



Earning the right to stay: A new points test for citizenship

Read JCWI's response to the latest UKBA consultation

Recently, the UK Border Agency (UKBA) released a consultation entitled, Earning the right to stay: A new points test for citizenship (PDF). This consultation builds on the UKBA's concept of 'earned citizenship'; a new system discussed in the previous consultation, 'The Path to Citizenship' (PDF). The concept of 'earned citizenship' is based on the principle that British citizenship is a privilege that must be earned and for those migrants who wish to stay in the UK on a permanent basis should be encouraged to complete their journey to citizenship.

The recently enacted Borders, Citizenship and Immigration Act (2009) (PDF) builds on the concept of earned citizenship by introducing a new type of status 'probationary citizenship', which is a form of temporary leave to remain in the UK. Migrants, refugees and family members of British citizens or those with permanent residence must apply for 'probationary citizenship' before they can proceed to British citizenship or permanent residence themselves.

In the points test for citizenship consultation, the UK Border Agency (UKBA) makes a number of proposals relating to the acquisition of British citizenship. One of the main proposals is to introduce a Points Test at the stage of application for 'probationary citizenship', in addition to the current Points-Based System. The consultation suggests a number of attributes that points may be awarded for (e.g. earning potential, specific artistic, scientific or literary merit etc.). As with the Points-Based System, the Government may increase or lower the number of points in response to the numbers of migrants acquiring British citizenship, if migrants are unable to meet the required number of points, then they will have to leave the UK. (There are different provisions for refugees and family members). Only once the specified amounts of time and additional requirements have been met in the 'probationary citizenship' stage have been met can migrants progress onto British citizenship or permanent residence.

The Government believes that this system will break the perceived link between work migration and settlement. In our response we question the need for this to be communicated as there is clearly no current automatic link between those coming to work in the UK and those wishing to remain on a permanent basis.

Other proposals include expanding the current 'check and send' service that local authorities offer for checking applications for citizenship and expanding and increasing the tests that people will have to pass before they can continue on the pathway to British citizenship.

The consultation also proposes different ways in which migrants might be helped to integrate into the UK e.g. orientation days or mentoring schemes or the development of a new group who will be responsible for developing and delivering the integration agenda.

Finally, the consultation discusses migration in the context of international development and raises concern about the concept of brain drain; where high numbers of highly skilled migrants leave developing countries and migrate to developed countries. The UKBA makes a number of suggestions to combat brain drain, the main one being to facilitate what UKBA describes as, 'circular migration'; where migrants can come to the UK but are required or incentivised to return back to their country of origin.

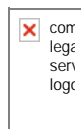
JCWI has numerous concerns about many of the proposals contained within the consultation, mainly that we do not agree with the idea of a points test for citizenship or the increase in the amount of hurdles that people have to meet before that can acquire British citizenship. For a full report of our concerns, read out response to the consultation below:

Read JCWI's response to the consultation here >> (PDF)

To download the UKBA consultation document, click here >> (PDF)

Built on [Cubik](#)

©2012 Joint Council for the Welfare of Immigrants



Registered Charity Number: 1117513



All prices are in GBP.

