

**MEETING OF THE ENTRY CLEARANCE USER PANEL
ON MONDAY 08 APRIL 2002 AT 1000 HRS AT JECU**

Those Present: Robin Barnett (Chair)	JECU
Tony Mercer	JECU
Neil Tagg	JECU
Sarah Booker	JECU
Ru Smith (Secretary)	JECU
Chris Bowles	JECU
Bill Brandon	IND
Mahmud Quayum	Camden Law Centre
Julia Onslow-Cole	International Bar Association
Kate Handforth	UKCOSA
Susan Rowlands	ILPA
Mohammed Akram	Council of British Pakistanis (Scotland)
Kate Pooler	UNHCR

Opening Remarks

1. Robin Barnett introduced himself and welcomed everyone to the meeting.

Progress Report

General

2. Robin Barnett: It is time to take stock of the work of JECU, the unit is now nearly two years old and facing a period of change and adjustment. The unit is now genuinely a joint operation and benefits from the integration of FCO and Home Office staff. A problem exists in providing staff of the right calibre; we need the right people in post, to that end a review of training for all grades will take place in the near future. Better management training for Entry Clearance Managers is at the heart of the agenda.

Modernisation

3. Robin Barnett: The Civil Service has a bad reputation for IT Projects. JECU is committed to new IT, for example the new Proviso rollout, which has worked well. In the long-term we are looking to online applications (a trial is ongoing in New York), and to improve service. A £7m project is underway to link databases at JECU, the Home Office and overseas posts. The process of linking files is time consuming.

Streamlining

4. Robin Barnett: We need to provide the best service on the ground, but can't continue expanding premises. We need to look at using what we

have, including longer opening hours. Post September 11 a new world of security has developed, new visas with more security features are in the pipeline and we must be ready for changes.

Communications

5. Robin Barnett: Communications are important. We have not been as good as we could be and are looking to improve across the board. Communication is the first priority of an effective entry clearance operation.

Rebranding

6. Robin Barnett: On 15 April 02 we become UKvisas. It is generally agreed that this change is highly desirable, over 50% of FCO staff polled did not know what JECU stood for. The new name is not perfect, but is clear and easily understood. The unit has moved to the 008 phone exchange to bring it in line with other parts of the FCO. The new website is facing problems; it is linked to the redevelopment of the main FCO site, which has been delayed. We are at the mercy of the outside contractors working on the project, but hope the site will be functioning by the launch on 23 April 02. Invitations for the launch party will be sent out shortly.

Points from the last meeting

7. Robin Barnett: The points from the last meeting are covered in the body of the agenda. Opened to the floor:

Mohammed Akram: There is a great deal of interest about Pakistan in Scotland; why, when it is a fee-funded operation, is Lahore 3 ECOs short. After a good start long queues are becoming the norm, to maintain a good image you need to keep staffing levels high. Karachi is also a problem. Robin Barnett: it has been difficult, a long bureaucratic process is required to release staff and a number of staff have declined postings to Pakistan - it is not an issue of money, but of available bodies. We cannot oblige staff to take postings, we need to make people aware at the outset of the conditions in post. We are dedicated to filling the gaps and are working with the Home Office to facilitate the release of staff. Tony Mercer: The visa operation had been working well in Pakistan pre-September 11, great efforts are being made to get staff to Lahore and Karachi, but it is taking longer than expected.

Website presentation

8. Chris Bowles gave a comprehensive presentation on the new website (a copy of the slides is attached). The following questions arose:

Julia Onslow-Cole: Will the website contain local information for individual posts? Chris Bowles: There will be links from the visa questionnaire page to the website at the appropriate post.

Susan Rowlands: Will there be a 'what's new?' page on the website, including any amendments to DSPs? Chris Bowles: There is a news page, but have not considered DSP changes. We will consider doing so.

Update on settlement and streamlining

9. Tony Mercer: There have been growing demands on the entry clearance operation worldwide, running at +9% prior to September 11 growth is back up to +5 to 6%. These increases have placed demands on staffing, we therefore need to take a fundamental look at our processes and to be more pragmatic. We need to take risks where they are minimal, including dealing with some applications without documentation. The settlement pilot in Islamabad found that 40% of applications were straightforward and could be issued on papers alone. The 4-page application form records more information to facilitate early decisions without interview. Mohammed Akram: These comments are helpful, but concerns remain that the detail required in the extended settlement application form is a means of 'fishing' to refuse applications.
10. The Dubai workshop in April: Tony Mercer: We will look at the Islamabad experience, as well as reviewing the new form. We will share the finalised form with the Panel. We will examine the use of the drop box system for deciding straightforward applications quickly on paper. The system worked in Islamabad, with an 85% refusal rate - genuine applications were dealt with quickly through the drop box. We need a less rigid application of best practice, less deferral of Tier 3 cases and better configuration of accommodation to deal with all applications - including the facilitation of same-day interviews. Currently, there is a problem with 30 posts failing to meet the 10 day interview target - we need to adopt a 'front-line' approach, which could involve longer opening hours and the outsourcing of the preparation and reception of applications. This would include fee handling. It is not possible to change the fabric of buildings, but changes to working practices can be effected. It may be practical to have locally engaged staff operating within the outsource company, though decisions will remain with the visa section. Some fee/audit concerns, but these can be overcome.
11. A position now exists where we can take things forward to bridge the gap between workload and resources. The workshop will be for entry clearance staff and will include how streamlining will work, rationalisation of the explanatory statement process and the need for better refusal notices. It has taken time and care to look at new ways of

working, account has been taken of Panel members feedback on the new form. Mohammed Akram: How does the outsource company stand to gain? Tony Mercer: They will benefit from telephony at an enhanced rate, as well as a £3 handling charge to the applicant (which will be offset against the cost of travel to the visa section and the time saved by not having to apply in person).

Destitution

12. Tony Mercer: Reaching a definition has been a painful process; a year ago we proposed the UN definition, but the Panel did not favour this. Events have now overtaken our efforts, with the new Immigration and Asylum Bill including a definition of destitution. We cannot work on a definition separate from this, any work we do now must be tied into the definition in the Bill. This will inevitably lead to delays, as the Bill will be subject to the parliamentary process. Essentially, the definition of destitution in the UK will have to apply overseas. Susan Rowlands: There will be debate on this topic.

Deferred and referred cases

13. Bill Brandon: There has been some confusion regarding the difference between deferred and referred cases, I would like to clarify what each means. Referred cases are when an ECO asks the Home Office to make a decision on an application because they have no power within the Rules to decide the case themselves. For the past 12 months this has been subject to a specific process and cases are dealt with as a priority. As at Friday 05 April there were only 20 outstanding referred cases. 97% of referred applications were dealt with inside 4 weeks. The efficiency of this system relies upon people following the procedures when making a referral. Deferred cases are when an ECO makes a decision, but requires further information. The ECO contacts the Evidence and Enquiry Unit for the relevant file before making a decision. There was a backlog due to pressure on the unit, but it should be reduced to zero by the end of April. ICD has experienced problems with communications with posts over the last 12 months. This can be improved by further information for posts in telegrams, as well as ICD input on ECO and ECM courses. ICD are happy for posts to make decisions where they are empowered to do so within the Immigration Rules.
14. Sarah Booker: There has been a lot of good work from ICD. On the whole it works well, but posts do not always mark bundles correctly. We are reinforcing the need for material to be correctly addressed. We are looking at glossy guidance for posts.
15. Susan Rowlands: Can members chase old cases? Bill Brandon: There may be some old cases lost in the system, any initial enquiries on old cases should be directed to posts. Members should make these enquiries if clients are pressing them, lodging enquiries en masse will

only delay current applications. In many cases applications will have been concluded, but clients often fail to inform their representatives. Robin Barnett: We need a common sense approach, to strike a balance between old and new cases.

Member's Forum (see annex A attached)

HSMPs (point 6)

16. Julia Onslow-Cole: There was confusion at the outset, we had 10 clients lodge applications worldwide on the second day and each was treated differently. Some misunderstanding at posts; New York were unaware that they needed to refer applications and requested a third set of copies of documents. Tel Aviv appears to have misinterpreted the points system. A meeting with JECU and Sheffield would be good, as would a contact point at JECU. The WP(UK) website is confusing, giving an estimate of 2 weeks when 7 weeks is more accurate. The guidance should be more cautions, perhaps stating a 6-week period to consider the application. There are only 2 caseworkers at Work Permits (UK) and the delays are causing flak for posts. There are lessons to be learned
17. Sarah Booker: We visited Sheffield in March and talked to the team. There were teething problems; they were anxious to quote a quick turn-around time, but this did not take account of the time taken to get documentation to and from post. Given the quantity of documents it is not practical to fax applications. I am concerned that ECOs were unaware of procedures and contact points at JECU, as these were clearly laid down in the telegrams sent to posts. JECU would welcome feedback from members on any problems encountered. Aware that Tel Aviv had been unsure of how to proceed, but they had acted correctly by seeking speedy clarification from JECU. New York do specify the need for 2 copies. This reduces the time consumed photocopying documents after the application has been lodged. Unable to say why they had requested 3 copies. The HSMPs booklet tells applicants to be selective in the documentation they submit - reducing the time spent copying and wading through non-essential papers. Julia Onslow-Cole: There is a need for a large quantity of papers in Special Achievement applications.
18. Sarah Booker: Sheffield is the place for guidance on the scheme, since we do not own the policy. Any enquiries to JECU should be directed to the main enquiry line in the first instance. There are a lot of issues and JECU are working to give the appropriate guidance.

Leave to enter(point 1)

19. Robin Barnett: If leave to enter endorsements on visas continues to cause airlines confusion, then we will move for ALOs to give more guidance. Julia Onslow-Cole: Virgin Airways misunderstood an

endorsement, leading to a child being denied boarding in China because of the presence of a figure 1 on the visa, believing the visa to be only single entry. They refused boarding without seeking clarification from IS on the validity of the visa. Tony Mercer: There should not be any additional marking on the visa aside of the start and expiry dates. We will speak with Jerry Maguire ALO and check the guidance for airlines held at posts.

Spouses (point 2)

20. Tony Mercer: This is not a widespread problem, since the ECO has the option of a 3 month deferral on the issue date of the visa and provision exists for IOs to vary leave at the port of arrival to give 12 months from the date of arrival. Members should inform us of problems with specific posts.

Training/Damascus (point 4)

21. Tony Mercer: ECO training covers a lot on visit applications. We need to focus more on service for genuine applications, rather than refusing applications. A visit took place to Damascus, hopefully the review and discussions with the ECOs there will lead to an improvement in the approach to service there.

Indefinite leave to remain endorsements (point 7)

22. Robin Barnett: There is a case for giving further guidance to the Benefits Agency.

Kampala (point 8)

23. Robin Barnett: The reality is that security is paramount and anyone entering the premises must have satisfactory ID. Post state that refugees can apply to the UNHCR in Kampala for UN ID documents. Kate Pooler: The latest information from UNHCR in Kampala is that they are not issuing ID cards to refugees at this time. I Will come back with clarification on the situation.

Any other business

24. Julia Onslow-Cole: Can you publish information on FAQs on your new website? Robin Barnett: Yes, this will be the advantage of owning our own website.
25. Kate Handforth: Is there any chance of a visa post opening in Kosovo? Tony Mercer: There are no plans at the moment, though I'm not sure what will happen in the future.
26. Susan Rowlands: Has there been any feedback from Nairobi on the abolition of the Special Voucher scheme? Sarah Booker: So far there has been no feedback from any post on the abolition of the scheme.

27. Susan Rowlands: As part of the redevelopment of databases, will you include links to the Schengen databases? Sarah Booker: We sit on the EU Visa Working Group, which is in the early stages of work on a consolidated database. There is the possibility that national databases will feed into a central database, but at this early stage member states differ on what should be included. Funding is a stumbling block and a feasibility study has to take place.
28. Julia Onslow-Cole: Will the Global Crossing problems affect visa services? Robin Barnett: It will have implications for the FCO, but it is not crucially linked to entry clearance services. There may be some impact on the modernisation program.
29. Tony Mercer: Mahmud Quayum sent letters to JECU regarding delays, lack of communication and inappropriate endorsements. Once responses are available to these points I will copy to Susan Rowlands.
30. Robin Barnett: The phone numbers at JECU have been changed to a 008 exchange. A list of the new numbers will be circulated as soon as practical. This change was enforced, and has been implemented a week earlier than planned. An alternative venue has been proposed for the next meeting. If all in agreement, Cameron McKenna to host the next meeting in October on a date to be decided. Future meetings should whenever possible fall midweek, as Friday and Monday have not proved popular with members. Mohammed Akram: I would like to repeat my earlier offer to host a future meeting in Edinburgh.
31. Robin Barnett: Thanks to all for attending. Look forward to seeing everyone at the launch on 23 April. Meeting closed.

Ru Smith
Secretary
Communications Section