

Managed migration: a work in progress?

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Reforms initiated during the last Parliament aim to deliver a 'fit for purpose' immigration system – but consequences of past failings still need to be addressed

A series of media 'scandals' have highlighted disconnects between immigration policy aims and frontline realities. The challenge for the new Government is proving to a sceptical public that it has the ability to deliver an efficient system, which effectively harnesses the benefits of immigration whilst minimising its costs.

ECONOMIC MIGRATION: GETTING THE BALANCE RIGHT

The points-based system for economic and student immigration was introduced in 2008. Recent statistics suggest that the changing economic conditions are, to a limited extent, acting as a natural curb on levels of immigration. Nevertheless, in spite of the UK's ageing population and skilled labour shortages, the recession has accentuated concerns about the scale of economic immigration. The current system has been led by employer demand – that is to say, if an approved employer demonstrates that they have been unable to recruit from within the resident labour market, or the job is on the official shortage occupation list, permission to sponsor a suitably qualified foreign worker is likely to be given. There have been no overall controls over how many foreign workers are admitted to the UK or where they settle.

The regional points-based system advocated by the Liberal Democrats, and the Conservatives' proposal for an annual limit on immigration, both seek to take greater account of the wider impacts of immigration. A problem identified by commentators such as the IPPR is that the types of immigration

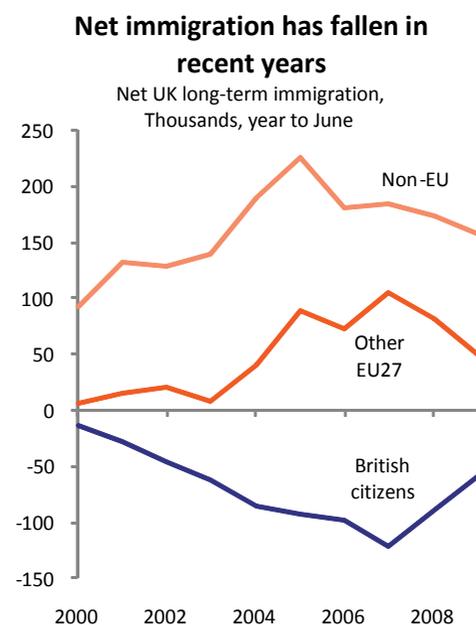
easiest to control (such as non-EU skilled workers and students) are the categories which generate the most tangible benefits to the UK economy. Given that immigrants generally fill jobs that the domestic labour force cannot or will not do, if the UK wishes to become less reliant on migrant labour, much more will have to be done to align immigration policy with skills, education and welfare strategies.

COUNTING PEOPLE IN, COUNTING PEOPLE OUT ... AND WHAT TO DO WITH THOSE WHO STAY

The e-Borders programme is gradually reintroducing exit controls at UK borders, a measure supported by all three main political parties. Once this is fully operational in 2014, every traveller will be counted in and out of the country.

What should be done about the hundreds of thousands of irregular migrants?

However, the controversial issue of what to do about the number of irregular migrants will remain. In 2009 research for the Mayor of London – who supports a regularisation scheme – suggested that there could be in the region of 618,000 irregular residents in the UK. MigrationWatch has suggested that the number could now be over one million. Some commentators argue that the practical difficulties, costs and consequences of undertaking enforced removals on such a large scale make it an unfeasible long-term



solution. On the other hand, Labour and the Conservatives reject Liberal Democrat calls for an earned regularisation scheme (widely perceived as an 'amnesty'). They argue it would act as an incentive for further illegal immigration and reward bad behaviour. However, both parties initiated 'backlog clearing' programmes and concessions for long-term irregular migrants when previously in Government, in spite of the conventional wisdom that hostile public opinion makes such action a political no-go area.

LESS LEGISLATION, BETTER ADMINISTRATION

Perhaps the most obvious lesson to learn from the past decade is that legislative

activity is an inadequate response to underlying administrative and management problems. Nine pieces of primary legislation on immigration and asylum have been passed since 1997. Yet concerns have consistently been raised by the Home Affairs Committee and others about the UK Border Agency's failure to make timely, good-quality decisions. There is now widespread recognition that immigration law is overly complex. The new Government may wish to revive the *draft Immigration Bill*, which was published in November 2009 and aimed to replace all existing pieces of legislation with a single statute.

Significant progress has certainly been made in overhauling processes and culture since May 2006, when the then Home Secretary famously described the immigration system as "not fit for purpose". But work to clear the backlog of cases that built up under the old system is not due to be finished until summer 2011, and a recent inspection report found evidence of new asylum delays already accumulating. As we enter a period of severe constraints on public spending, will the system be given the resources and stability needed to prevent new backlogs in the future?