


Migrant Voices, Migrant Rights

Can migrant community
organisations change the
immigration debate in
Britain today?

Report on the first six months of the Migrant Community Organisation
in the UK Project (MCOP)





This report is based on a review of the work of migrant and refugee community organisations in Scotland, the North West of England, and the West Midlands conducted by Don Flynn during a period of secondment to the Barrow Cadbury Trust.

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In compiling this report Don Flynn spoke with representatives of over 40 community-based organisations in Scotland and the two English regions. Many people, too numerous to mention, donated their valuable time to assist in the discussions which form the basis of this report – sincere thanks are offered to all.

The perspective offered in this report as the basis for national networking in support of the rights of migrants and refugees is now being taken forward by the Migrants' Rights Network (MRN). The MRN is in the process of establishing itself as an independent organisation with a constitution making it answerable to a network membership.

While the MRN searches for a permanent home, the MRN can be contacted by post via the address below:

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Foreword

In the early summer of 2005 the Barrow Cadbury Trust initiated a public discussion on the state of immigration policy in the UK. Together with the Smith Institute and supported by the Treasury, we organised three seminars to discuss the future of migration policy. During these discussions there was agreement that immigration policy had changed radically over the course of the previous decade, with far greater emphasis now placed on the need to secure high value labour migrants to fill gaps in the UK jobs market and to provide services. There was less agreement on the extent to which the changes in policy had led to improvements in the position of migrants themselves. Some participants taking the view that for many newcomers the stress on management and control had come at the cost of basic rights needed to help them survive and prosper in their new country of residence.

From that point onwards Barrow Cadbury have been keen to promote deeper and more progressive discussion on the issue of migrant rights, dealing with such issues as the essential safeguards for refugees or migrant workers, to prevent them falling prey to gross exploitation, and also to secure a space in society from which they might be able to establish supportive social networks, and generally plan for a better future for themselves and their families.

Barrow Cadbury have supported migrant community organisations in the West Midlands for several decades. We have provided grants to groups ranging from the National Coalition of Anti-Deportation Campaigns to very local migrant-led groups working with new communities, such as the Bosnia and Herzegovina UK Network and the Wolverhampton Asylum and Refugee Services.

In considering how strategies for building support and solidarity might be improved Barrow Cadbury commenced discussions with representatives of the Joint Council for the Welfare of Immigrants (JCWI), an organisation which has been working in support of immigrants rights in the UK since it was established in 1967. During the course of these conversations a programme of work was mapped out that involved canvassing the views of community-based organisations in three key regions - the West Midlands, the North West and Scotland – with a view to obtaining a better understanding of the issues being dealt with and the ways in which they were working in their local, regional and in the case of Scotland, devolved national context. The work initially covered six months of activity commencing in late 2005 and ending in April 2006.

This report sets out the findings of this consultation process. By charting the situation of migrant and refugee community organisations working in some of the most diverse regions of the UK, it seeks to set out common needs and concerns. What has become apparent is that groups working on the ground are faced with sizeable challenges. Most work in hostile environments – whether it's the hardening of local public opinion or the demands from local authorities which often

go against the interests of their stakeholders. All are subject to intense resource pressures making them reliant on the goodwill of armies of volunteers and community activists, and are frustrated by their inability to meet the scale of the demands that they face. However, from the large national organisations to the very local self-help groups, they all recognise that while the work that they provide directly to their vulnerable clients (destitute asylum seekers, women fleeing trafficking, irregular migrants in the clutches of unscrupulous employers), they need to see beyond these day-to-day pressures in order to start making their voices heard by those in positions of power.

What we propose in this report is the creation of a Migrant Rights Network (MRN) which can act as a support mechanism for such efforts. The aim is not to create a formal institution which claims to speak for all migrants, such experiments have been tried and are doomed to failure. The priority will be to serve refugee and migrant groups in three ways.

Firstly, the MRN will document the activities of groups, particularly those emerging and therefore in greatest need of support. The report finds that grass roots groups are becoming increasingly diverse because they reflect the growing complexity of new inward migration. It is important that these trends are understood in order to ensure that the needs of such groups are appropriately met.

Secondly, MRN will seek to provide platforms for common action. Because these groups are often overwhelmed by the pressures on the ground they lack the capacity to network and develop common advocacy strategies. By facilitating regional and national networking events we hope that they will be able to work more closely and share common concerns. In the first instance they are proposing the facilitation of a campaign on regularisation for undocumented migrants, helping these groups join forces with others, including trade unions and companies, who are campaigning for such a measure.

Thirdly, MRN hope to create greater awareness both in the public sphere and with government about the essential role played by these groups. At present, migrant-led organisations are worryingly absent from debates about migration.

As one of the founding partners of MRN Barrow Cadbury will continue to listen and respond to the needs of migrant community organisations. We hope this report sets out a common agenda for future members of the MRN.

Sukhvinder Stubbs

Chief Executive
The Barrow Cadbury Trust

Executive summary

Section One: The reality of competing agendas: The enforcement of policy versus the rights of migrants

The advent of the government's 'managed migration' policies from 2000 onwards, whilst expanding the numbers of people admitted in non-asylum categories, has produced a number of adverse effects on the rights of migrants. The compulsory dispersal system which emerged after 1998, the restrictive rules permitting entitlement to support from the National Asylum Support Service (NASS), and the fast-track schemes for considering asylum applications have all made procedures far more precarious for people applying for refugee and humanitarian protection in the UK.

With regard to the position of migrant workers, the emphasis on control and enforcement has produced a multiplicity of rules and regulations which are seldom properly understood by the workers, their employers, or even the immigration control authorities themselves. As a result the management of migration is often weak in administrative terms, producing confused outcomes, and generating situations in which migrants are made vulnerable and exposed to the very real danger of gross exploitation.

The next phase of legislation and regulation planned by the government, which promises even greater emphasis on control and enforcement, presents the danger that the rights-reducing direction of recent policy will be reinforced. The implications of these developments need to be fully considered by policy makers, organisations working with migrants and migrant community organisations themselves.

In particular, thought needs to be given to the concept of 'migrant rights' itself. What are the types of rights needed by people who are migrating to help them in their dealings with the various types of authority existing in the host society? What forms of empowerment are needed so that they are not rendered vulnerable to exploitation and social exclusion? To better understand the need for migrant rights, the position of migrants needs to be more clearly understood in the communities in which they reside. This means looking at the way organisations and networks are established amongst migrants, how bridges are built with the wider community, how recognition of essential needs is obtained from local authorities and public service providers, and generally how civil society works to increase either the empowerment or the disadvantage of newly-arrived people.

Section Two: The civic and regional agenda: Local government, immigration and social inclusion policy

The character of migrant community organisation is strongly affected by the civic traditions of the towns and cities where migrants settle. This theme is considered in relation to migrant community organisation in Scotland, the North West and the West Midlands. In their different ways, Scotland and the two English regions adapted to the arrival of new migrants in ways which have endeavoured to promote social inclusion and good community relations. The relative degree of success in achieving these objectives depends on the capacity of migrant communities to represent their collective interests to the local authorities, to gather allies from amongst other groups in promoting their needs, and their ability to negotiate favourable outcomes with the various levels of power-holders. This study suggests that the record in achieving progress is uneven. While levels of success and good practice are being established in some policy areas many problems and difficulties remain prevalent across the system.

The review of migrant experiences indicates tensions between the goals of social policy and the practices of different authorities and government departments. Across all areas the immigration control agenda of national government exercises a generally baleful influence, disrupting the resources and activities of migrant groups and presenting local authorities with conflicting agendas. The imposition of tensions of this nature extends to civil society organisations as well, including social policy voluntary organisations, trade unions, faith community organisations and employers and the business sector.

Section Three: A Migrants' Rights Network - Is this the next step?

Local community organisations embody the typical experiences of migrants and there are many examples of robust and effective activities. However, organisations seldom move beyond the confines of their local situations to build up networks which extend beyond particular neighbourhoods and regions. This means that migrant community organisations have not been as effective as they might have been in representing migrant interests in national policy debates.

Consideration needs to be given to how the social capital available to migrants might be developed by better networking on key issues between towns and regions. Crucial to the development of strategies in this area is the role of civil society organisations and local structures of power which might share objectives in the realm of social and economic policy which complement migrant interests. The better coordination of contact and discussion across all these potential realms of action could increase the levels of power available to migrant communities and entrench the rights agenda within wider civil society.

Suggestions are made as to how an improved network of migrant rights supporting groups in the period immediately ahead, and proposals set out on how progress could be made to this end. The report suggests that the principle activities and services provided by such a network would be:

- developing policy analysis which directly serves the needs of refugee and migrant community organisations;
- providing refugee and migrant community organisations with “opportunity maps” identifying key areas where they can aim to influence national policy;
- creating platforms for discussion at national and regional levels, including an annual conference of refugee and migrant community organisations;
- producing a research agenda supporting three annual core campaigns in topical areas of policy
- acting as a capacity-builder, bringing forward leaders from migrant communities and helping them to become inserted into national policy campaigns.

Comments on the issues raised on this report would be welcome. These can be emailed to Don Flynn, MRN Project Director, at, don_flynn200@yahoo.co.uk , or by mail to:

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Section One

The reality of competing agendas: The enforcement of policy versus the rights of migrants

1 In July 2006 the Commons Home Affairs Committee issued a major report on immigration control.¹ This attempted a comprehensive review of the current state of immigration control policy in the UK, considering not only the detailed operation of procedures at visa departments abroad, at borders and within the country itself; but also the wider context in which immigration policy is being developed in Britain today.

2 The report set out the committee's view that immigration brings substantial benefits to Britain, most directly through its contribution to economic growth. Because of this the procedures used for its management should not "simply" be designed to exclude people from the country: the system must also aim to "facilitate legal migration for ever greater numbers of travellers."

¹ House of Commons Home Affairs Committee, 'Immigration Control', Fifth Report of Session 2005-06, 23 July 2006, HC 775-1

Rapid changes: Five major policy papers from Government in 8 years

The Labour Government issued its first White Paper on immigration policy in July 1998, entitled, *Fairer, Faster and Firmer - A Modern Approach to Immigration and Asylum*. This was followed by a second White Paper, in February 2002, called *Secure Borders, Safe Haven - Integration with Diversity in Modern Britain*. This document set out for the first time the Government's approach to 'managed migration' policies.

By the beginning of 2005 the Government was under pressure to revise its approach to managed migration and the Command Paper, *Controlling our Borders: Making Migration Work for Britain - Five year strategy for asylum and immigration* was launched as the way to tackle the perceived problems of the system.

The ideas in the five year strategy paper were refined in the following months and in March 2006 a second paper, *A Points-Based System: Making Migration Work for Britain* came out of the Home Office. This claimed to simplify the complexities of managed migration schemes, consolidating more than 80 work and study routes into five tiers.

At the time of writing, the paper *Fair, Effective, Transparent and Trusted: Rebuilding confidence in our immigration system*, published in July 2006, represents the latest in Government thinking. In these proposals the Immigration and Nationality Directorate (IND) will be transformed into a 'Delivery Agency' working for the more effective enforcement of immigration policy.

3 The report argued that, as a consequence of developments in British society and its new need for migration, the emphasis had to move from "initial entry and border control" towards a "far greater effort [on] the enforcement of the Immigration Rules within the UK." Much of the analysis set out in the following 150 pages of the report dealt with the failings of the system in respect of enforcement issues to that point in time, and what would have to change if the capacity to manage immigration after arrival was to be developed in the future.

4 Whatever the extent of its criticism of official policy, the Home Affairs Committee report shares with Government and the Home Office the basic view that immigration is an unavoidable fact of life in the modern world and the task of policy is to make it work to the advantage of Britain's interests rather than stop it altogether. The same logic can be traced through two White Papers since 1997 and the policy papers which form the basis of the Home Office's 'five year strategy' for immigration and asylum policy.²

5 In fact, this basic viewpoint has been in place for at least six years and the task of focusing control and enforcement on communities of migrants already in the UK is work in an advanced state of progress. The structures of the new system are to be seen in the procedures used to enforce reporting obligations on asylum seekers across the country, the biometrically-enhanced visas being piloted on Sri Lankan students, work permit holders and visitors and other groups of allegedly 'high risk' migrants who have been admitted to the UK. The same trend is evident in the identity and immigration status checks which employers, local authorities and evermore public service providers are required to impose on individuals identified as being, potentially, controlled immigrants.

6 Because we now have had experience of 'internal immigration controls' for this length of time it is possible to evaluate what this has meant for migrant and refugee communities already in the UK and also for wider civil society in which these immigrant groups live, work and study. As a counterbalance to a policy agenda which makes 'enforcement' its main thrust, the task of considering the implications of these policies for the *rights* of immigrants needs to be undertaken, to determine the extent to which they might produce new dangers in respect of discrimination and social exclusion, and generally the potential threat to basic human rights.

7 This report represents a first attempt to consider the ways in which the control agenda represented by what is now officially called 'managed migration' is generating issues for migrant and refugee community organisations (MRCOs) at the grass roots level in towns and cities. What needs to be noted is the extent to which the new migration which developed during the course of the 1990s is both more diverse than previous generations of incomers and also, because of the importance of the asylum route, contained a high proportion of very vulnerable people. Further, the gradual opening of economic migration during this time to include groups other than the highly skilled to work in the health and care services, agriculture and food processing, and hotel and catering meant the arrival of new groups of workers. These workers were often young and had women strongly represented in their ranks. They came to work in sectors where regulation was poor and levels of exploitation correspondingly high. A number of reports from trade union and academic sources during this period identified the ways in which the vulnerability of workers with asylum seeking backgrounds or other temporary and insecure immigration status was being taken systematic advantage of by groups of unscrupulous employers.³

² See 'Fairer, faster and firmer - a modern approach to immigration and asylum' Home Office, July 1998, Cm 4018; 'Secure Borders, Safe Haven: Integration with Diversity in Modern Britain', Home Office February 2002, Cm 5387; and 'Controlling our borders: Making migration work for Britain - Five Year Strategy for asylum and immigration', Home Office, February 2005, Cm 6472.

³ See Anderson, B, Ruhs, M, Spencer, S, and Rogaly B(2006) 'Fair enough? Central and Eastern European migrants in low wage employment in the UK', Joseph Rowntree Foundation/COMPAS; and 'Migrant workers - a TUC guide' (2002) TUC/JCWIL.

What do we mean by 'migrant rights'?

The concept of migrant rights certainly includes those basic human rights which are applicable in the UK because of long-standing commitments to the European Convention for the Protection of Human Rights and Fundamental Freedoms.

But insistence on 'migrant rights' is important because of the need to focus on the fact that people are vulnerable as migrants not only because they have to deal with lack of respect for their basic human rights, but also because *as migrants they are often excluded from the political, legal and cultural remedies which are available in society to ensure the protection of human rights for those who are recognised as citizens.*

The need for migrant-specific frameworks for law and policy to protect the rights of people who are not citizens has long been recognised in international law. The 1951 Geneva Convention on the Status of Refugees is an example of the way in which the rights of people fleeing persecution is protected in international law.

But conventions also exist which are intended to provide protection to other groups of potentially vulnerable migrants. International Labour Organisation (ILO) Convention 97, for example, legislates for equality of treatment for migrant workers in the workplace and in some areas of social policy. The United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families attempts an even more comprehensive framework for laws which outlaw gross exploitation and discrimination against migrants and their families. However, to date this convention has only been ratified by 34 of the UN's 192 member states and the UK is not a signatory.

The ILO is currently leading an international lobby to persuade governments to adopt a non-binding, multilateral framework for labour migration which has the explicit purpose of promoting a 'decent work for migrants' agenda and a rights-based approach to policy.

Even with these initiatives underway it is clear that the public policy debate on migrant rights is only just beginning in the UK and other migrant-receiving states. Much remains to be done to give the rights-based approach concrete substance in the daily work of civil society in these countries.

8 Within the last few years a further issue has been added to the complex array of factors within contemporary immigration which raises new questions about the capacity of migrants to assert a rights agenda within and against the government's control and enforcement priorities. This is the arrival of migrant workers from the countries which acceded to membership of the European Union (EU) in May 2004. The numbers involved in this movement, with 375,000 people officially registered by the beginning of July 2006, but with up to 187,000 more estimated to be resident⁴, constitute what is possibly the largest ever single wave of migration to the British Isles.⁵

9 Being nationals of the EU, and with the UK government having forgone the opportunity to impose transitional arrangements on the entry of 'Accession 8 (A8)' nationals entering as workers, this group of migrants has rights which are prescribed in the EU treaty, regulations and directives which establish the principle of equality of treatment with British nationals. Because of the circumstances in which this migration has developed, particularly the controversy which

the prospect of their arrival generated in sections of the UK media and the orientation the migrants have had to employment opportunities in low and medium wage employment, the A8 nationals have found themselves appraised in often negative ways. In particular, it has been suggested that they are in competition with UK workers for scarce employment, and that this will result in a driving down of wages and that other negative effects will be experienced in terms of demands placed on housing and other services.⁶

10 At the level of the policy discourse the A8 workers have their defenders, with commentators and analysts pointing to their disproportionate contribution to economic growth in the period since 2004 and their contribution to public services through direct and indirect taxation.⁷ But for those concerned with the rights of migrant workers the claim that they are eroding the living standards of established residents needs to be addressed by programmes which explore the scope for activities expressing solidarity between the different categories of migrants and groups representing indigenous and long-settled workers.

⁴ Survey conducted by the Centre for Research on Nationalism, Ethnicity and Multiculturalism, Universities of Surrey and Roehampton, for BBC Two 'Newsnight'.

⁵ Salt, J and Rees P. (2006) 'Globalisation, Population mobility and impact of migration on population', ESRC.

⁶ The claim for a deleterious effect on local wages rates and social standards is claimed to have been made in a Home Office paper entitled 'Migration From Eastern Europe: Impact On Public Services And Community Cohesion.' authored by Home Office minister, Joan Ryan, MP. See Mail on Sunday, 30 July 2006.

⁷ See, for example, Institute for Public Policy Research (IPPR) Factfile, 'EU Enlargement: Bulgaria and Romania - migration implications for the UK, April 2006.

11 Can the concept of ‘immigration rights’ be invested with sufficient practical meaning to define a core set of interests which will provide a basis for collaboration between diverse groups of immigrants? In the realm of politics it often appears that the language of rights is seen by the majority as an appeal to behave nicely towards a particular unfavoured, marginal group. It is only when the discourse shifts to the sphere of legal action, with the rival claimants in a specific court action being required to justify their viewpoints against a criteria of the greater good that would flow to society in general if rights for this group were either acknowledged or excluded, that matters of real and practical consequence are shown to arise from a particular course of action.

Accession 8 migrants: What have they done for us?

- During the first eight months of accession, A8 nationals provided an estimated £240 million in economic contribution (Home Office 2005c) [...]
- The Ernst and Young ITEM Club has found that immigration from EU accession countries appears to have eased bottlenecks in the labour market, increased flexibility of the labour force and eased inflationary pressure points on the economy...“

From EU Enlargement: *Bulgaria and Romania – migration implications for the UK* an ippr FactFile. April 2006

12 A legal strategy for the defence of rights will always be of crucial importance to minority groups which experience discrimination and which lack the wider support across society to allow their interests to be impressed on policy-makers and legislators. In recent years migrants and refugees have shown themselves adept at actions in the courts which have, for a period at least, restrained government in actions which violate immigrant interests.⁸ But legal action is a practical option in only a small number of instances where official policy has produced disadvantage. Perennial problems relating to the cost of mounting an action, the availability of first rate legal advice and the general uncertainty about eventual outcomes which accompany all challenges in the courts, mean that the legal route is not a routinely practical way to promote the basic interests of migrant communities.

⁸ The action against the Home Office in the case of *Wayoka Limbuela* and two others resulted in a Court of Appeal ruling restricting the definition of ‘late application’ for asylum which the Home Office has used to deny NASS support for tens of thousands of asylum seekers. The numbers of people refused support on these grounds was significantly reduced because of this legal case. (See “Blunkett loses asylum case” BBC News, 24 May 2004, http://news.bbc.co.uk/1/hi/uk_politics/3735203.stm)

13 Because of these limitations it is necessary to look in some detail at alternatives which are based on more effective strategic use of the social, economic and political relations which immigrants establish amongst themselves and with the host communities in the neighbourhoods where they live. What opportunities exist here for core migrant interests to be defined and discussed in dialogue with other civil society organisations as matters of common concern? To give a concrete example, is it possible to express the crucial need of migrants for what is being described in the literature on immigration as ‘decent work’ (defined as the opportunity to engage in “decent and productive work in conditions of freedom, equity and security and human dignity”⁹) through their relations with other parts of civil society?

14 The language of rights is sometimes criticised for being divisive, in that the claim for rights made by one group is often a claim to restrict the activities of another group in relation to the first. This is often the case in relation to rights which are pursued through legal channels, but it is not so clear that it has the same effect when the claim is made in the context of community politics. The claim for decent work helps us once again to understand that, when pursued through the courts it is invariably a call to restrain employers engaging in practices which, for example, deprive workers of security and dignity. But when made in the community context, the demand for decent work means concerted action to improve the operation of the labour markets to ensure that the employment offered to all people in the community meets standards consistent with the provision of decent, secure and dignified working conditions.

15 During the six months of MCOP’s discussions with community based organisations consideration was given as to whether the activities of community organisations could be interpreted as group-centred and narrowly focused on interests specific to that group; or if the dynamic behind the promotion of group interests led to the building of bridges with other communities and parts of civil society. Our general feeling was that most groups, though motivated by an acute sense of the needs and interests of their base community, also sought opportunities to build bridges with other organisations believed to share similar concerns, in relation to matters such as vocational training, health and family welfare services, and the position of young people from the community in school and in the local neighbourhood. Even when the issues being considered were confined to the ethnic group directly concerned, such as the promotion of the mother language, religious beliefs, and cultural and folk traditions amongst young people, the language used to explain needs in these areas was one which emphasised the benefits of diversity to wider society and was by that route an appeal to a common social interest.

⁹ This definition of ‘decent work’ is set out in the ‘Draft Multilateral Framework on Labour Migration: Non-binding principles and guidelines for a rights-based approach to labour migration’, adopted at a Tripartite Meeting of Experts in November 2005. TMMFLM/2005/1.

16 Many questions were raised during the course of the MCOP discussions about the extent to which bridge-building and networking strategies were being consciously pursued or arrived at by a process of trial and error. It became important to understand why effective networking for most groups was limited to the local neighbourhood, town or, exceptionally, region, with very few examples being found of genuinely national MRCO networks which were making an impact on the policy agendas of central government. The incongruity of this situation – strong at the local level but weak at the national – was emphasised by the recognition by almost all groups that the local policy agenda was increasingly dominated by plans originating in national government departments. Whilst effective work was needed at the local level to ensure that benefits were obtained for grassroots communities it was important that the structural features imposed by central government which, by making social programmes adjunct to surveillance and immigration control priorities, were also thoroughly scrutinised by MRCOs. If real impacts are to be made on the shape and direction of policy, the need to engage with this national policy agenda is unavoidable.

17 In what follows we look at the contexts which shape the work of MRCOs across the country, starting with the local civic and neighbourhood cultures, and then examining some examples of the different ways in which community organisations have directed their work. We conclude the report with a discussion about the possibility of enhancing migrant community involvement in the national policy debate by building greater capacity at local level for strategic analysis and research and for the construction of mutually supportive national networks. Consideration is given to the context of civil society in general, and the extent to which MRCOs might strengthen their position in relation to important national voluntary organisations and in other networks.

18 Throughout all the subsequent sections it is important to keep in mind the issues which have informed this project from the onset, and which were so starkly presented in the Home Affairs Committee report discussed at the beginning of this section. If left unchallenged by any other interest, government policy on immigration is likely to switch ever more intensely to the enforcement of rules, regulations and policies against immigrant communities which are already established and resident in the UK. Measures which are as potentially draconian as those envisaged by the government in its current five year strategy have the potential to set-back even further the interests of communities already adversely affected by poorly-designed and administered policies, and to increase the insecurity and vulnerability of a significant group of people. In what follows we hope to suggest ways in which these threatening and negative potential outcomes might yet be avoided.

Section Two

The civic and regional agenda: Local government, immigration and social inclusion policy

19 The character of migrant community organisation varies considerably across the country. This arises principally from the fact that most organisations are structured around the tasks of providing services to their communities and what is needed and the ways in which it can be delivered is significantly affected by such factors as the size of the migrant presence and the civic traditions of the city or town in which they live. In respect of the former, a size threshold will determine whether a local community can sustain a formally constituted organisation, which typically depends on the availability of professional skills and resources to maintain the structure of the group. With regard to the latter local civic traditions valuing diversity and inclusion are more likely to provide an environment in which community organisations can prosper and develop their potential to act as representatives of locally-resident migrants.

20 The importance of local context in understanding the work of MRCOs, and the extent to which the viability of organisations seems to be bound up with a close, organic connection with a definite community, raises the question of whether immigrant communities in general can build bridges to work with other parts of society. A large part of the literature on social capital and immigration is pessimistic on this matter, taking the view that groups constituted by discreet ethnic communities are defined by a 'bonding' rather than a 'bridge-building' role, and are therefore ill-adapted to the task of building networks and alliances which would take them outside the confines of their own community.¹⁰

21 In its discussions with locally-based groups, the MCOP team did not encounter disinterest with respect to bridge-building activities. Most groups reported continuous efforts over long periods of time to locate their work within the framework of wider civic concerns and local leaders placed emphasis on the importance of working with other organisations on matters of mutual concern. The problems reported in fulfilling these tasks had more to do with the structure of financing for the group's activities and the high levels of uncertainty about its viability over a longer time period. MRCOs typically reported funding arrangements which depended on their ability to deliver services dictated by local authorities or other public bodies, such as interpreting or the running of advice and referral sessions. This emphasis hindered the building of capacity within the group for work delivering less immediate and tangible objectives, such as stronger links with other civil society organisations, as these are not often valued as an intrinsic good by local authority funding bodies.

22 Further problems derived from the instability of many of the community organisations. Amongst refugee groups, numerically the largest component of migrant organisations, the experience of the dispersal policies adopted by the government after 1999, and the role of the National Asylum Support Service (NASS), established at the same time, had been debilitating and had led to a loss of critical resources, often in terms of leadership, for local groups.¹¹ NASS's mode of work and the imposition of compulsory dispersal had reduced the social space in which refugee organisations could, to some degree, act at their own discretion, rather than responding to the directions of powerful state institutions. Yet despite these considerable difficulties, community organisation continued as groups sought opportunities even in these less favourable circumstances to influence policy outcomes.

23 To consider these issues the MCOP team looked at the work of community-based organisations in two English regions - the North West and West Midlands, and in Scotland, with the main emphasis being on Glasgow. These choices were made to allow the issues of devolved, regional and local government in each area to be explored and to provide a context for understanding the different ways in which migrant community organisations structure their work. The two English regions also represented areas with long-established traditions of immigration, and the interactions between the old and the new migrations throw light on the ways in which community groups are learning to network and build alliances. Scotland, with a smaller long-established immigrant community, provided an opportunity to consider the ways in which its organisations were adapting to the ostensibly pro-immigration perspective being fostered by devolved government in the form of the 'Fresh-Talent Initiative' and the opportunities that were being created for demonstrating leadership in the matters concerning the reception of new immigrants.

The civic tradition factor

24 The prevailing traditions of civic culture have an important role in shaping the development of MRCOs, a fact revealed most clearly by the ways in which cities responded to the dispersal of asylum seekers into their areas in the period after 1996.¹² As discussed above, dispersal is generally considered to have been destabilising for refugee community organisations (RCOs), involving the disruption of established support networks, the loss of autonomy on the part of individual asylum seekers and a high level of dependency on the support provided by NASS - which was delivered in a deliberately sparse and punitive fashion.¹³

25 A key element in the organisation of services to asylum seekers has been the role of the regional consortia, which consisted of representatives of local authorities and other stakeholders and which were intended to function as forums which could plan for the needs of the communities. The relative degrees of success and failure of the consortia depended largely on the level of commitment of local government and its understanding of the benefits which would accrue from well-planned refugee settlement. In the instances where this was valued highly, local government commitment enabled the infrastructure of support to operate most effectively. However, if local government felt that its interests were not properly addressed within the dispersal system the entire consortium structure had the potential to flounder.

¹⁰ For a discussion of the concept of social capital and immigrant communities, see Zetter, R, Griffiths D and Sigona, N (2006) 'Immigration, social cohesion and social capital - What are the links?' Joseph Rowntree Foundation.

¹¹ See Zetter, R, Griffiths, D and Sigona, N (2005), 'Social Capital or social exclusion? The impact of asylum-seeker dispersal on UK refugee community organisations', in *Community Development Journal*, Vol. 40 no. 2, April 2005.

¹² The compulsory dispersal of asylum seekers across the country emerged as a part of official policy in two stages. The first, beginning in 1996, emerged from the withdrawal of the majority of asylum seekers from the welfare support provided by mainstream, national social security programmes. Responsibility for asylum support fell as a consequence on the local authorities where the individuals lived, which led to efforts to limit the impact on social services by town hall government by arranging for the accommodation of many asylum seekers in other parts of the country. This ad hoc period of dispersal was ended by the enactment of the Immigration and Asylum Act 1999, which made a more systematic approach to dispersal and the welfare support of all asylum seekers the responsibility of the newly-established NASS.

¹³ For critical comments on the effects of dispersal during this period, Johnson, M.D (2003) 'Asylum seekers in dispersal - healthcare issues', Home Office Online Report 13/03; and Anlie, A, Daniel, N, Tah, C and Petrukevitch, A (2005), 'An exploration of factors affecting the successful dispersal of asylum seekers', Home Office Online Report 50/05.

26 An example of the ways in which the viability of migrant community organisations can be set by relations between central and local government is provided by the disputes over dispersal arrangements and the reimbursement of housing costs in Liverpool. Because this was not resolved to its satisfaction, the City Council refused to enter into contractual arrangements with NASS for the support of asylum seekers on Merseyside. In contrast to the situation in Manchester and Birmingham, where contracts were agreed, the level of civic support for community organisations went into steep decline in the western part of the North West Consortium because of the dispute on Merseyside. This illustrates the extent to which the viability of community organisation can be dependant on issues which are extrinsic to their own structures and capacities.

27 In Birmingham and Manchester local government claimed a commitment to the reception of new migrants. Both have made investments in the establishment of network infrastructure to supporting the work of MRCOs. These cities have long-established traditions of migrant settlement and local diversity is celebrated, in terms of political rhetoric at least, as an asset. But the North West and West Midlands have also had recent experience of the things which can go wrong in local community relations in the absence of a positive commitment to social cohesion and inclusion and the practical programmes needed to achieve this end. Manchester's proximity to the towns of Burnley and Oldham, at the heart of the disturbances of summer 2001, has impressed on local political elites the importance of sustaining dialogue across ethnic communities. At the time MCOP workers were visiting Birmingham, in November 2005, the city was still recovering from a period of heightened tension in the Lozells area, when conflict between parts of the African-Caribbean and Asian communities had disturbed the local peace.

28 The situation in Scotland was found to be somewhat different, because the development of pro-active race equality policies has occurred more recently. This is almost certainly connected to the smaller size of its BME communities; Glasgow having the largest concentration at 5.5% of its population according to 2001 Census figures, compared to just less than 18% in Manchester and around 30% in Birmingham. The arrival of 12,000 asylum seekers under dispersal arrangements after April 2000 raised the profile of discussion about race relations and the Council's website now states that its vision for the city is that it should "flourish as a modern, multi-cultural, metropolitan city of opportunity, achievement, culture and sporting excellence..." Edinburgh City Council includes a 'race equalities forum' amongst its six equality forums.

Scotland's Fresh Talent Initiative

The Fresh Talent Initiative (FTI) was outlined in a speech to the Scottish Parliament in February 2004 by the Scottish First Minister, Jack McConnell. Addressing the problem of population decline, expected to fall below the symbolic 5 million mark in 2009, with falling and tighter labour markets, the FTI was presented as a means to attract suitable skilled workers to the country.

Under the terms of the initiative employment opportunities in Scotland are promoted through Work Permits UK, the Home Office department dealing with managed migration, and the 50,000 international students graduating each year from Scottish universities will have the opportunity to work in the country for two years after completing their studies, and transfer to the work permit or the highly skilled migrant programme after that.

The FTI is an example of the way devolved and regional authorities can negotiate for a degree of flexibility in the application of national UK immigration policies. The Government has signaled the possibility of allowing variations for other regions under the terms of its proposals for the 'points-based scheme' made public in March 2006.

29 Across Scotland public discussion of immigration issues is led by the initiatives of the Scottish Executive, which has acknowledged a series of difficulties existing for the country as a result of its relative failure, compared to other parts of the UK, to attract immigrants in significant numbers. An ageing demographic profile, restricted skills base and underdeveloped links with the global economy figure amongst the concerns of the developed authorities which a proactive immigration policy could help address. The 'Fresh Talent Initiative' is an example of the type of initiative developed by the Executive in response.

30 In all three areas looked at by the MCOP there is evidence of a desire for engagement with immigrant communities to promote discussion about policies at the local and regional level. How this dialogue is being developed differs in all the regions on the basis of a range of political factors, of which the size of migrant communities (generally considered in terms of the size of the larger BME community), the extent to which community relations are considered potentially contentious, and, more positively, the expectation of gains to be got from attracting migrants into the region, are all issues of importance to policy makers.

Asylum seekers and refugees

31 In general, local authorities have adopted an ambiguous stance towards asylum seekers and refugees, embracing concerns about both the demands they are seen as placing on scarce local resources, but also being prepared to consider them as a resource for skills and diversity in regional labour markets. City councils in Birmingham, Glasgow and Manchester sponsor local networks aimed at supporting refugee communities and make at least nominal efforts to integrate these approaches into race equality strategies.

32 Birmingham City Council has, jointly with the Children's Fund, published a book, *Welcome to Birmingham* in five languages, (English, French, Somali, Arabic and Kurdish) which reviews the range of specialist advice and community services available to newcomers. Its web-site contains a statement on 'celebrating sanctuary' in the city, which describes refugee settlement from 1750 to the present day, with accounts of specific refugee communities. The Birmingham Community Empowerment Network (b:cen) is a council initiative aimed at providing local communities across the eleven districts of the city to play a role in policy-making at the civic level. Amongst the b:cen groups, the Birmingham New Communities Network (BNCN) operates as grouping of around 70 organisations based in the recently-arrived communities. It has promoted the work of CRIS (Community Resource and Information Service), a local charity which had aimed to provide training and support services to refugee communities in the city. CRIS had sought to build "knowledge about how the city works and what opportunities exist for citizens to become involved in regeneration and decision-making; building the skills and confidence for involvement, and exploring the most effective ways to act for themselves and their community." A conference held in February 2003 mapped out a strategy for the organisation's work which concentrated on supporting the development of refugee organisations, working "on common interests, influencing decision-making and policy around refugees and their communities and their lives in Birmingham and their neighbourhoods."

33 Around 10,000 refugees and asylum seekers have come to live in Glasgow since 2000, under the terms of the dispersal programme operated by NASS. This represents a 60% increase in the BME population of the city within a very short time. The task of developing community strategies has tended to follow the initiative of the Scottish Executive, which promotes the work of the Scottish Refugee Integration Forum which operates with an action plan for the whole of the country. A review of the situation in Glasgow was set out in the October 2004 publication, *Building Bridges: Local responses to the resettlement of refugees in Glasgow* (Wren, 2004). It reported that 10 partnerships were developed in the city under

From *Building Bridges: Local responses to the resettlement of asylum seekers in Glasgow*

"...There was a strong perception that there was an inherent lack of logic in the implementation of UK immigration and asylum policy, and that relationships between different bodies responsible for service delivery were disjointed and lacking in cohesion. [...]

"Particular problems were raised in relation to the National Asylum Support Service (NASS), which was perceived as 'distant' and 'unresponsive', often leaving the voluntary sector to pick up the pieces where it had failed to deliver."

(Wren 2004, p.3)

the arrangements promoted in the UK asylum strategy to support the immediate and urgent needs of asylum seekers. Concern exists amongst some community organisations that emphasis on immediate needs has prevented local organisations from engaging in longer-term strategic planning.

34 The City Council has acted as the lead partner in the £1.8 million funded ATLAS (Action for Training and Learning for Asylum Seekers) Development Partnership. This project was motivated by the perception that the path to the orderly integration of refugee communities is often obstructed by the difficulties generated for many local institutions in the handling of diverse communities, and the problems experienced by newcomers in rebuilding their lives when unfamiliar with the social, economic and political life of the wider community. ATLAS was intended to provide the framework in which the partnership model could address and overcome these difficulties. Its report, *Evolving Practice, Developing Policy*, published in 2005, details initiatives taken in a number of areas intended to develop strategies based on the partnership model. Amongst these, the Council in partnership has set up the Glasgow Asylum Seekers Support Project (GASSP) with police and health services. The project has staff expert in education, police and health matters, and operational staff with social working and housing backgrounds. They provide information and advice on local resources.

35 Manchester City Council's work in this area is structured around MARIM – the Multi-Agency Refugee Integration in Manchester. Originating in efforts to deal with the situation created by the dispersal of asylum seekers into the city under the provisions of the Asylum and Immigration Act 1999, the Council aimed to establish a collaborative approach bringing statutory, non-statutory and voluntary organisations together to work in seven themed task groups. These groups deal with advice and information, education, post-16 education and employment and training, health, housing, mental health, and supporting communities. The objectives of each task group is the effective planning and delivery of services, the development of strategies and working practices necessary to improve service delivery, and the maximisation of resources used to support asylum seekers and refugees by reducing the duplication of work across agencies.

36 A project team facilitates the work of each of these task groups and coordinates all activities through a forum bringing them together on a periodic basis. Over 50 organisations are listed as partners in the work of the forum, several of whom are refugee or race equality groups who can be expected to associate grassroots refugee community organisations in their work. However, no direct representative role is suggested for any of the main refugee communities in the city.

37 Alongside this structure a community-based initiative exists in the form of the Manchester Refugee Support Network, (MRSN). In existence since the early 1990s, the network was originally established by settled refugee communities in the city, including the Chilean, Bosnian, Sudanese and Kurdish communities. In more recent years it has drawn in groups from the Somali, Darfuri, Iraqi, Zimbabwean and francophone African communities. With core activities aimed at building the organisational capacity of refugee groups, MRSN has also played an advocacy role in local policy making by promoting the Refugee and Migrants Forum and the Refugee Charter formulated by this forum.

Refugee Charter for Manchester

“...the current situation for many asylum seekers and refugees is critical. We see our communities increasingly marginalised, denied or unable to access employment, with limited and problematic access to health services, and dispersed to highly deprived areas where individuals are isolated, vulnerable and subject to harassment and physical attacks.”

38 From these brief descriptions of the ways in which refugee and asylum issues have emerged in the three cities it can be seen that the assumption of the same task devolved on civic authorities by central government, namely the management of compulsory dispersal schemes, has resulted in an array of organisational, administrative and political responses by the bodies concerned. In all cases the local authorities have pursued strategies which have sought the involvement of the voluntary sector in its work, and have ascribed functions to RCOs as service providers. Beyond this, the character of the involvement of representative groups is affected by broader civic traditions and conjunctural factors such as the state of development of developed politics in Scotland, and the local histories of migrant arrival and integration in each city.

39 A further similarity which exists in all three areas is the sense of tension between local policy and the tasks imposed on local government by national policy. The essence of this national policy has been the imposition of a regime of deliberate austerity on newly-arrived refugees as a part of the desire of national government to ‘send a message’ to would-be asylum seekers that their presence in the UK is not welcome by the authorities. Whilst this approach serves the agenda of a national government which measures the success of its refugee policies by the month-on-month reduction in the numbers arriving as claimants, it conflicts with many aspects of the policies of local government which regards the stigmatisation of asylum seekers as running counter to good race and community relations and other policies aimed at countering social exclusion and marginalisation.¹⁴

40 RCOs would hope that local government saw a role for itself in engaging with the national authorities discussing in refugee and asylum policy. Badly conceived asylum policies enacted by national government have the potential for a major negative impact on community relations and it might be expected that local government would develop a consistent, and where necessary, critical voice on the development of national policies. For a brief period the Local Government Association (LGA), the body promoting the interests of local government in England and Wales, appeared to be interested in developing an advocacy role on these matters in the face of the dispersal programmes which were planned in the Asylum and Immigration Bill and debated in Parliament in 1999. The LGA briefed the House of Commons during the second reading of the Bill in February 1999, spelling out five ‘key objectives’ it wished to secure from legislation, which included “to influence Government policy and the resultant legislation to ensure that the statutory scheme is consistent, fair and sufficiently based on establishing best practice.” The LGA’s interest in best practice appears not to have lasted beyond July 2000 when its series of bulletins on the implementation of the dispersal scheme and ‘good practice information packs’ were discontinued.

¹⁴ For a detailed discussion of the conflicts in policy between the social inclusion and immigration policy agendas, see Somerville, W (2006) ‘Success and Failure under Labour : Problems of Priorities and Performance in Migration Policy’, JCWI/ IRP discussion paper, at http://www.jcwi.org.uk/news/SomervilleIRP_3.pdf.

41 The task of influencing asylum policy has been taken on by a few regional and local government bodies since this date, but generally acting on their own and representing the concerns of single regions and towns rather than collective local government interest. The Mayor of London's Office, for example, has developed a line of active advocacy which starts from the premise that punitive asylum policies aimed at withdrawing support from refugees are bad for the capital city.¹⁵ In addition it is known that networks of council services have emerged which are exchanging information amongst themselves on the ways in which government policies on asylum are impacting on their respective areas of work. The 'No Recourse to Public Funds' Network, which brings together council officials from around 25 different authorities working on refugee integration, social services and housing, is an example of such a group, and its current programme of work on destitution suggests that some capacity for overt representation of critical local authority viewpoints does exist within the system.

42 Despite the evidence of intense involvement in refugee issues by local authorities there is still little sense that a collective interest in lobbying for better policies by city and regional authorities across the country has emerged. Further, although RCOs orientate a high proportion of their work towards developing constructive relations with local authorities they have only recently taken on the task of defining a broader civic interest in the promotion of progressive asylum policies. The activities of the MRSN in Manchester and BNCN in Birmingham are examples of city-wide networks constructing arguments for refugees which are rooted in the logic of civic citizenship. What needs to be considered are the ways in which projects of this sort might extend beyond single towns and cities, by urging that local government develop a stronger collective sense of its interests in lobbying for policies from central government which acknowledge the centrality of refugee rights in the formulation of policy across the whole of the UK.

Anti-poverty and social exclusion

43 Across all three regions examples of projects being undertaken on anti-poverty and social exclusion themes were found.

44 In Birmingham the focal point for this discussion appears to be the social deprivation experienced by specific ethnic communities. Organisations representing communities as various as ethnic Albanian, Asian, Bosnian, Sudanese and Somali report that a major part of their activities lie in addressing disadvantage in the labour market, in the establishment of businesses, and in housing.

45 The reasons why disadvantage persists has common structural features across the communities, but also with some degree of variation in specific cases. Asian community organisations, representing some of the oldest established immigrant communities in the city, report on the effect of the retraction of the manufacturing industries which had attracted migrants in the 1960s and 70s. The availability of redundancy payments had encouraged a movement towards the establishment of businesses, particularly in the restaurant sector, but had left people vulnerable to highly competitive conditions of trade with high levels of failure. Low levels of mobility across the city had contributed to the entrenchment of deprivation amongst some Asian communities, particularly the Bangladeshi and Pakistanis, and in the neighbourhoods where they are concentrated.¹⁶

46 For other groups disadvantage is associated with more recent arrivals, usually as asylum seekers. Long drawn out procedures for determining asylum applications, during which time refugees are required to live on low levels of income with few opportunities for employment, produce situations in which chronic depression becomes common. The experiences of trauma, demoralisation and mental illness, as well as poor levels of knowledge of the English language, and the undervaluation of vocational and professional skills are all found amongst large sections of migrant communities.

47 Community organisations advocate a number of strategies to deal with these issues. English as a Foreign Language training is regarded as fundamental and organisations devote a great deal of work to ensuring that the provision of courses for their communities. Activity to obtain other forms of adult education and vocational training is also a high priority across communities. Discussion with professional associations to reach agreement on the merit of particular qualifications also figures as an aspect of the work of many groups.

48 In Glasgow the disadvantage experienced by recent migrant communities who have arrived as refugees in the city is compounded by their settlement in areas of high social deprivation. An association working for the regeneration of the Gorbals, Govanhill and Toryglen includes a refugee and asylum-seeker time bank as a core project, allowing time spent working with a local community organisation or company to accumulate credits which can be exchanged for training.¹⁷

¹⁵ See Great London Authority publications on refugee policy at <http://www.london.gov.uk/gla/publications/refugees.jsp> for details of the several reports of this nature.

¹⁶ Account provided in discussion with representatives of the Birmingham Asian Resource Centre.
¹⁷ From discussion with representatives of the The Initiative – <http://www.gorbals-init.org.uk>.

49 Even with projects of this sort, the barriers to social inclusion for recently arrived migrant communities are still seen as formidable by most local networks. A project funded by the European Refugee Fund, 'Filling the Skills Gap in Scotland' has the aim of promoting "economic development, refugee integration, community cohesion" and reducing "poverty in Scotland by enabling refugees to access employment opportunities, accommodation, training and support in parts of Scotland where there are skills shortages and job vacancies, creating jobs and social enterprises, for the benefit of local communities." (*Filling the Skills Gap in Scotland, 2006*).

50 In Manchester groups acting in support of migrant and refugee rights have been proactively involved in challenging aspects of national government which are considered to disadvantage asylum seekers and to expose them to social exclusion. Section 55 and Schedule 3 of the Nationality, Immigration and Asylum Act 2002, which, respectively withhold NASS support from asylum seekers considered to have delayed lodging applications for refugee status after arrival in the UK and withdraw support from those whose appeals have been dismissed, are seen as major sources of destitution in the city and have been rigorously opposed by many community organisations. Public demonstrations have attracted the support of the leadership of the City Council and the town hall authorities have refused to follow national government guidance requiring the eviction of refused asylum seekers from Council-leased accommodation.

51 The position of migrants in the labour market in Manchester has been studied by community based projects working in the Moss Side area. These have concluded that a significant cause of social exclusion is the character of the informal economy which extends over much of the low paid service sector. This largely unregulated part of the labour market contains many features which trap workers and limit prospects for employment outside this sector. From this perspective, tackling social exclusion and poverty as it affects migrants will require substantial structural reform of the economic sectors where employment opportunities are currently concentrated.⁵¹

52 To summarise, the evidence suggests that activity around poverty and social exclusion makes up a substantial proportion of the work programmes of community-based organisations in the regions examined. There are many common themes in the work undertaken by groups, but also enough variety in experience to suggest that approaches are varied from one town and region to the next, depending on specific circumstances. The task of considering these experiences across the country has not yet been undertaken in a comprehensive manner and as a result many of the actions of national government which have had an adverse impact on the social inclusion of migrants have not yet been effectively challenged.

⁵¹ From discussion with representatives of the Race Equality Programme, Oxfam UK Poverty Programme, Manchester.

Immigration law and policy

53 Immigration policy aimed at the control and management of the movement of migrants and their dependents is the responsibility of the Home Office. In attempting to put in place a system of comprehensive managed migration this department has aimed for a system of strict, hierarchical differentiation between groups of migrants, ascribing rights and limitations on rights depending on a variety of factors, which include skill levels, the nationality of the workers concerned, and the sectors of employment in which they are engaged.

Migrants on the margins – Fighting back against poverty

"As a result of the lack of support and initiatives to exploit and maximise the use of their skills, many migrants and refugees see themselves as wasted resources [...] The Government needs to encourage and facilitate the recognition of qualifications and certificates from abroad, and to provide special training to make it easier for qualified migrants and refugees to work."

From "A stronger voice" - report of the workshops carried out by the Anti-Poverty Group of the Migrants Resource Centre, London, for the *Get Heard* Project

54 In order that the management of migration under these schemes can be effective the national authorities increasingly require the involvement of agencies outside the traditional immigration control agencies, including local government, the public services, and private sector employers to monitor migrant communities and report apparent transgressions of law and policy to the immigration control services.

55 The efficient operation of this system of surveillance and action against migrant communities has required the systematic reduction of long-established rights to challenge the decisions of the immigration authorities through channels of legal representation and appeal before tribunals and the courts. This has been done by both limiting access to legally-aided legal representation for immigration cases, and also the reduction of categories of immigration decision against which an appeal is possible. The impact of all these measures has been felt in all the areas examined by the MCOP team, and has provoked responses from local communities.

56 In the West Midlands examples have been seen of immigrant groups developing their own capacity to provide legal advice and assistance to their communities. In Wolverhampton this was taken on directly by a refugee-based community organisation and the service is provided under the name of WARS - Wolverhampton Asylum and Refugee Services.¹⁹ In Birmingham a network of groups supports the activities of ASIRT - the Asylum and Immigration Resource Team - which provides legal advice on immigration matters.²⁰

57 A community response to what are seen as immigration injustices has provoked action in the form of anti-deportation campaigns, with many examples of this taking place in the Birmingham area. The approach of such campaigns is to enlist the support of community organisations, trade unions, and in some instance local authorities and schools.²¹

58 In Glasgow the Ethnic Minority Law Centre provides a specialist immigration law resource for groups and individuals across the city and the adjacent regions.²² Community action in support of migrants experiencing problems with the authorities has included initiatives such as 'Glasgow Girls', a grouping of female school students acting in support of friends threatened with removal as a part of families refused immigration status by the authorities.

59 Manchester has been a long-established basis for anti-deportation campaigning, extending back to the 1980s and the example of the Viraj Mendes Campaign. Specialist legal advice services to immigrants are available in the city. In November 2005, on the initiative of local trade union branches, a conference was held to launch a campaign within the union movement to build stronger support for refugees and people refused a residence status.

60 Activism on immigration policy issues is evident in all the regions considered. To a large degree experiences on a regional and local basis are reviewed and integrated into national campaigns and policy positions by such groups as the National Coalition for Anti-Deportation Campaigns (NCADC), the Immigration Law Practitioners' Association (ILPA)²³, the Joint Council for the Welfare of Immigrants (JCWI)²⁴ and the Immigration Advisory Service (IAS)²⁵. However anti-deportation work tends to concentrate on the position of individuals. Attempts to engage the government in discussion around the types of regularisation or amnesty policies favoured in other European countries, which have had success in granting substantial numbers of undocumented migrants legal residence status, have only recently begun to be considered by campaigning groups.

61 To conclude this section attention should be drawn to the fact that, although detailed critiques of immigration control policies have been developed by national NGOs and researchers based in academia and policy think-tanks, the implications of this work has not been followed through into the practical day-to-day work of community-based groups²⁶. This is undoubtedly due to the fact that locally-based organisations require a specific and practical focus for the work they engage in and are not usually well-equipped to deal with what often seem like abstractions in the policy debate. Nevertheless it can be asked whether this dilemma is not, in part at least, the result of a failure of policy activists to adapt their work to the needs of community-based groups and to build up a capacity for grassroots advocacy. This, after all, has been achieved in other areas of social policy, where community groups are intensely active on such issues as anti-poverty and social exclusion, housing and homelessness, disability, and discrimination on race, gender and other issues.

Health policy issues

62 The MCOP team identified health and health service provision as a feature of migrant community work in all the areas considered. The sources for this area of concern come from, firstly, concerns about the mental health of refugees who have experienced trauma as a result of persecution and the conditions of flight from countries of origin; and, secondly, the specific needs of women in migrant communities for culturally sensitive services with particular regard to reproductive health and mental health.

63 In this area at least the presence of healthcare-orientated community organisations appears to have a basis in the need of parts of the health service itself to reach out into local communities to provide more effective coverage of needs. Inadequate health care provision tends to show up in statistics which reflect poorly on statutory services, such as the arrest and detention of mentally ill people by the police, or higher rates of mortality during childbirth. Wider concerns about public health and the potential for illnesses incubated in poor, socially excluded communities which threaten the wider community with the potential for epidemics, such as HIV infection or tuberculosis, also create an interest within the health service establishment which favours positive outreach work into the communities of newly-arrived migrants.

¹⁹ See WARS website – <http://www.warsiag.org.uk>.

²⁰ See ASIRT website – <http://www.asirt.org.uk>.

²¹ See the website of the National Coalition of Anti-Deportation Campaigns (NCADC) for information about anti-deportation campaigns – <http://ncadc.org.uk>.

²² See Ethnic Minorities Law Centre – <http://www.emlc.org.uk>.

²³ See ILPA website – <http://ilpa.org.uk>.

²⁴ See JCWI website – <http://www.jcwi.org.uk>

²⁵ See IAS website – <http://www.iasuk.org>

²⁶ For example of this critical policy work, visit the websites of the Joint Council for the Welfare of Immigrants, the Immigration Advisory Service, the Immigration Law Practitioners Association and Asylum Aid (<http://www.asylumaid.org.uk>) and Asylum Rights (<http://www.asylumrights.net>). For the work of policy research centres, see COMPAS (www.compas.ox.ac.uk), ICAR (www.icar.org.uk) and the Institute for Public Policy Research (www.ippr.org), amongst many others.

64 The MCOP team received several accounts from community organisations of their first forms of funding for work being provided by health authorities and trusts for the provision of specific services, such as translation or counseling sessions. On the other hand, it was also reported that the expectations for community involvement from the authorities was often low and limited to very basic facilitation of interpretation and facilitation of contact at clinics. The interest of communities in providing higher standards of care in the health service mainstream, such as at GP practices or in accident and emergency departments was often resisted on the grounds that it would entail the rebalancing of budgets for this core parts of primary and acute care at least slightly more in favour of immigrants.

65 Looming on the horizon for migrant health concerns are the government's plans to introduce checks on immigration status for GP and other primary care services. The implications of this development are potentially sweeping and at least one primary care trust has attempted to map the adverse effects it expects to have on services as the new regulations are rolled out in local health centres. It is likely that a comprehensive response from migrant communities involved in this area of work will be required to prevent the worst potential outcomes.

Health service risks

“International studies have shown that restrictive access policies may deter individuals from approaching health services. Although there is little evidence that immigrants delay seeking care for tuberculosis: studies suggest that irregular migrants delay seeking care for tuberculosis and STIs/HIV if they fear repercussions from immigration authorities. 82% of respondents in one study of irregular migrants felt that their illegal status, and lack of identity card, stopped them from approaching health services despite health needs. Most reported reluctance to take their children, despite the child's entitlement to free health care, because they feared repercussions for the family.”

From *The identification and charging of Overseas Visitors at NHS services in Newham: a Consultation*. (Hargreaves, Friedland, Holmes and Saxona 2006)

Other issues and conclusion

66 In addition, migrant community organisations showed themselves to be active in the areas of the rights of women, the maintenance of cultural and religious traditions, young people in relation to the education system and the criminal justice system, the experience of discrimination, the negative portrayal of communities in the media, and relations with groups outside their communities. Opportunities to participate in networks which brought migrants into contact with groups based in the host community were generally welcomed, though it is common for such groups to feel poorly equipped to contribute in ways often expected.

67 To conclude this section, the essential point to consider is that the immersion of community organisations in issues grounded in specific, local experiences provides a very detailed, practical agenda to work to. Further, the public authorities which migrant communities confront on a routine and immediate basis are as likely to be local councils concerned about community relations or public services wanting to ensure access for the newly arrived, as much as unambiguously agents of control and enforcement in the form of the immigration authorities.

68 Yet even when pursuing a benign agenda concerned with inclusion and good community relations, public authorities across the UK are increasingly required to ensure that their work accommodates the immigration control agenda. The capacity to disaggregate policy agendas operating at local and regional levels to determine the parts which promote the rights and interests of migrants, and those which run counter to these rights, is a skill which needs to be acquired by locally-based groups. If it is possessed at this level the development of a robust and widely-supported movement for immigration rights, capable of addressing the failings and inadequacy of current national policy will be more readily achieved.

69 In the next section we consider the prospects for the establishment of a migrants' rights network as a means for providing a framework within which local and regional community activism can structure and advance national policy debates. We set out proposals for building such a network and a working methodology to ensure that its activities are accountable to the wider movement.

Section Three

A Migrants' Rights Network – Is this the next step?

70 During the first period of its work MCOP has established a range of themes and issues that concern migrant community organisations across the country.

In summary, these are:

- a) The extent of involvement in issues concerning migrant communities by a wide range of organisations.** In all the regions considered by the project the involvement of organisations in immigration issues is extensive and involves a wide range of groups. In many ways the position of immigrants and refugees can be seen as having become almost spontaneously mainstreamed onto the agendas of local government, the public services, bodies such as the churches and other faith organisations, the trades unions, social policy NGOs, academic researchers and think-tanks.
- b) A gap between the rhetoric of ‘partnership’ between public authorities and other bodies, and the subordinate position of migrant community organisations in policy processes.** Organisations with a real basis in migrant and refugee communities are often marginal to policy discussions, with slender resources and few opportunities to substantially shape agendas.
- c) Conflict and tension between the policy agendas of leading public authorities.** The ‘control and enforcement’ agenda dictated by the leading government ministry, the Home Office, frequently conflicts with the concerns and priorities of other national departments, local authorities, public service providers, and other bodies working in the field. This results in an absence of clear benchmarks and a clear sense of the good practices that need to be developed and replicated across the full spectrum of policy.
- d) The instability of migrant community organisations.** The scope for the development of robust, long-term community organisations has been adversely affected by government asylum legislation over the last decade. Compulsory dispersal policies in particular have generated turbulent conditions for many communities and have limited their capacity to establish independent networks and social capital allowing them to address matters of concern over longer-term periods.
- e) The growth of a service-provider orientation to community organisation.** Where community organisations have acquired a degree of stability it has often been on the basis of contractual arrangements with public authorities to provide specific services. When this has not been accompanied by a growth in the accountability of the organisation to its community, this has can result in its de facto co-option into the ‘official’ side of migration management and has been a loss to the community concerned. Organisations that have developed in this way have lost the ability to critically appraise the impact of policy on their communities and to speak out on their behalf.

f) The challenge to the unity of migrant interests presented by the increasing diversity of immigrant communities. The ‘partnership model’ for supporting MRCOs can have the effect of dividing each ethnic group into separate arrangements with the authorities, based on what are presumed to be the highly specific needs of each group. Unless community organisations retain a commitment to networking across the different ethnic and national groups this can result in a dilution of the critical mass migrants need to make a collective impact on the shape and direction of policy.

71 These factors simultaneously describe the potential for MRCO’s to make an impact on the public policy agenda, and also the critical problems and difficulties which confront them in realising this potential. On one hand public policy is conflicted by tensions caused by commitments to diversity and multicultural coexistence, and contrary impulses towards the enforcement of bureaucratic regulations and norms without regard for the implied rights of individuals and communities. A strategic review of the entire public policy agenda on all matters which concern the position and rights of migrants would assist community-based organisations to identify the areas of tension and to develop narratives which all conflict to be resolved and progress to take place.

72 The possibility for addressing issues in this way suggests the need for a *Migrants’ Rights Network*. This is envisioned as a wide and inclusive structure, with membership available to organisations supporting a basic mission statement. In its work it would aim to;

- a) support organisations involved in activities which broadly relate to the rights of migrants;
- b) to assist them in establishing networks with groups working on similar issues and themes across the UK;
- c) to help identify the issues which, at that particular point merit a concentration and focusing of resources to influence the outcome of policy discussions;
- d) to identify the resources which exist within the network for providing leadership on specific issues and the capacity to represent needs to the various authorities.

73 Because the MRN will function as a *network*, the right to participate will extend to all organisations identifying with its basic aims and objectives. As well as migrant and refugee-led groups the network would seek to make itself relevant to the work of other NGOs with an interest in immigration and social inclusion policy, in part or in whole, civil society associations on the same principle, and people working in the public services. Network membership at this basic level would enable these groups to receive information from the MRN and attend its open conferences, seminars and workshops.

74 Beyond this the question of management of the direction of the MRN is raised, and the sort of organisations which ought to be most closely associated with that. What could be considered here is a membership structure which brings to the forefront groups whose membership is drawn largely from migrant and refugee communities, and who consider that the key part of their work is representing migrant and refugee interests. Groups of this type might be invited to become fully associated members of the MRN, with a formal role in managing its work and overseeing the activities of its full-time staff. More definite proposals on the network's membership structure will be made when these issues have been considered in more detail during the course of 2007.

75 The chief resource of the network would be its *project team*, seen as a group of staff with research, communication and organisational skills, charged with the following tasks:

- a) to create conditions for a dialogue and co-operation of refugee and migrant organisations in the UK;
- b) to promote "joined up" strategies on all aspects of immigration and integration policies, facilitating discussions and exchanging of opinions and experiences across the whole range of migrant groups;
- c) to monitor legislative and policy activities of governmental bodies in regard to rights of migrants, analyzing impact of legislative norms in the field of migration and advocating and promoting human rights of migrants;
- d) to ensure the representation of the interests of member organisations to the UK government and other decision making entities so as to effectively influence policies and practices related to migration;
- e) to ensure the representation of the interests of member organisations in policy discussions taking place at the European and international levels.

76 The principal activities and services of the MRN will include:

- a) developing policy analysis which directly serves the needs of refugee and migrants' community organisations;
- b) providing refugee and migrants' community organisations with "opportunity maps" identifying key areas where they can aim to influence national policy;
- c) creating platforms for discussion at national and regional levels, including an annual conference of refugee and migrants' community organisations;
- d) producing a research agenda supporting three annual core campaigns in topical areas of policy
- e) acting as a capacity-builder, bringing forward leaders from migrant communities and helping them to become inserted into national policy campaigns.

77 In roundtable discussions organised by the MCOP project team the view was expressed that an MRN would *not* seek a representative role on behalf of migrant communities in dealing with public authorities. The strength of a network lies in the resources available across its constituent parts and the quality of the dialogue it is able to promote *horizontally*, across organisations, with the capacity for campaigning and otherwise engaging with authority being found amongst groups operating closest to the concerned communities. However, as the experience of the last decade has shown, such capacity does not arise spontaneously. If the logic of community organisation is purely local and/or ethnic specific, the tendency is likely to be towards a reduction of capacity to intervene in policy discussions as the de-combination of networks brings the collective response below the level of the critical mass needed to shape and influence developments.

78 The balance that needs to be struck requires that the national network conceives of its fundamental task as *adding value* to the work being done at grassroots and local levels by:

- a) facilitating discussion between committed organisations;
- b) providing a *strategic analysis* of policy developments as they are driven by the logic of national governance;
- c) and providing mechanisms to allow local groups to act outside of their immediate context and address the national policy agenda.

79 The important question of the *accountability* of such a network to its membership has to be considered. At the conclusion of its discussions with organisations it was clear to the MCOP team that the initial stages of the growth of an MRN would involve an organic process in which interconnectivity was built up across organisations and across regions and confidence built in an emerging methodology of work. To guide the network through this period *interim* structures should be established which would consist of a steering committee, a network team, regional network groups, and project teams. These groups would assume the mandate of:

- a) Building further contacts for the network across the UK;
- b) Preparing for a national conference on migrant community organisation and national policy, to take place in the autumn of 2006;
- c) Preparing proposals for a membership structure and a constitution for the MRN;
- d) Preparing and acting on a funding strategy;
- e) Establishing the basis for three projects around which the network would structure its activity during the interim period.
- f) Working towards a date at the end of 2007 for the founding conference of the MRN.

80 The interim structures would function as follows:

Steering Committee

81 The core steering committee has emerged from the MCOP phase and has a membership based on (a) representation from the initial regions; (b) an ethnic and gender balance. It also contains a majority or representations of organisations rooted in refugee and migrant communities. It has the authority to co-opt representatives of organisations joining the network during the interim period, with consideration being given to the need to maintain the said balances.

82 The steering committee has the authority to appoint officers to oversee its work: a chairperson, secretary and treasurer.

83 The principle task of the steering committee is to review the work of the *network team* and to ensure that this develops in accordance with the terms of an agreed mission statement. Through the steering committee chair, it will work with the project director (leader of the network team, see below) to accomplish the tasks set out at paragraph 5.7. It will participate in staff recruitment committees for network team members.

The Network Team

85 It is envisaged that during the interim period the network team will consist of (a) a project director; (b) research officer; and (c) resource officer. These will be paid workers engaged on contracts covering the interim development stage.

86 The team will be led by the project director and will assume collective responsibility for accomplishing the tasks set for the interim period, in preparation for the launch of the MRN. It will be advised on all aspects of its work by the steering committee. The job descriptions of each team member, in summary, are;

Project Director To assume responsibility for the development of the MRN during the interim development period in line with objectives set out in paragraph 5.7 and whatever additional prospectus and business plans that might be agreed and adopted. To work closely with the steering committee and to provide a full account of all work to this body on a regular basis. To manage other members of the network team to ensure that agreed objectives for their work are met.

Policy Officer To review public policy agendas operating at national, regional and local levels insofar as they impact on migrant and refugee communities. To report on all key developments on a regular basis and, with in conjunction with the project director, to agree a format for reporting key developments to the network. To identify issues likely to be of crucial importance to the work of specific organisations in the network, and other network groups, with a view to advising on the establishment of project groups (see below). To assist such project groups in the development of their work. To recruit intern and voluntary staff to further develop research capacity for the network.

Resource Officer To manage the MRN office on a day-to-day basis. To develop and maintain internet and IT resources, in particular a website, allowing regular and efficient reporting of the work of the network to its membership and external parties. To maintain a database of members and contacts. To organise, in conjunction with other team members, meetings, seminars and conferences. To recruit intern and voluntary staff as appropriate to assist in all these tasks.

Regional Network Groups

87 The Network will seek to provide its membership with the capacity to review policy in terms of different impacts on the UK regions. To this end it will encourage the formation of regional network groups. These groups will be encouraged to develop the capacity for regular reporting and discussion across their memberships, to undertake projects and campaigns relevant to regional needs, and to meet as a regional network group at least twice a year to consider its work and plans for future activity. Regional Network Groups will be able to call on the resources of the national network, either directly through the use of the network database, or through the use of network team members.

Project Teams

89 Project teams will be established on agreement between the network team and the steering committee whenever it has been decided that a particular policy issue merits such a response and where resources for the activity have been identified across the network. The teams shall consist of steering committee, regional network groups, and members on an *ad hoc* basis and will be convened by either the project director or the policy officer or a steering committee member authorized to act as project team convenor. The project team will make whatever recommendations for research or campaigning activities as it sees fit and, if agreed by the appropriate bodies, shall further develop this activity, subject to proper oversight from the steering committee and network team.

90 The MCOP group were conscious of the fact that what is envisioned is a *network*, rather than a more formal association, implying a looser arrangement in which connectivity between the various parts are carried out at the initiative of network members on a horizontal, rather than through a vertical structure. Generally speaking, networks acquire strength from the involvement of the widest possible range of groups, subject to broad agreement on the principles behind the existence of the network.

91 In line with this consideration the MCOP favours membership to be open to all groups who, either exclusively or partly, are engaged in work which involves support for the rights of migrants. This extends to such groups as refugee community organisations and migrant worker associations, through to trades unions, human rights associations and anti-racist networks, and can even involve local and regional authorities. Though the participation of party political groups concerned with these issues is envisaged, the network itself would *not* provide a platform for party political debates and would maintain a strictly non-partisan position in such matters.

92 It is expected that the level of participation would differ in a membership based network on such a wide spectrum. To underpin the structures of network governance therefore it can be anticipated that a two level membership be adopted, with groups willing to demonstrate their commitment by paying a membership fee acquiring the status of full membership and entitled to participate in votes on policy matters and to sit on the various project and regional committees. Any membership fee would need to take into account the size of the prospective organisation and its financial status. Differential membership fees would reflect these factors.

93 Associate membership status would provide for all other organisations which want to be kept informed of the network's work and to receive whatever information is provided on a free basis. This status will be available to anyone indicating agreement with the terms of the network's mission statement.

Summary and conclusions

94 Over the period since the early 1990s a 'new immigration' has led to the establishment of an extensive network of organisations across the UK. These have ranged from groups rooted in refugee and immigrant communities themselves, through to 'mainstream' organisations working on social policy issues which have focus on non-immigration matters, but which have been drawn into involvement in this area to a greater or lesser extent.

95 Whilst these developments have contributed to the breaking down of the former isolation of groups working on immigrant rights, it has not necessarily led to an increase in the ability of the new organisations to influence national policy. This has been because a great deal of the focus for this work has been on local issues, or matters specific to particular ethnic and national groups, or the policy agendas of the mainstream organisations. Too often immigration rights work has lacked a strategic grasp of crucial issues and as a result activities have been diluted into separate lobbying efforts.

96 At the present time national policy is notable for the way it has centred on an array of issues, concerning 'managed migration', European regional cooperation aimed at curtailing refugee movements and people smuggling, and a diffuse agenda addressing social cohesion, on which migrant rights groups have not succeeded in making a significant impact. The viewpoint expressed in this report is that there is no inherent reason why such an impact should not have been made, and that groups supporting immigrant and refugee rights might yet rally to achieving this end. But if progress is to take place in this direction new resources for the networks of migrant community organisations will need to be constructed which can bring a greater capacity to intervene in policy issues to the wider movement.

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