the UK in 2004 had left the immigration system after five years. Only six per cent of migrants who entered the UK via the study route still remained in the UK as a student by the end of 2009.

¹⁷ The student visitor category is excluded from the analysis.

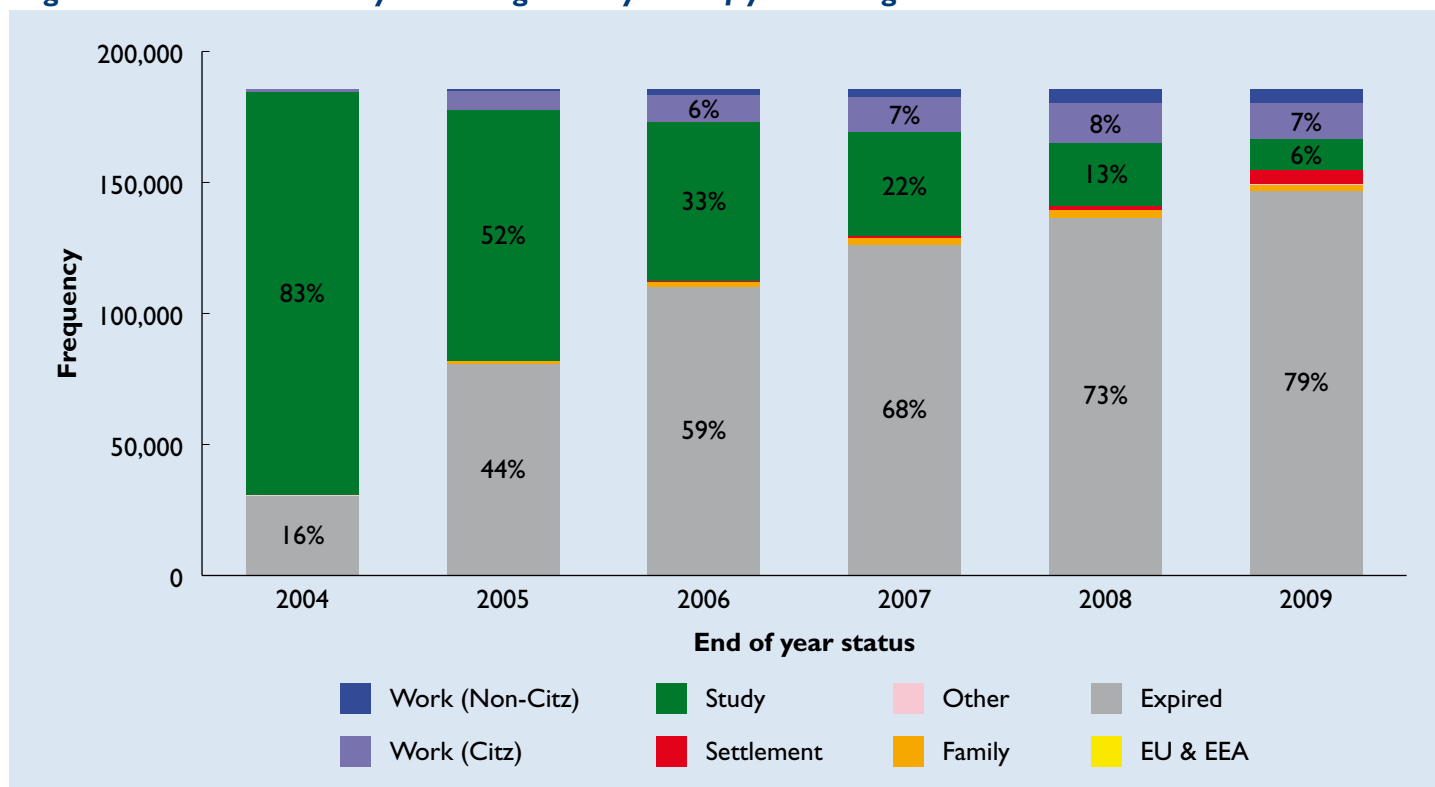
Figure 4 The 2004 study route migrants by end-of-year immigration status

Figure 4 shows the status of migrants who entered the UK via the study route at the end of each year until 2009. By the end of 2004 just over 15 per cent of students had already left the immigration system. Over half had left the system by the end of 2006, and by the end of 2009, that is around five years after their arrival, this proportion had risen to almost 80 per cent.

Therefore by the end of 2009, 21 per cent of the 2004 student cohort appear to remain in the UK. The analysis of UK Border Agency data suggests that these were split between those who remained as students, and those granted leave to remain for work and family reasons (through marriage, for example). Only a small number of those entering in 2004 as students applied for settlement.

The findings relating to the study route appear to be consistent with the pattern expected for students coming to the UK. A small proportion of students on one-year courses leave the system fairly early, while those on mid-length courses (e.g. graduate and postgraduate degrees) are likely to remain in the UK for three years or more. The small proportion of migrants still in the system as a student in 2009 may represent either those on longer-term career education (e.g. medical students) or those individuals who have undertaken more than one course of study. Less than five per cent of the 2004 cohort had been granted settlement at the end of 2009.

Other routes

There are other routes of entry to the UK that fall outside the four main routes that have been described. For example the EU and EEA route made up four per cent of those in the 2004 cohort. These migrants were granted entry clearance based on a relationship (e.g. marriage) with an EEA national. As EU nationals have the right of free movement in the EU, migrants in this category do not need to apply for settlement to remain permanently in the UK.

The 'other' route represent in total ten per cent of the non-visit non-EU migrants entering with a visa in 2004. The majority of the migrants in this category entered the UK on a direct access air visa or were joining a ship in the UK. After five years, 99 per cent of the migrants who entered the UK in this route had left the immigration system, and therefore this would not generally appear to be a route to settlement.

The methodology used in this research is still being developed. Although due to the length of time required to be eligible for settlement a full analysis cannot yet be undertaken, preliminary analysis of later cohorts showed migrants in each cohort being granted periods of leave and extensions of leave that were consistent with the policy restrictions in place at the time. Small differences between cohorts over time in general match the policy changes made to the length of leave granted to highly

skilled migrants. This suggests the patterns for the main routes of entry seen for the 2004 cohort would appear to be consistent for subsequent cohorts, although further analysis in future years will bear this out. Analysis of subsequent cohorts will need to take into account the length of time it takes for migrants to reach settlement. Migrants in routes leading to settlement currently spend two or five years in an immigration category before they are eligible to apply for permanent status.

Backward-view analysis

This section reports findings from looking at the immigration histories of those migrants who were granted settlement in 2009 (176,470 cases). This analysis traced migrants back through their immigration records, identifying the grants of leave they received until the earliest recorded grant of LTE or LTR was reached, that is their initial entry visa. Limitations of data matching, available data and the rules for settlement mean that it was not always possible to trace every case back to their first visa record as some of these individuals' entry will pre-date the electronic records from which this study was drawn. As a result there are cases where the migrant's initial route to the UK was identified from an application for ILR whilst they were in the UK (see Appendix B – Table BI). However, immigration histories for 98 per cent of those individuals granted settlement in 2009 were found in the matched dataset.

The backward-view analysis of the cohort granted settlement in 2009 was able to identify the individual grants of leave that migrants received before they were granted settlement. It identified whether migrants took a direct route to settlement or whether they switched between different immigration categories before being granted ILR.

Findings from the backward-view analysis identify:

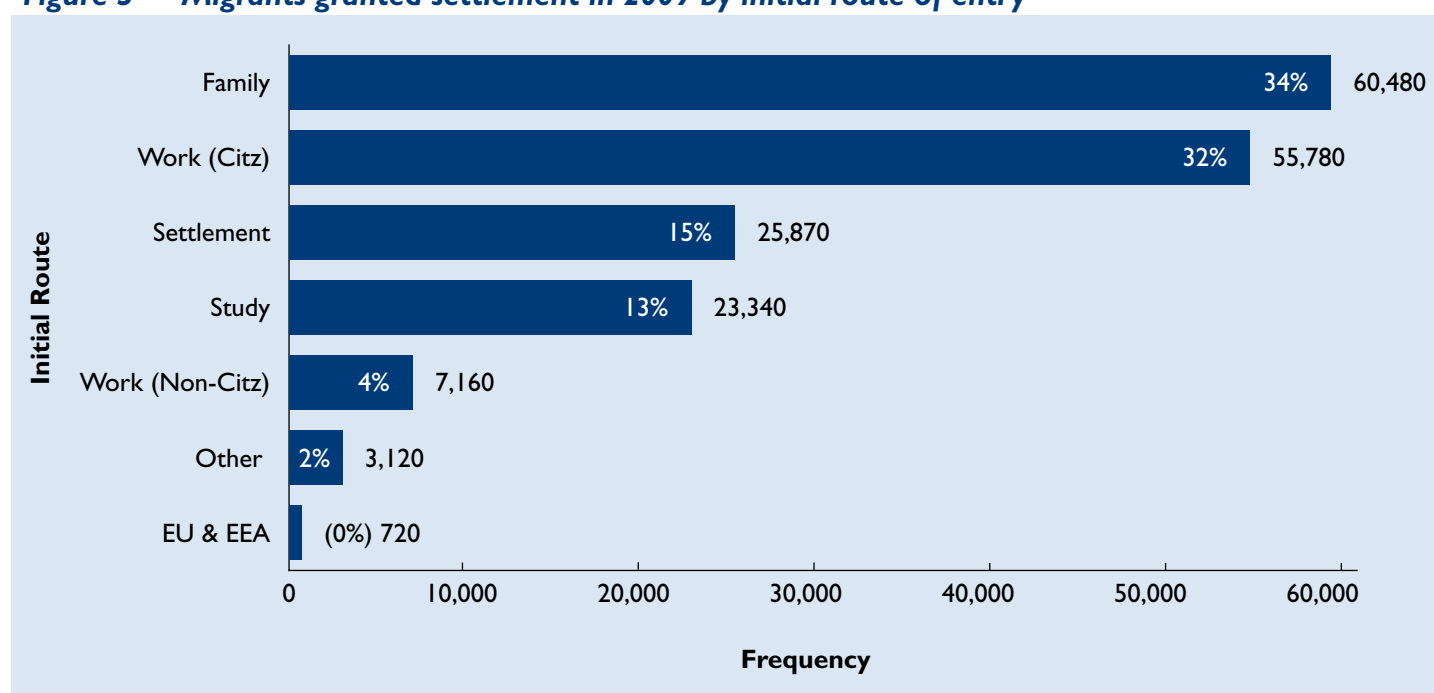
- migrants' immigration status at the end of each year up to 2009 for each initial entry route; and
- migrants' journeys through the immigration system before they reached settlement.

Migrants with settlement in 2009 by initial route and year of entry

Analysis of settled migrants by initial route of entry generally produced the results anticipated given the restrictions for each route. The analysis showed that the majority of migrants who obtained settlement in 2009 initially entered the UK via the family or work (leading to citizenship) routes. Initial routes of entry to the UK not intended to lead to settlement (temporary work routes and study routes) generated only a small proportion of those who were granted settlement in 2009, following 'switching' by these migrants to different routes.

Just over a third (34%) of migrants who settled in 2009 came to the UK via the family route (Figure 5). This is consistent with findings from the forward analysis, which

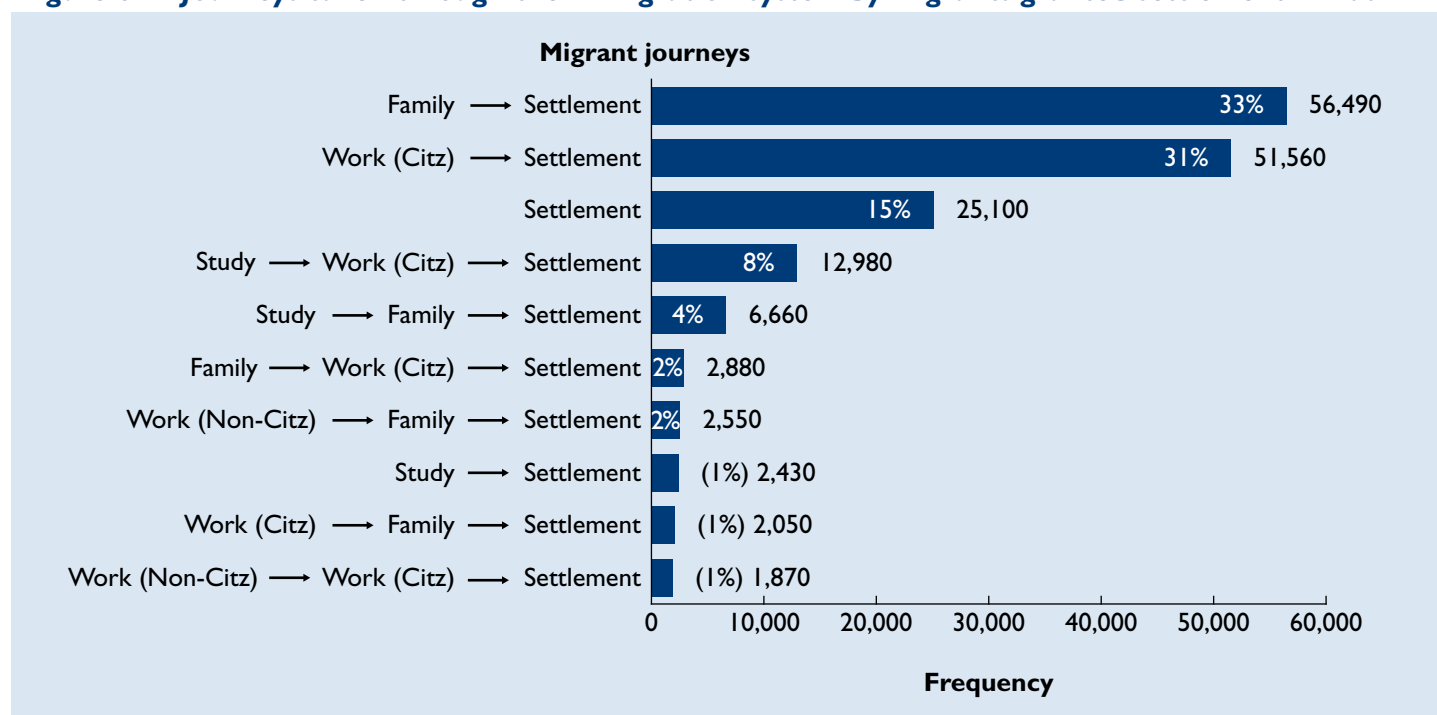
Figure 5 *Migrants granted settlement in 2009 by initial route of entry*



showed that a large proportion of migrants entering the UK for the purposes of joining or accompanying family go on to be granted settlement, generally after around two years (Figure 1). Around 30 per cent of migrants reached settlement after commencing in the work (leading to citizenship) route. The family and work (leading to citizenship) routes therefore generated the majority of migrants who were granted settlement in 2009. This is not a surprising result given that both these categories allow migrants to apply for settlement after they have completed a certain amount of time in the UK under that category.¹⁸ These findings suggest strong family links (especially marital or parental) and availability of work in a highly skilled occupation could be strong pull factors towards settlement for a migrant who might otherwise consider returning to his or her country of origin at the end of their stay.

Approximately 13 per cent of the 2009 cohort started their journey in the study route. It is important to note that the study route does not allow migrants to apply for settlement. Those who did settle switched to either the work (leading to citizenship) route or the family route before being granted settlement (Figure 6). More students switched to the work (leading to citizenship) route than the family route, despite the fact that it is quicker to obtain settlement via the latter route. This is consistent with findings from analysis of the cohort of migrants who entered the UK in 2004 on visas not leading to citizenship. After five years more migrants in this group had moved into the work (leading to citizenship) route than the family route.

Figure 6 Journeys taken through the immigration system by migrants granted settlement in 2009¹⁹



¹⁸ Migrants in the family and work (leading to citizenship) routes can apply for settlement after two and five years respectively.

¹⁹ Figure 6 includes the top ten migrant journeys.

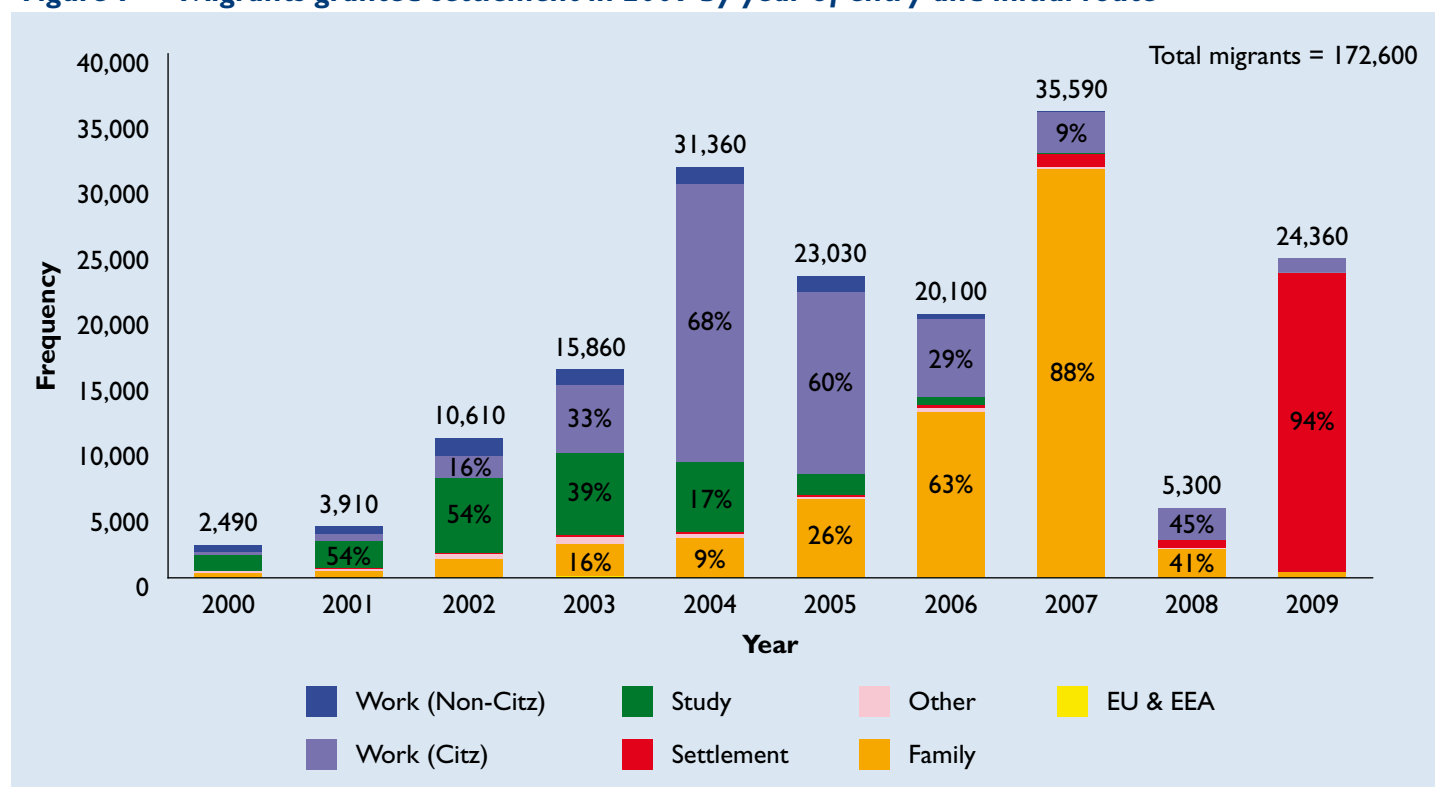
Figure 7 *Migrants granted settlement in 2009 by year of entry and initial route*

Figure 7 reports findings from the 2009 cohort by year of entry by the initial route. Of this group, 24,360 migrants (14% of the total settlement grants in 2009) entered the immigration system in 2009 and received their grant of ILR the same year. Of these, over 90 per cent initially entered via the direct settlement route, which includes both those migrants who achieved immediate settlement as out-of-country applicants and those whose earliest grant of leave was an in-country application for ILR. The initial route to the UK for the remaining ten per cent of these migrants was either the work (leading to citizenship) or family routes.

The large number of migrants receiving settlement in the UK in the same year they arrived is unsurprising as there are visa categories or forms of leave that allow migrants to obtain settlement as an initial route of entry to the UK. However, the number of grants issued requires further explanation. Of the 24,360 that entered the system and received settlement in 2009, approximately 22,850 received immediate settlement (via the settlement route) meaning that a grant of ILE or ILR was their first grant of leave recorded. Of the 22,850 that received immediate settlement, 14 per cent were out-of-country grants of leave and 86 per cent were grants made to in-country applicants.

Out-of-country grants of indefinite leave to enter (ILE) give migrants immediate settlement on arrival to the UK. The most common visa endorsement of this group is the Family Reunion category. For example, an individual can be eligible for settlement to be reunited with family members that have been granted asylum or humanitarian protection in the UK. Under the Immigration Rules, only pre-existing families are eligible for this kind of ILE.²⁰

The spouse of a person with ILR is also eligible for ILE if they can demonstrate they have been married or civil partners for four years prior to application and were living together outside the UK during that time.²¹ Spouses of a settled person made up three per cent of migrants in the settlement group. A further two per cent of the out-of-country applicants were children granted ILR to join parents.

The large proportion (83%) of migrants already in the UK when granted settlement as the first form of leave to remain are more complex. Most of those granted leave in this group could not be traced back to an initial grant of LTE or LTR in the form of a visa. This suggests that these migrants applied

²⁰ Pre-existing families include the spouse, civil partner or unmarried/ same-sex partner of the person granted asylum plus any children under 18 who formed part of the family unit at the time the person fled to seek asylum (see paragraph 339Q of the Immigration Rules). If there are compassionate circumstances family reunion with other family members may be considered outside the Immigration Rules.

²¹ Paragraph 282 (b) (i) of the Immigration Rules.

for settlement after they had already entered the UK, possibly a considerable number of years earlier and therefore pre-dating the visa entry records held electronically in this system. Approximately 50 per cent of this group is made up of the following categories of grants of ILR:

- dependent children (excluding those covered in paragraphs 296–303 of the Immigration Rules);
- long residency (14 years or more); and
- outside of the Immigration Rules – compassionate grounds.

The dependent children category allows a child to settle permanently with a parent who has ILR or citizenship in the UK. Children cannot normally come to settle in the UK unless both parents are settled in the UK or have been granted permanent leave to remain. The only exceptions are if:

- one parent is dead and the other is settled or coming to settle in the UK; or
- the parent who is settled or coming to settle has sole responsibility for the child's upbringing; or
- one parent is settled or coming to settle in the UK and there are serious reasons why the child must be allowed to come here.

The long-residency category grants migrants ILR based on 14 years or more continuous residence in the UK. Grants of leave under this category are only made if the migrant poses no harm to the public, their personal and domestic circumstances are stable, and the individual has sufficient knowledge of English language and life in the UK.²²

The original methodology for the backwards analysis involved matching grants of leave back to non-visit visa data. However, additional analysis of visitor data for the settlement route showed that 27 per cent of the in-country grants of settlement could be matched to visit visas, which allow short-term entry to the UK (e.g. tourists or those visiting family members). This suggests that there are a proportion of migrants who enter the UK on visit visas, but who are eventually able to obtain settlement. Further analysis of visitors to the UK will be undertaken to explore how these migrants are able to move through the system to obtain settlement.

There are a number of possibilities that explain the remainder of those migrants apparently granted settlement while already in the UK. For example, as already indicated, there are migrants who entered the immigration system before the existing database was set up and therefore their first record in the system is a grant of settlement.

Conversely, it is also possible that some individuals entered the UK clandestinely and due to the number of years they have been in the UK have become eligible for settlement in the long-residency category or on other compassionate grounds outside of the Immigration Rules. Although detailed data quality checks have been undertaken on these data, a small number of data-matching and/or inputting errors may also account for a part of the pattern observed.

Common pathways to settlement

Migrants take different pathways through the immigration system. Some enter the UK via a route that allows them to settle permanently in the UK after a specified period. Others move between categories before applying for settlement. Analysis of the cohort of migrants granted settlement in 2009 is able to show the ways in which the individuals who were granted it in this year achieved settlement.

The most common pathways to settlement were the direct routes allowed under the Immigration Rules, that is the family route and the work (leading to citizenship) route. Both of these routes allow a grant of settlement without the migrant switching to another immigration category (see Figure 6). More than a third (34%) of migrants granted settlement in 2009 received settled status through the family route, while 31 per cent were granted settlement through the work (leading to citizenship) route without moving through another immigration route.

The quality of data recorded in UK Border Agency electronic systems improved significantly after 2004 with the introduction of new databases (see Chapter 2 above). As a result, it is unsurprising that the majority of migrants who were granted settlement in 2009 can be traced back to their original grant of visa, given that the family route allows migrants to apply for settlement after two years. However, as migrants in the work (leading to citizenship) category need to wait five years before applying for settlement, it is possible that not all of these migrants could be matched to a visa category, meaning the actual number of migrants entering via this route may be higher than the findings suggest.

More student migrants entering the system switched into the work (leading to citizenship) category (8%) on their way to settlement than into the family route (4%). Although this is a very small proportion of the total number of migrants granted settlement in 2009, it suggests that settlement may not be the main priority for those entering the UK as students. It would be quicker for students to gain settlement via the family route, for example by marriage to a British or other EU citizen.

22 Paragraph 276B of the Immigration Rules.

Appendix A Additional tables

Conventions used in tables: The figures have been rounded to the nearest ten. Rounding has served to ensure the confidentiality of the original source data used and the individual to whom it relates. Therefore the components in some tables may not sum to totals shown due to independent rounding.

Symbols used in tables

Counts:

- nil
- * less than 5

Percentages:

- nil
- (0) less than 0.5 more than 0

Table A1 Migrants granted a family route visa in 2004 by end-of-year immigration status

End-of-year status	2004		2005		2006		2007		2008		2009	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
EU & EEA	10	(0)	10	(0)	20	(0)	20	(0)	20	(0)	20	(0)
Expired	940	1	4,590	7	12,110	19	14,620	23	22,990	36	23,670	37
Family	62,230	98	56,730	89	23,030	36	15,190	24	6,220	10	3,870	6
Other	10	(0)	20	(0)	30	(0)	50	(0)	70	(0)	80	(0)
Settlement	140	(0)	1,460	2	27,160	43	32,410	51	33,000	52	34,980	55
Study	10	(0)	50	(0)	60	(0)	70	(0)	80	(0)	80	(0)
Work (Citz)	50	(0)	530	1	990	2	1,030	2	1,020	2	700	1
Work (Non-Citz)	*	(0)	*	(0)	10	(0)	*	(0)	*	(0)	10	(0)
Total	63,400	100	63,400	100	63,400	100	63,400	100	63,400	100	63,400	100

Table A2 Migrants granted a study route visa in 2004 by end-of-year immigration status

End-of-year status	2004		2005		2006		2007		2008		2009	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
EU & EEA	10	(0)	20	(0)	60	(0)	80	(0)	110	(0)	120	(0)
Expired	30,310	16	80,730	44	109,930	59	125,810	68	136,350	73	146,670	79
Family	180	(0)	860	(0)	1,850	1	2,680	1	2,820	2	2,190	1
Other	50	(0)	160	(0)	190	(0)	140	(0)	150	(0)	130	(0)
Settlement	10	(0)	90	(0)	210	(0)	660	(0)	1,600	1	5,660	3
Study	153,900	83	95,610	52	60,640	33	39,920	22	23,870	13	11,760	6
Work (Citz)	1,150	1	7,270	4	10,390	6	13,330	7	15,590	8	13,730	7
Work (Non-Citz)	*	(0)	860	(0)	2,350	1	2,980	2	5,100	3	5,360	3
Total	185,600	100	185,600	100	185,600	100	185,600	100	185,600	100	185,600	100

Table A3 Migrants granted a work (leading to citizenship) visa in 2004 by end-of-year immigration status

End-of-year status	2004		2005		2006		2007		2008		2009	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
EU & EEA	*	(0)	10	(0)	20	(0)	30	(0)	30	(0)	20	(0)
Expired	19,630	19	33,650	32	42,930	41	48,430	46	54,040	51	63,480	60
Family	350	(0)	850	1	900	1	1,090	1	1,090	1	640	1
Other	30	(0)	70	(0)	110	(0)	220	(0)	210	(0)	150	(0)
Settlement	550	1	2,590	2	3,720	4	5,860	6	12,530	12	30,220	29
Study	50	(0)	190	(0)	230	(0)	240	(0)	190	(0)	130	(0)
Work (Citz)	85,160	80	68,290	65	57,770	55	49,860	47	37,640	36	11,120	11
Work (Non-Citz)	120	(0)	220	(0)	210	(0)	160	(0)	150	(0)	110	(0)
Total	105,880	100	105,880	100	105,880	100	105,880	100	105,880	100	105,880	100

Table A4 Migrants granted a work (not leading to citizenship) visa in 2004 by end-of-year immigration status

End-of-year status	2004		2005		2006		2007		2008		2009	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
EU & EEA	*	(0)	20	(0)	100	(0)	90	(0)	60	(0)	50	(0)
Expired	10,980	12	23,180	25	79,160	84	81,060	86	82,520	87	83,700	89
Family	40	(0)	560	1	3,050	3	3,390	4	1,860	2	1,250	1
Other	10	(0)	60	(0)	810	1	120	(0)	70	(0)	50	(0)
Settlement	20	(0)	80	(0)	140	(0)	500	1	2,040	2	3,250	3
Study	40	(0)	300	(0)	2,790	3	1,940	2	1,290	1	620	1
Work (Citz)	50	(0)	1,120	1	5,490	6	5,740	6	5,310	6	4,830	5
Work (Non-Citz)	83,410	88	69,230	73	3,010	3	1,700	2	1,390	1	790	1
Total	94,540	100	94,540	100	94,540	100	94,540	100	94,540	100	94,540	100

Table A5 Migrants granted a settlement route visa in 2004 by end-of-year immigration status

End-of-year status	2004		2005		2006		2007		2008		2009	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
Expired	-	-	-	-	10	(0)	20	(0)	20	(0)	30	(0)
Family	10	(0)	20	(0)	20	(0)	20	(0)	20	(0)	20	(0)
Other	-	-	-	-	*	(0)	*	(0)	10	(0)	10	(0)
Settlement	23,630	100	23,610	100	23,610	100	23,600	100	23,580	100	23,570	100
Study	-	-	-	-	*	(0)	*	(0)	*	(0)	*	(0)
Work (Citz)	*	(0)	*	(0)	*	(0)	*	(0)	*	(0)	*	(0)
Work (Non-Citz)	-	-	-	-	*	(0)	*	(0)	-	-	*	(0)
Total	23,640	100	23,640	100	23,640	100	23,640	100	23,640	100	23,640	100

Table A6 Migrants granted an EU & EEA route visa in 2004 by end-of-year immigration status

End-of-year status	2004		2005		2006		2007		2008		2009	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
EU & EEA	22,100	99	950	4	510	2	320	1	170	1	60	(0)
Expired	160	1	21,260	95	21,670	97	21,860	98	21,990	99	22,090	99
Family	10	(0)	40	(0)	40	(0)	30	(0)	30	(0)	10	(0)
Other	*	(0)	*	(0)	10	(0)	*	(0)	*	(0)	*	(0)
Settlement	*	(0)	10	(0)	30	(0)	50	(0)	60	(0)	80	(0)
Study	*	(0)	*	(0)	10	(0)	10	(0)	10	(0)	10	(0)
Work (Citz)	*	(0)	10	(0)	10	(0)	10	(0)	20	(0)	20	(0)
Work (Non-Citz)	-	-	-	-	*	(0)	*	(0)	-	-	-	-
Total	22,270	100	22,270	100	22,270	100	22,270	100	22,270	100	22,270	100

Table A7 Migrants granted an other route visa in 2004 by end-of-year immigration status

End-of-year status	2004		2005		2006		2007		2008		2009	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
EU & EEA	10	(0)	*	(0)	*	(0)	*	(0)	*	(0)	*	(0)
Expired	25,680	46	46,180	83	48,350	86	48,920	88	49,330	88	55,380	99
Family	*	(0)	10	(0)	20	(0)	30	(0)	40	(0)	30	(0)
Other	30,150	54	9,500	17	7,240	13	6,640	12	6,190	11	160	(0)
Settlement	10	(0)	50	(0)	70	(0)	80	(0)	90	(0)	150	(0)
Study	20	(0)	50	(0)	70	(0)	60	(0)	50	(0)	30	(0)
Work (Citz)	30	(0)	70	(0)	130	(0)	160	(0)	170	(0)	140	(0)
Work (Non-Citz)	10	(0)	40	(0)	30	(0)	20	(0)	30	(0)	20	(0)
Total	55,900	100	55,900	100	55,900	100	55,900	100	55,900	100	55,900	100

Appendix B Additional table

Conventions used in tables: the figures have been rounded to the nearest ten. Rounding has served to ensure the confidentiality of the original source data used and the individual to whom it relates. Therefore the components in some tables may not sum to totals shown due to independent rounding.

Symbols used in tables

Counts:

- nil
- * less than 5

Percentages:

- nil
- (0) less than 0.5 more than 0

Table B1 Migrants granted settlement in 2009 by year of entry and initial route^a

Initial Route	2000		2001		2002		2003		2004	
	Count	%	Count	%	Count	%	Count	%	Count	%
Euro & EEA	10	1	20	1	20	(0)	80	(0)	40	(0)
Family	360	14	500	13	1,380	13	2,490	16	2,970	9
Other	80	3	140	4	390	4	530	3	320	1
Permanent	50	2	40	1	100	1	180	1	160	1
Study	1,200	48	2,100	54	5,730	54	6,210	39	5,320	17
Work (Citz)	270	11	480	12	1,670	16	5,230	33	21,230	68
Work (Non-Citz)	530	21	620	16	1,330	13	1,160	7	1,320	4
Total	2,490	100	3,900	100	10,610	100	15,860	100	31,360	100
Initial Route	2005		2006		2007		2008		2009	
	Count	%	Count	%	Count	%	Count	%	Count	%
Euro & EEA	10	(0)	40	(0)	10	(0)	*	(0)	*	(0)
Family	5,990	26	12,590	63	31,170	88	2,160	41	390	2
Other	130	1	300	1	140	(0)	110	2	30	(0)
Permanent	200	1	240	1	1,000	3	580	11	22,850	94
Study	1,530	7	610	3	120	(0)	40	1	*	(0)
Work (Citz)	13,910	60	5,930	29	3,100	9	2,410	45	1,080	4
Work (Non-Citz)	1,260	5	400	2	50	(0)	10	(0)	10	(0)
Total	23,030	100	20,100	100	35,590	100	5,300	100	24,360	100

^a Total number of migrants granted settlement in 2009 is approximately 176,470. This chart does not include the flow of migrants who entered the UK prior to 2000. Due to the nature of immigration databases data captured prior to 2000 is less reliable.

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