



Who are the UK's undocumented communities?

What do we mean by 'undocumented migrants'? The term 'undocumented migrant' refers to someone living in the UK, whom the Government does not consider to have the right to remain. This is usually because they are a 'non-citizen' who does not currently have a valid visa or other form of documentation demonstrating their status or their right to live in the UK.

What are routes to regularisation? Pathways to secure immigration status for undocumented people

What is the ask? One simplified route to regularisation, based on five years' residence.

Background

The vast majority of undocumented people in the UK arrived through formal routes and were later made undocumented. The UK's immigration system penalises people and makes them undocumented for a range of reasons outside their control, including inability to pay extortionate fees, domestic abuse, poor legal advice or a simple mistake. Far too many people are unable to maintain secure status due to the multiple hoops they are made to jump through on the lengthy and expensive routes to settlement.

There is no definitive figure for the number of undocumented people in the UK. The most [significant region of origin](#) for the UK's undocumented population is Asia (52%) followed by Sub-Saharan Africa (20%), the Americas and non-EU Europe (16%) and the Middle East / North Africa (11%).

The UK's undocumented communities are more settled than those in Europe, with [over half](#) having lived here for more than five years. Many came to the UK as children: the GLA estimates that just over a quarter of undocumented people ([215,000](#)) are children, half of whom were born in the UK. As a result, most undocumented people have family in the UK, which is often their only source of support. Whilst living in the UK, people inevitably put down roots in their communities, build relationships and families. This means that undocumented people are often part of mixed-status families, in which everybody suffers because one member is excluded from society. In such families, everyone lives under the constant threat of a loved one being deported from the country by immigration enforcement.

What needs to change?

The UK is an outlier compared to countries in the region. We provide comparatively few routes for people living established lives here to regularise their status. This means more people are made undocumented and forced to live on the margins of society. In contrast, countries like France, Portugal, Spain and Switzerland provide clear and affordable routes to regularisation for people who have worked or put down roots in their communities/.

The UK Government must ensure that undocumented people can regularise and maintain their status. We need a simplified, affordable route to regularisation for undocumented people, to replace the lengthy and expensive seven-year, half-life and 20-year routes [that currently exist](#). A five-year route would provide a simple and clear route back to secure status for people who have been forced out of it. This would provide a realistic, permanent solution for people who have built their lives here.

In addition, the ability to document the right to stay in the UK should not depend on whether someone can afford the fees. [The UK's immigration fees are far higher than in most comparable countries](#), and continue to increase. Immigration fees should be set no higher than the cost of processing an application.

Finally, birthright citizenship must be reinstated so that all children born in the UK are automatically British. This would prevent the injustice of young people whose only home is the UK living under the threat of deportation.

For more information on this proposal, read our report on the UK's undocumented population [here](#), our policy one-pager outlining our wider demands on routes to regularisation [here](#), or contact us on policy@jcw.org.uk.