

Propositions to the thesis ‘Wilful Betrayal or Capacity Constrained?’ by Sarah Ann Spencer

1. The capacity of the State to manage international migration is significantly constrained by a series of exogenous and endogenous factors. (This thesis)
2. Obligations under international human rights instruments are among the constraints felt by successive UK governments but have had greater impact on some dimensions of migration policy than others. (This thesis)
3. The paradigm in which the UK’s post war policy towards the integration of Commonwealth immigrants was developed, and a historical legacy of opposition to it, help to explain the current lack of a national policy framework relating to the integration of new migrants. (This thesis)
4. Policies continue to evolve in the course of their implementation and it is at that stage that it can become evident that the stated intention of the policy cannot be fully delivered. (This thesis)
5. The annual rate at which irregular migrants are detained and removed relative to the total number of irregular migrants estimated to live in the UK, coupled with the cost of removal, suggest that an alternative strategy is necessary if government genuinely wants to reduce the proportion of the population who have entered unlawfully or who have breached their conditions of stay. (This thesis)
6. Projections of the size of the social care workforce in the UK needed to meet the care needs of an ageing population suggest that, in the absence of a significant improvement in pay and conditions, reliance on migrant care workers (currently more than 50 percent of the care workforce in London) is likely to increase.

7. The progression in equality law from anti-discrimination to positive duties on public bodies to advance equality, evident in the UK in the 2010 Equality Act, has the potential to be an effective lever to address the disadvantage experienced by migrants; but past performance under previous legislation suggests that implementation in that form is unlikely.
8. A complex pattern of restrictions on the rights of migrants to access jobs and services has developed in the UK without due attention by the executive or legislature to the requirement in international and regional human rights instruments that states should depart from the equality principle only where they can demonstrate that it is necessary to pursue a legitimate aim and that the restriction is a proportional means to achieve it.
9. Social science evidence competes, not always successfully, with other sources of knowledge and interests to inform the policy making process.
10. The underlying cause of the disadvantage experienced by the UK's Gypsy and Traveller population, and of the community relations issues posed by unauthorised sites, is the lack of provision of suitable legal sites on which they can pitch their caravan homes.
11. Americans may be the first casualties of the UK government's new rule requiring individuals who want to live in Britain to speak proper English.