

[REDACTED]

From: Amanda Gyimah [REDACTED]
Sent: 25 April 2019 11:21
To: Immigration
Subject: Re: Public Consultation on the Immigration Rules

Follow Up Flag: Follow up
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To Whom It May Concern:

Dear Sir / Madam

Further to your call for comments on the current immigration rules, find below our experience as practitioners and as a Higher Education Institution:

What is your experience of using the Immigration Rules? Do you think they should be made easier to understand?

As an international student advisor, I frequently use the immigration rules as oversight in addition to the policy guidance to advise students of their particular immigration problems. The rules for me are not codified in one set place; they seem truncated in some sort of loose fashion under 'immigration rules' on Gov.uk. In addition to that, with the emergence of rules changes, it is not easy to decipher which rules are obsolete so have been deleted and which have been added. The inclusion in the rules of 'deleted' etc. does not also make for easy or effective reading of the rules. The rules also seem too wordy and sometimes the understanding or interpretation is lost in translation due to sometimes archaic language or complex sentences the rules are written in. The layout could be better constructed to make for ease of reference. It is appreciated that the rules are now in one location online and are easily accessible any day/hour.

From our students perspective, although the rules are publicly accessible, they are for the main part not known to exist. Students rely more on the policy guidance as these are the links also on the various immigration routes. As untrained individuals, the students may also be prone to misapplication of the rules. For example, there is a standard visitor visa rules which is different from the family visitor visa rules. It may not be immediately apparent to students that the two routes are different and one can only imagine the consequences of applying an incorrect route to one's immigration situation which may ultimately lead to a refusal and mar on one's immigration history.

What type of mistakes do you think are made by people making applications? What is your experience of using application forms? Do you think that online application forms help? What would make application forms and the online system better?

First and foremost the mistake that I find our students sometimes make is in using the wrong application form. It seems to be the case that the forms must be clearly set out to differentiate between in-country application forms and out of country application forms. Thankfully with the move to online based applications, the ease with filling in applications seems welcomed by our clients (students). The language for online application forms are easy to understand as are the intuitive in-built functions of application forms to remove or include additional questions as necessary. The risk of making mistakes with application forms in my experience has been to do with the expanded lists on some application forms which are not at first visible and may lead to a wrong choice for the application. For example, biometric resident documents lost abroad where an applicant is making a single-visa application to return to the UK and apply for their visa does not have a readily selection button to select the option an applicant needs. Most times in my experience, without the help of a legal practitioner, the applicant is prone to incomplete (invalid) applications or incorrect applications. Another area of concern with applications is that of the printable documents at the end. We find that students are not always aware of printing out the application checklist for in-country applications and especially to do with third party declarations, they forfeit sending these through which may be due

in part to the Home Office not filtering through the changes that occur in time (or sometimes not at all). Practitioners find out some of the changes on the off chance. On a positive note, online application forms now have the (?) symbol or others similar to it which applicants can expand to obtain clarity on the question being asked. More such directional tools on applications will go further to supporting applicants.

Is there anything else you would like me to add before sending it through to the Commission?

Overall, we are glad that the Home Office has transitioned and in some parts transitioning to an online interface. It makes for ease of access of its services.

Kind regards
Amanda

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