

# NORTH EAST

## **RACE EQUALITY FORUM**

### **INFORMATION BRIEFING**

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### ***The embedding of state hostility***

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*'The UK Home Office hostile environment policy is a set of administrative and legislative measures designed to make staying in the United Kingdom as difficult as possible for people without leave to remain, in the hope that they may "voluntarily leave".'* Wikipedia

*'It is wilfully misleading to conflate the situation experienced by people from the Windrush generation with measures in force to tackle illegal immigration and protect the UK taxpayer'. Home Office, [June 2018]*

*'This is not a glitch in the system; it is the system. [They have] violated no law. It is the law that is violating [them].'* Gary Younge, [April 2018]

What exactly is the hostile environment? How did it happen that people who thought they were British were told they were illegal immigrants? Who are the illegal immigrants that the hostile environment was designed to catch? How did a person's immigration status become such a life-defining issue, and the term 'illegal immigrant' change from a regulatory issue into a badge of criminality? Who decides who is a 'good' immigrant and who a 'bad' one – and are we, if we accept these distinctions, helping to perpetuate the hostile environment? These are some of the questions thrown up by the Windrush scandal.

On 17 April 2018, Prime Minister Theresa May stood up in parliament and apologised for the treatment of Caribbean pensioners who had been rendered jobless, homeless, destitute and unable to access hospital treatment for cancer

after a lifetime living, working and paying taxes in Britain. Some had been detained, some deported. Some had died without hearing her apology.

But there has been no apology for the policies which were directly responsible for their treatment; quite the reverse. What had happened to this group, the 'Windrush generation', was presented as a series of unfortunate mistakes in the application of legitimate and necessary measures for the protection of the British public from illegal immigration.

Finally, though, the voices of those whose lives have been blighted by 'hostile environment' policies are being heard – not only those of the Windrush generation, but others who have been unheard until now: children born in the UK, entitled to citizenship but unable to afford the fee to register; women married to British men who have left after domestic violence; people who have overstayed visas to care for sick relatives, or through inability to afford rocketing visa fees, or through sheer inadvertence – all these and others who have found themselves denied and excluded, perhaps detained and deported as 'bad immigrants', 'illegal immigrants'.

This background paper takes a historical perspective, demonstrating how the good immigrant/bad immigrant dichotomy, and the term 'illegal immigrant', have been deployed and weaponised by politicians at different times. We show how the roots of some hostile environment policies can be traced back several decades – but it is the Cameron and May governments which, by building up a complete set of interlocking policies of denial, exclusion, surveillance and enforcement, have turned all foreigners into a suspect population and our society into a nation of border guards, establishing state xeno-racism and nativism as central to government policy.

While the change of name, from 'hostile' to 'compliant', is a tacit acknowledgement of the state racism informing the policies, much more is needed to dismantle the edifice – but a start has been made, as some of those tasked with implementing the policies – doctors and social workers, landlords,



teachers and even some Border Force officials – come forward to denounce them.

A number of policies came together to create the 'hostile environment':



- ⇒ Making access to most of the necessities of life dependent on immigration status, and shifting the burden of proof to those seeking jobs, benefits, housing and other services, who must prove entitlement, rather than requiring the Home Office to disprove it;
- ⇒ Requiring providers of jobs, benefits, housing and other services to check immigration status of all applicants, and data sharing between the Home Office and many other agencies; aggressive immigration policing.

#### Necessities of life

Those without permission to be in the UK cannot:

- ⇒ **Work** legally: they can be arrested, charged with illegal working and have their wages confiscated
- ⇒ Access **means-tested benefits**
- ⇒ Access **social housing** or **homeless persons housing**
- ⇒ Legally rent **private rented housing**
- ⇒ Embark on further or higher **education**
- ⇒ Access non-emergency **hospital treatment** if they cannot pay the full fees (150 percent of cost)
- ⇒ Have a **bank account**, making renting property impossible
- ⇒ Legally **drive**: they can be arrested for driving whilst unlawfully in the UK
- ⇒ **Marry**: marriage may be investigated, postponed or stopped on suspicion that it is an 'immigration marriage'

This is the introduction to the report, *The embedding of state hostility*, by Frances Webber and others at the Institute of Race Relations where it can be downloaded, ([www.irr.org.uk](http://www.irr.org.uk)) or

(<https://irr.org.uk/app/uploads/2018/11/Embedding-State-hostility-v4.pdf>)

which places the treatment of the Windrush Generation into a wider immigration policy framework developed by successive UK governments over the past thirty years.



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*The North East Race Equality Forum is a Network of around 300 individuals and organisations in the North East Region committed to promoting racial equality in the context of social justice. No one organisation is necessarily committed to every idea published in the name of the Forum. The Forum is supported by the 'Race', Crime and Justice Regional Research Network, which includes researchers from each University in the region.*