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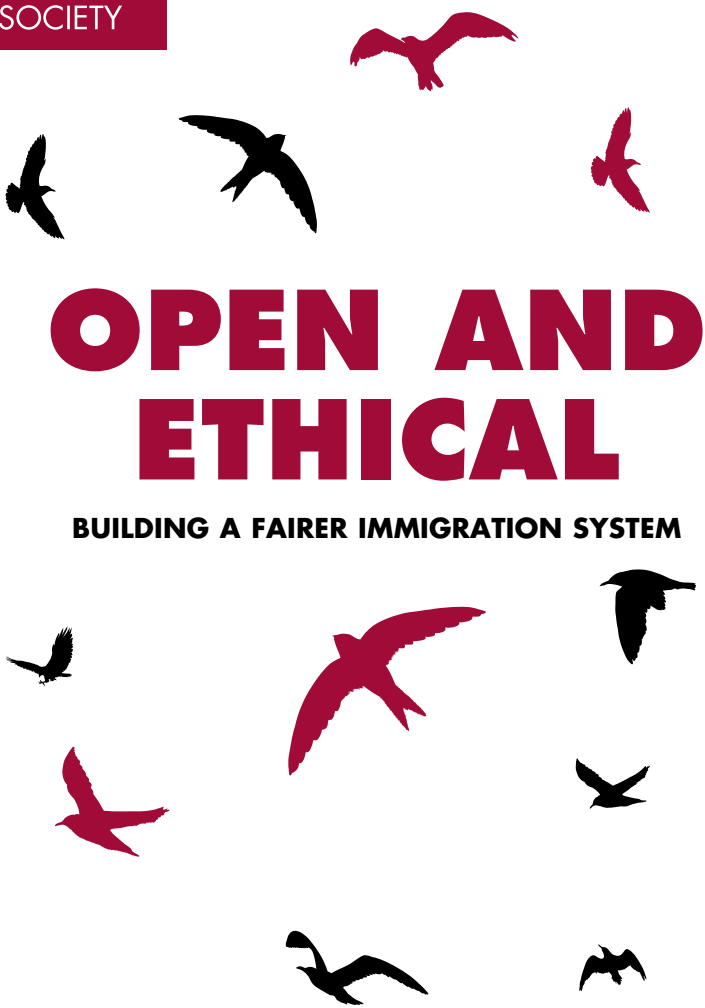

OPEN AND ETHICAL

BUILDING A FAIRER IMMIGRATION SYSTEM

Edited by Mike Buckley and Kate Green MP

Fabian Ideas 648

FABIAN
SOCIETY

The Fabian Society is Britain's oldest political think tank. Since 1884 the society has played a central role in developing political ideas and public policy on the left.

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Open and ethical

Building a fairer immigration system

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Project partners

Paul Hamlyn Foundation

Paul Hamlyn Foundation is one of the largest independent grant-making foundations in the UK. The foundation's mission is to help people overcome disadvantage and lack of opportunity, so that they can realise their potential and enjoy fulfilling and creative lives.

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A grant from Fragomen to Mike Buckley paid for some of his time working on this project and is gratefully acknowledged. Fragomen is the world's leading single-focus provider of immigration guidance and support. It has more than 3,800 employees worldwide and provides immigration services in over 170 countries.

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FOREWORD

The Right Reverend Paul Butler

The previous Home Secretary Amber Rudd was right when she said the Home Office had 'become too concerned with policy and strategy and lost sight of the individual'. However, the Home Office is not alone in this. There is a widespread temptation to approach politics simply as a matter of technique or efficiency, ignoring the need for wisdom and moral vision. 'Evidence-based policy' or triangulation will only get us so far. An exclusive focus on procedural questions often indicates an inability to reflect on the ends we are pursuing, to articulate a vision for human flourishing. I don't believe people are necessarily tired of experts but many of us are tired of supposed expertise being used to avoid deeper questions.

What would an immigration system look like if we began with a recognition of migration as part of the human good, offering fresh possibilities and offering hope to the suffering rather than a problem to be solved? What does a response to those who are forced into migration against their will look like when we respond out of a desire to give, and even to recognise refugees as gift not burden? What does it look like to encourage some of our very best to be gifted to other nations through migration?

Of course, all of this has to be placed alongside the equally human longing for settlement and 'home'. We do have

a longing for being settled and have a deep sense of identity that flows from our language, our cultural heritage, our shared history, and our geography. Holding both settlement and migration as human goods might help us create policies that operate from gift rather than desert, generosity rather than meanness and opportunity rather than threat.

The integrated communities strategy and the immigration white paper demonstrate signs that the government is grappling with some of these deeper questions. Recently, the community sponsorship scheme has shown the transformative power of having the vision to see local communities and refugees as gifts to each other.

I welcome this essay collection as another contribution to that common work of articulating a better story about migration. It is a task bigger than any one party or tribe and will require attending to the wisdom of different faith and moral traditions. That's why an Anglican bishop is listening to the best of Labour's thinking and why the Fabian Society is listening to the wisdom from across the country and political spectrum. I hope this will continue to be a conversation across our apparent divisions.

1: A POSITIVE CASE: LABOUR AND IMMIGRATION POLICY

Mike Buckley and Kate Green MP

Getting its immigration policy right will be crucial for Labour in the years ahead. The party needs to have a grown-up conversation with the public, so that we can both ensure our economy has the workforce it needs to thrive and offer a compassionate welcome to those who come to our shores.

Immigration, integration and narrative

When the future of Theresa May's time in government is written one constant will be front and centre: her hostility to immigration. When she was Home Secretary, her pledge to reduce immigration to tens of thousands was notable for never coming close to being achieved. Brexit has given her the chance to make real what was once fantasy.

For almost a decade we have lived in a world where the prevailing view has been that inward immigration is bad – or at best a necessary evil to be tolerated in the pursuit of economic growth. Few politicians have spoken up in defence of a different narrative. The Labour party, with its infamous 'controls on immigration' campaign mugs in 2015, triangulated instead of defending migrants and the principle of migration.

The right's demonisation of migrants has led to widespread mistrust of immigration and politicians. Many of the voters in the UK and the US who think that immigration is a bad thing also feel that there is a deliberate campaign to change the ethnic nature of the country. Some believe that politicians who speak up against immigration are silenced or treated unfairly. The danger of mainstreaming these far-right tropes is that they can never be limited to the topic of immigration, they become about politics as a whole.

Since 2016 the immigration debate has been inextricably bound up with the Brexit debate. Any possible Brexit outcome is viewed in light of how it will affect immigration, often with no comment on how it might affect migrants, the industries, businesses and public services in which they work, or the communities they live in.

Labour's challenge, both now as the Brexit saga continues, and beyond as the party aims to form the next government, is not only to develop a coherent and viable immigration and integration policy programme, but also to reshape a national narrative that has for too long been dominated by the right. Labour in opposition needs to develop new policies that address both the economic and social aspects of immigration and integration. It also needs to develop a narrative that reshapes expectations of immigration and integration policy.

This is no mean feat, but it cannot be ducked: getting this right matters for our future prosperity and our ability to staff our public services and businesses. It matters also for our society. The more we allow migrants to be blamed for society's ills, or to be seen as somehow second class, the more we fuel the hate crime that has grown in the UK since 2016 and the anti-migrant, anti-foreigner attitudes that are both harmful in themselves and contribute to a further loss of inward migration.

The figures are stark. The number of EU migrants leaving the UK is now at a record high, according to Oxford University's Migration Observatory. Net migration to the UK from the EU has fallen by more than 60 per cent since the 2016 referendum. Meanwhile the claim that non-EU net inward migration is at its highest since 2004, running at three times the level of EU net migration, is, as Migration Observatory director Madeleine Sumption has said, questionable.

We are attracting fewer Europeans, and not enough others to make up for them. Putting off newcomers is now the norm.

The Conservatives' agenda

This situation will be exacerbated by the Conservatives' immigration white paper. Its plan is simple – end low-skill migration, attract more high-skilled migrants to power our economy and add a few tweaks to make it work in the real world.

The government's main aim is to ban so-called low-skill migration. Ministers hope this will reduce net migration, while forcing employers to invest more in training British workers and improving their pay and conditions. But the government's own advisers acknowledge that claims that migrants significantly push down wages simply aren't true. And key sectors remain desperately dependent on migrant workers.

Take one example: social care. Already on its knees thanks to a funding crisis – entirely of the government's own making – which in turn keeps pay low, the sector will need hundreds of thousands of new carers in the next decade to meet rising demand. In an age of full employment there is simply no plausible route to do that without migrant workers. Making the existing staffing crisis worse will put extra

pressure on the NHS, force more of us into unpaid care, lower standards, and push care homes out of business. Those needing care will pay the price.

The government hopes that there will be an increase in high-skilled workers, but even these groups are to be disincentivised by a visa system and costs. The government forgets that these people have options, and that they are not unaware of political dynamics in the UK. We might want them, but will they still want us?

The government's agenda looks like a plan to make us poorer, less dynamic, and less open to the world. The plan will deter the high-skilled workers the government says it wants, lock out the so-called low-skilled workers we need, exacerbate staff shortages, and put vital public services under even greater pressure.

The opportunity for Labour

In this context it should not be hard for Labour to do considerably better. The door is open for a party that wants to make the case for immigration, to develop a rational and effective integration policy, and to stake a claim that the UK is not a small-minded, inward-looking nation, but one with a proud history of welcoming the stranger to our country's benefit.

This debate is indivisible from Brexit in the sense that both are in part conversations about who we are as a nation. Labour needs answers that conform to our values and our history, and that allow the party to paint a vision of the future that is not only fairer economically, but which is also more appealing and more peaceful socially and culturally. This cannot be achieved by pulling up a drawbridge, but only by extending a hand of friendship and welcome. It cannot be achieved by being marginally less anti-immi-

grant than the Conservatives; it can only be done by telling a different story, and by having a robust policy programme to give the public confidence that this new vision can be achieved.

Making a positive case for migration

The toxic climate over immigration has been created and sustained by a range of advocates as well as deeper historical causes. It has flourished because the majority of progressive politicians have shied away from challenging it. It will only end when progressive politicians articulate a different narrative that both challenges lies and myths, and offers an explanation for society's ills that is not based on migrants' presence but on Conservative mismanagement, neoliberal dogma and the rhetoric of the far right.

There is room for cautious optimism. Attitudes to migrants in the UK have improved over recent years. A Home Affairs Select Committee report on immigration published in January this year found that public attitudes to migrants are more nuanced than the media would have you believe. Most people are aware of the benefits migrants bring to society, even if some would still prefer overall numbers to fall.

Where the report failed was in its call for concerns over migration to be dealt with not by making a positive case for migration, but by being seen to increase controls on migrants. This would only serve the agenda of the right, acceding to the premise that migrants are a problem.

The only way to end concerns over migration is to make the case for migrants to be trusted as people and as valuable contributors to our economy and society. On the left we have

to make a positive case for migrants as citizens of equal value to any other citizen.

The benefits of immigration

The raw materials for a pro-immigration narrative already exist. European migration has been good for Britain, raising economic performance and improving the public finances, according to the Migration Advisory Committee. Gains have not been felt uniformly across the population, but overall the impact has been far more positive than detractors would have you believe.

EU migrants are more likely to be in work than the general population. They pay more in taxes than they receive in benefits or public services. Over a lifetime they will make a significant contribution to UK public finances. Their impact on wages is largely positive, with the exception of the poorest 10 per cent, where there is a small negative impact (although this is outweighed by overall wage growth).

Immigration has made the UK more productive and prosperous. It boosts productivity, since immigrants supply complementary skills, and increase the incentive for natives to up-skill or for employers to invest. Overall, the future net contribution of 2016 arrivals alone to the UK public finances is estimated at £25bn. Had there been no immigration at all in 2016, the rest of us would have had, over time, to find £25bn, through higher taxes, public service cuts or higher borrowing.

Labour does not need to invent a pro-immigration argument; it just needs to own the one that already exists.

It also needs to be willing to spend money. For many Britons, the concern is not with immigration itself, but with successive governments' failure to adequately

prepare for the effects immigration can have on public services and infrastructure.

The wider context

Arguments about migration and immigration in the UK take place in the midst of the largest movement of people on Earth since the second world war. Climate change and war are forcing millions around the world to flee their homes, as internally displaced persons, refugees or economic migrants. In many cases these labels cease to have meaning as distinctions blur. Europe as a whole is grappling with migration, with mixed results. For the UK to think it can wall itself off from these inexorable and intensifying forces is foolhardy at best. Climate change alone will force many more people across the world to migrate, and by 2100, an estimated 1 million migrants will travel to Europe each year.

Labour should be at the forefront of combating climate change, and it should be at the forefront of the argument for a humane, compassionate and generous response to the needs of migrants of all kinds, no matter their origin or the initial cause of their migration. If Labour enables Britain's borders to harden, or fails to play its part in developing a humane immigration policy across Europe as a whole, it will condemn many migrants to misery.

Labour's immigration policy also ought to take into account the needs of the nations which migrants leave as well as the UK. A policy of unreserved welcome can exacerbate deprivation in a sending country, because it steadily strips that nation of professional skills and long-term working commitment.

This is not only an issue about brain drain; mass migration can also produce a weakening of ordinary civic solidarities.

In countries obliged to assume that a significant proportion of their people will be abroad for an indefinite number of productive years – productive not only financially, but in terms of shared public service and responsibility – excessive mobility of working populations hollows out the civic space. These are societies that are often already economically and socially vulnerable.

This does not mean supporting the end of migration or free movement, but it does mean that immigration should be allied with our aid programme, while supporting a strong trade union movement, both nationally and internationally, and increasingly robust workers' protections and rights.

Finally, Labour should be concerned about the environmental impacts of migration. A person coming to the UK from a poorer nation is likely to produce more carbon as a UK resident than they would at home, intensifying environmental strain on the planet. Labour needs a courageous and robust climate change policy that quickly reduces our carbon footprint once the party is back in government. It should balance this with the need for our economy to have access to migrants, and with the right of people to migrate or seek refuge.

What Labour should do next

Labour's challenge is to build public trust in our immigration and asylum system while delivering fairness for those who fall directly within its scope. We suggest three priorities now: policies to promote integration, policies that help enrich our country, and policies that have justice and wellbeing at their heart.

First, as the CBI and unions including Unison have made clear, it is in the interests of communities, business and our public services that we successfully integrate migrants. We can learn lessons from cities like Bristol and Manchester, from Scotland, from the faith sector and from other coun-

tries. English classes for speakers of other languages and citizenship ceremonies clearly have a part to play. Importantly, this year, Labour came out in support of asylum seekers' right to work, not least because of the benefits to integration, giving people the chance to live in dignity, and contribute to our society and economy, while saving the government money on the meagre subsistence payments asylum seekers are currently forced to live on.

Second, we must introduce policies that welcome workers, family members and students who can help enrich our country economically and culturally, while tackling Conservative austerity, underinvestment, and managed decline of public services – the root cause of the poverty and insecurity that were such a huge driver of the 2016 leave vote. As a first step, Labour must bring together our industrial, skills and immigration strategies into a coherent vision for the future, with the detail of immigration policy made subservient to that vision.

Finally, the cruelty of Home Office delays, state hostility, and a culture of disbelief that blight the experiences of immigrants and asylum seekers must be transformed into a system based on access to justice that emphasises individuals' welfare and rights. Labour must invest in and embed leadership, training and accountability mechanisms that support speedy, accurate and humane decisions. Extraordinary strides have already been made recently in the fight for a time limit on immigration detention. Labour announced its support for a 28-day time limit in May. In the wake of the Shaw review the government set up a review into time limits themselves. While it's unlikely that this review will come out in favour of 28 days, the fact that it is even taking place signals the changing mood and should be cause for optimism. That's a green shoot of hope among those of us who must fight now for a fair and humane immigration system.

Conclusion

Getting immigration right is important for Labour for a number of reasons.

First, it is important for those directly affected by immigration or the need for refuge. Labour must show a better, more humane and just way to deal with the fact that we live in an interconnected world where economic migration is, for many, a necessity, and in which our economy can only function with the additional input that comes from a migrant population. Labour must continue to prioritise the needs of refugees and asylum seekers; as their numbers are only likely to grow over coming decades, and as the EU as a whole seeks to find a humane and viable way to deal with the issues this creates, Labour should be at the forefront of arguing for, and evidencing, a compassionate response.

Second, it is important for the continued productivity of the UK. Large parts of our economy, including agriculture, financial services, the NHS and social care, can only function with the presence of migrants from the EU and further afield. To pretend that this is not the case helps no one, and if acted on would harm both the migrants in question and the most vulnerable people in society, including those in need of high quality social or medical care. The loss of economic output would impact us all. Developing a coherent immigration policy, and challenging the arguments and lies of the right, is essential for a party that wishes to put fairness, equality and economic security at the heart of its programme for government.

Finally, getting this right is important electorally. The public know that successive governments have failed to get the balance right between enabling immigration, putting policies and funding in place to foster integration, and ensuring that public services are adequately resourced to deal with sometimes swift increases in local population levels. Labour's

response cannot be to accept the right's narrative that migration is inherently bad, and work to restrict it. Instead Labour needs to trust that the public is capable of having a grown-up conversation, to make the case for migration, and to ensure that appropriate measures are put in place to sustain public services, to integrate diverse communities, and to create the fairness and equality that are so sorely needed after nine years of Conservative government.

2: OPEN OR CLOSED? THE NEW ELECTORAL DIVIDE

Peter Starkings

The old class-based left-right economic divide is increasingly giving way to one based on values. That represents an opportunity for Labour. Instead of ducking the debate, the party should embrace openness. It is a move that would be good for the country, true to Labour's progressive and internationalist principles and electorally successful.

We all know what the Labour movement would like to do on immigration. The vast majority of the party accept that a liberal immigration policy has been good for Britain, good for our economy, good for our culture and good for our public services.

There is no need to be equivocal on this point – the evidence is clear. Immigration helps to fund our health service, pensions and schools. The Office for Budget Responsibility estimates that every 10,000 migrants are worth about £150m to our public finances, not just in the year they arrive but every year. Those same foreign-born workers keep our public services going – one in four doctors in the NHS is a non-UK national, rising to nearly 50 per cent for some specialities like cardio-thoracic surgery. More than 200,000 of our carers come from abroad.

It's not just the economy and our public services of course. You need only open your eyes to see that our culture is

immeasurably richer for the influence of those who grew up beyond our shores. It is no wonder that almost twice as many members of the public told the British social attitudes survey that immigration enriches our culture than said it undermined it.

The question then, is why the debate has been dominated by anti-immigration voices, why clear untruths have persisted, and why Labour has been seen as weak on the issue. Pollsters and political strategist will tell you that, along with controlling public spending and welfare, a perceived weakness on 'tackling immigration' has been Labour's achilles heel over the last decade. This has cost the party crucial support, especially amongst the white working class, who understandably feel that the country has not been working in their best interests. Spoiler: it hasn't, but not because of immigration.

As a result the following three statements are all true: immigration is good for Britain, Labour is broadly in favour, and on this issue, as well as others, Labour has been out of step with its traditional base. Hence the last decade of agonised twisting in the wind, 'controls on immigration' mugs, tortured formulations and almost manic attempts to change the subject.

It is fair to say that this strategy has not been a success. Since 2008, the Labour party has lost three general elections and an era-defining referendum, fought in large part – by one side at least – on the question of whether immigration needs to be drastically reduced. Failures, by the way, all in marked contrast to Sadiq Khan's victory in London.

Open versus closed and why open will win

In this chapter I want to sketch out a different strategy built from one central thesis – that our society and our politics are

changing in a very specific way. The old class-based left/right economic divide is increasingly giving way to one based on values – open or closed. And that new divide is reshaping our politics – and the good news is that open is going to win.

So let's begin by understanding that new divide.

At Global Future, we put a series of values questions to a representative sample of the population – and the age/values divide couldn't be clearer.

Figure 1: Values

For each of the following statements, which is closest to what you believe in?	ALL	18–44	45+	Difference: 11–44 vs. 45+
Internationalism	48%	58%	39%	
Nationalism	52%	42%	61%	38%
Net	-4%	+16%	-22%	
The UK should be outward looking and engaged on global challenges	50%	54%	46%	
The UK should be inward-looking and focused overwhelmingly on our own national challenges	50%	46%	54%	16%
Net	+/-0%	+8%	-8%	
Multiculturalism has strengthened Britain	53%	68%	42%	
Multiculturalism has weakened Britain	47%	32%	58%	52%
Net	6%	+36%	-16%	
Immigration has changed Britain for the better	49%	64%	37%	
Immigration has changed Britain for the worse	51%	36%	63%	54%
Net	-2%	+28%	-26%	
The UK accepting asylum seekers	46%	58%	36%	
The UK not accepting asylum seekers	54%	42%	64%	44%
Net	-8%	+16%	-28%	
Immigrants help keep our public services going	52%	61%	44%	
Immigrants are a drain on our public services	48%	39%	56%	34%
Net	4%	+22%	-12%	

Source: Global Future

'Multiculturalism is a force for good, immigration has made Britain stronger and so has our membership of the EU.' If you were born in the 1970s or later you are very likely to agree with those statements; before, and you are likely to disagree.

The trend continues from Brexit and gay marriage to internationalism and foreign aid; the divide is clear and consistent.

Of course, many reading this will be exceptions. Others will feel more open on some issues and closed on others. But the broad trend is clear

In every region, today's under-45s are, on average, very strongly positive about every aspect of the open world in which they've grown up. And in every region, there is a huge gap in perception between today's under-45s and today's over-45s.

What this means for our politics

Open/closed is generational, stark and here to stay. The question is what that means for our politics and our country.

Strongly held feelings about globalism, national identity and cultural values are having a growing impact on how we vote. It used to be 'the economy, stupid' that defined voting behaviour; increasingly, elections are now about open/closed values.

This shift is best understood through the model developed by Populus

The model plots security (covering factors such as income, occupation, housing tenure, health and proportion of benefit claimants) and diversity (ethnicity, immigration, density, age and urban/rural).

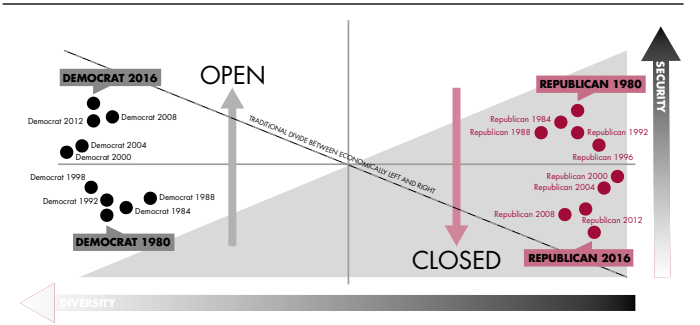
This demographic model supplements the polling discussed above. Not only is age a key variable in the

model, but on a range of different attitudes and values questions, authoritarian and socially/culturally conservative and nationalist attitudes correlate very strongly with the demographics of the low security/low diversity (bottom right) quadrant, while socially and culturally liberal and globalist attitudes correlate very strongly with the demographics of the high security/high diversity (top left) quadrant. As with the polling, clearly, the model does not claim that everyone within a given area has the same characteristics or opinions.

We can illustrate how the model works by looking at the position of the average Republican and Democrat voter in US presidential elections since 1980 (below).

As you can see, the average Republican voter has rotated from the high security/low diversity – the position of the economic 'right' – towards the low security/low diversity 'closed' position, with the average Democrat voter rotating simultaneously from the old 'left' position to 'open'.

Figure 2: Rotation of the US political axis: movements of the average voter rotary position since 1980



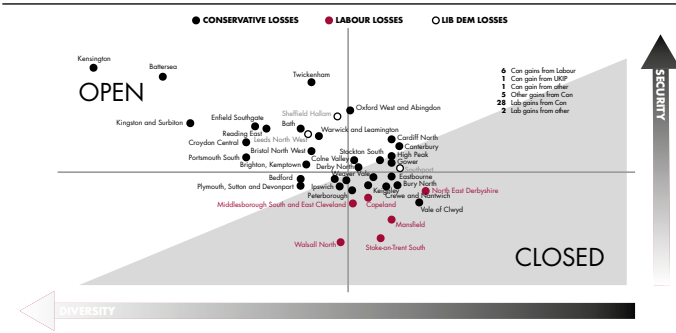
Source: Global Future and Populus

The same thing is happening on the political battlefield in France (Macron versus Le Pen) and across Europe.

And the shift is happening here too. Turbocharged by the Brexit referendum, it was this rotation that shaped the surprising outcome of the 2017 general election.

Longstanding Tory voters switched away from the party because they associated it not just with Brexit, but with commonly related 'closed' values, thanks to Brexit and in part to deliberate Tory positioning such as Theresa May's 'citizens of nowhere' speech. The reverse is also true as former default Labour voters as well as UKIP supporters switched to the Conservatives.

Figure 3: UK general election 2017: seat losses by party



Source: Global Future and Populus

And so in turn, the seats the Conservatives lost – predominantly to Labour – sit mostly in the most 'open' section of our chart, and vice versa. In the churn, the Tory vote increased, but Labour's vote increased much more.

What Labour and the Conservatives should do next

The open/closed divide is already reshaping our politics. The question now is how the main parties react.

Over the long term the answer is obvious. As the open generation increasingly outnumber their elders, representing their values will become the only possible winning proposition.

But what of the short term? For traditional parties, the rotation of the political axis represents a potentially existential threat. In the country that voted for Brexit and selected Jeremy Corbyn to run one of its great political parties, we can no longer count on old assumptions.

For the Conservatives the dilemma is brutal. In the short term, the temptation to identify further with closed, thus hoovering up the remnants of UKIP and building a bridge to Labour leavers, is obvious. Ultimately this is suicide: chasing an ever-shrinking coalition and deepening the age divide that cost them victory in 2017.

For a glimpse into that future just take a look at the 2016 London mayoral contest. The Tory candidate, in a despicable campaign, sought to defeat Sadiq Khan by attacking the very openness that he represented. But the dog whistle fell on deaf ears. Why? Because there just weren't enough voters in London susceptible to that message. The Conservative strategy was a reputation-trashing disaster for all involved.

Leaving aside the morality of a campaign built around othering a leading Muslim politician, on strategy alone it was self-defeating. And so follows the country. Every day in Britain the open side is growing as a proportion of the electorate.

But this is not a complacent argument that Labour cannot help but win in the future thanks to demographic destiny. There is no guarantee – the party will have to take the right strategic decisions to succeed.

Fortunately for Labour, the way is clearly signposted. In a battle between open and closed there is only one reasonable position for a party of the centre-left.

Those who argue that Labour should change to match the views of those leave voters who want to reduce immigration must first consider that there were just 33 Labour-held constituencies in which a majority of Labour voters backed leave, against 200 where a majority of Labour voters backed remain.

In parts of the country the rotation of the political axis will be painful for Labour, but it will be an awful lot more painful if it builds a political strategy around the comparatively small band of Labour leavers. As Labour peer and strategist Lord (Spencer) Livermore has argued, this would be to reject its own members and supporters. More fundamentally, any political party which positions itself against openness, either in specific policy terms or in its overall tone, is erecting a barrier to younger voters, a category that is widening all the time, and now even stretches to early middle age. Anti-immigration posturing would be a disaster. Instead the political opportunity for Labour is in remaining true to its values and seizing the open banner.

Open government

In government an open agenda would mean a return to internationalism, multilateralism and once again positioning the UK at the heart of the global community as an influential, forward-looking nation that looks out to the world and succeeds in it. A liberal immigration policy could and should sit at its centre. Progressive internationalists should stop running away from what they believe and take the argument on.

The emblematic policy moves are obvious. Drop the tens of thousands target, kill off the hostile environment, reboot

the Home Office – and be seen to do so – with a new stated philosophy that aims to treat people with intelligence and compassion and crucially, keep freedom of movement.

Just as important as the policy are the politics and presentation. It's time to make the case for immigration in general and freedom of movement in particular. It's time to take on these big debates and win them.

We all know concerns about immigration are there. But we also know that slashing migration is not going to lower the cost of living, build the homes we need, boost our welfare state, refund our depleted local authorities, improve social mobility or solve the UK's productivity problem. Cutting immigration is not the answer; pretending that it can be is no route to restoring faith in politics.

There are three elements to the case Labour should be making: the positive impact of immigration, an attack message built around the risks of a restrictive immigration policy, and a reassuring, clear and self-confident message about integration and creating a fair deal for everyone.

First the positive case. Immigration is good for Britain, good for our economy, good for our public services and good for our culture. It helps pay for our pensions, to fund and staff our NHS, provide social care for our grandparents and create opportunities for our children. Labour should campaign on these issues with compelling, relatable stories that bring them to life.

Second, Labour should expose the self-defeating consequences at the heart of restrictive policies. Rather than spending all of our time myth-busting – which the data shows can be counter-productive – the open side needs attack messages of our own.

If the populists want to limit immigration to tens of thousands then they have to explain whether they will raise taxes or cut investment in the NHS to do so. They will have to

address how they plan to fill staffing shortages or whether they are happy for waiting times for cancer and A&E to rise, and patients to die. If they want to slash low-skilled migration they should be asked to account for their desire to exacerbate the social care crisis . Would, for example, they be happy if their own family member went uncared for to fulfil their ideological agenda?

Finally, there has to be a reassuring message to those who feel uneasy about change (as well, of course, as a full and imaginative programme to address the social issues mentioned above). Progressives have to become more comfortable with integration and contribution. After all, there is nothing progressive about the kind of moral relativism that allows vulnerable citizens to remain closed off from the rest of society. The public don't like it, it entrenches division, and most importantly of all it hurts those we leave isolated and alone.

Everyone should learn English, and be given the support they need to do so. In addition, we should open up clear paths to citizenship and make sure everyone understands that becoming a British citizen comes with rights and responsibilities.

Further, as policy expert Harvey Redgrave and others have argued the system has to be fair and be seen to be fair. Equal access to clearly signposted contributory benefits could be a way through. Much concern relates to the old complaint that 'people are taking out without putting it in.' Labour needs to find ways to take that complaint off the table.

This narrative, aligned with an unashamedly open and progressive policy platform including welcoming attitudes towards students, and fairer, more welcoming policies towards refugees and asylum seekers (our contribution in the case of Syria alone is a national disgrace), represents the progressive future on immigration Labour should embrace.

The alternative is not an easy life. If Labour chooses to duck the debate, or worse, split the difference, it can no longer be argued that its progressive internationalist flank is secure. In a world of era-defining political flux the case for an unashamedly open party is undeniable. The emergence of a new party might shatter Labour's uneasy truce. Even its abject failure could take enough votes from Labour to keep it from government.

Open owns the future – Labour would be ill-advised to leave that future open to someone else.

3: LESSONS FROM WINDRUSH: THE HOSTILE ENVIRONMENT AND A ROUTE BACK TO DIGNITY

David Lammy MP

The Windrush scandal was a stark demonstration of the failure of government immigration policy. An amnesty for undocumented migrants, an end to the indefinite detention of asylum seekers and the guarantee of the right to appeal immigration decisions from within the UK are among the reforms which would give us a more just immigration system that works not just for migrants but for society as a whole.

Time and time again, in the aftermath of the Windrush scandal, we have been met with the same refrain from government ministers: the detention and deportation of ethnic minority British citizens happened as a result of administrative error. They say that the abuses and violation of the rights of the Windrush generation were nothing more than a bureaucratic mistake and the folly of a few Home Office officials who didn't pay attention to protocol.

I do not buy these arguments, for the reasons I outline in the first part of this chapter. But as well as looking back on the scandal, I hope to use the lessons from Windrush to recommend reforms which would transform our immigration system, making it fair, humane and respectful of the dignity of the human beings caught up in the bureaucratic struggle of their lives. I call for a one-off amnesty on illegal immigration; an end to the indefinite detention of asylum

seekers; the provision of legal aid for asylum seekers; recourse to public funds for the poorest asylum seekers and the guarantee of the right to appeal immigration decisions from within the UK.

The hostile environment

I do not trust the Home Office when it blames the Windrush scandal on administrative error because it is the same Home Office that mistakenly deported at least 1,000 highly skilled migrants. It is the same Home Office that wrongly accused thousands of students of cheating on an English language test and deprived them of their status and the same Home Office that misses deadline after deadline, loses my constituents' passports and takes years to respond to basic leave to remain applications.. If Windrush and the subsequent revelations have taught us anything, it is that there is a deep-rooted and systemic problem with our immigration system. It is time to reconsider immigration practice in this country, a process that starts by re-evaluating our attitudes to the group of people at the heart of our immigration enforcement policies: undocumented migrants.

Undocumented migrants are one of the most dehumanised groups in Britain. They are 'illegals' or 'aliens' before they are human beings – a hidden population that we know very little about, but have become the focus of anti-immigrant propaganda. In the national consciousness, we imagine them waiting in their thousands to come and steal British jobs, abuse our welfare state and overcrowd our hospitals. The tabloids tell tales of illegal immigrants swindling thousands of pounds in benefits, or forcing the taxpayer to pay hundreds of thousands of pounds to care for their children. The 'leader of the free world' demands that we deport them with 'no judges or court cases' and puts their children in cages.

The government's response to this concern has been to introduce policies which exclude undocumented migrants from working, renting or accessing public services. In other words, to make life so unliveable for those illegally in the UK that they are forced to leave. The hostile environment was created as a result of a nationwide panic about undocumented migrants in this country and was a clear sign of tabloid-driven narratives around illegal immigration seeping into cabinet. The policy's mantra was to 'deport first, appeal later', based on the assumption that a suspect is guilty before proven innocent. No matter that it has been rebranded as a 'compliant environment', in Theresa May's own words it was created to make this country a 'really hostile environment for illegal immigration.'

The resulting legislation, carried out over two immigration acts, was not only responsible for a shocking disregard for the rights of migrants and ethnic minority British citizens, but it was also ultimately useless at reducing illegal immigration. The number of removals and detentions of undocumented migrants in the UK has fallen in recent years. In the last 18 months, the number of voluntary deportations in Britain has decreased despite hostile environment being in full force. The policy has been littered with catastrophic failures that have, according to the Joint Committee on Human Rights resulted in human rights violations and the deportation of no fewer than 63 British citizens. It has proven to be ineffectual, inefficient and inhumane.

In other areas too the hostile environment has failed to deliver. The National Audit Office has found that ID checks and charging for the use of the NHS for migrants have fallen short of the promise to raise much-needed funds for our hospitals. The Independent Chief Inspector of Borders and Immigration condemned right to rent checks requiring landlords to check the immigration status of their tenants as 'yet

to demonstrate its worth as a tool to encourage immigration compliance.'

With a Home Office mired in controversy and scandal, it is time that we rethink our attitudes to undocumented migrants in this country. No matter how punitive and aggressive the policy, the government will never be able to deport all undocumented migrants, or close our borders in their entirety. For as long as we have an attitude to immigration in this country which treats undocumented migrants as subhuman, we will end up with cruel and useless immigration policies.

What does it mean to be undocumented in Britain? The invisible nature of undocumented migration makes it impossible for us to have any idea of how many such migrants live in Britain, who they are and how they live. If you read the tabloid press, you would be forgiven for thinking that there are millions of people living without status, but the numbers are probably closer to 600,000.[1] Roughly 100,000 of them are children – some of whom have been born into invisibility, and have had to grow up in hiding.[2]

We should remember the vast majority of those who are undocumented are over-stayers.[3] Many of them have come here on work visas or as students and established a community, and life for themselves. They have slipped into illegality, rather than chosen it. Their visas have run out and they have been confronted with a complicated immigration system and extortionate fees. They have been forced underground to live without the protection of the welfare state or justice system.

We are talking about single parent families, young children or adolescents old enough to go to university. We are talking about low earners, struggling to get by and pay their bills. They are carers, builders and domestic workers. They have had to scrimp and save for every penny, borrow from loan

sharks just to feed their families and put a roof over their head. Many have come to the UK from countries with a long history of British colonialism, with dreams for their children and grandchildren to have a better life.

They are often victims of exploitation and modern slavery – forced to work long hours with no respite in nail bars, or on fishing boats. A government investigation into employment practices at 280 nail bars, found that they employed 94 undocumented migrants, of whom 14 were identified to be slaves.[4] The line between exploitation and slavery is a blurred one, and undocumented workers are extremely vulnerable to both. Theresa May finds herself in uncertain territory as she speaks out on the plight of victims of modern slavery, but has personally overseen policies which allow for exploitation of the most vulnerable by denying them the most basic of public services.

Towards a just immigration system

An amnesty

The Home Office's war against undocumented immigration with ineffective policies has had catastrophic consequences. It has built a 'shadow economy' fuelled by workplace exploitation, human trafficking, drugs and other crime. The question is whether to keep these undocumented migrants illegal, fuelling crime and the shadow economy; or to regularise their status, to allow them to pay income tax, national insurance and to live safely, becoming respected members of society. I support the latter option, as the first step to cleaning up the Home Office failures of the past.

According to the Institute of Public Policy Research, undocumented workers in the UK would pay between £1bn and £3bn a year in tax. Amnesties for undocumented migrants have taken place throughout the globe, and present

an important opportunity to tackle a collapsing immigration system. In 2005, the socialist government in Spain introduced an amnesty which regularised the status of roughly 700,000 migrants, who form a significant portion of Spain's agriculture and construction industries. As a result of the three-month amnesty, the Spanish government reported that it netted 750 million euros in extra taxes and national insurance provisions.[5] It also credits the policy with reducing economic exploitation of vulnerable people throughout the country.

The arguments for a one-off immigration amnesty do not only come from the left. The practical case for it have been made by politicians of all stripes; including our former Foreign Secretary Boris Johnson. In 1986, it was none other than Ronald Reagan who allowed roughly 3 million undocumented migrants to gain legal status in America. This is an issue, however controversial it might first appear, on which I believe we can reach cross-party consensus.

As Brexit looms, and the Home Office faces the prospect of immigration casework relating to the 3.6 million EEA nationals living in the UK, we need a common sense, reasonable policy that will provide space for the Home Office to rethink its immigration practices. Cruelty and punishment have shown to be useless, so let's try compassion.

An end to indefinite detention

Britain is in the appalling position of being the only country in the EU without a statutory limit for the detention of immigrants. Civil liberties groups have warned us for years that the Home Office imprisons tens of thousands of people every year – 'including survivors of torture, trafficking and rape' – with no time limit. These are people whose imprisonment has not been ordered by any judge or jury. In a perversion of one of the most fundamental principles of our society, they are innocent, but presumed guilty.

It is not only that Britain's system has no specific limit to detentions, in terms of outcomes, it is one of the slowest processes in the developed world. In France, the average stay for detained migrants is just one month. In the UK the average stay is 19 months, compared to an EU average of nine. This is not only cruel, unjustifiable and hugely damaging to the lives of detainees, it is a huge burden on the tax payer. Britain's detention estate, one of the largest in Europe, costs the public purse roughly £164.4m per year. A parliamentary question that I tabled in March 2018 found that half of all people leaving detention from 2013 to 2018, were subsequently released back into the community, not deported from Britain. Money wasted on in-country immigration enforcement and detention could instead be used to combat the ever-lengthening backlog on asylum applications in the UK and save those affected the agony of waiting years to hear back about their immigration cases.

Legal aid for asylum

The right to legal advice and representation for those in vulnerable positions should be one of the basic guarantees of our society. The exclusion of many people seeking asylum – often those fleeing war and persecution and almost always facing monumental personal struggle – is a disgrace. The Refugee Action charity has warned of growing 'legal aid deserts' which have developed due to a 56 per cent fall in the total number of legal aid providers for immigrants and asylum seekers since 2005. The growing trend of shrinking legal representation has led to reports of 26 local authority areas with more than 100 people seeking asylum with no local legal aid provision.

We need to reverse the trend of legal aid cuts for those seeking asylum, until we get to a situation where decent legal advice and representation is available for all cases. This

is the only way we can guarantee a fair system, and honour our international obligations towards refugees and asylum seekers. Money to fund this could be found in the extra tax revenues after an immigration amnesty.

Recourse to public funds

No recourse to public funds is a condition that is often imposed on immigrants in the UK who have not yet achieved settled status. This does not only apply to the migrants themselves, but their children and other dependants. One of the common consequences of this policy is destitution for migrant children, who, even if they are born in the UK, will be denied access to public funds, even including free school meals.

Migrant charities including the Unity Project and Project 17 have highlighted further inhumane consequences of this policy. They highlight the cases of single, often pregnant mothers, working fulltime on minimum wage, unable to support the living costs of their families. Because they have no recourse to public funds, they are forced to rely on informal networks of friends and family, who are often struggling themselves, for accommodation. The accumulation of debt over time, and any change in job or family status, can push these families into abject poverty, leaving them vulnerable to exploitation, over-work and homelessness. There is an existing procedure to apply for funds in these cases, however, it requires a high level of literacy and so many documents that, according to the Unity Project, finished applications weigh more than a kilo. An application will typically cost around £1000. This is an unreasonable, and in most cases, impossible burden for people in desperate situations. In a fair immigration system, this application process either needs to be streamlined, so that it is genuinely accessible for those in need, or no recourse to public funds should be abolished altogether.

A right to appeal in the country

In the current hostile environment, those appealing failed immigration applications to remain in the UK can be sent back to their country of origin while in the final stages of the appeal process. Due to the often poor conditions in these countries, a lack of legal experts, and the personal problems this leads to, the chances of a fair application are reduced to almost zero. The Conservatives' 2014 'deport first appeal later' policy was ruled illegal in the 2017 R (on the application of Kiarie) v. Secretary of State for the Home Department. Nevertheless, examples of this practice continue to this day, in cases where applications are deemed to be 'manifestly unfounded'. My own office has dealt with cases where reasonable applicants are being forced back to a country, where there is evidence to suggest they are under threat, on the premise that their case has no reasonable chance of being successful.

In a fair immigration system, we would guarantee the right of applicants to remain in the country, until the outcome of the final appeal is decided.

Ending income requirements

Since 2012, British citizens have been required to earn more than £18,600 a year before a husband or wife from outside the European Economic Area can settle in the UK. The requirement rises to £22,400 for couples with a child and £2,400 extra for each additional child. Chai Patel, the legal director of the Joint Council for the Welfare of Immigrants, has previously highlighted the 'heart-breaking long-term trauma' this inflicts on children who are prevented from residing with their parents. A fair immigration policy would not prevent families from living together based on their earnings. This policy is unusual among developed nations, and should be abolished immediately.

The reforms I have suggested would mark a much-needed sea change in immigration policy. Following Windrush, there is public appetite to reject the cruel and inhumane policies of the past in order to construct an environment for migrants that is both fair and practical. The anti-immigration rhetoric, stemming from the darkest parts of our media and our least impressive instincts, has influenced a government agenda that prioritises ideology over outcome; bureaucracy over human life and the deportation of black British grandmothers over processing asylum applications. The proposals I have outlined in this chapter are by no means novel, but are fundamental parts of the immigration policies of many of our allies, with backing from all political leanings. They represent simple steps which, if taken, would enable us to do so much better than we have been doing, to the benefit of migrants and society as a whole.

4. SPEAKING OUT: THE PEOPLE'S VIEWS ON IMMIGRATION

Jill Rutter

Immigration is a divisive issue. But is the debate as polarised as the media might suggest – or is there room for consensus? The biggest ever public consultation on the topic revealed that engaging with voters will be key to getting a system that works.

Immigration has long been one of the most salient and divisive issues in the UK. It was clearly a factor in voters' decisions in the 2016 EU referendum. Public trust in the government to manage migration is at an all-time low. At the same time, employers are frustrated with the bureaucracy attached to work visas, while organisations working with refugees remain concerned about backlogs and the quality of initial asylum decisions. Advocates of immigration reform – both business and civil society voices – have found it difficult to project their messages beyond their core supporters. Both of the main political parties have, in different ways, struggled to find their authentic voice on immigration, voices that resonate in both cities and towns, across social classes and generations.

Brexit offers a window of opportunity to reform immigration policy and to put in place a system that protects refugees, works for employers and commands broad public trust and support. But this confidence cannot be fully restored without engaging the public in a debate about their views,

their concerns and the policy changes they would like to see made. This is why British Future and HOPE not Hate undertook the National Conversation on Immigration, the biggest ever public consultation on this issue.

Over 15 months we held more than 130 meetings in 60 places in every nation and region of the UK. In each location we held a meeting with local stakeholders: councils, business groups and civil society. Later, we ran citizens' panels made up of members of the public. We took participants through a guided conversation, listening to their views on immigration and integration, the policy changes that they wanted and what they felt needed to happen for them to trust and support immigration policy. Together with an open online survey and a nationally representative survey conducted by ICM, some 19,951 people took part.

The moderate but unheard majority

In contrast to overhyped reports of anti-migrant sentiment, most people we spoke to were 'balancers' who see both the pressures and gains of immigration. Typically, the citizens' panels described the benefits of migration, the skills that migrants bring to the UK and the jobs that they fill. At the same time, participants also voiced concerns and questions about migration, with the nature of these concerns often varying from place to place.

> *"I think immigration's positive for work, particularly within the NHS and thing. I think we've got a lot of good doctors, nurses, professionals, who we wouldn't have if we didn't have immigration. But maybe some of the most problems have been in the town centre...neighbourhoods have got worse because of certain people have moved into the community who have been brought in through immigration, but then you've got good*

and bad in every community." Citizens' panel participant, Middlesbrough.

Face-to-face discussion gave people a chance to share their views, debate issues with others, and, in many cases, come to a consensus. But these moderate and balancing opinions are not reflected everywhere. Online and media debates about immigration are dominated by relatively few voices, where those with stronger views at either end of the spectrum are most likely to voice their opinions. We believe that immigration policy needs to be better at responding to the views of the majority, rather than those who shout the loudest.

Common ground: contribution, control and fairness

Contribution, control and fairness emerged as common themes in all of our discussions. The citizens' panels wanted migrants who come to the UK to make a contribution, through the skills they bring, the jobs they do and through taxation. There was strong support for highly skilled migrants, with the citizens' panels also taking a pragmatic view about low- and medium-skilled migration when they saw migrants filling jobs that need doing, such as fruit picking and social care.

At the same time, the citizens' panels also wanted immigration to be controlled, but with 'control' meaning different things to different people: UK sovereignty over immigration policy, a selective immigration system, competent enforcement and in some cases controls over numbers. While the citizens' panels wanted immigration to be controlled, they also wanted the system to be fair, both to migrants and to receiving communities. They wanted refugees fleeing war and persecution to be treated decently. No one in the citizens' panels wanted law-abiding EU nationals who were

presently living in the UK to be asked to return home after the UK left the EU.

> *"I think the government just needs to be a bit more kind, is that the word? You know, kind and a bit more kind of like actually see people as people and not like cattle. Does that make sense? I think we could be learning from the mistakes, but always treat people as if they're humans." Citizens' panel participant, Bedford.*

Immigration controls and fairness to those who use the system have often been seen as mutually exclusive conditions. But there is strong public support for a balance, and for the Home Office to have the resources it needs to enforce regulations, but also treat migrants humanely and fairly.

The importance of the local

As well as common themes, there were some striking local differences in the issues that citizens' panels raised, the salience of immigration as an issue and the balance between perceived benefits and disadvantages of immigration. In many ways, immigration is a national issue, but perceptions are partly constructed through a local lens. Where migration is seen as putting pressures on public services or is associated with badly-maintained private rental housing and neighbourhood decline, there is usually less public consent for immigration.

Local experiences of integration also matter. It was clear that social contact with migrants has a major impact on how the citizens' panels viewed immigration and immigrants. Where such interaction took place, the citizens' panels based their opinions on these interactions, rather than on what we have called 'community narratives' drawn from the media

and peer group debate. In places where migrants are less well integrated into their local communities, negative public views tended to predominate.

Dealing with the local pressures that rapid immigration can bring and getting integration right are crucial to securing public consent for the immigration that the UK's economy needs. Despite concerns that integration was not working in some parts of the UK, those who took part in the national conversation had a real appetite for change. Both leave and remain supporters wanted the government to prioritise integration, with many people seeing this as essential if their trust in the government's handling of immigration was to be restored. The evidence we gathered showed that there is public support for greater investment in English language teaching and encouraging employers to take a bigger role in integration.

The post-Brexit immigration system

Labour migration from the EU was the most important theme of most of our national conversation panels, everywhere across the UK. There was a strong desire for change. The government has now set out the broad outlines of the post-Brexit immigration system, in its December 2018 immigration white paper. Free movement will be replaced by two routes into the UK. An employer will be able to sponsor migrants coming to fill skilled jobs through a scheme that will replace the current tier 2 visas. These visas will be uncapped (unlike tier 2 visas) and there will be no preference for EU citizens. The main criteria for such visas are that the job is skilled – above regulated qualifications framework Level 3 – and pays more than £30,000 annually.

As many EU citizens are undertaking low-skilled work, the 2018 immigration white paper also announced a temporary

migration scheme that will run for a five-year period before being reviewed. Twelve-month visas will be available for those coming from 'low risk countries', essentially the EU, plus the USA, Canada, Australia. Again, these visas will not be capped, but those who have them will have no rights to extend them and remain in the UK.

Doing immigration differently at home

The government is now embarking on 12 months of engagement on the immigration while paper, before legislation in early 2020. But the policy proposals set out so far do not meet the test of meeting the UK's economic needs, while securing public confidence and support. The National Conversation on Immigration showed little support for making temporary migration the new norm for low-skilled migration. Most people did not think the rules would be enforced and did not think it would be fair to people who come here. The majority of the public would prefer migrants to settle, learn English and become part of their local communities over temporary migrants who come and go.

The immigration white paper is a missed opportunity in that few of its proposals take the UK towards a fair system that both meets economic needs and has public support. The government should look at a system that has confidence-building as an explicit aim. Greater transparency and accountability are needed in order to achieve this, as well as ongoing public engagement. A three-year plan for migration, reviewed every year in parliament on an annual migration day, should replace the net migration target.

The Home Office needs to have the resources to deliver on its aims. In the UK, we spent £40 per head on border control in the 2017-2018 financial year. Leaving the EU will present the Home Office with many challenges and a potential new

settlement might result in greater numbers of people being subject to immigration control. This would put greater pressure on Home Office resources. However, there has been a year-on-year cut in revenue spending on visas, border control and enforcement since 2011.

At present the immigration system is beset with errors and backlogs, a situation which has huge personal impacts, particularly for asylum seekers. In 2017, 36 per cent of asylum seekers who appealed against a negative decision were later granted refugee status – a situation that causes anxiety for refugees while also incurring an unnecessary expense for the taxpayer. The strengths and weaknesses of the Home Office lie both in its leadership and in staff who undertake the day-to-day work of this high-stress department. We recommend that the Home Secretary invest in staff training and support, with high-calibre employees incentivised to see the operational division of the Home Office as an attractive career.

Securing public support for immigration will also require promoting integration and addressing local pressure points. During the visits for the national conversation, neighbourhood decline appeared to be the most widely expressed localised concern associated with immigration. Asylum seekers and new migrants from the EU tend to be over-represented in cheaper, overcrowded and often badly-maintained private rental accommodation located in particular neighbourhoods or streets. In a large number of towns and cities this has led to an association between migration and neighbourhood decline.

Some large employers have failed to take responsibility for their local impact on the local housing market. Business needs to step up its game. Public views about integration underpin how people see immigration. Perceptions about the failure of integration, locally and nationally, lessen public support for immigration.

Councils and combined authorities are best placed to catalyse integration locally, but currently there is a postcode lottery of practice. In many places, integration is seen as a good thing, but not a priority. A lack of vision and strategy, budget cuts, weak leadership and low staff morale have held back good practice in councils. We recommend that all local authorities develop a strategic plan to promote integration, involving other public bodies, business, civic society and the public in this process.

Migrants who work long hours have often struggled to find English language support that fits in with their employment. For this group, shorter and more frequent English language learning opportunities, including conversation clubs, are needed, in or near their places of work. Learning from practice in mainland Europe, we also recommend that the government works with others to set up a 'Learning English' Freeview channel.

All too often integration is seen about 'them', with programmes of work largely focused on migrants and minority ethnic and faith groups, particularly Muslims. Funding and programmes of work have tended to target large urban areas, but as the national conversation shows, it is often the shire counties and market towns that have struggled most to accommodate new arrivals. Integration needs to be about everybody and everywhere. Such an approach would help rebuild confidence in the government's integration agenda among Muslim communities, who have sometimes felt that they have been unfairly put under the spotlight.

The 2019 integrated communities action plan,[6] covering England, is an important step forward and has put integration on the agenda again, after years of policy neglect. If its proposals are implemented, much progress will be made to bridge some of the social divides that were highlighted in the EU referendum. However, there are many challenges to

be overcome before the ambitions set out in the action plan translate into action on the ground. Most importantly, there needs to be sustained political will and leadership from the very top of politics to take integration forward in the UK.

There are choppy waters ahead. But the fallout from Windrush and the immigration white paper and the integration action plan collectively provide a moment when progressive change can take place. We have the opportunity to get the immigration debate and system right. Engaging more broadly on this issue with voters should be at the heart of such reforms and the National Conversation on Immigration shows not only that this is possible, but also that we can find consensus on immigration, if we give people a chance.

5. CONTROL, CONTRIBUTION AND COHESION: MAKING THE SYSTEM FIT FOR PURPOSE

Ryan Shorthouse

The government's immigration policy has been at times callous and counterproductive. For the system to operate effectively and win back public support, it must be rebuilt on three fundamental tenets: control, contribution and cohesion

Perhaps the worst policy of this decade is the government's net migration target of tens of thousands a year, cooked up by the Conservatives in opposition without scientific and extensive consultation. It has seriously distorted and damaged both public discourse and public policy.

The target contributed to the creation of the Home Office's so-called 'hostile environment', which led to at least 83 members of the Windrush generation – who were promised they could stay in Britain for life as Brits – being wrongfully and shamefully deported.

The same policy has deprived businesses, the engines of our economy, of the talent they need from outside the EU: since the end of 2017, demand from employers for certificates of sponsorship for high-skilled migrants has outstripped the supply of available tier 2 (general) visas, which is capped by the government at 20,700 visas a year.[7]

Thankfully, at least, the Migration Advisory Committee – in its much-awaited report, originally commissioned by the Home Secretary, on EEA migrants[8] – recommended scrapping this particular cap and enabling those in medium-skilled jobs to access these type of visas too.

However the committee should have gone much further, suggesting substantial surgery to the UK's unpopular immigration system. After all, notwithstanding the difficulties that Brexit presents Britain, it does offer an opportunity to implement wide-ranging reforms to our immigration system, once freedom of movement has ended.

A better immigration system

The UK's future immigration system should be based on three central principles: control, contribution and cohesion. Bright Blue's previous research on public – and especially Conservative voters' – attitudes towards immigration suggests these principles are popular.[9] When asked what they thought the prime characteristic of an ideal immigration system should be, those intending to vote for the Conservative party in the 2015 general election were most likely to respond: "A system that is well managed and efficient at keeping out illegal immigrants whilst letting desirable immigrants in as smoothly as possible", followed by, "A system where only those who contribute to our economy and society are admitted".

Control

The case for having some type of limit on the level of migration not only derives from public attitudes, but reasoning too. The academic Sir Paul Collier argued in his book Exodus that if migration flows are too high, it will have damaging

consequences: for the migrants' countries of origin, which will experience a significant loss of talent that cannot be compensated for by remittances from them; and for the migrants' countries of destination, where there will be deteriorating employment opportunities and services and social segregation will intensify because of the concentration of large diasporas.

More practically, there are democratic and fiscal constraints on the provision of services in local areas, such as planning permission and budgeting. It will simply be impossible for some localities to deliver services, sufficiently or efficiently, if the demand from newcomers is excessively large and unplanned.

Having established that immigration control is both popular and rational, the trickier task is to determine how exactly to do it. The majority of the public have consistently over many years reported that current levels of immigration are too high. Trouble is, the available evidence – confirmed in the Migration Advisory Committee's recent report – is that current levels of migration have had no or very modest social and economic impacts. When it has had an impact, it is generally positive: for example, on public finances, public services and productivity. Although, admittedly, there is some evidence of current levels of migration inflating house prices and dampening, in the short term, the wages of some low-paid workers. Step back, though, and remember that despite record levels of immigration in recent years, we also have experienced record levels of employment.

Generally, the evidence tells us that the current level of immigration into this country has been and is sustainable, but that a small minority of people and communities are facing, in net terms, detriment that needs attending to. So, if we follow the evidence, the immigration controls we need do not necessarily have to aim for a reduction in current overall

levels. Indeed, the idea that migration levels will substantially reduce once we leave the EU has been falsely sold. Many of those 'old friends and new allies' with whom the prime minister wants to strike trade deals after Brexit will, in return, want us to open our door more.

The government's net migration target has therefore not only been distorting and a failure, but it has also been unnecessary. There are alternative ways of controlling migration. The notion that the only way to have control over immigration is through this arbitrary and indiscriminate target is a myth spouted by its few remaining supporters.

The public, as previous Bright Blue research demonstrated, do not think of all migrants as the same; they differentiate between them. The overwhelming majority of the public do not want to see fewer skilled manual workers or professionals or international students. Conversely, a majority are sceptical of admitting economic migrants who do not have a job lined up in the UK.[10] The UK's immigration controls should reflect this understandable and sensible differentiation.

Instead of lumping migrants all in the same box, the government should develop targets for different categories of migrants, which should not just be about gross numbers, but also the effectiveness of the visa process. These targets should be developed after extensive consultation led by the Migration Advisory Committee. By aggregating these different gross targets, there should be an eye on developing an overall gross – rather than net, since emigration cannot and should not be controlled – ceiling. This ceiling should be marginally higher rather than lower than current migration levels, considering post-Brexit political realities and – most importantly – what the evidence shows about the impact of current levels.

The UK needs and deserves these sensible and deliverable targets on immigration. And the government should

be transparent about – and properly held to account on – them. Every year, parliament should host a 'migration day' where the Home Secretary delivers a statement, outlining progress in managing our immigration system and including announcements of any proposed changes to the immigration system over the next year. Similar to the current role of the Office for Budget Responsibility with regards to the Budget, the Migration Advisory Committee should be given the resources for a new role in publishing on migration day the impact of immigration on the economy, public services and communities, the government's progress on meetings its targets, and the likely effect of any proposed reforms. Not meeting these targets should have consequences in the form of extra resources for the controlled migration fund, currently a pot of only £100m, which allows local services struggling with high inflows of people to bid for extra resources.

Reflecting the differentiated approach, the Migration Advisory Committee recently recommended that different migrants be treated differently in an ideal immigration system, endorsing "a policy on work migration that provided greater access for higher-skilled migration while restricting access for low-skilled workers to enter the UK". This brings us to the second principle: contribution. More precisely, crafting an immigration system that admits and rewards those who are likely to contribute more to this country.

Contribution

Philosophically, fairness is very much related in public consciousness to contribution – namely, the notion that rewards in life should be linked to effort. In public policy debate, the principle of contribution is typically associated with working: most commonly with the concept that the

receipt of welfare should be contingent – at least in part – on the work you have done and thus the taxes you have paid.[11]

The Migration Advisory Committee's proposal on work migration points to strengthening even further the principle of contribution in the design of immigration policies, prioritising those whose work is likely to be especially beneficial to 'UK plc'. The contributory principle, to some degree, can already be found in current immigration policy: salary and skills thresholds are applied to acquire different types of visas; and, a small number of professions are on shortage occupation lists and have priority for visas.

But it is time to broaden our understanding and application of this principle. First, it is worth remembering that salary is not, nor should be, the only determinant of contribution. People on low salaries will still contribute significantly through their work. And people also contribute a great deal outside the domain of work: in civic and community life, for instance.

One reform which would speak to this is if family visas could be granted for loved ones if the sponsoring British citizen had earned above the personal income tax allowance for the last 30 months. The new minimum income rule of at least £18,600 for non-EEA family migration – introduced by the coalition government in 2012 – has led to a significant decline in family visas and is very punitive on those on modest incomes. The University of Oxford's Migration Observatory has found that nearly half of the UK population does not meet this earnings threshold. Enabling those who have been in work and paying taxes for a substantial period of time, even if they don't meet the specified minimum salary, to obtain visas for the people they love to come and live with them in the UK would recognise and reward the immense contribution low-paid Britons make to our economy and

society, as well as reflecting the value of having families living together in the same place.

Second, the contributory principle should also apply to new migrants once they have arrived; they should make additional contributions to the UK's public finances to catch up with the contributions people who have lived in the country a long time have made. In 2015, the government rightly introduced a health surcharge for non-EU migrants who apply to come to the UK for more than six months. Now, all new working immigrants, excluding refugees and students, should pay a new class of national insurance when working for the first two years of their arrival to contribute to Britain's public services.

Cohesion

The final part of immigration policy is about what happens once migrants arrive in the UK. Here, attention shifts to integration; or, to our third principle, cohesion. Previous research by Bright Blue appears to suggest that the public are most concerned about the cultural, rather than economic, impact of immigration: the impact of immigration most commonly cited by those who intended to vote Conservative in the 2015 general election, for instance, was that it had "led to some communities living separate lives from the rest of society".

Some of this concern is exaggerated, of course. In comparison to other European countries, migrants tend to have higher language ability, educational attainment and job prospects in the UK. Levels of community belonging and trust in neighbours are also relatively high in this country. As the Migration Advisory Committee's recent study on the impact of EEA migration concluded, migration has not had an impact on the crime rate or aggregate levels of subjective

wellbeing.[12] There is a positive and proud national story to tell here.

Nevertheless, there are certainly some people and communities that could be better integrated. The government-commissioned Casey review found that although people from an ethnic minority background became more dispersed across the UK population between 2001 and 2011, in some areas there has been increased segregation. "People from Pakistani and Bangladeshi ethnic backgrounds, and people of Muslim faith", the report noted, "live in increasing and greater concentrations (relative to other minority ethnic and faith groups) in particular local electoral wards in certain areas in the north, the Midlands and London". It found, for example, that in 17 local wards across England, 90 per cent of the population was non-white British in 2011, compared to just one ward in 2001.[13]

There are many levers that policymakers can and should pull to boost integration, spanning education and housing policy. Schools are highly ethnically segregated in the UK relative to comparable countries;[14] the current catchment-based criteria for admissions need serious reform. And too little social housing in and around private developments is being built.

Being able to understand and speak English is fundamental to social integration. Currently, if migrants do not improve their English, they can lose their entitlement to certain benefits. It should be a requirement for all migrants in the UK – if they want to receive any working-age benefits – to prove they can speak English by having an approved qualification, or at least be working towards one. Most of those out of work or on low income can access free or subsidised English language courses. But government should ensure that all migrants are definitely able to access such courses through adequate funding for English for speakers

of other languages (ESOL) provision, or the introduction of income-contingent loans for migrants to be able to afford to pay course fees.

Acquiring citizenship is arguably the pinnacle of social integration. Research from comparable countries shows it is associated with higher earnings for migrants.[15] The UK government's citizenship fees – around £1,000 on application, on top of more than £2,000 that could have been paid just a year before to gain the right to indefinite leave – are profiteering prices. Sadly, they have deterred applications over the course of this decade. The government should means-test citizenship fees and abolish them for children who were born in the UK. A new cheaper, fast-track citizenship scheme should also be introduced for migrants who have lived and worked in the UK for three years, have passed an approved English language qualification and have proof that they have volunteered for at least 100 hours over the past three years.

This decade, the government's immigration policy has been, at times, callous and counterproductive. Although there is some evidence of some shift in attitudes towards immigration since the 2016 EU referendum – namely, that fewer people see it as the most important issue facing Britain, and marginally more people are more positive about its impacts[16] – it is still the case that the majority of the public are dissatisfied with the way the UK's immigration system is being run. In the next decade, to build an effective and popular post-Brexit immigration system, it needs to be rooted in the principles of control, contribution and cohesion.

6. SAFE AND SUPPORTED: TOWARDS A FAIRER ASYLUM SYSTEM

Hannah Cooper

Successive governments have introduced policies eroding the right to asylum. It is time for a fundamental overhaul to ensure that those who desperately need our protection are treated with fairness, dignity and compassion.

Over recent years, there has been a growing tendency on the part of many high-income countries to undermine the right to asylum through the introduction of ever more restrictive policies that attempt to prevent the arrival of people seeking asylum, and to make the lives of those who do manage to cross borders in search of protection increasingly difficult in the hope that this will discourage future arrivals.

The UK is no exception. It remains the only country in Europe where people seeking asylum can be detained indefinitely. For those in receipt of asylum support, conditions remain substandard and people are forced to live in poverty for extended periods of time. Poor decision-making forces people into lengthy legal battles, often without adequate legal assistance, and can mean that they wait years before they are granted the protection that they need.

Even the UK's move towards increased refugee resettlement, a hugely positive initiative that has allowed thousands of people to reach safety, has been instrumentalised

by the government to undermine the principle of asylum and constructed as an alternative to 'spontaneous' arrivals. We have seen the emergence of a two-tier system that pits the 'deserving' resettled refugee against the 'undeserving' asylum seeker.[17]

This discourse serves to further the idea that people who arrive 'spontaneously' – a word that does not do justice to the often long and arduous journeys that many have taken – are less deserving of protection than those who arrive through resettlement schemes. It wrongly assumes, moreover, that increased resettlement will somehow result in a reduction of people who arrive in the UK under their own steam. Only a tiny proportion of people are resettled through government schemes (according to UNHCR, resettlement places represent only 5 per cent of the estimated population in need in 2019), suggesting that people will continue to move in search of safety and protection. The demonisation of asylum and its underlying principles will not make them any safer.

The erosion of the right to asylum is not a new phenomenon in the UK context. For decades, successive governments have introduced policies that demonstrate a substantial cross-party consensus on this issue. The right to asylum, enshrined in the Universal Declaration of Human Rights, is a principle in desperate need of protection itself. This chapter suggests four ways that the UK asylum system must change in order for this to happen. First, the system must be underpinned by fair processes and good-quality decision making that is right first time; second, people seeking asylum must have access to the support they need throughout the process, to ensure that they are able to present their case in the best way possible; third, the UK's approach to asylum must be based on compassion rather than hostility and finally, the system must be geared towards ensuring that people are

able to rebuild their lives – whether they are granted asylum or not.[18]

Good decisions

It is difficult for those who claim asylum in the UK to trust a system that they see as arbitrary and defective. Each year, over a third of appeals against refused asylum applications are successful. For some nationalities, Home Office decisions are shown to be wrong for more than half of those who appeal. Much of what goes wrong can be traced back to poor quality decision-making, including substandard interviews, poor use of country information,[19] and a failure on the part of decision-makers to apply the correct standards of proof.

In one case seen by Refugee Action that was successful on appeal, the judge stated that: "I find that the transcription [of the interview] is of a poor quality. It quite clearly does not record everything that it should have recorded. It is clear that it is a sub-standard record of the asylum interview." The judge also concluded that 'the interviewer is apparently wholly ignorant' of the situation in the claimant's country, and that his 'uninformed questions' led to the poor quality of the interview and, ultimately, the decision.[20]

This is not an isolated example. The UK Lesbian and Gay Immigration Group has documented systematic failures on the part of Home Office decision-makers to apply the correct legal standard of proof in asylum claims based on sexual orientation or gender.[21] Research undertaken by Freedom from Torture has demonstrated routine mishandling on the part of the Home Office of expert medical evidence of torture,[22] whilst Asylum Aid has shown that women seeking asylum have too often had their cases refused on grounds that were arbitrary, subjective, and demonstrated limited

awareness of the UK's legal obligations under the Refugee Convention.[23]

In addition to problems with the quality of decision-making, there are significant barriers to accessing the high-quality legal advice that people desperately need to effectively navigate the system. Despite the fact that recent restrictions on legal aid have not been applied to asylum – the 2012 Legal Aid Sentencing and Punishment of Offenders Act took all immigration-related work out of the scope of legal aid with the exception of asylum – research published by Refugee Action suggests that the decline in providers across the country has had knock-on effects for asylum claimants. Restrictions on legal aid funding, moreover, mean that solicitors often do not have the time they need to spend on a person's case.[24] This may mean that vulnerable and often traumatised people do not have the time they need to feel comfortable disclosing what are often distressing, highly personal, and sometimes humiliating experiences to a stranger.

Adequate support

A decline in the provision of support to people seeking asylum has accompanied the erosion of their rights. People seeking asylum are not eligible for mainstream welfare benefits, and the 1999 Immigration Act sets out the basis for the parallel system that provides support. Most subsequent legislation has served to tighten this support. Whilst support rates were previously set at 70 per cent of mainstream benefits, over the years this link has broken, and asylum support rates are currently set at just over 50 per cent of income support for people aged over 25.[25]

The rationale for such legislation – introduced by Conservative and Labour governments alike – seems to have

evolved in the context of a widespread belief that so-called 'bogus' applicants are attracted to the UK by the generous welfare provision that they will receive. This is despite the fact that there is no evidence to indicate that asylum support policy in the UK constitutes a 'pull' factor for people seeking asylum, or even that people arrive in the UK with any specific policy knowledge.[26]

There is therefore no evidence to suggest that the current restrictive asylum support system – described as a 'deliberate policy of destitution'[27] – will serve to reduce the number of people who apply for asylum without a well-founded fear of persecution; instead, these policies only serve to place vulnerable people – many of whom will later be granted leave to remain in the UK – in long-term poverty.

Far from being an unfortunate by-product of the current asylum system, depriving people seeking asylum of adequate support has a direct impact on their ability to engage effectively with their asylum claims. People must have stability and peace of mind in order to make their cases clearly; they are unlikely to be able to engage meaningfully with their asylum application when their basic needs are not being met.

Compassion

People enter the asylum system with little knowledge of what to expect. They receive limited information on their rights and entitlements, and – with the exception of a few leaflets that are handed to them, in a language they may not understand – no information about the process itself. Many have experienced torture or trauma in their countries of origin, or during journeys to the UK. It is little wonder, given this, that many people struggle to navigate this complex process.

The consequences for taking a wrong step can be severe: at any point in the process, somebody can be detained with no indication of when they will be released. Indeed, around half of all those currently in detention will have claimed asylum at some point. The current process is not one that treats people with dignity and compassion. Instead, it leaves people scared and confused and treats people who have committed no crime – or whose only 'crime' has been to cross a border in order to save their own life – like criminals. The adversarial nature of the system means that the compassion that ought to be at the centre of refugee status determination is in short supply.

There are alternatives. Ensuring that compassion and a culture of protection are at the heart of the UK's asylum system would allow for better protection of the most vulnerable. In particular, abandoning the practice of indefinitely detaining people and introducing community-based alternatives would more effectively ensure that they are able to engage with the system.[28]

Help to rebuild lives

If we are to have a fair and effective asylum system, we must also address the way in which such a system assists people in rebuilding their lives when they reach the end of the process. Even when people's asylum claims are accepted, and they are granted status, many face new challenges in accessing support in the mainstream welfare system; indeed, as documented by the British Red Cross and the Refugee Council, the month after receiving refugee status – known as the 'move on' period – is a time when many fall into poverty and homelessness. There are also significant barriers to people reuniting with their families when they acquire status.[29] In addition, there is little formal support for people in terms

of skills and employment. This is in stark contrast to the individual casework assistance provided to those who have arrived in the UK through its various resettlement schemes.

The assumption that integration starts once status is granted is both false and harmful. The impact of the asylum process, and the long delays that people are often subject to, do not vanish for them and their families when refugee status is obtained. For those who have waited for a decision within what is often an adversarial system, after a long period of exclusion from mainstream services and the job market, their ability to rebuild their lives will have been damaged. An approach that sees integration as starting from 'day one'[30] – including by allowing people to learn English upon arrival, and giving people seeking asylum permission to work whilst they wait for a decision on their claim – would more accurately reflect the reality of refugee integration. It would also allow for asylum policy to truly reflect the government's desire, as reflected in the recent integrated communities strategy green paper, to confront those policies and practices that stand in the way of effective integration.[31]

Of course, the very idea that there is a definition for qualification as a refugee means, conversely, that some people will not qualify under that definition. This does not mean that their applications were 'bogus' or fraudulent; many people applying for asylum have genuine fears of returning to their countries of origin, but may not understand that these fears are not arising as a result of their belonging to one of the categories specified in the Refugee Convention.

For those people who are not granted asylum, it is essential that once they reach the end of the process they are able to return to their countries of origin in a dignified and voluntary manner, or to be supported in the UK if this is not possible. Leaving those who have been refused asylum to fall

into destitution and homelessness should not be the default position of a well-run system.

By addressing the four elements outlined in this article – good decision-making, support, compassion and rebuilding lives – the government would be better able to deliver an asylum system that is not only fair for the people going through it, but one that is trusted by the population as a whole.

These changes will not be easy to make. They go beyond mere tinkering and require the government to fundamentally reassess its current approach to asylum. And, despite the focus here on asylum policy, this must also be seen in the context of wider policies around integration, migration, and welfare. It is tempting to compartmentalise people into discrete categories that are easily distinguishable: 'asylum seeker', 'economic migrant', 'illegal immigrant'. But, in reality, people's experiences of such categories – to the extent that they even exist in reality – are fluid. Most people's immigration journeys are not as simple as many would have us believe, and policies that fail to respond to such complexities are destined to have a devastating impact on the most vulnerable.

7. THE CHALLENGE OF OUR AGE: RESPONDING INTERNATIONALLY TO GLOBAL PEOPLE MOVEMENTS

Philippa Stroud

Across the world, growing numbers of people have left their home countries, fleeing conflict or privation. Many risk a perilous journey to reach safety. Others may fall prey to trafficking. A joined-up approach is necessary to understand – and ultimately tackle – this crisis.

It is now three and a half years since the death of Alan Kurdi, the Syrian toddler whose death focused the world's attention on the refugee crisis. The images of his tiny body, washed up on a Turkish beach, rightly shocked and appalled us all. In the period since his untimely death there is little to suggest we are any closer to addressing either the causes or the consequences of the refugee crisis. The conflict in Syria continues unabated. Migrants continue to live in inadequate conditions in surrounding countries and in the EU, while others still perish as they attempt to reach what they hope will be safety and a new start.

We are now witnessing the highest levels of displacement on record, as individuals seek to create their own pathways from poverty to prosperity. For far too many, these are journeys not of opportunity but of necessity. Chronic instability and economic stagnation in many countries have seen millions risk their liberty – and their lives – to seek a brighter future elsewhere for themselves and their families.

This phenomenon is clearly an urgent challenge for our generation. We live in a world where one person is displaced every two seconds as a result of conflict or persecution, according to the UN's refugee agency, UNHCR. The challenge of accommodating the current levels of displacement has become too great for systems designed for the 20th century to be able to cope, with many migrants spending decades in accommodation that was originally designed for temporary relief. The social and economic systems in host countries are under strain. In the US and EU, the sense of such strain has contributed to a rise in populism and social fracturing.

From the UK there has been a tendency to see this from a domestic perspective, or within a European context. While we should be offering a compassionate national response to refugees, our response has to be within the wider context of understanding global people movements, or we will simply never address the issue fully.

By its very nature, this is a global issue, with no single, simple solution. It is therefore imperative that we work together, internationally, to identify the key trends, and to debate and shape an effective policy response.

Changed causes, changed consequences

Migration has always been a feature of human history, but today the number of people living outside their country of birth is on the rise across the world, from 173 million in 2000 to 258 million in 2017. The ease of travel and awareness of life in other countries, the global recession, and environmental changes, together with conflicts both new and protracted have contributed to rising numbers of migrants across the globe. Despite this, in total, the proportion of the global population who are migrating remains fairly low: rising only from 2.8 per cent to 3.4 per cent.

However, the nature of migration has undergone a significant shift. The number of migrants who have been forcibly displaced has reached a record high. By mid-2017 there were an estimated 28.5 million refugees and asylum seekers (including 5.3 million Palestinian refugees). In reality, registered refugees represent only a fraction of all migrants who are vulnerable or driven by necessity.

In total, at least 68.5 million people globally are experiencing forced displacement. The worldwide number of registered refugees forcibly displaced by war, persecution and violence continues to climb. Just three nationalities account for more than half of the refugees registered with UNHCR, with 6.3 million Syrian refugees, 2.6 million Afghans and nearly 2.4 million South Sudanese.

While conflict is a well-recognised cause of migration, the causes of necessity-driven migration are evolving beyond conflict and persecution. Many more migrants are exposed to high levels of socioeconomic vulnerability, a climate of insecurity and natural hazards. Extreme weather events are increasingly reported as a major cause of displacement, with a commonly cited estimate of 25.3 million people displaced annually. The growing intensity of meteorological disasters, coupled with the effects of environmental degradation, is likely to continue to drive human displacement. Scarcity of resources caused by environmental changes is also a cause of mass displacement

Vulnerability and insecurity too can drive displacement and migration. Just as prosperous countries can act as a magnet attracting people from all over the world, a severe lack of prosperity has the opposite effect. The Legatum Prosperity Index™ has measured prosperity around the world for more 10 years – and this pattern has become increasingly clear. For example, many countries ranked below 100 in the bottom of the Prosperity Index – Libya, Sudan, Central African

Republic, Guinea, Mali, Zimbabwe, Laos and Bangladesh – have recently experienced net emigration rate of 1.5 per cent a year or more.

Although migration has been a significant feature of debate across western European states, many of those who migrate or are forcibly displaced never leave their home country. The Internal Displacement Monitoring Centre estimates that 40 million people globally were displaced internally by conflict and disasters by the end of 2017. Internally displaced people are often overlooked in the global migration discourse, mainly due to the limited ability to report on their situations but also because their journeys involve shorter distances within borders and thus appear less dramatic. Nonetheless, the conditions that compel people to leave their home regardless of the distance travelled are harrowing. Countries with a high number of internally displaced people can also be a signal for a potential international refugee crisis. The 700,845 Rohingya people who fled Myanmar to Bangladesh between August and December 2017 had largely already been displaced within Myanmar, living at the margins of society.

When migrants do leave their country of origin, most migrant journeys are to neighbouring low-to-middle income countries within their region of origin. Turkey hosts 3.5 million refugees, 94 per cent of whom are Syrian. Around one million Syrians are hosted in Lebanon, and 660,000 in Jordan.

In Asia, Pakistan hosts 1.4 million Afghan refugees and Iran nearly 1 million. In sub-Saharan Africa, the number of refugees in Uganda has now exceeded 1 million, driven by an inflow from South Sudan since 2016. South Sudanese nationals have also sought refuge in Ethiopia, which hosted 900,000 registered refugees and asylum seekers at the end of 2017.

Ethiopia's refugee population also includes 250,000 Somalis, and Somalis also account for the majority of the 587,000 refugees registered in Kenya. Chad, meanwhile, is host to 400,000 refugees, mainly from Sudan. The lowest income countries, among which are Chad, the Democratic Republic of the Congo (DRC), Ethiopia, Kenya, Sudan and Uganda, host about 30 per cent of the global total of refugees.

The only European country that ranks amongst the top 10 refugee-hosting countries is Germany, with a total of nearly 700,000 people of Syrian nationality in December 2017. Despite the dominant political debate and coverage, the share of immigrants as a percentage of their native-born population is significantly smaller in western European states than in many countries neighbouring source areas.

Regular migration is strictly controlled both by law and in practice. However, the factors that prompt people to migrate – in particular armed conflict and economic privation – are so powerful that people choose to migrate, sometimes aware of the risks they will face during the journey and at their destination, if they ever get there. It is almost impossible for most people to migrate to Europe through lawful means, so they seek assistance to do so from people smugglers, paying them to facilitate their journey to Europe, either across the Mediterranean or overland through the Middle East and Turkey.

This dependence on human smugglers to move without detection has seen the worst forms of violence against migrants. Somalis travelling to Yemen across the Gulf of Aden have been forced into the sea to drown, so that the smugglers transporting them could avoid detection by security forces. Upon arrival, migrants can be beaten, starved, sexually violated, and chained so that they pay a ransom fee to the smugglers.

The smugglers and traffickers know that these people are vulnerable and desperate. Some are held hostage and forced to call their families to urge them to pay a ransom for their release. The situation for many who are migrating is complex and fluid. Migrant smugglers are not necessarily perceived negatively in countries of origin. They facilitate journeys where an individual citizen would not be able to do so. Nonetheless, during the journey, the fine line with human trafficking – the acquisition of people by force, fraud or deception with the aim of exploiting them – is easily crossed. Some migrants who are smuggled can end up being trafficked when they are deceived, or coerced into an exploitative situation, either during the journey or in the destination country.

Although data on human trafficking is scarce, 66,520 cases of human trafficking were identified in 2016, a 40 per cent increase in comparison to 2012. The International Organization for Migration (IOM) estimates that the number of victims identified each year globally could represent less than 1 per cent of the true number of victims. Most of the detected victims of human trafficking are women and girls (71 per cent); however the trend for detections of men has increased over the past decade. According to a 2017 IOM survey of migrants who travelled along the central Mediterranean route through north Africa, 76 per cent of male and 67 per cent of female respondents experienced human trafficking and other exploitative practices during their journey. Much trafficking is for sexual exploitation; however people are increasingly trafficked for labour exploitation, including in construction, agriculture, tourism and domestic work. People are also trafficked for forced criminality and forced begging.

Because of the protracted nature of some of the world's crises it is estimated that two thirds of all refugees cannot

go home. Hence, their experience in their destination countries cannot be viewed simply as a temporary situation, but instead needs to be seen as a longer term way of life. Rwanda is a good historical example of the length of time a crisis can have an impact. Fifteen years after the genocide of 1994, when millions of people fled the country, 60,000 to 65,000 Rwandans still lived in asylum in neighbouring countries of Burundi, DRC and Uganda. People's lives should not be put on hold whilst kept for a whole generation in a refugee camp or forbidden from working in their country of destination.

A need for solutions

The reality of migration is frequently at odds with the rhetoric. The factors that lie behind the hazardous journeys undertaken by migrants, refugees and victims of trafficking are both varied and complex. Understanding these factors, as well as the journeys themselves, is essential if we are to formulate the effective response we all want to see. Despite the attention this challenge has received in Western Europe, the scale of the challenge is at its greatest elsewhere, particularly in the Middle East and sub-Saharan Africa.

To propose effective solutions to this enormous challenge, the international community, charities and philanthropists require a level of understanding and analysis of the problem that simply doesn't exist yet. There are many people and organisations in this field doing important and valiant work with refugees, migrants, and those who have been trafficked. This work is in many cases life-saving. However, so far, few are taking a macro look at the situation across the world and taking ownership of the challenge so that we can create genuine solutions. It is necessary to lift our eyes higher, away from our own shores and the unhelpful rhetoric which pervades discussions of this issue in Western Europe. It is

essential that an in-depth analysis of the problem globally is undertaken. This is the role that the Legatum Institute's migration, refugees and trafficking programme is seeking to fill, with the long-term belief that with the right analysis, serious change is possible.

When considering our response to this crisis, it is essential that we remember a simple truth: behind every statistic is an individual. For each and every one of them, these journeys are motivated by a simple desire we can all identify with: to build a life where we can fulfil our potential, free from the threat of conflict, oppression, poverty and hunger. We must remember that all people, regardless of whether they feature in migration, refugee or trafficking statistics have the potential to be contributors to society.

8. BUILDING BLOCKS: CITIES IN THE LEAD ON MIGRATION

Marvin Rees

It is in our diverse cities that a new inclusive politics on migration can be forged. City leaders need the tools to rise to the challenge, building a positive future for their communities and a national narrative of hope.

Migration is one of the defining political issues of our time and all around the globe national politicians are seemingly unable to meet the challenge. Their collective failure requires us to ask some deep and challenging questions about the nature of identity in the 21st century, questions that will lead us to focus on cities as the building blocks for a new politics which is open to newcomers without sacrificing the sense of community and solidarity that so many long for. If those on the left want to find a way forward on migration that is both true to our values and electorally effective, we need to look to our cities.

Migration is hardly a new phenomenon, and neither are the political challenges that it presents. People have been on the move since time immemorial, and the delicate and difficult dynamics between native and newcomer, insider and outsider, are some of the most common themes of cultural reflection throughout human civilisation. Of course, developments in the past decade have combined to push migration right to the top of the political agenda in the western

world. The global economy may on most measures have recovered from the financial crash of 2007-8, but the sense of economic uncertainty and stagnation remains pervasive, and sluggish wage growth has left millions just a pay cheque away from financial disaster. Such a climate is always going to be politically advantageous to those who want to weaponise economic fear and uncertainty by turning it against classic 'outsider' and 'scapegoat' groups. Migrants are usually near the top of the list.

While migration has been around forever, it is now reaching levels that we have never seen before. Today there are more than 1 billion migrants in the world, comprising one-seventh of the global population. In recent decades international migration has increased at twice the rate of natural population growth.[32] Much of this movement is voluntary, but tragically the scale of forced migration has also increased exponentially in recent years. There are currently around 22.5 million refugees and another 40.3 million internally displaced people worldwide – more than at any time since the second world war.[33] In 2015 the Syrian civil war sparked a wave of forced migration into Europe which has triggered some form of political upheaval in almost every EU member state as politicians have struggled to find successful ways to welcome and integrate newcomers without alienating native populations.

Migration politicised

Onto this stage has stepped a generation of demagogues, from Trump to Farage to Le Pen to Salvini. All have deliberately stoked resentment against migrants, and all have found electoral success in doing so. This collective pattern needs to be understood as such. We are not facing a global political crisis on migration simply because of a few 'bad apple'

politicians. There is a deeper problem here and it is about the inability of national narratives to generate the necessary solidarity to embrace diversity in a time of economic uncertainty. The UK exemplifies the issue perfectly. We have long been somewhat uneasy about our sense of national identity, about what being British really means and what in the end binds us all together as a country. In the economic good times, this lack of common identity was relatively insignificant, but as the economy has spluttered and faltered, the absence of a national solidarity that comes from a collective narrative has become painfully obvious. It has enabled those on the right to point the finger at newcomers and ethnic minorities as the source of all our ills. For politicians on the left, who might want to emphasise the responsibilities we have to each other regardless of our backgrounds and the economic and social benefits of diversity, the lack of effective national symbols and themes has left us unable to make these arguments really stick.

That's not to say that we haven't tried, whether it be through Ed Miliband's 'One Nation' theme or the excellent work of John Denham on Labour and Englishness. But I fear that if we only contest notions of collective identity at the national level that we will be waiting a long time before we have any meaningful success. What I've learned as mayor of Bristol is that there is a different kind of conversation at a city level which can unlock a more inclusive politics that can still triumph at the ballot box.

Our work in Bristol

As the first elected European city mayor of African descent, migration is hardly an issue that I can avoid. I am a mixed-race man of African, Caribbean, English, Welsh and Irish heritage. I'm also a Bristol boy through and through, and I

wake up every day proud to have the opportunity to serve the place I call home. Bristol has a somewhat chequered history when it comes to race and migration, with much of the city's wealth being generated in the 18th and 19th centuries through the transatlantic slave trade. That legacy remains a scar on the city's conscience, but happily today we are a place that has diversity right at its heart. As events such as St Paul's carnival or the Grand Iftar which every year becomes the UK's largest street party demonstrate, Bristol is the place it is today because of its diversity. We face our challenges just like every place does, but by electing me as mayor the people of Bristol have shown that they want their diversity to be represented to the world. And that allows me to pursue policies which are open and inclusive, like welcoming 400 Syrian refugees to the city through the vulnerable person resettlement scheme, or setting up the city leadership programme to support a genuinely representative set of future Bristol leaders, without fearing a political backlash. Bristol politics is a robust and often fractious beast, but it is never in danger of enabling racism and xenophobia. For the ordinary person on the street that is just not what their city is about.

The opportunity for cities

When I talk to my fellow mayors in the UK, I can see that Bristol is not a unique case. Every city will have its issues and its tensions, but on the whole it seems that there is a meaningful sense of urban civic identity which is broad enough to contain diversity and strong enough to withstand the siren calls of scapegoating and division. Just look at the response to the terrorist attacks in Manchester and London, and the way in which those cities rallied together in all of their diversity when they could have split apart. This is no trivial

insight, because it could drive the left's thinking on how to build an inclusive politics on migration. Such a politics could not only expand our leadership at the city level, but also deliver lessons that can be applied across the country, creating a platform of strong local and regional identities on which to build a meaningful national narrative.

This inclusive approach underlines the critical importance of the devolution agenda. If we want to support the development of strong and inclusive local identities, then we need to empower local leaders by giving them all of the tools they need to forge a future for their communities. In this the work of core cities and others will be crucial. We should learn lessons from the new metro mayor positions and identify where and how new power can be devolved from the national to the local level. The Labour party should lead the way on this agenda and set out a bold plan to empower cities and city regions as a key plank in its next general election manifesto.

But the implications of my argument go further still. Last October, Bristol was proud to host the third annual summit of the global parliament of mayors, an initiative designed to amplify the voices of cities at the international and multilateral level. One of the key items on the agenda was migration and how cities can take the lead in implementing the UN global compacts on migration and refugees. I was proud to be the first city leader to speak in the negotiations on the compact on migration in New York last year, but it is a scandal that these compacts, which will rely on local leadership to be implemented, have been almost exclusively negotiated by national leaders. It is a classic example of the way in which we are trying to solve 21st century problems with 20th century solutions, not recognising the ever-growing importance of cities as the places where most of the big challenges we face are negotiated and can be solved. Those on the left

need to find ways to support and enhance the role of cities at the international level if we want to see progress globally on the treatment of migrants and refugees. The global compacts give us a great opportunity to do just that.

Conclusion

It can be easy watching the news to become despondent about the state of politics on the issue of migration. And if we remain fixated on the national level then I believe that those of us who believe in inclusion and diversity will likely continue to be frustrated for some time. But if instead we turn our view to the cities and recognise the possibilities available at that level for a collective identity that is rich enough to embrace difference and robust enough to command widespread support, then we can discover a much more hopeful way forward. As we forge a politics of inclusion at the city level, we will discover the language, the ideas and the leadership needed to change our country and our world.

9. FIRM FOUNDATIONS: DEVELOPING AN 'ALL OF US' APPROACH TO SOCIAL INTEGRATION

Sarah Lyall and Matthew Ryder

With rightwing populism on the rise, a sense of collective identity is more important than ever. Social integration should be a core concern for policymakers. And it should reach beyond issues of ethnicity to address all of the divisions which can undermine our citizens' life chances.

During his election campaign and since, mayor of London Sadiq Khan has emphasised the central importance of social integration to his agenda. Social integration is a signature policy that will help define his mayoralty.

Social integration underpins everything else governments seek to achieve. You cannot create a fair housing policy, or a plan for public spaces unless you build in social integration. You cannot ensure that policing both reaches those it needs to and has the confidence of the communities it is working with unless social integration is part of the agenda. In the context of rising rightwing populism and the divisive narratives it sows, a sense of collective identity and a shared British culture is more important than ever.

Our strategy: What's in, what's out?

Having appointed a deputy mayor for social integration and created a social integration team – the first of its kind – the

mayor of London set us the challenge of creating a social integration strategy that would structure our work.

City Hall's model was built on the work of others across the globe. Many have considered social integration as being determined by diverse social contact. Having a friend from a different background can reduce your prejudice towards other people from that background and a whole spectrum of other people you instinctively feel are different. Policymakers should create more opportunities for such positive interactions, and ensure that the quality of that contact is high; true social integration depends on people forming meaningful relationships.

Relationships between different types of people do not genuinely promote social integration if some face discrimination and inequalities that others do not. Social integration requires equality between people; models that fail to recognise this are too narrow. The Windrush scandal illustrates this; a society cannot be socially integrated when a generation is denied their rights to citizenship, limiting people's access to employment and basic services, and putting them at risk of deportation. Not only are crucial opportunities for social contact missed, but such experiences can lead to resentment and greater division.

'Active citizenship' is closely aligned with social integration. In a socially integrated city, people are not only able to get along, but also participate in society and have a say in decision-making. Participating side by side in democratic decision-making is essential to social unity.[34]

Our thinking was further informed by direct engagement with Londoners who told us about the experiences that help them to build connections and challenge their negative assumptions about others. They reinforced the issue of barriers to social integration, pointing out specific challenges

including: housing, low income, English language, and access to the legal rights of residency and citizenship.

We arrived at the following definition:

Social integration is the extent to which people positively interact and connect with others who are different from themselves. It is determined by the level of equality between people, the nature of their relationships, and their degree of participation in the communities in which they live.

Who is social integration for?

The mayor was determined that social integration should not be dismissed as something 'only for minorities' in the way that the equalities agenda had been mischaracterised and misunderstood during the 1980s and 1990s. Social integration needed to reach beyond examples of national and global social integration work, which often focused too narrowly only on ethnicity and migration. The principles of integration should be applied to improving the whole of society. Divisions are evident not just on the basis of ethnicity and immigration status, but gender, sexuality, faith and disability. It also extends to important, but less discussed social characteristics such as social class, employment status, poverty and even the differences and inequalities between those living in inner and outer London boroughs.

London's policy programme

In our strategy for social integration, All of Us, we set out ways to promote shared experiences to improve the quality as well as the quantity of relationships; support active citizenship to increase participation and build social trust by

involving more people in decision-making; tackle barriers and inequalities to improve equality between people and improve London's evidence base to measure, evaluate and share findings on the state of social integration.[35]

It is important to us that social integration is both woven through all of the mayor's strategies and improved through specific programmes. This agenda would mean little if it was not part of our approach to the built environment, transport, policing and our work with London's local authorities. Equally, it could be sidelined if it did not have its own budget and programme of policies and projects.

We have established a number of initiatives to put into practice our 'all of us' approach:

- The London Family Fund draws on research showing that having a child is a crucial transition moment in life, during which people are more open to mixing with others from different backgrounds.[36] Family services present an opportunity to build relationships with people from diverse backgrounds, but too often this is not happening. We established an innovation fund to support new approaches that help diverse families build relationships across all potential lines of difference, bringing parents and children together to improve social networks and reduce loneliness.
- Sport Unites is a multi-million pound flagship community sports programme which brings people from different backgrounds together, as well as improving the physical and mental health of Londoners.[37]
- The Mayor's Culture Seeds and London Borough of Culture programmes are supporting community-led cultural initiatives across London, with an explicit aim to build stronger local relationships through culture and the creative arts.

- The Workforce Integration Network (WIN) brings together employers and peer ambassadors to support underrepresented groups to access and progress in London's workforce, starting with a focus on young black men accessing living wage jobs in the construction and digital sectors. It will help to address among our biggest inequalities in London – unequal access, pay and progression in the labour market.
- The Social Integration Design Lab is one of our approaches to working in partnership with London's local authorities, to mainstream social integration. We are bringing officers from local councils together to receive bespoke support from social design experts and develop ways to promote social integration through their programmes.
- We are promoting participation at several important touch points. Citizenship ceremonies, which anyone becoming a British citizen must by law attend, are potentially powerful moments to celebrate our shared stake in society. We are working with registrars, local authorities and the voluntary sector to open up ceremonies to the wider public to emphasise messages of belonging.
- Our analysis of London voter registration shows that young people aged 18 to 24 are less likely than other groups to be registered to vote, so we are working with schools and youth organisations to address this.
- ESOL Plus is a series of pilots in English for speakers of other languages (ESOL), designed to address some of the challenges in accessing English language training experienced by Londoners who are not yet confident English speakers. We want to simultaneously support more migrants and refugees to access ESOL, and to use English language support to promote relationships between Londoners.

All of this is underpinned by consistent policy and programme work to reduce barriers to social integration in relation to Londoners' citizenship and residence rights. The barriers caused by insecure immigration status do not just affect the Windrush generation. Thousands of young Londoners have grown up here but cannot fulfil their potential because they cannot go to university, get a job or even open a bank account. Through a partnership with civil society called the Citizenship and Integration Initiative[38] we have been working with partners in civil society to support young Londoners' legal right to citizenship and residence.

European Londoners are also feeling increasingly insecure about their residence rights in the context of Brexit. We are calling on the government to reform the immigration system to ensure shorter, more affordable routes to secure status and citizenship, and to end its hostile environment policy completely. Our ambition is to see hundreds of thousands of Londoners securing their status in order to preserve their rights and underpin their full social integration.

What we have achieved so far

- Our programmes demonstrate strong demand for this work: the London Family Fund received hundreds of applications and is now live with several innovative projects across London. There has also been significant interest in WIN from employers keen to improve the diversity and integration of their workforce.
- We have won small but important policy changes from national government. The mayor's advocacy on Windrush helped achieve a suite of policy changes to provide tailored support and compensation for those affected, and he was a leading voice advocating for the removal of the £65 settled status fee for Europeans

post-Brexit. His role in championing the rights of undocumented survivors of the Grenfell tower tragedy succeeded in securing an extension to the deadline for survivors to regularise their immigration status, and the right for family members designated as core participants to the Grenfell Inquiry to stay in the UK while it takes place.

- In relation to participation we have raised concerns about the impact of voter ID checks which were trialled in 2018 and led to 154 people being denied the right to vote.
- We have also sought to tell the positive story of social integration, celebrating the Great Get Together organised in memory of Jo Cox and sharing the message that #LondonIsOpen.

We want to help more Londoners access independent legal advice in order to secure their rights. We want to reach many more Londoners with shared experiences through tailored programmes and city-wide moments. We want to end disparities in voter registration and volunteering. There is a great deal to be done and we need a wide range of partners across London and the UK to work with us.

Recommendations

To others developing approaches to social integration, we recommend that you:

1. **Include relationships, equality and participation**. We have found these essential to the development of a robust approach to integration.
2. **Include everyone in this agenda**, through 'all of us' integration which addresses divisions of age, social

class, employment status, sexuality, gender and disability, as well as ethnicity, faith and migration.

3. **Create roles for everyone to play**, not putting the onus on a particular group of people to integrate but recognising that social integration is a shared endeavour from which everyone benefits.
4. **Make more of transition points** – such as moving to a new city, getting a new job, having a baby, retiring – as moments where people need social support and are open to mixing with people from different backgrounds. Programmes designed around these moments could simultaneously reduce loneliness and increase social integration.
5. **Make social integration more central to your activities.** For example, making use of the power of sport, culture and volunteering for social integration, and considering how to use housing, high streets, parks and public services to promote integration. Social integration design principles can help embed this agenda in a wide range of programmes.
6. **Work together to reduce barriers to social integration**. For example, collaborating to improve access to independent legal advice so people can access their rights and participate fully.
7. **Monitor social integration levels and measure your impact**. It is vital that activities to improve social integration are rooted in the best available evidence on relationships, equality and participation, and that all involved continue to build and extend the evidence base.

Social integration is experienced locally, but national government has a role to play in facilitating it. In addition to

the recommendations above, we have called on government to:

1. **Commit serious investment to ESOL**. ESOL funding cuts have resulted in almost half a billion (£490m) less funding for ESOL over the last six years.[39] The government should work across departments to reverse cuts to ESOL funding and reinvest underspend from London's apprenticeship levy in skills funding for London.
2. **Remove the barriers to social integration in the immigration system**, which unfairly reduce opportunities for specific groups to participate in the economic, social and political life of the UK. This includes creating shorter, more affordable routes to residence and citizenship; ending the hostile environment policy; lengthening the 28-day move-on period for newly recognised refugees; and giving asylum seekers the right to work after six months so integration can begin sooner.
3. **Promote positive social mixing in early years and youth settings**. These services hold great potential for social integration, which could be better released, using available policy levers. For example, the government could help more schools to offer full-time childcare, breaking down the current divide between working and non-working parents in the types of childcare they can use. Schools would need capital funding and business support to set up the additional hours, which would then be funded through existing hourly rates. Extending the admissions code (which currently only applies to school-based nurseries) to all nurseries so that children with special educational needs and disabilities are given priority access across the sector

would also help improve the social mix of families able to access early years education.

4. **Facilitate democratic participation as a vital part of building social trust**. National Democracy Week should be moved to a more prominent time of year – from summer to spring. The government should also explore ways to directly engage citizens in deliberative debate, for example by taking up the proposal to have a citizens' jury weigh its policy response to three significant issues each year.[40]

One of the lessons from around the world is that a 'hands off' approach to social integration simply does not work. Policymakers must take action – not only to ensure our differences do not breed division, but to proactively build a stronger sense of unity. London's mayor and our team understood this from the beginning, and we have sought to turn this vision into a programme with a clear narrative, principles and approach.

Given the attention being paid to social integration in policy debates, and widespread public concern that we do not allow our society to fracture and succumb to populism, it is our view that there could not be a better time to act, engaging everyone in a positive agenda that benefits us all.

10. DEVOLVED SOLUTIONS: IMMIGRATION, INTEGRATION AND SOCIAL COHESION IN SCOTLAND

Stuart McDonald MP

Westminster's approach to immigration does not work in the best interests of Scotland and its specific social, economic and demographic challenges. Devolving more powers to the Scottish parliament would benefit communities across the country.

Migration policies must treat individuals and families engaged with the immigration system fairly, fully respecting human rights and the rights of the child. They must too be evidence-based and, from a Scottish perspective, be designed to meet Scotland's economic, social and demographic needs.

Westminster's track record suggests that meeting these goals would be significantly more likely if powers over migration were held at Holyrood.

While successive UK governments have created an inhumane hostile environment and relentlessly sought to bear down on net migration, the Scottish government and parliament have used their influence to take a different approach. This has included establishing a campaign to attract more people to Scotland; protecting the voting rights of EU nationals and looking to expand the franchise to refugees and asylum seekers; increasing access to education for asylum seekers, refugees and stateless children; protecting legal aid provision for those who need to challenge

Home Office decisions; guardians for every unaccompanied child asylum seeker; a strategy to assist asylum seekers to integrate from day one; and a properly funded English language strategy.

Devolved control over immigration has significant public support,[41] as well as support from trade unions, business and think tanks. Devolving powers is feasible, as has been thoroughly explored.[42]

A radical change in approach

A ludicrous pursuit of a bogus net migration target and the introduction of an unjust 'hostile' ('compliant') environment exemplify everything that is wrong with UK migration policy: these twin pillars of the UK immigration system are not so much based on evidence and fairness as utterly contrary to them[43] – as Windrush, the problems with the TOEIC English test, the issues with the highly skilled migrants scheme and all manner of individual scandals exemplify.

Immigration policy for Scotland should be developed in consultation with stakeholders and the public. Different government departments should be involved in developing policy. It should receive far greater scrutiny with a dedicated select committee and proper debates and votes when significant changes to immigration rules are proposed.

Policy should not be built around simple political expediency and electoral self-interest. Concerns over the impact of migration should be addressed properly – through reallocation of public spending and integration policies, for example – not fanned and exploited for political gain.

We need a system in which fairness and rights are central, and policies are formed that actually work for, and are not contrary to, Scotland's interests.

Fairness and rights

Our immigration rules and laws should be drafted in a way that recognises their impact on individuals and families and ensures that the procedures by which we adjudicate on someone's right to be here in accordance with those rules are also fair.

Application processes should be simple and affordable. That means ending the immigration skills levy, revisiting the extortionate NHS surcharge and cutting exorbitant application fees on which the Home Office makes huge profits. It means simplifying rules and application processes and tackling the culture of disbelief that appears to affect so much decision-making.

Of course, if ultimately we decide that a person doesn't meet the rules to stay, the rules must be enforced. That does not remove the imperative of fair treatment, so we must restore in-country rights of appeal that have been swept away by recent governments, contrary to the rule of law. The emphasis should be on encouraging voluntary departure instead of forced returns, wherever possible, learning from the case-working systems highlighted in Stephen Shaw's recent second report.[44]

The large-scale detention of up to 30,000 individuals each year in private prisons without a time limit – only for around half of them released again – is a national disgrace. Detention should be a matter of last resort, so we need far stronger independent oversight of decisions to detain along with a strict time limit on detention.[45]

The rights of children are not fully respected in UK immigration and nationality laws. As well as forcing thousands of them to become 'Skype families' by separating them from a parent, others are priced out of their right to citizenship by ludicrous fees. Thousands more face cruel uncertainties as they seek to navigate through an expensive and complicated route to settlement in what is often the only country they know, or are pushed into poverty by Home Office conditions that prohibit their parents from having 'recourse to public funds'.[46] Meanwhile, parliament's ambitions for child resettlement are undermined by half-baked implementation by the Home Office, and unaccompanied refugee children are denied the right to have their parents join them here.

Migration policies designed for Scotland

Scotland's particular challenge is that without migration, our population will stagnate and age more rapidly – creating huge difficulties for future generations. Each year for the next 25 years, all of Scotland's population growth is projected to come from migration. The working age population will increase by only around 1 per cent, while the proportion of the population of state pension age will increase by 25 per cent in the coming years as the baby boomer generation reaches retirement.[47]

Migration helps fuel our economy, creating jobs, bringing expertise, filling roles that can't otherwise be filled and generating wealth for all. New Scots not only make a hugely positive contribution to our public finances,[48] they also fill many vital public sector roles – in the health service, social care, education and elsewhere. And they also enrich our communities and culture bringing new ideas and ways of doing things. As a result, we need a migration system that sustains or even increases migration to support Scotland's

population goals – the opposite of the goal being pursued at Westminster.

With Scotland's needs and circumstances and fairness as the underlying policy principles, what sort of changes might this deliver in practice?

Continue free movement of people

We need to continue to champion free movement of people across the EEA – regardless of whether that is brought to an end in the rest of the UK. This is not just because that is essential for securing our place in the European single market, but because free movement of people has been and continues to be of enormous benefit, economically and socially, to Scotland.

Those benefits of course include access to labour. On average, an EU citizen working in Scotland contributes more than £34,400 in GDP and £10,400 in government revenue.[49] EU migrants take up difficult to fill jobs – social care and food processing, for example – as well as starting businesses of their own. The small and medium-sized enterprises on which Scotland's economy relies are largely locked out from being able to recruit from beyond the EU (via the tier 2 system) – so an end to free movement would be a significant blow.

The benefits of free movement also include hugely important benefits to our demographics and tax base. The Office for National Statistics predicts if there is no EU migration, projected population growth is only 3 per cent and the number of people aged 16 to 64 in Scotland is projected to fall by 9 per cent compared to a rise of 53 per cent in those aged 65 and over.[50]

And of course, over the years many Scottish and UK employees have enjoyed the opportunity to work in other EU

countries, developing skills and often bringing back much-needed expertise and ideas.

Work visas

The immigration rules for recruiting non-EU nationals to work in the UK ('tier 2') appear to operate well for those who use it most – large multi-national companies which have the experience and resources to navigate the system. However, for small and medium-sized enterprises which perhaps recruit rarely from beyond the EU the system is both a bureaucratic nightmare and a significant cost.

Importantly, it is not just a question of attracting the so-called 'best and brightest' – we need workers to fill gaps at the full spectrum of wage levels. Because of financial thresholds and other rules, it is impossible to use tier 2 to recruit for a whole host of occupations where local recruitment has proved incredibly difficult – including social care, hospitality, food processing, and fruit picking among other things. Even with free movement of people some of these sectors are seriously struggling to recruit. The proposal contained in the government's white paper simply to extend these rules to EEA nationals would be a disaster. Sectoral schemes risk increasing complexity rather than solving it, but in some instances can be helpful – a seasonal agricultural workers scheme for example.

There is therefore an urgent need to reform work visas – including salary thresholds and other criteria – to make it easier and less expensive for SMEs and public services to recruit overseas workers who can bring value when local recruitment proves impossible.

As a start, the Scottish government must at the very least have concurrent powers to introduce a Scottish visa as part of the UK system, reflecting these requirements.

All of this must be accompanied by better labour market enforcement to tackle exploitation. One silver lining of the 2016 Immigration Act was the establishment of a UK director of labour market enforcement – but there is a long way to go before the system of labour market enforcement is properly resourced and functioning. Victims of modern slavery should be given at least one year discretionary leave in accordance with the recommendations of the Department for Work and Pensions committee and protections for those entering the UK under domestic servant visas need to be significantly strengthened.

For investors and the self-employed, too, we need visa reforms. As the recent Scottish Growth Commission report points out, financial thresholds for such visas for non-EU nationals are set at unreasonably high levels – for example, £2m for investors, and £50,000 for entrepreneurs.[51] Why should we be turning away people willing to invest £100,000k or establish a business with £30,000 in Scotland?

We should also consider reforming 'exceptional talent' visas – restrictively pitched by the UK government to accept only 'leaders in their field'. We should surely welcome a broader cohort of highly talented people who can enhance and improve Scotland's performance in key sectors.

Free movement has allowed many self-employed EEA nationals to contribute here – the UK government's white paper is silent on how that talent pool is to be replaced.

Attracting international students to study and stay on

There is little more that can be said about the absurd decision of the UK government to scrap the post-study work visa. Its goals were attracting students to come here and to provide opportunities to stay-on after their studies to work and contribute. There remains widespread consensus in Scotland

that the post-study work scheme should be restored and a steering group has provided detailed recommendations on how it should work.[52] Attracting international students provides funding for our universities, makes certain courses viable that would not otherwise be sustainable, enhances the educational experience of home students and contributes to our economy.

Respecting family life

How UK immigration rules treat families is scandalous. The rules for non-EU spouses are among the most draconian in the world. The financial threshold is ridiculously high – and is designed simply to shave a few thousand off the net migration figure. Many thousands of children are now in 'Skype-families', separated from a parent who lives abroad.

Nobody should have to face the choice of living in their home country or with their family. The disgraceful financial threshold must be scrapped – along with many of the arcane and unnecessarily complex rules of evidence that have been introduced for spousal visas. Rules for other family members – especially dependent parents and other family members – are also draconian and should be reviewed.

Integration

For too long UK policy has obsessed over simple numbers and utterly neglected the other side of the migration policy coin – how communities and services should be supported in response to inward migration flows. Such considerations should be central to the planning, consultation and scrutiny of migration policy, alongside a long-term integration strategy.

Setting newcomers on a path to citizenship is used by many countries to promote and enable integration. But here in the UK, exorbitant fees, and restrictive rules reduce accessibility. We should welcome the fact that newcomers wish to become citizens and seek to facilitate this rather than pricing it beyond their means.

More to do

These ideas barely scratch the surface of required reforms. The problems with UK asylum policy and costly and complicated nationality law could each have a chapter in their own right.

For asylum seekers, poor decision-making, poverty support, impossible right to work restrictions and a dreadful system of accommodation provision are just some of many problems that urgently need addressed. A strong case exists for passing asylum decision-making to an independent agency, as in Canada, and as advocated in the 2014 independence white paper.

There is much more to do to ensure that our immigration and integration systems are humane and provide dignity for all who come to make their home in Scotland – but with the right powers in Scotland's hands we will be much better placed to deliver.

11: WHEELS IN MOTION: A NEW IMMIGRATION SYSTEM AND THE BUSINESS COMMUNITY

Ian Robinson

Employers need to be able to access the skills and labour they need for their businesses to survive and grow. A post-Brexit system must offer them a certain, speedy and affordable system, while at the same time ensuring public confidence. There are lessons to be learned from elsewhere in the world which could make such a system a reality.

How can a new UK immigration system best serve employers after Brexit? What policies and systems work well for other countries around the world? In this chapter, I am not going to propose creating an entirely new system from top to bottom. We already have a functional immigration system that works well for business and it doesn't need tearing up. More than that, the Home Office probably doesn't have the money to start from scratch and definitely doesn't have enough time.

I worked at the Home Office for almost 10 years, generally in policy jobs. We were taught to make policies using a tried and tested policy wheel. I intend to apply the first steps in that methodology here:

- Agree **first principles** – what are you trying to achieve?
- Complete a **gap analysis** – it may be that existing policies and systems will meet those objectives.

- **Learn from others** – this would normally mean looking at comparable systems and consulting stakeholders.
- **Implement** – against a comprehensive and achievable plan.
- **Review**.

First principles

Employers have a fairly straightforward view of what they need from an immigration system. They want to know that they can access the skills and labour needed to survive and grow. That access should be fast, certain, credible and affordable.

Businesses want the right workers, not foreign workers per se. I have had hundreds of conversations with clients, but only a handful of conversations with employers who start the conversation with a nationality, but that tends to be more about a skill than where people are from. If you specifically want a Chinese person, it is probably because they speak Cantonese and can sell to or work with clients in China.

More often than not, if I pick up the phone to a client they have already spent weeks looking for a local worker and the hoops and cost of recruiting an overseas worker are the last resort.

But this can't just be about what employers want. Policy makers have a duty to develop systems that the public can believe in. Immigration policy has to prevent undercutting and displacement of local workers. A system that allows overseas workers to take jobs from locals will not win public confidence and is no doubt one of the reasons free movement has attracted so much scorn.

The system also needs to be robust against abuse, easily policed and contain effective sanctions for non-compliance. Most importantly the Home Office has to be able to run it effectively. It can't be too complicated or vague for civil servants and must not be prohibitively expensive.

Checking for gaps

There are many positives about the way our existing immigration system works for employers, despite how things might seem after last year's Windrush scandal.

We have one of the fastest immigration operations in the world. It typically takes the Home Office three weeks to issue a visa, but the system can push them out in one to five days if an employer is willing to pay extra. Extending your stay takes longer, often two or three months, but faster priority services here also work well for people who can pay extra.

That said, the system is slower than it needs to be. It might be possible to get a visa in a week, but if you are recruiting a new hire you will have already waited too long to get to that stage. Employers sponsoring for the first time will often need to wait three months for a sponsor licence, including collecting documents and having an application considered. There is also a two to three month wait while you advertise the job and wait for your certificate of sponsorship.

Waiting for your certificate of sponsorship doesn't just slow things down, it removes certainty. You are essentially waiting to hear whether there are enough certificates available in any given month – there is an annual limit of 20,700 places for skilled workers coming here – any you might not make the cut. Applications are broadly prioritised by salary, with the pay needed for a successful application increasing from £30,000 to £60,000 in early 2018.

The credibility of the system takes a hit when we tell clients about advertising jobs. Policy insists that adverts for lawyers, engineers and tech experts are placed in JobCentre Plus for 28 days . That isn't where suitably skilled applicants look for work and employers don't want to wait a month to advertise a job elsewhere. If I have a vacancy on a Monday I want to see CVs, interview and make an offer within a week.

The Home Office is alive to the risks. It has taken advice from the Migration Advisory Committee and will remove the resident labour market test (RLMT) and the 20,700-place limit.

Certainty comes next. Employers want to know that if the right boxes are ticked they will get a visa and the UK does that well. Our work visa regime is almost entirely objective –a visa will be issued if your job is skilled and paid enough, your employer is a sponsor and you are not a criminal. Few countries operate such a certain system.

Unfortunately, credibility is undermined by cost. We have the most expensive immigration system in the world and applicants and their employers need to pay:

- Around £600 for every three years of a visa.
- Often £1,000 per worker, per year in a skills surcharge.
- £400 per person, per year in a health surcharge.
- £199 for a certificate of sponsorship.

The fees are remarkably higher than in other countries, particularly where family members are involved. Government fees alone top £21,000 for a family of five entering for five years.

I've left the most important issue until last – access to the skills and labour that employers need.

The UK's immigration system is geared towards skilled workers. With no free movement, there will be no visa category for people working in jobs below degree level. Left unchanged, the policy could leave a significant gap in the labour market for the agriculture, social care, hospitality and other sectors with a reasonable reliance on EU workers.

Access to lower skilled workers is attracting the headlines but is only one issue. Right now, the system relies on employers sponsoring their non-EU workers. Sponsors

licences are granted to employers who can demonstrate that they will track and monitor their sponsored workers, reporting on changes of circumstances and if they abscond.

The system can feel Orwellian but overall it works well. By and large employers' police the system for the Home Office, meaning that scarce resources can be directed to more challenging areas, like overstaying and foreign criminals.

The question is whether it can be scaled after Brexit. The Home Office has licenced around 30,000 UK employers for the relatively narrow category of degree level non-EU workers. Will it be able to licence every employer that needs another migrant after Brexit? In the near impossible event that it can, the three-month lead-in for a licence is already a problem and will surely only get longer. The gap isn't just that employers won't have access to lower skilled workers, it could be that only established sponsors have access to anyone.

For the Home Office's part, the system already contains a variety of controls to prevent abuse, some would say too many. The vast majority of employers take their sponsorship obligations seriously as good corporate citizens, but the potential consequences of non-compliance help too – criminal charges, unlimited fine or losing all of your sponsored workers. Fines of £20,000 for employing an illegal worker add to the picture, as do hostile environment controls such as bars on renting a flat and taking work or some access to health care.

The real keys to success will no doubt be cost and simplicity. The more complicated the system is – whether in detail of law or information collected – the more expensive it is for the Home Office to run. Policy thinking needs to carefully consider how the system can be affordable.

Learning from others and finding solutions

There will be other gaps but speed, cost, access to skills and labour and scaling out sponsorship should most directly concern employers. Creating an affordable system has to be top of the list for officials.

In terms of speed, the vast majority of countries can learn from the UK. We have the fastest visa system in Europe and only a handful of countries are routinely quicker. The real time savings would come from better policy.

Plans to remove the tier 2 limit and the RLMT will cut three months from the time it takes to recruit a new starter. Moreover, both moves send a positive and progressive message to business.

Cost is a difficult issue. Employers want to pay less and of course a Home Office set on reducing migration wants them to pay more. At the very least the UK should aim to be competitive and consider the cost of immigration elsewhere in the world.

Figure 1: Immigration costs

Country	Worker, partner and three children entering for 5 years	Single applicant entering for 3 years
UK	GBP £21,299	GPB £5,009
Australia	AUD 18,870 (£10,488)	AUD 8,185 (£4,549)
Canada	CAD 1,170 (£690)	CAD 385 (£227)
Germany	EUR 875 (£770)	EUR 170 (£149)
France	EUR 3,203 (£2,820)	EUR 2403 (£2,116)

These costs are subject to currency fluctuations and other factors

The Home Office has set the new skill level for a work visa at A-level, with no visa category for lower skilled workers other than in agriculture. Instead, it suggests that employers rely on 18 to 30-year-olds entering for two years with a youth mobility visa or a new 12-month visa for certain nationalities.

The policy is troubling to employers worried about where they will find labour after Brexit. Switching off free movement on 1 January 2021 and expecting businesses to immediately adapt feels rash. Again, the Home Office would be well served by looking elsewhere in the world.

Seasonal worker schemes are always worth considering, and not just for agriculture. The US allows seasonal work on farms where an employer can demonstrate that there are insufficient local workers available and wages will not be dragged downwards. Whereas the UK is likely to limit seasonal work to one year, the Americans grant up to three one-year permissions. There is also a cap of 66,000 visas per year for other lower skilled workers, often used in hospitality, ski resorts, amusement parks and the like.

In Australia, the Pacific Labour Scheme allows 2,000 Pacific islanders to enter temporarily each year to work in sectors with projected employment growth in Australia and which match Pacific island skill sets. These include the accommodation and food service industry, health care, non-seasonal agriculture and the forestry and fishing industries.

Numbers are bigger in Canada where around 50,000 migrants enter each year under the temporary foreign worker program, typically working in agriculture. Some provinces also run distinct immigration programmes to meet their labour needs. The federal government will allocate quotas within the overall immigration planning levels to each province. Provincial nominee programs are designed to select candidates who have skills, education or work experi-

ence in occupations where a shortage of labour exists and provides support for localised labour needs.

For some provinces their programmes are critically important in contributing to overall immigration numbers. In 2015 provincial nominees constituted 59 per cent of approvals for Prince Edward Island, 46 per cent for New Brunswick, 51 per cent for Manitoba and 54 per cent for Saskatchewan.

Scaling out sponsorship is more technical but no less important and officials don't need to look too far for solutions. The work permit regime that existed before sponsorship is one model. Under work permits, an employer would provide a degree of corporate information with each application, rather than register with government in advance.

Right now, we operate a principle of umbrella sponsorship in tier 5 of the points-based system, where a single organisation sponsors people for a number of employers and becomes responsible for policing compliance. So, if that sponsor is working with 100 employers, the Home Office only needs to police that single organisation and make sure that it is ensuring its customers comply.

The solution is probably to combine our existing sponsorship regime with one of the other two arrangements. The bigger employers could sponsor their own people, as they do now. Smaller employers could then have a choice: submit more information with your visa application, no doubt meaning you have to wait a little longer; or find an umbrella organisation to sponsor for you.

A mixed model approach is not new. In the US you can submit corporate information with every L1 visa or you can apply for an L1 visa blanket and your subsequent applications are easier. Ireland operates a trusted partner initiative to simplify and speed things up for employers that that meet reasonably straightforward criteria.

None of this will work unless the Home Office can afford to implement it. Whatever system comes next needs to be simple to as possible for officials to operate. Assessing complicated policies with lots of pieces of paper and rules to be considered costs money. Simple policy is always going to be more cost-effective.

That said, you can only simplify to a point and afterwards technology has to take over. Again, there are plenty of systems we could learn from. Estonia's e-residency system has reinvented government services for a digital age. E-residents can access services by providing biometrics and paying a fee of 100 euros. There is no reason why the Home Office needs to issue residence cards or vignettes when blockchain technology already allows governments to digitise status in this way.

The Canadians are trialling the use of artificial intelligence to improve the way that immigration applications are considered. Dubai is developing a face-scanning tunnel at ports of entry to remove the need for immigration officers.

But the UK has a good story to tell in this area already. The settled status process for confirming residence after Brexit feels like a commercial service, not a government project . An app can confirm identity and remove the need to send your passport to the Home Office, just as the ability to photograph other papers digitises the submission of other papers.

Closing the policy wheel

I opened with a mention of my time at the Home Office and my final job as civil servant was to the design the limit on tier 2 visas, a cap on immigration that had been promised by the coalition government. I still remember an Evening Standard article pitying "some unfortunate civil servants — who must almost wish they were victims of the Whitehall axe — are

grappling with how to make the permanent cap work."

I think back to that article when I see my old colleagues grappling with how to create this new immigration system. I've set out a handful of considerations and there are so many more. The policy wheel I have set out here will help them get to the bottom of it, especially when they look at what already works elsewhere in the world. As for the 'unfortunate' civil servants, I wouldn't see them quite like that. Designing the cap was easily my favourite job as a civil servant – and that can't be half as fun as what they have on now.

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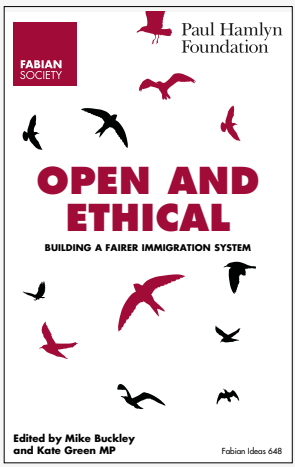

An ethical approach

Building a fairer immigration system

How to use this discussion guide

The guide can be used in various ways by Fabian local societies, local political party meetings and trade union branches, student societies, NGOs and other groups.

- You might hold a discussion among local members or invite a guest speaker – for example, an MP, academic or local practitioner to lead a group discussion.
- Some different key themes are suggested. You might choose to spend 15–20 minutes on each area, or decide to focus the whole discussion on one of the issues for a more detailed discussion.

A discussion could address some or all of the following questions:

1. How do we create an immigration system that ensures we can attract the skills and workers we need, while protecting jobs and workers' rights?
2. The government says it wants a skills-based immigration system. Is that the right priority? What other objectives should we have for our immigration system?
3. How do we balance the welfare and interests of the settled population, especially in marginalised and poorer communities, with those of immigrant communities? What can be done to improve integration and good community relations?
4. Should we give special privilege in our immigration system to EU nationals after Brexit? If so, why? If not, are there other countries to whom we should give special rights and status?
5. Does the UK do enough to support asylum seekers and refugees? What policy and practical steps do we need to take to offer them safety and security in this country?
6. How should we address the challenge of people making dangerous journeys in search of safety and the exploitation and trafficking that they may be subject to?
7. Should we allow unfettered immigration? If so, why, and what would be the risks?

Please let us know what you think

Whatever view you take of the issues, we would very much like to hear about your discussion. Please send us a summary of your debate (perhaps 300 words) to info@fabians.org.uk

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Open and ethical

Building a fairer immigration system

Migration and integration are two of the central public policy challenges facing the UK.

Successive governments have failed to make a clear argument in favour of a socially just immigration policy which supports our economy and public services. The absence of political leadership, combined with insufficient attention to community integration, has increased concerns about immigration and has allowed the far right to blame migrants for other public policy failures in housing, the NHS, wages and employment.

This collection of essays brings together voices from across the political spectrum. It looks at how we can build an immigration and integration policy which balances the needs of the economy and society as a whole with those of migrants themselves.

With a foreword by The Right Reverend Paul Butler, Bishop of Durham and contributions by Mike Buckley, Hannah Cooper, Kate Green MP, David Lammy MP, Sarah Lyall, Stuart McDonald MP, Marvin Rees, Ian Robinson, Jill Rutter, Matthew Ryder, Ryan Shorthouse, Peter Starkings and Baroness Stroud.

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