BRIEFING

Deportation and Voluntary Departure from the UK

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This briefing examines the deportation (or ‘enforced return’) and voluntary departure (‘voluntary return’) of people without the right to remain in the UK. It presents statistics on the numbers and characteristics of people who are removed, or who leave voluntarily, and the method of their departure.

Key Points

In 2019, there were over 19,000 enforced and voluntary returns from the UK.

In 2019, there were around 7,400 enforced returns, the lowest annual number on record.

Voluntary returns fell substantially after 2015.

Covid-19 had a visible impact on returns by April 2020, reducing them even further.

In 2019, 21% of returnees were citizens of South Asian countries, and 19% were EU citizens.

In 2019, around one quarter of all people returned were foreign national offenders, 68% of whom were EU citizens.

The government has found that at least 83 members of the Windrush generation may have been wrongly removed from the UK since 2002.

Understanding the Policy

In ordinary language, deportation refers to a state’s removal of a foreign citizen from its territory. In UK legal terminology, however, deportation refers to a subset of government-enforced removals – of people with a criminal conviction or whose removal from the UK is determined to be conducive to the public good. Because of this technical usage of the word deportation, this briefing uses the government’s terminology and hence the word return to refer to a removal or departure of a foreign citizen whom it is judged has no right to remain in the UK.

The Home Office is the government department responsible for removing – or aiding or monitoring the voluntary departure of – people who have no legal right to stay in the UK. This includes those who have entered the UK without authorisation; people who have stayed in the country longer than their visa permits, or who have otherwise breached the conditions of their permission to stay; those being deported in the narrow sense defined above, such as due to a criminal conviction; and those who have been refused asylum, exhausted all rights of appeal, and hence have no legal right to remain in the UK.

British nationals cannot be returned except where they are under 18 and their parents are subject to removal. EU citizens can be removed, as long as it is on public policy grounds (such as due to criminal convictions) or for reasons of national security. In this briefing, references to EU citizens should be taken to include Swiss citizens, and those of the three additional EEA countries, Iceland, Liechtenstein and Norway.
Understanding the Evidence

Information on returns comes from administrative data provided by the Home Office, as part of its immigration statistics quarterly release. Returns are of two broad types, enforced and voluntary.

**Enforced returns** refer primarily to people who left the UK as a result of removal directions set by the Home Office. These people may or may not have been in detention immediately before leaving, although most will have been. The Home Office also includes in this category people who were detained and then made their own arrangements to leave and whose departure was facilitated or monitored by the Home Office. Enforced returns thereby reflect a high level of Home Office enforcement activity.

By contrast, **voluntary returns** are subject to a lower level of Home Office enforcement activity, or none at all. In Home Office statistics, two types of voluntary return are facilitated or monitored by the Home Office: assisted returns and controlled returns. Assisted returns are where returnees voluntarily make an application to the Home Office’s Voluntary Returns Service and who are accepted to receive a re-integration package as part of their departure (of between £1,000 and £2,000), or where the Home Office arranges and pays for the flights. **Controlled returns** are where a person leaves the UK voluntarily at their own expense and who either notifies the Home Office prior to departure or has the Home Office oversee their departure. In this briefing, assisted returns and controlled returns are sometimes grouped together under the label facilitated or monitored returns, because these returns are actively facilitated or monitored by the Home Office.

A third type of voluntary return, called **other verified returns** in the Home Office datasets, are made independently of the Home Office. These returns refer to people who have not notified the immigration authorities that they are leaving and may have had no contact with immigration enforcement officials. In these cases, the Home Office knows that the person has left the country primarily due to data matching processes. For example, visa records may show that a person has an expired visa and exit checks identify that person leaving the UK. In this briefing, these returns are called independent returns, because they are made independently of the authorities.

Importantly, data for the most recent year of voluntary returns are likely to be undercounts. This is because independent returns (other verified returns in the datasets) are initially undercounted and later revised upwards, as in some cases it can take time to identify people who have left the UK without informing the authorities. For example, the December 2018 count of other verified returns in 2018 had been revised upwards by around 800 by December 2019. Therefore, comparisons over time involving the most recent year for which there are data should be made with caution.

Another category of returns not discussed in this briefing is **individuals refused entry at port and subsequently removed**. People in this category have been denied legal permission to enter the UK on arrival and were then removed. Because people removed in this way have not passed through border controls into the UK, we exclude them from this briefing.

All returns statistics in this briefing include both main applicants and their dependants. The Home Office data do not separate these categories and so it is not possible to determine the number of returns of families.

In its published statistics, the Home Office includes counts of the number of people who made an asylum claim prior to their enforced or voluntary return. This includes not only asylum seekers whose claim has been refused and who have exhausted any rights of appeal, but also those granted asylum or humanitarian protection but who have then been removed for other reasons, such as criminal behaviour (Home Office, 2020b, p. 97).
In 2019, there were over 19,000 enforced and voluntary returns from the UK

There were over 19,000 enforced and voluntary returns from the UK in 2019, though this number will increase due to initial undercounting of voluntary returns.

The fall in returns after 2015 has been driven by declines in both enforced and voluntary returns, though the number of voluntary returns has fallen more steeply, with some of the fall, as explained above, due to initial undercounting (Figure 1).

From 2010 to 2019, voluntary returns have outnumbered enforced returns. The Home Office has a preference for voluntary returns (Bolt, 2015, p. 2), in part because its research shows that the average cost to the government of a voluntary return is £1,000, compared to £15,000 for an enforced return (Home Office, 2013, p. 4).

Figure 1

Enforced and voluntary returns from the UK, 2010 to 2019
Excludes people refused entry at port and who subsequently departed

Over the decade 2010–2019, most returnees have been male, ranging from 71% to 74% each year.

Of all people returned in 2019, 82% were aged 18 to 49, 5% were under 18, and 13% were 50 or older.

In 2019, 3,174 people who had previously sought asylum in the UK departed via enforced or voluntary return, 17% of all departures. This means that a large majority of returnees (83%) are not asylum seekers. Returns of people who have previously sought asylum are more likely to be enforced than are non-asylum departures. In 2019, 48% of asylum returns were enforced, compared to 37% of non-asylum returns.
In 2019, there were around 7,400 enforced returns, the lowest annual number on record

In 2019, there were 7,360 enforced returns, 22% fewer than in 2018, and the lowest annual number since records began in 2004.

The Home Office reports (2019a) that recent falls in enforced returns have coincided with changes across the immigration system. Most notably, the government has reduced the use of detention and the size of the detention estate (see our briefing on Immigration Detention in the UK), and proposed changes following the Windrush scandal – which saw the unlawful detention and removal of people from Caribbean countries – to give more scrutiny to detention decisions and ‘make better use of face-to-face engagement’ with detainees (Joint Committee on Human Rights, 2019, p. 4). A review on illegal working by The Independent Chief Inspector of Borders and Immigration (2019), and a review by the National Audit Office of immigration enforcement (2020), also identified factors that may have reduced removals following Windrush, including a pause in data sharing between government departments and lower morale among front-line enforcement staff.

Most people who leave the UK via enforced return do so from detention (i.e., directly from detention or within two days of leaving detention): 88% in 2019 (Home Office, 2020d).

Voluntary returns fell substantially after 2015

Like enforced returns, voluntary returns also fell after 2015 (Figure 2).

Some voluntary returns are facilitated or monitored by the Home Office, while others are not. Figure 2 breaks down the data into facilitated or monitored returns, and independent returns, where the Home Office established that the person had left the UK after the fact.

Facilitated or monitored returns fell by 62% from their recent peak in 2015 to 2019.

Independent returns have also fallen significantly from their recent peak in 2013, although the 2019 level will be revised upwards, reducing the size of the decline.
An increase in voluntary returns was a key objective of the government’s ‘hostile environment’ policy, introduced in 2014 and now officially known as the ‘compliant environment’ policy, which was designed to make remaining in the UK difficult for those without legal authorisation. However, it is unclear what impact the policy has had on voluntary returns: a 2020 report by the National Audit Office into the effectiveness of the hostile environment states that the Home Office is “currently unable to measure whether these activities have the desired effect of encouraging people to leave voluntarily” (National Audit Office, 2020, p. 28).

Covid-19 had a visible impact on returns by April 2020, reducing them even further

Covid-19 has had a significant impact on returns from the UK. While no general government policy of suspending removals has been put in place at the time of writing, new detentions of people liable to removal to 49 countries – including Jamaica, India, Pakistan, Afghanistan, Iraq, Sudan, and Albania – have been suspended (Detention Action, 2020). Consequently, removals are likely to have reduced substantially.

This can be seen from the official statistics for the first quarter of 2020 (1 January to 31 March), in which all categories of return have fallen (Figure 3). These declines are particularly marked when compared with the same quarter in 2019: enforced returns were 30% lower, and facilitated returns (voluntary returns excluding other verified returns) fell by 42%. Although returns have been in general decline since Q1 2019, the magnitude of the fall in Q1 2020 compared with Q1 2019 is so great that the Home Office states that it is “highly likely” to have been the result of the travel restrictions imposed due to Covid-19 (Home Office, 2020a).
In part, these declines in returns have resulted from a reduction in the detained population. In a report (Home Office, 2020c) into the impact of Covid-19 on immigration, the Home Office stated that at the start of May 2020, there were 313 people in immigration detention centres, down from 1,278 at the end of December 2019 and 555 at the end of March 2020 (these numbers exclude those held under immigration powers in prisons; for more information on Covid-19 and detention see our briefing on Immigration Detention in the UK).

**In 2019, 21% of returnees were citizens of South Asian countries, and 19% were EU citizens**

In 2019, citizens of South Asian countries made up the largest share of those who left the UK via enforced or voluntary return, at 21%, followed by the citizens of EU countries at 19% (Figure 4). South Asians have always made up the largest share of returnees, but their share has fallen from a peak of 43% in 2014.
Of the roughly 19,000 people who left the UK via enforced or voluntary return in 2019, 57% were citizens of just ten countries (Table 1). To some extent, these patterns reflect the total number of citizens of each country in the UK. But some countries, like Albania, Brazil and Ukraine are not among the biggest contributors of migrants, but are of people returned.
In 2019, of all 19,118 enforced and voluntary returns, 80% (15,228) were of an individual to their country of nationality; 8% (1,496) were to an EU country that is not the country of their nationality; and 13% (2,394) were to another country or an unknown destination, meaning that the destination was not available for statistical purposes (Home Office, 2020e).

In 2019, around one quarter of all people returned were foreign national offenders, 68% of whom were EU citizens

Home Office statistics report the number of foreign national offenders (FNOs) returned from the UK each year. A foreign national offender is a non-British citizen who has been convicted either in the UK of any criminal offence, or abroad of any serious criminal offence. These data are broken down by returnee citizenship, whether EU or non-EU (but not specific nationalities).

In 2019, 5,126 foreign national offenders left the UK via enforced or voluntary return (the majority being enforced), making up 27% of all returns.

In the decade from 2010 to 2019, the share of returned FNOs that were EU citizens has risen, from 17% in 2010 to 68% in 2019. This is the result of a steady increase in the number of EU FNOs returned and a decrease in the returns of non-EU FNOs (Figure 5). The rise in the return of EU nationals coincided with an increase in the population of EU citizens resident in the UK, and with a gradual decrease from April 2009 in the threshold of seriousness of crimes that led to an EU citizen being considered for deportation (Home Office, 2019b, p. 12).
A total of 3,611 EU citizens left the UK via enforced or voluntary return in 2019, comprising both FNOs and non-FNOs (see Figure 4 above). This means that a large majority of EU citizens that are returned are foreign national offenders: 97% in 2019 (3,501 of 3,611). This share is up from 70% in 2016, when 3,970 of the 5,680 EU nationals returned were FNOs. The absolute number of returned EU citizens who are not FNOs dropped sharply from 1,710 in 2016 to 110 in 2019.

The government has found that at least 83 members of the Windrush generation may have been wrongly removed from the UK since 2002

In some cases, long-term legal residents or even British citizens who are unable to prove their status have been returned, as illustrated by the 2018 Windrush scandal (see Williams, 2020).

The Home Office Windrush Historical Cases Review examined the immigration records of 11,800 British residents of Caribbean Commonwealth nationality who were born before 1973 and who had been held in immigration detention or removed from the UK since 2002. The review found that 83 people of the Windrush generation may have been wrongly removed from the UK by the Home Office, 31 of whom were detained beforehand (Home Office, 2020f).

Of these 83 individuals, 61 (73%) were Jamaican nationals. The remaining 22 individuals were nationals of eight other Caribbean countries. As at 28 April 2020, 13 of these 83 individuals are deceased. The Home Office has been unable to contact a further 14 individuals. Of the 56 individuals with whom the Home Office has made contact, 28 have been granted citizenship or some form of leave, 9 will submit an application under the Windrush documentation scheme, 11 are awaiting a decision, and 8 have confirmed that they are not making an application (Home Office, 2020f, p. 16).
Evidence Gaps and Limitations

Much information about returns is not included in the published Home Office statistics. Data on the reason for removal is limited to information on whether the person previously made an asylum claim and whether a person was a foreign national offender. There is no information regarding the immigration history of returnees, and so no counts of how many of those returned are unauthorised entrants, refused asylum applicants, visa overstayers, or who otherwise broke the conditions of their leave to remain in the UK.

The same applies to returned EU citizens. Information is not publicly available on the reason for their removal, such as whether they were removed for no longer having residence rights under EU law, or for reasons of national security, public policy, or something else.

There is also no information on how long visa overstayers had been in the UK without permission before their departure, which means we do not know to what extent that independent returns (of people who leave voluntarily without intervention from immigration authorities) comprises people who lived and worked irregularly in the UK for a substantial period, as opposed to those who overstayed their visa for only a few days.

Relatively little is known about the personal or demographic characteristics of those returned, beyond their age, sex, and nationality – and age, sex and specific nationality breakdowns are not provided for asylum seekers or FNOs. We do not know how long returnees have lived in the UK, where they lived, whether they were settled residents, or whether they were labour, student, or family migrants.

Finally, the published data refer only to enforced returns and do not break this down into people removed via deportation and “those removed under other administrative and illegal entry powers who have declined to leave voluntarily” (Home Office, 2020a).

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References

- Home Office (2019a). *How many people are detained or returned?*. Home Office.
- Home Office (2020a). *How many people are detained or returned?*. Home Office.
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Related material

- Migration Observatory briefing – *Immigration Detention in the UK*
- Migration Observatory briefing – *Irregular Migration in the UK*
- Migration Observatory briefing – *Migration to the UK: Asylum*
- Migration Observatory Election 2015 briefing – *Enforcement: Enforced Removals and Voluntary Departures of People Violating Immigration Law*
- Migration Observatory report: *Top 10 Problems in the Evidence Base*
The Migration Observatory

Based at the Centre on Migration, Policy and Society (COMPAS) at the University of Oxford, the Migration Observatory provides independent, authoritative, evidence-based analysis of data on migration and migrants in the UK, to inform media, public and policy debates, and to generate high quality research on international migration and public policy issues. The Observatory's analysis involves experts from a wide range of disciplines and departments at the University of Oxford.

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The Migration Observatory is based at the Centre on Migration, Policy and Society (COMPAS) at the University of Oxford. The mission of COMPAS is to conduct high quality research in order to develop theory and knowledge, inform policy-making and public debate, and engage users of research within the field of migration.

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