

HSMP Forum's submission to Migration Advisory Committee

This is a submission to the Migration Advisory Committee in response to the consultation on settlement reforms i.e. delinking work visas from settlement for migrants entering the UK from April 2011.

The HSMP Forum took its name from the UK's 'Highly Skilled Migrant Programme', which was introduced in 2002. HSMP Forum is a not-for-profit campaigning organisation, and represents immigrants coming from non-European Union countries as well as those settled here. The organisation's aim is to support and assist immigrants under the world-renowned British principles of fair play, equality and justice and believes in challenging any unfair policies that undermine the interests of immigrants.

HSMP Forum opposes any new changes which will deprive migrants of the right to settlement. We believe depriving migrants of settlement will lead to breach of human rights laws as it would tend to exploit migrants and would deprive them and their families of certain basic rights to them after being present in the UK for a required duration of time to be eligible for settlement.

Deprivation of settlement would act as a deterrent for non-European migrants from choosing UK as their destination to work. Majority of migrants who come on Tier 1 and Tier 2 visas happen to come from Asian and African countries¹ and an important reason for their choice of destination is the possibility of settlement.

It is possible that migrants may still come to the UK even after the delinking of work visas from settlement but it is certain that the quality of migrants entering Britain will deteriorate. Also many of those who may happen to come under such rules may not be committed to continued stay in the UK and may prefer migrating to other countries which may offer settlement or long term stay. Security and Stability is an important motivation for migrants when deciding on a destination and when they do not see the possibility of long term security they may consider other countries. This will in turn affect UK businesses' ability to recruit and retain persons with the required skillsets. Migrants who are denied settlement rights will take away with them domain specific knowledge and skills, this isn't effective retention of skills and does not help the UK to remain economically competitive going

¹ <http://www.communities.gov.uk/documents/communities/pdf/1204238.pdf>

<http://www.guardian.co.uk/politics/2008/apr/01/immigrationpolicy.immigrationandpublicservices1>

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forward.² Nurses for instance are in short supply with the NHS having to recruit internationally, however local nurses have been known to immigrate abroad for better jobs.³

It is important to note that there are a good number of migrants who happen to migrate from Middle Eastern countries such as United Arab Emirates because of the lack of right to settlement and other basic rights in those countries. Lack of motivation for non-European migrants in coming to Britain may lead to further burden on UK businesses, since scarcity in certain required skillsets will create higher demand for these skillsets therefore raising salary thresholds.

We believe it is important for the UK to give due consideration to migrants by allowing them to have certain facilities such as availing health services and other services at discounted rates if not as part of their national insurance and tax contributions. We are living in a competitive environment where migrants are easily lured to other countries which offer them a better life and therefore the need to be competitive. Countries such as Australia seems to be unaffected by the on-going recession and unemployment. Canada for instance requires an individual to have lived in Canada for only 1095 days (3 years) before being able to apply for citizenship.⁴ Skilled work force is a requisite for UK to not only to ensure businesses and economy is able to climb back from recession but also to have a competitive advantage. Migrants need the UK as much as the UK needs them, surely we can devise a win win situation for both the parties.

We have also spoken to several migrants who have worked in countries such as United Arab Emirates where migrants are not offered settlement. We were informed that when they were working in UAE they did not pay any tax. Scrapping taxation for migrants on Tier 1 and Tier 2 will be a major loss for the economy and if tax is demanded from them without providing any settlement and other rights, then the question would be on why should migrants opt for Britain in the first place? This in turn will have a severe impact on the economy as businesses would not be able to fill in certain skill sets which will have impact on their productivity and in turn to the economy. Some of the businesses may decide to outsource certain departments / divisions which may cause further

² <http://www.computerweekly.com/blogs/inside-outsourcing/2010/05/tory-caps-on-immigrant-it-workers-will-be-uks-loss.html>

³ http://news.bbc.co.uk/1/hi/programmes/real_story/6447179.stm

⁴ <http://www.cic.gc.ca/english/citizenship/become-eligibility.asp>

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unemployment and fall in investment in the UK and would impact the economy i.e. loss of taxation and more people may go on benefits. We do not think the argument that businesses should train local employees to fill in skill shortages has any substance. It is unarguable to suggest that small and medium sized businesses should spend lengthy period of time and exorbitant costs trying to train individuals instead of recruiting the required skillsets. While the larger firms in a competitive and cut throat environment will find it undesirable and way too unprofitable to invest time and resources in training individuals instead of getting on with business.

We have posed various other questions to some of the migrants such as Doctors, Information Technology specialists, Engineers etc who moved to the UK from Middle Eastern countries. They say that if UK would not have provided settlement and citizenship then they would not have migrated to the UK and would have preferred countries such as Australia or Canada instead. They also believe that when they moved to the UK from countries which do not offer settlement that country lost talent which would have very likely have impacted services over there. Without having settlement and permanent work contracts migrants cannot buy a flat or house and for migrants coming with families their major concern is a home for their children. Also they never made any investments in those countries as it deprived them of settlement and a sense of long term security. Their major focus was to make savings and look out for alternative option. Their commitment towards their employer was limited. Majority of migrants opting for such countries which do not provide settlement do so to gain international experience and as they gained experience they decided to look for long term destinations such as UK, Canada, Australia, US etc.

We also feel any plans of making exceptions to specific skills or occupation from settlement and / or public services restrictions can raise issues concerned with discrimination.

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