

# Irregular migration to the UK: 10 questions answered

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*Irregular migration is a highly emotional and hotly disputed issue riddled by uncertainties and misconceptions, says [Franck Düvell](#). In this article he reviews what is known and clarifies some of the issues. Among other important points, he writes that the majority of irregular immigrants in the UK were at some point regular but lost their status*



How does irregular migration come about? Each society decides which and how many citizens from other countries they allow in, under which conditions and for how long. This is then put in policies and set in law defining conditions of entry and stay. Thus what is legal and what is not is a social, political and legal construction. Politics and law constantly change over time and what was legal one decade maybe become illegal at another decade and vice versa. Hence, whilst irregularity is legally constructed it can also be deconstructed again.

## What are the root causes?

Irregular migration [originates](#) from a tension between the three main forces, (1) institutional goals like keeping immigrants out, (2) markets which might demand immigrant labour and (3) individual aspirations like wanting a better life. For instance, if politics decide to limit immigration whilst employers can't find the workers they need internally irregular labour migration is the likely outcome. Or if states decide 'the boat is full' but there is a refugee crisis in its vicinity then people might still aspire to migrate but do so irregularly. In such cases the discrepancy between institutional goals and markets respectively individual aspirations is likely to result in irregular migration.

## Illegal, undocumented, irregular or what?

Each terminology has a certain connotation and is often used with a discursive purpose. The term 'illegal immigrant' is increasingly denounced for dehumanising the person in breach of the law. Instead, the term '[irregular immigrant](#)' has come into use for it better covers the diversity of deviations from the law whilst avoiding any problematic moral statement.

## What is irregular migration?

Distinction must be made between (i) irregular migration, the actual process of migrating, (ii) irregular immigrants, the persons who are irregular and (iii) clandestine migration a subcategory referring to entry by evading controls. Irregular immigrants are persons who (a) have no legal rights to stay in the country and are thus (b) subject to removal. However, this is further complicated. For instance, clandestine arrivals are mostly [refugees](#) who avail themselves to the authorities and thus regularise their status. Also, whether a person has or has no right to stay is often a matter of legal dispute, and subjects to removal might nevertheless be legally or practically non-removable, for example, because of lack of documents, unclear nationality, refusal of the country of their assumed nationality to re-admit them or on humanitarian grounds. In such cases, they are often de facto or regularly tolerated.

## How many are there?

Due to the very nature of irregular immigration, this phenomenon is difficult to estimate. In 2008, an EU-funded project established that there were an estimated 1.9 to 3.8 million irregular immigrants in the European Union; levels have actually significantly declined since 2002, when there were an estimated 3.1-5.3 million. [Numbers in the UK](#) had moved in the opposite direction and were thought to have increased from 310,000-570,000 in 2001 to 373,000-719,000 or even 417,000-863,000 in 2008. This might in part be because the UK, in contrast to other EU countries, did not explicitly regularise irregular migrants on similar scales. However, there are reasons to believe that, due to increased enforcement and the effects of the economic crisis, levels have now decreased in the UK.

## Are the UK or Europe particularly exposed to irregular immigration?

In the EU, the stock of irregular immigrants has been between approximately 0.38 and 0.77 per cent of the total population (1.9-3.8 million of 499 million). In the US, the stock of irregular migrants is 3.6 per cent of the total population (11 million of 305 million) (all 2008). In the EU, (detected) irregular migrants represent around 100,000 (2010) to 150,000 (2011) or 0.021-0.031 per cent of all international arrivals (700 million). [In the US](#), detected irregular migrants represent 0.14 per cent of all international arrivals (400 million).

These figures imply that the overwhelming majority of migrants, over 99 per cent, move, reside and return in compliance with the law. They also illustrate that the UK, and more generally the EU, are faring much better than the US. In any case, this puts a question mark over the attention paid to irregular migration.

### Pathways into irregularity

[Media coverage](#) suggests that irregular migrants usually arrive by boat or in the back of a lorry. However, [my research shows](#) that the overwhelming majority of irregular immigrants arrive legally or apparently legally (meaning on a visa but obtained by deception) and visa free or on a visa but then either take up employment and thus breach the conditions of their entry or they overstay the period set to their entry conditions (so-called visa overstayers). Another important pathway relates to refused asylum seekers who fail to leave the country. People are also born into irregularity because their parents are irregular, [research suggests](#) that this could be a significant group in the UK, around 10 percent. Also bureaucratic obstacles and mistakes may result in immigrants losing or failing to renew their status. In other words, the majority of irregular immigrants were at some point regular but lost their status.

### Human costs?

Irregular immigrants are increasingly excluded from all the safeguards of modern civilisations that were developed to protect human rights such as legal housing, legal work, health care, education, family life, legal remedy and justice. They are prone to be confined to a shadow world – characterised by exploitation, profiteering and crime – that has emerged on the margins of our societies.

### Are the UK's borders secure?

Policy and media put much emphasise on controlling the borders; [images of immigrants](#) gathering in Calais/France with the intention to enter the UK clandestinely reinforce this approach. However, in Calais there were usually around 400 migrants, 1,200 when matters escalated in August 2014. [Home Office figures](#) suggest that there are 7,000-18,000 attempted clandestine border crossings annually, but because people try and are thus counted repeatedly the actual number of individuals involved would be smaller. This roughly equals 0.3 per cent of [all arrivals in Dover](#). Analysis of the pathways implies that irregular migration seems less of an issue of border security but more a matter of pre-entry and post-entry controls of the territory and the social systems.

### What can be done?

Various responses to irregular migration have been tried. These include various measures to prevent irregular migration, such as through (a) more legal migration channels and/or strict visa application, and entry and exit controls; (b) reversing irregularisation as through re-regularisation or amnesties; (c) through rectifying inconsistencies or impractical elements in law; (d) through law enforcement (i.e. raids, arrests and removals) and (e) laissez faire. In many countries a mix of all five of these measures is applied.

*Note: This article gives the views of the author, and not the position of the British Politics and Policy blog, nor of the London School of Economics. Please read our [comments policy](#) before posting. Featured image credit: [Kim S](#) CC BY-SA 2.0*

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