

Immigration – the Labour Party Manifesto for 2017



Summary

1. No commitment to reduce immigration. Vague mention of reforming the system to make it work “for the many, not the few”. All specific measures mentioned would increase immigration. The overall effect would be to undermine still further the effectiveness of the present system in controlling the level of immigration.

Introduction

2. The Labour Party launched their manifesto on Tuesday 16th May. The full document can be read [here](#). There are a number of proposals which stand out such as reform of the overall immigration system and an end to free movement after Brexit. However, what is missing is any commitment to reduce net migration or any discussion of what level of migration is appropriate in the future.

3. On non-EU migration Labour make no pledges that would tighten the system and in fact propose two policies that represent a loosening of policy. It is likely therefore that under Labour non-EU net migration would increase. It is at present impossible to assess the impact of Labour policy on EU migration since there are no indications of what might replace free movement after the UK leaves the EU.

General approach

4. The Labour Party suggests that if elected they will reform the overall immigration system, saying that they will ‘institute a new system which is based on our economic needs, balancing controls and existing entitlements. This may include employer sponsorship, work permits, visa regulations or a tailored mix of all these which works for the many, not the few.’¹

5. Migration Watch UK are strongly opposed to radical overhaul of the immigration system, beyond what is needed to adapt to the end of free movement of people. Not only is the current system familiar to

1 See page 28.

those employers and education establishments which use it but also it takes a great deal of time for a new system to be designed, implemented and bedded in. The last time that Labour embarked on reform of the immigration system following their election in 1997, net migration increased from 50,000 to 160,000 in just three years. Targeted reforms to improve the present system are a much better approach

6. The Labour Party has also committed to ending free movement of people after Britain leaves the European Union, a commitment that we welcome. However, they do not propose any policies, or even broad principles, for how EU migration should be governed after Britain's departure. Instead, the manifesto states that 'new rules will be equally informed by negotiations with the EU and other partners, including the Commonwealth.'

7. With regard to EU migration and the forthcoming negotiations on Britain's exit, Migration Watch UK have been very clear that we think the best approach would be for trade negotiations to be decoupled as far as possible from future migration arrangements. It is unlikely that there is anything that the UK could offer the EU in terms of immigration concessions that would both satisfy the British public's demand for a reduction in immigration and also help in negotiations with EU partners on a future trading relationship.

8. The approach of allowing the negotiations to inform future rules on EU migration also seems at odds with another manifesto commitment to introduce immigration rules that are 'fair' and that 'will not discriminate between people of different races and creeds.' We take this to mean that, in future, EU migrants will be treated the same as non-EU migrants in the immigration system and that there will be no discrimination based on nationality. However if EU migration is to become part of the negotiations then it is reasonable to assume that the EU would expect greater labour market access for EU nationals, which would imply discrimination against non-EU nationals.

Proposals

(a) Students

9. Labour say that they will remove students from 'immigration numbers'. We believe that this is a mistake. If students come to study and then return to their home country they do not add to net migration in the long term thus negating the need to remove them from the figures. If however, students are remaining after their studies in significant numbers then they add to population growth and therefore must be counted in the immigration statistics.

(b) Partners

10. Labour have committed to abolishing the minimum income threshold of £18,600 for sponsors who wish to bring a non-EU spouse/partner into the UK. They commit to replacing this with legislation involving a 'prohibition on recourse to public funds.' However, an increase in partner migration would increase the entitlement to housing benefit which would be unaffected by a prohibition on recourse to public funds. The salary threshold is a much better gatekeeper of public funds since this is the point at which housing benefit is fully withdrawn in a two-adult household assuming rent of £100 per week. Meanwhile, abolition of the minimum income threshold would throw our doors wide open to

an unlimited number of partners from around the world and, quite possibly, a considerable amount of abuse.

(c) Overseas Domestic Workers

11. Labour have pledged to restore the rights of migrant domestic workers. We can assume that this means reversing the changes introduced in 2012, which would in turn increase net migration since it would reinstate the right to settle after five years. The changes introduced in 2012 are as follows:

- The right to bring dependants, switch sponsors and settle on an Overseas Domestic Worker (Private Household) visa was ended in 2012 although the right to switch sponsors was reinstated in 2015.
- Holders of an Overseas Domestic Worker Visa (Private Household) were restricted to remaining in the UK for a maximum period of six months or to the length of their employers stay (itself limited to six months), whichever was shorter. ODWs could not stay longer than their employer.
- Overseas Domestic Workers (Diplomatic Households) were limited to the period of their employers stay in the UK up to a maximum of five years. Settlement rights were removed although such workers could bring their dependants with them.

12. The latest statistics for 2015 show that 18,500 visas were granted to Overseas Domestic Workers in Private Households. This figure has increased since the reforms were introduced in 2012 when 15,500 visas were granted. In the last six years, 5,300 overseas domestic workers have been granted settlement, an average of 900 a year. ODWs continue to be granted settlement and this will continue until 2017 as new rules only apply to those who entered following their introduction. There are safeguards for ODWs who suffer abuse at the hands of their employers – they are able to switch sponsor and those who have been the victims of slavery can apply for leave to remain for up to two years during which they can work.

(d) Exploitation of migrant labour

13. Labour have pledged to take action to end the exploitation of migrant labour, through bringing to an end the practice of overseas-only recruitment, greater workplace inspections and an increase in prosecutions of those who evade minimum wage legislation. These are welcome proposals.

(e) Detention

14. Labour has committed to ending indefinite detention. There is at present no such thing as indefinite detention although there is no time limit on detention set out in legislation. In Q4 2016 around 80% of detainees leaving detention had been held for less than two months. Only 1% of detainees leaving detention had been held for more than a year.²

² Migration Observatory, Immigration detention in the UK, May 2017, URL: <http://www.migrationobservatory.ox.ac.uk/resources/briefings/immigration-detention-in-the-uk/>

(f) Migration Impact Fund

15. Labour will reinstate the Migrant Impact Fund to address strains on public services. However, the sums involved are very unlikely to have much effect. The last Labour government made available £35million through the Fund for each of the financial years 2009-10 and 2010-11. For context, in 2013/14 the working age benefit bill for EEA migrants alone was over a hundred times this amount (£4.4 *billion*). We believe that a far more effective means of addressing strains on public services in high migration areas would be to reduce overall net migration.

(g) Dispersal of asylum seekers

16. Labour will review housing and dispersal arrangements for refugees. Refugees (as distinct from asylum seekers who have yet to receive a decision on their application) are free to live and work wherever they choose so we assume that they are referring to asylum dispersal whereby asylum seekers are dispersed around the country. In practice the current dispersal system leads to concentrations of asylum seekers in a small number of areas. A review of asylum dispersal would be welcome to ensure that dispersal is more even across the country and that no one local authority bears a disproportionate burden.

29th May 2017