

BRIEFING

Deportation, removal, and voluntary departure from the UK



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This briefing examines the deportation, removal, and voluntary departure of people without the right to be in the UK. It presents statistics on the numbers and characteristics of people who are removed from the UK or who leave voluntarily.

Key Points

Returns from the UK remained low compared to historical levels but returned to pre-pandemic levels in 2023

Enforced returns have declined sharply over the long run

Voluntary returns increased significantly after the pandemic, following several years of decline

Around 41% of those who submitted an asylum application between 2010 and 2020, and were refused, had been returned from the UK by June 2022

Around 1.3% of people who arrived by small boat from 2018 to June 2023 were returned from the UK during that period

In the year ending 30 September 2023, the top nationalities among returnees were Albanian (20%), Indian (15%), and Brazilian (12%)

In the year ending 30 September 2023, 16% of all people removed from the UK were foreign national offenders, and 53% of returned FNOs were EU citizens

EU citizens made up a majority of people refused entry at the UK border after 2021

Understanding the policy

In general usage, deportation refers to the removal of a foreign citizen from a country's territory. In UK legal terminology, however, deportation refers to a subset of government-enforced removals: of people with a criminal conviction, or those 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 terms *return* or *removal* to refer to the removal or departure of a foreign citizen whom the Home Office determines has no right to be 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 be in the UK. This includes:

- 1. People who have entered the UK without authorisation;
- 2. People who have stayed in the country longer than their visa permits, or who have otherwise breached the conditions of their visa;
- 3. Those being deported in the narrow sense defined above, such as due to a criminal conviction;
- 4. People who have been refused asylum and have no legal right to stay in the UK.

Before the end of free movement, EU citizens could be removed either for not exercising Treaty rights (i.e., if they were not a jobseeker, worker, self-employed person, self-sufficient, or a student), or on public policy grounds, such as due to a criminal conviction or for reasons of national security. Now that EU free movement has ended, EU citizens can be removed for the same reasons as non-British citizens from the rest of the world.

Even British citizens can be returned, but only if they are under 18 and their parents are subject to removal.

Most returnees are returned to their country of nationality. However, in some cases, a returnee is sent to a country other than their country of nationality. For example, before 1 January 2021, when the UK was party to the Dublin III Regulation, the UK could, in some circumstances, transfer asylum seekers to EU member states they had previously travelled through or where they had connections. On 31 December 2021, the UK ceased to be a party to the Dublin III Regulation. On 1 January 2021, new rules on 'inadmissibility' were introduced (modified on 28 June as a result of provisions in the Nationality and Borders Act 2022), to enable the Home Office to put on hold an asylum claim from an individual with a connection to a safe third country, during which the Home Office will try to remove the individual to that country.

The UK government has also proposed to relocate some asylum seekers to Rwanda (see our <u>Q&A</u>: <u>The UK's policy to send</u> <u>asylum seekers to Rwanda</u>), although at the time of writing nobody had been transferred.

Understanding the evidence

Statistics on returns come from administrative data published by the Home Office, as part of its Immigration Statistics Quarterly Release. The data are for the number of returns rather than the number of unique individuals returned. Therefore, if one person were returned, say, twice in a given period, they would be counted twice in the statistics.

Home Office datasets break down returns into two broad types: *enforced* and *voluntary*.

Enforced returns refer primarily to the removal of people who have declined to leave the UK voluntarily, and where the Home Office enforces their departure. Enforced returns therefore reflect a high level of Home Office enforcement activity. There are three categories of enforced returns in the Home Office data: (1) *enforced removals from detention*, where the individual is removed from the UK directly from detention or within two days of leaving detention; (2) *other returns from detention*, where the individual is removed directly from detention or within two days of leaving detention and has notified the Home Office that they wish to make their own arrangements to leave the country, with the Home Office facilitating or monitoring the return (in this briefing these are called *voluntary returns from detention*); and (3) *non-detained enforced removals*, where the individual is removed more than two days after leaving detention, or where there was no period of detention prior to the enforced removal.

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 returns 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 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 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 *independent returns* in this briefing (and *other verified returns* in the Home Office datasets) refers to departures that are made independently of the authorities. These returns refer to people who have not notified the authorities that they are leaving and may have had no contact with immigration enforcement officials. In these cases, the Home Office knows 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 confirm that the individual has left the UK.

Importantly, data for the most recent two years (or eight quarters) of voluntary returns are likely to be undercounted. This is because independent returns (*other verified returns* in the datasets) are initially undercounted and later revised upwards, as in some cases it takes time to identify people who have left the UK without informing the authorities. Therefore, comparisons over time involving the most recent two years for which there are data should be made with caution.

Another category of returns is port returns, labelled in the datasets *individuals refused entry at port and subsequently departed*. People in this category have been denied legal permission to enter the UK on arrival and have left the country. Because people removed in this way have not passed through border controls into the UK, we exclude them from counts of returns in this briefing and instead discuss port returns in its own section.

All returns statistics in this briefing include both main applicants and their dependants. The Home Office data do not separate these categories, 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 <u>includes</u> not only asylum seekers whose claim has been refused and who have exhausted all rights of appeal, but also those granted some form of asylum-related protection, but who have then been removed for other reasons, such as criminal behaviour.

In 2020, the Home Office <u>revised</u> its returns statistics from 2007 onwards due to improved data-matching and a more accurate categorisation of returns as enforced or voluntary.

Returns from the UK remained low compared to historical levels but returned to prepandemic levels in 2023

The total number of people returned from the UK has declined significantly over time. Between 2013 and 2020, it fell by 82% to a low of around 8,400. The Covid-19 pandemic caused a sharp drop in returns from levels that were already relatively low (Figure 1).

Since then, numbers have somewhat recovered. In the year ending 30 September 2023, there were around 22,800 returns from the UK, including both enforced and voluntary returns (though the number is likely to increase as more complete data are collected). Although the number of returns reached pre-pandemic levels, it remained low compared to the past – more than 51% below the peak reached in 2013.



Source: Migration Observatory analysis of Home Office Immigration Statistics, Table Ret_D01. Notes: Enforced returns reflect a higher level of Home Office immigration enforcement activity. Voluntary returns are subject to a lower level of Home Office enforcement activity, or none at all. The 2022 and 2023 counts of voluntary returns are provisional because one of its subcategories, independent returns, are initially undercounted and later revised upwards. Data exclude those who departed after being refused entry at ports.



Enforced returns have fallen more than voluntary ones. From 2007 onwards, total voluntary returns – comprising both facilitated or monitored and independent returns – outnumbered enforced returns. The Home Office <u>prefers</u> voluntary returns, in part because they are much cheaper. An <u>estimate from 2013</u> put the average cost of a voluntary return at around £1,000, compared to £15,000 for an enforced return.

The reasons behind the long-term fall in returns are somewhat unclear. One explanation <u>suggested by the Home</u> <u>Office</u> is tighter screening of passengers prior to travel to the UK, which might have reduced visa overstayers adding to the irregular migrant population. (It is not possible to know whether this has actually happened, from the available data.) Several other reasons for the decrease in enforced returns have been suggested, which are reviewed in the next section. However, there is little evidence to explain the fall in voluntary returns since the 2010s.

Between 2005 and 2023, most returnees have been male – between 70% and 78% in any given year (Figure 1). Similarly, most individuals returned were aged 18 to 49 – 84% in the year ending 30 September 2023. This may simply reflect the composition of the irregular migrant population in the UK, although current data cannot establish whether some groups of people, such as men, are more likely to be removed than others.

Enforced returns have declined sharply over the long run

There were around 5,500 enforced returns in the year ending 30 September 2023. While numbers increased after the pandemic, they remained 23% lower than in 2019 (Figure 2). Enforced returns have declined sharply over the long run, falling by 82% between 2012 and 2021 from a peak of over 15,000.

Figure 2



Source: Migration Observatory analysis of Home Office Immigration Statistics, Table Ret_D01. Notes: "Enforced from detention" is where the individual is removed directly from detention or within two days of leaving detention. "Voluntary from detention" is known as "Other returns from detention" in the Home Office datasets and refers to the returns of an individual directly from detention or within two days of leaving detention where they have notified the Home Office that they wish to make their own arrangements to leave the country, with the Home Office facilitating or monitoring the return. "Non-detained" returns are where the individual is removed more than 2 days after leaving detention, or where there was no period of detention prior to the enforced removal.

Since 2010, official statistics have broken down enforced returns into three categories. These data show that most people are detained before they are returned – 76% in the year ending 30 September 2023.

Several explanations have been proposed to explain the long-term decline of enforced returns. The Home Office <u>notes</u> <u>that</u> the decline coincided with several changes across the UK immigration system. First, the government reduced its use of detention and the size of its detention estate (for more detail, see the Migration Observatory briefing, <u>Immigration Detention in the UK</u>). Second, the <u>Windrush scandal</u> prompted more scrutiny of detention decisions, leading to more 'face-to-face engagement' with detainees. The scandal further <u>led to</u> a pause in data sharing between government departments, as well as lower morale among front-line enforcement staff.

Additionally, the National Audit Office found that the Home Office struggled to complete enforced returns, mostly following late legal challenges to removal. In 2019, 48% of all planned enforced returns were not completed. The number refers to planned departures rather than individuals, so some individuals may have been later removed, or faced multiple removal attempts.

The same report showed that funding for the Immigration Enforcement Department fell by 11% in real terms between 2015–16 and 2019–20, although it remains unclear whether the fall in spending was a cause of declining returns.

Voluntary returns increased significantly after the pandemic, following several years of decline

In the year ending 30 September 2023, there were around 17,300 voluntary returns from the UK (numbers are provisional and will be adjusted upward). Their number increased significantly after the pandemic, more than tripling from a low of around 5,000 returns in 2020 (Figure 3).

However, voluntary returns have also declined significantly over the long term. Numbers fell by 83% between 2015 and 2020; as of 2023, they remained almost 50% below the levels seen a decade before.

Some voluntary returns are facilitated or monitored by the Home Office, while others are not. Figure 3 breaks down the data into *facilitated or monitored returns*, and *independent returns*, where the Home Office establishes that the person has left the UK after the fact.

Figure 3



By type and year, 2005 to year ending 30 September 2023



Notes: Facilitated or monitored returns is given by the sum of assisted returns and controlled returns in the Home Office datasets. Independent returns are known as other verified returns in Home Office data. Data for the last 8 quarters of independent returns are provisional (indicated by the dotted line) because it is typically undercounted initially and then revised upwards. Data exclude those who departed after being refused entry at ports.

Facilitated or monitored returns fell after 2015, and remained 59% lower than their peak in the year ending 30 September 2023. *Independent returns* declined sharply after 2013 and were 47% lower in the year ending 30 September 2023 (although the percentage will fall after future revisions).

An increase in voluntary returns was a key objective of the government's 'hostile environment' policy, introduced in 2014 and now referred to by the government as the 'compliant environment' policy. The policy aims to make life in the UK so difficult for people without immigration status that they leave the country voluntarily. However, voluntary returns have fallen substantially from their 2013 level. Nevertheless, it is difficult to establish precisely what impact the policy has had on voluntary returns. A 2020 report by the National Audit Office on 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".

Around 41% of those who submitted an asylum application between 2010 and 2020, and were refused, had been removed from the UK by June 2022

Asylum seekers are a relatively small share of all those returned from the UK. In the year ending 30 September 2023, around 5,100 people who previously claimed asylum were the subject of an enforced or voluntary return – 22% of all returns (Figure 4). This includes refused asylum seekers who exhausted all avenues of appeal, those granted protection but removed for other reasons such as criminal behaviour, as well as people who leave voluntarily before receiving a decision. Recent numbers are provisional and will be adjusted upwards.

The number of previous asylum seekers who were returned declined significantly between 2010 and 2020, then somewhat increased. More asylum seekers were returned in the year ending 30 September 2023 than in any other year since 2017 (Figure 4). The percentage of asylum seekers among all returnees varied over time but increased from a low of 13% in 2016.

Since 2019, most returns of people who have previously sought asylum have been voluntary. In the year ending 30 September 2023, 71% of asylum returns were voluntary (compared to 77% of non-asylum returns). However, this is a reversal of past trends: between 2010 and 2017, about two-thirds of all asylum returns were enforced (Figure 4).

Figure 4



Number of people returned who previously claimed asylum in the UK

By year and type of return, 2010 to year ending 30 September 2023

Source: Migration Observatory analysis of Home Office Immigration Statistics, Table Ret_05. Notes: These counts refer to 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 all rights of appeal, but also those granted some form of asylum-related protection, but who have then been removed for other reasons, such as criminal behaviour. Data for the two most recent years are provisional because it takes time to record departures that were made without informing the authorities. Data include people who left via both enforced and voluntary return.

In theory, people who were refused asylum and have exhausted all avenues of appeal do not have a right to stay in the UK and are liable to removal. In the past, however, many refused asylum seekers were not returned from the UK. Of all asylum applications submitted between 2010 and 2020 and subsequently refused, around 41% had resulted in a return from the UK by 30 June 2022, either enforced or voluntary.

The percentage of refused asylum seekers who are returned varies by year of application – it reached a high of 62% in 2013 before falling sharply in the following years (Figure 5). Figures for more recent applications may rise over as more refused asylum seekers are returned from the UK. However, these increases have been relatively small in the past and thus do not appear to explain the long-term decline in returns among refused asylum seekers. For example, if we examine asylum seekers who applied in 2018, the percentage of those with refusals leaving the UK rose from 15% to 20% between September 2019 and June 2022.

Figure 5



By year of asylum application, as of 30 June 2022



Data for refused applicants who claimed asylum in 2021 show an uptick – 29% had left the UK by the end of June 2022. However, relatively few applications had received a final outcome by the time the most recent data were published, so it is too early to say whether this percentage will hold.

Around 1.3% of people who arrived by small boat from 2018 to June 2023 were returned from the UK during that period

A small proportion of people <u>who arrived in the UK irregularly via small boats</u> between 2018 and 30 June 2023 – 1,319 people or 1.3% of all small boat arrivals – were returned from the UK during that period. Individuals can be returned to their country of origin or a safe third country they had previously passed through.

In 2019 and 2020, most people arriving by small boat who were removed from the UK went to EU countries, particularly France and Germany (Figure 6). Such returns fell sharply after the UK's withdrawal from the Dublin Regulation and never recovered (see *Understanding the Policy*). Starting in 2022, an increasing number of people who arrived on small boats were returned to other countries, mostly Albania but also Iraq and Iran. Of all those returned in the first half of 2023, 82% went to Albania – a result of a temporary <u>spike in Albanian small boat arrivals</u> in 2022, as well as a <u>new agreement</u> between the UK and Albania.

Number of individuals returned after arriving in the UK on a small boat

By country of return and year, 2019 to 30 June 2023



In April 2022, the government signed another agreement allowing asylum seekers who arrived in the UK irregularly, such as on a small boat, to be relocated to Rwanda. In November 2023, the Rwanda policy was declared unlawful by the UK Supreme Court due to concerns about Rwanda's safety for asylum seekers. No individual had yet been sent to Rwanda at the time of writing.

In December 2023, the government introduced a new treaty with Rwanda and a new bill that declared the country safe, with the aim of starting relocations in 2024. It remains unclear whether the new measures will allow the Rwanda policy and the broader Illegal Migration Act to be fully implemented (for more details, see the Migration Observatory's <u>Q&A: the UK's policy to send asylum seekers to Rwanda</u>).

In the year ending 30 September 2023, the top nationalities among those returned were Albanian (20%), Indian (15%), and Brazilian (12%)

Of the roughly 22,800 people who left the UK via enforced or voluntary return in the year ending 30 September 2023, 69% were citizens of ten countries (Figure 7). The top three nationalities among returnees were Albanian (20%), Indian (15%), and Brazilian (12%).

To a large extent, returns reflect the number of each country's citizens in the UK. Nationals of South Asian states, such as India, Pakistan, and Bangladesh, historically made up the largest share of those returned from the UK. The share of EU nationals among those returned also increased during the 2010s as their share of the UK population grew (for more detail, see the Migration Observatory briefing, <u>EU migration to and from the UK</u>).

Enforced and voluntary returns, by nationality

Top 10 nationalities, by year, 2004 to year ending 30 September 2023



However, some nationalities are overrepresented among returnees. In particular, in the year ending September 2023, Albanian citizens comprised a fifth of all those returned from the UK despite making up less than 1% of the UK's foreign-born population. The number of returned Albanians increased four times between 2020 and 2023, partly due to <u>a new bilateral agreement</u>. A spike in small boat arrivals during 2022 also played a role, although only a small proportion of Albanian nationals who were removed from the UK had initially arrived in a small boat (around 11% in 2022, see Figures 6 and 7). For more details, see the Migration Observatory commentary, <u>Albanian asylum seekers in the UK and EU</u>.

Most people are returned to their country of origin. In the year ending 30 September 2023, 76% of returns were to countries of nationality or habitual residence, while 7% were returned to an EU member state that was not the returnee's country of nationality, and 16% were to another country or an unknown destination (meaning that the destination was not available for statistical purposes).

Among asylum seekers, most are also returned to their country of origin rather than a safe third country. However, that is likely to change in the future for those who entered the UK illegally. The Illegal Migration Act, passed in 2023 but yet to take full effect, will prevent irregular arrivals from receiving an asylum decision (positive or negative). One consequence of this approach is that people who have made asylum claims, and who — under the current system — would have been refused, could not be returned to their country of origin (for more detail, see the Migration Observatory's commentary, <u>Diminishing returns? Does the Illegal Migration Bill mean the government is giving up on returning refused asylum seekers?</u>).

In the year ending 30 September 2023, 16% of all people returned were foreign national offenders, and 53% of returned FNOs were EU citizens

Home Office statistics include 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 the nationality of the returnee.

In the year ending 30 September 2023, around 3,600 FNOs left the UK via enforced or voluntary return – 16% of all returns. Most of these returns will have been enforced (and the total number will increase due to the initial undercounting of voluntary returns).

Figure 8



Returns of foreign national offenders (FNOs) By citizenship and year, 2010 to year ending 30 September 202

Notes: A foreign national offender is someone who is not a British citizen and has been convicted either in the UK of any criminal offence, or abroad for a serious criminal offence. Data for the last two years are liable to small upward revision. Data comprises enforced and voluntary returns, and excludes those who departed after being refused entry at ports.

Among returned FNOs, the share of EU citizens fell from 69% in 2019 to 53% in the year ending 30 September 2023. In large part, this was the result of a sharp decline in the number of EU FNOs returned after 2019 (Figure 8).

A large majority of EU citizens who are returned are foreign national offenders. Of the 2,547 EU citizens who left the UK via enforced or voluntary return in the year ending 30 September 2023, almost three-quarters were FNOs (1,700 or 74%). Such figures largely reflect that there were not many irregular migrants from EU countries because EU citizens benefited from free movement rights until 2020.

After 2019, citizens of Albania and Romania were the most commonly returned FNOs, which reflects their high numbers among the UK's prison population (Figure 9). In the year ending 30 September 2023, they made up 55% of all returned FNOs; the number of returned Albanian FNOs almost doubled compared to 2021, reaching a third of the total.

Returns of foreign national offenders (FNOs) from the UK

Top 10 nationalities, by year, 2010 to year ending 30 September 2023



EU citizens made up a majority of people refused entry at the UK border after 2021

The end of EU freedom of movement greatly increased the circumstances under which border officers could turn away EU citizens at the border. As a result, the number of EU citizens refused entry to the UK in ports increased sharply after 2021 (Figure 10).

Around 14,800 EU citizens were refused entry to the UK in the year ending 30 September 2023 at UK ports of entry or at checkpoints in Belgium, France, or the Netherlands (known as juxtaposed controls). Almost half of EU nationals refused entry were Romanian (48%, around 7,000).

Several factors affect the number of people refused entry, including overall travel volumes, decision-making by border officers, and travellers' knowledge and understanding of changes in the rules. EU citizens do not require a visa to enter the UK to visit, but border officers have the discretion to turn them away if they believe that they are likely to violate immigration rules, such as by working without permission.

Over the long term, the number of non-EU citizens refused entry at the border has declined significantly (Figure 10); it remained close to an all-time low in 2020-23 despite record levels of net migration and a much larger non-EU population in the UK than two decades ago. In part, this decline may be due to the Home Office <u>more extensively</u> <u>screening</u> passengers before they travel to the UK.



Evidence Gaps and Limitations

Much information about returns is not included in the published Home Office statistics. Data on the reason for return 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 those who otherwise breached the conditions of their permission to stay in the UK.

There is also no information on how long visa overstayers had been in the UK without permission before their departure. This means we do not know the extent to which independent returns (of people who leave voluntarily without intervention from immigration authorities) comprise 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. Age, sex, and specific nationality breakdowns are not provided for the returns of asylum seekers; and for FNOs, only nationality breakdowns are provided. Nor are data regularly published on 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, <u>the published data refer only to enforced returns</u> and do not break this down into people removed via deportation, such as due to a criminal conviction, and "those removed under other administrative and illegal entry powers that have declined to leave voluntarily".

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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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