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QUEEN ANNE'S GATE LONDON SW1H 9AT

30 October 1985

Prime Minister

You should be aware of this problem. The Home Secretary is right to go for visas.

C.D.P. so/x

Dear Geoffrey,

A VISA REQUIREMENT FOR NATIONALS OF BANGLADESH

You will have heard of the severe pressure which is being placed on the immigration control at Heathrow. The immediate cause of this is the unprecedented increase in the arrival of passengers from Bangladesh seeking entry as visitors who have no claim to do so. They are mostly young, single men. We have been attempting to cope, for some weeks now, by diverting increasing numbers of staff to deal with these cases. I have reviewed the position, and assessed the options open to me, and have reluctantly concluded that the only feasible cost-effective way of dealing with the problem is to impose a general visa requirement on Bangladeshi nationals.

My officials have prepared the attached summary paper which sets out the pressures on the control, and the advantage of a visa requirement. You, and other colleagues should know that the recent increase in Bangladesh traffic compared to the overall numbers of passengers arriving is small. But as passenger traffic is rising year on year a small increase in arrivals which are difficult, in immigration terms, has a quite disproportionate effect on the overall control system: our detention facilities are full and doubtful passengers who ought to be detained are being admitted temporarily; increasing numbers are managing to get MPs to take up their cases and get their removal stopped, and increasing numbers of staff are being diverted from their primary task of clearing passengers at the front line.

My officials have been in touch with yours to try to discover the reasons for this increase in traffic from Bangladesh. There is no obvious political crisis or unsettled conditions such as those which existed in Sri Lanka when we imposed a visa regime there earlier this year. No doubt when we tightened the immigration rules in August rumours circulated that those changes presaged even tougher restrictions to come; and our initial assessment of the increase in traffic was that this was the cause and that it would cease as misunderstanding was removed. The High Commission has taken steps to clarify the position but the flow is not slackening. The conclusion has to be that this increase is not a temporary aberration; that the airlines and travel agents see greater profits in more Bangladeshis buying tickets to London, and, most important, that many of those who are travelling are well aware that you can get in and stay for weeks or months, and perhaps indefinitely despite the risk or fact of refusal.

/The problem

The Rt Hon Sir Geoffrey Howe, QC, MP

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The problem could in theory be tackled in a number of ways: increasing detention; reducing MPs' rights of representation; increasing staffing at the ports; or imposing visas. I believe we must rule out a major increase in the use of detention. Even if we were to go back on the policy of minimising detention, the acquisition and staffing of new detention accommodation would take a good deal of time, and at a capacity say of 200 places, would cost 6 million to create. But this would not stop the customary practice, now perceived, as a 'right', for MPs to make representations in individual cases, and in doing so, to stop or delay a removal. In my statement to the House yesterday afternoon I underlined the importance we attach to tackling misuse of the system, and David Waddington and I will be pursuing what might be done and whether it will be possible to devise, and police, new restrictions on MPs: but this will take time to effect, will be highly controversial, and uncertain of success. By diverting staff to handle refused cases more and more quickly I hope we can make some inroads into the problem in the short-term but these staff will have to be returned to normal duty for a lengthy period before, during, and after Christmas; and then again from Easter to October, if the normal seasonal increase in general passenger traffic is to be handled without a major increase in delays at Heathrow and other ports. I am making increased provision for staffing Terminal 4 when it opens in the Spring, but if we are to staff the domestic control to cope with this new pattern of difficulty many more will be required, and the increasingly criticised delays in the queues in the immigration halls for the majority will not thereby decrease.

Our judgement here is that a visa requirement on Bangladesh nationals would be a much less costly and more certain way of controlling arrivals than the other options I have considered; it would also insulate other passengers, and the rest of the control, from increasing delays. It worked most effectively in resolving the problems over Sri Lankan Tamils which were the same in effect if different in cause to those we now face. We would need only 5-10 more staff overseas to operate it, and its effect would be to enable me to return more than that number of staff to their normal duties on the passenger controls.

I realise that such a proposal has its difficulties for you: there are resource and accommodation issues in Dhaka and possibly criticism from the Bangladesh Government at being singled out. I must also weigh the predictable criticism from ethnic minority groups, especially the Bangladesh community here, although I believe that, for many, a visa regime would facilitate travel and avoid charges of discrimination between them and other passengers at Heathrow.

Further, and more important, there are the implications of a decision to impose visas for Bangladeshis so far as other nationalities are concerned. A visa requirement on Bangladeshis may be seen as the prelude to a decision to impose a similar requirement for citizens of India and Pakistan, and possibly, because of the high refusal rate, of passengers from West Africa, on Ghana and Nigeria. Although some of the traffic from these other countries is certainly difficult in immigration terms there are no signs at present that it is likely to create problems of the same relative proportion or persistent degree of

/difficulty as we

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difficulty as we have experienced since August in relation to Bangladesh. There must be some risk - I find it difficult to assess how great - that an announcement of visas for Bangladeshis could lead to a rush of passengers from these other countries. More generally, and looking beyond the present short term problems, I think we have to consider whether it would be more cost effective to move - as the Canadians, for example, have done - to a system that makes a more general use of visas for selected nationalities. I fully recognise that the amount of travel from, for example, India is much greater than from Bangladesh, that it includes large numbers of totally genuine visitors and that both the political implications and cost-effectiveness of proposals to introduce a visa regime for India, Pakistan, Nigeria and Ghana are of a quite different order from what I propose we should do for Bangladesh. Nevertheless, I think that officials of our two Departments ought to study the implications of a wider visa regime so that we have some contingent work done against the possibility of new difficulties arising from other countries, and so that we can make a considered judgment on the way in which the control should be operated to meet the likely increase in the volume of traffic in future years.

All that, if you agree, will take time and must not, I suggest, be allowed to get in the way of a decision regarding visas for Bangladesh. You will see that the attached paper outlines the way in which such a visa regime would be imposed and how much it might cost. There is a good deal of further work to be done on the proposals by officials of both Departments. I hope you will agree in principle that we should aim to have a visa regime in place as soon as possible, and certainly well before Christmas, and that officials should be instructed accordingly.

If you would like to discuss these issues, either in relation to Bangladesh, or more generally, I would welcome a very early meeting.

I am copying this letter and enclosure to the Prime Minister, the Lord President, the Chancellor of the Exchequer, the Lord Privy Seal, the Chancellor of the Duchy of Lancaster, the Secretaries of State for Transport and for Employment and Sir Robert Armstrong.

L. C. C. /
Douglas.

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E.R.

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THE PRESSURE ON THE IMMIGRATION CONTROL: ESPECIALLY FROM BANGLADESH

NOTE BY HOME OFFICE OFFICIALS

1. In recent months there has been a sharp increase in pressure on the immigration control at our ports. For example, during the late summer bank holiday weekend the control at Heathrow Terminal 3 (TN3) where the majority of intercontinental travellers arrive, came very close to complete breakdown. There is an underlying general increase in passenger traffic and the predictions are that steady growth will continue and, at the present rate, passenger movements could triple before the end of the century. The present British Airports Authority forecast within this growth, is a ~~smaller~~ ^{larger} increase in traffic to Britain from the Middle East and Asia and a declining growth in traffic from North America. This implies for the immigration control a higher proportion of passengers who have to be interviewed in depth on arrival. This process has begun to occur this summer.

2. The pattern of growth in the last two years had placed severe pressures on the control but had it been maintained staffing levels could, with difficulty, have coped. But what has occurred in relation to Bangladeshis has created major new difficulties. There have been increases far exceeding general trends both in the number of passengers arriving from Bangladesh and, most important, in the number who have had to be refused entry. In the first months of 1985 arrivals of Bangladeshis were 30% higher than last year and the detailed arrival figures for this summer when available look likely to record an even greater increase. The scale of the problem is shown by the fact that 684 Bangladeshis were refused entry at TN3 in July, August and September this year. This was about a quarter of the total of all refusals there and compared with 72 in the same months in 1984. There are normally considerable seasonal fluctuations in the arrivals of Bangladeshi visitors and we would expect the number of refusals to be falling back now but this is not happening. *In the first three weeks of October at TN3 a further 219 were refused compared to 37 in the same period last year.*

3. It is not clear what has caused this change. There has been no tightening in the tests applied by staff to visitors from Bangladesh. The fact that the high levels have continued suggest that it cannot be attempts to beat the change in the Immigration Rules which came into effect at the end of August. The refusals are mainly young men seeking entry as visitors, some of whom are arriving with kits of similar documents in support of claims that they are successful businessmen; unscrupulous travel agents in Bangladesh may be involved. The airline may be less concerned about checking on dubious passengers because,

E.R.

as explained below, the refusal and return of a passenger may cost it nothing. If these are the explanations there is no reason to expect a lull this winter.

4. The problem of handling this flow is exacerbated by the system of temporary admission and MPs' representations. If a passenger is refused entry, and is not to be removed immediately or if the immigration officer wishes to make further enquiries before admission can be settled, the passenger is liable to be detained. There is, however, power in the Immigration Act 1971 for the passenger instead to be admitted temporarily (with restrictions about residence and reporting to the police or an immigration officer). When a Member of Parliament tells the Minister that he wishes to make representations against the decision to refuse entry the removal of the passenger is deferred a practice of all Governments, and of long standing. If the passenger is not already on temporary admission it would normally be granted at this stage. A passenger is not detained unless there are reasonable grounds for believing that he will not comply with the terms of the temporary admission or that he has no means to support himself and nobody to turn to if admission is given.

Some 75% of all Indian citizens refused admission at Terminal 3 are now the subject of such representations.

handled by the Immigration Service at ports

5. Representations by MPs ~~in port refusal~~ cases have grown rapidly from about 1,000 a year in 1980/81/82 to ~~2,532~~ ²⁵³² in 1984, and ~~5,500~~ ^{to around 5,000} up to 22 October of this year. Although extra staff have been diverted from the initial control to deal with these representations a backlog has developed with consequent delays. The result is that many passengers remain here far longer on temporary admission than the period they originally requested when seeking entry. Once it becomes known that the intervention of a Member results in temporary admission there is an incentive for doubtful visitors to present themselves at the port provided that their sponsors have been alerted to involve an MP. There is evidence that some MPs make promises of intervention to their constituents before the passenger arrives in the United Kingdom.

6. The effect of these customary arrangements has become acute in relation to Bangladeshis. In July, August and September this year MPs made representations on behalf of 360 Bangladeshis refused at TN3, compared with 16 in 1984. This substantial increase has persisted in October.

RESOURCE CONSEQUENCES

7. These pressures have a number of financial and other costs.

8. In normal circumstances there should be no direct public expenditure as a result of a refusal because the carrying company is liable to the costs of detention and removal. However, if firm removal directions are not given within 2 months the removal costs fall to public expenditure, although if the passenger has a return ticket it will be used. *There are now over 1000 cases outstanding which are not likely to be cleared within the two month period.*

9. The extra pressure means that staff are having to be diverted away from the initial interview desks of the immigration control. Some are needed to cope with the detailed interviews and many are now occupied in processing the representations by MPs. To cope with the general growth in MPs casework a new unit was set up on 1 October 1984, initially with 11 staff. It now has 24 plus clerical support, including from 7 October, 8 staff devoted solely to new Bangladeshi cases as to try to turn them round faster. More staff will have to be transferred on to this work to tackle the backlog. This diversion of manpower and the general increase in the proportion of passengers who cannot be passed through immigration control without at least a careful preliminary interview are creating increasing delays for the great majority of bona fide passengers who do not qualify to pass through the British or EC channels. Inevitably there have been complaints.

10. The increasing number temporarily admitted also increases the risk of absconding. Until recently the number of absconders has not been high and although the percentage has risen slightly it is not yet alarming. The percentage is, however, significantly higher for Bangladeshis than for other nationalities and the recent influx of Bangladeshis may accelerate the rate of absconding. This creates further enforcement problems.

VISAS

11. Under the Immigration Rules nationals of specified countries require visas to enter the United Kingdom. There is in law no reason why a full visa requirement should not be imposed on Commonwealth citizens, as was done in May this year in respect of Sri Lanka. One solution to the problems described above is thus to impose a general visa requirement on Bangladeshis.

12. This would mean that (subject to statutory exceptions) all Bangladeshi citizens would have to apply for visas whatever the purpose of their journey. A visa requirement means that a more considered decision can be taken at the post abroad than is possible when a passenger arrives here. For the would be traveller it provides reassurance about admissibility to the United Kingdom at the expense

of inconvenience of prior application and perhaps delay. Immigration officers have some powers to refuse entry to a passenger with a visa but this is not often necessary to exercise. Visa holding passengers can be admitted with much less enquiry than passengers without entry clearance. Moreover, any passenger who requires a visa and arrives here without one can be refused on that ground alone without any detailed investigation of the circumstances of the case. Because carriers are generally liable to the costs of detention and removal of a passenger who is refused entry they are unlikely to accept visa requiring passengers who are not properly documented.

13. The mechanism for extending a visa requirement to Bangladeshis would be an amendment to the Immigration Rules. The change could be made and take effect at once. However, Rule changes may be prayed against and a visa requirement for Bangladeshis would certainly be controversial, giving rise to debates in both Houses.

14. On the basis of 1984 figures a visa requirement might generate 8-10,000 extra applications annually by Bangladeshis at posts abroad. Most would fall to Dhaka. Two main, but unquantifiable, factors influence the estimate of extra applications: the general growth in passenger traffic on the one hand and the deterrent effect of a visa requirement. (This happened in Sri Lanka, although the lessons there may not be directly applicable to Bangladesh.)

15. Returning residents are a special problem because of the protection which the Immigration Act 1971 affords Commonwealth citizens settled here before the Act came into force at the beginning of 1973. Such a Bangladeshi citizen cannot be obliged to obtain an entry clearance to enter as a returning resident, and thus a significant proportion of Bangladeshi returning residents might be exempt from a visa requirement. This exemption was also necessary in the case of Sri Lankans and has caused confusion, particularly for airlines, who cannot easily recognise those who are exempt. The answer to this would be to exempt all Bangladeshi returning residents from a visa requirement (and to treat Sri Lankans similarly). This would avoid the unnecessary additional work in issuing re-entry visas to those resident here who wished to travel which would otherwise fall to Passport Offices.

16. It is difficult to assess the effect of a visa requirement on the traffic of visitors from Bangladesh. About 10% of potential Bangladeshi visitors are being refused entry at the ports compared to 28% of the applications for visit entry clearances decided at Dhaka in 1984 which were refused. If all Bangladeshi visitors had to apply for visas the refusal rate might fall, but it could remain well above the normal port refusal rate. This would undoubtedly cause considerable resentment among Bangladeshis. It also has implications for the Immigration Appeals system. A formal right of appeal exists against a refusal of an entry certificate and the number of cases going to appeal could rise by 600 to 700 a year.

17. A visa requirement for Bangladeshis would transfer the initial handling of much of the problem to the High Commission in Dhaka which already has the largest immigration section of all posts abroad. However, the extra applications generated by a visa requirement would be relatively straightforward and 5-10 extra staff are estimated as sufficient to process them. The cost in staff terms might thus be £ $\frac{1}{4}$ -£ $\frac{1}{2}$ million annually. Increased receipts from additional entry clearance fees might yield £50-£100,000 to set against the costs.

18. On the basis of this initial analysis it would appear less expensive to control the arrival of Bangladeshi passengers from Dhaka than from Heathrow because fewer passengers would have to be interviewed in depth and the heavy investment in enforcement work would be reduced. In all we judge that a visa scheme would result in overall savings and even if it were cost neutral there would be benefits in relieving the pressure on the immigration control so as reducing delays for the majority of passengers.

Immigration & Nationality Department
Home Office
October 1985

STATEMENT

TO BE CHECKED
AGAINST DELIVERY

Following the recent exchanges in the House I will with your permission, Mr Speaker, make a statement about representations made by Rt Hon and hon Members in immigration cases.

Ministers receive large numbers of representations from Members of this House on a wide variety of individual cases. What distinguishes those made on behalf of passengers refused entry at the ports is that they have the effect of securing an immediate change in the action that would otherwise be taken by the Immigration Service under the relevant statutory provisions. The Service is by convention, though not in law, precluded from arranging the passenger's removal until the Member's representations have been received and considered. In the vast majority of cases the passenger is granted temporary admission. In a small minority of cases he may be held in detention at the port.

Home Office Ministers received representations on immigration cases about 20 times a week in 1980. Last year the average was some 70 a week. In the last few weeks there have been 200 representations a week. I must make it clear that the increase since 1980 is not the result of some dramatic change in the criteria being employed by immigration officers at the ports in operating the Immigration Rules. Nor can it be explained by an increase in passenger traffic which has increased by 25% while MPs' representations have increased five-fold taking the year as a whole.. Members are being approached and asked to put "stops" on cases more often than in the past and Members are agreeing to ask for "stops" on cases more often than in the past.

/This increase has

This increase has created real administrative problems for the staff at the ports. People are being temporarily admitted who do not qualify as visitors under the Rules and often spend a considerable time here. The diversion of staff to deal with increasing representations, and the case work involved, has meant that visitors who are fully qualified find themselves held up and inconvenienced at Heathrow.

Against that background I believe it was entirely right for my hon and learned Friend to bring the situation to the notice of the House. I would like to make it clear that my hon and learned Friend was not any any time suggesting that the law had been broken. In the letter he sent yesterday to the Rt Hon Gentleman the Member for Gorton he described the ways in which the present arrangements are being misused.

It was argued yesterday that my hon and learned Friend should have given specific examples to the House of the action taken by particular Members. He could not have done this without revealing the terms of letters which they had written to or about individual immigrants and in two cases letters written by them to third parties. He is writing today to 23 Members, whose cases are examples of the various problems we are facing, seeking their permission to make such correspondence public so that the House as a whole can be given some examples of the problems which we are facing.

/These strains,

There are obvious difficulties, for example when Members make representations on behalf of sponsors of whom they have made no enquiries and when Members arrange for a "stop" to be placed on a passenger's removal, but fail to follow up the initial telephone call with a confirmatory letter. There is also, as my hon and learned Friend said, concern that some Members are willing to take up cases from outside their constituency which the constituency Member has himself not chosen to pursue. Here, again, some restatement of the agreed conventions of the House is, I suggest, needed.

Finally, there are one or two cases in which it seems to us that a Member is deliberately facilitating the attempt to secure the temporary admission of a passenger whom he has every reason to believe would not qualify for entry under the Rules approved by this House. I am not suggesting that even where this happens hon Members have acted unlawfully. But if their actions were to be more widely copied the result could only be the weakening of our system of immigration control, based at the ports of entry. I believe our present system suits both our geography and our constitution and that we need collectively to consider how it can best continue to operate.

I ask the House to accept that we wish to make a genuine attempt to strike the right balance between the representations of hon Members and the need for an effective and efficient control without the strains at present imposed on it. We are anxious to discuss these difficulties urgently with those in this House who are mainly concerned in the hope of working out a sensible answer, and in any case there will not be any changes in our procedure before I have reported to the House.

E.R.

How many cases of serious abuse

My hon and Learned Friend has made it clear, consistently, that he was referring only to a small number of cases where there appeared to be serious abuse of the present system. That remains the position. I hope that when honourable Members have considered the approach which my hon and Learned Friend is making to them that they will accept that it is in the public interest for these examples to be made public.

The system would be quicker if MP's were given detailed reasons for a refusal before they made representations.

The rt hon Gentleman, the Member for Birmingham Sparkbrook has written to me making this point, and I will be giving him a considered reply in due course. But I must underline the enormous potential resource cost of such a system. It would add new and major burdens to the control if it applied to every passenger who was initially refused.

How many representations are made by MPs?

Representations by MPs in port refusal cases have grown rapidly from about 1,000 a year in 1980, 1981 and 1982. In 1984 MPs made representations in 3,532 cases handled by the Immigration Service and up to 22 October this year the total around 5,000.*

The problem is especially acute at Terminal 3 at Heathrow and in relation to Bangladeshis where MPs made representations in 360 cases in July, August and September this year compared with 16 cases in the same period last year. This substantial increase has not slackened in October, and this is the immediate cause for our bringing the matter to the attention of the House.

* [These figures include a few cases handled by the Immigration Service which are not port refusals.]

E.R.

Why does this level of work create a problem?

This substantial growth in casework is very serious since additional resources to handle it are being drawn from the initial control at ports of entry. The longer this persists the more serious will become the impact on large numbers of other passengers. The more that representations are made, and the longer they take to deal with, the longer it is that persons refused entry are likely to stay in this country and where it is not possible to serve removal directions within two months of the date of refusal the cost of removal may fall on public funds.

Giving information to the media, not the House

Yesterday the right hon Gentleman, the Member for Bethnal Green and Stepney raised the fact that some information answering one of a number of Questions which he had put down was given by my hon and Learned Friend in a radio interview before the Question itself was answered. I can only repeat what my hon and Learned Friend said yesterday; that no discourtesy was thereby intended either to the rt hon Gentleman or to the House. The rt hon Gentleman is well aware of the decision which faces Ministers faced with a group of related questions where some information is readily available and some is not. On this occasion we took the decision that they should be answered together.

E.R.

What is the problem for immigration control?

There has been an increase this year, as last, in the number of passengers arriving. At Terminal 3 Heathrow up to August it was about 7%. at all ports for the early part of this year (up to May) there was a 15% increase in admissions (excluding EEC passengers). This level of growth reduces the capacity to cope with proportionately larger increases in the number of passengers who do not meet the requirements of the Immigration Rules. There has been an increase in the number of passengers who are refused entry for example of over 20% at Terminal 3 largely as a result of the increase in passengers from Bangladesh.

Who are these passengers?

Young, single, male Bangladeshis have been arriving in unprecedented numbers seeking entry as visitors, students, or businessmen. On examination they have been found to be inadmissible under the relevant Immigration Rules.

E.R.

What is the particular problem with Bangladeshis?

These have been increases far exceeding general trends both in the number of passengers arriving from Bangladesh and, most important, in the number who have had to be refused entry. In the first months of 1985 arrivals of Bangladeshis were 30% higher than last year and the detailed arrival figures for this summer, when available, look likely to record an even greater increase. Refusals at Heathrow Terminal 3 over the summer months this year compared with last year were as follows:-

	<u>1985</u>	<u>1984</u>
July	129	22
August	237	28
September	318	22
	—	—
	684	72

There is no sign of the number of refusals falling back as a further 219 were refused from 1-19 October compared with 37 in that period last year; giving totals of 903 in 1985 as against 109 in the same four months last year.

Why is this happening?

We do not yet know the reason for the unprecedented increase in the last three months in the number of young Bangladeshi males coming here and seeking admission as visitors for which they do not qualify under the Rules. There may have been some confusion about the Immigration Rules changes introduced in August, but this was rapidly clarified.

Urgent enquiries have been made through the High Commission in Dhaka to see if the reason can be discovered and any measures taken in Bangladesh to stem the flow.

E.R.

It is at present open to any person in Bangladesh who wants to be certain that he will not encounter difficulties at Heathrow to apply for an entry certificate as a visitor. Such certificates are not, however, compulsory for visitors.

Why is the situation so bad at Heathrow Terminal 3 (YN3)?

Terminal 3 (Heathrow) is where the majority of inter-continental travellers arrive. The problems caused both by the general increase in passenger traffic and the increase in passengers liable to be refused are, at present operational problems in handling cases are aggravated by the arrival pattern of flights. The result has been serious delays both for the small minority of passengers who have had to be held back for detailed interview and for the great majority of others.

How many passengers have been refused entry?

The most up-to-date figures are for Heathrow Terminal 3 alone where 2,629 passengers were initially refused entry in July, August and September this year compared with 1,791 in the same period last year. From 1-19 October a further 675 were refused compared with 385 last year. These figures do not identify those who were subsequently given leave to remain, or removed.

The problem is cause because people are refused when they should be admitted. Most of them go home after temporary admission.

That is a quite mistaken view of the way in which immigration control does, and should, operate. Successive Governments have placed considerable value on any system of control at ports of entry, and on the responsibility of Immigration Offices operating under the Rules approved by Parliament, to make careful decisions about admission. Some hon Gentlemen opposite may want to reject the arrangements fully sustained by their hon Friends when in Government. But we believe it is in the general public interest to have a system (including representations by M P's) which sustains a firm and fair control rather than undermines it.

E.R.

The Immigration Rules for Visitors

The Rules pinpoint the responsibility of the Immigration Officer very clearly. Paragraph 17 states

"17. A passenger seeking entry as a visitor, including one coming to stay with relatives or friends, is to be admitted if he satisfied the immigration officer that he is genuinely seeking entry for the period of the visit as stated by him and that for that period he will maintain and accommodate himself and any dependants, or will, with any dependants, be maintained and accommodated adequately by relatives or friends, without working or recourse to public funds, and can meet the cost of the return or onward journey. But in all cases leave to enter is to be refused if the immigration officer is not so satisfied, and in particular, leave to enter is to be refused where there is reason to believe that the passenger's real purpose is to take employment or that he may become a charge on public funds if admitted."

How many of those given temporary admission abscond?

The number of absconds is recorded at the point at which the passenger is due to be removed and cannot be traced and does not therefore yet reflect any effect from the increase in refusals over the summer months. The figures from Heathrow (Terminal 3) from 1 January to 23 September this year are as follows:-

	<u>Absconds</u>	<u>% of refusals</u>
Bangladesh	42	4.6
Other nationalities	93	2.0
Total	<hr/> 135	<hr/> 2.4

For further comparison, 24 Bangladeshis absconded in July, August and September this year compared with 2 in the same period last year

How many of those refused are detained/temporarily admitted?

There has been increasing use of temporary admission rather than detention in recent years. In 1977, 2,868 passengers were granted temporary admission; the figure had risen to 8,527 in 1984. As a percentage of all passengers refused this an increase from 22% to 47%.

At Heathrow Terminal 3, in July August and September of 2629 passengers refused, 2053 were granted temporary admission i.e. 78%. 576 passengers were, during those months, in detention for some period.

What is the policy on detention?

The basic policy is to minimise detention, and every case is considered on its merits by officers of supervisory grade. Staff have to judge the wish of a passenger absconding in the light of the reasons for refusal, the amount of money a person has, and whether he has accommodation. The increase in the number of Bangladeshis not granted temporary admission in recent months does not indicate any sharp change in policy but the application of the policy I have described to a new pattern of arrivals in increasing numbers. All of those in detention are held because they do not meet the criteria for temporary admission.

E.R.

Where are passengers detained?

In the London Airports area the Immigration Service detention centres at Harmondsworth, Queens Building and Gatwick are able to accommodate those passengers who are not considered appropriate to be granted temporary admission. Where this cannot be done passengers are detained in Ashford Remand Centre and exceptionally in other prison accommodation or in police cells. In recent weeks there has been a sharp rise in the arrival rate of nationals of Bangladesh who have been refused entry, a number of whom have not been considered appropriate to be granted temporary admission.

Are the reports that the Government is contemplating a visa requirement for Bangladesh correct?

Reports of a visa requirement for Bangladeshis are speculation. Immigration control arrangements, including visa requirement, have to be given continuous re-examination in the light of changing patterns of travel and traffic. If the situation in relation to any country sharply deteriorates and is likely to continue a visa requirement can become necessary.

I hope it will be possible to avoid reaching this position in relation to Bangladesh.

E.R.

Ministers are denying, intend to deny MPs their rights

There is, and could be, no question of Ministers trying to prevent hon Members making representations in these cases. The issue is the way in which the customary practice of stopping the removal of a passenger at the request of a Member can be balanced against a sensible and efficient operation of the Immigration Control.

What happens next?

My hon and learned Friend is writing to a number of hon Members and this will, I hope, assist in briefing out some of the areas of misuse or difficulty in the present arrangements. I am willing to look at ways in which the process might further be examined, perhaps with the help of senior backbench Members from both sides of the House [or with that of the Home Affairs Select Committee].

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Chancellor of the Duchy of Lancaster

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November 1985

The Rt Hon Douglas Hurd MP
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C. J. P. b. k. i.

D Douglas,

A VISA REQUIREMENT FOR NATIONALS OF BANGLADESH

Thank you for the copy of your letter of 30 October to Geoffrey Howe.

I recognise, as you do in your letter, that the imposition of a visa requirement may cause voices to be raised in sections of the Bangladeshi Community, and be the subject of speculation that it is the prelude to a wider imposition of visa controls. Nevertheless, I am persuaded that it would be right to proceed as you propose. I think that substantial sections of the Asian Community will also be among those ready to understand the need for our action, which is consistent with an immigration policy which itself safeguards their position; and we should not be too worried to justify our action against unreasonable speculation.

I am copying this letter to the Prime Minister, the Lord President, the Chancellor of the Exchequer, the Lord Privy Seal, the Secretaries of State for Foreign and Commonwealth Affairs, Transport, and for Employment and to Sir Robert Armstrong.

NORMAN TEBBIT

IMMIGRATION
RULES
PT 2

