

The fee barrier

What is the problem?

Over [220,000](#) children and young people born in the UK or brought up here do not have official permission to live in the UK. Many of them are eligible for British citizenship but many others may need to apply for permission to stay, known as 'leave to remain'.

Without leave to remain, these young people cannot work, access full healthcare, rent property, drive or hold a bank account. They may also be forced to give up college or university. If they apply for leave to remain, they are usually only granted it temporarily, meaning they must keep reapplying. After ten years of this, they can then usually apply for permanent leave to remain.

Applying to the Home Office for leave to remain is usually very expensive. This is partly to encourage people to [leave the UK voluntarily](#) (although this strategy is unsuccessful) and partly to ensure that the immigration and citizenship system is [funded by those who use it](#). Thousands of children and young people cannot pay these fees, including many born in the UK or living here for most of their lives. Those who cannot pay become stuck in a legal limbo, vulnerable to exploitation and unable to fully contribute to British society.

The system is not working. Pathways to settlement need to be affordable, fast and fair.

How much are the fees?

**£2,033
every 2 ½
years**

An application for 2.5 years of leave to remain for these children and young people costs £2,033 per person up-front. £1,033 of this is the Home Office fee and £1,000 is an immigration '[health surcharge](#)'. A family of four would have to pay £8,132 every 2.5 years. **Each year, families are expected to save the [equivalent of a deposit](#) on a detached house for immigration fees.**

An application for indefinite leave to remain – also known as settlement – costs an individual £2,389. To apply for settlement you often need ten years of continuous temporary leave, which costs a total of £10,521.

**£8,132 for a
family of
four**

Fees go up annually but the cost of processing an application does not increase in the same way. Sometimes the cost to the Home Office [even decreases](#).

Application	Fee	Cost to Home Office	Difference	Increase since 2014
Limited leave to remain	£1,033	£142	£891 (86% of fee)	72%
Indefinite leave to remain	£2,389	£243	£2,146 (90% of fee)	119%
Citizenship (child)	£1,012	£372	£640 (63% of fee)	51%

Why are the fees so high?

Home Office figures show that the cost of processing an application is far lower than the application fee. This is because since 2014, the remaining amount is spent on [other parts of the UK's border, immigration and citizenship system](#), as part of the government's plan to make it self-funding.

Fee increases disproportionately affect children, young people and families whose applications are based on their human rights and length of time in the UK. In 2016, fees for settlement, residence and citizenship applications rose by 25%. Fees for study, work or visits [rose by only 2%](#).

Children born in the UK are entitled to British citizenship. However, they are still charged £1,012 when applying. In May 2018, the Home Secretary Sajid Javid MP acknowledged that anything close to £1,000 is “*a huge amount of money to ask children to pay for citizenship... Fees have been going up for a number of years. I think it is right at some point to [take a fresh look at fees](#)*”.

Making the border, immigration and citizenship systems self-funding should not mean obstructing the rights of children and young people. This is not fair or proportionate. It also prevents those affected from working, paying taxes and otherwise contributing to UK society.

What if someone can't afford to pay?

Some leave to remain applications are eligible for a fee waiver, for example, those based on human rights abuses. However, the criteria are strict and difficult to meet. An applicant must prove that they are currently destitute (don't have adequate accommodation or enough money to meet living expenses) or would be rendered destitute by paying the fee and that they cannot borrow money from family or friends. Previously-homeless families receiving support from a local authority do not automatically qualify for a fee waiver.

In 2018, the Home Office [rejected 72% of fee waiver applications](#), including 69% of those made by children. If a waiver application is rejected, the applicant has ten days to pay the fee. If they cannot, their entire immigration application is rejected and they become undocumented. In addition, any residence to date is invalidated and they must accrue another ten full years continuous residence to apply for permanent leave.

There is no fee waiver for settlement or citizenship applications, except for children in care applying for settlement. Therefore, people are more likely to apply for temporary leave to remain rather than working towards establishing a settled and secure connection to the UK.

Some people continue to make temporary leave applications even after ten years of residency, simply because they cannot afford settlement or citizenship fees. This does not benefit immigration control. It simply causes those who cannot afford the applications to suffer. Young people in particular are denied the stability to which they are entitled and prevented from making decisions about their future.

Applicants must meet strict eligibility criteria in order to secure the right to live permanently in the UK. If someone meets these criteria they should not be denied their documents because of the cost of the application.

Recommendations

- Pathways to settlement for young people must be affordable, fair and fast.
- Children and young people's immigration and citizenship fees should be at cost price.
- Children in care and care leavers shouldn't have to pay immigration and citizenship fees.
- Fee waiver system should be extended to include citizenship and settlement applications.
- Fee waivers should require less proof and be granted to those who cannot pay, including those receiving public funds, means tested benefits or asylum support.
- Any further fee increases should be accompanied by a clear business case, in line with inflation and underpinned by a child rights impact assessment.