

Home Affairs Committee

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News Desks, Political, Home Affairs Correspondents

Government delays, uncertainty and under-resourcing leave borders & immigration system unprepared for Brexit

A report published today by the Home Affairs Committee criticises the delays to the Immigration White Paper and warns of serious problems for immigration service delivery and border security as a result of lack of decisions, proper planning or sufficient resources. It raises serious questions about the Home Office's ability to implement the systems and staffing required to deliver proposed Brexit changes and criticises the continued uncertainty over the status of EU nationals.

The Committee concludes:

- The delays to the Immigration white paper and lack of clarity over the Government's intentions on immigration are creating anxiety for EU citizens in the UK, uncertainty for UK businesses, preventing proper planning and putting already overstretched immigration officials in an 'impossible position'. That is unacceptable.
- With little more than a year to go, the Government is still failing to set out crucial details on the registration of current residents.
- Urgent clarity is needed over the Government's immigration objectives for the transition period so that Parliament can debate and scrutinise the proposals before they are finalised.
- Insufficient resources have been allocated and insufficient staff are planned to be sure of a smooth registration process or to cope with additional border requirements on people or goods.
- Given the delays, lack of decisions and resources, UK Visas and Immigration will not be able to deliver two EU citizen registration schemes (one for existing residents and one for new arrivals) effectively by March 2019.
- An already overstretched Border Force does not have the capacity to deliver additional checks at the border by March 2019 – and the problems will be worse if they are expected to deliver additional customs checks as well. The Government should aim to keep customs arrangements the same in the transition period. Rushed and under-resourced changes will undermine border security.

White Paper delays and uncertainty

The report finds that delay to the proposed White Paper has caused anxiety for EU citizens in the UK, uncertainty for UK business and concern in Parliament. The delay and the lack of any timetable for crucial decisions is extremely regrettable. Failure to set out detailed plans for the registration and transition period soon will make it

impossible for the already overstretched UKVI, Border Force and Immigration Enforcement to do their job properly.

The Government's failure to set out its immigration objectives for the negotiations over the transition soon will deny Parliament and those affected the chance to debate plans before they are finalised. That is unacceptable.

We had expected these questions to be answered in the much-delayed White Paper but its publication has been delayed further and it may not now appear until the end of this year at the earliest.

The Government must urgently provide answers on its plans for existing residents and for those who arrive during the transition. If key questions are not swiftly resolved and delivery plans drawn up we do not believe that the Home Office will be capable of delivering significant changes to the system either at the border or on registration by March 2019.

Registration

A little over a year until Brexit, and months before the registration process for EU nationals who live here already is supposed to begin, the rules that will govern residency status for existing residents still lack crucial detail – including on the status of those with gaps in residency, posted workers, and reunion rights for future spouses.

The Government must provide clear and accessible guidance on the rights that UK, EU and EEA citizens will enjoy after Brexit. It should also urgently clarify that EEA citizens will have the same rights as EU nationals. The needless uncertainty is preventing individuals from planning for their futures, and businesses and public services knowing how and where they can resource staff.

If Ministers intend different arrangements for EU citizens arriving after March 2019 from the registration scheme for EU citizens who are currently resident here, they should have plans for systems, resources and recruitment already in place. In the absence of any answers, we do not believe it is feasible for the Government to establish two new effective registration schemes (one for existing residents and one for new arrivals after Brexit day) by March 2019.

The Government needs to set out how the registration scheme will be enforced, whether they intend for employers, landlords and banks to have to check registration papers. We would have serious concerns about extending the so called "hostile environment" to EU citizens given the scale of errors and the absence of any evidence that it is fair or effective.

Borders

The Government needs to clarify urgently whether it wants additional border checks after March 2019. Border Force does not currently have the capacity to put extra checks in place and will struggle to put sufficient additional capacity and systems in place – particularly if it also faces additional pressure to carry out customs checks.

The Government needs to be realistic about the lack of time left to make substantial changes to the border arrangements for either goods or people before March 2019 without significant disruption or security challenges. Rushed and under-resourced changes will put border security at risk.

The Government should aim to agree transitional arrangements with the EU which involve no practical change to customs operations. Removing border staff from security or immigration checks to do additional customs checks would be unacceptable.

Staffing and resources

Government agencies tasked with delivering the Brexit immigration settlement, UKVI, Immigration Enforcement and Border Force, are likely to face a substantial increase in the volume and complexity of work they undertake, with barely any time left to recruit or plan. The Committee found a workforce already under significant strain dealing with current workloads and dedicated staff in desperate need of greater resources and support. Home Office resource plans are not sufficient to address existing weaknesses never mind cope with the substantial additional Brexit workload.

Initial plans have been announced by the Government, including extra staffing for European casework, data sharing with other government departments and new IT systems. However, we do not believe these resources are sufficient, and past evidence suggests the risks on the IT systems are high. Current resources are clearly stretched even in advance of any Brexit changes. We welcome the decision to recruit more staff but believe that planned increases for UKVI are not sufficient to operate a smooth registration scheme, and plans for Border Force are not even sufficient to backfill existing vacancies.

Brexit pressures make it even more important that the Home Office addresses serious resource problems. Unless urgent action is taken to address recruitment, retention and training failures we fear that additional Brexit pressures mean performance will deteriorate even further.

On publishing the report, Chair of the Home Affairs Committee, Rt Hon Yvette Cooper MP commented:

"Government drift is putting everyone in an impossible position. Decisions and announcements keep being delayed. Crucial details are still lacking. There aren't enough resources and staff in place. Our inquiry found that the immigration and border system is already understaffed with significant problems and it will not cope with last minute and under-resourced Brexit changes.

"We need urgent clarity about both registration and border plans for next year so that Parliament can scrutinise them and so that families, employers and officials can plan.

"The lack of detail with just over a year to go is irresponsible. We recognise that the Government needs time to consider long term changes, but the Home Office urgently needs to set out its intentions for next year. Will there be one registration scheme or two? Same rules during the transition or not? Extra border checks or not?

Are they planning to ask employers to check registration documents? Or landlords? Will the same rules apply for Norway and Iceland as the EU? Can you still get settled status if you move regularly between the UK and EU for work? If these issues need to be resolved in the negotiations, Ministers should at least set out what their negotiating objectives are so that Parliament can debate them in advance.

“The litany of questions that remain over the status of EU citizens is causing needless anxiety and uncertainty, both for EU citizens and their families and for employers who need to plan. Ministers need to provide urgent answers.

“The Government does not seem to appreciate the immense bureaucratic challenge they are facing or how much time and resources they need to plan on Brexit. The Home Office will end up in a real mess next year if there isn't enough time to sort things out.”

Copies of the report will be available on the Committee’s website from the time of publication.

Inquiry information:

[Home Office delivery of Brexit: immigration](#)

Media bids and information:

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Committee Membership is as follows:

Rt Hon Yvette Cooper MP (Chair, Labour, Normanton, Pontefract & Castleford)

Rehman Chishti MP (Conservative, Gillingham and Rainham)

Sir Christopher Chope MP (Conservative, Christchurch)

Stephen Doughty MP (Labour, Cardiff South and Penarth)

Sarah Jones MP (Labour, Croydon Central)

Tim Loughton MP (Conservative, East Worthing and Shoreham)

Stuart C. McDonald MP (Scottish National Party, Cumbernauld, Kilsyth and Kirkintilloch East)

* Will Quince MP (Conservative, Colchester)

Douglas Ross MP (Conservative, Moray)

Naz Shah MP (Labour, Bradford West)

John Woodcock MP (Labour, Barrow and Furness)

* Will Quince has been appointed to a Government post and will no longer participate in committee activities. He will be formally discharged by the House, and another Member appointed to the Committee, in due course.

Specific Committee Information: homeaffcom@parliament.uk; 020 7219 2049

Committee Website: www.parliament.uk/homeaffairscom

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