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UK Visa refusals for African visitors

**A joint evidence session of the APPG on Africa and the APPG on Malawi,
with Afford and the Royal African Society**

22nd January 2019, 18.00

Grimond Room, Portcullis House

Chi Onwurah MP welcomed parliamentarians, panelists and guests to the joint-meeting of the Africa APPG and the Malawi APPG, with AFFORD. The APPG for Africa is a cross party group of UK parliamentarians from both the House of Commons and House of Lords. It exists to facilitate mutually beneficial relationships between Africa and the UK and works to challenge outdated stereotypes and further understanding within the UK parliament of contemporary of Pan-African matters and African development agendas.

The APPG for Africa is supported by the charity the Royal African Society which provides the group's secretariat. Through its meetings, public events and reports, the group critically engages with a wide range of topics and ideas in the political and policy space. The APPG priorities building relationships with African policy makers, business, civil society and diaspora to better inform our work and as such we are pleased to be partnering with AFFORD and the Malawi APPG for this event and inquiry.

Chi Onwurah MP noted this meeting provides an opportunity to hear and discuss evidence and experiences from a range of sectors on the consistency and quality of the decision making of UK Visas & Immigration (UKVI) for visa applications. This is an ongoing issue which the APPG for Africa, the APPG for Malawi and the organisations we are partnering with for this work are regularly confronted with.

Evidence will be presented in two panels followed by some Q&A with, and further evidence from, wider participants. The discussion from this meeting coupled with the written evidence already gathered will inform a policy brief that will be presented to the Immigration Minister Caroline Nokes MP whom the APPG is meeting with on the 13th February. Please keep questions and comments brief and succinct to allow as many people as possible to contribute.

As a local MP, Chi Onwurah MP noted she has seen first-hand the difficulties constituents have in securing UK visas when inviting friends and family from Africa. Locally, the Bishop of Newcastle has highlighted how faith visitors have experienced similar struggles. Too often businesses, academics and scholars are having visas rejected, often for seemingly inexplicable reasons.

Chi Onwurah MP raised the matter in FCO Questions that morning, with the Foreign Secretary offering strong assurances that he would take the matter seriously, taking the output from this meeting and raising directly with the Home Office.

There will be two panels and at the end of each there will be an opportunity for Parliamentarians and guests to ask questions and share their experiences on this topic.

PANEL SESSION ONE:



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Each panelist was invited to speak for up to seven minutes.

Iain Halliday, McGill & Co Solicitors

Iain Halliday introduced himself as an immigration solicitor based in Glasgow. He is regularly involved in visa applications and has on a number of occasions taken the UK Government to court over refusals.

Iain highlighted the five legal requirements to secure a UK visit visa. First, that the applicant intends to leave the UK at the end of their visit. Second, that they won't be living in the UK through frequent or extended visits. Third, that they are genuinely seeking entry for a purpose permitted by the visit visa rules. Fourth, they are not carrying out any prohibited activities, such as work or study. And fifth, that they have sufficient money to pay for the trip.

These are fairly standard requirements but the issue is in the application of these requirements. The first four of these criteria relate to the 'genuine visitor test' which, from Iain's experience, is the reason most applications are refused. The decision-maker simply doesn't believe the person applying is a genuine visitor.

While visitors of all nationalities have to meet the same test, Iain has noticed differences in the application experience from those applying from different parts of the world. This is born out by the statistics. The global visa refusal rate is 12%. This goes down to about 11% in the Middle East and Asia, 4% for North Africa but for Africa a very high 27% of visit visa applications are refused. Iain suspects there are a couple of reasons for this, which can be found in the application of the immigration rules.

First, that the Home Office guidance on the 'genuine visitor test' allows the political, economic and security situation of the country of application, or the nationality, to be taken into account. And also statistics on immigration compliance from those in the same geographical region. This allows all manner of prejudices and assumptions to come into consideration when working out if someone is genuine or not. It ultimately comes down to the fact that the Home Office are less inclined to believe that people from some parts of the world will leave the UK at the end of their visit.

To be fair, intention is a very difficult thing to judge. People from all over the world come here on visit visas and overstay, and there is a legitimate interest in preventing that from happening. But the solution to that problem is not to simply assume that everyone from a particular part of the world isn't going to leave.

Second, there is a list of countries from which applicants have to apply for a visa before they travel. Those from countries not on the list can get visas on the border and it is a much more streamlined, faster process, without the need to provide documents. 45% of countries on the list are in Africa. All the countries in Africa are on the list apart from four. So it is demonstrably more difficult for people from Africa to get a visit visa for the UK.

The other main barrier is the lack of appeal rights when a visitor visa application is refused. This means there are very limited mechanisms for accountability and oversight. The system cannot learn from its mistakes. Iain usually becomes involved in cases after visa have been refused and his advice to clients now is to just reapply trying to address the reasons given in the refusal letter, trying to gather as much evidence as you can possibly gather. This means making multiple applications, providing ever increasing documentary evidence, becomes the norm without anyone actually considering if this is the system we actually wanted, and whether this is either sensible or desirable.



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So the process is quite mind would have designed but has developed organically from the fact there is no right to appeal and no accountability.

Iain has seen some very questionable visa refusals, but with no right for legal remedy there is not much that can be done to solve the problem.

Albert Tucker- Director Karma Cola Foundation, Associate at Twin Trading

Albert Tucker thanked the APPG for the opportunity to share his experience. He introduced himself, noting he is involved in ethical trade. Consumers in the UK and Europe are consistently interested in ethical, environmentally friendly, organic, fairly traded goods.

Part of this trade relies on people understanding what ethical trade means. The best way to facilitate this is to get members of the producer communities to travel to the UK to help market their products . This is good for UK trade and for British global businesses.

Many of the key issues with the visa system have already been described by Iain, but another challenge to highlight is the practical reality of the travel necessary within the country of application. This is a huge logistical hurdle. In Sierra Leone, a farmer invited to the UK needs to travel to Akra and spend nearly a week there to be able to start the visa application process. This is even before you consider the necessary criteria to ensure their application is successful. For many people it simply isn't a practical reality to be able to travel in this way.

All of us are guilty of promoting this idea that Britain is open for business but this is not the lived reality. As an example, in the next three months Karma Cola have a festival in Amsterdam and a festival in the UK, both to promote fair trade and ethical goods. Cocoa farmers from Sierra Leona have been invited to represent their product and speak about the importance of ethical trade in this important region: one of the last remaining rainforests. We still do not know if they will secure a visa to be able to enter the UK and this makes it incredibly hard to plan festivals and engagements.

It is not just the rules but the way they are applied and resultant practical logistical challenges which individuals face, travelling around the country again and again, to try and navigate this system. We need to be doing far more to promote and support British trade, especially with Commonwealth countries. These visa issues are also found in African music and fashion – these are all key growth areas.

British arts and fashion industries want to participate in the African market but its far easier for Africans to go to Paris or Brussels than come to Britain. Commercially we're doing Britain a huge disservice because the African continent is one of the next big growth areas but at present we're creating ever more hurdles, blocking British businesses' attempts to engage this market. This is causing real business and commercial damage, and we need to address this.

John Davis, Senior Producer the London International Festival of Theatre (LIFT) 2011-2018

John Davis thanked the Group for the opportunity, noting that he is no visa expert but he has experience from many years of applying for visas for those invited to the UK to take part in cultural festivals.

As Iain has noted, there are a number of ways of bringing people into the UK. John mainly uses Tier 5, which is useful because it places more of the emphasis on the hosting organisation to ensure the artist is invited for a legitimate reason and will leave the UK at the end of the engagement.



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There are other routes, on the individual, the

artist, to have a bank account, to have evidence of their profession. Often festivals are working with incredible, talented artists who don't necessarily have those documents, who in their own country may do other jobs to make a living while also touring the world internationally.

So festivals uses the Tier 5 route which is more expensive and is meant to be up to a year's worth of employment and residence in the UK. They use this route, even for visits with as little as two performances over just five days. This is not the intended usage of the Tier 5 channel but festivals do so because it allows, as much as is possible, it helps ensure artists get their visa. However, there are many challenges of pursuing this route, including: the length of time it takes to make the application, how opaque the process is, and the cost of that process.

The stated processing time is up to 30 days but with efforts made to try to process within 15 days. However, this is from the point of having an appointment at the visa application centre. Many have already had to travel hundreds of miles to get this appointment and it can often take a couple of weeks to get an appointment to start the process. This means festivals really advise three months to be able to apply for a UK visa, which is a very long time.

Once you have made your application you then handover your passport for the period of time it takes to navigate the process. This is challenging for many artists, particularly international artists, who cannot then leave the country during this period.

When you have a rejection it is often follows very questionable logic. For example, the festival has just had a visa refusal for a dancer they have invited from the Congo. The rejection letter said 'why did you not find dancer to fill this role in the UK?'. In this instance the dancer was a very highly established choreographer, who had been a part of a show that travelled internationally giving an autobiographical performance. There is no way an individual within the UK could perform this role in a comparable manner.

In this example, many similar applications at the same time were accepted but this one was rejected. A Tier 5 appeal was made but this takes 28 days and you cannot add any new information, it just goes to a new assessor. Again, the challenge of artists having to travel around the country to attend these repeat visits is very difficult.

The cost of a Tier 5 visa is £245. If you're bringing in multiple artists this can be prohibitive. And this is only if you are already a Tier 5 sponsor.

In the arts this has become a big issue, especially for music festivals. Every summer there are headlines lamenting key artists being refused visas.

John identified four ways in which he felt the visa system could be made more appropriate. First, for assessors to have direct contact with the organisation hosting. Too often you put in an application and there is no one to speak to. This is incredibly challenging. Second, a reduction in costs for the visa. It is prohibitively expensive for many organisations. Third, passports should be given back at the point of application, rather than taken away for the full duration. Fourth, clarification of the appeal process. It is very unclear how an appeal can be made. And fifth, online updates – so you can track applications and see where your visa is and when you might receive it back.

Chi Onwurah MP thanked all three speakers in the first panel, commenting she recognised the issues identified from her constituent's experience. Parliamentarian members of the Group were invited to ask questions and share their experience.



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Jeremy Lefroy MP

commented that, having lived in Tanzania for a number of years and been on the receiving end of not being given permission to stay, he always thought the process should put the onus on the hosting organisation giving the guarantee that guests will return. In most cases those visiting the UK do not wish to stay in this cold and wet country but if the organisation was not competent in ensuring there was no overstay it should be held responsible. This would make it much easier for the individual invited, provided the organisation had done the work.

Albert Tucker agreed, saying it was not in the organisation's interest to permit an overstay. His organisation has twenty years' experience without issue and still finds that an individual may be given a visa one time only to be rejected the following time. If organisations, rather than the individuals, were the ones having their credibility checked, this would very much help trade. The organisation will almost always know the individual invited better than the system does. This would be a helpful policy change. Allowing organisations to build up a track record to support future visits.

Liz McInnes MP introduced herself as the Shadow Minister with responsibility for Sub-Saharan Africa. Listening to her constituent's experience, it is clear to Liz that UK visas are often handled so slowly that, for example, the family event for which an individual is invited to the UK may have happened before a decision is made. Liz McInnes highlighted John Davis' five recommendations and agreed that online tracking would make a huge difference to those who come to her surgery. She suspected this proposal would be met with a lot of resistance from the UK Government because it would show how poorly visas were being handled. Liz McInnes asked whether panellists felt these issues were deliberate government policy or a sign the system has become overwhelmed. This is the question she is keen to ask the UK Government.

Chi Onwurah MP commented that whether this is intentional policy, is a question that can be asked by the Group of the Minister in the following meeting.

John Davis commented that in many cases applications are processed within the published timescales but he agreed the biggest challenge is not knowing what stage the application is at through this process, and having to hand over your passport for the duration.

Iain Halliday agreed, he felt that one of the biggest issues was the inability to contact anyone in the Home Office. Many people could cope with delays if they knew what stage they were at and why there were delays. But at present you put in an application and you simply wait, with no idea what is happening. The helpline is usually fairly useless. He encourages applicants to contact their local MP because at least there is a dedicated unit to manage responses.

Albert Tucker felt that the real timelines for visa application are often twice as long as the government stated figures if you include the time to apply for an appointment and physically visit a centre. It involves a huge amount of travelling and then just waiting to get even a simple visitor visa. He felt that this was probably not an intentional government policy but fears this is very much how it seems from those navigating the system.

Lord David Steel agreed with Jeremy Lefroy MP, that if we moved the legal obligation from the individual to the sponsor, that would clear a lot of the logjam. He feels very strongly about this because he has attended events in Edinburgh where the main speaker is not present because they have had their visa rejected. It is quite ridiculous. In the past MPs could pick up the phone and speak to the High Commissioner of the country concerned and either they would give a proper explanation or they would overturn the decision. You cannot do that now. MPs have no power now, with decisions seemingly outsourced to a private agency. For people in Kenya and Malawi to have to send all their personal



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documents to Pretoria
is to turn the legal

is just ridiculous. It is just crazy. So the only way round it
obligation round onto the organisation in this country

Matt West, the Regional Director for Africa at De La Rue, commented that he has around 100 applications a year, about 40 of which are from Africa. He writes letters of sponsorship which are submitted with their visa applications. Recently they had a delegation from the Horn of Africa which had their visas rejected because they did not provide enough information and the assessor did not believe the credentials. The assessor actually phoned from South Africa to ask is this application was legitimate, asking for the letter to be re-worded to say they will ensure they will return at the end of their visit. So this letter of sponsorship needs to be clearly worded to ensure it is explicitly stated the individual will return at the end of their visit.

Lord Popat reflected from the business perspective, speculating that the UK could be losing £50billion of trade and investment due to visa issues. If we are a genuinely outward looking country, post-Brexit, we need to improve this. The fundamental problem is we still think of Africa as a continent of poor health and of dictators. While these are young democracies, often with challenges, they are important emerging markets with fast growing populations. We should be making much more of the advantages we have to build trade, including the common language we have with much of Africa.

Lord Popat commented that every time he visits Africa businessmen complain to him about the visa issue, which needs to be solved. The Chinese, the French, the Germans do not create these kind of barriers to trade, and we wonder why Africa is turning elsewhere.

Albert Tucker commented that perhaps 70% of the population of Africa is under 35. Many young people in Africa are developing businesses by travelling to China, developing links and relationships, exploring new products they can import and starting new businesses as a result. If you suggest they do the same with Britain they look at you like you are crazy because you can go to China tomorrow, do business and return the same week. To come to Britain you have to spend weeks and months applying for a visa, so they look elsewhere. We are losing business.

Chi Onwurah MP agreed that it is important the young men and women of Africa are looking to the UK as a business partner, and this is one of the ambitions of the APPG for Africa.

Chi Onwurah MP invited guests to ask questions and share their experience.

Councillor Kate Anolue, Deputy Mayor of London Borough of Enfield, commented that she was in Nigeria when the meeting was advertised and is delighted to be able to be here and share her experience. She believes she is a good citizen and has been in this country for over 40 years working as a midwife and ultimately becoming Major of Enfield. Councillor Anolue outlined multiple instances when she has applied for close family members to visit her in the UK but visas have been rejected. In some instances, applications are granted one year for an individual, only to be refused in a future near identical application. She can afford their flights and accommodation and is frustrated that it is not clear how she can make a successful application to allow her only sister to visit her in the UK after 40 years, to attend her 70th birthday and see her being made Major for the second time.

A representative of the Ghanaian High Commission highlighted a number of issues they have experienced. They have had Government officials who have had UK visas refused, despite travelling on official business. Personal assistants are often regularly refused, because exorbitant bank statements are required, but these are junior staff. If a visa application is submitted with an official letter from another Government, it should be clear they are travelling on official business and their bank balance should not be a factor in decision making. There have been so many cases where distinguished officials,



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businessmen and
cost of visas is

academics from Ghana have had their visas refused. The unbelievable and there is no refund when the visas are denied.

Fionuala Murray, Head of International Operations at the Catholic Agency For Overseas Development (CAFOD), commented that she is regularly applying for UK visas and over the last 7-8 years there has been a steep increase in the number of refusals, with the reasons becoming ever more unbelievable. The right of appeal is also no longer available for a visitor visa.

As a faith-based agency they are applying for Priests, Bishops and Arch-Bishops to come to the UK. They recently had one refusal from the DRC where a Priest was denied a visa for not being able to say how much they have in their bank account. Catholic Priests do not earn an income, so it was was a ridiculous reason for a refusal.

The information that is being asked for is deeply intrusive. Despite clear letters from CAFOD that they support the visit and are financially responsible for visitor, applicants are still asked to provide evidence about what is in their bank account. If, for example, the bank statement says an individual has £200 in an account but they haven't provided written evidence of what these funds are and where they have come from, visas are rejected, with no right to appeal.

When CAFOD has a visa rejection they make a second application, often with the same information and evidence, and it is often then granted. So there does not appear to be any rational reason to this decision making. It often feels like there is a quota for the number they have to accept and those they have to refuse.

Fionuala Murray agreed that travel within the country of application is a real challenge, with their staff in rural DRC having to travel to Kinchasa to be able to start a UK visitors visa. This is deeply disruptive to their work.

Carolyn Forsyth, a Senior Producer for LIFT, an international theatre festival, highlighted the lack of consistency in the applications she has been a part of. She recently put in two applications that were exactly the same, with dancers that have been touring the world for over fifteen years. One was refused, the other was granted, with no clear sense of why this was the case. It felt like the visa assessors had not read the application because it quite clearly stated it was about these individuals sharing their personal experiences of the civil war, and yet they were asked why they hadn't simply recruited dancers from the UK. There is something not very nice going on in the Home Office, she does not feel it helps that it is being farmed out to an outside agency who she does not think have any sense of the countries. She fears that the same weight is not given to artists as business people. If these artists cannot be brought to the UK thousands of pounds are lost and festivals simply cannot go ahead.

Pieter Tesch, Founding Director of the Mauritanian British Business Council, noted that Mauritania operates a visa on arrival system. So those travelling from the UK and elsewhere can apply as they fly in. This is not reciprocal at all. Even with diplomatic passports, it takes five days to secure a UK visa. For most visits it is simply easier for officials to fly to Paris or Brussels than to visit the UK. He is currently working on various very senior visa applications and he just knows there will be problems. This is a problem which must be addressed.

Sangeethav Navaratnam, Advocacy Adviser for ActionAid UK, commented that she recognises everything that has been noted today. She has seen precisely these issues, again and again, just from her own experience. ActionAid works to get young human right activists to come to the UK to speak about their work but visas are often refused because of income and bank statements. This is a huge issue, especially when visas cost so much and the helplines are very, very expensive. Applicants ask ActionAid



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to call on their behalf issues. Even when

sponsoring their own colleagues, who have been working for a number of years, it is not trusted that they will go back. There is a fundamental 'Catch 22': how will staff develop the skills and experience to earn more, to have funds in a bank account, to be trusted to enter the UK.

Iain Halliday commented that what needs to change is the culture at the Home Office. They do not believe applicants will leave and they do not believe organisations who are inviting people, with very little credence given to the sponsorship letters. It is the culture of disbelief that needs to change. Iain Halliday also agreed that a lack of consistency is deeply worrying. There is need for greater independent accountability, with those rejected able to take their case to an independent judge for a review. This ended in 2009 for visitor visas and, since then, those rejected just continually re-apply. A right of appeal would create accountability and assessors would have to be able to justify their decisions.

Albert Tucker agreed there is a need for culture change, speculating that there is a perception that if an applicant or sponsor is white they are more likely to be believed. Also, assessors would be far better able to decide whether the sponsoring organisation was trustworthy if there was better tracking and record keeping of past applications.

Albert Tucker highlighted that the fair trade movement believes that, after Brexit, there is a need to change the way we transact business. We need to be kinder; not less official, but kinder. Our visa system is brutally unkind and that culture needs to change.

For many years the British approach to international development, of local ownership and capacity building, has been respected and admired. And yet these individuals who have been locally trained, developed and supported are not then allowed to enter the UK on official business. Our policies are self-contradicting.

Jeremy Lefroy MP commented to the Ugandan High Commission that they have an excellent new visa system and suggested the UK should look to genuinely learn from Uganda and others that are getting this right. For various reasons other countries are doing it a lot better than the UK.

Chi Onwurah MP thanked the Panel and other contributors. Although it has been hard listening, it confirms her experience and that of her constituents. This is clearly a systemic and cultural issue within the Home Office. Tinkering around will not address it. There needs to be recognition on behalf of the Home Office. As a local MP she has been able to get changes to individual decisions, so she recommended that those with issues speak with their local MP.

PANEL SESSION TWO:

Insa Nolte, African Studies Association and University of Birmingham



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Insa Nolte noted that, ever greater issue in

like business and the arts, visa refusals have become an academia. She reflected on numbers from their most recent bi-annual conference which attracted around 800 academics from around the globe. Both the conference organisers and the University of Birmingham submitted letters of support and invitation with each visa application. 186 letters of invitation were issued for colleagues travelling from Africa. Of this, 142 attended the conference, with clear documentation of visa refusals or delays in 21 cases. 15 of these were Nigerians and 3 were Ugandans, which was not representative of the number of applicants attending the conference from each country.

The misunderstandings were striking. One common issue was that applicants, even with adequate funds in their personal bank accounts, were told conference anticipated expenses were not commensurate with their financial circumstances. In other words, visa officers made the decision of what was an appropriate level of expenditure for African academics who had saved up to attend the conference. The conference organisers find this incredibly patronising and undermining.

There were also a number of issues related to documentation, especially for third country nationals. In a number of cases visa officers simply misread applications or failed to grasp the professional context of work in a way in which, frankly, could be taken for racial prejudice.

In one instance a highly regarded full Professor who had been invited to the conference in recognition of his outstanding contribution, and for whom the conference organisers were covering all costs, was denied a visa because he had not demonstrated that, “he had previously been sent on similar training in the UK”. The assumption that an African academic would only visit the UK to be “trained” is offensive.

The conference organisers intervened in a number of cases of refusals, with the Royal African Society. There was some success, with five of those who re-applied with new letters from UK institutions granted visas. But those who reapplied without additional UK letters, even those funded by extremely well known international funders, were not granted.

Matt West, Regional Director for Africa at De La Rue, agreed that the visa process is broken. Rather than go through all the same issues others have already raised, he will propose two possible solutions.

De La Rue is a household name in much of Africa, where it has been doing business since 1850. Today they print official documents like passports, money and birth certificates for governments and banks. They have around 100 visits a year, about 40 of these are from Africa. Each year they have issues with visas, which is extremely embarrassing and bad for business.

What they have tried to do differently is to work with the Department for International Trade (DIT). Asking the DIT to submit a letter as part of each UK visa application. They also work with the local British High Commission or Embassy, asking for assistance. But even the High Commission or Embassy often have issues getting information on the status of visa applications once submitted.

One solution would be to reverse the hub and spoke model which was introduced about ten years ago and which has been so problematic. We need to go back to having local visa application centres, with local knowledge. Even if seemingly costly in the short-term, it would only offset the significant hidden cost of the business the UK is losing through the current model.

Lord Popat agreed that having just two regional hubs serving a market of 1.2 billion people in this key emerging market is bad for UK business. The loss of local knowledge, from the British High Commissioner or Ambassador and their team, since the introduction of the hub and spoke model was introduced has reduced the quality of decision-making.



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Patrick Grady MP, Chair of the APPG for Malawi, reflected on his long experience with this acute issue. One of the first events he went to as an MP was with ActionAid looking at gender-based violence. It was sponsored by the UK Government and yet the witnesses invited to the UK could not get a visa. More recently, at an Africa APPG event, the Trade Minister from the African Union had got a visa but only after countless difficulties and hurdles which were humiliating and embarrassing. He spoke frankly about the how obvious it was, from the half-full business class flights to the UK, that Britain was losing trade because of its visa handling.

Patrick Grady had the opportunity to raise these issues in an adjournment debate in the House a couple of months ago and he hopes that this event brings together really solid evidence, case studies and analysis which can be taken forwards in the Commons and the Lords through a variety of routes.

While the numbers and the percentages of rejections are important, they do not necessarily tell the whole story as this only ever those who have successfully completed an application. It is important to look at the human and economic impact of the underlying system and how this is acting as a significant deterrent. The amount of evidence applicants are asked to produce, often in parts of the world where birth certificates and online bank accounts are not always available, is deeply worrying.

Lord Popat commented that there are many people that are keen to genuinely contribute to the UK through short visits and trade but our visa system is brutal and unkind.

John Addison, of the Stevenage Kadoma Link Association and the Britain Zimbabwe Society, highlighted that he and his organisation have experienced all the same issues others have already noted. The visa system is undermining the relationships between people in the UK and Zimbabwe: this is the single biggest challenge currently experienced in this bilateral link. They have given support to many applications but it is increasingly clear that this makes little difference to the outcome of a visa application.

One recent applicant, a teacher in a school in Kadoma, had already been to the UK twice before. What more solid evidence could anyone have that they will return than having been twice to the UK before without issue or overstay? This reflects the arbitrary mentality of the agency considering these applications.

One point John Addison has been asked to represent by the Britain Zimbabwe Society, is the issue of timescales. It is extremely hard to be able to organise visits in the necessary timescales for visitors to attend key events, with decisions often not made until after the event has taken place.

There is a lack of learning and intelligence in the application of the regulations. UK nationals can visit Zimbabwe with no issues. While in Zimbabwe visiting partners they are often asked "can we visit you". They can provide travel, accommodation and everything for such a reciprocal visit but the single obstacle is our own UK Government. This is extremely embarrassing.

Martha Sanyala Gonondo, First Secretary Consular of the Malawi High Commission, commented that these are the same issues they have experienced. UK nationals can visit Malawi but Malawi nationals find it very hard to visit the UK, even with clear support of a sponsor. There are also multiple instances of officials from the Government of Malawi not being able to visit the UK because of visa issues.

Joel Bravette, Head of Marketing & Communications at the Africa Centre, noted that last year they hosted a major festival with a world music stage. It was hugely successful but, beneath the surface, they were experiencing huge issues trying to secure visas. The timelines are deeply problematic, with last minute visa cancellations for headline acts that are named in printed materials a huge issue.



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David Hope-Jones, Chief Executive of the Scotland

Malawi Partnership,

reflected that over the last ten years the Scotland Malawi Partnership, representing some 1,200 civic links between the two nations, has seen huge numbers of visa challenges, as Malawians are invited to Scotland as part of credible longstanding links. While the individual staff who process the applications are clearly hard-working and often genuinely individually helpful, the policy within which they work is deeply flawed and there are gross systemic failures.

None of what has been said so far is a surprise, with the same issues and challenges others have shared visible in the Scotland-Malawi relationship. The Scotland Malawi Partnership has collated details about the nature of issues concerned, from organisations across Scotland, and will submit this as written evidence in advance of the Group's next meeting.

David Hope-Jones highlighted how embarrassing and damaging errors in the decision-making process can be. In one instance, a high profile Malawian musician was invited to the UK and advance written warning was given to UKVI and the FCO. The visa was rejected and a letter sent, on official HMG headed paper, saying 'we reject your visa because [insert reason here]' and 'you failed to meet section [insert paragraph number here] of the visa requirements'. This letter was shared directly with the then Immigration Minister in person, as evidence of the system's shortcomings.

For the Scotland Malawi Partnership, it is the requirement for bank statements that is the most inhumane and damaging. Few people in the UK, if invited to visit a country like Malawi, funded by the Government of Malawi, would find it acceptable that the same government demanded that one provides three months of personal bank statements and wage slips.

This requirement is morally unacceptable because it conflates poverty with presumed criminality in a way that would not be acceptable in the British courts. And it is practically flawed as there is no evidence to suggest the fundamental assumption that the poorer you are the more likely you are to abscond is actually true. Lived experience, and commonsense, anecdotally suggests the opposite may be true: money is mobile, having a few thousand pounds in a Malawian bank account might very well make it easier, not harder, to abscond when visiting the UK. The idea that smallholder farmers on a short visit as part of, say, a church partnership, with little money to their name, would be the most likely to abscond seems deeply questionable.

For all the reasons outlined, by so many contributors, there are a huge number of issues in asking for this hugely intrusive level of supporting information. It is so unkind, and so unpalatable, that it has the potential to undermine the UK's trust and credibility across the globe. If it also fails to serve the very function it is there to address, to deter those most likely to abscond, this seems to be a deeply failed policy.

Juliana Barrett, Regional Support Officer (Africa) at CAFOD, commented that UKVI must be held to account as there seems no way to understand what the terms of reference are how one can appeal when errors are made. CAFOD has had visa applications rejected because of transcribing errors by the assessor and in one instance had a group of Bishops miss their flights because UKVI had sent their passports back to the wrong country. To rub salt in the wound, the Bishops were then able to get a visa to visit the USA in one day. There is a chronic lack of understanding in the decision-making: a lack of understanding in the basic geography of Africa and a lack of understanding in how faith organisations work.

Another gentleman highlighted an instance where an individual was denied a UK visit visa despite having previously been a legitimate resident in the UK, because of a lack of funds in their personal account. He agreed the issue was a lack of accountability since the right to an independent appeal ended.



Royal African Society



Another gentleman

highlighted his experience, that his mother was rejected because she did not have any fixed assets in Lagos. She is relatively affluent and evidence of family property was submitted with the application, but the visa was rejected because the deeds were not in her name, and she 'could not rely' on her husband or son according to the visa assessor.

Chidi Oti-Obihara, a Members of the Green Party, suggested that the underlying issue is that the government has set hard targets for immigration and that we have a visa system that is collapsing because there are limits on how many people can come into the country. He suggested there would be merit in having different types of visitor visas, including for restaurant workers. In east London, businesses are coming to a halt because restaurants cannot attract staff. We are a multicultural society, all working because we want Britain to be a better place. We need to get our policies to better reflect our values as a country.

A Professor of Law from Cardiff University, suggested that whether this was a deliberate policy or not was, perhaps, the wrong question. There is a culture that has been allowed to grow because there has not been sufficient oversight. It has become clear to the individuals within systems that no one is watching what is being done. Until you have effective accountability, making individuals accountable, it will continue to be a rogue system. She knows enough about the system to know there is not accountability. We need to look at what are the training requirements, what kind of feedback is there to the assessors?

Too often women are asked intrusive and inappropriate questions when men are not. Women are asked to provide evidence of marriage and children but men are not. This wouldn't pass muster in a European court but it seems to happen the whole time in the visa system.

That kind of culture can only develop where we are not robustly building a structure that makes the individuals accountable.

Stuart McDonald MP commented that until ten years ago he was an immigration lawyer. At that time you did have a right of appeal and that achieved two things. First, you could challenge the deeply questionable decisions made, with sponsors able to sit face-to-face with a judge and answer any questions. Second, it made sure that people making decisions knew there would be someone looking over their decisions, with detailed feedback given to the visa assessor when appeals were successful. It is essential to return to a system where appeals can be made.

Stuart McDonald MP agreed that the crux of the issue is the culture that has developed in UKVI, a culture of disbelief that marks too much of the Home Office's work as well.

While there are a number of problems with the new EU Settled Status scheme, at least one thing they are trying to do is to take a consciously helpful approach. So if someone has missed documentation, or has left some detail unclear, they pick up the phone and contact the applicant and try to fix the gap if possible. This is not the approach with visitor visas where, if something is missing, this automatically triggers a refusal. Any excuse is given for refusal.

It is a cultural shift that is needed. If assessors knew there was an expectation on them to actually look into any missing information, it would make it harder for them to make questionable and seemingly arbitrary decisions.

Lord Popat agreed that, with the rates charged for visa applications, it is a perfectly reasonable expectation that the assessor looks seriously at the application and is able to contact the applicant if some detail is missing or further clarification needed.



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Albert Tucker agreed with the earlier comment that the underlying issue was the net immigration targets. If there was greater transparency here, there would be greater accountability in the system. At the moment we are working blind. Greater transparency and tracking in the system is critical.

For Britain to have a significant place in the world post-Brexit, we need to improve this system. Ethical trade, which was arguably spearheaded in Britain, is now deeply challenged by the barriers created by the visa system. Britain's global reputation is being lost, and real commercial opportunities are being lost. It is not in our interest, as a country, to allow this to continue.

Carolyn Forsyth, Senior Producer at LIFT Festival, commented that she recently renewed her own passport and missed one piece of information. She was contacted by the assessor and asked for this information, and a passport was issued. So we already have a system in this country where we are able to handle comparable processes in a humane, proportionate and understanding manner. This same approach could be taken by the visa system.

Lord Popat concluded the session saying detailed notes would be taken, capturing all the evidence given, and that this would be shared with the Minister for Immigration in the Home Office. The Africa APPG, with the Malawi APPG, will look to represent all these points when they meet with the Minister on the 13th February. The Foreign Secretary has also committed to representing these points with the Home Secretary.

If we want to be a genuinely outward-looking country after Brexit we need to seriously reflect on how we are engaging Africa as a major emerging economy, and how our visa system is potentially undermining our global standing.

Patrick Grady MP thanked the Secretariat of the Africa APPG and Malawi APPG for organising the meeting and taking detailed notes. This will be a huge help when the two APPGs meet the Minister. The ultimate report that will be published from this work will then be taken forwards through various other channels to try and hold the government to account and improve the visa systems. We must continue to push for change.

If the UK Government is serious about its vision of a Global Britain it cannot continue to have these daft stories appearing in newspapers. The Celtic Connections Festival starting this weekend in Patrick Grady's constituency has reported in the media that artists from Africa aren't even starting the process of applying for a UK visa when invited because of their appalling past experiences. This does not fit with what the Government says its priority is.

Lord Popat thanked all speakers and contributors, and invited any further written submissions to come to the Secretariat.

End of meeting