

Illegal Working Group - first meeting, 21 November 2002

Date: 21 November 2002; Time: 1300

Location

Home Office, Queen Anne's Gate, London SW1

Chair

Beverley Hughes MP, Minister of State for Citizenship, Immigration and Community Cohesion

Present

Beverley Bernard (CRE), Kay Carberry (TUC), Ros Chappell (Marks and Spencer), Corrina Langelaan (BCC), Shaun Leavey (NFU), Justin McCracken (HSE), Margaret Murray (CBI), Tony Merricks CBE (CSCS), Paul Williams (SBS)

In attendance

Colin Allars, Russell Bain, Neil Roberts, Peter Ward and Sarah Wain.

Apologies

John Adshead OBE (J Sainsbury), Martin Couchman (British Hospitality Association)

1. The Chair welcomed and thanked everyone present.

2. Matters Arising

The Chief Inspector of the Immigration Service will be invited to attend the next meeting.

The Home Office will invite an employer representative from a major public sector to attend future meetings.

3. Context of the Group

The Chair placed the group in its wider context of government policy.

The government is very focused on migration policy as a whole and is addressing the complete spectrum. Illegal working is a core issue that has an impact on many other areas of focus.

Illegal working is a crucial strand in the overall reform package. There is real political will to make a difference.

The group must be dynamic and focused as it is time limited. It must produce an outcome focused programme of work if it is to maintain momentum. Its work is very important.

4. Working Title of the Group

The group's title was set in the context of the work that it will carry out. The group will need to answer a number of questions in order to achieve its aims:

- How do we help employers to develop their definition of good recruitment and employment practice?
- How do we persuade all employers to take ownership of best practice and good procedures?
- What practical outputs can we initiate for this process?
- How will we disseminate our ideas and work?
- What levers can we exercise to require good practice from all employers?

5. Aims and Working Parameters

Chair invited comments on the Aims and Working Parameters of the group.

5.1 Aims

Aim 1: Gain commitment to tackle illegal working from business and industry.

Aim 1 received unanimous backing from the group.

Aim 2: Improve and simplify compliance and provide practical support to employers.

Aim 2 should include the issuing of guidance on the employment of migrants who are under-going a process.

Aim 3: Develop workable Code(s) of Practice and guidance.

Aim 3 will allow the group to work with and help employers who want to comply.

Aim 4: Develop innovative solutions to address problems identified.

Aim 4 will allow the group to tackle those who do not wish to comply.

Aim 5: Send out a strong message about the determination to tackle the problems associated with illegal working.

Aim 5 will follow on from the work carried out by the group as specified above.

5.2 Working Parameters

- The group will meet every 3 months usually.
- The group will meet again before 2003 to retain momentum and to put together a focused work programme.

- There will also be scope for the IWSG to meet more often should this prove useful or necessary.

Action

- The Aims and Working Parameters of the group were agreed.
- A second meeting is now arranged for Wednesday 18th November, 1600-1800.

6. Presentation by Peter Ward, Research, Development and Statistics

[Peter Ward's presentation on Research, Development and Statistics \(PDF 182K opens in a new window\)](#)

- 1) size of illegal population
- 2) characteristics of illegal working
- 3) impact on employers
- 4) impact on communities
- 5) planned research developments

7. Presentation by Colin Allars, Immigration and Nationality Policy

[Colin Allars' presentation on Immigration and Nationality Policy \(PDF 133K opens in a new window\)](#)

- 1) government policy on illegal working
- 2) why illegal working is an important issue
- 3) progress in tackling illegal working to date
- 4) White Paper recommendations
- 5) what can the group provide

8. Discussion of the issues

Discussion of the presentations was invited. Participants were also invited to raise issues that they saw to be important and linked to ways forward in tackling illegal working.

8.1 Existing Illegal Workers

- Anecdotal evidence suggests that some sectors may currently rely heavily on illegal working. The government is keen for people to have the opportunity to

enter the UK through legal, managed routes and is expanding its managed migration schemes for this reason.

- Enforcement capacity will also increase. The government cannot turn a blind eye to illegal activity. The government must enforce the law. Where regularisation programmes have been implemented in other countries, the flow of illegal workers has not reduced. In some cases the flow increased.
- The work of the group will focus on assisting employer compliance and self-regulation.
- It was agreed that existing illegal workers will definitely be a programmed topic for discussion at a future IWSG meeting.

8.2 Other issues in brief

- EU Expansion
- Identification
- Accreditation and Regulation of Agencies
- Codes of Practice and uniform or sector specific application
- Routes of entry and managed migration programmes
- Shortage of skills and labour
- Forgery and fraud levels
- Clarification of what is illegal
- Positive representation of the issues
- EU perspectives and approaches
- Evidence and research
- Case studies
- Solutions, will and joined up working
- Long-term solutions
- Categories of employers and trade associations within sectors
- Targeting resources
- Immigration Service operations

Action

Many of these topics will be added to a list for future discussion where they are relevant to the group's work.

Some topics gave important context to the work of the group but were outside the group's aims of assisting employers to comply.

More comments were invited and the discussion closed.

9. Outcomes

It was proposed and agreed that:

- Further topics will be added to the discussion list and formulated into a draft programme or route map for the next few meetings.
- Discussion and approval of the programme will be invited at the next meeting.
- Guidance to employers could be discussed at the next meeting.
- A broad framework of building blocks for the work of the group will be agreed at the next meeting.

- Construction Skills Certification Scheme will present a case study of the construction industry and CSCS activity.
- An Immigration Service representative will be invited to attend the next meeting.
- A major public sector employer should be invited to attend meetings.
- Anecdotal evidence of intelligence-based operations along with examples of inadvertent and systematic breaches of Section 8 will be presented at a future meeting by the Immigration Service.
- The group would agree dates and times for future meetings of the IWSG at a meeting in December.

10. Next Steering Group Meeting

Wednesday 18th December 2002.

A further meeting will be arranged for end of February 2003.