

BRITISH SIKH CONSULTATIVE FORUM

Points Based System and entrants in a religious capacity to the United Kingdom

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INTRODUCTION

- 1.0 The Border and Immigration Agency of the Home Office has requested in its letter dated 29th June 2007 for the Sikh community to provide a base outline form relating to pre-entry requirements for those entering the United Kingdom in a religious capacity.
- 1.1 The Sikh community acknowledges that it is primarily the *Gurdwarae* which require entrants in a religious capacity and it is the *Gurdwarae* that are most affected with any legislative changes relating to religious entrants.
- 1.2 BSCF has conducted consultations with the majority of the *Gurdwarae* in the United Kingdom and other Sikh institutions having a genuine interests in such matters. Following such consultations, this paper outlines the views expressed and the proposals that would assist in addressing this matter.

GOVERNMENT PROPOSALS

- 2.0 The U.K. Government is proposing a 'points based system' for entrants to the United Kingdom. The religious entrants would be categorised in the Tiers 2-5.
- 2.1 The entrant will need to have a Certificate of Sponsorship at the time of making an application for entry to the United Kingdom.
- 2.2 The sponsoring institution must be acknowledged and be enrolled on the Border & Immigration Agency Sponsors Register.
- 2.3 The sponsoring institution, before being enrolled on the Border & Immigration Agency Sponsors Register will require an endorsement (certificate of authenticity) from the faith / religious body.
- 2.4 Once the sponsoring institution has been admitted to the Border & Immigration Agency Sponsors Register, it will then need to provide full details of the role the religious migrant seeking entry will perform. The role specification will need to be specific and identify whether it is under Tier 2 (e.g. minister of religion – pastoral (influencing the congregation) duties – preacher – therefore requiring English IELTS 6 - 'Competent User – has generally effective command of the language despite some inaccuracies, inappropriacies and misunderstandings. Can use and understand fairly complex language, particularly in familiar situations') or Tier 5 (e.g. religious worker – non-pastoral roles – temporary – non-English role).
- 2.5 The faith / religious body would assess the proposed migrant and verify that such migrant does meet the appropriate criteria for the role that they are to perform. The pre-entry requirements will outline whether the migrant needs a defined and recognised

qualification or training. There may be a need for further enquiries prior to decisions being made – particularly where the migrant has provided details or information of a qualification, training, teacher, referee etc. that the faith / religious body can not immediately endorse.

- 2.6 Where the panel of the faith / religious body consider the migrant to be appropriately qualified then this will be confirmed to the sponsoring institution.

BSCF RESPONSE

- 3.0 The BSCF recognises the need to formalise the entry procedures for those entering the United Kingdom in a religious capacity. It is supportive of measures to root out non bona-fide sponsors who seek to exploit the religious migrant seeking entry to the United Kingdom.
- 3.1 It is imperative that the United Kingdom Government accepts the proposals put forward by the faith communities and does not seek to impose systems, panels and bodies on the faith communities in the desire to limit multi-faith acceptance and dialogue in the United Kingdom.
- 3.2 The United Kingdom Government ought to accept and acknowledge that 'one size does not fit all' and that each faith community ought to be dealt with on an individual basis. Each faith community has made a unique and fruitful contribution to the United Kingdom and each plays a key part in initiatives such as social cohesion.
- 3.3 Faith communities assist government to ensure stability and adherence from its members. The multi-faith society in the United Kingdom is testament to the acceptance and tolerance that is being encouraged to ensure that today's Britain is at ease with itself.
- 3.4 The view of member organisations of the BSCF is that there should be a single faith *advisory* body and that where there is a body such as the BSCF (comprising the majority of the *Gurdwarae* in the United Kingdom – which are most affected by such a policy) already in existence, then there is no reason why such faith *advisory* body *should not be largely drawn from* the BSCF.
- 3.5 The BSCF is willing to be party to the setting up of a working party with the Home Office to develop the structure for identifying and acknowledging appropriate qualifications for those performing religious roles within the Sikh community.
- 3.6 The BSCF suggests and will appoint a designated panel of 11 from across the country to assist in advisory capacity to the Home Office in establishing vetting procedures for applications and in particular providing guidance as to the genuineness of both the inviting

organisation and the applicant in fulfilling the role. It is suggested that this Panel compromise as follows:

South East (London and East)	3 members
South West (Swindon and West)	2 members
Midlands	3 members
North England	2 members
Scotland	1 member

- 3.7 The BSCF itself will develop and promote the following systems:
- a) Self-certification – sponsoring institution to certify the category and authenticity of the applicant – to be based on a form agreed with the Home Office.
 - b) A guidance document to be attached to each and every application – such document to be approved between BSCF and the Home Office.
 - c) The application form to be forwarded to the BSCF panel, which will contact the sponsoring institution, endeavour to resolve any queries and then the BSCF to certify the application, prior to submission.
 - d) In the event of any abuse / violation of the set procedures – the sponsoring institution will be subject to further verification steps before being able to submit applications.
- 3.8 The number of panels for the Sikh community ought to be determined by the faith body and the BSCF would be seeking to have panels correlating to the United Kingdom’s geography – particularly as sponsoring institutions would be known within a geographical area (where they are not *Gurdwarae* and require religious migrants for one-off events) and to ensure a speedy response for applications to be determined.
- 3.9 The BSCF shall, from its members, set up an internal panel to determine the pre-entry requirement criteria and this will then be approved by its members for implementation in relation to any religious migrant coming to the United Kingdom through the BSCF self certification system. Such pre-entry requirement will be discussed with the Home Office to confirm acceptability prior to implementation.
- 3.10 Initial thoughts relating to pre-entry criteria are as follows:
- a) First and foremost all religious migrants must be *amritdhari* (baptised) Sikhs and lead their lives in accordance with the Sikh code of conduct.
 - b) Those seeking entry under Tier 2 (minister of religion) ought to fulfil the following criteria:

- i) have a thorough understanding of the *Guru Granth Sahib Jee* and other Sikh scriptures; and
 - ii) have a thorough understanding of the *raag* composition of the *Guru Granth Sahib Jee* and have an ability to do *kirtan* (singing of *shabd* – hymns) or *katha*; and
 - iii) have substantive knowledge of Sikh history; and
 - iv) have an ability to assist and organise day-to-day functions at the *Gurdwara*; and
 - v) be able to lead a congregation in prayer and preach about their religious beliefs; and
 - vi) working for at least 1 year as a minister of religion or ordained after training for the ministry – such training being at least 1 year full-time or 2 years’ part-time; and
 - vii) intend to work full-time as a minister of religion in the U.K. and
 - viii) be able to demonstrate that the applicant has at least IELTS level 6 competence in English.
 - ix) Should have some knowledge of principle of interfaith work.
- c) Those seeking entry under Tier 5 (religious worker in a non-pastoral role)
- i) have an understanding of the *Guru Granth Sahib Jee* and appreciate the high reverence of the *Guru Granth Sahib Jee*; and
 - ii) demonstrable skill and expertise of those required to perform the duties in which the religious worker is to be engaged – e.g. tending to and the reading of the *Guru Granth Sahib Jee*; preparation of *langar* (free food served to the visitors / congregation at the *Gurdwara*) etc.
 - ii) has at least 1 year of full-time training or work experience, accrued in the 5 years’ prior to the application in the faith with which he has employment in the U.K.; and
 - ii) submits a letter from a senior member or senior representative of one or more local religious communities in the U.K. confirming that he is offered employment as a religious worker in a non-pastoral role in that religious community and confirming the duration of that employment.
- d) Those seeking entry under Tier 5 (visiting religious worker / preacher)
- i) have an understanding of the *Guru Granth Sahib Jee* and the composition of the same; and
 - ii) demonstrable skill and experience of the manner in which such visiting ‘tours’ are to be performed – e.g. *kirtan*, *katha*, *dhadhi*, *kaveeshar* etc.; and

- iii) is an established religious worker / dedicated their life to such activities based overseas; and
- iv) submits a letter from a senior member or senior representative of one or more local religious communities in the U.K. confirming that he is invited to perform religious duties as a visiting religious worker at one or more locations in the U.K. and confirming the expected duration of that employment.

3.11 The advisory panel performing the 'faith body' role will be self-regulated by the members of the BSCF. The BSCF is the single Sikh body which has the majority of active and most prominent *Gurdwarae* as its members. In the interests of 'community cohesion' it is important for communities to be self-regulating and for them to be able to function effectively within the United Kingdom without perceived interference from the state.

3.13 The BSCF acknowledges that the most appropriate way forward to ensure both 'community cohesion and a robust and effective immigration control' is an element of self-governance. The BSCF is desirous to act in conjunction with the United Kingdom government to ensure that only bona fide United Kingdom based Sikh institutions are making submissions for entry to be granted to appropriately 'qualified' Sikh 'religious workers and / or ministers of religion'.

CONTRIBUTING ORGANISATIONS

Sri Guru Singh Sabha Gurdwara – Southall
 Guru Nanak Nishkam Sevak Jatha – Birmingham
 Guru Nanak Sikh Temple – Smethwick
 Guru Amardas Gurdwara Southall
 Guru Nanak Darbar, Southall
 Afghan Ekta Culture Religious Centre, Southall
 Council of Sikh Gurdwarae (Birmingham)
 Nanaksar (Thath) Isher Darbar – Wolverhampton
 Guru Nanak Sikh Temple – Wolverhampton
 Council of Sikh Gurdwarae Wolverhampton
 Singh Sabha (London East) Gurdwara – Barking
 Singh Sabha Gurdwara – Hounslow
 Central Gurdwara – Shepherds Bush London
 Nanaksar (Thath) Isher Darbar – Letchworth Garden City
 Dasmesh Darbar – East Ham London
 Guru Gobind Singh Gurdwara – Bradford
 Sri Guru Singh Sabha Gurdwara Coventry
 Singh Sabha Gurdwara , leamington Spa
 Singh Sabha Gurdwara Bradford
 Guru Nanak Gurdwara Bradford
 Sikh Temple - Leeds
 Guru Arjan Dev Gurdwara – Derby
 Guru Nanak Sikh College – Hayes

Guru Nanak Nishkam Sevak Jatha – Hounslow
Singh Sabha Gurdwara – Hitchin
Guru Nanak Gurdwara – Hitchin
Guru Nanak Gurdwara – Bedford
Sikh Welfare Research Trust
Akal Purakh ki Fauj
British Sikh Council
Akhand Kirtani Jatha
GursevaBritish Organisation of Sikh Students
Sikh Human Rights Group
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