

CATHOLIC UNION BRIEFING NOTE

Clergy Visas

Background Brief September 2020

Catholicunion.org.uk
@CatholicUnionGB



*Public
Engagement
by Catholics
for the
Common Good*

Background:

- Many faith groups benefit from, and in some cases depend on, clergy and other religious people being able to travel to this country from abroad to work, study and minister in our communities.
- There are currently two visa routes for faith groups who want to bring someone into this country from outside the EEA, which in the current terminology are called Tier 2: Minister of Religion and Tier 5: Religious Worker. In 2019 there was a change in the immigration rules around visas for clergy and religious people, which made entry to this country harder and more expensive.
- The Catholic Church, along with other faith groups, fear that these visa changes, combined with freedom of movement with the EU coming to an end, will make it very difficult for clergy and other religious people to travel to this country from next year.
- There are particular concerns about the ability to recruit priests and other religious people from abroad for short term periods, such as providing cover while a parish priest is away because of sickness, training or annual leave.

Current Non-EAA route:

- There are two types of sponsor licences available which are specifically for religious groups: Tier 2 Minister of Religion and Tier 5 Religious Workers.
 - The Tier 2: Minister of Religion route is for religious leaders, missionaries and members of religious orders taking employment or a role within a faith-based community. They can come for up to three years, with an option to extend for up to six-years and eventually settle in the UK.
 - The Tier 5: Religious worker route caters for religious workers wishing to undertake a temporary role within a religious community. The route permits stay of up to two years and there is a 12- month cooling off period after this before an individual can come back to the UK under this route. Migrants utilising this visa category cannot preach or lead religious congregations.
- Before sponsoring someone in Tier 2 a 'resident labour market test' will usually need to be carried out. Failure to carry out this test is a regular cause of religious groups losing their sponsor licence.

- Changes in 2019 mean that Ministers of Religion (including pastors and preachers) are specifically excluded from sponsorship under Tier 5. This means that many groups who previously sponsored under Tier 5 may now need to apply for a Tier 2 licence.

Current concerns:

- Most Catholic dioceses previously used Tier 5 Religious Worker visas for priests to come here on supply placements, while parish priests were away for short periods of time because of sickness, training or annual leave. These supply placements are essential as they allow Catholics to continue attending Mass, while also keeping parish activities running smoothly.
- The new requirement introduced in 2019 for anyone preaching to use Tier 2 Minister of Religion visas instead, has more than doubled the costs incurred by parishes arranging supply cover. For some parishes this is unsustainable, compromising people's opportunity to practice their faith.
 - COSTS: Cost for 1year Tier 5 visa before administration is around £244 plus the new NHS surcharge of £624. Added to that is the sponsorship licence fee and associated costs. Many groups also provide for cost of flights, accommodation and training for the religious workers and a small stipend – for smaller organisations this starts to become a major expense.
- Furthermore, seminaries that conduct formation in English are not necessarily recognised by the Home Office as meeting the English language requirement under the Tier 2 route, meaning that many priests who have been educated to post-graduate level in English are nevertheless required to take a language test with extra logistical and cost implications.
- Unless reforms are made, this situation will be worsened by the end of free movement, as priests coming from EU countries to provide supply cover will now be subject to the same regime.

Way forward:

- Catholic Bishops met the Minister for Future Borders and Immigration, Kevin Foster MP, in July 2020 to outline the challenges our parishes are facing. We are grateful for the Government's engagement, and it is now important to establish a clear timeline for this issue to be resolved.
- The opportunity was missed to address this issue in the last round of changes to immigration rules, published in September 2020. We hope this is something that will be included as part of the next review, due to be published in Spring 2021. We strongly encourage the Government to engage with the Catholic Church, and other faith groups, as part of any future changes.
- An amendment on clergy visas was tabled to the Government's Immigration Bill in both the Commons and the Lords. Ministers have acknowledged that faith is a calling and that the terms of appointment differ from traditional employment models, however no commitment has been given to review the existing visa routes for clergy and other religious people.
- We would warmly welcome support from parliamentarians in raising the profile of these concerns in Parliament and ensuring they are on the agenda for the next round of changes to immigration rules.

For more information please contact:

Nigel Parker
 Director
director@catholicunion.org.uk
 07930955692

James Somerville-Meikle
 Head of Public Affairs
james.sm@catholicunion.org.uk
 07743 294000