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Abstract

In the post-9/11 era, the British government's formulation and administration of policy relating to immigration controls is increasingly organized around the notion of 'risk', and mobilized through the state's technologies of inspection and measurement (see Scott 1998). This paper considers colonization of asylum policy in Britain, between 1994 and 2004, by the concepts of risk and risk management. It then modifies the thermostatic model of policy-opinion responsiveness (see Wlezien 1995, 1996, 2004) for empirical analysis of the interactions of policy, bureaucracy and public opinion in the control and administration of asylum by the Home Office in Britain, over the period between 1994 and 2004. This paper draws upon methods of time series regression and intervention analysis to estimate responses of specified policy outputs to (i) changes in public opinion and (ii) interventions by government. These enable discussion of the co-existence of responsiveness and risk in this particular policy domain.

Introduction

In Britain, no other domestic topic has become as increasingly controversial since election of the Blair Government on 1 May 1997 than immigration policy. The events of 11 September 2001 transformed population movement and border protection into visibly public risk and control problems. Of course, already underlying trends of social and economic globalization preceded this seismic event, shaping the set of policy dilemmas that today confront legislators and bureaucrats. However, risk is a concept that is colonizing the contemporary formulation and administration of immigration controls and asylum policy in Britain. This is a symptom of a number of intersecting trends observed in development of the modern state and its apparatus of government. In *Seeing like a state*, Scott (1998: 88) details the state's 'aspiration to the administrative ordering of nature and society'. It is a creature of inspection and control, where power is mobilized through technologies of monitoring and measurement. This might also be considered a cause or consequence of the increasing *Trust in numbers* (Porter 1995). At the same time, emergence of a modern, professional bureaucracy – with its staffing of the technical and scientific apparatus of an 'administrative state' (Skowronek 1982; Skocpol 1992; Carpenter 2001) in the United States or 'regulatory state' (Majone 1994) in Western Europe – is interconnected with an increasing organizational focus upon the control of threats, uncertainties and hazards. The growth of the reach and expertise of the state leviathan through periodic crises (Higgs 1987) is juxtaposed with more incremental reforms of administrative practice. Therefore, the contemporary state of affairs in immigration policy and controls might be considered a punctuated equilibrium in historical evolution of cross-border controls. Indeed, the modern paradigm, British historian A.J.P. Taylor (1965) recounts, dates to August 1914 and the war in Europe. That disturbed the status quo of an absence of state monitoring and control and of freedom of movement for each 'sensible, law-abiding Englishman'. In order to understand the colonization of asylum policy and management in Britain by the concept of risk, it is helpful to model the interactions of state and society as a time dependent process.

Responsiveness and risk in asylum policy

The responsiveness of government to the preferences of its citizens is considered by many to be an important indicator of the performance of advanced democracy (Dahl 1971). Some go so far as to claim that 'responsiveness is what democracy is supposed to be about' (Verba and Nie 1972: 300). The open interplay of policy and public opinion is, at least, an important characteristic of any democratic system of government (Lasswell 1941). More recently, Geer (1996) has argued that the availability of opinion research to modern government provides it with the *opportunity* to respond to public opinion with strategic and considered precision. Yet, replications of earlier studies of representation in the United States (Monroe 1979, 1998; Page and Shapiro 1983; Jacobs and Shapiro 1979) observe declines in the responsiveness of government to its citizens. This theoretical perspective is far removed from Beck's narrative of the risk society (1992) – a society that is increasingly organized in response to risks rather than public opinion.

The juxtaposition of risk and responsiveness provides insight into a defining dilemma of contemporary government – that is, of tension between technical uncertainty, political interventions and public opinion. Despite longstanding foundations of asylum policy in international law – and its relation to questions of border control – there is evidence that, in the past decade, the concepts of risk and risk management have permeated the British Government’s interventions in border protection and the administration of claims for asylum. The 1951 UN Convention defines a refugee as someone who

... owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, unwilling to avail himself of the protection of that country’ (1951, Article 1A).

This original definition is noticeably premised upon certainty (where applications are ‘well-founded’) and it is only recently that uncertainty has become an organizing concept in administration of asylum.

Under the Treasury’s 2002 Spending Review, a principal objective of the Home Office for 2003-2006 is stated as to ‘... regulate entry to and settlement in the United Kingdom effectively in the interests of sustainable growth and social inclusion’.¹ Over time, the deportation of failed asylum seekers has – increasingly – been guided by the concept of ‘risk’. The 1996 Act, provided power to the Secretary of State to prescribe countries or territories in which there was ‘in general no serious risk of persecution’ (Section 1, c. 49). This ‘white list’ of third countries eased the administrative burden upon the Home Office, and provided legitimization to the blanket removal of particular groups. Suspension of the list in 1999 proved temporary and was reintroduced in 2002. The 1996 Act prevented in-country appeals for applicants who had travelled to Britain via a ‘safe third country’ (specified as within the European Union, United States, Canada, Switzerland or Norway). In addition, the process of ‘non-suspensive appeals’ established by the 2002 Act removed in-country right of appeals for applications certified as being ‘clearly unfounded’ by the Secretary of State for designated third countries where the applicant was considered ‘at no serious risk of persecution’.

The contagion of risk-based policy and administration has since spread to visa regimes for visitors to the United Kingdom. On 15 October 2003, the Home Office announced that with the tightening of visa regimes designed to heighten border controls, exemptions would ‘... be made for certain categories of transit passengers with a low level of immigration risk’.² The increased usage of transit visa regimes to deflect, and deter, unfounded asylum claims has been mobilized around classification of ‘high risk’ visitors to the United Kingdom. It is therefore evident that ideas of security, safety, threat, hazard and risk were pervasive in development of British asylum policy throughout the past decade. There is – at the same time – an increasing reliance upon technological solutions as instruments of societal control and measurement, in response to risk. The government White Paper of July 1998, *Fairer, faster and firmer*, claims ‘greater operational flexibility is essential in

¹ HM Treasury. 2002. *Spending review, Public service agreements 2003-2006*, Objective 6.

² Home Office. 15 October 2003. Press Release, ‘Tighter visa regimes to improve border control’.

modern immigration control. Resources must be able to be deployed rapidly to areas of greater risk'.³ In this, reforms of immigration controls are premised upon the routinization and concentration of administrative activities in areas of highest risk. These are dependent upon the technologies of immigration control – which can be categorized as detection, identity verification or information management systems. For instance, search/detection technologies deployed at domestic and foreign ports include carbon dioxide detectors (CO² wands), x-ray scanners, automatic number plate readers (ANPRs), and closed circuit television (CCTV). There is also a European dimension to control activities in coordination of shared systems (e.g. the Eurodac fingerprint database introduced in 2003) and juxtaposed border controls (implemented at Eurostar terminals at Paris Nord, Lille, Calais, Boulogne and Dunkirk in France and Belgium's Gare du Midi in Brussels). The expansion of the risk management capabilities of the state coincides with the practical blurring of international borders.

The public thermostat and policy responsiveness

At the same time, it is possible to understand policy systems or sub-systems as instruments of control and responsiveness. This constitutes 'regulatory' government in its broadest sense. It is argued that the public's preference for policy in a specific domain is relative (Wlezien 1995, 1996, 2004). The ideal point for public preferences (R_t) is equal to difference between the preferred level (P^*) and actual level (P_t) of policy.

$$R_t = P^* - P_t \quad (1)$$

If there is responsiveness (β) in a specific policy domain, change in policy (P_t) will be positively correlated with change in the public's relative preference for policy, *ceteris paribus*, allowing for effects (γ) of indirect representation through elections (Z_t). That is to say, shifts in public opinion are likely to be followed by shifts in policy. This is said to be a 'thermostatic' model because the public adjusts its preference in response to the actual level of policy. For some, 'policy' consists of expenditure (Wlezien 1995, 1996, 2004), legislative attention to particular topics (Baumgartner and Jones 1993), legislative behaviour (Stimson et al. 1995; Erikson et al. 2002) or statements of legislative intent (Hobolt and Klemmensen 2005).

$$\Delta P_t = a_0 + \beta R_{t-1} + \gamma Z_{t-1} + e_t \quad (2)$$

There is already a wealth of research that models policy systems and sub-systems as systems of control (see Moe 1982, 1985, 1987; Wood 1988; Wood and Waterman 1991, 1993, 1994; Scholz and Wood 1998). Therefore, policy can be conceived as a function of the strategic interventions of government (I_t) and empirical 'noise' (N_t) that is diagnosed for a given policy domain.

$$P_t = f(I_t) + N_t \quad (3)$$

³ Cm 4018. July 1998, *Fairer, faster and firmer - A modern approach to immigration and asylum*. London: TSO.

This implies a more discrete, punctuated relationship between the actions of government and actual bureaucratic or policy outputs. It also promotes integration of methods of time series regression and intervention analysis.

Border protection and asylum in Britain, 1994-2004

In the analysis that follows, the reciprocity of the policy-opinion connection is modelled with a thermostatic model (Wlezien 1995, 1996, 2004) specified for asylum policy, with 'issue importance' as its measure of public opinion. This estimates the results for a series of time series regression models and reports findings on the thermostatic responsiveness of outputs for this domain, intersected by the colonization of risk-based policy. To investigate the rhythm of responsiveness, models of best fit are estimated for monthly, quarterly and half yearly intervals (conducting preliminary tests for lags between 1 and 36 months). Following this, time series intervention analysis is performed to estimate effects of specific legislative and bureaucratic events on policy outputs. The impact of the interventions is discussed in relation to concepts of risk and risk management – and the state's predilection for the administrative ordering of nature and society. This specific methodology has not previously been used in analysis of government performance in Britain.

Policy outputs

The operation of border controls and administration of different forms of immigration is consistent with the conceptualisation of the supply of 'more' or 'less' bureaucratic or policy outputs. But what does the actual quantity of outputs (P_t) consist of? There are a number of different routes of entry into Britain. While the existing system is complex and incoherent, the principal routes of immigration are via the work permit system, family settlement system, a number of work-related schemes, student visas and the asylum system. The official statistics published by the Home Office report the general level of immigration (with information of levels in select sub-categories), but record the level of asylum as a distinct entity. This provides considerable detail on performance of the asylum system. The structure of administration for asylum is itself 'thermostatic' in nature. The level of inputs into the system is a function of the interaction of border controls with an exogenous level of potential applications. The level of system through-flow is dependent upon the processing of applications. In order to be granted asylum an applicant must have 'a well-founded fear of persecution' – as defined by the 1951 Geneva Convention on Human Rights. The dispensation of leave to remain constitutes short-term protection, where special considerations are required or where removal is precluded by the European Convention on Human Rights. If these different criteria are not met, applications are refused. The sum of initial decisions constitutes the level of quasi-outputs of the asylum system. However, where applications have been refused there is a right of appeal, to regulate the accuracy and reliability of decisions. The level of actual outputs of the system consists of removals of failed applicants.⁴

⁴ On a case-by-case basis, the determination of applications for asylum is a zero-sum game. If an application is granted, it cannot be simultaneously refused or granted leave to remain. However, applications are not

- (1) Applications
- (2) Decisions [includes (3), (4) and (5)]
- (3) Grants
- (4) Leave to remain [‘short-term protection’]⁵
- (5) Refusals
- (6) Appeals
- (7) Removals

This study uses monthly data on asylum and immigration provided exclusively for research purposes by the Asylum Statistics Team of the Immigration Research and Statistics Service at the Home Office⁶ and the Migration Statistics Unit at the Office for National Statistics.⁷ It estimates the thermostatic responsiveness of these specific benchmarks of asylum and immigration policy, as these represent the most complete time series data available for this domain. This does not include temporary categories created by government. The empirical data on appeals against asylum decisions is only available in quarterly format since 1997. This is excluded from analysis.

Results

Factor analysis (see Table 1) of the various output items for immigration policy indicates that these exhibit a significant amount of common variance. This is as we should expect in theory for the various components of asylum policy, since the level of applications is reflected in the subsequent level of decisions and each of the different sub-categories (refusals, grants, leave to remain, detentions, appeals, removals). There is least commonality with the level of removals – and this is also as we should expect, since it is furthest removed in the system from the level of applications. That is to say that it is subject to most bureaucratic slippage or shirking. On average, an increase in the number of entrants causes an increase in grants and refusals of asylum. Noticeably, the level of immigration (adjusted for seasonal variation through calculation of a 12-month moving average) is distinct from the components of asylum policy, although it nonetheless appears that these policy items move together over time in the same direction.

necessarily processed in the same order as they are submitted, nor should it be assumed that this order is random. For example, fast-track facilities at the Oakington detention centre were used to determine cases that were ‘manifestly unfounded’, selected via the initial screening interview on the basis of country of origin.

⁵ The category of ‘extraordinary leave to remain’ was replaced in April 2003 by categories of ‘humanitarian protection’ (HP) and ‘discretionary leave’ (DL).

⁶ Asylum Statistics Team, Immigration Research and Statistics Service (IRSS). *Asylum applications received in the United Kingdom, excluding dependants, and initial decisions on applications 1994-2004*. Statistics for 1999 are completed with provisional data from the Home Office’s monthly statistical bulletin, *Asylum statistics: February 2000, United Kingdom*. Statistics for 2004 are completed using the Home Office’s annual statistical bulletin, *Asylum statistics United Kingdom 2004*.

⁷ Migration Statistics Unit, Office for National Statistics. *International migration, estimates from International Passenger Survey, 1994-2003*. Note that this data is for research purposes only. The IPS survey’s sampling frame is designed for quarterly estimates, so these months do not represent a balanced sample. The IPS definition of a migrant is someone who intends to stay for at least a year in the UK. These do not include estimates for asylum seekers, visitor switchers, migrant switchers or migrants to and from the Irish Republic.

Table 1. Factor loadings of immigration policy items

Items	Factor		
	1	2	3
Asylum			
Applications	0.67	-0.08	0.37
Decisions	0.99	0.05	-0.15
Grants	0.72	-0.44	0.17
Leave to remain	0.84	-0.11	-0.01
Refusals	0.89	0.27	-0.33
Removals	0.36	0.41	0.18
Immigration	0.09	0.43	0.29
Eigenvalue	3.58	0.64	0.41
Proportion of variance	0.79	0.14	0.09

The public thermostat

It is not unreasonable to suggest that the public possess a relative preference for immigration (Wlezien 1995, 1996, 2004). That is to say it desires ‘more’ or ‘less’ of it, depending upon its actual level. From time to time, research omnibuses such as the British Social Attitudes Survey (BSA) ask the British public about its relative preference for more or less immigration (with the topic included in relation to the settlement of particular ethnic/national groups in 1983, 1984, 1986, 1989, 1990, 1994, 1995 and 1996). Between 1995 and 2003, the proportion of survey respondents who believed that the number of immigrants to Britain should be ‘reduced a lot’ increased from 39% to 49%. However, continuous time series data on this or other similar attitudinal scales simply does not exist. Instead, the most regularly surveyed measure of public attitudes relating to immigration, for the period from 1994 to 2004, is the monthly MORI Political Monitor.⁸ This asks, ‘What would you say is the most important issue facing Britain today?’ in addition to ‘What do you see as other important issues facing Britain today?’. Since 1974, this captures responses about the relative importance of issues of ‘race relations / immigration / immigrants’. It also includes responses that refer to asylum.⁹ Significantly, answers are unprompted and data is collected for a wider selection of issue categories that are relatively stable over time. This is however an imperfect substitute for the public’s inclination for more or less immigration. At the micro-

⁸ MORI. Political Monitor, 1974-2005. See <http://www.mori.com/polls/trends/issues.shtml>.

⁹ See Duffy et al. (2003: 23), *The more things change ... Government, the economy and public services since the 1970s*.

level, surveys detect low levels of public knowledge about the state of the asylum system and a disproportionate assessment of perceived risk(s). There exists systematic public overestimation of the proportion of immigrants entering the country (Duffy et al. 2003). In addition, perceived and actual risks co-exist and perhaps interact with this preference for more or less. These include cultural, social and economic versions of risk (for example, threats associated with terrorism, public health, national or civic identity, community integration, public services and crime).

Many studies use the ‘most-important-problem’ question surveyed by Gallup as an indicator of public policy preferences (McCombs and Shaw 1972; MacKuen and Coombs 1981; Baumgartner and Jones 1991, 1993; Jones and Baumgartner 2005). That is not without problem (Wlezien 2005). There is a significant distinction between the importance of an issue, its importance relative to other issues, and its salience; not to mention the extent to which it is considered an ‘issue’ or a ‘problem’ by the public. The level of immigration may consistently be an important issue for the public, but vary in its importance relative to other issues. Moreover, even if immigration is perceived as an issue, this is not necessarily the same as it being considered a problem. For this study, the use of survey data on issue importance is, therefore, subject to a qualification. It is quite possible that this does not correspond to the public’s underlying preference for more or less immigration. However, it is adopted as a crude indicator of the prevailing public mood regarding the level of immigration. This – at least – reveals changes in the relative intensity of public opinion. It is conceivable that issue importance represents either a relative preference for ‘more’ or ‘less’ immigration or its relative importance.

Results

Do the public respond to change in policy outputs related to the control and administration of asylum and immigration? By estimation of a set of time series regression models, it is concluded that actual policy outputs for asylum control and administration have a positive and statistically significant effect on public opinion. In contrast, the public’s responsiveness to immigration is – perplexingly – negative, although statistically significant at only the 90% level. This suggests the public thermostat is sensitive to changes in outputs of the asylum system, but is perversely responsive to changes in outputs for the immigration system. The results summarized in Table 2 show that increases in the level of asylum applications, decisions, grants, leave to remain and refusals are each correlated with increases in issue importance, whereas increases in the level of removals are correlated with decreases in issue importance. In other words, if the number of entrants into – and through – the asylum system increases, so does public concern. It is helpful here to outline the practical implications of some of the coefficient values that are reported in Table 3. For instance, the coefficient 0.00128 for P_{t-11} indicates that for every 1,000 additional asylum applications per quarter, issue importance increases by 1.28%, at a lag of 11 quarters. The value of lags for immigration is perhaps misleading because this series is transformed as a 12-month moving average. It captures change between the first and thirteenth months of the series so a lag of one quarter is, in practice, a lag of five quarters from the starting point of the moving average.

Table 2. Public responsiveness regressions, differenced¹⁰

Independent variables	Dependent variable: change in public opinion (R_{t-n})						
	Asylum				Immigration		
	Applications	Decisions	Grants	Leave to remain	Refusals	Removals	
Change in Independent Variable (P_{t-2})	–	0.00030** (0.00010)	0.00253*** (0.00050)	–	–	–	–
Change in Independent Variable (P_{t-5})	–	–	–	0.00287*** (0.0004)	0.00587** (0.00020)	–	- 0.00065* (0.00029)
Change in Independent Variable (P_{t-11})	0.00128** (0.00053)	–	–	–	–	–	–
Change in Independent Variable (P_{t-23})	–	–	–	–	–	- 0.0219*** (0.0060)	–
Constant (a_0)	0.20 (0.97)	0.79 (1.21)	0.97 (0.96)	0.53 (0.59)	0.41 (0.79)	0.36 (0.45)	1.49 (0.92)
Interval / observations	Quarterly / 32	Half Yearly / 19	Half Yearly / 19	Quarterly / 38	Quarterly / 38	Monthly / 96	Quarterly / 38
Degrees of freedom	31	18	18	37	37	95	37
R ²	0.16	0.36	0.60	0.55	0.20	0.12	0.12
Adjusted R ²	0.14	0.33	0.57	0.53	0.18	0.11	0.10
Durbin-Watson	2.70	2.41	2.50	2.63	2.66	2.44	2.59

Note: OLS regression coefficients, * $p < .10$, ** $p < .05$, *** $p < .01$ (two-tailed tests) with standard errors in parentheses. These models of best fit are estimated from tests of lags between 1 and 36 months, and are selected according to principal criteria of the maximum value of Adjusted R².

Because this tests the responsiveness of an individual measure of public opinion to a series of outputs of asylum and immigration policy it is particularly significant that the statistical fit of models estimated for asylum grants and leave to remain capture more of the variance in this empirical data (with values of adjusted R² equal to 0.57 and 0.53 respectively). This makes a lot of sense too since, on average, we would expect that more applications should translate into more decisions – consisting of grants of asylum and leave to remain. Therefore, the public’s response to the number of asylum grants entails some existing information about the number of applications in an earlier period (and likewise about the number of decisions in the present time period). It is conceivable that the public’s responsiveness to actual outputs is additive through successive stages of the asylum system.

¹⁰ The public opinion series includes values for three missing observations that are generated by linear interpolation. For the quarterly, half yearly and yearly versions of the series, missing values are replaced by an interpolation of the original monthly series; with each observation taken from the final month of the quarterly, half yearly or yearly interval. There is missing data for removals between January and December 1994.

The public response is thermostatic for asylum because if the level of system inputs increases there is a corresponding increase in issue importance, and if the level of system inputs decreases there is a corresponding decrease in issue importance. Therefore, the intensity of public opinion about asylum policy – as is conceived here – does appear to change in a consistent and predictable way. Indeed, it reflects the actual level of policy outputs. This is evidently premised upon the prevailing attitude that accommodation of immigrants entering through the asylum system is undesirable. This is not perfectly thermostatic, however, since the estimated models provide only a partial prediction of change in public opinion (with the values of adjusted R^2 up to 0.57). That is to say that there are exogenous sources of public opinion, unrelated to the actual level of asylum. In summary, the results imply that the British public do notice and respond to the control and administration of asylum at the aggregate level. That the public is insensitive to changes in the level of normal immigration is, moreover, consistent with an apparent fixation of sectors of media, political and public opinion with asylum claimants. Nonetheless, it remains conceivable that adjustments in issue importance coincide with a stable, underlying public preference for the level of immigration. If that is the case, issue salience is thermostatic even if relative preferences are not.

Policy responsiveness

It should be evident that border control and asylum provide an outstanding example of a thermostatic model of bureaucratic and policy outputs. In theory, the British Government has power to respond to pressure from public opinion at different points in the asylum system. It might target entrants (i.e. applications), accelerate the rate of processing (i.e. decisions), manipulate the existing standard for determinations (i.e. grants, leave to remain and refusals), or toughen up enforcement (i.e. removals). Of course, changes at specific points in the system might only displace problems elsewhere (e.g. an increase in the level of refusals creates a backlog of cases for removal).

To repeat, if there is ‘responsiveness’ in a specific domain, changes in policy outputs (P_t) are positively correlated with changes in public opinion from a previous time period (R_{t-1}). In practice, this model is transposable to a number of different immigration outputs, such as those considered here – asylum applications, decisions, grants, leave to remain, refusals or removals, and entry clearance for the other forms of immigration. Finally, the effect of partisanship on policy responsiveness (γZ_{t-1}) is captured in the estimation of this model by a dichotomous variable. It is equal to 0 if government is formed by the Conservative Party and is equal to 1 if government is formed by the Labour Party. This measures the effect of indirect representation on responsiveness of border control and asylum to public opinion.

Results

But do changes in public opinion translate into actual changes in policy outputs? The models of best fit reported in Table 3 indicate that the responsiveness of actual

outputs is highest for series measured at quarterly or half yearly intervals. It is concluded that public opinion has a negative and statistically significant effect on the measured outputs for asylum – and a positive, but statistically insignificant effect on outputs for other forms of immigration. Specifically, these results show that increases in issue importance lead to decreases in asylum applications, grants and leave to remain, and to increases in decisions, refusals and removals. This is as should be expected. In order to reduce the number of entrants to, and through, the asylum system, policymakers and bureaucrats act to interdict claims, reduce grants of asylum and leave to remain, and increase refusals and removals. The responsiveness of decisions and grants of asylum is not significant at the 90% confidence level. That is unsurprising since, in theory at least, grants are subject to autonomous, independent criteria (i.e. the 1951 Geneva Convention on Refugees and European Convention on Human Rights). Because earlier results showed that the public thermostat was not responsive to change in the level of other forms of immigration, corresponding unresponsiveness of actual outputs – positive and not significant at the 90% confidence level – is consistent with our expectations.

Once again, it is helpful to demonstrate practical implications of the values of the coefficients that are reported in Table 3. The coefficient -551.08 for R_{t-2} indicates that, on average, a 1% increase in public opinion leads to a reduction of 551 in the level of asylum applications, at a lag of one year. In the estimated models of best fit, the value of the dummy variables for government are not significant, but might be interpreted as implying that increased levels of asylum and immigration entry are observed under a Labour Government (if the high standard errors are disregarded). Because this analysis only covers the period between 1994 and 2004 – and is, therefore, limited to only three and a half years of Conservative Government – it is dangerous to infer a causal relationship between change in the level of policy outputs and the party in government. Similarly, because estimated models provide only a partial explanation of variation in the empirical data, it appears that there are exogenous determinants of policy outcomes.

To review, there are clear and meaningful differences in the opinion-responsiveness of outputs for the government's management of asylum. The distinctive pattern of responsiveness between individual sub-categories of control and administration suggests sophisticated and systematic behaviour of both legislators and bureaucrats. It is significant that the level of removals of failed applicants from the system is best explained by changes in public opinion, followed by the interpretative and discretionary category of decisions – leave to remain. That contrasts with the unresponsiveness of grants of asylum. This implies that certain parts of the asylum system are more predisposed or open to responsiveness than others. If bureaucratic action is subject to clearly defined and external criteria, there is less scope for responsiveness. Where subject to discretion (i.e. leave to remain and refusals) or enforcement (i.e. removals) there is more scope for responsiveness. Of course, that structure of policy responsiveness is confined to the evidence presented for this case. To conclude, border controls and the administration of asylum by the British Government is positively responsive to adjustments in public opinion. When the public wants more, it gets more. In contrast, there is not an equivalent relationship between the general level of immigration and public opinion.

Table 3. Policy representation regressions, differenced

Independent variables	Dependent variable: change in policy (P_t)						
	Asylum				Immigration		
	Applications	Decisions	Grants	Leave to Remain	Refusals	Removals	Entry Clearance
Change in Public Opinion (R_{t-1})	–	–	10.31 (6.26)	– 260.25** (94.91)	–	–	–
Change in Public Opinion (R_{t-2})	- 551.08* (223.80)	–	–	–	–	–	–
Change in Public Opinion (R_{t-3})	–	370.66* (168.56)	–	–	258.89* (119.10)	41.52** (15.28)	–
Change in Public Opinion (R_{t-5})	–	–	–	–	–	–	501.56 (255.40)
Party in Government (Z_{t-1})	1396.14 (3129.94)	- 742.02 (2000.86)	- 7.99 (55.05)	484.45 (1247.97)	- 638.19 (1413.75)	- 226.02 (232.19)	5288.33 (4672.65)
Constant (a_0)	- 388.78 (2668.17)	371.57 (1726.30)	4.24 (46.04)	- 8.29 (1036.30)	370.39 (1219.76)	369.62 (203.66)	1840.11 (4371.79)
Interval / Observations	Half Yearly / 19	Quarterly / 40	Monthly / 130	Half Yearly / 20	Quarterly / 40	Half Yearly / 18	Half Yearly / 16
Degrees of Freedom	18	39	129	19	39	17	15
R ²	0.28	0.12	0.14	0.31	0.11	0.34	0.29
Adjusted R ²	0.19	0.07	0.04	0.23	0.07	0.26	0.18
Durbin-Watson	1.79	2.29	1.68	2.25	2.03	2.36	1.14

Note: OLS regression coefficients, * $p < .10$, ** $p < .05$, *** $p < .01$ (two-tailed tests) with standard errors in parentheses. These models of best fit are estimated from tests of lags between 1 and 36 months, and are selected according to principal criteria of the maximum value of Adjusted R².

Policy interventions and risk in asylum policy

How did the British Government control, and prioritize, the designated activities of the Immigration and Nationality Directorate (IND) between 1994 and 2004? How did this relate to the concepts of risk, risk assessment and risk management? Studies use the method of time series intervention analysis (Box and Tiao 1975) for *post hoc* estimation of the effect of discrete interventions on a time series in the presence of a dependent noise structure. The general form of the Box-Tiao model implies that, in theory, a dependent series (P_t) consists of a transfer function (I_t) and noise component (N_t). In other words, it permits analysis to differentiate between deterministic and stochastic variations in a series. This is a recognized technique for testing the effect of policy interventions on levels of bureaucratic activity (Moe 1982; Bendor and Moe 1985, 1986; Wood 1988, 1991; Wood and Waterman 1991), unused in analysis of British Government. In order to detect the properties of the

noise component, analysis estimates an ARIMA model (Box and Jenkins 1970) to describe underlying stochastic trends or processes in the empirical data. The Box-Jenkins method is atheoretical in nature, since it does not consider causal relationships that generate stochastic variation. Instead, it performs a series of autocorrelation diagnostics to construct a model with autoregressive, integrated and moving average components of order p , d , q . This provides the stochastic benchmark against which to estimate the effect of interventions on the dependent series. The proposition of distinct categories of interventions enables the specification of a series of transfer functions ($^1I_{t-n}$, $^2I_{t-n}$... $^NI_{t-n}$) and estimation of their impact upon bureaucratic or policy outputs (P_t). The transfer function is represented as a binary variable (1,0). It specifies each intervention as a ‘step’ [permanent] or ‘pulse’ [temporary] input.¹¹ In this analysis, permanent effects of interventions are tested with step inputs. The dynamic response of the dependent output to interventions is, likewise, subject to different forms. For a detailed formal exposition of the model, see Box and Tiao (1975) or Hibbs (1977). It is, therefore, possible to express a model of dynamic responses of the level of asylum applications, decisions, grants, leave to remain, refusals and removals to specified interventions in the form:

$$P_t = \omega_o^1 I_{t-n} + \omega_o^2 I_{t-n} + \dots + \omega_o^N I_{t-n} + \frac{a_t}{(1 - \phi_1 B)} + \mu \quad (4)$$

Where ω_o is the weighting of each intervention at a lag of n months, a_t is white noise disturbances, ϕ_1 is an autoregressive noise parameter, B is the backshift operator such that $P_t = BP_{t-1}$ and μ is the mean. The results reported in Tables 5 and 6 exclude interventions that did not provoke a response from the dependent series; as the Box-Tiao technique is premised upon the systematic and iterative specification of a model that is parsimonious, yet consistent with a defined theory of causation.

¹¹ Similar to ambiguities associated with ‘near-integrated’ data (DeBoef and Granato 1997), it is conceivable that the limited duration of a time series might cause a pulse input to appear to be a step input.

Results

In order to construct a time series intervention model it is necessary to first postulate a causal theory of the effect of discrete interventions (I_t) on bureaucratic and policy outputs (P_t). The general categories of intervention that are considered in this analysis are derived from studies of bureaucratic control; adapted for the archetypical strategies, styles or configurations of policy intervention that – in theory – characterise the Westminster system. It is contended that the legislative and executive interventions listed below represent forms of political control and, therefore, potential sources of change in levels of bureaucratic activity.

- (1) popular election and formation of Cabinet government,
- (2) primary legislation in the form of acts of parliament,
- (3) secondary legislation in the form of statutory instruments,
- (4) appointments of
 - (i) ministers by the Prime Minister, or
 - (ii) senior civil servants by the Civil Service Commissioners,
- (5) imposition of performance targets or incentives,
- (6) budgetary appropriations, supply or expenditure,
- (7) alteration of administrative systems, rules, procedures or technologies,
and
- (8) legislative or [independent] statutory oversight.

This study first compiled a comprehensive index of dates of known interventions; acts of parliament, statutory instruments (such as changes in the ‘Immigration Rules’) political appointment of Secretary of State for the Home Department and public appointments of the Permanent Secretary of the Home Office and Director-General of the Immigration and Nationality Directorate (IND), the start date of particular fiscal years for the IND, imposition of performance targets on the Home Office, adjustments of border controls or technologies, and statutory acts of oversight by parliamentary select committees and independent agencies. That preliminary exercise recorded >150 interventions [including over 100 statutory instruments that related to asylum between 1994 and 2004] for six dependent outputs. Because this study is restricted to <150 observations and each intervention has a conceivable effect upon ≥ 1 outputs, the likelihood of spurious correlations is considerable if all interventions were tested. Indeed, that probability is increased, since estimation of this series of models permits a lag of up to two months for the impact of each intervention. In order to counteract these complications it is imperative to select interventions cautiously, and with some scepticism, as a potential determinant of policy or bureaucratic outputs. That is to say, interventions must be selected with reference to causal theory, while conclusions must be qualified as indicating statistical significance because it remains possible for contemporaneous events to provide an alternative explanation of change in the dependent series. These were each tested as discrete interventions to produce provisional results, prior to the construction of a model incorporating multiple interventions.

Border control

Since 1994, successive British Governments have sought to reduce the number of unfounded claims for asylum and – as a consequence – the level of asylum applications. The operation of border controls by government aimed, in particular, to pre-emptively inhibit false claims and counteract asylum shopping within the European Union.¹² This integrated ‘push’ and ‘pull’ logics of control: (1) border facilities and protocols, (2) search capacity and technologies, (3) immigration offences and penalties, and (4) welfare entitlements open to asylum claimants. These are premised upon theories about the causes of migration flows – and known uses and abuses of the asylum system. For instance, the imposition of visa requirements for specific third countries is claimed to prevent unfounded applications for asylum at source, through restricting access to the British asylum system. Indeed, this is dependent upon the assessment of risk for the imposition of restrictions upon particular groups. Similarly, coordination of juxtaposed border controls with other European Economic Area (EEA) countries, at Channel ports and Eurostar terminals, is considered a restraint to onshore applications for asylum. But which specific interventions cause a significant change in the level of asylum applications?

The reduced model, reported in Table 4, excludes interventions that relate to either political or public appointments, performance targets, budgetary expenditure and acts of oversight. There is no evidence that the tenure of particular individuals as Home Secretary, Permanent Secretary of the Home Office or Director-General of the IND had a significant impact upon the level of asylum applications. That is consistent with the conventions of collective responsibility of Cabinet Government and civil service impartiality. Similarly, the performance targets [‘Public Service Agreements’] set by HM Treasury’s Comprehensive Spending Review,¹³ in July 1998, 2000 and 2002, did not cause an immediate change in the level of applications. That is unsurprising, since targets sought an improvement in departmental performance over a two-year period. In addition, consecutive increases of approximately 100% in budgetary expenditure of the IND for the fiscal years 1999-2000 and 2000-2001 did not cause significant reductions in the level of applications for asylum. Nor did completion and publication of oversight investigations by Public Accounts, Home Affairs and Constitutional Affairs Committees, and National Audit Office. While that is in part attributable to the belated timing of these particular interventions, it is also consistent with the limited statutory powers of parliamentary and independent oversight under the Westminster system. This is, moreover, as should be expected for trends in asylum applications; since appointments, targets, budgetary expenditure and oversight in practice intercede adjustments in this output through other forms of legislative or bureaucratic action. The effects of such interventions are therefore unlikely to be captured by binary inputs.

Instead, specific interventions in bureaucratic operation of border controls effected change in the level of applications for asylum. First, introduction of visa

¹² The Dublin II Regulation (EC) No. 343/2003 stipulates that applications for asylum must be processed in the country of entry (or alternatively in a country where the applicant has existing ties).

¹³ Command Paper - Cm 4011. 14 July 1998. *Modern public services for Britain: investing in reform*. London: TSO.

requirements for Zimbabwean citizens [tabled in parliament as Statutory Instrument 2002 No. 2758] in November 2002 is correlated with a reduction in applications at the 95% confidence level. This is plausible – at least – since 7,655 applicants arrived in Britain from Zimbabwe in 2002; although the size of intervention, at approximately 1,200, is greater than would be expected, so might have been sustained by subsequent interventions. It is conceivable that the introduction of ‘non-suspensive appeals’ – under the Nationality, Immigration and Asylum Act in November 2002 – might have also contributed to that reduction. These accelerated the decision and removal process, designating countries as ‘generally safe’ where an application could be certified as ‘clearly unfounded’. This intervention is, therefore, premised upon estimations of risk for specific populations as potential, unfounded claimants to inhibit or expedite applications. Second, contiguous to this, the coincidence of several events in December 2002 and January 2003 – the closure of the Red Cross reception centre at Sangatte, increase in the Carriers’ Liability penalty from £2,000 to £4,000, introduction of visa requirements for Jamaican citizens, installation of detection technologies at Calais, and restriction of welfare entitlements administered by the National Asylum Support Service (NASS) to claims submitted ‘as soon as reasonably practicable’ [interpreted as constituting a period of three days] – reflected a concerted effort by British Government to reduce the total number of applications for asylum. If measured as a single intervention, this group of interventions is correlated with a drop in applications, significant at the 90% confidence level. Again, the imposition of visa requirements was based upon estimation of the risk of unfounded applications presented by a specific population, while search and detection technologies were a perceived solution to the policing of clandestine entrants.

This notwithstanding, ostensibly consequential events in border control proved insignificant as binary interventions [tested at the 90% confidence level]. For instance, this included the ‘Dublin Convention’, ‘Dublin II’, detection technologies installed at Coquelles, Vissingen, Ostend and Zeebrugge, juxtaposed immigration controls introduced at sea ports in Calais, Dunkirk, Boulogne and the Eurostar terminals in Paris, Lille, Calais and Brussels, introduction of the ‘civil penalty’ [carriers’ liability for transporting clandestine entrants into Britain] or other immigration-related offences, and the imposition of visa requirements for citizens of 22 different countries in June and October 2003.¹⁴ Nor is there evidence that earlier reforms of welfare entitlements for asylum claimants contributed to immediate downturns in the number of applications for asylum. These findings should, however, be tempered as indicating that interventions did not yield instant solutions, even if these did contribute to underlying trends in the level of applications; as captured by autoregressive [AR(1)] and integrated components [I(1)] in the estimated ARIMA model. Nonetheless, it is significant that the set of interventions that were correlated with changes in the level of policy outputs – without exception – corresponded to the manipulation of immigration controls, through forms of secondary legislation, bureaucratic facilities, technologies and procedures – with at least a partial reference to notions of risk.

¹⁴ Home Office. 15 October 2003. Tighter visa regimes to improve border control. Press Notice 280/2003.

Table 4. Effects of interventions on asylum applications

Independent variable	Y_t		
	Parameter	Date	Asylum applications
I_1	ω_{01}	11/2002	- 1242.31** (527.97)
I_2	ω_{02}	01/2003	- 603.87* (281.46)
Noise Components and Diagnostics			
ARIMA			(1,1,0)
Autoregressive (ϕ)			- 0.37*** (0.07)
Moving Average (θ) a_t			-
Mean (μ)			18.42 (39.53)
Sigma			551.45*** (30.33)

Note: OLS regression coefficients, * $p < .10$, ** $p < .05$, *** $p < .01$ (two-tailed tests) with standard errors in parentheses.

Where:

I_1 is an intervention in November 2002 that captures the effect of visa requirements for Zimbabwean citizens plus the introduction of non-suspensive appeals

I_2 is an intervention in January 2003 that captures the effect of closure of the Red Cross reception centre at Sangatte, France, introduction of search technologies in Calais, and visa requirements for Jamaican citizens.

Administration of the asylum system

Beyond this focus of British governments upon operation of border controls throughout the period between 1994 and 2004, was a similar degree of legislative and executive attention to administrative parameters guiding the determination of claims for asylum and the enforcement of removals of failed claimants. This entailed logics of bureaucratic control that were directed toward (1) rates of processing [completion of decisions], (2) actual outcomes of decisions [grants, leave to remain, refusals], (3) the quality of decisions [appeals submitted, upheld, dismissed], and (4) enforcement [removals]. Because of the limited availability of monthly or quarterly official statistics on outstanding cases and appeals this analysis is confined to estimation of the effect of policy interventions on decisions, grants, leave to remain, refusals and removals. It is also important to note that the operational integrity of the asylum system remains dependent upon the quantity and

quality of inputs [applications], just as control of the level of applications for asylum is subject to complex, exogenous forces.

Nonetheless, this was premised upon a hierarchical conception of the control of bureaucratic outputs, with prescribed administrative tasks designated to the specialized divisions of the IND; the Asylum Casework Directorate [decisions] and Immigration Service [removals].¹⁵ The legislative and executive interventions of British Government sought to direct and prioritize activities of bureaucrats in the IND, as well as to modify the rules relating to applications for asylum. Which particular interventions caused significant adjustments in determinations of claims for asylum and enforcement of removals of failed applicants? What are the principal determinants of the administrative performance of the IND in its execution of the government's policy on the right to asylum?

Similar to results for the level of asylum applications, the reduced models reported in Table 5 exclude interventions that relate to appointments, performance targets, budgetary expenditure and acts of oversight. The tenure of named individuals as the Home Secretary, Permanent Secretary of the Home Office and Director-General of the IND were each found to have an insignificant impact upon the level of the sub-categories of decisions and removals, if estimated as a step transfer function. Nor did election of the Blair Government in May 1997 stimulate an immediate response in the level of bureaucratic activities related to the determination of applications for asylum. As a result, there is no evidence of agency 'autopilot', given absence of a direct, equilibrating response in performance of the IND to the turnover of its elected and unelected principals. Once again, this is consistent with defining tenets of the Westminster system – the collective responsibility of Cabinet and impartiality of the British civil service. For this configuration of principal-agent relations, it is perhaps improbable that interventions would consist of this abrupt, binary form. It remains conceivable, of course, that tacit forms of political control of bureaucratic outputs were circumscribed by international treaties or concordats governing the treatment of asylum seekers.

That conjecture notwithstanding, more direct forms of political control were also discovered to have an insignificant impact as binary interventions upon the activities of the IND. Public Service Agreements imposed under the Comprehensive Spending Review in July 1998, 2000 and 2002 did not cause an adjustment in levels of decisions, grants, leave to remain, refusals or removals. Where the activation date of service agreements in January 1999, 2001 and 2003 is instead used as the date of intervention, the second round of targets is discovered to correspond to a significant escalation in the processing activities of the IND. However, it is doubtful that this elicited a direct response in the level of outputs, since it also coincided with its abandonment of the Casework Programme – a failed £100m Private Finance Initiative IT project launched in 1996, that had distracted and destabilized the casework operations of the IND – and a peak in the number of caseworkers processing applications, at 769, in February 2001. Nor is there substantive evidence that increases in the budget of the IND, for the fiscal years commencing April 1999 and 2000, or the publication of investigations into operation of border controls and administration of the asylum system by Public

¹⁵ The IND also has fixed rate contracts with private firms for the in-country and overseas movement and escort of detained immigration offenders.

Accounts, Home Affairs and Constitutional Affairs Committees, and National Audit Office, impacted directly upon levels of bureaucratic activity. In chronological order, results are now presented for interventions that caused a significant adjustment in one or more of the dependent outputs.

Intervention 1. In December 1998, as part of the fallout from the problems with the Casework Programme, there was disruption to processing activities at IND headquarters due to reorganization of casework activities into the Integrated Casework Directorate (ICD), with a streamlined system of team-based casework. The resumption of normal activities at the end of this transitional period, in April 1999, is found to be correlated to a significant increase in the number of grants of asylum. It is unclear why there are no similar effects for other categories. While this intervention transpired at the same time as publication of the National Audit Office report into failure of the Casework Programme and an increase of over 100% in the budget assigned to the IND for the fiscal year, it is unlikely that these impacted directly upon the level of grants. In particular, the deployment of extra caseworkers supported by this funding would have been lagged by requirements of recruitment and training.

Interventions 2, 3 and 4. In the months after the Immigration and Asylum Act of December 1999, there are a cluster of significant increases in the processing activities of the IND. These are attributable as a response of the IND to the legislation itself and installation of additional fast-track capabilities in the asylum system for the determination of claims. However, there is countervailing evidence of bureaucratic autopilot, since this consisted of underlying increases in authorizations of leave to remain under ‘backlog criteria’¹⁶ and refusals on grounds of technical non-compliance,¹⁷ with no public record of corresponding amendments of the rules and directives under which decisions were made. That is either in the formal provisions of the legislation or instructions from elected or unelected principals. While the opening of a fast-track detention centre at Oakington accelerated the process of refusals for ‘safe third countries’ where claims were certified as ‘manifestly unfounded’ by the Home Secretary, it remains implausible that this contributed to more than a fraction of this increase in refusals. That is given both the size of increase and the holding capacity of Oakington.¹⁸ Similarly, it is unlikely that coincidental publication of the report of the Public Accounts Committee stimulated the direct response of those bureaucratic outputs in question.

Interventions 5 and 6. The introduction of formal regulations for the ‘one-stop procedure’ of appeals by statutory instrument in October 2000, subject to the provisions of the Immigration and Asylum Act 1999, is significantly correlated with increases in the levels of decisions, leave to remain and refusals (at a lag of one or two months). The procedure required applicants to submit a statement of

¹⁶ These were reported in the official statistics as ‘cases decided under pragmatic measures aimed at reducing the pre ’96 asylum backlog’.

¹⁷ Under Paragraph 340 of the Immigration Rules, non-compliance constitutes ‘[a] failure, without reasonable explanation, to make a prompt and full disclosure of material facts, either orally or in writing, or otherwise to assist the Secretary of State in establishing the facts of the case may lead to refusal of an asylum application or a human rights claim’. In practice, this includes the failure to attend an interview or report to be fingerprinted and failure to return or late return of the self-completion Statement of Evidence (SEF) or other questionnaires.

¹⁸ This aimed to make an initial decision within 7 to 10 days. In 2002, a decision was made on 7,775 applicants held at Oakington. Of these, 99% were refused.

additional grounds for wishing to enter or remain in Britain as early as possible in the course of their application. This streamlined and accelerated processing of claims by the IND, requiring information relevant to each case to be considered as part of an initial decision. It is therefore noticeable that the level of grants was insulated from effects of the one-stop procedure, in contrast to the response of the other categories.

Interventions 7 and 8. In February and March 2001, there were increases – significant at the 99% confidence level – in the number of cases decided by the IND [decisions, grants, leave to remain and refusals]. This coincided with its abandonment of the beleaguered Casework Programme, which had distracted casework operations since its inception in April 1996. The IND had, though, processed applications using the Case Information Database (CID) added to manual procedures from April 2000. Because of this, it is not clear that cancellation of the project was a direct cause of this upturn in bureaucratic activities. Similarly, it is implausible that a high in numbers of caseworkers deployed on applications caused more than a fraction of this increase in decisions, since the growth in bureaucratic personnel was incremental. The inference might, instead, be that – through a form of autopilot – this emblematic refocusing of casework operations within the IND stimulated the increase in the level of the dependent outputs. Indeed, it remains conceivable that the irreversible sinking of this imagined solution to backlogs that had afflicted the IND throughout the 1990s was the cause of the response of rates of processing; rather than the activation of performance targets under the second round of Public Service Agreements or publication of the report of the Home Affairs Committee investigation into border controls [each in January 2001].

Intervention 9. On 1 April 2003, the Home Office abolished the category of ‘extraordinary leave to remain’ and replaced it with categories of ‘humanitarian protection’ and ‘discretionary leave’. This change in bureaucratic criteria is correlated at the 99% confidence level with a reduction in the level of this re-constituted classification of short-term protection. The launch of operations of the Eurodac fingerprint database in January 2003, pursuant to provisions of an earlier directive of the Council of the EU, is contemporaneous to this intervention. Because there were no corresponding adjustments in the other dependent outputs – such as grants or refusals – it is unlikely that Eurodac precipitated this drop in the number of authorizations of short-term protection.

Interventions 10 and 11. The implementation of waves 2 and 3 of ‘non-suspensive appeals’ in April and July 2003, via statutory instruments subject to the provisions of the Nationality, Immigration and Asylum Act 2002, is correlated at the 95% confidence level with an increase in the level of removals. This procedure of non-suspensive appeals permits applications to be certified by the Home Secretary as ‘clearly unfounded’, for [designated] safe third countries where the applicant is considered ‘at no serious risk of persecution’. It therefore removes the in-country right of appeal. While this coincided with introduction of fast-track procedures at Harmondsworth and publication of a final report of the Home Affairs Select Committee investigation into asylum removals, congruence in the impact of these equivalent, discrete interventions suggests that non-suspensive appeals were the principal cause of the escalation in bureaucratic enforcement of removals. It is

noticeable that these interventions represent the exception in pertaining to ‘risk’ as an organizing concept for the administration of asylum.

Similar to the findings for border control, a number of adjustments in administration of the asylum system that are considered of note in fact proved insignificant as binary interventions, as tested at the 90% confidence level. For instance, this included the Dublin I and Dublin II conventions, introduction and abolition of the accelerated appeals procedure for the designated ‘white list’ of third countries – where there was ‘... in general, no serious risk of persecution’, the lifting of a ban on returns of failed applicants to Zimbabwe, opening of specific detention or removal centres (plus disruption to holding and processing facilities caused by disturbances at particular sites), and end of removals to accession countries after expansion of the European Union in 2004. In practice, the likelihood is that many of these interventions had gradual or residual effects that were not captured by the specification of time series impact models with step transfer functions. Because of the autoregressive and stochastic nature of the dependent outputs, it is sometimes difficult to extract the precise, immediate degree of their importance.

Discussion

The British public appears to notice, and respond to, actual bureaucratic and policy outputs related to the government’s control and administration of asylum, but not the level of immigration. Because the measure of public opinion that is used in this analysis indicates the importance of the issue of asylum and immigration, relative to other issues, it is conceivable that its underlying preference for ‘more’ or ‘less’ is quite stable. This might also be the case for public perception of risk. If that is so, adjustments in public opinion reveal change in the intensity of preferences. In either case, the responsiveness of the public thermostat reflects an attentiveness to the performance of the British Government. This evidence implies that the median point in the aggregate distribution of public attitudes adjusts in response to actual bureaucratic and policy outputs. Of course, it is known that the mass media exerts a significant agenda-setting influence (see Iyengar and Kinder 1987; Zaller 1992; Baumgartner and Jones 1993) and moderates public opinion. There is evidence of determination of public attitudes about immigration and asylum by media exposure (Duffy and Rowden 2005). However, it remains notable that the public is sensitive in a meaningful way to real changes in border control and the administration of asylum. While it might be issue importance – and not the relative preference for more or less – that is responsive to change in bureaucratic and policy outputs, it remains significant that this adopted measure of public opinion is systematic and consistent in its behaviour, regardless of the accuracy or balance of media reporting.

In return, individual bureaucratic and policy outputs for the asylum system are responsive to changes in public opinion. The levels of applications, decisions, leave to remain, refusals and removals seem responsive to changes in issue importance. There is no equivalent adjustment in the levels of grants of asylum or other forms of immigration in response to the identical changes in issue importance. These findings reveal that dynamics of public responsiveness and policy responsiveness are symmetrical in differences between asylum and immigration. In other words, unresponsiveness of public opinion to the level of immigration is matched by corre-

Table 5. Effects of interventions on asylum administration

Independent variable	Y_t						
	Parameter	Date	Decisions	Grants	Asylum Leave to remain	Refusals	Removals ¹⁹
I_1	ω_{01}	04/1999	-	565.69*** (162.24)	-	-	-
I_2	ω_{02}	01/2000	3381.32*** (654.12)	-	-	2360.05*** (599.88)	-
I_3	ω_{03}	02/2000	-	359.80** (150.71)	-	-	-
I_4	ω_{04}	03/2000	4569.41*** (914.08)	-	1056.26*** (216.89)	2382.91*** (423.35)	-
I_5	ω_{05}	11/2000	4404.58** (816.47)	-	-	2526.28*** (634.74)	-
I_6	ω_{06}	12/2000	-	-	701.02*** (129.16)	-	-
I_7	ω_{07}	02/2001	2945.81*** (990.54)	-	1203.11*** (145.61)	2524.94*** (763.74)	-
I_8	ω_{08}	03/2001	-	1075.91*** (145.13)	-	-	-
I_9	ω_{09}	03/2003	-	-	-727.92*** (201.77)	-	-
I_{10}	ω_{010}	04/2003	-	-	-	-	150.70** (60.14)
I_{11}	ω_{011}	07/2003	-	-	-	-	133.54** (51.46)
Noise components and diagnostics							
ARIMA (p,d,q)			(1,1,0)	(1,1,1)	(1,1,0)	(1,1,0)	(2,1,0)
Autoregressive (ϕ)			- 0.54*** (0.03)	- 0.51*** (0.13)	- 0.56*** (0.03)	- 0.49*** (0.03)	L ₁ - 0.58*** (0.07) L ₂ - 0.32*** (0.09)
Moving Average (θ)			-	0.84*** (0.11)	-	-	-
Mean (μ)			- 110.99 (89.87)	- 15.18 (32.19)	- 16.81 (15.80)	- 69.24 (79.62)	5.39 (4.13)
Sigma			1198.58*** (43.62)	261.54*** (11.27)	246.47*** (10.45)	927.65*** (34.68)	75.33*** (5.55)

Note: OLS regression coefficients, * $p < .10$, ** $p < .05$, *** $p < .01$ (two-tailed tests) with standard errors in parentheses.

¹⁹ The removals category does not include the ‘voluntary assisted returns program’ (VARP) started in February 1999, so underestimates the outputs of the system.

Where:

I₁ is an intervention in April 1999 that captures the effect of completion of transition of organization of the IND to Integrated Caseworking and start of fiscal year 1999-2000.

I₂ is an intervention in January 2000 that captures the effect of the *Immigration and Asylum Act 1999* and a surge in the number of authorizations of leave to remain under ‘backlog criteria’ and refusals on the grounds of technical non-compliance, and I₃ and I₄ are interventions in March 2000 and April 2000 that also captures the effect of that surge.

I₅ and I₆ are interventions in November 2000 and December 2000 that capture the effect of introduction of the “one stop procedure” for an accelerated decision process,

I₇ and I₈ are interventions in February 2001 and March 2001 that capture the effect of abandonment of the “Casework Programme” by the Home Office and Siemens, opting instead for use of the Case Information Database database.

I₉ is an intervention in March 2003 that captures the effect of abolition of the category of ‘Extraordinary leave to remain’ and its replacement with ‘Humanitarian protection’ and ‘Discretionary leave’.

I₁₀ and I₁₁ are interventions in April 2003 and July 2003 that capture the effect of introduction of non-suspensive appeals wave 2 (Albania, Bulgaria, Jamaica, Macedonia, Moldova, Romania and Serbia/Montenegro) and wave 3 (Bangladesh, Bolivia, Brazil, Ecuador, South Africa, Sri Lanka and Ukraine).

sponding unresponsiveness of policymakers to changes in public opinion. The evidence on the relationship between policy and public opinion is consistent with the conceptualization of a thermostatic system (Wlezien 1995, 1996, 2004), whereas the interrupted nature of policy interventions is nearer to models of punctuated equilibrium (Baumgartner and Jones 1991, 1993; Jones and Baumgartner 2005). Those interventions that impacted upon the total number of decisions were dependent upon underlying changes in the levels of leave to remain and refusals. In the British Government’s operation of border controls, each of the significant policy interventions was – in part – premised upon the concept of risk and directed towards its mitigation. The administration of applications for asylum was, instead, reliant upon technological and bureaucratic solutions. These findings could be an artefact of the use of binary, ‘step’ inputs to model the effects of interventions. It remains quite noticeable that risk and responsiveness co-existed in this particular sphere of political and administrative action.

In testimony to the Home Affairs Select Committee on 23 May 2006, the recently appointed Home Secretary, John Reid, described the asylum system as being ‘not fit for purpose’, and ‘... in a state of transition from a paper-based system that was not designed for the problems we are facing, towards a technologically-based system that seems to be on an horizon that never gets any nearer’.²⁰ Evidence from the estimation of time series intervention models suggests that, throughout the past decade, the British Government nevertheless calibrated designated activities of the Immigration and Nationality Directorate via a succession of strategic interventions.

²⁰ Rt. Hon. John Reid, Home Secretary, Oral evidence, Home Affairs Committee, 23 May 2006 [HC 775-ix].

A few of these related to ‘risk’ as an organizing concept, but most were configured through the mobilization of bureaucratic capabilities. The political control of bureaucratic and policy outputs was secured through the legal or technical adjustments of administrative rules, procedures and technologies, in addition to the perceptible autopilot responses of caseworkers. These included the reorganization of bureaucratic activities (e.g. integrated casework), accelerated/streamlined processes (e.g. the one-stop procedure, non-suspensive appeals), revision of administrative criteria (e.g. the abolition of ‘extraordinary leave to remain’) and unprompted – if the public record is to be believed – modification of the number of cases determined under discretionary criteria (e.g. increases in leave to remain decided under backlog criteria and refusals on grounds of non-compliance). Indeed, a temporary retreat to paper-based methods in the aftermath of the debacle of the Casework Programme is correlated with direct improvements in bureaucratic performance.

Conclusion

The preceding empirical evidence suggests that – at the aggregate level – the British public notice and respond to change in different outputs linked to asylum policy, but not other forms of immigration. In response, government is inclined to adjust the corresponding bureaucratic and policy outputs in order to ease public anxiety and concern. It monitors and controls the number of entrants to the asylum system, accelerates the rate of casework of the Immigration and Nationality Directorate, adjusts the number of rulings of leave to remain or refusals, and modifies its enforcement of removal of failed applicants. The level of bureaucratic and policy outputs functions as a valve that releases the pressure exerted by public opinion. This consists of strategic interventions by the British Government – in the form of legislative or technical adjustments of administrative rules, procedures and technologies – to control the designated activities of bureaucrats. These were often enabled by the specific provisions of preceding acts of parliament. At the same time, there were perceptible autopilot responses in the activities of caseworkers, which appear to have been independent of interventions of government. The evidence implies existence of a confounding ‘wisdom of crowds’ for this politicized and controversial issue, since it reveals that public opinion responds with surprising precision to the actual performance of the asylum system. The absence of responsiveness of immigration is symmetrical with the public’s insensitivity to changes in actual policy outputs. It is not possible, in either instance, to discount the possibility that changes in issue importance do not correspond to changes in the public’s preference for more or less asylum claimants or immigrants. This itself is an important qualifier, since it suggests that issue importance might sometimes be thermostatic. In return, the responsiveness of the British Government is dependent upon its control of the bureaucracy, for securing change in bureaucratic and policy outputs. The government’s achievement of an effective, and proportionate, response to public opinion is dependent upon a complex system of administrative rules, technologies and agencies. This reveals an ambiguous relationship between risk and responsiveness – but also the dependence upon logics and technologies of control that illustrates the modern state’s disposition towards monitoring and measurement (Scott 1998). In light of all this, it is remarkable that actual policy outputs were as sensitive as they were to public opinion.

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