

Migration: how Scotland hoped to do things differently

Scotland set out its own proposals for a post-Brexit migration regime in January, but they have been rejected. Sarah Kyambi (Migration Policy Scotland) explains how Holyrood hoped to attract migrants to areas suffering from depopulation, and why the Home Office's proposed salary threshold will make it particularly hard to encourage people to migrate to Scotland.

The Scottish government put forward [proposals](#) on migration in January 2020, and these marked a welcome shift towards more sensible policymaking. This week's Home Office proposals for a new [points-based immigration system](#), on the other hand, signal political agendas rather than a desire to address the practical challenges migration presents. I will focus here on the Scottish proposals; further detail on the UK proposals can be found [here](#) and [here](#).



The ruins of Taigh Bhàlaigh, Botarua, North Uist. In 2018 the [National Records of Scotland](#) said the population of Na h-Eileanan Siar would fall by 5% by 2026. Photo: [Tom Parnell](#) via a [CC-BY-SA 2.0 licence](#)

The Scottish proposals tried to develop a more cohesive approach on migration, in line with the principles of dignity, fairness and respect to which the Scottish government aspires generally. The main thrust was towards an immigration system better tailored to addressing the needs of Scotland, both economically and socially. It stands in marked contrast to the proposed UK points-based system – the main feature of which is the almost complete restriction of immigration into lower-paid work.

Scotland's population is what sets it apart most markedly from the rest of the UK. The most significant proposal within the Scottish paper, therefore, is the plan to commission expertise to inform a pilot on migration to rural and remote locations, where Scotland's demographic challenges bite hardest.

The arguments in support of this approach found merit with the Home Office and the Migration Advisory Commission only last year, following the submission of further evidence and more nuanced analysis from the Scottish government's [Expert Advisory Group](#). Migration is not a straightforward answer to population challenges, but the Scottish government is right to insist that it needs the ability to draw upon migration as a key part of its response. Working out how to attract, select and retain migrants to places where people are leaving is a complicated task. The nuances are difficult to untangle and explore in the brash controversies that currently characterise the debate.

The key proposal for a 'Scottish visa' finds the Scottish government playing a little politics of its own. The call for a visa or green card for Scotland has been made before. But the proposals here do not involve devolving the power to issue visas. Border control functions on entry clearance (identity and security checks) would be retained at central government level. The proposals are similar to [regionalised systems](#) in countries like Canada and Australia. They include a role for the Scottish government in setting criteria for migration to Scotland under this additional entry route, selecting and nominating candidates, and a scrutinising role for the Scottish Parliament.

One interesting proposal is for the Scottish government itself to undertake the sponsorship role that currently falls to employers. This could offer a workable solution to the need for sponsorship, which under the current system poses a formidable barrier for small and medium size enterprises (SMEs). Scotland, with its proportionately higher share of SMEs, is understandably keen to smooth the way for business. The idea of replacing employer sponsorship with a designated public authority also offers the prospect of making common cause with other UK regions facing similar concerns as free movement comes to an end.

It is sobering to note that the current UK plans will need to be in action by the end of the year. Free movement provides access to a flexible and often highly qualified workforce, with EEA nationals filling jobs across the pay spectrum. The new restrictive regime calls time on this, with the lower earnings threshold set at £25,600. Fewer than half of jobs in Scotland would meet that threshold, and only 10% of those in personal care services earn more than £25,000. It is easy to see why government and employers in Scotland are worried that central government policy leaves little room for Scotland to pursue its aims. In fact, restrictive regimes like the one announced today will channel migrants precisely to those areas with the highest wages and the densest population, undermining the UK government's previous assurance that 'our new system will work for all parts of the UK'. Increasingly, the centralised nature of the UK's immigration system is generating support for more regional differentiation. The Scottish government's proposals make a convincing case for why this is needed. They also provide a mechanism for identifying who would be classed as a migrant working in Scotland, suggesting use of the Scottish tax code for this purpose.

What is missing is the detail on enforcement. While we know that regional immigration schemes do not require border checks between regions, what is needed is a clearer idea of how this additional entry route would be integrated into overall immigration enforcement. To a great extent the answer lies with the Home Office, which would continue to have responsibility for enforcement.

It is frustrating that Scotland's plea for a more accommodating approach is falling on deaf ears. Worse, engagement between the two administrations on this critical and complex issue remains nearly non-existent. At a breakfast briefing in Edinburgh this week, business representatives gathered to discuss the Scottish proposals with the Scottish Minister for Public Finance and Migration, Ben Macpherson MSP. The event was overshadowed by alarm and dismay among business stakeholders on the proposed points-based system. It also revealed a serious lack of dialogue, let alone co-operation, between the Scottish government and the Home Office on immigration. It would behoove both sides to work together. Many aspects of the Scottish government's proposals have merit, but they are complex and will require piloting, co-operation and testing in their implementation. However, the tenor and content of the new UK proposals makes it difficult to imagine this kind of co-operation in the immediate future.

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