

Scottish Affairs Committee

Oral evidence: [Immigration and Scotland](#), HC 488

Tuesday 14 November 2017

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Members present: Pete Wishart (Chair); Deidre Brock; David Duguid; Hugh Gaffney; Christine Jardine; Gerard Killen; John Lamont; Paul Masterton; Tommy Sheppard; and Ross Thomson.

Questions 1-66

Witnesses

Dr Eve Hepburn, Director, PolicyScribe; Professor Christina Boswell, Professor of Politics, University of Edinburgh, and Fellow, Royal Society of Edinburgh; and Professor Rebecca Kay, Professor of Russian Gender Studies, University of Glasgow.

Examination of Witnesses

Witnesses: Dr Eve Hepburn, Professor Christina Boswell and Professor Rebecca Kay.

Q1 **Chair:** I welcome all of you this morning to our first session on immigration and Scotland. We are all quite excited about doing this. Hopefully, we will be able to suggest a few things that might be able to move the conversation or discussion on. For the record, could you say who you are, who you represent and anything by way of a short introductory statement? We will start with you, Dr Hepburn.

Dr Hepburn: I am Eve Hepburn. I am a director of PolicyScribe and I am an honorary fellow at the Europa Institute at the University of Edinburgh. It is a pleasure to be here. Thank you very much for inviting me. This continues some of the work that I had previously done for the Scottish Parliament looking at options for differentiating the UK's immigration system, so I am looking forward to our discussion.

Professor Kay: I am Rebecca Kay. I am a professor at the University of Glasgow. I am just completing a five-year study looking at the experiences of migrants from central and eastern Europe in Scotland, including both urban and rural contexts. I am particularly interested in the relationship between migration and settlement and the way in which that impacts upon or is part of Scotland's particular needs and concerns around migration.

Professor Boswell: I am Christina Boswell. I am professor of politics at the University of Edinburgh, so a political scientist. I think much of what I will talk about today will be based on a study that I co-authored with Sarah Kyambi and Saskia Smellie, which was produced last June, on options for a differentiated approach for Scotland after Brexit.

Q2 **Chair:** I am grateful to all of you; they were very concise introductory statements. Could you give us an overview of the migrant population in Scotland now? Where are we in all of this? Could you give us some sort of suggestion about numbers and issues that we are possibly confronting? We will come to Brexit later, so we might leave that one out just now. We will start with you, Professor Kay.

Professor Kay: The Scottish Government have recently provided a lot of detail about the statistics of migration. It is all laid out in some detail in the evidence annexed to its response to the MAC inquiry, so I will not reiterate all of that. Clearly the process of EU migration, and particularly the accession of the A8 and A2 countries to the EU in 2004 and 2008, has changed the face of migration in Scotland.

There are large numbers of people—particularly but not exclusively, from Poland—who have come into Scotland, many of them for longer term periods of settlement and many of them with families. They are spread quite broadly across Scotland. We can see high percentages, including in



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rural areas. In Aberdeenshire something like 3% of the population is from A8 countries. Polish is now the most widely spoken second language, or non-English and Scots language, in Scotland.

Obviously, this has an impact for local communities and services, but it has also changed the profile of employment in a large number of sectors. In the Scottish Government's evidence there is interesting evidence about the percentages of workers and the degree to which some sectors are reliant upon those workers, notably tourism and hospitality but also agriculture and food processing, where something like a quarter of employees are now east European migrants.

Professor Boswell: There is not an awful lot to add to that. I would reiterate the point that EEA immigration has been particularly beneficial and transformative in Scotland. If we think back prior to the 2000s, Scotland faced negative net migration and was struggling with population decline and net outflows of nationals. That has been reversed, partly due to the liberalisation from 2002 onwards of migration policy under the Labour Government but then, in particular, the 2004 enlargement and the high number of EEA or A8 nationals from the acceding countries who moved to Scotland. That has transformed the population.

Having said that, the number of foreign-born nationals or the proportion of foreign-born nationals in Scotland is still substantially lower than the average for the rest of the UK. We are talking about 7% foreign-born nationals in Scotland compared to an average of 13% across the rest of the UK. It is really a story of a trend since around 2001 of a substantial rise in the proportion of foreign-born nationals, predominant among whom are EEA nationals, accounting for about 61% of foreign-born nationals compared to about 56% average for the rest of the UK. It is quite a substantial change and largely due to EEA immigration.

Q3 **Chair:** I remember when I was first elected there was a real fear that we would dip below the 5 million mark. Is this all down to EEA accession and people from eastern Europe coming to Scotland? In what way does this differ from the population of people born in Scotland? Maybe you could help us with that, Dr Hepburn.

Dr Hepburn: Yes, absolutely. As this Committee is very aware, given its inquiry into demography last year, Scotland does face significant population challenges. Scotland's population momentum is naturally towards decline with an ageing population, low fertility rates, and until recently we had a history of out-migration as well. There were serious concerns about the population dipping beneath the 5 million mark.

In the last 10 years, the population has increased. We currently have one of the highest levels of population recorded in Scotland and this is largely due to in-migration. The Scottish Government have analysed the statistics and about 90% of population increases in the last 10 years have been due to migration. Only 10% has been due to natural causes, births



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minus deaths. That means that our population stability at the moment has largely been due to migration.

In population forecasts, our projected growth rate is one of the lowest in Europe, but again that is heavily dependent on migration. The Scottish Government have said that 100% of our population growth in the next 25 years will be down to migration, about 60% migration from overseas and about 40% migration from the rest of the UK.

Q4 Chair: I have a figure here that shows that migrants from the rest of the UK make up 10% of Scotland's population. That is movement within the UK. Can you tell us anything about migrants who have moved to Scotland from other parts of the United Kingdom?

Dr Hepburn: According to the Scottish Government, about 42% of migrants in the last 10 years have come from the rest of the UK. I would need to delve deeper into the particular breakdowns. Currently, English are the largest minority in Scotland and I think other migrants are moving from England to Scotland, too.

Overall, less migration to Scotland means that we would risk population decline. Population decline would have a huge impact on the economy and the labour market. There has been a lot of evidence showing that Scotland is disproportionately reliant on migrants for population and economic growth. Any challenges to that through decreases in migration would jeopardise our population and our economic development.

Q5 Paul Masterton: To follow up on that, I think there is some evidence that migration particularly from England often tends to be people who are older. We are not necessarily looking at people who are coming to Scotland from the rest of the UK to be economically active but are looking to retire. Presumably, that again exacerbates the issues of the ageing population if some of the migration coming to Scotland is not looking to be economically active.

Professor Kay: Indeed. In fact, if you look at the breakdowns not just between the rest of the UK and international but within the international migration, the largest proportion of the migrants coming from the EEA region are aged 16 to 64 and are economically active. The largest percentages of them in comparison to non-EEA migration are coming with the primary purpose of work or study.

From our research, even for those who may state their primary reason is family reasons, the vast majority of them also do work or study when they arrive in Scotland. You are looking at a population that in its vast majority is coming to work and study, and the younger age groups are often at a stage where they are forming families or have young children. In demographic terms, that is very important.

Professor Boswell: On the Scotland/rest of UK flows, it goes both ways. We are talking about net migration. It is currently positive net migration from the rest of the UK to Scotland, but bear in mind there is substantial



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out-migration of Scottish-born to the rest of the UK and then substantial inflows as well. I am looking at the data here.

For example, between 30,000 and 40,000 Scots will typically leave Scotland annually, but then you will have an inflow of maybe 50,000 from the rest of the UK into Scotland. If you think about the composition of the Scots who are moving to the rest of the UK, that is predominantly going to be working-age younger population. If that is then offset by a different demographic profile of those coming in from the rest of the UK, you have a particularly negative picture.

- Q6 **Tommy Sheppard:** I want to delve a little bit more into the figures and understand them. I presume in any one period a certain quantum of people will migrate to a country. Not all of them will stay. Some of them will return to the country of origin. What we are looking at in population increase is the net effect of people staying. Maybe you cannot answer this question, but is the reason the population figure is going up due to migration because there is a bigger volume of people coming in or because the rate of stay is greater or the rate of return is less? Do you have any knowledge of that?

Professor Kay: It is not something I can answer for you with figures and statistics, although maybe my colleagues can. From the research that we have done where we have interviewed over 200 people who have come to Scotland over the last 10 years and have stayed for between one to 10 years, an important thing to bear in mind is that length of stay is always an open-ended question. People do not necessarily come and tell you on the first day of arrival, "I have come forever" or, "I am leaving in six months". They do not always know. Many people come with the clear intention that they are only coming for a couple of years and end up staying for 10 or more.

There does seem to be a trend, particularly among EEA nationals, to stay for longer than they initially planned and to end up staying long term. Children are a key aspect of that. Once you have children in Scotland, and particularly in the Scottish education system, the chances of that family returning diminish significantly. Parents have very real concerns about whether their children can integrate linguistically or educationally into a different education system. That means that they stay in Scotland.

- Q7 **Tommy Sheppard:** Could I ask a separate question? This might be the wrong place; correct me if I am wrong, Chair. I wanted to know to what extent perception and happiness of people who come to live in an area is a factor. Have you any research on how migrants feel about living in Scotland and whether that has changed over the last 10 years?

Professor Kay: Absolutely. That has been a key focus of our research, looking at both the emotional and material aspects of migrants' experiences and how that plays into processes of settlement. We would argue that they are both very important. It is always hard to say whether



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they are exactly equally important or not. They are also important to people's decisions to stay in particular places.

One issue for Scotland demographically as well as economically is that Scotland is not an even playing field. There are certain areas of Scotland that are facing much more severe issues of potential depopulation than others. Rural areas in particular need population and are home to some of the industrial sectors that particularly need migrants: tourism, hospitality, agriculture, food processing, and so on.

Our research shows very clearly that migrants are willing to stay in those places when they feel emotionally secure, which means that they feel relatively welcome—not 100% welcome; I do not think most people feel 100% welcome—relatively secure and that they can foresee a positive future for themselves and for their children in those places. That means to an extent feeling part of a community. It means having positive relationships in the workplace and that is equally as important, it seems, as having a very high paying job. People talk a lot about the importance of relationships with co-workers and employers. It means good access to housing and, as I say, it particularly means being able to see a future for one's children.

Q8 Chair: Do you have any comparative studies of Scotland and the rest of the United Kingdom with this emotional index and attachment to particularly the areas, nations and regions?

Professor Kay: I have not done any research comparing Scotland and England and I am not aware of any research that does compare Scotland and England. There are studies that look at happiness and wellbeing among migrants in different parts of the world, including in England. That also tends to argue that wellbeing or happiness or emotional security—it is called different things in different studies—matters and is important.

What I can say from our research is that we have had a fairly significant subgroup of migrants who have experience of both England and Scotland. Obviously, we are interviewing those who have come to Scotland rather than those who have left Scotland and gone to England, so that may introduce a bias. Many of them have said that one of the things that keeps them in Scotland is that they feel more comfortable, more welcome.

Chair: That is very interesting. I would like to see more of your study if that is okay. The Clerks have informed me we now have a copy of that, so we will make sure that is circulated.

Dr Hepburn: If I can add to this, and this is quite a different dataset but there have been studies looking at the identification with nationalities of ethnic minorities in Scotland and England and the evidence has demonstrated that ethnic minorities tend to identify with Scotland as their overarching nationality, whereas ethnic minorities in England tend to identify with Britain as their overarching nationality. There seems to be



a strong sense of belonging to Scotland, which might impact their sense of wellbeing and their happiness overall.

- Q9 **David Duguid:** Professor Kay, you mentioned Aberdeenshire, which is where I am from. You also mentioned food processing as being a key employer of the people we are talking about. Your data is obviously going to be a lot more scientific than mine, but the one piece of data that I had from a food processor in Peterhead was that he was reasonably relaxed about the 80% of his EU workforce who were settled. He reckoned there was about a 20% churn of people coming in on a transient basis and only coming for a year or two years at a time. Do those numbers tally with your analysis?

Professor Kay: That it is an 80:20 split between settled and—

David Duguid: Yes. This was off the top of his head.

Professor Kay: Peterhead is one of the places where we have done research, and we found a large group of relatively settled migrants there. We did not study people who were very transient. We did not study people who had not stayed for more than a year.

One thing we did find, particularly in Peterhead and Aberdeenshire but also in Angus, was a group of migrants who were transient in employment but not location. They were permanently settled in Aberdeenshire or Angus but they rotated the seasons. They worked in the fish factories over the winter, soft fruit picking over the summer and possibly did some work in packaging over the Christmas period.

One of the things that free movement and the social entitlements that brings has enabled them to do is to put together 12 months of the year and to take the risk that there might be a few weeks between employment. They have access to social housing. Potentially, they can claim benefits in that period. They have access to child benefit and so on. They can take the risk that they might have a short period of unemployment but their aim is to be employed continuously, and they manage to do that in quite flexible ways.

- Q10 **David Duguid:** Dr Hepburn, you mentioned the 10% natural causes factor of the recent increase in population in Scotland. How much of that 10% is due to longer lifespans and how much is due to increased birth rates within the indigenous population, roughly?

Dr Hepburn: Generally, the way the statistic is used is that it is births minus deaths and that accounts for natural causes. We have relatively low birth rates in Scotland compared to the rest of the UK.

- Q11 **David Duguid:** Within that 10%, do the birth rates include those from migrants, the family of migrants who have moved here previously?

Dr Hepburn: Yes.

David Duguid: Okay. I just wanted to be clear on that 10%.



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- Q12 Christine Jardine:** There are two questions I would like to ask Professor Boswell first of all. One is about the student population. I know from my own experience of teaching in Scottish universities that there is now a very high proportion of students from elsewhere in the EU who study, and also what you said about the demographic. Is there a high percentage of the students who come to Scotland to study who stay in Scotland? Is the demographic of people coming from England a young demographic mostly or is it an older demographic maybe retiring to Scotland? Is there any information on that?

Professor Boswell: On average there is a higher proportion of EEA students studying in Scottish HEIs than for the rest of the UK, so it is extremely important. If we are looking at net movement of students, there is a lot of churn. Students come and stay for two, three or four years and then they generally return. EEA nationals obviously can stay on and work at the moment.

It is very difficult to find reliable data and you will have been privy to the debate about the flawed data that we have, especially on outflows or return migration of students after they end their studies. We are still reliant on the international passenger survey for our primary data of international flows into the UK. It is such a small sample and once it is disaggregated for Scotland, it is not robust at all.

We can say anecdotally we know that quite a lot of EEA students stay on and work in Scotland, but there are not robust figures. When Fresh Talent was in place, it was very popular with the HEI sector in Scotland and with employers. It was seen as giving a boost. I think that when it was in operation between 2005 and 2008 it might have accounted for a boost of around 3,000 students into the Scottish higher education system. This might be a correlation that is not caused by the Fresh Talent programme, but I think there was a belief that that did contribute to attracting students to the Scottish universities.

- Q13 Christine Jardine:** If you look at the academics, at the University of St Andrews something like a fifth of the staff are from other parts of the European Union. At Napier, which I am particularly concerned about, it is even higher, and Edinburgh as well. Is there a significant impact of Brexit on the academic institutions in Scotland?

Professor Boswell: From the perspective of Edinburgh University, for example, about 25% of our academic staff are EEA nationals. At the moment, we can tell a positive story that we have increased the number of EEA academics employed at the university, but anecdotally there are a lot of people who are talking about decisions being in the balance. If something came up in their home country, they would seriously consider it.

I think the neglected issue is support staff in universities and some people who are skilled but perhaps not skilled enough that they would be included in tier 2 of the existing points-based system, for example, or it



would not be listed as a shortage occupation. Academic staff would be slotted into the existing points-based system, obviously on less attractive terms, which might be a deterrent. We do not know what is going to happen with EU research funding sources either and that would be another deterrent to EEA academics settling in Scottish universities. Tier 2 should, in principle, cater for academic recruitment as it does for non-EEA academic recruitment at the moment. I would potentially be more worried about support staff who would not fit into tier 2.

- Q14 **Chair:** We have received a variety of evidence in the call for evidence for this inquiry. We had some from Migration Watch that questions the reliance on inward migration to combat the demographic challenges, arguing that it is not a long-term solution to challenges such as an ageing population. You mentioned our demographic report, which hopefully you have all studied at great length and think it was a worthwhile document to have produced. What do you say about that? Is increasing immigration just a short-term solution to some of the deeper ingrained issues that we might have to confront in the future?

Professor Boswell: Studies suggest that while initially it boosts the working-age population, over time, obviously, migrants age and from generation to generation they are likely to adopt the reproductive patterns of the native population. If particular cultures do have a higher birth rate, once they are integrated and settled into the UK they might tend to assimilate in their reproductive patterns.

It is not a perfect solution to the problem. There was an influential study produced by the UN in 2001 that forecast what level of net migration would have to be sustained in OECD countries in order to offset ageing populations. The levels were really substantial. No, it is not a panacea and obviously it has to be combined with other measures such as expanding the proportion of the population in work, and that is done by raising retirement age, for example, or encouraging caregivers to return to work. There are a range of measures that can be introduced.

I also think that we must not think about labour shortages in absolute terms. We have to think about a set of choices that we want to make as a society. Do we want to sustain the production of particular types of products or services that are dependent on a large proportion of often low-skilled labour? Are we willing to switch business models or investment decisions in order to move to less labour-intensive types of production?

Are we willing to offer higher salaries to our public sector workers in order to attract native workers to these? There is a set of decisions. I do not think we can see labour shortages as an absolute, as a fixed need in the economy. We have to take a set of decisions about different conflicting priorities and often take a critical look at claims that are made by employers.

- Q15 **Chair:** Our demographic study showed that Scotland's population growth



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was slower than the rest of the United Kingdom, particularly some of the larger regions of England. When we did the fiscal framework and looked at how Scotland's funding allocation was going to be decided and determined, we were told by the UK Government that we had to keep up with the rest of the United Kingdom when it came to population growth or there would be significant economic hits for Scotland. Is that a view that you share? Is it necessary that we keep up the pace with the rest of the United Kingdom? If we do not keep up the pace with the rest of the United Kingdom, what will be the issues and difficulties for Scotland?

Dr Hepburn: I think we have to keep up our own pace that is appropriate for Scotland rather than trying to engage in a multitrack race for population growth. We need to look very carefully at what Scotland's needs and best interests are. That requires not just looking at immigration and labour shortages, as Christina was saying, but taking a broader look at the social change that is required to have a healthy, sustainable population and economy. That might involve looking at fairer wages and employment, poverty strategy, more parental leave and more gender equality to enable working mothers to enter the labour force.

I think that there are definitely broader changes that we have to look at within Scotland. We need to engage stakeholders in Scotland, the third sector, charities and businesses. It is helpful to look at what is happening abroad in comparative terms, but that does not mean that we should always have to compare ourselves to other nations.

Q16 **Chair:** I know you are not keen on the comparisons, but Scotland roughly meets the average growth of population across the EU. Is that right?

Professor Boswell: Yes.

Chair: That is what we found in our demography report.

Professor Boswell: That is its goal, to match population growth with the EU15.

Chair: It is the role of the Scottish Government to set that, yes.

Professor Boswell: I would say let's not fixate too much on population growth. I think there are three dimensions of demographic change. One is population growth. The second one is the age structure of your population, which I think is much more significant. The proportion of working age population to non-working age is much more significant for the economy.

The third issue is the distribution of your population across territory. There we have acute worries and anxieties over depopulation in remote rural and coastal areas. We are already seeing quite acute problems there in sustaining public services and so on.



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Professor Kay: I think that is a key issue, not to just view Scotland as a single landscape and to remember that 11 of the local authority areas in Scotland are facing serious depopulation. It is not just about low growth.

Q17 **John Lamont:** I am going to come on to that point in my next question. My first question is about the importance of immigration to Scotland in filling skills shortages and the employment requirements of Scottish employers. You have touched on this already, but does Scotland have a substantially different need for migrant labour compared to the rest of the UK?

Professor Boswell: If you ask the Migration Advisory Committee, they would say no. If you ask people who have perhaps had a critical look at the methodology of the MAC, they might say the methodology they use is glossing over some of the distinct issues in Scotland. If we have SMEs and employers in relatively small sectors in terms of volume, then the MAC methodology, for example, for trying to ascertain shortage occupations might be missing those.

The other specific issue in Scotland is the particular challenges in attracting and retaining workers, especially in remote areas. For example, the MAC methodology will typically look at shortages and then set certain salary and skills thresholds and so on and compile its list, but without bearing in mind the particular issues of attracting and retaining in Scotland.

In the context of the MAC inquiry, which is ongoing, I think we really need to take a look at the whole framework and the whole paradigm that is guiding that approach to ascertaining and identifying needs in the labour market and whether it is fit for purpose for identifying Scottish needs.

Q18 **John Lamont:** Do you agree?

Dr Hepburn: Yes, I absolutely agree with Christina on that matter. Rebecca referred to the Scottish Government's submission to the MAC inquiry last week. There was some very interesting data there about certain sectors of the Scottish economy that are quite reliant on migrants; for instance, hotels and restaurants, public administration, health, education, financial and business. The Government are now beginning to dig down and identify those sectors in which we are reliant on migration to help develop the broader picture in the MAC context of substate needs.

Professor Kay: An additional factor there is the way in which industrial or particular sectors overlap with territories that also have population issues. You have places in Scotland that are very reliant on the sorts of employment that have tended to employ migrants and that also have demographic issues of the age profile of their population and the general fall in population. I am thinking of areas that depend on agriculture but also tourism.



Q19 John Lamont: On that point of the regional variations, I was looking at the ONS figures and, as we have touched on already, international migration to Scotland is around 40,000 per annum, which is about 6% of the UK total. If you break that down to local authorities in Scotland, there is quite a big variation. In my own area in the Borders, estimated net international migration was just three people last year; Inverclyde was 130; East Renfrewshire was 51; East Ayrshire saw net international migration of minus 38.

Why is there this difference in the percentage of Scotland's share compared to the rest of the UK and also this quite vast regional variation? It strikes me from these figures that the central belt appears to be attracting the lion's share of migrants compared to the rest of Scotland. Why do you think that is? I think you touched on that earlier, but how are we going to rebalance it?

Professor Kay: I can speak about the areas where we have conducted research and about the migration populations that we have conducted research with. Albeit that free movement is seen as special and different, patterns mirror much broader patterns in migration and the understandings of migration internationally. People come to places in the first instance often because there is a specific campaign to bring them over. I know that First Bus in Aberdeenshire specifically recruited from Poland for a considerable period. Some parts of the food processing industry use agencies to recruit specifically from Poland but also other east European countries.

As that phase diminished, people came to people. We found almost nobody in our study who had not come to someone. They had come to a job, but they had come to that job because they had an aunt, a cousin, a wife, a sister, a brother who was already working there or thereabouts. That means that concentrations become more concentrated and that those places that have not attracted people also do not become targets for people coming. That might explain something of the regional disparity.

There is a question there about whether those areas that have low numbers of migrants have an ability to attract the first sets of people that will then attract more people. Of course, the people who come first need to have a relatively positive experience in order to bring over others and not to say, "Don't come here".

Q20 Paul Masterton: One of the things that we hear a lot when we are talking about immigration is the impact that it has on employment opportunities locally. Could you explain a little bit about what, in your view, relationship there is, if any, between inward migration and employment opportunities for other UK-born citizens?

Dr Hepburn: Some of the research that currently exists on Scotland and the UK indicates that migration does not have a significant impact on the wages or employment opportunities of the UK-born population when the



economy is strong. There is some evidence of labour displacement when the economy is in recession, but the report that the Scottish Government issued last year indicates that that tends to affect currently resident migrants, so previous generations. Generally, the advantages of migration economically and for wages tend to outweigh the disadvantages.

Q21 Paul Masterton: Maybe this is obvious and I am just missing something. What is the reason for the difference between when the economy is strong and the shift in data during a recession period? Is there a particular reason as to why it is the case?

Professor Boswell: More jobs.

Dr Hepburn: Yes, more jobs for all.

Professor Boswell: The other crucial thing to bear in mind is whether the incoming workforce is complementary or substituting. Do they have similar or different skills and preferences? A lot of labour shortages are due to what is termed mismatch, either a mismatch of skills, so the native or domestic workers do not have the appropriate skills, or it is about preferences, so jobs are not sufficiently attractive to domestic workers because of remuneration or conditions or status associated with that work. Equally, they might be in the wrong regions and people do not want to relocate.

A substantial proportion of immigration is typically going to be complementary in filling those gaps and addressing those mismatches. In those circumstances, it is without doubt economically beneficial. It has a beneficial impact on wages, productivity and does not displace.

There is some evidence over the past couple of years where it is substituting and in very high numbers in a relatively short period of time. For example, a Bank of England report from 2014 found that where it disaggregated by region and by occupation, where there is a rapid increase by about 10% of workers in a particular region, that could have a depreciating effect on salaries for lower skilled natives of up to 2%. There can be that kind of effect and I think the research is showing that, but that is under very particular circumstances.

Q22 Paul Masterton: We are still very much in a situation where predominantly migrants are coming to do jobs that UK-born citizens do not want to do?

Professor Boswell: Do not want to or cannot. How you might address that is again the question that we should not see this as a fixed, static thing. We should see it as something that involves a number of decisions and choices. We might want to rectify that by enhancing training or by better remuneration. If you only want to pay your high school STEM teachers a £21,000 starting salary, that is a decision you make. If you want your social care workers to be paid on very low salaries and sustain that type of remuneration, then you are going to be dependent on



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migrant labour. The question of assimilation and long-term solution comes back there because migrants do not aspire for their children to come into low-skilled, low-paid labour either.

Dr Hepburn: Then that raises the question of retention. Obviously, we want to retain the migrants that come to Scotland and give value to our communities. A lot of the migrants that are currently working in Scotland are overqualified for their positions. The expectation is that eventually they might want to move on. I think it is very important to look at these wage structures.

Q23 **Chair:** I have just seen some figures from the Scottish Government that say that migrants contribute £4.4 billion to the economy and a staggering figure of £34,400 per head. Are these figures that you recognise? How does that influence the debate about the value of immigration and migrants compared to this idea and suggestion somehow that they take and appropriate the jobs of UK-born residents? One of you is from the Scottish Government so maybe you can help us with that.

Dr Hepburn: £4.42 billion was the annual contribution to GDP that new migrants make in Scotland.

Chair: £4.42 billion is the figure I just saw there, yes.

Dr Hepburn: It is very important to emphasise the net economic contribution that migrants make, especially during the very sensitive debates that we have been having in the UK over the last few years with Brexit about the value of migrants and concerns about migrants taking jobs and so on, as you said.

Q24 **Chair:** Given these figures are so staggering, how has the idea been promoted, suggested and accepted that there is an economic cost of migration to this country? How have we allowed this to become a sort of orthodoxy about migration?

Professor Boswell: I would make a couple of points on this. One is that public perceptions of the costs of immigration are not necessarily based on evidence and fact, we know that, and that anti-immigration sentiment is often due to a complex range of social, economic and cultural factors that are not related to objective economic effects. Whether it is about socioeconomic anxiety or cultural anxiety, being left behind for a number of reasons, often those sorts of anxieties are channelled into anti-immigration sentiment.

What has not helped is when political leaders buy into this type of rhetoric. Research suggests that that plays a huge role in shaping and determining what is seen as legitimate or kosher in how people channel those kinds of anxieties. In the context of David Cameron's attempted renegotiation of access to welfare benefits for EEA nationals, if you think back to early 2016, it pretty much gave credence to claims that EEA migrants were a burden on the public purse.



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All the evidence points to the contrary, yet by accepting that premise and going into negotiations saying, “Yes, this is a problem. Let’s do something about it”—and actually failing to do very much about it—you are underpinning and bolstering those types of views. It is a combination of complex socioeconomic factors that we cannot really go into now, plus, let’s say, a failure of political leadership to tell it straight, to tell it how it is.

Q25 Chair: I did not want to get into the Brexit debate too quickly, but the whole of Brexit seemed to be predicated on stopping immigration. That was my perception. It may be a wrong perception but certainly when you are looking across the piece, immigration featured as a major decisive factor in people’s votes. Is all this just based on myth and wrong perception then?

Dr Hepburn: I would say that political parties have a very large responsibility in conveying the evidence on immigration to the general public. Going back to the question that you asked earlier about happiness, evidence has emerged over the last few years that migrants living in Scotland very much have appreciated the very positive tone adopted by Scottish political parties on the migration issue. They have felt more welcome as a result of that.

I think that political parties should take responsibility for conveying that evidence and for conveying the positive benefits of immigration as well. We lost that in the Brexit debate. At least we lost that in certain parts of the UK, and I think there should be a collective responsibility for that.

Q26 David Duguid: I am not sure I want to ask my question now, but I will go ahead—no, it is not that bad. I think we can all agree, probably, that all the major parties have come out since the EU referendum and identified the value of migrant workers to our whole economy, not just Scotland.

I have been very interested to hear about the systemic socioeconomic factors, not just immigration as a single measure; I have never been a fan of ever measuring the success of anything by just one measure. Could you talk a little bit more about anything that either the UK Government or the Scottish Government could be doing from a more economic or industrial strategy type approach to help develop opportunities for not just the UK-born workforce but the families of the migrant workers who have come in previously?

Professor Boswell: I would separate out the socioeconomic and the cultural sources. I think a lot of the debate at the moment is assuming that those who are most likely to be anxious about immigration are those who have been economically left behind, who have suffered from rising inequality, job insecurity, precarious contracts and so on and are really struggling to sustain a livelihood under current economic circumstances.

That is one way of looking at it, but another way of looking at it is there is increasingly influential research polling people who vote for anti-



immigration parties. The strong thesis emerging from these sorts of studies is that there is a strong cultural dimension. There are people who are not necessarily in the lowest income groups but who are feeling culturally left behind. This is the case in the US and in the UK, a feeling that they do not necessarily recognise changes that our country has undergone in the last couple of decades. They feel alienated by what they see as a visible increase in immigration in their local communities.

How you address that is very challenging. One potentially short-term fix is to reinstate some kind of programme for making sure that local communities receiving a higher proportion of immigrants clearly and demonstrably receive benefits to offset any potential impacts on public services. You will recall that under the Labour Government there was a migration impacts fund that was distributed to local authorities in proportion to levels of net migration. That was then abolished.

If migrants are making a net fiscal contribution—and EEA migrants clearly are—can we see some of that money being injected into local communities, being invested in public services, building houses and offsetting some of those strains that people perceive to be created by immigration and to clearly signal that those investments are being made? I think that would be low-hanging fruit.

Professor Kay: It tallies with some of what we have been talking about up until now. There are places that struggle to retain their local-born population and also potentially have incoming migrant populations who may need some support in order to integrate and so on. Part of our research was looking at the development of positive initiatives to meet migrant needs.

As part of that process, we held some community consultation meetings in Angus and Aberdeenshire. The message that came back clearly from those meetings was the things you are identifying as needs for migrants are needs for everybody here: community spaces, better work/life balance, public transport and the ability to build positive futures with broader horizons.

Migrants coming into an area was potentially a catalyst for doing something that everybody in that locality needed: to have community spaces; to have schools that had programmes that gave their pupils a view of the world that went beyond the local area, Scotland and the UK; to have a way of talking about what life meant that was not just you go to work, you come home, you watch the television, you go to bed, you get up, you go to work. I am exaggerating, obviously. There are ways in which this can be very much a win-win rather than a zero sum game.

Q27 **Deidre Brock:** Despite the fact you have given us a lot of detail about immigration, there still seems to be a lack of detailed data on immigration to Scotland and, therefore, what future migration needs Scotland might have. The Royal Society of Edinburgh has also backed this up. It has suggested that the lack of timely data is an impediment to a



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more effective migration policy. Professor Hepburn, you have suggested the production of an annual population strategy for Scotland. How do you think that might strengthen the evidence base? What kind of additional data is needed? Who should be responsible for production of that?

Dr Hepburn: I did some comparative research looking at other advanced liberal democracies and how they deal with differentiating their immigration systems. Some of the places that I looked at, like the states and regions in Australia, and elsewhere, in Canada, produce annual population strategies that help them decide on where the current shortages are but also where future strategies may lie as well.

That is something that the MAC shortage occupation list could do a little bit more of, not just look at current labour shortages but try to assess and forecast future labour shortages, too. That would give a sense of where we are and where we are going. In other cases like the Australian states, that is done at the substate government level. Those statistics are compiled at that level and then they feed into the federal or the central state decision-making process as a whole.

Q28 Deidre Brock: You think it would be particularly beneficial. I was going to ask about the shortage occupation list and how well the current arrangements for the migration of non-EU nationals meet the needs of Scotland. Where would you like to see improvements in that particular model?

I can certainly say, as a constituency MP, that the number of people who come to me with problems with the current UK system is considerable and it seems to be growing all the time. The constant tweaks to the immigration system, for example, catch people out constantly. There have been some pretty well-publicised cases of that recently. Where would you like to see improvements made in the current system that we are having to operate under?

Dr Hepburn: We currently have a points-based system, which was not really designed to account for substate variation. It is very much a one-size-fits-all approach. The only concession to the substate interests is the shortage occupation list, which is useful but it has been criticised as restrictive. There are not enough jobs on that list that reflect where current shortages lie, and it is retrospective so it cannot forecast future shortages. There are constraints there for substate nations and regions having their interests and migration needs taken into account.

I have been looking at options, as has Christina, and Sarah Kyambi and Saskia Smellie as well, to look at ways in which we might alter or amend the current points-based system or look at different models for Scotland to have a bit more say over immigration. There are lots of different things that we could be doing currently. There is low-hanging fruit and there is high-hanging fruit as well.

We could make the shortage occupation list a bit more expansive. It could forecast more into future labour shortages. We could have more



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Scottish representation on the MAC or other substate representation on the MAC as well. We could have more input from Scotland into UK decision-making on immigration, which might involve new intergovernmental machinery like a joint ministerial committee on immigration. There might be mechanisms to represent the interests of substate nations and regions in the points-based system.

We could introduce new subcategories within the points-based system specifically for Scotland, like the Fresh Talent initiative that we had previously or other schemes. We could devolve immigration to Scotland, which is another possibility that I have looked at and Christina has looked at in her reports, too. There are issues there about implementation and feasibility, which Christina's report in particular emphasises, and about intergovernmental structures, which I have a particular interest in. There are advantages and disadvantages but the main bottom line is that there is lots we could be doing.

Professor Boswell: Specifically on the existing points-based system and tier 2, there are three sets of impediments for Scottish employers. The first is just the bureaucracy and costs in applying for sponsorship and getting a sponsor certificate for each person you recruit and so on. Then there is the fact that there are particular salary and skills thresholds that apply across both the employer-led and the shortage occupation streams.

One could consider, for example, on a differentiated basis, lowering the salary or the skills threshold for that scheme. Thirdly, there are the issues we touched on just now about the methodology for identifying which occupations would qualify as experiencing acute shortages. Consistently, the Scottish Government, employer groups and COSLA have made the case for a more expansive methodology that better reflects Scottish needs at a more granular level. All those things are flawed.

We have gone into quite a lot of detail in looking at the options for minor tweaks or adjustments within the existing tier 2 system. I think we risk neglecting a key issue, which is that EEA nationals are predominantly employed in low-skilled occupations even though they might be overqualified for that work. The existing noise we are hearing from the Home Office about the post-Brexit offering on lower-skilled occupations is that it is all about temporary, seasonal programmes, a lot of churn, no pathways to permanent residence. The leaked Home Office document suggested there be a maximum two-year period of stay after which migrant workers would need to go home. This is entirely consistent with practice across the OECD.

Typically, there are two pathways to immigration across OECD immigration countries: the high skilled, who get good deals and everybody is desperately trying to provide attractive packages to cherry pick the best brains and the best skills, and the low-skilled, who are essentially seen as a potentially infinite supply and, therefore, we do not need to offer particularly attractive packages.



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That might be the case if we are happy with that model of churn and recruiting people on a temporary basis with very limited rights—for example, family rights or access to services, welfare and so on, and limited or no pathway to settlement—but as we have discussed before, given the particular demographic challenges in Scotland, that is not necessarily a model that would be appropriate to Scotland. I think we have to explore the lower skilled and what Brexit and the cessation of free movement rights will mean for filling lower-skilled jobs and what settlement patterns we would ideally like for low-skilled migration.

Q29 Deidre Brock: Absolutely. We have noted that only 6% of tier 2 sponsors are located in Northern Ireland and Scotland. Could you give us your thoughts on why there is that big disparity between London and the south-east and—

Professor Boswell: I think the MAC would identify that as a justification for why Scotland does not need to expand, for example the Scottish occupation list, and would say, “Look, it seems you are not taking up these opportunities”, but for the reasons I have just presented many especially SMEs feel it is a huge bureaucratic outlay and huge cost outlay to get sponsor status and to get sponsorship certificates for individuals. Obviously, if we are in a UK-aggregated system, it will be more appealing for many migrants to be located in the south-east around the London area, and so on.

Deidre Brock: The bigger and larger companies, yes.

Professor Boswell: Yes, absolutely.

Q30 Chair: My figures say that 63% of tier 2 sponsors are located in London and the south-east. You have to put forward £20,700 to sponsor somebody on tier 2 and I am sure that is much more readily available to people in London and the south-east where there is higher wages than some places in Scotland, a place like Highland Perthshire in my constituency. Is the cost a factor?

Professor Boswell: Yes, absolutely.

Dr Hepburn: The Federation of Small Businesses in Scotland has conducted research on these issues as well and has found, as Christina has said, that a lot of its members, small businesses, tend to hire EU nationals through free movement rather than going through the points-based system, which is considered to be extremely expensive and extremely inefficient for them.

Professor Kay: There was a fairly recent report by Scottish Care. It showed that the structure of residential care in Scotland and care providers in Scotland is different. There is a much higher percentage of family-run and single establishment care providers, and they were extremely worried about the potential of having to act as sponsors for care workers in residential care homes.



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- Q31 **John Lamont:** Professor Kay, in your submission to the Culture, Tourism, Europe and External Relations Committee in the Scottish Parliament you outlined a number of options available to the Scottish Government to boost or encourage migrants. How important is the quality of local services, schools, NHS, housing, in terms of attracting and retaining migrants?

Professor Kay: The quality of services is important. Availability of housing has come out in our study as a really key issue and a big difference, I must say, between Scotland and the rest of England. Current migrants who had experience of England and then coming to Scotland commented extensively that the fact that social housing was available at least in some areas of Scotland was very, very important to migrants.

It was an important factor also in attracting people into more rural and peripheral areas, particularly in Aberdeenshire; as you will know, coming by low cost and social housing in Aberdeen city is very difficult. There is social housing available in some of the surrounding areas, and we came across quite a large proportion of migrants who had moved out of the city and into quite small places like Crimond, Mintlaw and so on in order to access social housing. That is an important factor.

That said, migrants coming from countries with, let's say, a different history of state support and the provision of public service and different levels of expectations about what that might mean are often impressed by what is provided in ways that the local population might not be. A recent piece of work in Peterhead, in fact, found that the migrant population was much more positive about Peterhead as a place to live and about their experiences of Peterhead than the locally born population.

We also had a large proportion of the 200 people who we interviewed, particularly those coming to rural places, saying, "We didn't come here asking for very much. What do we need? A place to live, a job, the fact that our children can go to school. That is what we are looking for". I think people are not necessarily coming with high asks, but they do have basic needs that need to be fulfilled and that is important.

- Q32 **Gerard Killen:** Dr Hepburn and Professor Boswell, you both touched on migrant workers being overqualified and working in low-skilled jobs. To what extent do you think that free movement has meant that EU nationals are working in low-skilled, low-paid jobs that they are overqualified for and do you think this is a problem?

Professor Kay: Perhaps I could say something to begin with. I think it is important to be clear that free movement has not forced anybody to move. Free movement did not require people to come and take up low-skilled jobs. It provided them an opportunity to come without having to go through a points-based system.



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Unless a points-based system were to be introduced with a higher skills threshold that said you cannot come to a job you are overqualified for, it would not prevent deskilling. Indeed, such a system could not really be enforced because you could not force someone to tell you the qualifications they had that they thought were disadvantageous to them to disclose.

It is a bit of a red herring to think that it is free movement that has caused deskilling. Deskilling has been caused by economic disparities between the countries that people were born in and the countries that they move to. They have come with different structures of gender and age inequalities. For example, women of my age in Poland find it very difficult to find another job if they become unemployed but can do so fairly readily if they move to Scotland. There are those sorts of issues in play rather than free movement being the root cause of that.

Professor Boswell: I think there is a trade-off between different models of regulating immigration. On the one hand, you have those that are very precisely recruiting those who have a specific job offer and have gone through various recruitment processes to make sure that their skills match that particular job. Those might lead to good matching, although there is still a risk of deskilling because there is no guarantee that people will not take on jobs that are better remunerated than in their home countries, even though they are beneath their skills, but they are more clunky, more bureaucratic to administer, more costly; they are not as efficient and create frictions within the labour market.

Then there are those programmes that allow people to move freely and look for work once they have arrived and, of course, the Fresh Talent initiative would fall into that category so that people who had graduated from Scottish universities could go and look for work. Again, there was a risk of deskilling with that programme, and we do not have robust data on the extent to which that did occur, but in many ways it has virtues and advantages because it allows people to navigate the labour market. It also gives them more autonomy in moving, and potentially career progression opportunities, as well. There are pros and cons to both types of approach.

Dr Hepburn: I very much agree with what Rebecca and Christina have said, that free movement has massive benefits, enabling people to voluntarily decide to move to different locations and to different jobs. However, a key for Scotland is to retain those people and retention has been a very important strand of the Scottish Government's approach. In order to retain people we have to put a proper framework on migrant integration and reception policies in place to provide the carrots and incentives that will allow migrants to come and become long-term members of our communities.

Q33 **David Duguid:** I totally understand. It refers back to an answer to my earlier question about the need to have facilities, public transport and



these infrastructure items to retain migrant workers who go to the trouble of moving here, but from your earlier answer it is equally true and equally important for these facilities to exist to retain the UK-born citizens in that area as well. Does that have a cancelling effect, potentially, or is it just that we all need to have better facilities everywhere?

Dr Hepburn: Integration is a two-way process. It is not just about migrants having to integrate into the host culture or society; it is also about the host culture and society adapting to welcome immigrants into their communities. If you look at integration as a two-way process, it has benefits for the UK-born population as well as the migrant population entering. Rebecca has told us quite a lot about these fantastic initiatives of bringing communities together, which is a win-win situation that overcomes the social isolation that many people in our society feel, and brings them that connection, as well as bringing all the benefits of culture, language and so on that migrants bring to our country.

David Duguid: We agree on that point. Professor Kay might be aware that in Fraserburgh there is a particular initiative to bring the migrant population together with other—I don't know if this is the correct term—socially isolated people from the indigenous population, the disabled for example, who do not get out and about so much. There is an organisation that brings those people together. The point I am trying to make, what I am asking for agreement on, is that whatever we need to do to attract or retain migrant workers, we need to do that equally to attract and keep people in our rural communities in particular.

Q34 **Chair:** The status of EU nationals is one of the big debates we have been having about Brexit thus far and we know that this is one of the key principles that the EU27 want resolved before we make any progress. I have already had the experience in my constituency where several EU nationals have come to me to say they no longer want to stay in Scotland because of the atmosphere and culture that has been created by the conversations about Brexit. Is there anything that you have in mind that we could design specifically for Scotland to help retain the EU nationals we have and make some sort of pitch to see if we can secure EU nationals to come to Scotland beyond what might happen with Brexit?

Dr Hepburn: I would suggest what we were just discussing there about looking at codifying a migrant integration strategy into law within Scotland—which other substate nations around the world have done, such as Catalonia, Quebec, the Basque Country—that could work to internationally promote Scotland as a country of destination, that we support migrants, we welcome you, we have these rights in place for social housing, access to health care, education, schooling. These rights currently exist in Scotland in these devolved areas, and in fact Scotland already has de facto control over migrant integration, so it is not as if this is something that would be impossible to do. We could do that within our current constitutional framework.



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Q35 **Chair:** Does any of you have any evidence that would suggest that there seems to be a number of EU nationals resident in Scotland who are considering leaving because of the worries about Brexit?

Professor Kay: Yes. It is often at a more anecdotal level than large-scale survey data. I do not have it to hand but could send on data from a piece of work being done at Strathclyde University by Daniela Sime. She has done a quite large survey of young EU migrants, both those born in Scotland and those who migrated to Scotland as young children and are now teenagers and young adults. She has some interesting data on their longer-term intentions and also their experiences of racism that they attribute to being a result of Brexit. That would be interesting for the Committee to look at.

Professor Boswell: We referred to that in our RSE working group.

Chair: Yes, you did.

Professor Kay: Yes, you did, but she has some more recent data, which came out since that was published.

Following on from what Eve was just saying, having codified a strategy for Scotland would be really helpful. Among the migrants we have spoken to, and as Christina has said, there is a sense of awareness that the political leadership in Scotland is putting out a different message and that is welcomed, and migrants have a positive experience of that but a sense of uncertainty about what it means. "Yes, Nicola Sturgeon might say nice things about us, but actually she is not the one who is going to decide" is something that was said to me. That sense of being unclear about the degree to which Scotland can control their experience and the degree to which being in Scotland can be different is something that could be more clearly and robustly communicated.

Q36 **Ross Thomson:** The Chair's question asked you about the impact of Brexit, the atmosphere that has created, and whether or not that had resulted in people not wishing to stay in Scotland. I would be interested and intrigued if you have similar evidence, if you have done similar investigations into whether or not the constitutional uncertainty in Scotland about its place within the United Kingdom has had a similar impact.

We have this ongoing constitutional wrangle, with the threat of independence again sitting over our heads with another referendum. Is that polarisation of Scottish politics putting people off, is it having any impact on making Scotland a welcoming place, and do people want to come and live here? I know from my own experience that there is still that atmosphere in our communities, that there is still Scot against Scot, because some of them do not think we are Scottish enough.

Professor Kay: We carried out a large amount of our research during the period of the Scottish independence referendum and there were mixed views. There were mixed views even on the right of EEA nationals



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to vote in that referendum, with many people welcoming the ability to vote, feeling that it was a sign of their inclusion, a sign of their being part of the broader polity, but some of them saying, "Thank you very much, but I won't use it because I don't think I should have that right". Other people were saying, "I will use it".

We asked people what their intentions were about voting and quite a high percentage who said they would vote against independence said that was because they feared it would mean leaving the EU. We have got back to some of those people and they now say, "I voted against independence to stay in the EU and now we are leaving the EU because we are still part of the UK". That is their view on why we are now leaving the EU and it is not for me to comment on it, but the ongoing question around Scottish independence for the migrants we have been in touch with is fading rapidly into the background as an issue against the much bigger looming issue now that is Brexit.

Q37 **Ross Thomson:** That is interesting because I know that in my own communities, for example, during that referendum campaign and speaking to some of those who had come from eastern Europe, their engagement with and understanding of nationalism in eastern Europe, obviously brought concern about what was happening in Scotland. I was not sure if that was reflected, if they thought that they saw that same kind of nationalism here as they did back home.

Professor Kay: The ones that we spoke to did not perceive it that way. Some said, "Yes, I come from Lithuania and we got independence and that was great, so why shouldn't Scotland?" Some said, "We don't think that it makes a big difference. What is all the fuss about?" Some said, "We don't understand why the Scots don't like each other". People said all sorts of things but I did not get a perspective, across the board, that it was about nationalism that was unacceptable.

Dr Hepburn: I was going to refer to some research that was conducted at the University of Edinburgh, breaking down polling figures about Yes and No voters. Migrants were largely split 50:50, pretty much in the same way as the local Scottish population was split on the issue of independence, and there was no indication that they were planning to leave as a result of the constitutional uncertainty.

As Rebecca said, one of the main concerns was to remain within the European Union and that led some EU nationals to vote No, given the possible uncertainty that Scotland would have to queue to retain its EU membership, and now, of course, that situation has changed. The UK is indeed leaving the European Union and for many EU nationals, their concern is to remain within the European Union. The issue is very complicated but generally, if we look at that breakdown, migrants in Scotland were very evenly split in the same way that local-born Scots were split.

Q38 **Paul Masterton:** On this idea of codifying strategies, I am interested in



the extent to which these issues can be dealt with within the current constitutional framework by the powers, abilities and levers that are available to the Scottish Government. Do you think there is sufficient awareness of that among the migrant population?

You were saying that it is all very well Nicola Sturgeon, even Ruth Davidson, saying great pro-immigration things, but at Westminster there is a lack of understanding that things can be done here. Is the Scottish Government even aware that these things can all be done here? Do you get a sense that they are willing to pick some of this low-hanging fruit, as you could call it, that is entirely within their capability and would make such a real difference?

Professor Kay: There are questions around the division of competencies between Westminster and Holyrood but also between the national Government and local authorities. Migrants themselves may well not be aware of the exact division of competencies, in the same way as I would argue many local-born people may not be aware of exactly who is responsible for providing what, how that works, where the funding comes from, and how those decisions are made.

Yes, I think there is a question there, and also a question about how those institutions and levels of government work together to ensure that there are sets of frameworks that work well in tandem with one another. My perception is that the Scottish Government are aware that they have competencies and that they can use them. Sometimes, though, migration is too much put in a silo of its own, rather than mainstreamed across different areas of government—and I see that happening at the local authority level too—so that it comes under equalities and at the end of decisions being made as a tick-box exercise rather than something that is mainstreamed.

Q39 **Paul Masterton:** From the discussions you have been having, have you seen an appetite from the Scottish Government to do this kind of codification and take forward some of these things that you have been saying it could do?

Dr Hepburn: Certainly the Scottish Government have been pursuing discussions with lots of different stakeholders in Scotland and throughout the rest of the UK, looking at different options for trying to influence migration in the post-Brexit landscape. I could not say for certain. You would have to ask the Scottish Office representatives.

Q40 **Paul Masterton:** The automatic default that tends to come is “just devolve immigration” almost as if that is the easy angle to run it at—“just give us all power”—rather than engaging in terms of the competencies it has on a much more granular level to come up with the sort of meaningful change that you have all described, that could be done within six months if they really wanted to.

Professor Boswell: My impression is that the Scottish Government—with caveats; we cannot speak for the Scottish Government—are



pursuing a range of different options because there is a lot of anxiety about the impact of the cessation of free movement rights. I have not necessarily engaged on the issue of integration policy but, for example, in the area of what leverage there might for retaining a more flexible approach to immigration and more flexible provisions that allow them to sustain a certain level of EEA immigration, various options are being pursued. Obviously, there is the retaining full and free movement rights option, which was mooted and then did not seem to be politically viable last year. Then there is the Canadian or Australian style points-based system, which would imply more devolved powers—

Chair: We are going to come on to subnational immigration policies later on in this session, so we will leave that until then. I know it is an interest of this Committee and we want to hear your views on it, but we will come to that in a minute, if that is okay, Professor Boswell.

- Q41 **Christine Jardine:** Paul Masterton touched on what I was going to ask in a slightly different way. I was simply going to stress this point: are there the structures, the mechanisms, to have an effective immigration policy for Scotland without any further devolution, or independence, if that structure was used effectively?

Professor Boswell: One could build on precedents. There is a Scottish occupation list, for example, and there has been a precedent in the Fresh Talent post-study work scheme. There are a number of tweaks that could be made in the existing points-based system, especially under tier 2, that would not imply devolution. My answer to that would be yes.

- Q42 **David Duguid:** I want to expand on the answer you gave Mr Thomson about the impact of the possibility of another independence referendum. Mr Wishart's question on Brexit was perfectly valid as well. I can understand that from an EU migrant point of view your answers were perfectly valid. Could you expand on that from the point of view of a non-EEA immigrant? I should declare an interest here. My wife is from Azerbaijan, which is a former Soviet state, much like Lithuania that you mentioned but not in the EU. She has always wondered why she cannot just walk in like her counterparts from Lithuania, for example.

What impact of threat, of another referendum for example, has been perceived from the point of view of non-EEA migrants rather than EU migrants, if any? If you do not have that—

Professor Kay: I don't think I have an answer to that at this point in time.

- Q43 **Hugh Gaffney:** Is there a central problem, in the UK's withdrawal from the EU, that there might be a shortage of low-skilled, low-paid workers withdrawing from the UK? Would that be a central problem, because UK-born people may not want to do some of these low-skilled, low-paid jobs? Will there be a migration problem if we do leave the EU?

Professor Kay: It is certainly the perception of Scottish employers that there is not a locally-born population willing to take up these jobs and



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that where locally-born people do take up the jobs, they do not stay in them long term.

Q44 **Hugh Gaffney:** Do you think UK people should be picking up these jobs? If so, how can we improve on that? Why are migrant workers getting low-paid and low-skilled jobs? Should there be better pay for everyone? Could that be done?

Professor Kay: Professor Boswell has touched on that already, that there are much bigger questions here that migration is not necessarily the only answer to, which is what are these jobs and what would make them attractive to people, picking up on a point that was made earlier about whether, in the longer term certainly, migration leading to settlement may not be the answer.

I had one employer, for example, anecdotally say to me, "I have a group of Polish and Lithuanian women who have been sorting potatoes now for seven years. I don't think anyone should sort potatoes for seven years". That was the employer's comment not mine. But having spoken to those women, their intention was to continue doing that until retirement because it was the only option they saw available to them. There are much broader questions there for the economy and society about whether we see these as jobs people should do long term or not and, if we do, how they should be structured and paid.

Q45 **Hugh Gaffney:** Do most migrant workers come over just to pick up a job, any job, and then move on to a more skilled job if they have the skills? I have heard of cases, especially in the Highlands and Islands, with the catering system, where there are doctors and nurses working, serving, because it is better paid than in their own place but they would rather be doing their own skilled job.

Professor Kay: Certainly many people are in jobs that, as several of them described to me, "This isn't my dream job". Nonetheless, they may stay in those jobs over a longer period because that is what it is possible for them to do. There are various reasons why people stay in a particular job and in a particular location.

To go back to the women sorting potatoes, two of them had higher degrees, one of them was a trained clinician, but they had settled in the place where they had this employment and they saw prospects for their children. One of them had a daughter who had recently got a place in a university in Aberdeen and was very pleased about that. There are reasons why people stay possibly longer than they initially meant to and that comes back to an answer I gave earlier—

Hugh Gaffney: Back to the education thing.

Professor Kay: Yes, what people think they are going to do and what they end up doing can be very different things, but I there are still questions for us as a society about whether that is what we think should be happening.



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- Q46 **Ross Thomson:** We have heard from other members regarding the system we have now, that working as local Members of Parliament and having people come to surgeries you see the difference for those who are coming from outwith the European Union and some of the challenges they have if they want to bring family members over, and so on. Looking at that, once the UK has left the European Union, do you think there should be a single system of immigration that applies to all migrants or will there still be a differentiation between EU and non-EU migrants, and would that be necessary or even desirable?

Professor Boswell: This is the issue of whether one should have a system that sustains a privileged access for EEA migrants in relation to non-EEA migrants. There are arguments in favour of having some kind of priority access for EEA nationals, partly because we have migrant communities from EEA countries already established across different areas of Scotland, who have put down roots, employers have become accustomed, in terms of language, cultural characteristics and so on, to working with these migrants, and migrants have built up migrant networks that create various types of support mechanisms for others who would also want to migrate. That is one set of reasons.

Another set of reasons is around the trade negotiations, access to the single market, and so on, and often privileged migration access is part of a package of such negotiations, so obviously that might give the UK some leverage. I think there are good arguments for thinking about this kind of preferential treatment.

- Q47 **Ross Thomson:** With Brexit the UK will be able to design its own immigration system. What do you think would be the greatest opportunities with this and how should the UK Government use this opportunity to improve the current system?

Chair: Don't all rush at once!

Professor Boswell: When you say opportunities and you put it in that positive light, I guess we are all starting from the perspective of what we think is likely to emerge, post Brexit. Given that one of the predominant reasons for voting in favour of leaving the EU, as one of the members said earlier, was precisely to reduce or regain control of immigration, I do not think we are expecting a post-Brexit immigration system that is more liberal or more accommodating.

Pragmatically, I think we are expecting something that is much restrictive. From that point of view, given political reality and given the types of noises we are hearing from the Home Office, there is more reason to be concerned about a system that would impose something that looks more like existing tier 2 arrangements, with all the inflexibility—

- Q48 **Chair:** You are obviously looking at what the Home Office is saying and what the general conversations about designing a new immigration system are saying and we know we are going to get a Bill that will



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hopefully inform us a bit more. Well, it will have to inform us about what sort of the immigration system the UK is going to put in place post Brexit.

What do you think is going to happen, given your interest in all this? Are we just going to adopt what applies to non-EEA citizens and use this points-based system? I remember in the early part of the conversation about leaving the EU that the points system was not going to be used for EU citizens. What is your view? What do you think is going to happen?

Professor Kay: My interpretation of the noises that have come out of the Home Office is that they will apply a version of points-based system.

Q49 **Chair:** Is there anything else they can do? When you look at the range of options available to the UK Government to design a new immigration system, what can they do? It is all about taking back control, we know that; that was a central part of the debate about Brexit. The points-based system applies to non-EEA citizens. Are there any other options available to them?

Professor Boswell: There is a vast array of options and there is a lot of literature on the different options. If we look at examples from other European countries, Australia, Canada, New Zealand and so on, there are many options across various dimensions, such as different types of regionally-differentiated approaches, human capital-based approaches, which in a sense frontload the recruitment process so that you bring in people with appropriate skills or certain characteristics, most likely to settle, those of a particular demographic, and so on; you are generous to them right from the outset and then you leave them to look for jobs themselves. That is one type of model and is something that the Scottish Government have been promoting as an option for Scotland in particular.

Then you have a range of other sorts of models that are based on identifying particular occupational or sectoral shortages. We have had noises from the Home Office that a sectoral approach might be something that emerges, given particularly intensive needs and lobbying from particular sectors and concerns about the situation post Brexit. There is a huge range of options that could be pursued. We are probably restricted in the way we are thinking about that by what we see as politically viable, given current conditions in the UK.

Dr Hepburn: If you look at the comparative evidence, virtually all advanced-level democracies are multi-level states that have various nations and regions within them, and they have developed immigration systems that take into account those substate needs and interests in terms of migration.

The UK currently is one of the few multi-level states in the world that does not take regional and substate interests and needs into account. That is the big challenge, as is moving that down to the local level, not just the substate regional level but looking at depopulation in certain localities and the need to balance out, or provide some sort of regional



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dispersal mechanism to ensure that there is an even balance of migrants in the different parts of the county that need them.

I do not see any evidence so far that that is being considered by the UK Government. At the end of the leaked Home Office report from August, they mentioned that they were going to take the devolved Administrations into account, but I have not seen any progress on that and I would like to see progress on that.

Q50 Ross Thomson: Thank you for that list of options, because that list of options is a list of opportunities. You are right, there are all these things post Brexit that could be looked at now.

One of the things I keep hearing, and I heard during the campaign, was that there would be an opportunity to introduce a system that was fairer. For example, we have a system that is based on where you come from more than what you can contribute. You have talked in previous answers about how much more restrictive it is for those coming from outwith the EU than those who are coming from within the EU. Do you think there is an opportunity to make the system fairer and more skills-based?

Dr Hepburn: There are different definitions of what “fair” is and for EU nationals currently living in the UK, who have now been given the option of settled status, which is essentially indefinite leave to remain, possibly without the political and social right that they currently possess under EU law, that is not necessarily fair and some of their rights are currently being removed by the UK Government. We need to look at what the current rights are of migrants within the UK and balance that out with what we need for future migration.

Professor Kay: I was going to say something similar, which is that there are different ways of interpreting “fair”, and if it is moving everybody down to a system that is less fair, then that is more equal but perhaps not more fair. There is also a question about this potential gap in national-level policymaking and the way things play out on the ground and in local communities.

As Professor Boswell already mentioned, if you have communities that over the last 10 years or so have become accustomed to migrants from EEA countries and have developed interpretation and translation services, published materials in particular languages, where employers and schools have become more culturally attuned to those groups of migrants, to say we will just lift them out and lift in a group of migrants from very different countries with very different needs is not necessarily fair to those communities, never mind whether it is fair or not to those sets of migrants.

Q51 Tommy Sheppard: I want to explore further, because I think we are skirting around it, this idea of substate differentiation of policy. Dr Hepburn, you mentioned some practical ways in which that could be done and Professor Boswell was saying—quite a bold statement, I thought—



that this could be done without any primary legislation to devolve powers to the Scottish Parliament. I want to explore that, principally because the current Government have set their face against devolution of any kind of immigration powers.

Within UK policy post Brexit, assuming that there was the will at the Home Office to make this work, how do you think we could look at having a distinctive Scottish system that would cater to Scottish needs? First of all, I am gaining the impression, but do clarify, that you think it would be a good thing, if that were possible, to have such substate differentiation. How could it actually come about, without devolution, post Brexit?

Professor Boswell: Perhaps I might clarify that I was talking specifically to relatively minor adjustments within tier 2, and I think those could be done, accommodated within the current devolved settlement. As we were saying, there are precedents for that type of minor adjustment in a differentiated way to cater for Scotland's needs, whether it is the Fresh Talent programme or the shortage occupation list that is specific to Scotland. There are other small adjustments that could be made, for example a differentiated salary or skills threshold, for tier 2 immigration, that could be accommodated.

That is quite distinct from the prospect of, for example, introducing a human capital points-based system—and I say “human capital” to differentiate it from our current points-based system—but something more akin to what you have in the provincial nominee programmes in Canada, or the Quebec-specific programme, or the state-specific and regional migration programmes in Australia, where there is substantial autonomy at the substate level to, for example, develop a points-based system that puts particular weightings on different attributes, depending on the specific needs of that province or territory.

For example, if you are particularly worried about an ageing population, or if you have particular shortages in certain sectors, you can adjust your points system to prioritise immigrants with the particular features. Under both the Australian and Canadian systems, at the state or provincial level the Government can nominate certain candidates who are deemed to fulfil those criteria and have the required threshold of points. Vetting is done at the federal level, for security and health checks, and there is typically a quota associated, a maximum number of people who can be recruited under those programmes, and they are admitted and they can settle in those countries.

One caveat I would make about the political viability of those schemes is that they are premised on a model of settlement. Once you are in the country—and of course you go through a rigorous selection process, unlike the EU framework at the moment—you typically have access to permanent residency status and you can apply for citizenship relatively early on. Basically, they frontload the selection procedure, which is quite rigorous, but once you are in, you are in and you can stay and you have a full set of rights and a really clear pathway to citizenship. In the



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Australian system, there is a requirement to stay in the particular region for two years. In the Canadian system, there is no such requirement.

That would be a more radical proposition for addressing Scottish needs. In the paper that we published in June we suggested this would be the most beneficial in meeting Scottish needs, but that there would be political risks, or the political viability perhaps raises more challenges for a number of reasons. I won't go into more detail. I am sure Eve has points to add on this.

Dr Hepburn: I wrote a paper, which was commissioned by the Scottish Parliament earlier this year, looking at different options. I tried to include as wide a range as possible so there is something there for everyone looking at options that we could implement now, without any constitutional change, and then more radical options along the lines that Christina was talking about. Interestingly, the Scottish Parliament had an inquiry over the summer asking organisations to comment on my recommendations, so we do have a sense now of which of those options civic society in Scotland would like to see. I talked about soft levers. These are migrant integration and reception policies, and international outreach, including immigration in the remit of Scotland offices abroad. These options were broadly supported by civic actors and professional bodies in the UK.

There were mid-range levers, and these included giving Scotland a bit more access and influence over UK decision-making. We talked about the MAC and Scottish seats and it might involve the Joint Ministerial Committee on Immigration. Again, there was general support among Scottish and other stakeholders for those options.

Then there were harder levers, which Christina is referring to and focused on in her report, which might be creating Scottish visa schemes, which might include devolved control over selection.

These latter schemes might involve constitutional change and that is not necessarily a bad thing, given that we continue to have constitutional uncertainty in the UK, especially with the EU Withdrawal Bill. In our current discussion over the EU Withdrawal Bill about the creation of common frameworks in the UK to discuss areas that Scotland has devolved influence over—agriculture, fisheries—I think we should also consider looking at immigration within a common framework, given the massive impact that immigration has on devolved competencies, and that would require much better intergovernmental structures than we currently have, which are very informal and very top down.

We need to look at immigration, not just in terms of self-rule for Scotland but also in terms of shared-rule, looking across the whole of the UK and looking at what the different needs and interests are across the UK.

Q52 **Tommy Sheppard:** I have spoken with the Immigration Minister about this. There appears to be great resistance to going down this route,



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whether voluntarily through the Home Office or devolution. They desperately want to keep central control of immigration. Can I ask why you think that is? Are there any international comparisons where this has been the case but it has subsequently been resolved and minds have been changed?

Professor Boswell: Why is it the case? There is something called the net migration target and if you are seeking to reduce aggregate migration to the UK, you are going to be worried if you allow competence for a particular part of the UK to have a more expansive approach. The Government see themselves as having a clear mandate to take control of immigration and part of the Brexit deal is about ending free movement rights, so that is part of the equation of course. There are concerns about a perception of Scotland as a back door route for entry into the rest of the UK. We can discuss that, but I do not think that is a particularly well rounded concern.

Q53 **Chair:** That is a curious one, because this goes to the heart of the difficulties that have been presented. We now have our own Revenue Scotland, and all the new regulations about landlords having obligations. Surely this is now totally doable, given that the new arrangements are in place.

Professor Boswell: I think that is absolutely right. It is totally doable and employers are the front line in immigration control at the moment. To take EEA immigration, if being employed in the UK is contingent on having a certain check, that the employer checks if you have authorisation to work in a post-EEA mobility framework, what would be the incentive of EEA nationals to work on an irregular basis in the UK? Very limited.

In particular, if you are thinking about people coming from countries where the income disparity is not substantially or hugely wide, the incentive to be based irregularly in the UK will be relatively limited. Employers being the first line of immigration control really implies that we have internalised immigration control.

The UK traditionally has relied on external border control, but increasingly is relying on this hostile environment, so it is also landlords and banks, education and health services, and so on. The UK Government really acknowledged that in their paper on Northern Ireland recently, where it said that the issue of a border between the Republic and Northern Ireland is not such a huge concern in relation to the movement of people because we rely much more heavily on these types of internal checks.

Q54 **Chair:** There is really no good reason why this could not be done, if the political will was there.

Professor Boswell: Absolutely.

Dr Hepburn: It is currently being done in other countries like Canada and Australia, whereby they have introduced documentation, visas,



stating that a person should be resident in a certain substate territory. They have relied on employers to do residence checks. They have asked new migrants to sign agreements that state their intention to settle within a certain area.

Now that the Home Office is talking about biometric residence documentation, there is no reason why we could not put on that documentation that a migrant is required to stay in Scotland for the duration of a period of time. That certainly removes those obstacles, as Christina was saying.

- Q55 **David Duguid:** Mr Sheppard asked a lot of the questions I was about to ask. You mentioned Quebec and other states that have subnational migration needs. We have also talked about lots of options for increasing Scotland's role within a UK immigration framework. Have we missed anything? Are there any other lessons we can learn—for example from Quebec, from Canada, from other states that have subnational migration needs—that we should take into consideration?

Dr Hepburn: Maybe answering Mr Sheppard's previous comment, along with yours, one of the reasons why immigration is not devolved in the UK, additional to what Christina was saying, is political leadership. It is quite interesting that certain members of other parties, like Alistair Darling, have recently come out saying, "Actually, no, we would prefer to have a regional-based system".

If you look at other systems, like Quebec, it took them 20 years to fully devolve control over selection and admissions and a lot of that was due to a sympathetic government at the federal level who saw the benefits of devolving immigration to Quebec. According to some estimates, Quebec currently has a 90% retention rate of migrants who stay in Quebec. There is a lot that we can learn from other countries, but also it can be a long, gradual process of devolving immigration powers, and there has to be very much goodwill between the different governments at the state and substate level to make that happen.

Professor Boswell: There is a huge spectrum of examples within the Australian and Canadian systems. Each state or territory has a range of different programmes at the regional level. Also we can look at the Swiss cantonal system, the New Zealand Canterbury shortage list—that is a good case to look at—and also the Spanish catalogue of shortage occupations, which includes a range of lower-skilled schemes as well. There are many different options and Eve's paper and our paper set them all out.

One caveat about importing models from other systems is that we should be very cautious about it. In particular, the settler countries, Australia and Canada, have a longstanding tradition of recruiting migrants and giving very generous rights from the outset, settlement status, pathways to citizenship, and so on. We do not necessarily have that experience. We



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have to some extent with EEA mobility, but that has proved controversial in itself.

If we were to launch a points-based system, similar to those ones, in Scotland we would have quite a job of winning over hearts and minds to the idea that we are recruiting people without a specific job offer, who then have a full set of rights, including the right to access welfare benefits from the outset, for example. It is a very different model from the one we have at the moment and European countries generally have something more similar to the UK model, which is premised on specific shortages and specific job offers. We select people, with a pathway to settlement often, with a limited duration of time to do a specific job, to fill a specific shortage, which is very different from the settler countries.

We have not touched upon Scottish public opinion. I don't think any of us would be sanguine about, let's say, the wider political resonance potentially of making a big step towards a more liberal immigration scheme in Scotland, even if it were viable from the Westminster-Whitehall perspective.

Q56 David Duguid: I take your point that if there is no one model that is shared between different states, there is no reason to believe that any one of those models would automatically fit. In this case, we would have to come up with something, with lessons learned certainly but would need to come up with our own system.

Professor Boswell: Immigration policy change does tend to be very incremental, and that might be partly due to Home Office culture and the precautionary approach, but generally small adjustments in immigration systems can lead to quite substantial, and often unanticipated adjustments in people's decision-making about mobility and settlement. That is why I think policymaking in immigration tends to be quite precautionary and incremental, arguably for good reason.

Q57 David Duguid: You listed a whole bunch of different models there, options that we could look at. Is that something we are going to have access to?

Professor Boswell: We have already provided them.

Chair: All the papers are available. Papers have been submitted by both Dr Hepburn and Professor Boswell.

Q58 Christine Jardine: We have focused very much on EU immigration. You touched on the approach of the Home Office. To what extent, if we have our own model, do we need to think in Scotland about some way that we can perhaps soften the approach that is often taken to non-EU migration, particularly in terms of the points system and making it very difficult? I know I am not the only one around this table who will have come across the huge obstacles that are often put in the way of people wanting to come here. Is it possible that we can soften the Home Office model?



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Professor Boswell: Do you mean within the current devolved settlement?

Christine Jardine: Yes.

Professor Boswell: One can send out more positive messages about immigrants being welcome. In the area of refugee reception and asylum seeker reception in Scotland there has been a certain amount of leverage in trying to create better accommodation facilities and a more integrative approach towards asylum seekers in Scotland and in particular in Glasgow. Eve's research looks at some of the softer levers for doing that. No, there are no harder levers because of the current devolved settlement.

Dr Hepburn: Yes, I would agree with that.

Q59 **Christine Jardine:** It would have to be a change in policy at Westminster before we could soften policy toward non-EU migrants?

Dr Hepburn: Immigration is reserved to Westminster. There are constraints on what can be done but, as we have all said, there are still things that can be done now within the current constitutional framework that would make Scotland more attractive to migrants and would allow us to better retain migrants.

Christine Jardine: I was getting at two things. First, there is no difference between EU and non-EU when it comes to setting up a mechanism in Scotland that would work, but if we wanted to soften immigration policy generally it would have to be a Westminster one.

Q60 **Ross Thomson:** I wanted to follow up on the answer that Dr Hepburn gave when you talked about the Australian model, how it operates there and if we were to replicate something similar here. What we have also seen in Australia is that migrants who are supposed to work in one region have permeated into the wider country.

If we were to have any similar divergence here in the UK, could that not lead to migrants seeking to exploit legitimate means of entry to one part of the UK as a means of gaining entry into another, particularly here where we do not have a border physically between Scotland, England and Wales? I would appreciate your thoughts on that.

Dr Hepburn: Yes, absolutely. I interviewed policy officials in Australia and in the Canadian provinces on this question. There are various visa schemes within Australia that regions, or states as they are known in Australia, can apply for. Regions sponsor migrants to come to the region for a set period of time, which is two years in Australia. There has been analysis and research done looking at inter-state transfers, migrants arriving in one state and then moving elsewhere. The evidence is very mixed. There seems to be more inter-state transfer within the first couple of years but after three to five years migrants tend to stay in a particular state.



When I asked about methods of trying to enforce and retain migrants within a state, the answers I got were to try to use carrots as well as sticks, to ask for migrants to sign an agreement that would constitute a moral agreement to remain within the region, visas stating that they are resident within a region, employer and landlord checks and emphasising the risks if that agreement is breached, but the most important thing that I was told by Australian policy officials was migrant integration and retention. You have to have the carrots to encourage migrants to stay in that region beyond the two-year residency requirement.

In the case of Canada, there is evidence that inter-provincial transfer, so migrants moving from one province to another under regional schemes, is at pretty much the same level as the inter-provincial transfers of the local, Canadian-born population. That would indicate that we should have fewer concerns about retaining migrants in a certain part of the country. As I mentioned earlier, Quebec has 90% retention rates.

Professor Boswell: Typically these points-based systems build into their selection criteria a propensity to settle in that particular region. You get additional points, for example, if you have family, if you have studied or lived there or if you have the relevant language. That would not be so relevant for the UK. They try to weight it to frontload the decision-making so that you are more likely to stay in that region. I think really the jury is out on whether that works better than the harder type of enforcement approach but both would potentially be viable.

Chair: I know we have spent a bit of time on this but it is a really important issue. I have three people who want to come back on this. Can I ask colleagues to be brief and maybe brief answers, if you can? I do not want to detain you too long, and we are approaching 11.30 am.

Q61 **John Lamont:** To come back on some of the points that you have been discussing with us about the possibility of a separate system for Scotland, it struck me that you all mentioned possible extra commitments that employers will have in administering a separate scheme ensuring that people are complying with whatever conditions are attached to their access to Scotland. Do you not see that as being an extra layer of bureaucracy that employers are going to be resistant to and potentially an extra cost? They are effectively going to be policing this system more than they do already.

Dr Hepburn: I would say that with the end of free movement employers will basically have to adopt these new mechanisms and there will be a cost to employers to have to go through the points-based system in the UK currently. Those additional costs will be created once we exit the European Union and that is the only mechanism with which to encourage migrants to fill labour shortages.

However, potentially there would not be additional significant costs for employers in having to implement these checks, given that the Home Office has already stated that employers will have to do these checks



anyway, even without a regionally-based UK migration system. It looks as though the direction that the Home Office is going in, according to the leaked report, is that employers, landlords and other actors within society will be required to look at post-arrival checks and balances. If that system is already in place, I do not think there is anything to say that that could not take place for a more regionally-based system.

Q62 John Lamont: But then if there is a regional variation there will be an extra level to that. I represent a constituency in the south of Scotland. If you are employing people who come from either side of the border there will be different forms, different paperwork or different procedures to go through depending on the residency of the employee, potentially.

Professor Boswell: Yes. There would need to be some type of certification that says, "I am entitled to work in Scotland", for example, in the Fresh Talent scheme that was in operation, if you had graduated from a higher education institution in Scotland. We have had that kind of system in operation.

I would reinforce Eve's point that arguably it is onerous. Jonathan Portes has recently published a paper that suggested that national insurance numbers could be used as a check. One could potentially have a coding that gives people a Scottish national insurance number, or an ID card could have a stamp or part of it that mentions you are able to be employed in Scotland but not in other parts of the UK. I think that is less onerous than the aspects of tier 2 that we have discussed, which are acquiring sponsorship status, a certificate of sponsorship, a skills charge and all those other costs associated with tier 2. The employer check is something that would happen anyway and, whether it involves checking a national insurance number, an ID card or a higher education certificate, I do not think that is the most onerous aspect.

Q63 Hugh Gaffney: I see in one of the reports that employers like migrant workers because they work longer hours, they will take any conditions and they will do any shift. That was quite common on the construction site, when the UK worker had to go home at a certain time and the migrant worker stayed on longer. There is a myth that they are making more money.

Has there been research done on how much money is leaving the Scottish economy and going back home to a migrant's family? The UK worker goes home early because he has family. A migrant worker, in general, will just work on. We do the same in Westminster. I am down here and I work until 12 o'clock at night because I am here and do not have family to go home to. That is the same situation. A migrant worker will continue working because he does not have family to go home to here. There is a myth that they are sending their money back home, which takes money out of the Scottish economy. Has that been looked at?



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Dr Hepburn: Are you referring to legal migrants or illegal migrants? Legal migrants living and working in Scotland or any part of the UK have to pay taxes to the UK Government or the Scottish Government. It is up to them how they dispose of whatever additional income they earn. They might buy a new television or they might send it to their parents. If you are talking about illegal migrants, that is a different issue that has to be looked at. I do not know any data that looks at the amount of money that illegal migrants send back to their families.

Q64 **Hugh Gaffney:** The question was more how much money is leaving the Scottish economy and going back home? Has there ever been research done on that? No?

Professor Kay: I am not aware of a study that looks at that. I would point out two things, though. A lot of migrants do have families to go home to in Scotland. For a lot of the migrants in our studies, one of the things they struggled with—for example, for two parents who were crossing like ships in the night—was to provide any kind of childcare to children they had with them in Scotland as they worked very long shifts and very long hours.

My argument would be that the onus is on employers and trade unions to ensure that migrants do not work beyond what are acceptable hours and do not work for wages that are below set minimums and set standards. I do not know of a study that looks at the level of economic remittances back to other countries.

Q65 **Christine Jardine:** At the beginning of the session you talked about that very often one of the reasons migrants stay here is that they do not want to take their child out of an education system and move them back to a different education system. Mr Thomson's point was about it being a back door. Would there be an argument that if migrants coming to Scotland have children and get involved in the Scottish education system, that might be a way of encouraging them? That is maybe why people stay in Quebec. It might be a way of encouraging them to stay in Scotland and it would be a natural disincentive to moving elsewhere in the UK.

Professor Kay: Possibly, although at the moment, certainly in terms of our study, migrants' levels of awareness of the differences between a Scottish and an English education system might be quite low. What is an issue—and I think it is borne out by what Dr Hepburn mentioned about the international experience where once people have stayed three years they are much less likely to move—is the development of local attachments and the fact that most people prefer to stay where they are unless there is a reason to leave.

Children in particular are averse to mobility. They have friendships that are very important to them and they have attachments to places that are very important to them. Once people have children that is a really big issue for a return to Poland or to Hungary, especially where parents are



aware that their child has not retained their native language at a level that would allow them to reintegrate.

More broadly, once you have a child who is integrated into the school system and is socially and culturally integrated into a place you are less likely to leave that place, even internally within Scotland. Even with the question of whether migrants to places like Peterhead, Arbroath, the Highlands and Islands are really preferring to come to Edinburgh and Glasgow—"Will they not just move there?"—that is much less the case once they are established with families in particular places.

- Q66 **Deidre Brock:** Returning to the beginning of the session, I wanted to ask you to follow up a little bit on Mr Masterton's comment about what I think was described as the "economically inactive", who seem to be a higher proportion of folk moving from the rest of the UK to Scotland. Someone touched on there being a high percentage. Could you expand on that a little bit? Are we finding that they are tending to move to particular areas? Is that having an impact on those areas? Is there data available on that?

Professor Kay: There is some data on that. I do not have it to hand but I can look it up. I think it refers primarily to what is called "lifestyle migration", where people move to retire to, for example, the Highlands and Islands. You get older, possibly early retired couples or single people moving to places that are seen as a better place to spend your later years, not necessarily to go to study or to work. I think that is what was being referred to and I do remember there being a study on that but I do not have it immediately to hand.

Deidre Brock: If you could find it and send it in, that would be great. Thank you.

Chair: Thank you all. That was a fascinating first session. Sorry we have detained you a little bit longer than usual, but that showed the interest in what you had to say. There have been a few requests for additional pieces of information. We will be more than happy to accept anything you have that will help this inquiry. Thank you for your attendance today and have a safe journey back to Scotland.