

CONFIDENTIAL



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Immigration
Rw

10 DOWNING STREET

From the Private Secretary

14 February, 1983

MP's correspondence held by GR
15/2

Thank you for your letter of 2 February to Tim Flesher, with which you enclosed a draft reply for the Prime Minister to send to Mr William Wilson, MP, about his constituent Mr. Patrick Phillips who wants to go back to Grenada. The Prime Minister has written to Mr. Wilson as drafted, and I attach a copy for your records. However, she has commented that she is not convinced that Section 29 of the Immigration Act 1971 should limit financial assistance for repatriation to those cases where it can be shown that it is in the individual's interest to leave the United Kingdom. She feels there is a case for changing the law to remove the requirement to demonstrate that repatriation is in the interests of the individual concerned.

W. F. S. RICKETT

Mrs. L. Pallett,
Home Office

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CP

No-one is aware of this

PM committed this.

So reply p.c.

MGA 19/4

~~Hand.~~

MA

WE spoke. I
should have mentioned
that the section 29 scheme
used to be referred to as

'voluntary repatriation' but
to avoid confusion with Powell
type repatriation the word
has now been dropped.

Richard Hill

14/4

SECTION 29 OF THE IMMIGRATION ACT 1971

Under section 29 of the Immigration Act 1971 the Secretary of State is empowered to give help towards the expenses of persons who are not British citizens (or families or households whose head is not a British citizen) in leaving the United Kingdom in order to reside permanently overseas. The Secretary of State is required by s.29(2) to administer the section so that such expenses are paid only where it is in the person's interests to leave the United Kingdom and that he wishes to do so.

2. The scheme is operated on the Government's behalf by the International Social Services of Great Britain (ISS) an independent national social work agency under an agreement revised in May 1984 following a review of the scheme's operation. This note sets out how the scheme now operates and to what effect.

Criteria of eligibility

3. It has been made clear from the beginning that the scheme is based on the principle of helping only those persons of non-British nationality who wish to leave the country voluntarily and who seek assistance of their own free will. Care has accordingly been taken to ensure that it should be, and be seen to be, free of any element of coercion or inducement and should direct assistance only to those genuinely in need of it. The current criteria of eligibility, are set out at Annex A.

Assistance available

4. Financial assistance is limited to travel expenses and certain necessary incidental costs including the transport of a small amount of personal effects. Grant specifically does not include any help towards resettlement, nor is it available for travel to Europe (with the exception of Turkey). Assistance is discretionary; there is no right to receive it, nor any formal mechanism of appeal against refusal.

Publicity

5. It was an important feature of the section 29 scheme when it was introduced that as the Government's principal arrangement for repatriation, it should be seen to be operated in the interests of those considering leaving the country and not as a means of immigration control. This has continued to be the case. Ministers accepted in 1983 in the context of the Immigration Rules Debate that repatriation should not be regarded as an element of immigration policy on the practical ground that it was unlikely to make any appreciable difference to the total black population in the country, and because any move in this direction would be detrimental to the Government's general stance on race relations. It follows from this that apart from making known its existence and the terms of its provisions, as a matter of general policy little publicity has been given to the scheme. It was felt that campaigns to publicise the arrangements could be construed as bringing pressure to bear on members of the ethnic minority communities to return overseas; and it was and remains the firm view of ISS that such publicity would conflict with the voluntary nature of the scheme. However, when the scheme was introduced in 1971, circulars giving information about the arrangements were issued to local authorities, the National Association of Citizens Advice Bureaux, the police and other bodies to whom would-be repatriates might turn for advice. Similar circulars were sent out to the same bodies in 1984 notifying them of the changes made to the scheme, and the revised criteria.

ISS's operation of the Scheme

6. ISS are ready to give full information about the scheme to all enquirers, and to give full advice to applicants for assistance. But in order to safeguard the voluntary nature of the scheme ISS consider only applications submitted in person by the would-be repatriate.

Number of persons assisted

7. The number of persons helped by the scheme has usually been between one and two hundred in each year. Statistics are at Annex B.

CRITERIA OF ELIGIBILITY AS SET OUT IN THE LETTER OF AGREEMENT
WITH ISS OF 1 MAY 1984

- 1) The applicant is not a British citizen (although the members of his household might be).
- 2) The applicant wishes to reside permanently overseas.
- 3) In his, and ISS's opinion, it is in his personal interest to return.
- 4) His household's current average weekly earnings do not exceed by more than £20 the appropriate supplementary benefit level (before 1984 the corresponding figure was £5.)
- 5) In ISS's opinion he has insufficient realisable capital to finance his departure.
- 6) He has been admitted to the UK for settlement (persons on restricted conditions are not eligible for help nor are those who have been settled in the UK for less than 2 years).

Previous criteria requiring that applicants for assistance must have had a poor employment record and prospects, or be able to demonstrate that they had "failed to settle" in the UK were removed at the time of the 1984 review.

NUMBER OF CASES OF ASSISTANCE

The numbers of persons helped by the scheme since 1972 together with the associated costs are set out below:

Year	Number of persons assisted	Cost £ (Travel expenses plus administration costs)
1972	122	15,176
1973	277	41,828
1974	156	32,307
1975	221	50,636
1976	112	31,181
1977	130	46,508
1978	178	65,533
1979	131	61,991
1980	139	78,454
1981	251	169,206
1982	152	162,203
1983	144	169,259
1984	81	118,982