

BRIEFING

# ONE STEP FORWARD, TWO STEPS BACK

EVALUATING THE INSTITUTIONS OF  
BRITISH IMMIGRATION POLICYMAKING



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# CONTENTS

Executive summary .....	2
Introduction .....	3
1. Joined-up government: Challenging the Home Office monopoly .....	5
2. The Home Office mood: Overcoming a culture of caution .....	8
3. The institutions of immigration policymaking: Structure, accountability and communication .....	10
4. Evidence-based policy or policy-based evidence? .....	13
Conclusions .....	15
References .....	16

# EXECUTIVE SUMMARY

## ‘Officials “just don’t know” who is in Britain and who isn’t, admits former border chief’

*Telegraph*, 8 April 2013 (Ross 2013)

Why does the delivery of UK immigration policy seem to go so wrong, so often? This paper draws on empirical findings<sup>1</sup> from qualitative research (51 stakeholder interviews, document analysis, archive analysis) and the author’s experience working in the Home Office.<sup>2</sup> It explores four key issues:

- **A monopoly on policymaking:** The multifaceted impacts of immigration mean that almost every government department has an interest in immigration policy, which contrasts with the Home Office’s monopoly on immigration policy. To have a successful and dynamic immigration policy, more cross-government coordination and input is needed.
- **A culture of caution:** The Home Office faces political and popular pressures like no other department, due to the nature of the policy issues that fall within its remit, such as drugs, crime and counterterrorism. In response, the department has developed an organisational ‘culture of caution’, which is reflected in a defensive and enforcement-driven immigration policy.
- **Structure and communication:** The Home Office and the UK Border Agency developed into two separate organisations, operating in different ways and exchanging relatively sparse communication. As a result, a gap has opened up between policymaking and implementation. The immigration system needs a clearer organisational structure and better communication between policymakers and the frontline.
- **Evidence versus policy:** The previous Labour government commissioned a great deal of research into immigration. However, the findings were hard to translate into policy. Conversely, under the current administration too much officially commissioned research evidence is politically driven. While recognising the political constraints, research and evidence should be used to achieve a more effective and accountable immigration policy. This would have the effect of ensuring that if political trade-offs against the evidence are made then the policymaking process is at least transparent.

The UK needs better immigration institutions because of – not in spite of – the toxic politics of immigration. Without an effective institutional framework, immigration policy and politics in the UK seem destined to remain negative and reactive.

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<sup>1</sup> This paper draws on empirical findings from qualitative research undertaken by the author for an ESRC-funded PhD in the Politics and Contemporary European Studies department at the University of Sussex. The working title is ‘Interests, ideas and institutions: explaining immigration policy change in Britain’.

<sup>2</sup> The author worked as a research assistant on an ESRC internship at the Migration and Border Analysis unit in the Home Office, April–September 2012.

# INTRODUCTION

The UK's immigration institutions have been subject to vast organisational and policy changes in recent years. This series of upheavals included a fundamental overhaul of the immigration system in 2005 and a major organisational change in 2008, when the Immigration and Nationality Directorate of the Home Office merged with UKVisas and the detection and ports of entry functions of HM Customs and Revenue to create the UK Border Agency (UKBA), an executive agency accountable to the Home Office. More recently, as of March 2013, UKBA has been abolished, with its functions once again absorbed back into the Home Office.<sup>3</sup>

Once arguably the most powerful government department, holding responsibility for all domestic affairs, the Home Office has gradually been stripped of much of its remit, including responsibility for broadcasting, Northern Ireland, the fire service and the Bill of Rights. More recent organisational changes have seen prisons, probation and criminal justice shifted from the Home Office to the new Ministry of Justice. Now, the Home Office is left with responsibility for policing, counterterrorism, drugs and alcohol, and immigration policy. These are all policy areas which are highly politically salient, hinge on enforcement and control, and are susceptible to populist politics and which, for all these reasons, are subject to very critical media reporting.

International migration represents a challenge for any government as it confronts the very definition of the nation state, including 'organisational and conceptual boundaries, borders, important forms of social organisation, such as the welfare state, as well as ways of thinking about "us" and "them"' (Geddes 2003). British public discourse has been antagonistic to immigration since at least the 1970s, and while once it was considered a peripheral issue to voters, immigration is now cited as one of the top issues facing Britain today (Ipsos MORI 2013). Across western Europe, many people express vehement opposition to immigration, but some evidence suggests that the British public is the most opposed to immigration (Ipsos MORI 2012). This has left successive UK governments grappling with how to establish both administrative competence and public support on the issue.

The Home Office and the UKBA are frequently the subject of criticism and bad publicity. Although much of this criticism is aimed at immigration policy, a great deal focuses on implementation, delivery and basic issues of competence. Numerous ministers and senior civil servants have been forced to resign after scandalous cases involving failures of policy implementation or outcomes that are at odds with policy have hit the headlines.<sup>4</sup>

As far back as the early 1990s, the institutions of immigration control have faced fierce criticism from the media as well as politicians. In 1991, Alastair Darling claimed: 'I can safely say that in no other service is there such a glaring example of government complacency and government inefficiency' (HoC 1991: col 1058). In 2006, the Home Secretary himself went so far as to say that the immigration operations of the Home Office were 'unfit for purpose' (John Reid, cited in Mulholland and Tempest 2006). Another former Home Secretary suggested that 'the whole Home Office was notorious for being incompetent'.<sup>5</sup>

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3 This paper was largely written prior to the decision to abolish UKBA. However, the observations and reflections that this paper makes about UKBA as an organisation to date are important to consider, particularly in light of how these new, proposed structural changes will be publicly scrutinised in future.

4 Resignations regarding mismanagement of immigration over the last 15 years include former immigration minister Beverley Hughes, former home secretary David Blunkett and former head of the Border Force Brodie Clark.

5 Interview with former home secretary, 7 March 2011.

The chair of the Home Affairs select committee, Keith Vaz, has been highly critical of the UKBA. In 2012 he asked the independent chief inspector of the UKBA: 'Why is this organisation such a mess?' (HASC 2012: 1). Vaz also stated to the home secretary in a House of Commons debate: 'If you don't reform these agencies properly, I warn you it will come back and bite you and other ministers in the future' (HoC 2012: col 627). John Vine, the independent chief inspector of borders and immigration, found a number of ongoing problems in UKBA, including high error rates in the visa decision-making processes, 'difficulty in obtaining accurate or timely information from the agency' and the need to inculcate a 'right first time' approach. Vine concluded that his inspection 'exposes the gap between an organisation's strategic intention and what is expected in reality' (UKBA 2011: 8). Clearly, problems at the UKBA go beyond the difficult politics of immigration.

The Home Office and the UKBA have faced intense scrutiny, but serious problems remain. How adaptable are these institutions to change and what can be done to overcome the institutional barriers to more effective delivery of UK immigration policy? The rest of this paper explores four key challenges:

- the Home Office monopoly on immigration policy, which makes joined-up policymaking difficult
- the 'culture of caution' throughout the department, which makes frontline staff and officials wary to adapt to change and results in ineffective policy implementation
- the unclear organisational structure of immigration policymaking within the Home Office and UKBA, which undermines effective policy implementation
- the poor use of evidence in immigration policymaking and implementation.

### **Methodology**

The author conducted 51 semi-structured interviews with political elites between July 2011 and October 2012, which have been cited in this paper. Interviewees included current and former MPs and ministers, employers and employer associations, trade unions, NGOs, thinktanks and experts in the field, and civil servants. All interviewees gave consent to be quoted but only some are attributable to protect the anonymity of interviewees.

# 1. JOINED-UP GOVERNMENT: CHALLENGING THE HOME OFFICE MONOPOLY

In a major speech in April 2011, prime minister David Cameron was quick to claim that mass immigration had ‘placed real pressures on communities up and down the country’. He went on to state that his government was taking action across border control, health policy and welfare, and went so far as to suggest that ‘immigration and welfare reform are two sides of the same coin’ (Cameron 2011). Indeed, the Coalition government has been swift to highlight the multiple impacts – social, economic and related to public services – of immigration. Ministers appear to recognise that immigration is a complicated issue involving many aspects of government policy. However, the administration of immigration policy fails to reflect this. The Home Office holds a monopoly on immigration policymaking, despite the recognition by politicians from all major parties that migration has policy impacts stretching well beyond the Home Office’s remit.

This is not a new problem. Attempts at cross-government working were made under the New Labour administration, as ministers and officials tried to achieve ‘joined-up government’. This was part of a widespread reform strategy to tackle policy issues which had long cut across departmental boundaries, otherwise known as the ‘wicked issues’: ‘the sort of elusive issues which are difficult for any single Department or single Minister to get hold of’ (Mandelson 1996, Blair 1996, Bogdanor 2005). As a former policy chief has said, immigration was ‘a classic topic which needed some joining up because it clearly cut across so many different departments – there was such an obvious risk of contradictory decisions’.<sup>6</sup> The Labour government made a number of cross-government efforts in this area, mostly in terms of research and the collation of evidence, but these attempts ultimately failed to weaken the Home Office’s grip on immigration policy in any meaningful way.

This is not to suggest that immigration policymaking has remained static, or that the machinery of government has not been tinkered with over the years. Indeed, some aspects of what might broadly be termed ‘migration policy’ have been transferred between departments. For example, responsibility for integration and community cohesion now lies within the Department for Communities and Local Government. Despite this, however, the Home Office is still responsible for many aspects of integration policy and implementation, such as setting language requirements for migrants.

The prevailing pattern of British immigration policymaking has actually been a concentration and consolidation of functions within the Home Office. For example, the successful Work Permits UK body, which handled both policy and implementation with respect to work permits, had been located in the Department for Education and Employment but was transferred to the Home Office in 2001. This effectively meant that all aspects of economic immigration now fell within the Home Office remit. The Foreign and Commonwealth Office, which was once considered a dual partner with the Home Office in migration policy (for example, through joint responsibility for UK visas), has slowly seen its authority on migration matters crumble: its responsibilities are now limited to the operational role of overseas embassies. Likewise, where education and business ministers could once freely conduct international higher education policy, their plans are now constrained, checked and ultimately dictated by the Home Office.

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6 Interview with former director of the Prime Minister’s Strategy Unit, 20 March 2012.

Of course, there are recognised benefits to consolidating policy areas within a single department, not least that this allows a clear line of accountability to ministers. The transfer of work permits from the Department for Education and Employment to the Home Office, for instance, was done in part to streamline migration functions in an attempt to create a holistic migration policy – as a former home secretary commented: ‘I couldn’t see how you could logically not put them together’. This is particularly true given the challenges in practice of delivering ‘joined-up government’ between departments.

However, there is a strong case to be made that the Home Office monopoly over immigration policy has caused real failures of policymaking. First, migration itself is so diverse it can barely be regarded as a single policy issue. Different types of migration have very different drivers and effects – compare student migration with asylum, for example. Polling also suggests that the British public do not necessarily oppose all types of immigration – there is very little public opposition to student migration, for instance (Migration Observatory 2011).

Second, migration has impacts well beyond core Home Office concerns about control and enforcement. For example, policy on transitional controls on A2 citizens<sup>7</sup> affects labour market needs in the agricultural sector, and so concerns the Department for Environment, Food and Rural Affairs. Likewise migration, especially in terms of remittances, is a development issue and so concerns the Department for International Development; the health sector is reliant on overseas doctors and nurses, and so migration is a concern for the Department of Health; businesses facing skills shortages rely on immigrant labour and universities depend on tuition fees from non-EU students, and so the Department for Business, Innovation and Skills needs a voice on immigration policy. The list goes on, yet the Home Office is now the only department with any real authority over immigration policymaking.

This is not to say that the interests and concerns of other departments on immigration have gone unnoticed. Indeed, departmental conflict over immigration policy has been almost endemic under the current administration. For example, the immigration cap is at odds with some of the aims of the Department for Business, Innovation and Skills, especially student immigration. Indeed, business secretary Vince Cable has claimed that the Coalition’s immigration policy may ‘be damaging to the perception of how we welcome talent from overseas’ and that the policy is ‘damaging the UK economy’ (Mason 2012, Telegraph 2010).

This has negative consequences for immigration policymaking and implementation, and leads to a situation in which ‘each element of migration policy is isolated from the mainstream economic and social policies that it affects, and is affected by’ (Spencer 2011: 20). ‘Non-Home Office’ concerns are too often ignored or downplayed in decision-making, creating fertile ground for interdepartmental tensions to emerge after the fact.

Third, this monopoly on migration policy also tends to exclude external stakeholders from the process: many interviewees both inside and outside government commented that the attempts of cross-government working on immigration in the early 2000s resulted in the Home Office undergoing a ‘period of enlightenment’.

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7 Romanian and Bulgarian



Stakeholders such as the Confederation for British Industries (CBI) have suggested that in the mid-2000s the Home Office changed to become more receptive to stakeholder engagement:

**'I think the Home Office before that period [2005] tended to take quite a purist view which was "we are the guardians" and actually if we slip up we get hauled over the coals by the *Daily Mail*, and therefore we will be slightly less trusting in how we work with external parties because we don't want to get ourselves into trouble.'**

Interview with CBI, 23 November 2011

Finally, the Home Office monopoly on immigration also leaves the department (and in many cases the home secretary) alone in facing any criticism of the immigration system, which is not conducive either to positive morale in the department or to effective policymaking (see below on the 'culture of caution' in the Home Office). Precisely because of the fierce and emotive public debate on migration, the Home Office needs the input and support of other government departments to gain the public's trust on immigration.

A cohesive immigration policy which accounts for the multifaceted impacts of immigration must include more cross-government working. This may, although it need not, involve changes to the machinery of government.

## 2. THE HOME OFFICE MOOD: OVERCOMING A CULTURE OF CAUTION

The adaptability of the institutions of immigration policymaking and delivery is constrained by an abstract but fundamental issue – organisational culture. The Home Office and the UKBA are bound by a departmental ‘culture of caution’.<sup>8</sup>

The policy areas for which the Home Office is responsible are predominantly related to negative and socially destructive issues, such as counterterrorism, crime and policing, and drugs policy. These are all policy areas dominated by the need for control and enforcement – the Home Office ‘conceived itself as a rough, tough enforcement department’.<sup>9</sup>

With respect to immigration, this enforcement culture goes beyond areas where it might be appropriate (such as irregular immigration), and permeates the whole process of immigration policymaking. Immigration policy is framed within the Home Office as an enforcement issue, similar to crime. For example, student immigration policymaking has become dominated by enforcement efforts focused on so-called ‘bogus students’, at the expense of strategic policymaking.

A former member of staff at the Refugee Council summarises an anecdote which encapsulates the enforcement culture:

**‘[The Refugee Council was] trying to persuade what became UKBA to get involved in refugee week, which was very, very difficult. In the end they did. In the process of turning a lot of people down for asylum, they actually grant asylum to quite a lot of people, and change people’s lives. But if you said to them “well that’s part of your brief as much as enforcement”, they looked at you as though you were a bit mad. Because the whole ethos of the department was “what we do is be horrible to people”.’**

Interview with former Refugee Council staff member, 23 August 2011

An extreme form of this enforcement culture has also been blamed for the poor quality of caseworking in parts of the immigration system. In 2010 a former UKBA worker, Louise Perrett, went public with a claim that UKBA staff had tricked and humiliated asylum-seekers in their processing office in Cardiff (see Taylor and Muir 2010). Perrett claimed that UKBA caseworkers (or ‘case-owners’) held fiercely anti-immigration views and took pride in refusing asylum applications, leading chair of the Home Affairs select committee Keith Vaz to seek remedies for this ‘culture of disbelief and discrimination’ (ibid).

Compared to other government departments, the Home Office faces exceptional domestic political and popular pressures. Precisely because it was the dominant (and for a long time the only) social and domestic affairs department, the Home Office faces far more media and public scrutiny than other departments. As a result, it has developed a more defensive and cautious culture, which feeds into policymaking. As emphasised by one senior civil servant: ‘The Home Office is politically driven ... focused on short-term decision-making and tomorrow’s headlines.’<sup>10</sup> This feeling of being ‘politically under suspicion’<sup>11</sup> is a key feature of the Home Office’s departmental culture.

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8 Interview with former home secretary, 7 March 2012.

9 Interview with thinktank representative, 23 August 2011.

10 Interview with senior civil servant, 17 June 2012.

11 Interview with former special advisor, 9 January 2012.

None of this is to imply that the Home Office has some ulterior political motive, rather that a focus on enforcement, and a defensive response to external pressures, has become the norm, and that this has become institutionalised at all levels of the Home Office, including within the UKBA. One former home secretary went so far to suggest that the frontline staff of the UKBA had a 'sense of fatalism. They just picked up the dirty stick at every single point.'<sup>12</sup>

How should ministers deal with this culture of caution? The previous New Labour administration removed many of the discretionary powers of entry clearance officers in part because ministers did not trust frontline staff to make good decisions. (Indeed, this was a key consideration in the design of the points-based system.) However, this left gaps in the system and left some elements of the process open to abuse, with little that frontline staff could do to prevent this. Conversely, the current administration has reinstated some discretionary powers to entry clearance officers in order to limit abuse of the system. It will be interesting to see whether abuses of the points-based system do decline, and whether the gap between policymaking and delivery becomes even wider.

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<sup>12</sup> Interview with former home secretary, 12 April 2012.

### 3. THE INSTITUTIONS OF IMMIGRATION POLICYMAKING: STRUCTURE, ACCOUNTABILITY AND COMMUNICATION

The UK has a complex organisational structure of immigration policymaking, implementation and oversight, which has largely been built in an ad hoc manner.

**‘There are so many offshoots of the Home Office, so many advisory groups, special and service agencies, so many bodies that nobody has any control over – and virtually accountable to nobody at all ... everybody seems to be doing their own thing ... no one is in control of anything ... the Home Office is a bit of a sieve.’**

David Blunkett (2006: 282)

The business of immigration policymaking and policy implementation has, until this month, been distributed between the Home Office and the UKBA respectively.<sup>13</sup> The UKBA was a full executive agency of the Home Office from April 2009 until March 2013 and was effectively responsible for enforcement and delivery of immigration policy. It was a major operational organisation, working in 135 countries, with approximately 22,000 staff making more than 3.5 million immigration and visa decisions and managing a budget of approximately £2.17 billion (NAO 2012: 4).<sup>14</sup>

The UK Border Force is responsible for frontline border operations at air, sea and rail ports. In February 2012, home secretary Theresa May announced that this institution would be separate from the UKBA, but the Border Force is directly accountable to ministers. There has also been significant ‘outsourcing’ of immigration operations, both to private companies (to provide visa processing, for example) and via the delegation of some immigration enforcement responsibilities to local or regional government actors as well as non-governmental actors, such as ‘sponsors’ (employers or educational institutions) and airline carriers.

There are also a plethora of advisory and accountability bodies involved in migration policy and delivery: the Migratory Advisory Committee provides independent advice to the government on migration issues, and the Independent Family Returns Panel provides advice on family returns. The First and Upper Tribunal Immigrations and Asylum Chambers, under the Ministry of Justice, handle appeal cases (EMN 2011). The Home Affairs select committee is appointed by the House of Commons to examine the expenditure, administration and policy of the Home Office and its associated public bodies.

In addition, following the passing of the UK Borders Act 2007, an independent chief inspector of the UKBA was appointed (currently John Vine) to provide an independent, external assessment of the UKBA and Border Force, both in the UK and abroad. The chief inspector is independent of both the UKBA and Border Force and the Home Office, and reports directly to the home secretary.

Within the Home Office, until the 2013 restructure, overarching strategic immigration policymaking fell within the ‘Strategy, immigration and international group’. Responsibility was then delegated to either the Immigration and Border Policy directorate or the International Policy directorate, depending on the type of policy (for example, EU free-movement policy fell to International Policy, whereas border security fell to Immigration and Border Policy). Immigration policymaking was then further distributed to different units dealing with different migration types, such as student migration and family

<sup>13</sup> Strategic policy functions were moved to the Home Office in 2011, leaving operational functions with UKBA.

<sup>14</sup> Information accurate in May 2012.

migration. These units were in turn comprised of different teams: a policy team, an operational team and an enforcement team.

New restructuring beginning in April 2013 will eliminate the UKBA and replace it with two new agencies. One agency will be responsible for immigration and visa processing, with a focus on customer satisfaction for businesspeople and visitors. The other agency will be devoted solely to immigration enforcement. The two new agencies will remain within the Home Office. A new strategic oversight board will monitor the performance of the two agencies, along with the Passport Service, the UK Border Force and other immigration policymakers.

In the 2010 spending review, chancellor George Osborne announced a 23 per cent spending reduction for the Home Office between 2010 and 2014, including a 20 per cent reduction in UKBA spending. To achieve this reduction, the agency aims to 'improve productivity and value for money from commercial suppliers [and] invest in new technologies to secure the border and control migration at a lower cost' (Home Office 2010). The Home Office has also stated that more costs will now be met by migrants and visitors, presumably through increasing visa processing fees. These measures, the Home Office states, will save the UKBA around £500 million (ibid). Additional measures have included a reduction in the UKBA workforce, with over 2,000 jobs lost between April 2011 and July 2012. However, the National Audit Office has since criticised the Home Office, saying that the agency's workforce 'reduced by over 1,000 more than planned despite the fact that progress was slower than expected in the immigration casework programme and workforce modernisation at the border, and no agency-wide skills strategy was yet in place' (NAO 2012). The National Audit Office further suggested that 'loss of focus, poor governance and a tendency towards optimism bias in planning, delivery and reporting, have contributed to the current problems' of the UKBA (ibid).

The sheer number of units in the immigration system has become a problem for effective policy delivery. The structure causes confusion, with officials and civil servants unclear as to which duties fall under which remits. For example, considering an asylum-seeker's application falls within the remit of eight units or teams which have been spread between the Home Office and the UKBA: the EU asylum policy team, Identity Services, the Immigration Fingerprints Bureau, the National Document Fraud Unit, the Asylum Screening Unit, the Third Country Unit, the Unaccompanied Asylum Seeking Children Unit, and the Country Returns Operations and Strategy team. Each team plays a role, yet there is no clear coordination between the units and some civil servants have little contact with the other units involved.

The problem of divisions and miscommunication also flows down to the frontline. An anecdote from a former permanent secretary exemplifies this well:

**'I remember visiting Dover and talking to people down there in the immigration service and saying to them "you must get depressed because we're always under attack" and I quite soon realised that people around me didn't know what I was talking about, because they didn't identify with the Home Office at all.'**

Interview with former permanent secretary, 9 January 2012

The lack of coordination has been partly the result of the arbitrary distinction between the Home Office and the UKBA. Although the distinction between policymaking and delivery made some sense in theory it was not so clear in practice, and the separation between the two organisations led to ineffective policy implementation. On the face of it, the decision to abolish the UKBA and bring immigration policy delivery back within the Home Office should help, but it will not do so automatically – problems of immigration policy implementation existed when the Home Office previously held this role, before the creation of UKBA, and will remain unless further changes are made.

Essentially, the immigration system needs a more streamlined organisational structure, and much stronger communication (in both directions) between the policy and delivery arms of the Home Office. This requires changes both at the centre and in the decentralised delivery operations. In a decentralised system of implementation, policy will only be delivered effectively if it is communicated and embedded:

**‘The other thing about immigration issues is that you have other cultures, people on the frontline who make a big difference to how things are actually implemented. And if they didn’t like [a policy], they would try to button down on it somehow.’**

Interview with former senior Home Office civil servant, 21 June 2012

Similarly, as a former Home Secretary reflected, ‘unless those on the ground are joined up, unless the civil service, middle management are joined up, then they tend to go their own way’.<sup>15</sup> Consultative processes like the one established by the previous administration, which included operational staff in the development of the points-based system in 2004, might provide a model for joining up policy and implementation. Nonetheless, broader structural questions must also be addressed.

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<sup>15</sup> Interview with former home secretary, 7 March 2012.

## 4. EVIDENCE-BASED POLICY OR POLICY-BASED EVIDENCE?

The debate over the use of evidence in immigration policymaking has been heightened since the A8 predictions debacle. Christian Dustmann, an economist from UCL, was (with others) commissioned by the Home Office to predict the likely immigration flows from central and eastern Europe that would follow accession to the EU of eight countries in 2004. Dustmann et al (2004: 58) predicted that net immigration from the new accession states would be ‘relatively small, at between 5,000 and 13,000 immigrant per year up to 2010’. Despite the fact that the authors stated that ‘these figures need to be interpreted with great caution due to the methodological problems’ (ibid), and the fact that the predictions were based on the assumption that the whole EU would open access to labour markets at the same time (when in fact only the UK, Sweden and Ireland did so in 2004), ministers in part justified the decision to allow A8 citizens access to the UK labour markets with reference to this figure. The actual level of immigration turned out to be more than 20 times the upper end of this estimate – something that has been endlessly referenced in political and media debates about immigration policy.

This fiasco has had a long-running impact on how ministers use evidence in policymaking, creating an ambivalence and distrust towards using evidence to justify policy decisions. Likewise, it has impacted on the willingness of researchers to engage with policymakers.

Nonetheless, government-commissioned research into immigration has vastly increased since the late 1990s. With countless research reports, investment in a specific migration research team (now called Migration and Border Analysis) and the creation of the Migration Advisory Committee, it is clear that immigration was – rightly – captured by the evidence-based policy buzz.

Under the New Labour administration, the migration research agenda was very broad, ranging across issues from human trafficking to employers’ preferences for migrant labour. Still, the majority of this research cannot be said to have impacted on policy in any direct way. On the contrary, the research agenda was developed almost in isolation from the policy agenda, creating, as one interviewee described it, ‘evidence-based policy fatigue’.

Part of the problem was how to translate the evidence-based findings into policy. Research on the social impacts of immigration in particular was difficult for policymakers: good-quality evidence on the social impacts of immigration is hard to find and difficult to interpret, which perhaps led to an overemphasis on economic factors (drivers and impacts) in the policymaking process. A new innovation under the Labour government was the establishment of the Migration Advisory Committee, which was set up in order to advise the government on migration matters. The committee was set up as a non-statutory, non-departmental public body, and has played an important role in providing good-quality, detailed and independent evidence to feed into policy processes.

Under the Coalition government, the findings of research have had a clear and direct impact on policy. For example, a recent pilot within the Home Office of giving discretionary powers to entry clearance officers to issue student visas directly has led to the formal reinstatement of some discretionary powers to these officers. Research units have actively reformed the way in which they work so that they move with the policy agenda. But this focus on short-term policy issues has come at the expense of long-term projects, particularly in the context of budget cuts and limits on staff numbers. This could well be detrimental to future policy development, given the relatively sparse data available on immigration in general and its long-term impacts in particular.

The New Labour administration pursued a broad research agenda almost in isolation to the political maelstrom of the immigration debate. In contrast, the research commissioned under the Coalition is overtly political, and in some cases is closer to ‘policy-based evidence-making’. For example, in their research paper *Overseas Students in the Immigration System*, the Home Office used heavily biased samples to argue that non-compliance rates in the student visa system were high in the private education sector. The institutions included in the study reflected the best of the public sector and the worst of the private sector. Despite its limitations, this report was effective at amplifying non-compliance in the student visa system as a concern, and legitimised a further crackdown on student immigration.

Of course immigration policy should not and cannot be made wholly based on evidence – political concerns and public opinion are a legitimate part of the process in a democratic system. Data limitations also mean that research evidence on migration should always be taken with a pinch of salt. Nonetheless, evidence needs to play a more effective role in immigration policymaking.

Research and evidence could also be used to achieve greater transparency and accountability in immigration policy. For example, if political concerns are being traded off against economic considerations, then research evidence can provide the public and interest groups with transparent information about how and why the government has designed policy in the way it has.



## CONCLUSIONS

The toxicity of the immigration debate is at the heart of many of the problems the institutions of immigration policy delivery face. There are also fundamental tensions in the objectives and priorities of immigration policy. In this sense, the Home Office and UKBA are being asked to do an impossible job – as one interviewee commented:

**‘What the immigration department has to do is totally unrealistic – you can’t control, you can’t hold back the tide of migration unless you introduce policies which would severely restrict the freedoms of everybody.’**

Interview with former senior civil servant, 8 June 2012

This boils down to the somewhat contradictory objectives of the Home Office: to both maintain civic peace and ensure the liberty of the individual. In this sense, the Home Office and the UKBA (in whatever form it is reconstituted) may never get it right.

However, while the politics of immigration may be impossibly toxic and immigration policy a difficult balancing act, organisational competence is another matter, and there does appear to be almost endemic ineptitude within the UK’s immigration administration. From failures to respond appropriately to whistleblowing, to ‘losing track of 150,000 migrants’, to vast backlogs of applications and case files, it is clear that the UK’s immigration institutions have serious problems – and these aren’t new. The gap between policy and implementation casts a long shadow over the public debate on immigration, and heightens a sense that the UK is ‘losing control’ of its borders.

These issues are hard, but not impossible, to crack – organisations *can* be changed. Large quangos such as the Financial Services Authority, Ofgem and Ofcom have all undergone fundamental organisational changes recently. Machinery of government changes, such as the creation of the Department of Work and Pensions in 2001, have helped to change negative institutional cultures in some cases. Examples of best practice could also be taken from the private sector. For instance, lessons could be learned from merged companies, such as GlaxoSmithKline who, following the merger, redefined the institutional culture, which included extensive training for all staff.

Radical organisational change, both cultural and structural, is possible and sometimes necessary in large organisations such as the Home Office. The UK needs better immigration institutions because of – not in spite of – the toxic politics of immigration. Without effective institutions, immigration policy and politics in the UK seems destined to remain negative and reactive.

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