Immigration: Family visitor visa appeal rights

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Family visitors are the only category of visitor who currently have a full right of appeal against a visa refusal. The Government intends to abolish family visitors' full appeal rights through a clause in the *Crime and Courts Bill* [HL]. Family visitor visa appeal rights were previously abolished in 1993, but reinstated by the Labour government in 2000.

The Government has already introduced a narrower definition of 'family visitor' for visa appeal purposes. Uncles, aunts, nephews, nieces and first cousins are no longer included. Neither are family members of persons with temporary permission to stay in the UK (other than Refugee status or Humanitarian Protection).

The Government considers that abolishing the right of appeal will "save tens of millions of pounds", and enable immigration tribunals to focus on more important types of case. It argues that it is considerably quicker and cheaper for a refused applicant to submit a new application rather than wait for an appeal to be processed.

On the other hand, its critics say that it is essential that applicants have access to an independent appeal tribunal. This is particularly in light of concerns about the quality of initial decision-making in visa applications, and the potential implications that a refusal decision may have for subsequent visa applications.

Around 1 in 3 family visitor visa appeals currently succeed. Additional evidence is often submitted at appeal stage, and Government analysis indicates that this has a significant influence over appeal outcomes. However, there is disagreement over whether the use of additional evidence reflects a failure by the applicant (for not providing it earlier) or the UKBA (for not indicating that it was required). The Joint Committee on Human Rights has called on the Government to provide Parliament with further information about the use of additional evidence as a matter of urgency. It has said that it cannot support the removal of family visitors' right of appeal whilst the success rate remains so high.

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There are various different categories of visitor visa for the UK. These cater for different purposes of visit, including those for tourism; to perform as an entertainer at an event; to attend a business engagement; or to get married (but not settle) in the UK.

Persons seeking entry as a visitor for tourism or to visit friends are covered by the provisions for 'general visitors.'[1] Persons coming to visit a family member in the UK are covered by the same rules. They must be able to satisfy the immigration authorities that they are genuinely seeking entry as a visitor, do not intend to remain in the UK for more than six months, intend to leave the UK at the end of the visit, and have sufficient arrangements for their maintenance and accommodation (without needing to work or access public funds).

An application for entry clearance (i.e. a 'visa') as a general or family visitor, which grants a maximum of 180 days' stay, currently costs £78.

All entry clearance refusal decisions attract 'residual' (also known as 'limited') rights of appeal on race discrimination and human rights grounds. Visa sections are not required to inform applicants of how they may exercise these limited appeal rights.[2]

Only a few categories of entry clearance application have 'full' rights of appeal (i.e. appeal rights which derive from immigration legislation).[3] Family visitor visa applicants are the only category of visitor to have a full right of appeal in the event of a refusal decision.

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1 HC 395 of 1993-4 (as amended), paragraphs 41-46

2 UKBA, *Entry Clearance Guidance*, APL4.1 (accessed on 19 December 2012)

3 Namely, settlement and dependant applications (including points-based system dependants), EEA family permits, and overseas domestic workers: UKBA, *Entry Clearance Guidance*, APL 3.1 (accessed on 19 December 2012)

The Chief Inspector of Borders and Immigration has a remit to scrutinise the work of the UK Border Agency (UKBA) in the UK and overseas, and a statutory duty to monitor and report to the Home Secretary on the quality of decision-making in visa categories which do not attract a full right of appeal (although he cannot intervene in individual cases).[4]

The definition of 'family member' before 9 July 2012

The current complex law on immigration appeals is set out in the *Nationality, Immigration and Asylum Act 2002*, as amended, and regulations and rules made under it. Section 90 of the 2002 Act and the *Immigration Appeals (Family Visitor) Regulations 2003* ('the 2003 Regulations') set out the provisions for family visit visa appeals prior to 9 July 2012.[5]

The 2003 Regulations defined family visitors as persons seeking entry to visit a relative in the UK who was:

> (a) the applicant's spouse, father, mother, son, daughter, grandfather, grandmother, grandson, granddaughter, brother, sister, uncle, aunt, nephew, niece or first cousin;
>
> (b) the father, mother, brother or sister of the applicant's spouse;
>
> (c) the spouse of the applicant's son or daughter;
>
> (d) the applicant's stepfather, stepmother, stepson, stepdaughter, stepbrother or stepsister; or
>
> (e) a person with whom the applicant has lived as a member of an unmarried couple for at least two of the three years before the day on which his application for entry clearance was made.

The Regulations defined "first cousin" as the son or daughter of a person's uncle or aunt. UKBA caseworker guidance confirmed that children adopted under an adoption order recognised in UK law were to be treated as if they were the natural children of the adoptive parents, and that civil partners were considered 'a member of the applicant's family' in the same way as a spouse.[6]

2 Previous changes to family visitor visa appeal rights

The *Asylum and Immigration Appeals Act 1993* controversially removed the right of appeal against a refusal of a visitor visa. The Labour Party's 1997 General Election Manifesto pledged to reinstate "a streamlined system of appeals for visitors denied a visa."[7]

Section 60(5) of the *Immigration and Asylum Act 1999* and related regulations reinstated the right of appeal for 'family visitors'.[8] The provisions came into force on 2 October 2000.

Subsequent pieces of legislation changed the legislative basis for immigration and asylum appeals, whilst retaining appeal rights for family visitors.

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4 s23, *Immigration and Asylum Act 1999* (as by section 4(2) of the *Immigration, Asylum and Nationality Act 2006)*

5 SI 2003/518

6 UKBA, *Entry Clearance Guidance* VAT2.2 (accessed on 21 June 2012)

7 Labour Party, *New Labour Because Britain Deserves Better*, 1997

8 *Immigration Appeals (Family Visitor) (No 2) Regulations 2000,* SI 2000/2446

In 2008, the Labour Government announced plans to reform the family visitor route. It was going to introduce a new requirement for UK sponsors (British citizens or persons settled in the UK) to obtain a licence from the UKBA to sponsor family visitors. Sanctions could have been applied against sponsors if the family visitor did not comply with the conditions attached to their leave. Family visitor visa appeal rights would not have changed.[9] However, these plans were never implemented.

3 2011 public consultation on changes to family visas

In July 2011 the UKBA launched a three-month public consultation on changes to family-related immigration categories. One of the consultation questions asked whether a full right of appeal in family visitor visa cases should be retained.

The consultation paper set out the Government's concerns:

> • In 2009-10, family visit visa appeals made up just under 40 per cent (63,000) of all immigration appeals going through the system, costing the taxpayer around £40 million a year.
>
> • New evidence is often submitted on appeal which should have been submitted with the original application. The 'appeal' then becomes in effect a second decision, based on the new evidence, which is often why an appeal is allowed. Analysis of a sample of 363 allowed family visit visa appeal determinations received by the UK Border Agency in April 2011 showed that new evidence produced at appeal was the only factor in the Tribunal's decision in 63 per cent of allowed appeals.
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> • There is evidence of a small but increasing level of misuse of the family visit visa as a means of seeking to remain in the UK. In 2009, asylum intake was 24,500 (principal applicants only), 280 (1 per cent) of which were matched to family visit visas issued on appeal. In 2010, intake was 17,800, 480 (3 per cent) of which were matched to family visit visas issued on appeal.
>
> (...)
>
> 1.24 If the application is refused, the refusal notice contains full and clear reasons for that decision. We suggest that, rather than submitting further evidence on appeal (and in the majority of cases obtaining at the taxpayers' expense a new decision based on new information), a person refused a family visit visa should submit a fresh application. It is open to anyone who has been refused a family visit visa to apply again, on payment of the £76 visa application fee, and provide further information in support of their application. We make decisions on family visit visa applications quickly: 95 per cent within 15 working days in 2010-11, far more quickly than an appeal can be concluded, which can take up to 34 weeks.[10]

The consultation paper proposed limiting the right of appeal for family visit visas to race discrimination and human rights grounds, in line with the appeal rights for other categories of temporary visas. In making this proposal, it noted that:

> • The taxpayer is currently footing the bill for appeals where people are misusing the appeals system - namely where the information submitted on appeal should have been

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9 UKBA, *Government response to the consultation on visitors*, June 2008, pp15-17

10 UKBA, *Family Migration: A consultation*, July 2011 paragraphs 1.22 - 1.24 (references omitted)

put forward as part of the original application, or where a second application is the most appropriate route for securing a visa.

• It is a disproportionate use of taxpayer funding (of around £40m per year for an appeal process which can take up to 34 weeks to be concluded) for the benefit sought: a short-term visit to family in the UK. Greater priority should be given to appeal cases that have far-reaching impacts for the individuals concerned and for the public at large, for example asylum claims, settlement applications and the deportation of foreign criminals.[11]

In May 2012 the Government confirmed that it intended to abolish the right of appeal in family visitor visa cases through the *Crime and Courts Bill*, which was announced in the Queen's speech on 9 May. It also confirmed that whilst the *Crime and Courts Bill* was going through Parliament, it would use existing powers to amend the definitions of 'sponsor' and 'family visitor' in the family visitor regulations, so that the appeal rights would be restricted to a narrower range of cases in the meantime.[12]

The Home Office published a response to the *Family migration* consultation in June 2012. According to its analysis of responses, 39% of respondents did not think that full rights of appeal should be retained for family visitors (39% of individuals and 35% of organisations who responded). 28% felt that they should (27% of individuals and 47% of organisations). 33 per cent did not comment.[13]

4 Implementing the changes

4.1 July 2012: Narrower definitions of 'family member' and sponsoring relative

The *Immigration Appeals (Family Visitor) Regulations 2012*, laid on 18 June 2012, removed a right of appeal from persons applying for a visa in order to visit an aunt, uncle, niece, nephew or first cousin in the UK.[14]

They also introduced a requirement that the family member the applicant is intending to visit has settled status (i.e. permanent permission to stay in the UK), Refugee status or Humanitarian Protection. Family members of persons with other types of temporary leave to remain in the UK (e.g. as a student or worker) do not have a right of appeal against a refusal of a visa to visit them.

The regulations came into effect on 9 July 2012. The UKBA's *Entry Clearance Guidance* (guidance used by staff handling visa applications overseas) provides the following summary of post-9 July family visitor appeal rights:

> For the purposes of lodging a FRA an applicant must be visiting 1 of the following qualifying family members in the UK:
>
> - Spouse, civil partner, father, mother, son, daughter, brother or sister;
> - Grandfather, grandmother, grandson or granddaughter;
> - Spouse or civil partner's father, mother, brother or sister;

11 UKBA, *Family Migration: A consultation*, July 2011
12 Home Office *news release*, 'Scrapping family visitor appeal rights will save millions', 12 May 2012
13 Home Office, *Family Migration: Response to consultation*, June 2012
14 SI 2012/1532

- Son or daughter's spouse or civil partner;
- Stepfather, stepmother, stepson, stepdaughter, stepbrother or stepsister; or
- Unmarried partner where the couple have been in a relationship akin to marriage or civil partnership for at least the 2 years before the day the application is made and the relationship is genuine and subsisting.
- Under these Regulations a FRA will only apply where the applicant is applying to visit a qualifying family member and that family member also has settled status in the UK (as defined in para 6 of the immigration rules)
- been granted asylum (under para 334 of the immigration rules; or
- been granted Humanitarian Protection status (under para 339C of the immigration rules).

In addition:

Children adopted under an adoption order recognised in UK law are treated as if they are the natural children of the adoptive parents.[15]

Appeal rights for applications received before 9 July would be in line with the regulations in force at the time of applying (i.e. the 2003 Regulations). Applications made on or after 9 July are covered by the *Immigration Appeals (Family Visitor) Regulations 2012*.

4.2 *Crime and Courts Bill* [HL]: Abolishing family visitor visa appeal rights

The *Crime and Courts Bill* [HL], Bill 115 of 2012-13, is due to have its Second Reading in the Commons on 14 January 2013.[16]

Clause 34 of the Bill (clause 24 of the Bill as originally introduced in the Lords) seeks to amend the current complex legislative provisions on immigration appeal rights in order to remove family visitors from the categories of applicant who have a full right of appeal, and to remove the provisions under which the existing family visitor visa appeals regulations were made, thereby removing the full right of appeal in these cases.

Subject to the Bill's passage through Parliament, the Government intends to implement these changes by January 2014.[17]

During the Bill's passage through the Lords, Government Ministers repeated the arguments previously put forward in the UKBA's *Family Migration* consultation in favour of changing family visitors' appeal rights.[18] Issues raised during debate in the Lords are referred to in section 5 below.

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15 UKBA, *Entry Clearance Guidance*, VAT 2.2 (accessed on 19 December 2012)
16 HL Bill 4 of 2012-13 as introduced
17 Home Office, *Impact Assessment* HO0070 Restricting the Right of Appeal for Family Visitors to the UK, 29 March 2012, p.3
18 HL Deb 4 July 2012 cc697-9

5 Debate over abolishing appeal rights: issues commonly raised

5.1 Quality of decision-making, and giving applicants a chance to 'clear their name'

There have been longstanding concerns about the quality of decision-making for asylum and immigration (including visa) applications.[19]

The Independent Chief Inspector of Borders and Immigration has published several inspection reports in recent years about the work of UKBA visa sections overseas. Some of these have specifically considered the quality of decision-making in family visitor visa applications.[20] For example, his 2011 report into cases handled by the visa section in New York found that out of 72 family visitor visa applications reviewed by the Inspectorate, 19 (26%) failed one or more decision-making quality indicators.

Errors that he has frequently identified include Entry Clearance Officers disregarding or misinterpreting evidence submitted; applying additional evidential standards not referred to in published application guidance; adopting an inconsistent approach towards similar cases; and making erroneous decisions on appeal rights. Concerns have also been raised about the effectiveness of the 'administrative review' system through which visa decisions are reviewed by Entry Clearance Managers.[21]

The Government has said that the UKBA has implemented all of the Chief Inspector's accepted recommendations for its entry clearance operations.[22] Nevertheless, some argue that abolishing family visitors' right of appeal is premature, and will reduce the UKBA's incentives to improve the quality of its decision-making.[23]

Critics have also said that it is important that refused applicants are given an opportunity to 'clear their name', so as to avoid future applications being prejudiced by a previous refusal decision.[24] This is particularly relevant if an application has been refused under one of the Immigration Rules' 'general grounds for refusal'.[25] For example, if an applicant is alleged to have used deception in an application, any future application may be refused for up to 10 years.[26]

Lord Avebury tabled an amendment at Lords Committee stage of the *Crime and Courts Bill* which would have allowed refused family visitor visa applicants to retain a right of appeal, if they were refused under the 'general grounds for refusal'. Lord Henley (then Home Office Minister of State) argued against the amendment (which was subsequently withdrawn), reasoning that "Such an approach would, in effect, be rewarding criminality or dishonest behaviour".[27]

The Government also rejects the idea that refused applicants without a right of appeal are placed at a disadvantage in future applications. It emphasises that all refused applicants receive written reasons for the refusal, and may reapply as quickly and often as they wish.

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19 See, for example, Home Affairs Committee, *Immigration Control*, HC 775-I, 23 July 2006

20 See, for example, *Entry Clearance Decision-Making: A Global Review*, 19 December 2011; *An Inspection of the UK Border Agency Visa Section in New York*, 19 December 2011; *An inspection of the UK Border Agency visa section in Amman, Jordan*, 17 March 2011

21 For example, see HL Deb 4 July 2012 cc691-2

22 Explanatory Memorandum to SI 2012/1532, paragraph 8.3

23 HL Deb 4 July 2012 c695

24 ILPA, *Briefing on House of Lords Committee Stage Crime and Courts Bill Clause 24,* 8 June 2012

25 Immigration Rules (HC 194 of 1993-4 as amended), Part 9

26 Immigration Rules (HC 194 of 1993-4 as amended), para 320 7B

27 HL Deb 4 July 2012 c697-8

Each application is treated on its own merits and is not prejudiced by a previous refusal decision, provided that deception was not used. Where a previous application has been refused under a general ground for refusal, Government Ministers have said that it is open to the applicant to explain why the previous refusal was not justified, and the new application will be given "full consideration".[28]

5.2 Success rates at appeal and submissions of additional evidence

When a visa appeal is submitted the visa section must review the initial decision (and any further evidence submitted). If an Entry Clearance Manager decides to maintain the refusal decision, the appeal will be processed and considered by the First Tier Tribunal (Immigration and Asylum Chamber).[29]

UKBA caseworker guidance states that admissible evidence for entry clearance appeals must pre-date the date of the refusal decision (rather than the date of the appeal hearing).[30] This means that the visa post (and Immigration Judges at appeal) can consider 'additional evidence' submitted by an applicant post-refusal if it relates to the circumstances at the time of the initial decision (such as a bank statement showing that sufficient maintenance funds were in place at the time), but not 'new evidence' relating to circumstances after the refusal decision had been made (such as further funds which became available after the refusal decision). Applicants can submit evidence to the visa post at any time prior to the appeal hearing date. Posts must review the refusal decision in light of the additional evidence as soon as possible.[31]

The Government has provided figures for the success rate for family visitor visa appeals in the past two years:

- In 2010–11, 38% of such appeals determined were successful (22,400 out of 58,600 appeals determined).
- In 2011–12, 32% of such appeals determined were successful (15,100 out of 47,200 appeals determined).[32]

Government analysis suggests that a considerable proportion of family visitor visa appeals succeed because the applicant submits additional evidence which was not available to the initial decision-maker:

> Analysis of a sample of 363 allowed family visit visa appeal determinations received by the UK Border Agency in April 2011 showed that new evidence produced at appeal was the only factor in the Tribunal's decision in 63 per cent of allowed appeals. (Such new evidence was one of a combination of factors in the Tribunal's decision in 92 per cent of allowed appeals). 29 per cent were allowed because of new evidence and a combination of other factors, including the applicant being found credible and interpretation of the rules. The remaining 8 per cent were allowed because of factors which did not include new evidence.[33]

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28 HL Deb 4 July 2012 cc697-8
29 UKBA, *Entry Clearance Guidance*, APL 7.1 (accessed on 19 December 2012)
30 UKBA, *Entry Clearance Guidance*, APL 7.5 (accessed on 19 December 2012)
31 Entry clearance guidance, APL 1.17 (accessed on 19 December 2012)
32 Joint Committee on Human Rights, *Legislative Scrutiny: Crime and Courts Bill*, HL Paper 67/HC 771, 26 November 2012, para 79
33 UKBA, *Family Migration: A consultation*, July 2011 para 7.7 (references omitted)

The Government argues that submitting additional evidence at appeal stage is a 'misuse' of the appeals system, and that it would be quicker and cheaper for applicants to provide such evidence in support of a new visa application rather than pursuing an appeal.[34]

On the other hand, ILPA, the immigration law practitioner's body, contends that there are often valid reasons why applicants submit additional evidence at appeal stage - for example, if an application was refused for failure to provide evidence which was not referred to in the supporting guidance, or because vague reasons for refusal were initially given, and the visa officer's reasons for refusal only became apparent at appeal stage.[35]

In November 2012 the Joint Committee on Human Rights called on the Government to provide Parliament with evidence of the proportion of appeals which succeed as a result of new evidence which the applicant should have provided with the initial application, rather than evidence which was required due to UKBA error, as a matter of urgency. The Committee has stated that whilst the success rate of family visitor visa appeals remains so high, it cannot support the Government's proposals to remove the right of appeal.[36]

Various stakeholders have also suggested that the UKBA should do more to ensure that clear guidance is available to prospective applicants about what kind of supporting evidence to submit with their initial application.[37] The Government has said that it has been taking action to make the visa application process more user-friendly, such as by publishing guidance to family visitor visa applicants on what types of supporting documents to include, and translating visa guidance into other languages.[38]

Baroness Smith tabled an amendment at Lords Committee and Report stages which sought to introduce a requirement for Entry Clearance Officers to communicate with visa applicants during the application process in order to obtain additional information relevant to the application. This was intended to ensure that applications would not be refused (without a right of appeal) for minor reasons, such as a missing document, which could be easily rectified through contact between the applicant and decision-maker. Lord Taylor (Parliamentary Under Secretary of State, Home Office) argued against the amendment at Report stage, saying that it would put a "significant resource burden" on UKBA caseworkers. He emphasised that the UKBA has already taken steps to ensure relevant information is available to prospective applicants, but argued that ultimately it is applicants' responsibility to ensure that they have properly prepared their application before it is submitted.[39] The amendment was withdrawn.

5.3 Charges for appeals

Charges for appealing to the First Tier Tribunal (Immigration and Asylum Chamber) came into effect on 19 December 2011.[40]

The fees are £80 for paper appeals and £140 for oral appeals. There are exemptions to the fees in certain limited circumstances (such as when the appellant is in receipt of legal aid).[41]

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34 Home Office *news release*, 'Scrapping family visitor appeal rights will save millions', 12 May 2012
35 ILPA, *Briefing on House of Lords Committee Stage Crime and Courts Bill Clause 24*, 8 June 2012
36 Joint Committee on Human Rights, *Legislative Scrutiny: Crime and Courts Bill*, HL Paper 67/HC 771, 26 November 2012, para 83
37 Home Office, *Family Migration: Response to consultation*, June 2012, p. 23
38 Explanatory Memorandum to SI 2012/1532, paragraph 8.3
39 HL Deb 12 December 2012 c1093GC
40 *The First-tier Tribunal (Immigration and Asylum Chamber) Fees Order 2011,* SI 2841/2011

Immigration Judges have some discretionary powers to award the cost of the appeal fee against the UKBA in the event of a successful appeal. The President of the First Tier Tribunal (Immigration and Asylum Chamber) has issued some guidance to assist judges in deciding whether to award fees.[42]

The Home Office impact assessment states that although the introduction of appeal fees is expected to reduce the cost of appeals to the taxpayer, from £590 to around £470 per case, the cost "remains disproportionately high".[43] The then Minister for Immigration, Damian Green, rejected a suggestion that appeal fees be increased to make the system self-financing, on the basis that only "particularly affluent" appellants would be able to afford them.[44]

6 Home Office impact assessments

The Explanatory Memorandum accompanying the *Immigration Appeals (Family Visitor) Regulations 2012* stated that family visitor visa appeals accounted for around a third of all immigration appeals at that time.[45] Introducing a narrower definition of family member and sponsor was estimated to reduce the volume of family visitor appeals by 20 - 40%, and save the UKBA and HM Courts and Tribunals Service £7 million over 10 years.[46]

A separate impact assessment for the *Crime and Courts Bill* considers the impact of abolishing family visitors' full appeal rights. Its best estimate is that this will generate a net benefit of around £107 million over 10 years.[47]

7 Recent statistics: Family visitor visa applications and appeals

Figures on family visitor applications, appeals and outcomes were provided in response to a Parliamentary Question in July 2012:

> **Conor Burns:** To ask the Secretary of State for the Home Department how many applications for family visitor visas there were in each year from 1997 to 2011; how many of those were granted; how many times appeals were made against refusal of such applications; how many of those appeals were upheld in each such year; and what her most recent estimate is of the average cost to her Department of such an appeal in the latest period for which figures are available.
>
> **Damian Green***:* The information requested for each calendar year since 2004 is shown in the following table. The information is not available for previous years, as this data was not recorded centrally for all of the visa sections prior to 2004, and to collate it would incur disproportionate costs.

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41 SI 2841/2011, r9

42 Tribunals Service, *Joint Presidential Guidance note no 4 (2011): Fee awards in immigration appeals*, December 2011

43 Home Office, *Impact Assessment* HO0070 Restricting the Right of Appeal for Family Visitors to the UK, 29 March 2012 p.1

44 Home Affairs Committee, *Immigration Policy,* HC 493-i, 18 September 2012, Q71-71

45 Explanatory Memorandum to SI 2012/1532, paragraph 7.2

46 Home Office, *Impact Assessment* HO0065 Changes to Family Migration Routes, 12 June 2012, p 38 - 41

47 Home Office, *Impact Assessment* HO0070 Restricting the Right of Appeal for Family Visitors to the UK, 29 March 2012, p.2

Family visit visas

	Applications received [(1)]	*Visas issued* [(1)]	*Appeals received* [(2)]	*Appeals decided* [(2)]	*Appeals allowed* [(2, 3)]
2004	354,029	247,987	28,803	22,707	10,889
2005	456,985	330,638	55,813	25,556	10,733
2006	501,565	375,940	47,672	65,507	24,349
2007	473,470	354,061	61,028	57,608	20,297
2008	414,656	313,377	65,283	59,881	23,180
2009	426,789	332,781	63,449	64,860	26,312
2010	423,042	350,311	51,702	64,237	25,630
2011	443,948	370,105	44,809	50,137	16,783

[(1)] This data is based on internal UKBA Management Information. It is provisional and subject to change.

[(2)] This is data provided/published by HM Courts and Tribunals Service. Appeals received is a discrete data set and not restricted to appeals arising from refusals in each year.

[(3)] This is the number of appeals decided in each year that were allowed.[48]

In July 2011 the Home Office published a research paper to accompany the *Family migration* consultation.[49] This included some management information on the volume and outcome of family visitor visa applications in 2010.

Pakistan, India, Nigeria, Bangladesh and Iran were the five nationalities with the highest volume of refused family visit visas in 2010.

A slightly different list of countries had the highest proportion of refused applications:

Table 31: Top five nationalities refused family visit visas as a proportion of applications received from that nationality, 2010

	Percentage of applications refused
Pakistan	48%
Zimbabwe	46%
Afghanistan	42%
Uganda	39%
Bangladesh	38%

Only includes nationalities with an application volume of at least 1,000

[48] HC Deb 10 July 2012 c123W

[49] Home Office, *Occasional Paper 94 Family migration: evidence and analysis*, 2nd edition, July 2011