

International migration statistics outputs: consultation document

November 2016

Background

The purpose of this consultation is to gather insight and seek your views on the presentation and timing of the Government Statistical Service's international migration statistics outputs and specifically what products are used, why and what other data sources you would like to see published.

The Office for National Statistics (ONS) is publishing the consultation but this does also include some questions relating to outputs produced by other government departments who contribute to the Migration Statistics Quarterly Report (MSQR) or publish separate National Statistics relating to migration (Home Office, Department for Work and Pensions (DWP), and HM Revenue and Customs (HMRC)).

The MSQR contains data from a number of sources. It is usually published at the end of February, May, August and November each year with provisional ONS long-term international migration statistics that relate to the year ending 5 months before the publication date. For example, the August 2016 report contains migration estimates for year ending March 2016. The MSQR also contains data from the Department for Work and Pensions on National Insurance number (NINo) registrations to overseas nationals, Home Office statistics on visa applications for non-EU nationals and other immigration system data (such as asylum trends). These data are drawn from operational systems. In addition, the MSQR includes ONS labour market statistics for non-UK nationals as estimated by the Labour Force Survey (LFS). All of these other data sources relate to the period 2 months before the publication date, for example, the August report contains administrative and LFS data for year ending June 2016.

In addition to the MSQR we are seeking your views on our annual migrations products, the Home Office's immigration statistics and migration-related data from the tax and benefit systems which are published by DWP and HMRC.

We already know the statistics contained in the MSQR are used for a wide range of purposes. For example, they are an important component in the production of the UK population estimates and projections which are used for policy, planning and resource allocation purposes by central and local government and business. In more recent years there has been greater focus on the measurement of immigration, emigration and net migration. In particular, these statistics are reported regularly by the media to assess the government's progress against its ambition to reduce levels of migration to sustainable levels.

There is also considerable interest on the characteristics of migrants such as their citizenship, where they migrate from, how long they intend to migrate for and the reason for migration – both for new arrivals and longer-term residents. Recently there has also been interest in short-term migration and specifically short-term migrants who come to work or study.

Measuring migration is complex and there is no single, comprehensive data source that captures international migrant flows or numbers of migrants in the UK or the migrant journey (how their experiences and activities in the UK change). Consequently, international migration is estimated using information from surveys designed for different purposes; both on their own and in

combination with administrative data. Differences in the methodologies further complicate the understanding of international migration statistics.

Providing information to meet all user needs in an effective and efficient way is an ongoing challenge. We have in the past increased the content of the MSQR to meet the increasing demand for information; however, this has made the MSQR unwieldy and difficult to read. The content has recently been trimmed down to make it easier to read and provide more clarity.

Please note that this is a consultation on the presentation of the statistical bulletin and therefore users should assume that under each of these options all of the existing published data will still be available.

The responses to this consultation, in conjunction with the feedback provided by the Migration Statistics User Forum, will help us design an MSQR along with other migration products that meet user needs as far as we can.

How to respond

This consultation opens on 11 November 2016 and will run for 6 weeks, closing on 23 December 2016. To respond, please complete this document and email it to migstatsunit@ons.gov.uk.

Questions

Users can respond to this consultation by completing the following questions.

International migration statistics

The MSQR includes a wide range of migration data, including statistics from a number of Office for National Statistics (ONS) products and from other government departments.

1. What migration statistics do you use?

(please select all that apply)

X Long-term international migration (immigration, emigration and net migration)

X Short-term international migration (immigration and emigration)

X Reason for migration

X Citizenship

X Length of migration

X Country of last or next residence

X Country of birth

Area of destination

X UK resident population estimates by nationality and country of birth

X National Insurance number (NINo) registrations for adult non-UK nationals

X Labour market information on migrant workers

X Articles (for example, the note published in May 2016 on the difference between National Insurance number registrations and the estimate of long-term international migration, International student migration: what do the statistics tell us?, International migration timeline)

X Department for Work and Pensions (DWP) statistical outputs (National Insurance number registrations for adult non-UK nationals)

X Home Office's (HO) statistical outputs: quarterly Immigration Statistics (topic briefs on work, study, family, passenger arrivals and visitors, extensions, settlement, citizenship, asylum, returns, detention, and user guide, policy and legislative changes affecting migration to the UK)

X Home Office: annual Migrant Journey analysis

Detailed tables *(please specify which)*

We use all the tables within the Home Office's statistical outputs on a frequent basis, including, for example, tables relating to the numbers of applicants, data related to children, the outcomes of decisions and appeals, the use of detention, the provision and location of support and accommodation to applicants and breakdowns of these by age, gender and nationality.

Other *(please specify)*

We also review courts and tribunal and legal aid statistics for matters pertaining to immigration.

- 2. Please describe how and why you use these statistics. Please be as specific as possible. For example, if you use the statistics to provide briefing and further analysis to others, it would be helpful to know what the end use is.**

We use the figures primarily for our own understanding and to test intuitions and reports that we are getting. We use the figures to question the Home Office, courts and tribunals and the Legal Aid Agency. We use them in responses to consultations by government departments, quangos and sometimes NGOs and think tanks. We use them in witness statements for litigation. We use them for parliamentary briefings.

Migration Statistics Quarterly Report (MSQR)

- 3. Do you have any suggestions on how these statistics should be presented within the MSQR?**

In particular, do you see a benefit in ONS integrating its other migration-related products with the migration flow data in the MSQR to produce a single coherent migration report – such as the short-term international migration estimates or the UK resident population estimates by nationality and country of birth.

Do not understand the proposal to be able to comment.

- 4. Which data sources would be useful to integrate within the MSQR and why?**

The current approach in the MSQR involves the quarterly release of a standard set of tables and a lengthy detailed report, the structure and content of which does not change much from one quarter to the next.

To meet user needs in an effective and efficient way we would like to seek your views on 3 options for the release of the current long-term international migration statistics.

Please note that this is a consultation on the presentation of the statistical bulletin and therefore users should assume that under each of these options all of the existing published underlying data will still be available.

- Option 1: to publish 3 shorter quarterly reports and 1 longer annual report.

Under this option a shorter report would be published in 3 quarters and include only main points on the latest migration statistics from ONS, HO and DWP. Perhaps this

would be similar to the main points and opening sections in the current MSQR (for example, any statistically significant changes, what is causing such changes and new emerging patterns), tables and links to other relevant information. Once a year, there would be a longer annual report providing a more comprehensive account of migration trends (including information on migration flows into the country and the characteristics of migrants resident in the country). This option would be likely to provide a greater focus on an annual account of migration trends, including a more complete account of topical issues at that point.

- Option 2: to publish 4 shorter reports each quarter and supplement these with additional shorter articles on topical or interesting trends.

This is similar to option 1 except it would include 4 shorter quarterly reports which would include main points on the latest migration statistics from ONS, HO and DWP. These regular outputs would be supplemented by a wider range of additional short articles that would enable us to provide in-depth commentary on current migration issues or important trends highlighted in the data. This could include occasional reports on long-term trends or using other data, for example, to describe the characteristics of migrants resident in the country, or to report on other data available from the International Passenger Survey. This option would likely provide an opportunity to react and report on topical issues each quarter.

- Option 3: Stay in the current format, 1 long quarterly report supplemented with separate annual publications of other migration-related outputs.

This would retain the MSQR broadly in its current format, with a longer report repeated each quarter, but no separate annual report and few additional shorter articles on topical issues or other trends drawn from this data.

5. Which of these 3 options do you prefer and why?

ILPA agrees that the statistics should continue to be published at least quarterly. We use these regularly and frequently to monitor immigration practice and to question the Home Office, courts, tribunals and Legal Aid Agency. It is important that recent statistics are available to ensure that problems arising in practice can be identified and addressed at an early stage.

In terms of the statistical bulletins, we should prefer a combination of options three and two. The long quarterly reports are helpful: less frequent reporting and the data is too old. The detailed data is what matters. But we should very much welcome shorter articles on topical or interesting trends.

Short-term migration statistics

Short-term international migration (STIM) estimates are published annually in May; the latest data refer to the year ending June 2014. Short-term migration estimates are published for England and Wales and all local authorities in England and Wales. ONS is working to produce these at a UK level.

6. If it were possible to produce these estimates more frequently. Would you prefer STIM estimates to be published more often, say 6 monthly (year ending June and year ending December)?

No. They are estimates only and tend to attract speculative media reporting which would be likely to increase if they were published more frequently.

7. Several definitions of a short-term migrant are currently used within the short-term migration bulletin. These do not account for all visitors who are temporarily in the UK, whether on holiday, visiting family or for other purposes such as work or study. The different definitions are described in more detail in the [statistical bulletin](#). However, we would like to understand which of these you consider more useful. Do you have a preference between them for what should be produced and presented in the text, and why?

(Please note that this is a consultation on the presentation of the statistical bulletin and therefore users should assume that under each of these options all of the existing published underlying data will still be available.)

1 to 12 months (coming to work, study or other)

3 to 12 months (coming to work, study or other)

3 to 12 months (coming to work or study – the UN definition).

We favour use of the UN definition (three to 12 months, work or study), but then separate recording of visitors, for visits of any duration ('for purposes of recreation, holiday, visits to friends or relatives, business, medical treatment or religious pilgrimage' as per the UN definition.) We see no particular virtue in limiting counting visitors to those who stay for more than one month.

We favour the UN definition because it permits of international comparisons. We favour the separate recording of visitor data because the economic and social implications of visitors coming are large. We consider that those effects are felt where a person stays for less than one month, hence our desire to see all visitors included.

The separate recording of students has been much discussed, especially in the context of net migration figures. Given the controversy, we consider it important that data pertaining to students can be disaggregated rapidly from all cohorts.

Labour market data

The quarterly estimates of employment by nationality are included in the Migration Statistics Quarterly Report (MSQR) but are first published 1 or 2 weeks earlier as part of the quarterly labour market release.

8. Does the timing of the current publications cause any issues? Should these estimates continue to be part of the labour market release as well as the MSQR?

Yes these estimates should continue to be part of the labour market release. The labour market release sets them in their proper context.

9. It is possible to produce quarterly estimates for unemployment and economic inactivity (people not in the labour force) by country of birth and nationality. Would you have a use for these statistics and why?

No. The reasons for not being economically active are so variable (self-sufficiency, wealth and private capital, maternity, illness, age or infirmity) etc. that aggregating them does not appear to yield useful information. We fear its use by xenophobic politicians and media to portray all those who are economically active as scroungers.

10. Do you use the Labour Force Survey microdata to compile your own analyses? If not, would you be interested in accessing such data as a supplement to the MSQR?

ILPA as an organization does not, but some ILPA members do and therefore overall we have an interest in accessing such data as a supplement to the Migration Statistics Quarterly Report.

11. Are there any other statistics which refer to international migrants in the labour market that you would find useful and why?

We recommend that the advice of the Migration Advisory Committee, which has detailed knowledge of the gaps in the available data, be taken.

Home Office *Immigration Statistics* release

The Home Office Immigration Statistics quarterly release gives an overview of work on immigration control, entry clearance, asylum and enforcement within the Home Office, including the work of UK Border Force and UK Visas and Immigration.

We have already sought your views on the topics currently published by the Home Office in question 1 (namely: work, study, family, passenger arrivals and visitors, extensions, settlement, citizenship, asylum, returns, detention, as well as the user guide and the policy and legislative changes affecting migration to the UK).

12. Is this a useful categorisation of topics?

We have no quarrel with the categorization.

13. Are there particular sets of statistics, either from the list above or from new data sources, you think should be included in the Home Office Immigration Statistics release, and why?

See response to question 20 below.

14. Do you make use of the statistical commentary? How could it be improved?

We make frequent and regular use of both the statistics and the statistical commentary as indicated above.

We recommend that links are embedded to relevant tables at points at which reference is made to them for easy access.

There needs to be clarity as to the data presented in the statistical tables (or otherwise presented). Thus, insofar as the headings, subheadings and footnotes etc., which accompany the current tables, leave unclear what is or is not included in the statistical count in respect of any particular piece of data, it is necessary that the commentary should resolve this. Immigration and asylum statistics are matters of considerable controversy, and ambiguity or lack of clarity in the data risk being exploited by careless or unscrupulous commentators.

15. A large amount of the immigration system data is published quarterly, which allows for more timely data to be made available (for example, data for the period April to June is published in August). However, publishing data on an annual basis allows us to present a more stable picture of long-term trends that is not inherent in the quarterly trends data.

Would you be content if these reports focus on a more detailed annual commentary describing the long-term trends in each area, and provide a shorter quarterly overview of emerging trends and important changes in the statistics?

If any commentary is published, the underlying figures need to be published too. In this fast moving field we incline to think that data is too out of date if published quarterly. Some trends, such as allowed appeal rates or changes in the period of detention point to underlying problems in the administration of the immigration system which need to be addressed rapidly.

Please note that this is a consultation on the presentation of the immigration statistics statistical bulletin and therefore users should assume that under these proposals all of the existing published underlying data will still be available.

Tax and benefit data

Department for Work and Pensions (DWP) and HM Revenue and Customs (HMRC) publish official statistics on a range of benefits and tax credits claimed by adult non-UK nationals (based on nationality at the point of National Insurance number (NINo) registration). For DWP these are published annually in August for [working age benefits](#). For HMRC these have been published via a series of ad hoc releases, the most recent on [tax credits](#).

16. Do you need a wider range of statistics on non-UK nationals claiming benefits (for example, on pension age benefits as well as working age) and why?

Separately, the [note](#) on the differences between NINo registrations and long-term international migration (LTIM) estimates, published on 12 May 2016, presented analyses on the types of activity (benefits claimed, tax credits claimed, employment, tax or National Insurance paid) undertaken by non-UK nationals registering for a NINo and inferences on whether this was for a continuous period.

We are concerned that to whatever extent the statistics show a very low rate of claiming benefits, or identify claims made on the basis of reciprocity with the rights of UK nationals in other States, they would be a focus for xenophobic political and media reporting and would be more likely to lead to the debate's being skewed than informed.

17. Do you need these types of NINo analyses to be updated and why?

Do not understand the question.

18. What specific questions would you like to see addressed via these types of analyses?

If these analyses are to be published it will be important to compare rate of benefit uptake with that of British citizens. We doubt the wisdom of disaggregating by nationality, rather than by legal basis of stay. If, contrary to our recommendation, they are disaggregated by nationality then disaggregation by age will also be required, the better to understand the figures.

19. What further datasets or analysis would you like to see published and why?

None identified.

20. What further questions would you like to answer if you didn't consider there to be any limitations of the present available data? What analyses would this include and why do you require this?

EEA applications

To understand the scale of the task confronting the Home Office on Brexit:

- Numbers of persons exercising free movement rights in the UK (EEA nationals and their EEA and third country family members)
- Numbers of such persons who hold documents evidencing their status.

On moves

- Of persons in asylum support accommodation
- Of those in the detention estate

There is a perception that stasis is the norm and movement the exception but we consider it highly likely that the opposite is true. We have repeatedly asked the Home Office to make this data available; it has not done so. It is important for discussions on how to provide services, including access to legal representation.

On statelessness

To capture this relatively new area of the Home Office work, where delays have been endemic.

- Numbers of applications for leave as a stateless person
- Outcomes of applications
- Time taken to decide applications.

On appeals

The number of cases certified so that the person must leave the country before they can pursue their appeal (Nationality, Immigration and Asylum Act 2002 s94B). To understand the extent to which the new certification regime may impede access to justice. Data to include:

- How many certificates are issued?
- How many certificates are subsequently withdrawn?
- How many such persons appeal from out of country?
- Outcomes of such appeals
- In what proportion of successful appeals the Home Office pays for the person's return to the UK
- Number of appeals conceded by Home Office

Post decision reviews

Outcome of post decision reviews in all categories – i.e. where decision is reviewed pre appeal/administrative review. This is to capture data not captured under initial decision or under appeals, resulting in those, separately and in aggregate, giving a misleading impression.

Dependants

The age and sex of dependants of

- Persons seeking asylum
- EEA nationals

The former to inform service provision; the latter to understand the scale of the task confronting the Home Office on Brexit.

Timescales

- Numbers of cases classified by the Home Office as complex and such cases as a proportion of the total number of cases in any such category
- The time taken to decide such cases

Home Office key performance indicators and service standards are based on e.g. “90% of straightforward cases within x months.” If most cases are classified as complex then this figure is not meaningful and indeed can be misleading. There is also an interest in knowing how long the residual cases are taking to decide.

Gender breakdown

Across immigration categories gender of principal and of dependant if any. This is because restrictions on rights of dependants, e.g. to work, have implications for equality of opportunity.

Age disputes

In disaggregating data by age, all cases where age is a matter of dispute should be clearly identified and that this should include those cases that the UK Border Agency considers “borderline”, those where it is treating the applicant as an adult and those where it is not disputed that the child is under 18, but his/her exact age is unknown. Without this data it is not possible to understand the treatment of children in the immigration system and where safeguarding arrangements are inadequate.

Withdrawn applications

Statistics should identify those persons whose application is automatically withdrawn (for example because they leave the UK) and then divided those who have acted to withdraw their applications and who are granted leave to remain in the UK and those who are not. Article 4(1) of Regulation 862/2007 requires statistics on the numbers of applications that have been withdrawn.

Detention

- A total number of those leaving detention during the year, broken down by reasons for leaving detention;
- Cohort data , for example the numbers of pregnant women detained under these powers, the numbers of ‘adults at risk’ released under rule 35(1) of the Immigration Rules (HC 395), the numbers of those identified as potential survivors of torture released under rule 35(3) of the Immigration Rules;
- The number of incidents of self-harm requiring medical treatment and the number of individuals on Formal Self-Harm at Risk in immigration detention watch, each broken down by immigration removal centre (these statistics are available but only published as a result of an NGO making freedom of information requests every quarter for the information over a period of years);
- Details of the full length of detention, including time spent in prisons post-sentence under immigration powers (though excluding time spent in prison cells under immigration powers). It is very important that those detained under immigration act powers in prison service establishments are counted.

These figures would assist in understanding whether stated policy goals for detention (to ensure that detention policy is given effect and the use of detention to effect removal) are being achieved).

Removals

Statistics on forced removals and voluntary departures should be disaggregated. This needs to be done to understand whether the Home Office has in practice suspended removals to a particular country, which goes to the lawfulness of detention under Immigration Act powers.

Judicial review applications

ILPA has repeatedly drawn attention to the use of statistics pertaining to judicial review applications in asylum and immigration cases. In a high number of judicial reviews the Home Office either concedes the substantive issue and/or makes a fresh decision, following which the judicial review is withdrawn, but this is not captured in the statistics and Government pronouncements frequently highlight the number of judicial reviews of immigration decisions that were successful in that they went to a full hearing and succeeded, without drawing attention to the substantial number of judicial reviews that did not proceed to a full hearing because the Secretary of State agreed to withdraw the decision. We observed that this misrepresentation has then affected other publications.

Circumstances of applicants

UK Visas and Immigration holds rich sources of data in screening forms for asylum applicants and visa application forms which contain detailed information on the family and personal circumstances of applicants which, in a disaggregated form, could give real insight into the background, skills and characteristics of immigrants and refugees.

An increasing number of forms are now submitted online, raising the possibility, with the appropriate consents of those under study, to interrogate this information more easily. Such information could contribute to longitudinal surveys of immigrants and immigrant contributions.

Social services and private fostering data

Regard should be had to social services and private fostering data as a key source for useful information concerning the many unaccompanied and abandoned migrant children as well as those whose family placements have broken down. Such data might provide some better insight into the scope of trafficking for sexual and domestic labour purposes.

Testing of stated policy objectives against government action

For example, parliament was told during debates on the Immigration Act 2016 that the reason for creating a criminal offence of working without permission (s 34 of that Act, inserting s 24B into the Immigration Act 1971) was to enable use of the Proceeds of Crime Act in such cases, yet this appears to be at odds with the guidance on the use of that Act. Assurances should be tested against action.

Effect of hostile environment legislation and immigration officers' powers

This would include looking at prosecutions of landlords and employers; at bank accounts closed at Home Office behest, at licences (for private hire vehicles and selling of food and drink); at the use of Illegal working closure notices and orders; at summary evictions from private rented accommodation.

There is a pressing need to look at the use of immigration officers' powers of entry, search, seizure and retention, in particular the use of multi-premises and multi entry warrants under changes to the Immigration Act 1971 effected by s 54 of the Immigration Act 2016.

Immigration officers are being given increasing and overlapping powers by each subsequent piece of legislation, but there is limited understanding of how these are being used and it is an area in which parliamentary scrutiny has to date proven ineffective. Better understanding of the use of these powers would allow government assertions to be tested.

Independent Chief Inspector of Borders and Immigration

The reports of the inspectorate provide valuable indications of where there are gaps in published data and direct consultation with the Directorate could be used to supplement perusal of these to identify significant gaps in published data.

To help us better understand your needs, please tell us a bit about you.

Name: Adrian Berry

Role or occupation: Chair

Organisation: Immigration Law Practitioners Association

Email: Alison.Harvey@ilpa.org.uk

Telephone: 02072518383

1. Is your response your views as an individual user or on behalf of an organisation?

Organisation: Immigration Law Practitioners' Association (ILPA).

2. What sector do you work in?

(Please select 1 answer only)

Charity and voluntary

3. May we contact you to discuss your response to this consultation? This may be to follow up on any specific points we need to clarify.

Yes.

4. **Are you happy for us to contact you about future ONS consultations and surveys?**

Yes.

5. **Overall, how satisfied are you with this consultation?**

(Please select one answer only)

Satisfied

Consultation timetable

This consultation will run from 11 November 2016 to 23 December 2016.

After the consultation

We will publish a summary of the comments made once the consultation closes and this will set out the next steps.

Getting in touch

If you have any queries or comments about the statistics included in this consultation please contact:

migstatsunit@ons.gov.uk for ONS statistics

migrationstatsenquiries@homeoffice.gsi.gov.uk for HO Statistics

Russ.Bentley@dwp.gsi.gov.uk for DWP statistics

scott.johnson@hmrc.gsi.gov.uk for HMRC statistics

If you have any queries or comments about the consultation process, please email Simeon Bowen at ons.communications@ons.gsi.gov.uk or call 0845 601 3034.

You can also write to us at the following address:

Consultation Coordinator,
Room 1.101
Office for National Statistics,
Government Buildings,
Cardiff Road,
Newport,
South Wales,
NP10 8XG.

For further information on , please visit <http://www.ons.gov.uk/ons/about-ons/get-involved/consultations/index.html>

Follow us:

[Facebook](#)

[Twitter](#)

[LinkedIn](#)

[YouTube](#)

[Storify](#)

Confidentiality and data protection

As someone who is interested in ONS statistics, we'd welcome your views. We may use your contact details to get in touch about future surveys or consultations. You can opt out at any time by emailing ons.communications@ons.gsi.gov.uk.

To support transparency in our decision making, responses to this consultation will be made public. This will include the name of your organisation and, with your permission, your name.

Please let us know if you are content for your name to be published. We will not publish personal contact details. Any information provided in response to this consultation could be made publicly available if requested under a Freedom of Information request. The information you send us may be passed to other parts of government.

Accessibility

All material relating to this consultation can be provided in braille, large print or audio formats on request. British Sign Language interpreters can also be requested for any supporting events.

Crown Copyright

© Crown copyright 2015

You may re-use this document/publication (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence v3.0. Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

To view this licence visit:

<https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>

email psi@nationalarchives.gsi.gov.uk