

13 January 2020

Rt Hon Priti Patel MP
Home Secretary
Home Office
2 Marsham Street
London. SW1P 4DF

Dear Ms Patel

Asiya Islam

I am writing on behalf of the University and College Union (UCU) regarding the Home Office's recent refusal of Dr Asiya Islam's application for indefinite leave to remain (ILR).

Dr Islam is a Sociology PhD at the University of Cambridge, and the recipient of a prestigious Joyce Lambert Junior Research Fellowship at Newnham College. The Home Office's decision to refuse her application for ILR was based on the fact that she had spent an extended period abroad undertaking fieldwork in Delhi during her PhD – research that the university has confirmed was of central importance to her programme of study.

UCU is deeply concerned that the Home Office has refused to recognise that Dr Islam's travel outside the UK was for research purposes and authorised by the institution, and therefore not in contravention of the restrictions on absence for those on Tier 4 visas.

The government has accepted the principle that time spent researching abroad should be exempted from the continuous lawful residency requirement for ILR. Under the current Home Office guidance, time abroad can be waived for Tier 2 visa holders in PhD level occupations when they are absent from the UK for 'research purposes linked to the reason for their Tier 2 sponsorship.'

In this instance, the Home Office's restrictive interpretation of the guidance means we risk losing a talented academic from our higher education sector. Dr Islam has already had to cancel a number of appearances at international conferences as a result of the ILR refusal, and risks losing her post if the decision is not overturned.

More generally, the decision also risks undermining the ability of other students and researchers to undertake valuable overseas research which can enrich the UK's understanding of important global issues. It is imperative that we ensure our immigration policy is sufficiently flexible to allow academics to undertake their research effectively, even where this involves extended periods spent abroad. The UK's higher education sector is a global industry that relies heavily on international talent – almost of a third of academic staff (31%) and 11% of non-academic staff are from outside the UK. We must take a coordinated approach to tackling the many practical and financial barriers that currently make it difficult for international staff to work, study and settle in the UK.

I would welcome the chance to meet with you to discuss these matters in more detail. In the meantime, I urge you to urgently reconsider Dr Islam's case.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Grady'. The signature is written in a cursive, slightly slanted style.

General Secretary

University and College Union