

## **SHARED PROTECTIONS, SHARED VALUES: NEXT STEPS ON MIGRATION**

**RT HON JACQUI SMITH MP, HOME SECRETARY, 5 DECEMBER 2007**

### **1. Introduction**

Good afternoon, everyone. I'm delighted to have been invited by the Migration Studies Unit to share my thoughts with you on one of the most sensitive questions facing Britain today.

Immigration has always been an issue of public interest. In recent years, it has become accepted as a key factor in our economic growth, but at the same time it has led to greater representations about how public services are resourced.

It sits high on the list of concerns voiced by the public. It fires the imagination of headline writers. More broadly, it is now central to renewed debates about the future of Britain and Britishness.

For all its undoubted benefits, the increased flow of migration that the UK and other countries have experienced has brought with it important challenges. These challenges are as much about the speed of the change that local communities have seen, as about the extent of the change.

As I will argue today, when it comes to immigration, it is never simply a question of numbers. Rather, it is about understanding the context in which immigration contributes to our economy, our society and our culture. For government, it is about learning from these experiences to provide a coherent and trusted response.

This is a delicate debate – one that has shown itself all too vulnerable to exploitation for political ends. But that should not prevent us from engaging in it at all.

So today I would like to set out how I believe the benefits of migration – benefits that we all share in – should be underpinned by the robustness of the systems that we have in place to regulate it, and by the expectations we have of those who come to Britain to work, to live, and to build a better life for themselves.

## 2. The benefits of migration

I would like to say in passing that I'm particularly pleased to be at the LSE for this purpose today. As a world-renowned institution, you know at first hand the richness that comes from attracting the best and the brightest to your doors.

With your strong tradition of understanding the political implications of economic thinking, you are also alive to the different levels on which evidence is based and the arguments played out on the issue of immigration – from the purity of the macro-economic case for migration through to the social and cultural sensitivities that we cannot ignore.

Every other week – work permitting – I sit with my family in another historic arena, another world-renowned institution that very visibly understands the benefits of international migration.

The Doug Ellis Stand, Villa Park. And last Saturday, a full house of 42000 people watched Arsenal's foreign legion – their only English player came on as a sub after an hour – scrape a win against a home team featuring 6 British players.

I'm not sure of the precise lessons about migration policy to be drawn from the match itself. It's probably safe to say that those 42000 fans – along with the millions of others watching the match across the UK and across the globe – weren't too concerned about where the players came from, just whether their team was going to win or not.

But I mention it because while the predominance of foreign players in the Premiership is not, in itself, a compelling case for how comfortable we have become as a country with diversity, it is an important signal of how readily people are prepared to accept and embrace change when they understand its advantages.

It's no accident, I think, that we've seen the British experience of migration taken up by some of the most energetic and powerful works of recent fiction. Scanning the shelves of the local bookshop, you'll find Monica Ali's *Brick Lane*, Andrea Levy's *Small Island*, and *A Short History of Tractors in Ukrainian* by Marina Lewycka.

These very different writers have discovered in the stories of human difference a fertile seam of humour and sadness, anger and irony, frustration and enlightenment. As another bestselling author, Bill Clinton, once said, it's the differences between us that make life interesting.

And over in the current affairs section, just past the DVDs of the *Who Do You Think You Are?* TV series, there's a host of titles that point to our fascination about who we are as a nation, and where we come from.

From the *The Tribes of Britain* by David Miles, to the polemic of AA Gill's *Angry Island*, and the passion of Billy Bragg's *The Progressive Patriot* – writers across the political spectrum are engaging with the concept of Britishness, and its relevance in today's cosmopolitan society.

There is, for me, something very satisfying in this urge to understand the byways just as much as the highways of British history – and something very warming about our centuries-old ability to pool our diversity, to share a common space.

In international terms, of course, the UK is not alone. In fact, we have lower levels of foreign-born nationals as a proportion of our total population than France, Germany or the US.

Nor is this anything new. Our islands – as any of these books will tell you – have always been subject to flows of migration. Our history, both ancient and modern, is rich with examples of how economic growth has been supported and even secured through migrant labour.

Today, migrant workers are filling skills shortages and meeting labour market demands. They are supporting public services by working in the NHS. They are creating new businesses and jobs.

And the net fiscal contribution they are making is comparatively stronger than those born in the UK. Last year, immigration contributed roughly £6bn to GDP growth. If net migration ceased, our growth rate would be cut by 0.5% over the next two years.

### 3. Listening and responding

That said, I believe there is something new in the concerns now being felt. It is finding a voice in anecdotes, in urban myths, in daily media accounts that I fear can sometimes reinforce anxieties as much as report them.

Tall tales about poaching carp from ponds, overcrowding in churches, a shortage of £50 notes – tongue firmly in cheek, *The Guardian* recently ran a summary of this phenomenon, under the title ‘Got A Problem? Just blame it on the eastern Europeans!’

What I do take seriously is the danger that these stories could create a new consensus – one that rejects the economic benefits of migration because these cannot be readily separated out from the social change that accompanies it.

And it concerns me precisely because the arguments we are currently making in support of migration do not necessarily empathise with the real and direct experience that communities across the country are now feeling. Many of them are seeing change on quite a dramatic scale, over quite a short period – and many of them are experiencing this for the first time.

This is not, ultimately, a debate about the rights and wrongs of migration. An appeal to the macro-economic purity of 0.5% of GDP will never be the clinching argument on the doorsteps of my Redditch constituency.

For communities and individuals now feeling insecurity and uncertainty, we need to find a way to communicate the benefits of migration – at the same time as showing greater understanding of how people are coping with change in their daily lives.

We need to engage with much more sensitivity, and in terms that make sense to people. That means taking on board rather than wishing away concerns about the changes – the disruption, even – that immigration can bring.

We all know that change can be unsettling. In responding to the pressures that can be felt by local communities and local services, it is the job of a modern, progressive government to demonstrate that we are managing this change to the benefit of the UK.

And that also means that we should not deny the global changes that will impact on all of us, nor try to convince people it is possible, or even desirable, to seal our country off against migration flows.

If there are legitimate concerns about the impact of migration on certain communities, and if these views are widespread, then we as a government need to listen and take action.

That's why Hazel Blears and I set up the Migration Impacts Forum, now gathering evidence about the effects of immigration on the provision of public services to local communities. And it's why Immigration Minister Liam Byrne has spent time since the summer criss-crossing the country to run listening events that get people's views on migration and citizenship at first hand.

#### **4. Shared protections**

We know that people's confidence in migration policy is tied closely to their faith in the systems that protect our borders and uphold our laws.

I'm under no illusions that we need to earn that faith, by delivering a migration system that is managed robustly and provides high levels of protection – for individuals, for the country, and ultimately, for the values that we share.

In 1994, the decision to start removing embarkation controls failed to look ahead to the border problems we now face. It has been important to put new protections in the place of these controls.

People are concerned that our border should be secure. That boils down to knowing who's coming in and who's leaving, and knowing that those who threaten our security or who are a known risk will not be allowed to enter.

Over the last 18 months we've acted on that concern, with a concerted effort to deliver structures and procedures that will secure our border and regulate entry:

- We've just signed the e-borders contract – a robust system that will count everyone in and out of Britain, ensuring that we know who is here, who should be allowed and who refused.
- Travellers by train, plane and boat will be checked against police, customs and immigration watch lists.
- A pilot scheme has caught more than 1400 criminals, flagging people wanted for murder and rape as well as those guilty of identity fraud. This is tangible proof of how we are making our borders and our communities safer.
- In 18 months' time, all high risk routes to the UK will be covered, and half of all journeys by foreign nationals coming here.
- Alongside e-borders, we've reformed our approach to visas. By April, anyone applying for a visa will have their fingerprints taken.
- And we're exporting our border – basing staff overseas to do extra checks that stop illegal immigrants before they travel.

The next step we're taking is the creation of a single UK Border Agency – a much more visible and effective force at our ports of entry and overseas:

- dealing with people and freight, to build greater reassurance in the travelling public;
- streamlining the checks that travellers have to go through; and
- working closely with the police on organised crime and counter-terrorism.

As well as securing the border to prevent abuse, people are concerned that we manage migration for the benefit of the UK. So we are now putting more stringent tests in place for those who want to come here to work and study.

To get control over the machinery, wholesale reform has been necessary. Instead of the 80 or so routes to enter the UK, all with different requirements, from now on we'll have a single points-based system. This will start to go live in the next few months, setting out explicitly the skills we want to attract to the UK and the conditions that people will have to meet before they can come.

Five levels or 'tiers' will cover the different categories of skills for potential immigrants from beyond the EEA, with clear criteria set for who we need to come here and who we don't.

Tier 1 is for highly skilled migrants, whose qualities and experience equip them to set up new businesses or work in highly specialised fields. Tier 2 will be for skilled workers to fill jobs where there is a shortage of resident workers, in areas like engineering, IT, and education.

Tier 3 covers low-skilled workers, and the flexibility of the system is shown by the fact that we have already taken the decision to suspend this level because we believe EU migration is providing the workers our labour market needs in this respect. Tier 4 will be for international students, who bring such benefits to the UK, and Tier 5 for temporary workers.

The Points Based System will be responsive to our needs. To ensure we have the right controls in place and that we know what gaps in the labour market we may need to fill in the future, the independent Migration Advisory Committee – chaired by the LSE's Professor of Industrial Relations David Metcalf – will identify specific sectors and occupations where shortages exist.

The advice of David's Committee will help us to decide which skills should be given points, and which should not, so that we can control labour migration more tightly. And the Committee will study the progress being made to equip British workers with the skills they need to face the challenges of the future, so that we can adjust the system to take account of growth in our skills base.

Today I am publishing the detailed Statement of Intent on how Tier 1 will work, once it starts in March next year. It will replace eight immigration routes for entrepreneurs and business leaders, and means that to qualify for entry all applicants will have to score points based on their skills, qualifications, proficiency in English, financial status and compliance with the law.

The single Border Agency, the single Points Based System – both show how we have reformed the machinery of migration to ensure that we police and manage the system in the interests of the UK.

The next stage is to tackle the complexity of immigration law – basically, the 1971 Immigration Act plus ten subsequent Acts laid

on top that have been necessary to fill gaps and strengthen our defences.

Now, I well know that immigration simplification is an unlikely rallying call. Some might even call it a contradiction in terms. But consolidating these provisions will allow us to clean up a sprawling legal framework of rules, conditions, guidance and concessions.

That complexity can reduce the efficiency of decision-making. It can lead to delays and the risk of mistakes. It can make enforcement of refusals and deportation more difficult, by increasing the likelihood of protracted legal challenge.

Our changes will make the law more straightforward for all its users – and will support greater public confidence in the overall effectiveness of the system.

Our changes will deliver quicker and easier decision-making, and greater transparency in processes and likely outcomes. And they will minimise the requirement for discretion – when trust is so crucial, it is important to have clear rules for all, and not thousands of pages of quasi-legal guidance just to make a single decision.

Simplification of the law; e-borders; biometric visas; the Border Agency; the Points Based System; and, from next year, ID cards for foreign nationals. This is the greatest package of sustained and coherent immigration reform ever undertaken in the UK.

It's been necessary, occasionally thankless, work. But it will make a marked and compelling difference to how we manage our border in the future, and will give us a system that is better, fairer, and easier to enforce.

## **5. Shared values**

I don't expect any of this to capture the imagination of the British people. Nor should it – I think people quite rightly expect the systems we have in place to work, and to work in Britain's favour.

And they do, of course, care very strongly indeed that the system is clear about who is allowed to enter the UK; that we apply the right tests fairly; and that we enforce the law robustly.

The infrastructure we now have will take us some way towards meeting these expectations – making our border not just secure, but trusted.

And the time is now right to think clearly about the goals we want that machinery to serve. I believe we now need to go further, to enshrine in our approach to migration a greater sense of the shared protections and shared values that should be a necessary condition of citizenship.

The draft Bill we publish in this parliamentary session will set out the next steps on reform in this area. Ahead of that, I want to give some examples of the areas we are looking at.

As Liam Byrne has found on his listening tour, the use of the English language and observance of the law are among the most widely held concerns that people have when asked about migration and citizenship.

If people want to come and live in the UK, I think it is fair that we spell out clearly the obligations they should accept and values they should share.

We expect them to play a full part in the life of their communities and to participate fully in British life. Speaking English is an important element of this.

We already require migrants who want to settle here or become British citizens to pass tests in English and on their Knowledge of Life in the UK. Under Tiers 1 and 2 of the Points Based System, skilled migrant workers will have to demonstrate an acceptable level of English.

This is not a demand made on spurious grounds. We recognise the value to migrants of being able to make their way in the UK, to integrate with local communities, and to protect themselves from exploitation. Fluency in English increases a migrant's chances of being employed by a fifth and has a similar impact on earnings.

And today I am publishing, for consultation, proposals that would require spouses applying for leave to enter the UK with the

intention of settling here to demonstrate knowledge of English before arrival.

Last year, nearly 50,000 people were admitted to the UK as a spouse or fiancé. I believe it is fair that we should now set out our expectation that they are able to speak English before they come here.

This is an important next step to aid the integration of migrant spouses, from the earliest possible stage. It will improve their employment prospects and the contribution they make to society. And it will prepare them for the tests they will need to pass if they wish to settle in the UK.

If we expect immigrants coming here in search of a better life to contribute to society and learn English, we should also expect them to comply with the law of the land.

There's no doubt that most foreign nationals abide by the rules. But there is a small and worrying minority who do commit crime and do abuse our hospitality. 15% of the UK prison population is made up of foreign nationals, more than two-thirds of those from outside the EEA.

We are already clear that those who commit serious crimes forfeit the right to be here, and should be deported. The UK Borders Act has strengthened the law, and will ensure that the vast majority of foreign nationals from outside the EU who commit serious crimes will face automatic deportation and be required to mount any appeal from abroad.

And we are working within the EU to ensure that we constantly look at the balance between the right of free movement and behaviour that threatens our security.

The freedom to work and live anywhere in the 27 member states is one of the outstanding benefits that EU membership brings – as testified by the millions of Brits abroad. But freedom of movement is not an unfettered right.

Last year we deported over 350 people from EEA countries for serious crimes. We have extradited more than 500 under the fast-track European Arrest Warrant and will be removing the need for

the consent of prisoners before transferring them home to serve their sentence.

There is more that we can do at EU level to build a common approach to removing EEA nationals where lower level crimes are committed or where people are seeking to take unfair advantage of the right of free movement.

And there is more we can do at home, to look at how we treat those who wish to become British citizens, and how we take greater account of any past criminal record in deciding on their eligibility.

In the next step towards this aim, I am now tightening the criteria for British citizenship. This will abolish the long-standing 'clear period' policy that can allow foreign nationals with unspent convictions to still become British.

From 1 January, applicants will normally be refused citizenship on 'good character' grounds if they have a criminal conviction that is unspent. At the moment, somewhere in those thousands of pages of provisions, a convicted murderer can become a British citizen after 20 years' good behaviour.

British citizenship is a privilege. We all recognise it as such. We understand the rights it confers and the obligations it requires of us.

The next few months will see us set out a clearer path to citizenship, with tougher thresholds to meet along the way, on professional skills, language ability and personal behaviour.

## **6. Protecting the vulnerable**

Alongside the action we will take to support shared protections and shared values for all British citizens – wherever they may come from – we must also find a ready space for those who are vulnerable and exploited. We will remain a haven for the oppressed and those legitimately seeking asylum and the security of our care.

It is clearly right that we should allow British citizens to be joined by their partners from overseas, and that our system should allow family formation.

To answer concerns that no-one should be pressurised into forced marriage by being made to sponsor a marriage visa against their will, I am today publishing our plans to tighten immigration rules in this area.

Under these proposals, the age at which a person can sponsor or be sponsored to come to the UK for marriage would be raised from 18 to 21. The intention to sponsor a partner from overseas will need to be declared before they travel, and sponsors who felt pressurised will also have the opportunity to provide a confidential statement. We will also do more for abandoned spouses, including revoking permission to be here for those who have exploited the marriage route to stay here.

## **7. Conclusion**

By way of conclusion, I want to return to one of the books I plucked from the shelf earlier on.

In *The Progressive Patriot*, Billy Bragg calls for a living, lively public debate about what we mean by British values and how a multicultural Britain can more fully reflect and express its diversity:

“Most people,” he writes, “assume that ‘Britishness’ is a mixture of fairness, tolerance and, above all, decency, and are dismayed when they see their fellow Britons – be they politicians or foul-mouthed louts – failing to live up to these standards...If we are to convince the people of Barking and Dagenham that the rights of the indigenous majority are protected, while at the same time presenting new would-be citizens with something tangible to work towards...then we have to ensure that traditional British values are based on something more than the assumptions of Middle England.”

I welcome these words, for the importance they attach to the expectations we should have of ourselves, as well as those that we place on others.

While I, as a Worcester woman, might take issue with the Bard of Barking on the dangers of Middle England's assumptions – these are no bad thing, let me tell you – I think Billy is right to focus on the need to communicate a story that will resonate with all our citizens.

And for me, that means that by sharing protections and sharing values in the ways I have outlined today, we can continue to celebrate difference, and do so with a tolerance, fairness and broad-mindedness that is uniquely British.

Thank you.