

## **F16 A Fair Deal for Everyone: Prosperity and Dignity in Migration (Immigration and Identity Policy Paper)**

*Federal Policy Committee*

Mover: Rt Hon Sir Ed Davey MP (Spokesperson on Home Affairs).

Summation: Thais Portilho (Vice Chair, Policy Working Group).

Conference celebrates the positive impact migration has had on the United Kingdom – its culture, economy and standing in the world – throughout history.

Conference rejects the Government's hostile language and policies towards migrants that have demonised them and have wrongly portrayed them as responsible for problems caused by the failure of successive Governments like the housing crisis, low wages and the lack of social cohesion in too many communities.

Conference believes that:

- I. Liberal Democrats should continue to champion migration policies that benefit the United Kingdom, treat migrants and seekers of sanctuary with dignity and courtesy and address the issues which affect social cohesion, including the prevalence of low wages and the shortage of affordable homes.
- II. Our goal should be a positive, liberal consensus on immigration, through a generally acceptable and fully enforced policy meeting international standards, which will allow families to be reunited, students to study here, those with skills to offer to work here, and seekers of sanctuary to be protected and integrated.

Conference further believes that Conservative immigration policies have failed even in their own terms and have broken the Home Office and the UK's immigration system by:

- A. Pursuing their ill-conceived target of reducing net migration to the "tens of thousands", which has simultaneously eroded public faith in the UK's immigration system and damaged the country by preventing people with valuable skills, like doctors and nurses, coming to work here.
- B. Making a "hostile environment" for migrants, resulting in severe hardship for many people and targeting people who have every right to be in the UK, including British citizens.
- C. Developing a visa system that is bureaucratic, costly to administer and expensive for employers, universities and applicants to use.
- D. Increasing hostility in their rhetoric on immigration that has polluted public dialogue and made it harder for communities to integrate.

Conference notes the result of the referendum on EU membership and reaffirms the Liberal Democrats' commitment to give the UK electorate the final say on the Brexit deal, with the option of remaining in the EU and preserving the freedom of movement of people, goods, services and capital.

Conference regards the recommendations of policy paper 131, *A Fair Deal for Everyone: Prosperity and Dignity in Migration*, as a good basis for Liberal Democrat policy to meet these challenges.

Conference particularly calls for:

- i) The abolition of the net migration target, the hostile environment policy and using civil society as border guards.
- ii) A root and branch reform of the Home Office, including the transfer of policy-making on work permits and student visas to the Department for Business, Energy and Industrial Strategy and the Department of Education respectively.
- iii) A right to work for seekers of sanctuary in any employment for which they are suitable if their application is not decided after 3 months rather than the current 12 months, in order both to treat them more humanely and to save the taxpayer tens of millions.
- iv) A new policy for irregular migrants of 'detention as last resort', with increased use of case-work in

the community replacing detention, thus allowing the closure of 8 immigration centres, so as to treat people more humanely and to save an estimated £100 million a year.

- v) Ensure vulnerable people, such as pregnant women and those who have mental health problems or been subject to torture, are not detained, that no one is detained more than 72 hours without judicial oversight, and that no one is detained longer than 28 days in any circumstances.
- vi) Major investment into a new more effective approach to tackling irregular immigration, including a focus on organised crime gangs and human traffickers, through a new intelligence-led unit using data on overstayers from exit checks at the border, and a significant strengthening of the UK Border Force.

Conference further calls for the following measures:

1. To promote social cohesion:
  - a) Establish a national strategy in England to promote the teaching of English as a second language (ESOL) and develop a migrants' languages strategy to reap social and economic benefits from the diasporas living in the UK.
  - b) Make funds available to local authorities to reward community groups who develop innovative and successful ways of promoting social cohesion, including in rural areas.
  - c) Support the Schools for Sanctuary programme, and projects in schools that educate students about the history of migration into the UK.
  - d) Double the number of Minimum Wage checks on firms to stop them undercutting others and exploiting workers.
2. To make family migration more humane and efficient:
  - a) For spouse and legal partner settlements, replace the crude and arbitrary income threshold with the pre-2012 rules and, for a time-limited period of not more than five years and subject to individual assessment, the 'no recourse to public funds' test.
  - b) For dependent adult relatives, amend rules to make them less restrictive for elderly parents living with their British children.
  - c) For registering a child, reduce the fee so it only covers the cost of administration, with a fee waiver for those who prove they cannot afford any fee.
3. To support people coming to the UK to work:
  - a) Replace caps on work-related visas with a Department of Business-led policy of identifying sectors with serious skill shortages for the economy and public sector.
  - b) Replace the Tier-based system with a merit-based system and a temporary workers scheme, along the lines of Canada's system, to provide a more flexible and higher quality work permit system.
  - c) Establish a 'Training up Britain' programme – a mentorship scheme to enable British workers to develop their skills under the guidance of highly skilled migrants.
4. To make student migration work for the UK's economy and education sector:
  - a) Make the Department of Education the lead department, with a policy objective of encouraging foreign academics, researchers and students to come to the UK, counting students separately in Government statistics.
  - b) Introduce a new Student and College Compliance and Liaison Team in the DfE, aimed at reducing bureaucracy and costs for the sector, and to improve compliance with the rules.
  - c) Enable graduates to stay and work in the UK for two years after their course.
5. To improve Britain's record on assisting people seeking sanctuary:
  - a) If the UK leaves the EU, retain alongside refugee status subsidiary protection status as defined in

the EU Qualification Directive, and reiterate our commitment to the principle of *non-refoulement* as applied in international and European human rights law.

- b) Establish a dedicated unit for asylum applications independent of central control, to improve speed and quality of decision-making, working with local authorities on dispersal and settlement issues.
  - c) Provide free basic English lessons to any seeker of sanctuary, to include conversational English and way of life in the UK, and scrap the financial support 16 hours-per-week rule for asylum-seekers and refugees unable to work due to insufficient English.
  - d) Review and reform all aspects of current asylum rules and operations that offend basic fairness and justice, with an initial focus on how the rules affect LGBT+ applicants, child-led family reunification applications and those who fled because of their religious or non-religious beliefs, or who are at risk if returned because they have since converted to another faith or belief
  - e) Ensure an effective review and arbitration process to allow any decision apparently taken outside the rules to be rectified before reaching appeal.
  - f) Improve the appeals process by transferring the cost from the Ministry of Justice to the responsible department (Business, International Development, Home Office, and in England Education), thereby incentivising getting it 'right first time'.
  - g) Endorse Baroness Hamwee's The Refugees (Family Reunion) Bill and support restoring the arrangements for legal aid for seekers of sanctuary that existed before the Legal Aid, Sentencing and Punishment of Offenders (LAPSO) Act 2012.
  - h) Ensure that interpreting to nationally recognised standards to and from the language of the asylum seeker is available at every asylum interview, in order to ensure a common understanding of the issues, and to enable to correct decisions to be arrived at more quickly and cost-effectively.
  - i) Provide an effective mechanism to implement in full the Immigration Act 2016 that commits the UK to welcoming unaccompanied refugee children.
  - j) Support those who arrived in the UK as unaccompanied minors to enable them to apply on their 18th birthday or shortly after for refugee status, and not returning then to countries where they may no longer have any living relatives, but allow them to apply for family reunion in the UK until the age of 25.
  - k) Rewrite all government-tendered contracts for asylum-seekers' housing, to ensure that a local authority or group of local authorities can compete for them, that housing conditions which compromise human dignity, such as forced bedroom sharing for unrelated adults, will be grounds for termination, and that existing specific laws on rental housing standards will be fully applicable, while making every effort to terminate any current contracts that do not meet these last two conditions.
6. To address irregular immigration:
- a) Invest in the accountable Border Force and Immigration Enforcement agencies, ensuring that they have appropriate training and information-systems in place to enable a compassionate and intelligence-led approach.
  - b) Introduce a UK equivalent of the US DREAM Act, by which individuals can apply for conditional resident status in the UK.
  - c) Ensure that those who are refused entry on arrival are subject to the same rules on detention as other detainees, and that the recommendations of the Independent Monitoring Boards on conditions at Heathrow and Gatwick are implemented.
  - d) Ensure the victims of trafficking are supported so that they can give evidence against their traffickers and never be returned to their country of origin where their traffickers would have access to them all over again.
7. To improve the machinery of government:
- a) Take political influence out of decision-making on applications for visas and sanctuary and move towards a fully trained caseworker-model of support for applicants.
  - b) Provide training for staff and ensure that all civil servants working in this role are Executive

Officer grade by 2022.

- c) Hold an annual parliamentary debate on migration at which the Chief Inspector of Borders and Immigration and ministers from BEIS, DfE, DfID and the Home Office report on migration.