



RAAB AMENDMENT EXPOSES IMMIGRATION POLICY DILEMMA

By Tony Smith CBE, former Director General, UK Border Force

On the face of it, the latest Immigration Bill makes a lot of sense. It is right to speed up the deportation of foreign criminals and to deprive citizenship in the most serious cases. The appeals system has become cluttered and clumsy and should be streamlined. Those providing services should be obliged to check entitlement before offering them. And publicly funded services such as the NHS – of which the UK is rightly proud – should only be provided to those who have contributed to it.

But once again the debate has become confused by the tension between International Convention and National Sovereignty. The European Convention of Human Rights invariably trumps any UK Immigration Law. The government were right not to adopt the Raab amendment, because it would in effect have been illegal to do so. On the other hand, the decision of Ministers to abstain tells us that the policy intent was not entirely unwelcome to them.

The UKIP position – to simply renounce Europe and its laws – is unsustainable. But the ECHR is imperfect, because there must come a point when one compromises one's Human Rights through the violation of another's. It must therefore be reviewed.

Whilst this dilemma remains a challenge, it should not divert the government from other reforms which are infinitely more deliverable. Firstly, the coalition has yet to demonstrate how and when it will deliver its promise to introduce exit checks. Secondly, there is no clear policy on identity management. There is little point asking landlords to check documents when the list is endless and EU papers are easily forged.

A biometric ID card would enable service providers to verify entitlement instantly – and the swipe of a biometric passport outbound at all ports would finally tell us who is really here and who is not. These are real and practical measures that a Conservative government could implement and - despite protestations from other parties - they would not breach Human Rights either.

Tony Smith retired as Director General of the UK Border Force in March 2013 and is now a global border security consultant. He is standing for election to Sutton Council in the May 2014 local elections on behalf of the Conservative Party.