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# Ready on Day One to Take Back Control of the Border



*Investing in digital borders, controlling  
immigration & co-operating on security*

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## Executive Summary

In less than 540 days, Britain will leave the EU. Implementation period or not, we must be ready for uncontrolled EU immigration to come to an end. To be ready for this on day one will require a significant strengthening of our border controls. In addition, the rising threats of organised crime, people trafficking and terror all mean we must invest more in security to keep our country safe. Yet at the same time we want to make sure journeys for legitimate travellers are smooth and make an immigration policy that works for Britain.

Post Brexit, free movement will end. This means we will need to extend our full border control systems from the current 12.5 million to a further 25.5 million visitors to the United Kingdom.<sup>1</sup> Until now, travellers from the EU have been subject to the same border checks as UK citizens. Post Brexit, this will change. EU citizens will become subject to the same checks as visitors from anywhere else in the world. Having procedures in place to manage full checks on 38 million visitors is going to be a challenge. It's not hard to see why the Home Office has called for free movement to be included in any implementation period.

So how can we be ready on day one to take back control of our borders? As things stand, we are behind the times in gaining valuable information and raising the money to pay for it. For many years, the USA's Electronic System for Travel Authorization (ESTA)<sup>2</sup> has charged a fee of US\$14 – equivalent to around £10 – for a “visa waiver”. The EU is drawing up plans for such a scheme<sup>3</sup>. So should we. We could adopt the US system and apply it to a visa waiver scheme for visitors from the EU and other countries we have a visa waiver programme with. Charging visitors £10 a time would raise a lot of cash. For example, 25.5 million EU visitors a year paying £10 would provide about £255 million. Given the Borders budget is currently some £550 million,<sup>4</sup> moving into line with what other nations are doing would fund a 50 per cent increase in the Borders budget.

Along with money, a visa waiver system provides a wealth of information. Information we could use to strengthen our wider security and intelligence effort.<sup>5</sup> Using this information and keeping on top of the extra burdens that are going to be placed on our borders will require investment. Investment in tried and tested modern systems will enable much faster checks to be made and allow most of the processing to be automated. Using systems to make all necessary checks long before people arrive at ports or airports will help minimise travel delays for legitimate travellers. An important paper by the think tank Reform sets out a blueprint for how cutting edge digital borders can be delivered.<sup>6</sup>

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<sup>1</sup> Office for National Statistics, Overseas Residents Visits to the UK  
<https://www.ons.gov.uk/peoplepopulationandcommunity/leisureandtourism/datasets/overseasresidentsvisits/totheuk>

<sup>2</sup> US Customs and Border Protection, <https://esta.cbp.dhs.gov/esta/>

<sup>3</sup> Britons may have to apply to visit Europe after Brexit, The Guardian, 10 September 2016,  
<https://www.theguardian.com/politics/2016/sep/09/britons-may-have-to-apply-to-visit-europe-under-eu-visa-scheme>

<sup>4</sup> Main Supply Estimates, 2017-18, page 77,  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/609174/Main-Supply-Estimates-2017-2018-web.pdf#page=77](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/609174/Main-Supply-Estimates-2017-2018-web.pdf#page=77)

<sup>5</sup> Brexit Borders, Security and Money, <http://www.elphicke.com/downloads/the-uks-brexit-border--security-and-money.pdf>

<sup>6</sup> Reform, The future of public services – digital borders, <http://www.reform.uk/wp-content/uploads/2017/06/The-future-of-public-services-digital-borders.pdf>

Investment is also needed to make sure that we have enough Border officers to carry out checks needed at ports like Dover and prevent queues from building up at Heathrow. With information and modern systems flagging up persons of interest before they arrive at ports and airports, Border officers will be able to focus on the greatest risks. In this way, our borders can be made stronger and more secure while delays are reduced for legitimate travellers.

We may be leaving the EU – but we are not leaving Europe. Security co-operation will be vital. Particularly to defeat the traffickers, terrorists and organised criminals that menace our civilisation. We have a long standing relationship sharing intelligence with Europe. And as part of the Five Eyes intelligence community we can and should seek to be a vital intelligence bridge.<sup>7</sup> It is in the interest of the UK and Europe that we continue to share intelligence and see that the proper security checks are made at borders as are necessary.

Using systems and intelligence more effectively will also help us keep foreign criminals out of the UK. If they can't get in, then we won't have so much trouble finding and removing them. Having visa waiver applications include a requirement to provide the address a person will be staying at in the UK will help the authorities track down visa over-stayers.

Ending uncontrolled EU immigration will allow us to take back control of our jobs market too. This is a huge opportunity to give young Britons greater opportunities to succeed. We already have a work permit system for non EU nations that we could extend to include EU countries. Using jobs data effectively we can target the availability – and pricing – of permits to enable business to access the skills they need while making sure permits are not used to shut our young people out of the jobs market or push down wages. Citizens and consumers should always come before corporates. We should not be afraid to challenge big business to invest more in people.

Leaving the EU is a huge national project. The situation with our borders will be a very complex part of it. We can introduce a work permit system that will put citizens and consumers ahead of corporates – giving our young people the chance to succeed. By adopting a US style visa waiver system we can pay for investment in our border controls. Using the tried and tested systems already in operation around the world will enable our dedicated Border officers to focus on the people who pose the greatest threat. In doing so, we should be ambitious to cut travel delays for legitimate visitors while increasing the safety and security of our borders. With energy, determination and the necessary budget, we can make it a huge success from day one.

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<sup>7</sup> UKUSA Agreement appendices, [https://www.nsa.gov/news-features/declassified-documents/ukusa/assets/files/new\\_ukusa\\_agree\\_10may55.pdf](https://www.nsa.gov/news-features/declassified-documents/ukusa/assets/files/new_ukusa_agree_10may55.pdf)

## Immigration inside the EU

Until relatively recently immigration was at fairly low levels; more people emigrated from the UK than migrated to it. In the 1990s this changed, with the UK experiencing substantial net migration. The pace accelerated dramatically following the EU's 2004 enlargement.<sup>8</sup>

According to figures by the Office for National Statistics,<sup>9</sup> the population of the UK is currently 64.7 Million. Of this, 9.2 Million were born outside the UK, with 3.5 Million born in the EU, and 5.6 Million born outside the EU.

Out of the 9 Million foreign born individuals who live in the UK, 4.1 Million have come to accompany or join those who already live in the UK, with only 2.8 Million coming to work. A further 1.1 Million have arrived to study, with around a million more coming for 'other' reasons. Poland tops the table of overseas immigrants living in the UK. 911,000 people living in the UK were born in Poland, closely followed by India with 833,000 people.<sup>10</sup>

In the year ending March 2017, immigration to the UK was 588,000, down 50,000 from the previous year; emigration from the UK was 342,000, up 31,000 from the previous year. Net migration was 246,000, down from 327,000 the previous year. 248,000 of those immigrants came from the EU, down 19,000 on the previous year. Meanwhile, 122,000 EU nationals emigrated from the UK, up 33,000 on the previous year. Non-EU migration was 266,000, down 22,000 on the previous year; non-EU emigration was 86,000, down 9,000 on the previous year.<sup>11</sup>

Almost half of UK immigration comes from 27 EU member States, despite the EU only accounting for 450 Million (once the UK is removed)<sup>12</sup> of the world's 7.5 Billion population<sup>13</sup>. The reason for the disproportionate number is the proximity of the EU and the free movement rules required by the UK's EU membership.

Citizens of each EU Member State have the right to reside and move freely in any EU Member State under Article 21 of the Treaty on the Functioning of the European Union, a right which is also extended to those in the European Economic Area. Free movement essentially means that EU citizens do not require a visa to come to the UK and those coming to the UK are not subject to rules on English language proficiency.

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<sup>8</sup> Centre Forum, Britain's points based migration system, page 4

<https://www.centreforum.org/assets/pubs/points-based-system.pdf>

<sup>9</sup> Office for National Statistics, Population of the UK by country of birth and nationality

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/datasets/populationoftheunitedkingdombycountryofbirthandnationality>

<sup>10</sup> Office for National Statistics, Population of the UK by country of birth and nationality

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/datasets/populationoftheunitedkingdombycountryofbirthandnationality>

<sup>11</sup> Office for National Statistics, Table 2,3

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/bulletins/migrationstatisticsquarterlyreport/august2017>

<sup>12</sup> Eurostat, Population and Population Change statistics, July 2017, [http://ec.europa.eu/eurostat/statistics-explained/index.php/Population\\_and\\_population\\_change\\_statistics](http://ec.europa.eu/eurostat/statistics-explained/index.php/Population_and_population_change_statistics)

<sup>13</sup> Worldometers, Current World Population, <http://www.worldometers.info/world-population/>

In relation to non-EU migrants the rules are stricter. The UK has full control over which non-EU migrants can come to Britain. For non-EU migrants the UK currently operates a points-based system and is weighted heavily in favour of skilled migrants.

In addition, there are strict controls on bringing family members to the UK. To secure a visa, non-EU citizen spouses of British citizens must show that their British partner has an income of at least £18,600, or a higher sum in savings. Most categories require proficiency in the English language, and initially grant only a temporary permission to stay in the UK. The ability to extend the visa or stay permanently varies depending on the visa category.<sup>14</sup>

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<sup>14</sup> House of Commons Library, Brexit: what impact on those currently exercising free movement rights?, page 8 <http://researchbriefings.files.parliament.uk/documents/CBP-7871/CBP-7871.pdf>

## Taking Back Control of Immigration

Once Britain leaves the EU, the UK will be able to take back control of immigration and bring the number of people coming to the country down.

A points-based immigration system (through which work permits – among others – are obtained) currently applies to non-EU nationals. This should be extended to EU nationals once the UK leaves the EU.

The UK's points-based system for non-EU migrants was created in 2008. And according to the Centre Forum: 'The aim of the PBS [Points Based System] is to provide an objective measure of a migrant's potential contribution to the UK economy. By testing each application against a range of fixed criteria, the system is intended to be transparent, fair and invulnerable to potential abuses. In theory the system should also be flexible enough to allow entry to all those with the potential to contribute to the economy.'

This system has been a success – despite the need to increase the strictness of the test – as the migrants that enter through the Tier 1 general skilled entry route had an employment rate of 90% in 2009, with 9/10 of these in high skilled employment.

The Centre Forum argues that to make the test stricter 'the government should award extra points for a job offer. By awarding points for a job offer, the government could provide an incentive for immediately entering the workforce in a highly skilled capacity – reducing the perceived risk of Tier 1 migrants taking less skilled posts.'<sup>15</sup>

In addition, a points-based system provides flexibility for what the nation and businesses need. This is particularly the case in regards to migrant dependant seasonal work, where high points could be awarded to those with seasonal job offers with the permit expiring at the end of the season.

Currently, the system has a five tier framework, set out below:<sup>16</sup>

Tier 1: Highly skilled migrants, entrepreneurs, investors and graduate students – this replaced the highly skilled migrant programme

Tier 2: Skilled workers with a job offer; this tier replaced the work permit rules

Tier 3: Low skilled workers – restricted to those needed to fill temporary shortages

Tier 4: Students

Tier 5: Youth mobility and other mainly unpaid temporary workers such as interns

Migrants in tiers 2 to 5 must be sponsored – tier 1 does not require sponsorship as a job offer is not required.

Sponsors are employers and educational institutions with a Home Office licence. Where an employer or educational institution issues a certificate of sponsorship to a would be migrant, the migrant can then make an application for clearance through the points test.<sup>17</sup>

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<sup>15</sup> Centre Forum, Britain's points based migration system, page 4-14  
<https://www.centreforum.org/assets/pubs/points-based-system.pdf>

<sup>16</sup> Centre Forum, Britain's points based migration system, page 26  
<https://www.centreforum.org/assets/pubs/points-based-system.pdf>

Through having a points-based system that uses job data effectively, the UK Government will be able to target those in need by allocating points effectively. This would enable business to access the skills they need while making sure permits are not used to shut UK citizens out of the jobs market or push down wages.

EU migrants should not be treated more favourably than non-EU migrants. There should be a fair immigration that is fair to all. By extending the points based immigration system the UK will be able to allow immigration as needed. As with the status quo for non-EU migrants those EU migrants wishing to accompany/join others in the UK would have to satisfy the criteria, rather than having an automatic right to enter.

Inevitably the widening of the work permit system would require investment. With little over a year to go, it's clear the Government should start preparing now if Brexit talks remain stalled.

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<sup>17</sup> Centre Forum, Britain's points based migration system, page 26  
<https://www.centreforum.org/assets/pubs/points-based-system.pdf>

## Investment in our Borders

Post Brexit, free movement will end. This means Britain will need to extend full border control systems from the current 12.5 Million to a further 25.5 Million visitors to the United Kingdom.<sup>18</sup>

Until now, travellers from the EU have been subject to the same border checks as UK citizens. Post Brexit, this can be expected to change. EU citizens would in principle become subject to the same checks as visitors from anywhere else in the world. Having procedures in place to manage full checks will be a challenge requiring innovation and investment.

Investment in tried and tested modern systems will enable much faster checks to be made and allow most of the processing to be automated. Using systems to make all necessary checks long before people arrive at ports or airports will help minimise travel delays for legitimate travellers.

Investment is also needed to make sure that we have enough border officers to carry out checks needed at ports like Dover and prevent queues from building up at Heathrow. With information and modern systems flagging up persons of interest before they arrive at ports and airports, border officers will be able to focus on the greatest risks. In this way, our borders can be made stronger and more secure while delays are reduced for legitimate travellers.

An important paper by the think tank Reform sets out a blueprint for cutting edge digital borders. They have called for the UK to upgrade its border, and use data and advanced technology – as Australia, Singapore and the USA have been doing.

Reform have recommended a single digital system to collect and store data, enabling a full risk assessment to be made. The effect of this for passengers is that ‘traveller-identification systems can collect passport information, biometric data (such as a photo, submitted through a ‘selfie’) and baggage information. According to the World Economic Forum, this data could be used to give compliant passengers ‘Trusted Traveller’ status, removing the need for passengers to submit the same data each time they travel to the UK.’

Reform also points out that other countries are already doing this. Australia has an Electronic Travel Authority, which is a visa-waiver system for all non-visa nationals. This allows for an ‘offshore-border’ approach, where customs officials collect data from travel agents and airline companies, cross-referencing it against relevant national databases. This has resulted in 50 per cent fewer travellers receiving additional checks at airports, with each pre-arrival refusal saving \$60,000. Of the 17,516 people refused entry into the UK in 2015, just 5,061 (29%) of these were identified before they travelled.<sup>19</sup>

The UK should invest now in making sure the UK’s border can be as efficient as possible, using modern technologies. Other countries are making significant progress on modern technology. If the UK fails to compete, it will be left behind. So this is spending needed anyway irrespective of Brexit.

Australia in particular is a good example of how Britain could be doing more with technology. Their Department of Immigration and Border Protection is aiming for Australia to have the first entirely

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<sup>18</sup> Office for National Statistics, Overseas Residents Visits to the UK, <https://www.ons.gov.uk/peoplepopulationandcommunity/leisureandtourism/datasets/overseasresidentsvisits/totheuk>

<sup>19</sup> Reform, The future of public services: digital borders, p2-6 <http://www.reform.uk/wp-content/uploads/2017/06/The-future-of-public-services-digital-borders.pdf>

automatic biometric processing system in the world. The programme has received a budget of AUS\$93.7 million, aiming to process 90% of incoming passengers by 2020 solely based on their face.

Money invested in modern technologies will allow speedy and secure border controls. Controls that could operate faster after we leave the EU, even though more people would be subject to checks.

## Paying for Our Borders

It is clear that the UK requires investment in its borders. Yet this investment must be paid for.

One way would be for the UK to introduce a European Travel Authority (ETA) visa waiver requirement for travel to the UK. As the number of people from elsewhere in the EU visiting the UK has grown from 20 million in 2011 to 25.5 million in 2016/17,<sup>20</sup> a charge of a £10 fee for an ETA visa would yield some £255 million from EU arrivals alone. That would equal some 50% of the UK Border Force Budget.<sup>21</sup>

In addition, the visa waver system would have significant security benefits.

The Government should increase its funding for the UK Border Force, paid for by a visa waiver system charge. This would enable investments in new technologies and innovation to ensure that Britain is ready on day one for Brexit and that the border is as strong as it can be.

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<sup>20</sup> Office for National Statistics, Overseas Residents Visits to the UK  
<https://www.ons.gov.uk/peoplepopulationandcommunity/leisureandtourism/datasets/overseasresidentsvisits/totheuk>

<sup>21</sup> Charlie Elphicke, The UK's Brexit Border – Security and Money', page 2-4  
<http://www.elphicke.com/downloads/the-uks-brexit-border--security-and-money.pdf>

## Securing the Border

We may be leaving the EU – but we are not leaving Europe. At the Dover frontline, we know the value and importance of co-operation. Particularly to defeat the traffickers, terrorists and organised criminals.

The UK has a long standing relationship sharing intelligence with the EU. And as part of the Five Eyes intelligence community there will be a vital intelligence bridge.<sup>22</sup> It is in the interest of the UK and the EU that intelligence continues to be shared and we see that the proper, proportionate and necessary security checks are made at borders.

Using systems and intelligence more effectively will help the Government keep foreign criminals out of the UK. If they can't get in, then the UK won't have to remove them. A visa waiver system doesn't simply have financial benefits, it has security benefits too. The detailed advance passenger information can be used to "de-risk" people before they arrive at the US border.

In the UK, this could be developed further, storing data in one simple database. A database that can be integrated by police, Border Force, the NCA and other relevant authorities. By the time people arrive at the UK border, important checks could already have been carried out by automated systems that cross reference passengers against watch lists. Persons of interest will have been flagged up for denial of travel altogether or for more detailed checks on arrival at the UK border. Border officers would be focused on risk while legitimate people and trade can flow freely.<sup>23</sup>

Security co-operation could and should be maintained post Brexit. The Department for Exiting the EU has set out proposals in its policy paper – 'Security, law enforcement and criminal justice'. This argued:

'The UK and the EU have a shared interest in a secure neighbourhood and in the security of friends and allies around the world... [it is] vital that the UK and the EU maintain and strengthen their close collaboration in these areas [security, law enforcement and criminal justice] after the UK's withdrawal from the EU... This would be a partnership that goes beyond the existing, often ad hoc arrangements for EU third-country relationships in this area, and draws on the legal models that the EU has used to structure cooperation with third countries in other fields, such as trade.'<sup>24</sup>

Security co-operation and information sharing could include:<sup>25</sup>

- Passenger Name Records (PNR) data to enable identification of individuals involved in terrorism-related activity and serious crime.

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<sup>22</sup> UKUSA Agreement, appendices, [https://www.nsa.gov/news-features/declassified-documents/ukusa/assets/files/new\\_ukusa\\_agree\\_10may55.pdf](https://www.nsa.gov/news-features/declassified-documents/ukusa/assets/files/new_ukusa_agree_10may55.pdf)

<sup>23</sup> Charlie Elphicke, 'The UK's Brexit Border – Security and Money', page 4,5  
<http://www.elphicke.com/downloads/the-uks-brexit-border--security-and-money.pdf>

<sup>24</sup> HM Government, Security, law enforcement and criminal justice, page 2, 3  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/645416/Security\\_law\\_enforcement\\_and\\_criminal\\_justice\\_-\\_a\\_future\\_partnership\\_paper.PDF](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/645416/Security_law_enforcement_and_criminal_justice_-_a_future_partnership_paper.PDF)

<sup>25</sup> HM Government, Security, law enforcement and criminal justice, page 4-6  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/645416/Security\\_law\\_enforcement\\_and\\_criminal\\_justice\\_-\\_a\\_future\\_partnership\\_paper.PDF](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/645416/Security_law_enforcement_and_criminal_justice_-_a_future_partnership_paper.PDF)

- The Schengen Information System (SIS) to flag people of interest to law enforcement. From April 2016 to end March 2017, over 9,500 foreign alerts received hits in the UK, allowing UK enforcement agencies to take appropriate action, while over 13,100 UK-issued alerts received hits across Europe.
- The Europol Internet Referral Unit (IRU) whose purpose is to detect and combat terrorist propaganda online, while the European Strategic Communications Network (ESCN) aids co-operation on the use of strategic communications in countering violent extremism (CVE) across Europe.

The Department for Exiting the EU suggests the exact nature of the UK's future relationship with the EU on security will need to be agreed in the course of negotiations. The focus should be on the areas of cooperation that deliver the most significant operational benefit, to ensure the best possible outcome for both the UK and its EU partners. It's important that the policy should co-operation with the EU, rather than control by Brussels and the European Court of Justice.<sup>26</sup>

Non-EU Member States already co-operate with the EU on security, so there are precedents to build on.<sup>27</sup>

**Data driven law enforcement:** a number of third countries, including the US and Australia, have agreements with the EU on the protection of European Passenger Name Records (PNR) data.

**Two non-EU countries** – Norway and Iceland – have concluded agreements with the EU to participate in Prüm (an EU IT system for rapid sharing of fingerprint, DNA and vehicle registration data for law enforcement purposes). Switzerland and Liechtenstein are also in the process of seeking participation in Prüm.

**Practical cooperation:** the EU has concluded agreements in regard to mutual legal assistance with a number of third countries, including the US and Japan. Norway and Iceland also have MLA agreements with the EU, which facilitate streamlined judicial cooperation.

**EU agencies:** a number of non-EU countries such as the US, Norway and Switzerland have agreements with Europol and Eurojust that allow them to work with the EU and its Member States through those agencies.

In addition, it is important to recognise that the UK is a global leader in terms of security. This is evidenced through the 'Five Eyes' agreement. Five Eyes consists of the UK, Canada, New Zealand, Australia and the USA. It is an intelligence pact that engages in comprehensive intelligence sharing, which is more detailed than the intelligence sharing throughout the rest of the world.<sup>28</sup>

Co-operation between the UK and the EU on security brings with it many benefits for both sides, and should clearly continue. The EU already has templates for co-operation with third countries. It would make sense for the UK to use those templates as a basis for security co-operation post Brexit.

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<sup>26</sup> HM Government, Security, law enforcement and criminal justice, page 6-11  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/645416/Security\\_law\\_enforcement\\_and\\_criminal\\_justice\\_-\\_a\\_future\\_partnership\\_paper.PDF](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/645416/Security_law_enforcement_and_criminal_justice_-_a_future_partnership_paper.PDF)

<sup>27</sup> HM Government, Security, law enforcement and criminal justice, page 12,13  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/645416/Security\\_law\\_enforcement\\_and\\_criminal\\_justice\\_-\\_a\\_future\\_partnership\\_paper.PDF](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/645416/Security_law_enforcement_and_criminal_justice_-_a_future_partnership_paper.PDF)

<sup>28</sup> What is the Five Eyes intelligence pact? CNN, 26 May 2017, <http://edition.cnn.com/2017/05/25/world/uk-us-five-eyes-intelligence-explainer/index.html>