HOUSE OF COMMONS
LIBRARY

Borders, Citizenship and Immigration Bill [HL]: Committee Stage Report

Bill No 115

RESEARCH PAPER 09/65 9 July 2009

This is a report on the Committee Stage of the *Borders, Citizenship and Immigration Bill*. It complements Research Paper 09/47 prepared for the Commons Second Reading debate.

This Bill would deal firstly with the transfer of border customs functions to the new UK Border Agency. It would also introduce new naturalisation requirements, deal with various other citizenship issues and place a new duty on the UK Border Agency to safeguard the welfare of children, also making provisions in relation to trafficking babies and children for exploitation. Some elements of the Bill underwent significant change in the Lords. The Bill as first published would have provided for immigration control to be introduced on air and sea routes within the Common Travel Area (the UK, Ireland, the Isle of Man and the Channel Islands), but these controversial provisions were defeated in the Lords. Originally the Bill would also have restricted the involvement of the higher courts in immigration and nationality cases, but a Lords amendment limited the scope of this restriction.

At the Commons Committee stage, the clause relating to the Common Travel Area was changed again and the original provisions reinstated. The introduction in the Lords of a grace period for those close to qualifying for naturalisation was reversed and the original provisions relating to judicial review were also reinstated.

Gabrielle Garton Grimwood

Recent Research Papers

09/51	War and Peace in Sri Lanka	05.06.09
09/52	Autism Bill: Committee Stage Report	10.06.09
09/53	European Parliament Elections 2009	17.06.09
09/54	Local Elections 2009	15.06.09
09/55	The Departmental Select Committee System	16.06.09
09/56	Marine and Coastal Access Bill [HL] [Bill 108 of 2008-09]	16.06.09
09/57	Unemployment by Constituency, May 2009	17.06.09
09/58	US Congressional debates on the financial crisis: key players, policy and future regulation	23.06.09
09/59	Holocaust (Return of Cultural Objects) Bill (formerly known as Holocaust (Stolen Art) Restitution Bill): Committee Stage Report	24.06.09
09/60	Members' Allowances	25.06.09
09/61	Parliamentary Standards Bill [Bill 121 of 2008-09]	26.06.09

Research Paper 09/65

ISSN 1368-8456

Contents

Summary

The *Borders, Citizenship and Immigration Bill [HL]* is the latest of many Bills seeking to amend the law on immigration, asylum and nationality.

Part 1 of the Bill is largely administrative, allowing for certain functions to be transferred from HM Revenue & Customs (HMRC) to officials of the UK Border Agency.

Part 2, on citizenship, would implement the Government's proposals for a new 'path to citizenship' by amending provisions of the *British Nationality Act 1981* on naturalisation as a British citizen. The main changes would:

- extend the basic qualifying period for naturalisation from five years to eight (or from three years to five, for applicants with a family connection to a British citizen);
- keep most applicants on temporary (limited) leave with restricted access to benefits during the qualifying period by introducing a new stage called 'probationary citizenship';
- reduce the additional qualifying period by two years for taking part in voluntary activities; and
- require applicants to have 'qualifying immigration status' throughout the qualifying period.

An Opposition amendment in the Lords introduced a 'grace period', during which the new rules would not apply to applicants already close to qualifying for naturalisation. The Government indicated then that it would return to this issue in the Commons and the 'grace period' was indeed removed on further amendment at the Commons Committee stage.

Part 3 of the Bill deals with immigration control. As introduced in the Lords, it would have introduced immigration control for air and sea journeys within the Common Travel Area (which comprises the UK, the Channel Islands, the Isle of Man and the Republic of Ireland). These provisions proved particularly controversial, as journeys within the CTA are not currently subject to immigration control. An amendment to remove this clause was agreed on division in the Lords, replacing it with a new clause preventing controls being reintroduced by means of an Order in Council. Again, the Government signalled its intention to return to the issue in the Commons and this clause too was removed at Committee stage, with the original provisions being reinstated. Other changes in this part relate to restrictions on studying in the UK, powers to take fingerprints and detention at Scottish ports.

Part 4 covers diverse issues. The Upper Tribunal was established in November 2008 as part of the new two-tier unified tribunals service under the *Tribunals, Courts and Enforcement Act 2007*; the Bill would originally have allowed any judicial review application in immigration and nationality cases to be heard by immigration judges in the Upper Tribunal, instead of by High Court judges in the Administrative Court. An amendment was agreed on division in the Lords which would limit the transfer to 'fresh claim applications' and prevent immigration appeals from the Upper Tribunal to the Court of Appeal being restricted. As with the other major Opposition amendments, the Government indicated its intention to return to this clause. The clause was removed at the Committee stage and the original clause reinstated.

Part 4 would also introduce a new duty on the UK Border Agency to safeguard the welfare of children. Some further measures – including those against trafficking of children – were added during consideration of the Bill in the Lords.

A further draft Immigration Bill, implementing the Government's proposals for the consolidation and 'simplification' of immigration and asylum (but not nationality) legislation, is expected in the autumn.

1 Introduction

1.1 Parliamentary history

The Bill received its first reading in the House of Lords on 14 January 2009. Second reading there was on 11 February, whilst the Committee stages took place on 25 February, 2 March, 4 March and 10 March. Report stage was on 25 March and 1 April. Third reading was on 22 April.

The Bill reached the Commons the following day, receiving its first reading on 23 April. Second reading was on 2 June. The Public Bill Committee devoted eight sessions to the Bill, on 9 June (morning and afternoon) 11 June (morning and afternoon) 16 June (morning and afternoon) and 18 June (morning and afternoon).

Library Research paper 09/47 *Borders, Citizenship and Immigration Bill [HL]* describes the Bill and offers detailed background information. Details of the Bill's progress, together with links to other relevant documents, can be found on the Library's Bill Gateway pages. A separate standard note (SN/HA/5122) discusses the debate surrounding a separate police force for UK borders.

2 Second reading debate

As in the House of Lords stages, the Bill attracted much interest and comment. The following summary seeks to capture the main points of the debate at second reading.

Several contributions to the debate concentrated on what the Bill was not, or what it omitted. Chris Huhne, the Liberal Democrat Shadow Home Secretary (for example) remarked that it was the eleventh immigration Bill since 1997 and yet did not fulfil the Government's promise of a Bill to consolidate and simplify the asylum and immigration system. It placed an "astonishing reliance" on secondary legislation; Members should not (he suggested) accept assurances of "Trust me, I'm a Minister". The Bill, he argued, did too little and too late.[1]

In similar vein, Chris Grayling, the Shadow Home Secretary, argued that the Government was now "punch drunk, having struggled and largely failed in its immigration policy".[2] Despite its brevity, the Bill (he said) was an incoherent rag-bag, containing some bad ideas, especially if the Government intended to remove many of the improvements made in the House of Lords.[3]

Responding to such criticisms, the Minister for Borders and Immigration, Phil Woolas, attempted to set the Bill within the context of the Government's strategy for immigration: it was, he said, part of the jigsaw puzzle of the changes to the immigration system that the Government was introducing.[4]

2.1 Border functions

Chris Grayling, reiterating the Conservatives' call for a dedicated border police force,[5] argued that this part of the Bill merely tinkered with the powers of the UK Border Agency and so failed to address the problem of the UK's porous borders.[6] The Government's failure to tackle this had, he said, resulted in a disastrous rise in organised crime.[7] For the SDLP,

1 HC Deb 2 June 2009 c191-4
2 HC Deb 2 June 2009 c230
3 HC Deb 2 June 2009 c230
4 HC Deb 2 June 2009 c234-5
5 HC Deb 2 June 2009 c182
6 HC Deb 2 June 2009 c181
7 HC Deb 2 June 2009 c230

Alastair McDonnell questioned how UKBA would be held accountable. What were effectively policing powers should, he said, be subject to police-style accountability and PACE codes should apply in their entirety; Ministers should not be able to "pick and mix".[8]

2.2 Nationality

Amongst the issues raised by Members in debate were:

Compulsion: People should not be compelled to seek British citizenship.[9] 40 per cent of people with indefinite leave to remain (settlement) never apply for citizenship.[10]

Complexity: The Bill's provisions were "complicated and bureaucratic"[11] and the path to citizenship would become slower, less certain and potentially confusing.[12] The Bill sent out a message that the Government wanted to make it harder for people to stay and become British: that, it was suggested, was "dog whistle politics".[13]

In responding, Phil Woolas suggested that the earned citizenship provisions were not a punitive measure, but a route to help integration.[14]

Active citizenship

Some similar themes emerged in the debate surrounding active citizenship:

Compulsion: The proposal that citizenship would be gained more quickly by those undertaking voluntary activity was described as "very close to compulsory volunteering … perhaps the ultimate absurdity".[15]

Scrutiny: Details of the activities which would be recognised as 'active citizenship' should appear not, as the Government proposed, in secondary legislation but in primary legislation, to be scrutinised by Parliament.[16]

Parity: Should a greater burden be placed on those becoming British citizens than on those who were born here or were already citizens?[17]

Bureaucracy: Voluntary work undertaken by probationary citizens would have to be monitored: bogus voluntary organisations might emerge, in the same way as bogus educational establishments.[18]

In responding, Phil Woolas rejected the suggestion that volunteering would be compulsory, arguing again that the Government was providing a means for people to "show their commitment to citizenship".[19] This would be beneficial not just to the immigrant but also to the wider community.

---

8 HC Deb 2 June 2009 c218
9 Neil Gerrard (chair of the all-party refugees group), HC Deb 2 June 2009 c235
10 Chris Grayling, HC Deb 2 June 2009 c236
11 Chris Grayling, HC Deb 2 June 2009 c182
12 Neil Gerrard, HC Deb 2 June 2009 c186-7
13 Chris Grayling, HC Deb 2 June 2009 c231
14 HC Deb 2 June 2009 c236
15 Chris Grayling, HC Deb 2 June 2009 c232
16 Chris Grayling, HC Deb 2 June 2009 c183
17 Keith Vaz (chair of the Home Affairs Committee), HC Deb 2 June 2009 c203
18 Tom Brake and Neil Gerrard, HC Deb 2 June 2009 c187-8
19 HC Deb 2 June 2009 c237

Knowledge of English and life in the UK

The requirement to pass this test (described in Library standard note SN/HA/4283 *Immigration: new language and "life in the UK" requirements for settlement)* is not new but again attracted comment at second reading. Nigel Evans questioned whether those born in the UK would pass the test and whether it was right to set a higher hurdle for those coming here than for those born here. Pete Wishart remarked that he had taken the test online and had failed.[20]

Asylum seekers

An assurance was sought from the then Home Secretary, Jacqui Smith, that time spent by asylum seekers waiting for UKBA's decision on their application would be counted towards the qualifying period for citizenship. She agreed to look at ways in which, in some cases, that time could contribute to the period of residency but dismissed the idea of blanket provision.[21]

Transitional provisions

In the House of Lords, one aspect of the Bill which caused particular concern was the impact on people who were already in the UK and were some way down the path towards settlement and naturalisation.

Chris Grayling argued that the House of Lords had done much to improve this unsatisfactory aspect of the Bill and it would therefore be "sensible for Ministers to stop fighting a battle that they keep losing".[22] Members sought a commitment that the transitional provisions which were added in the House of Lords would be retained and it was argued that the transitional arrangements should even be extended, if the Government was to avoid another defeat such as that relating to the Highly Skilled Migrant Programme.[23] Jacqui Smith argued, though, that it would be wrong to wait until everyone currently in the UK on a temporary basis had worked through the system before introducing the new provisions, which represented a clearer and fairer journey to citizenship.[24]

Next steps?

In introducing Second Reading, Jacqui Smith suggested that the points-based approach (with a points threshold that could be lowered or raised, to meet the country's concerns and interests) might be extended to citizenship; proposals would be offered before the summer recess. This would, she argued, be a more flexible way of controlling the numbers being granted citizenship.[25] The shadow Home Secretary, Chris Grayling, described this announcement as extraordinary, both in its timing and in its content.[26]

2.3 Common Travel Area

The then Home Secretary opened her remarks on the Common Travel Area (CTA) by stating that she wanted it to remain intact. Nonetheless, she said, there was evidence of criminal abuse and safeguards should be strengthened.[27] Chris Grayling, however, argued that the Government's proposals were unworkable, unnecessary and unenforceable — especially as there would be no control at the land border — and the changes made in the Lords should

---

20 HC Deb 2 June 2009 c205
21 HC Deb 2 June 2009 Col 174
22 HC Deb 2 June 2009 c232
23 Neil Gerrard, HC Deb 2 June 2009 c188
24 HC Deb 2 June 2009 Col 175
25 HC Deb 2 June 2009 c175-6
26 HC Deb 2 June 2009 c231-2
27 HC Deb 2 June 2009 Col 173

therefore stand.[28] Immigration controls should, Albert Owen said, apply between the Republic and the north of Ireland or not at all.[29]

In responding, Phil Woolas again denied that the Bill's provisions would mean the abolition of the CTA, although the Government was considering with the Government of Ireland how to counter the increased security risk posed by third country nationals using the route.[30]

2.4 Judicial Review: Transfer of applications

Neil Gerrard accepted the argument for a single all-encompassing appeal, but argued that the amendment made in the Lords, to limit the cases to be transferred from the High Court to the upper tribunal, should be retained, while Keith Vaz suggested that moves to limit access to the High Court represented a reversal of Government policy over the last 12 years.[31]

2.5 Welfare of children

The Bill's provisions for the welfare of children received a broad welcome, although some reservations were still expressed, especially about the impact of detention on children which, not for the first time, attracted debate.

In Members' views:

- "Massive issues" remained about the welfare of asylum seekers, especially those with children; dawn raids were still being carried out and children were still being locked up at Dungavel.[32]

- The Bill's provisions for the welfare of children would make a great deal of difference and so should be welcomed:[33]

  > Children are children, and the children of asylum seekers and failed asylum seekers should be treated in the same way that we expect our own children to be treated.[34]

- The Yarl's Wood detention centre worked well on behalf of detainees and provided good facilities; it was "just sad" that children were there.[35]

For the Government, Phil Woolas said that he understood the sentiment behind the wish to end detention of children. Government policy remained that alternatives to detention for children were preferable,[36] but the alternative had to be a serious one: in one project run by UKBA as an alternative to detention, only one of 32 families turned up at the airport.[37]

2.6 Issues not covered in the Bill

As at other stages of the Bill, the discussion at second reading ranged over some matters not dealt with in the Bill itself.

---

28 HC Deb 2 June 2009 c184-5
29 Albert Owen, HC Deb 2 June 2009 c210-2
30 HC Deb 2 June 2009 c237
31 HC Deb 2 June 2009 c190
32 Pete Wishart, HC Deb 2 June 2009 c216
33 Julie Morgan (chair of the Children in Wales group), HC Deb 2 June 2009 c216
34 HC Deb 2 June 2009 c224
35 Alastair Burt (whose constituency covers the detention centre), HC Deb 2 June 2009 c226
36 HC Deb 2 June 2009 c238
37 HC Deb 2 June 2009 c217

Operation of immigration controls

Members pointed to the unintended, unsympathetic consequences of the rules-based approach[38] and the time taken by UKBA to conclude some cases.[39] Pete Wishart suggested that immigration controls, designed with the needs of the overheated south-east of England in mind, worked against the interests of Scotland, which was faced with the prospect of structural depopulation and so needed inward migration. Citing examples from Australia, where states may set their own criteria, he argued for "Scottish solutions to a distinct Scottish problem".[40]

In response, Phil Woolas remarked that an "interesting dialogue" was taking place with the devolved Administrations on how migration policy might be fine-tuned. However, the Government was concerned about the possible implications of having different immigration rules or routes for different parts of the UK.[41]

A limit on immigration?

Although it is not a part of the Bill, the question of whether there should be a limit or cap on migration to the UK again arose during Second Reading.

The then Home Secretary, Jacqui Smith, was asked whether there should be a limit on immigration;[42] as the Government was committed not to grow the population through immigration, a cap on the number of new citizens received each year would be needed.[43] Jacqui Smith, though, argued that the points-based system of immigration was more flexible and more effective than an "arbitrary cap", whilst still allowing British workers "a fair crack of the whip". Migration would not be a substitute for "up-skilling' the UK workforce".[44] Committee stage

2.7 Main amendments to the Bill

Appendix 2 provides links to a selection of the briefing and commentary on the later stages of the Bill.

At the start of the Committee stage, Damian Green (shadow Minister for Immigration) suggested that discussion of the Bill should not be too difficult as many of the more contentious elements had been removed. The Opposition would attempt to reinstate some parts of the earlier draft Bill.[45]

Nationality: Exceptions and transitional provisions

As it had at other stages in both Houses, this aspect of the Bill generated much discussion at Committee stage. Clause 39 of Bill 86 (the Bill as brought from the Lords) — which was inserted as an Opposition amendment in the Lords and would have given some protection to people who had applied for indefinite leave to remain or naturalisation before commencement or for ILR in the twelve months after commencement, by enabling their application to be treated under old rules — was deleted at Committee stage.[46]

---

38 Lembit Öpik, HC Deb 2 June 2009 c172
39 Charles Walker, HC Deb 2 June 2009 c220
40 HC Deb 2 June 2009 c212-4
41 HC Deb 2 June 2009 c237
42 John Redwood, HC Deb 2 June 2009 c170
43 Frank Field, HC Deb 2 June 2009 c175
44 HC Deb 2 June 2009 Col 173-4
45 PBC Deb 9 June 2009 c4
46 This amendment is discussed at more length at pages 28 and 44 onwards of Library Research paper 09/47 *Borders, Citizenship and Immigration Bill*

At that stage, Damian Green tabled an amendment to what he described as the Bill's most contentious clause, dealing with exceptions to the Bill's nationality provisions. The amendment would have restricted the exceptions to those who came to the UK under the Highly Skilled Migrants Programme; its purpose (he explained) was to narrow the debate to those areas where the Government had been embarrassed in the courts. He was, he pointed out, discussing the amendment without knowing the detail of what the Government intended to do with the existing clause: the Government had tabled an amendment to delete it but Ministers had not indicated how they might replace it.[47]

Damian Green did not agree with those who suggested that the progression from working in the UK to citizenship should be automatic, although he saw the logic of the Minister's wish that those who settled in the UK should become citizens. He noted too that Lord Brett had offered some transitional provisions for those who already had limited or indefinite leave to remain in the UK;[48] the Government was "inching towards some kind of sanity".[49] Although the Liberal Democrats were broadly supportive of the measures, they too had concerns about the transitional arrangements; they would not (for example) assist those who had come to the UK as work permit holders and, similarly, it was wrong that those who came to the UK as spouses would not be protected.[50]

In response, Phil Woolas argued that highly skilled migrants were different, in that the Government had encouraged them to come to the UK; a court ruling[51] had already established that, for work permit holders, there was no promise that the rules would not change.[52] Lord Brett had intimated that the period during which those with indefinite leave to remain would be able to apply for naturalisation under the old rules would be 18 months from commencement of the earned citizenship clauses; Phil Woolas now suggested that this might be 24 months.[53] He again suggested that the Committee should allow the Government to return with fresh proposals, which would be in a form which could be discussed in the Commons and in the Lords.[54] They should (in the Government's view) be set out in the commencement order for Part 2 rather than on the face of the Bill itself.[55]

The amendment was withdrawn and the clause was removed.

Common Travel Area

Clause 51 of Bill 86 (the Bill as brought from the Lords) was added in the Lords to replace the Government's provisions relating to the CTA. It was intended to prevent controls being reintroduced by means of an Order in Council. It too was removed at Committee stage, after a division, and replaced by a new clause. The new **clause 50** amends section 1(3) and 11(2) of the *Immigration Act 1971* to define the journeys which will be exempt from immigration control and to remove from the definition of *embarking* and *disembarking*

---

47 PBC Deb 11 June 2009 c77-81

48 Lord Brett, Government Spokesperson for the Home Office, letter to Lord Avebury, 19 March 2009, DEP2009-0898

49 PBC Deb 11 June 2009 c84

50 Paul Rowen, PBC Deb 11 June 2009 c86-9

51 Here it was held that changes to the Immigration Rules which extended the qualifying period for indefinite leave to remain from four years to five years, and which introduced a knowledge test, were not ultra vires. The changes were not retrospective and the claimants could not have had any legitimate expectation that their applications would be accepted as they had not resided in the UK for four years when the changes were introduced. (R on the application of Chong Meui Ooi and others [2007] EWHC 3221 (Admin). The case appears in full on the British and Irish Legal Information Institute (BAILII) website.

52 PBC Deb 11 June 2009 c88

53 PBC Deb 11 June 2009 c96-7

54 PBC Deb 11 June 2009 c98

55 PBC Deb 11 June 2009 c98-101

embarkation and disembarkation from local journeys within the CTA. This is the same clause which appeared as clause 46 of the Bill as first introduced (HL 15).

In opening the discussion, borders and immigration minister, Phil Woolas once again said that the Government had no intention to abolish the Common Travel Area. The principle that a person granted leave to enter one part of the CTA would not normally require leave to enter the UK would not change, but action was needed.[56] Members of the House of Lords, he suggested, had "harked back through rose-tinted spectacles to days that [he suspected] never existed".[57]

The power would, he suggested, be used proportionately and would have limitations.[58] When pressed on why the impact assessment could not quantify the impact of these provisions, the Minister argued that the abuse was impossible to quantify, and it was not customary to quantify the social benefits in an impact assessment[59] This, Paul Rowen later said, was not good enough.[60]

A point made in the Lords, and repeated in Committee, was that the impact of these measures would be limited because there would be no routine immigration presence on the land border between Northern Ireland and the Republic.[61] Crispin Blunt, the shadow minister for national security, argued that, far from strengthening the CTA as the title of its consultation document[62] had promised, the Government intended to undermine it.[63] The clause inserted in the Lords would, he said, be consistent with the Prime Minister's commitment to reducing the ability of Orders in Council to legislate for the UK.[64] The Committee also considered what the targeted operations promised by the Government might entail,[65] racial profiling (stopping and questioning people on the basis of their skin colour)[66] and whether it would be better to use the *Police and Justice Act 2006* power to require carriers to provide passenger data on routes between Great Britain and Northern Ireland.[67]

Describing the Conservatives' policy as "preposterous", Phil Woolas pointed out that the Government's proposals matched arrangements which had been in place in the Republic of Ireland for third country nationals for 10 years.[68] Documents would not be required on the land border in Ireland or from Crown dependencies.[69] Discussions with Jersey and the other islands were continuing.

The Committee divided on whether the clause as inserted in the Lords should stand part of the Bill. It was disagreed, by 8 votes to 6 (**division 3**).[70] (A consequent amendment,

---

56 PBC Deb 16 June 2009 143
57 PBC Deb 16 June 2009 c147
58 PBC Deb 16 June 2009 143-4
59 PBC Deb 16 June 2009 145
60 PBC Deb 16 June 2009 c159
61 Damian Green, PBC Deb 16 June 2009 146
62 UK Border Agency, *Strengthening the Common Travel Area*, 24 July 2008
63 PBC Deb 16 June 2009 c149
64 PBC Deb 16 June 2009 c150
65 PBC Deb 16 June 2009 c156
66 David Anderson, PBC Deb 16 June 2009 c158
67 Paul Rowen, PBC Deb 16 June 2009 c159
68 PBC Deb 16 June 2009 c161-2
69 PBC Deb 16 June 2009 c162
70 PBC Deb 16 June 2009 c163

relating to repeals, was approved on division by 9 votes to 7).[71] In the division on 18 June on the new clause, the clause was approved by a narrow margin (ayes 6, noes 5).[72]

Judicial review: Transfer of applications

Clause 55 of Bill 86, dealing with fresh claims applications, was introduced in the Lords. It was an Opposition amendment, replacing the Government's clause on the transfer of immigration nationality or asylum judicial review applications to the Upper Tribunal (discussed at page 66 onwards of Library Research Paper 09/47). It would have limited the transfer of immigration, asylum and nationality judicial review cases to one category that was held to be appropriate, and provided that the power in the 2007 Act to limit appeals from the Upper Tribunal to the Court of Appeal would not apply to asylum and immigration cases. This clause, though, was removed at the Committee stage and was replaced with **clause 54,** the clause which appeared as clause 50 in the Bill as first introduced (HL 15).

Speaking against the clause introduced in the Lords, Phil Woolas pointed to a "pressing need" to give the administrative court (and its equivalents) more flexibility in handling immigration judicial reviews. The clause at it stood was unclear and raised other difficulties, not least the fettering of judges' ability to manage cases. Reinstating the clause in its original form would, he said, be the best way to take advantage of the benefits of transferring the asylum and immigration tribunal to the first tier and upper tribunal of the new unified system. The higher courts were now "bunged up" with immigration judicial review cases. [73]

Damian Green maintained, though, that the House of Lords had struck an appropriate balance. The failings of the Home Office in such areas as the poor quality of initial decisions, he argued, should not be compensated for by a lessening of appeal rights in complex cases engaging human rights issues or constitutional principles. The Minster was aiming for speed, but the aim should be for speed and fairness. [74] For the Liberal Democrats, Tom Brake argued for the retention of the clause. In turn, Phil Woolas argued that the rejection rate on the papers of 85% for judicial review applications demonstrated that many were abusive. They should be dealt with effectively and there was strong support for the Government's plans from senior members of the judiciary.[75]

The Committee divided on whether the clause as inserted in the House of Lords should stand part of the Bill. The clause was negatived by 9 votes to 6. The Government's new clause was ordered to stand part of the Bill. (A consequent amendment, relating to repeals, was approved on division by 9 votes to 7).[76]

A division on 18 June on the new clause was won by a narrow margin (ayes 6, noes 5).[77]

2.8 Other areas of debate

Border functions

Government amendments, intended to clarify the extent of the customs functions to be exercised by the Secretary of State and the Director of Border Revenue (including functions

---

71 PBC Deb 16 June 2009 c202
72 PBC Deb 18 June 2009 c207
73 PBC Deb 16 June 2009 c182-3
74 PBC Deb 16 June 2009 c185-6
75 PBC Deb 16 June 2009 c187
76 PBC Deb 16 June 2009 c202
77 PBC Deb 18 June 2009 c208

under European Community law), were agreed at the first session of the Committee stage.[78] Other amendments relating to border functions were withdrawn.[79]

During discussion of these amendments, Phil Woolas described the Bill as part of a jigsaw, which the draft Bill — which would return as the simplification Bill in the next session — would complete.[80] Damian Green, however, doubted whether the Bill could complete its course before the election and questioned the purpose of introducing it.[81]

On the substance of the amendments, Damian Green argued that it was important to be very clear about the extra powers to be given to the Secretary of State and, through him, to officials.[82] Tom Brake (Liberal Democrat Shadow Minister for Home Office and for London and Olympics) also voiced concerns about the extent of the broadening of general customs functions.[83] Responding to these points, Phil Woolas mentioned UKBA's "Elliott Ness strategy", drawing a parallel with the capture of Al Capone, who was caught not by laws relating to murder and weapons but by those relating to tax.[84]

Other topics which had been discussed during Lords stages and were discussed again included the appointment of the Director of Border Revenue:[85] Phil Woolas explained that this was a power and responsibility, rather than a job, and would maintain the separation from ministers.[86]

An amendment tabled by Damian Green, which sought to require specific consents for the use and disclosure of customs information, was discussed at some length.[87] In response, Phil Woolas argued that the provisions were about fighting crime, not a Big Brother database. There would not (he said) be unrestricted data sharing but, rather, sharing of a class of relevant information where appropriate; the clause was about the "very pragmatic instances where … officials share information in order to apprehend crime or potential crime". The amendment was negatived by 9 votes to 7.[88]

Amendment 13, tabled by Damian Green, sought to limit the time a person could be detained in an UKBA office that was not a police cell to three hours and detention in a police cell under powers granted to UKBA to five days. He suggested that undertakings to use *Immigration and Asylum Act 1999* powers to make orders to extend PACE provisions had not gone far enough; immigration officers already had the power of arrest and so were covered by PACE, others who were being given the power of arrest should be similarly covered.[89] Tom Brake pointed to the complexity of the situation in relation to detention and the split between PACE and non-PACE activities.[90] Phil Woolas stated that the intention was for a "seamless application of PACE to the designated officials … until a further bespoke PACE application order is made" but the amendment would create additional burdens and increase costs.[91] The amendment was withdrawn.

---

78 Amendments 18, 19, 21, 22, 24, 25, 26, 27, 28, 29, PBC Deb 9 June 2009 c5-16
79 Amendments 3, 4, 5, 6, 7, 9, 13, 14, 20, 43, 44
80 PBC Deb 9 June 2009 c6
81 PBC Deb 9 June 2009 c8
82 PBC Deb 9 June 2009 c9
83 PBC Deb 9 June 2009 c11
84 PBC Deb 9 June 2009 c13
85 PBC Deb 9 June 2009 c24ff
86 PBC Deb 9 June 2009 c26-7f
87 PBC Deb 9 June 2009 c42
88 PBC Deb 9 June 2009 c44-8
89 PBC Deb 9 June 2009 c50-1
90 PBC Deb 9 June 2009 c52
91 PBC Deb 9 June 2009 c53

In discussion of **amendment 27** (a technical amendment introduced by the Government to "meet the stated policy intention to extend the independent external scrutiny provide by the chief inspector [of immigration]"[92]) Damian Green suggested that the multiple inspection regime – with HM Chief Inspector of Prisons, HM Inspectorate of Constabulary and the chief inspector of immigration all having some jurisdiction – would be "monstrous and top-heavy". It would be perverse that the chief inspector if immigration would be the least important of the three.[93] David Hamilton questioned how the Bill's provisions would apply in Scotland, where the inspectorates of prisons and constabulary are responsible to the Scottish Parliament.[94] Phil Woolas agreed that the aim should be for single inspectorates for functions, without duplication; the immigration inspectorate reports on the facilities of UKBA would be for this Parliament.[95] The Opposition amendment (**amendment 16**), he suggested, might increase duplication, by giving the chief inspector of immigration a power to inspect holding facilities – a power already held by HM Inspector of Prisons.[96] The Government amendment was agreed to and the Opposition amendment withdrawn.

The Liberal Democrats tabled a starred amendment to clarify how the powers of the Independent Police Complaints Commission in connection with contractors' operation of some immigration and asylum enforcement functions would work.[97] Phil Woolas explained the purpose of the clause:

> The IPCC already has an oversight role in respect of the exercise of customs functions by HMRC. The clause will ensure that it plays the same role when general and revenue customs functions become exercisable by the UK Border Agency. The purpose of the clause is the extension to contractors.[98]

UK Border Police Force

On the last day of the Committee stage, the Committee considered a new clause tabled by Damian Green, to establish a UK border police force as a body corporate.[99,100] Tom Brake reiterated that the Liberal Democrats supported the idea of a UK border police force, although their emphases might be slightly different.[101] David Hamilton took a different view, arguing for one unified police force for the UK, with a single command structure which could adapt to changing circumstances; some powers should return to Westminster.[102]

Once again, the Government argued that a border police force was not the best way to achieve its objectives.[103] Phil Woolas went on:

> [We] do not rule out the hon. Gentleman's proposition. It has merit, but we have some important arguments about the organisation's remit and the organisational disruption that it could cause. Critically, we have arguments about how best to obtain the co-operation in practice of the existing 43 police authorities in England and Wales, the one in Northern Ireland and the eight in Scotland.[104]

---

92 PBC Deb 9 June 2009 c60
93 Damian Green, PBC Deb 9 June 2009 c62
94 PBC Deb 9 June 2009 c63
95 PBC Deb 9 June 2009 c63
96 PBC Deb 9 June 2009 c64
97 PBC Deb 9 June 2009 c66
98 PBC Deb 9 June 2009 c67-8
99 Library Standard Note SN/HA/5122 offers a brief history of the debate about a UK border police force.
100 PBC Deb 18 June 2009 c232
101 PBC Deb 18 June 2009 c233
102 PBC Deb 18 June 2009 c234
103 PBC Deb 18 June 2009 c235
104 PBC Deb 18 June 2009 c237

He set out the role of local crime partnerships and remarked that "if it ain't broke, don't fix it".[105] On division, the clause was negatived by 7 votes to 4.

Nationality

General application requirements

In discussing whether the general application requirements should stand part of the Bill, the Committee sought clarification of which categories of leave to remain would qualify towards naturalisation. It was impossible to know, Damian Green suggested, to which categories of people the rules would apply and the stricter rules on absences from the UK during the qualifying period would impose a heavier restriction on freedom of movement. It might be better if the House could see the secondary legislation when considering the underlying clauses.[106] Concerns were also expressed concerns about the impact on people who switched from one category of leave to another and on refugees and those granted humanitarian protection.[107] The Committee also sought clarification of what was meant by "continuous employment" as it might affect (for example) temporary workers.[108]

In answer to these questions, Phil Woolas argued that people with leave to remain under tier 1 or 2 of the points-based system (the "work routes") would have to show that they had contributed economically and had paid taxes.[109] The requirement to be in continuous employment (not necessarily with the same employer) would not be interpreted rigidly and there was discretion to waive it where appropriate, mirroring the time period of up to 60 days allowed under the points-based system for migrants to secure alternative employment.[110] The Minister also confirmed that spells of qualifying leave as a worker could be aggregated, but only time spent on any of three key routes — work, protection or family — could lead to naturalisation. Although they are not charged at any other stage of the process, refugees would have to pay for naturalisation like anyone else; there was no discretion for their fees to be waived. On absences from the UK, the minister said that he did not support the averaging of absences during the qualifying period but there was some discretion to overlook long absences in special circumstances.[111]

The clause was ordered to stand part of the Bill.

Voluntary activities

The requirement that applicants for naturalisation should "earn" their citizenship again attracted much debate.

Damian Green spoke to an amendment (**amendment 45**) intended to probe some of the details of how the so-called activity condition would work in practice and another (**amendment 46**) proposing that the condition could be completed at any time from the applicant's arrival in the UK and during the probationary citizenship stage. These concerns had not, he said, been fully answered in the Lords. Although voluntary organisations wanted more volunteers some, especially the smaller ones, would struggle to cope with the bureaucracy which the Bill would create.[112] Other potential problems and pitfalls were that some organisations might not be able to reimburse volunteers for their out-of-pocket expenses; some potential applicants might not be able to volunteer because of family commitments, unless childcare or respite care costs could be reimbursed; some potential

---

105 PBC Deb 18 June 2009 c240
106 PBC Deb 11 June 2009 c103-4
107 Tom Brake, PBC Deb 11 June 2009 c104
108 PBC Deb 11 June 2009 c105
109 David Anderson, PBC Deb 11 June 2009 c107
110 PBC Deb 11 June 2009 c107
111 PBC Deb 11 June 2009 c107-9
112 PBC Deb 11 June 2009 c111

volunteers might have additional needs (for example through disability or lack of literacy in English); and a third of voluntary organisations were said to lack the resources to cope with more volunteers. Other issues surrounding encouraging volunteers to work in schools, in some faith organisations, trade unions or political parties had not, he suggested, been thought through:[113] it was perverse (for example) that unpaid trade union work would qualify but paid work for that union would not.[114] Tom Brake, meanwhile, identified concerns about the penalties for voluntary organisations if they failed to account correctly for their volunteers' activities and about the capacity of the CRB checking system to cope with an influx of new volunteers.[115]

Responding to these various points, Phil Woolas opined that no set of proposals would be likely to achieve unanimity, but the idea of active citizenship was a longstanding one, intended to incentivise and speed up citizenship, to the gain of both the applicant and the wider community. There would be opportunities for funding to meet organisations' costs. The system should be flexible enough to cater for volunteers with special needs and those with caring responsibilities; as migrants would be able to demonstrate active citizenship at any point of the route, which would enable them to plan around work and family commitments.[116] Observing that, as with bogus colleges, "not all voluntary organisations are what they appear", the Minister argued that penalties would be necessary; the *British Nationality Act 1981* already provided for penalties so this was an old principle being applied in new circumstances.[117] On the question of the burden on local authorities, he said that it should be compulsory for applicants to register through the nationality checking service, but not for the local authority to provide that service.

Descent though the female line

Damian Green and Tom Brake welcomed this clause which, it was suggested, righted a historical wrong.[118]

The good character requirement

Here, Damian Green tabled an amendment designed to explore what the Bill purported to mean on "good character"; the amendment would have provided that a person was not of good character if convicted of an offence triable on indictment (which would exclude, for example, minor motoring offences[119]). He pointed to the urgency of the issue.[120]

Phil Woolas referred the Committee to the Explanatory Notes for the Bill (Bill 86). There had been a good character requirement for naturalisation since the *British Nationality Act 1981*,[121] although 'good character' was not defined in that Act, and legislation since then (particularly the *Immigration Asylum and Nationality Act 2006*) had made further provisions in respect of registration. The aim of this clause, he said, was to move those requirements into the body of the 1981 Act, paving the way for the simplification Bill.[122] The amendment, he went on, took insufficient account of the *Rehabilitation of Offenders Act 1974.* The Government

---

113 PBC Deb 11 June 2009 c114
114 PBC Deb 11 June 2009 c115
115 PBC Deb 11 June 2009 c117
116 PBC Deb 11 June 2009 c119
117 PBC Deb 11 June 2009 c119
118 PBC Deb 11 June 2009 c126
119 PBC Deb 16 June 2009 c133
120 PBC Deb 16 June 2009 c132
121 Between 2003 and 2008, 9,732 applications were refused on good character grounds (Phil Woolas, PBC Deb 16 June 2009 c136)
122 PBC Deb 16 June 2009 c133

preferred to retain discretion over how the good character requirement should be interpreted.[123]

The amendment was withdrawn.

Hong Kong war wives and widows

The Committee considered an amendment, moved by Tom Brake, to exempt Hong Kong war wives and widows from the good character requirement for registration as a British citizen, noting that there had been no such applications in the past eight years and so the requirement (if it remained) would be unlikely to be used in practice. ILPA had suggested that this would not set a precedent.[124] Lord Brett, in the Lords, had undertaken to reconsider the issue and the argument now hinged on whether exempting one group from the good character requirement would set a precedent and whether floodgates would open.[125]

In response, Phil Woolas commented that immigration ministers would always be alarmed at the mention of ILPA and precedents and the Government was indeed concerned that removing the requirement for this category of applicants would set a precedent for removing it for others.[126] It would be enough, he suggested, for the Home Secretary to consider exercising discretion — as the former Home Secretary had indicated that she would — in any future application where this issue might arise.[127]

The amendment was withdrawn.

The Ilois (Chagos islanders)

This clause was introduced on 18 June by Tom Brake, who suggested that it would address the injustices suffered by the islanders.[128] The amendment aimed to amend the *British Overseas Territories Act 2002*, to confer full British citizenship on the Ilois, thus enabling them to pass on their status as British Citizens or British Overseas Territories Citizens to their children (which those who hold their citizenship by descent cannot do).

Stateless children of British nationals

This clause was also introduced by Tom Brake on 18 June and aimed to address the problems of the small number of stateless children who have a link to the UK though their parents' nationality or citizenship.[129] It would affect a very small number of people.[130]

Legitimacy

This clause, too, was introduced by Tom Brake on 18 June, to make provision for those born to mothers not married to their British fathers to register as British citizens. It would, he said, assist those born in the UK after 1983, where the mother was neither British nor settled in the UK and those born in a qualifying territory and children born outside the UK where the mother was not a British citizen otherwise than by descent.[131] Changes already made to the *British Nationality Act 1981* had only provided for those born after 1 July 2006.

In responding to these clauses, Phil Woolas observed that there were many "very complex, unintended, knock-on effects as a result of British nationality overseas issues". For

---

123 PBC Deb 16 June 2009 c136
124 The Immigration Law Practitioners' Association
125 PBC Deb 16 June 2009 c138
126 PBC Deb 16 June 2009 c139
127 PBC Deb 16 June 2009 c139
128 PBC Deb 18 June 2009 c209
129 PBC Deb 18 June 2009 c211
130 PBC Deb 18 June 2009 c210
131 PBC Deb 18 June 2009 c212

Chagossians who had been resettled, the issue was whether their children would, without the resettlement, have been born in the British Indian Ocean Territory and so would now be British citizens otherwise than by descent (rather than, as was often the case, British citizens by descent, because they had been born outside the territory).[132] The Foreign Office was in discussion with the Chagossians and their representatives and the Government was (Phil Woolas said) sympathetic to the position of second and later generation Chagossians born in Mauritius or the Seychelles. Even so, to allow British citizens by descent through a connection to the British Indian Ocean Territory to pass on their citizenship to the next generation might provoke representations from other British citizens. For this reason, the policy on transmission of British citizenship by persons who hold that status by descent was strictly applied.[133]

Arguing against the new proposals on statelessness, Phil Woolas remarked that "despite our commitment to reducing statelessness, we can only go so far to compensate for the fact that other nations do not share that commitment, and so do not provide for the acquisition of citizenship by children born in their territory".[134] Arguing against the new proposals on legitimacy, Phil Woolas noted that the Secretary of State already had discretion to register minors born out of wedlock to British fathers, although there was no power in law to register such a person as an adult. To extend the use of that discretion would be a step into the unknown, with the potential for complication, abuse and unfounded claims.[135]

The clauses were withdrawn.

Probationary citizenship: homelessness assistance

At the Committee's last session, Tom Brake moved new clauses dealing with assistance to deal with homelessness (new clause 8) and assistance available for and fees for education and health (new clause 9).[136]

Phil Woolas argued that it was longstanding policy that those coming to the UK to work or to join family (unlike those on the protection route) should be able to support themselves without access to benefits. Restrictions on access to benefits and services would therefore apply to migrants on the work and family routes at the stage of probationary citizenship; access would be limited to contributory benefits as people who had contributed were entitled "to get their money back".[137] There were drafting problems with the clause, too; it gave access to social housing and homelessness assistance in Scotland and Northern Ireland but not in England and Wales. The legislation had (Phil Woolas continued) got things right, whereas the new clause could cost billions of pounds.[138] The clause was withdrawn.

Welfare of children

In the comparatively brief discussion of this clause on 11 June, Phil Woolas explained that the new provisions would not come into effect on Royal Assent because there would first be a consultation on how the new guidelines would work. The code of practice would include officials' obligations regarding keeping children safe from harm; staff training would be covered in the code.[139] He confirmed, too, that there was a new agreement with local

---

[132] PBC Deb 18 June 2009 c216
[133] PBC Deb 18 June 2009 c219
[134] PBC Deb 18 June 2009 c222
[135] PBC Deb 18 June 2009 c223-4
[136] PBC Deb 18 June 2009 c248
[137] PBC Deb 18 June 2009 c249
[138] PBC Deb 18 June 2009 c250
[139] PBC Deb 11 June 2009 c75

authorities on funding for those authorities particularly affected by being in charge of unaccompanied minors.[140]

Later in its proceedings, the Committee considered an amendment which would have extended the duty regarding children's welfare to those outside the UK. This would be consistent, Tom Brake suggested, with the Government's policy of "exporting our borders".[141] For the Conservatives, Damian Green sympathised with the motives behind the amendment but questioned how, practically, responsibility could be assigned to British agencies abroad.[142] In response, Phil Woolas restated the Government's view that the duty placed on UK agencies could not be transplanted aboard; other countries might even consider it interference in their jurisdiction.[143] Even so, there would be voluntary cooperation and there was an expectation that UKBA staff overseas would make referrals to local agencies as appropriate.[144]

The amendment was withdrawn, as was a further amendment (moved by Damian Green) requiring the Secretary of State regularly to collect and publish statistics on the detention of children.

Students: restrictions on studies

Damian Green moved amendments which would confine the clause's provisions to those granted leave to remain as students (amendment 57) and define an "educational institution" in line with the *Company and Business Names Regulations 1981* (amendment 58).[145] The clause as it stood, he suggested, was too wide-ranging: any condition restricting studies should only be imposed on those given leave in the UK for the purpose of studying, which would still meet the Government's objective of tying students to the institution sponsoring their entry to the UK.[146]

Phil Woolas told the Committee that the more rigid rules of the points-based system — which mean that a student can get a visa only with an offer of a place from a specific sponsor (who must have a sponsor licence) — was reducing the abuse of student visas and the clause would build upon that.[147] Phil Woolas remarked that the Home Affairs Committee believed that the definition of a college needed scrutiny, but that the wording of the amendment was problematic, especially as other new regulations would go some way towards addressing the problem.[148]

The amendment was withdrawn. A new clause offering further definitions of "college" was negatived during the Committee's last session on 18 June (ayes 5, noes 6).

Extension of sections 1 to 4 of the UK Borders Act 2007 to Scotland

There was some discussion at the Committee stage of whether the power to detain for up to three hours should apply where the designated immigration officer **thought** the person was subject to an arrest warrant (as the clause provided) or where the immigration officer **had reasonable suspicion** (as an amendment tabled by Damian Green would have provided). Damian Green suggested that this more precise phrase would carry more legal force, although the Minister argued that it "would have no practical effect on the threshold that

---

140 PBC Deb 11 June 2009 c75-6
141 PBC Deb 16 June 2009 c190
142 PBC Deb 16 June 2009 c191
143 PBC Deb 16 June 2009 c192
144 PBC Deb 16 June 2009 c193
145 SI 1981/1685
146 PBC Deb 16 June 2009 c170
147 PBC Deb 16 June 2009 c174
148 PBC Deb 16 June 2009 c175

designated officials apply when deciding whether the use of the detention power is appropriate" and would create inconsistency with the provisions in England, Wales and Northern Ireland. Existing powers were clear enough.[149]

The amendment was withdrawn.

Gurkhas

There has been much recent controversy about the immigration rights of Gurkhas, which are described in Library Standard Note SN/HA/4399.

At the Committee's last session, Tom Brake moved a new clause which would have removed from the Immigration Rules the requirement that, to be eligible for indefinite leave to enter or remain in the UK, Gurkhas should have been discharged from the British Army in Nepal on or after 1 July 1997 and should not have been discharged more than 2 years prior to the date of application. The clause would, he said, enshrine in law what Members of all parties wanted the Government to do.[150]

Phil Woolas stated that the revised policy announced on 21 May 2009 had already removed the requirement relating to the date of discharge from the British Army. The new policy met Parliament's concerns and the Government intended to resist the second provision, which would remove the time limit for applications for indefinite leave from all former Gurkhas and not only those discharged before 1997. For Gurkhas discharged before 1997, there is no time limit on their application, but for those discharged after 1997, there would be issues of parity (the Minister said) with other Commonwealth members of the armed forces. Removing the two year cut-off would place Gurkhas in a better position than other Commonwealth service personnel.[151]

On division, the clause was negatived (ayes 1, noes 6).

Commencement

Damian Green tabled an amendment which would have required the Secretary of State to report to Parliament the reasons for any part of the Act not being in force within two years of Royal Assent. He pointed out that some sections of the *Asylum and Immigration (Treatment of Claimants) Act 2004* and the *Criminal Justice and Immigration Act 2008* (amongst others) had still not been implemented and so sought assurance that the House was not wasting its time and that the provisions of this Bill would actually come to pass. [152]

Phil Woolas informed the Committee that the Government had "every intention" of implementing everything in the Bill within the next two years: 43 clauses would come into effect immediately on Royal Assent. The only clause on which the Minister could not give an assurance was that dealing with Scotland.[153] The amendment was withdrawn.

---

[149] PBC Deb 16 June 2009 c178
[150] PBC Deb 18 June 2009 c245
[151] PBC Deb 18 June 2009 c246
[152] PBC Deb 16 June 2009 c199-200
[153] PBC Deb 16 June 2009 c201

Appendix 1 – Members of the Public Bill Committee

The Committee comprised the following Members:

Chairmen

Miss Anne Begg
Mr. Roger Gale
Sir Nicholas Winterton

Members

Anderson, Mr. David *(Blaydon)* (Lab)
Blunt, Mr. Crispin *(Reigate)* (Con)
Brake, Tom *(Carshalton and Wallington)* (LD)
Burns, Mr. Simon *(West Chelmsford)* (Con)
Green, Damian *(Ashford)* (Con)
Gwynne, Andrew *(Denton and Reddish)* (Lab)
Hamilton, Mr. David *(Midlothian)* (Lab)
Holloway, Mr. Adam *(Gravesham)* (Con)
McCabe, Steve *(Lord Commissioner of Her Majesty's Treasury)*
McCarthy, Kerry *(Bristol, East)* (Lab)
McDonagh, Siobhain *(Mitcham and Morden)* (Lab)
Prosser, Gwyn *(Dover)* (Lab)
Rowen, Paul *(Rochdale)* (LD)
Walker, Mr. Charles *(Broxbourne)* (Con)
Wilson, Phil *(Sedgefield)* (Lab)
Woolas, Mr. Phil *(Minister for Borders and Immigration)*

Committee Clerks

Gosia McBride
Chris Shaw

Appendix 2: Commentary and briefing for the Bill's Committee stage

A selection of the briefing and commentary on the later stages of the Bill is given below:

Immigration Law Practitioners' Association

The Immigration Law Practitioners'' Association has produced numerous new briefings for the Bill's Committee stage. These include

- Tabled amendments to Parts 3 & 4 [Common Travel Area, restriction on studies, judicial review and welfare of children] **June 2009**
- Tabled New Clauses amendments [Nationality: the Ilois, CTA, UK Border police force, Gurkhas, statelessness and legitimacy] **June 2009**
- Clause 52 (restrictions on studies) **June 2009**
- Clause 55 & Government amendments (transfer of judicial reviews & appeals to Court of Appeal) **June 2009**
- Proposed Amendments to Part 1 **June 2009**
- Proposed Amendments to Part 2 (naturalisation) **June 2009**
- Proposed Amendments to Part 2 (nationality law) **June 2009**
- Proposed Amendments to Parts 3 and 4 **June 2009**
- Presumed purposes of tabled amendments to Part 1 **June 2009**
- Presumed purposes of tabled amendments to Part 2 **June 2009**
- Amendment 54 (Hong Kong war wives and widows) **June 2009**
- Amendment New Clause 6 (stateless children) **June 2009**
- Amendment New Clause 7 (legitimacy) **June 2009**

Joint Council for Welfare of Immigrants

The JCWI has a number of briefings on the Bill available through its website.

Liberty

Liberty *Committee Stage Briefing on the Borders, Citizenship & Immigration Bill in the House of Commons*, June 2009