
Board of Governors

**Confidential minute of the sixty-fourth meeting held on
Tuesday 2 May 2013**

885 Update on UKBA compliance matters (BG 64/2)

Paul Bowler presented a report updating the Board on the University's applications for a new licence and for judicial review.

The Board noted with pleasure that, following satisfactory UKBA audits of its Tier 2 and Tier 4 responsibilities, the University had been granted an 'A' rating licence on 9 April 2013 together with 1000 CAS numbers for new international students. This meant that the University could apply for HTS status after one year.

The Board further noted the UKBA's comments in the licence award letter about the appointment and resignation of Jawad Botmeh as a Governor, and that the appointment to the Board of a person with a serious criminal conviction would give grounds for the University's licence to be revoked.

The Board was disappointed to note that the UKBA had referred to the University's licence as 'probationary', but concluded that it would not be worth taking legal action against the Home Office over the point.

Paul then reported on the application for judicial review and stated that UKBA had filed a defence that was virtually silent on technical points. The University would now be taking advantage of the opportunity to file additional evidence and was also likely to make applications for further disclosure and for cross-examination.

The Vice-Chancellor reported that UKBA had made two informal approaches to the University seeking a meeting, but which neither UKBA nor the Home Office had followed up.

A discussion of the matter then followed. The key points made were:

- That the revocation of the University's licence may cost LMU an estimated £80m, including ongoing losses;
- That professional fees to date were estimated at £600k, with a further £80-100k to be incurred if the matter proceeded to judicial review;
- That the University would be unlikely to obtain damages if successful in the judicial review;
- That the best that might be hoped for could be an early restoration of HTS status together with a neutral PR message, since UKBA would be unlikely to want to proceed to judicial review and immigration was currently very sensitive politically;
- That the University should seek a statement recognising its good reputation and the UK's willingness to engage with international students;
- That the University needed to consider the downside of losing at judicial review.

The Board concluded that the University should continue to prepare for the judicial review hearing set down for October 2013.

Certified to be a true record:-

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Chair, 4 July 2013