



## Lift the Ban Campaigns Strategy: What are our current routes to change?

**At the start of the campaign we identified three possible routes to change, which included:**

1. Home Office policy reversal
2. Amendment to an Immigration Bill
3. A Private Member's Bill

**On route 1**, while we had thought that Home Office policy change to the Immigration Rules would be an unlikely route to change, the last few months have shown a promising level of engagement on the issue from the Home Office, and a degree of openness directly from the Immigration Minister and Home Secretary on the subject when pressed by colleagues in Parliament. The Immigration Minister in particular has drawn on her background as a DWP Minister to highlight the importance of work and has shown a willingness to listen to the arguments around lifting the ban on asylum-seekers, challenging the coalition to think through the practical implementation of the policy. For his part, although the Home Secretary came into his position on the heels of the Windrush scandal and pledged to work towards a more fair and humane immigration and asylum system, the English channel crossings of asylum-seekers over the Christmas holidays in 2018 potentially signalled a hardening of his position on asylum issues - though he publicly notes the work policy is open to review.

While this paints a slightly mixed picture in terms of where our key targets are on the issue, the Home Office's recent commitment to undertake a review of the existing policy provides an important opening for the coalition's campaigning efforts. We will need to deploy our policy expertise to answer outstanding questions around the implementation of policy reform; mobilise our allies to feed into the review, particularly the business voice as potential employers; ramp up our public campaigning to demonstrate growing popular support; and push ahead with a programme of parliamentary activities so pressure on the HO is sustained from all sides. We believe that success via this route is very much up for grabs; and has the added advantage of being something which ministers can do readily and quickly, without the need for legislation.

**On route 2**, as expected, the current [Immigration and Social Security \(EU Withdrawal\) Bill 2017 - 2019](#) has been narrowly drawn so that its primary focus has been ending the free movement of EEA nationals. This has meant that securing an amendment on the right to work for all asylum-seekers has been deemed out of scope of the bill, and to date only an amendment on the right to work limited to asylum-seekers from EEA countries has been tabled with the intention of generating a debate on the topic, though it was ultimately withdrawn. At the time of writing (March 2019) it remains to be seen whether a broader amendment that would apply to all asylum-seekers could be accepted at report stage, or indeed when the Bill is passed to the House of Lords. This remains a possible, though perhaps unlikely, route to change (and crucially, one which isn't necessary to achieve the change we're calling for - simply a rule change, rather than legislation, is required to lift the ban).

It is worth noting that the Immigration Bill was published in tandem with the White Paper, which outlines proposals for the future border and immigration system, which will follow the Implementation Period. The Government has committed to engage with stakeholders about this system over the course of one year, after which time they will publish Immigration Rules which set out the details of this system. It is likely that this will require changes to primary legislation and therefore would involve another Immigration Bill being approved by Parliament. This would give the Lift the Ban coalition another shot at securing an amendment on the right to work, if we do not otherwise make progress in the next year.

**On route 3**, around getting a Private Members' bill on the right to work for people seeking asylum, it was acknowledged that these rarely become law, although those introduced by ballot have the greatest chance of success, given they receive priority for the limited amount of debating time available. Supportive MPs such as, Catherine West and Christine Jardine, have introduced Private Member's Bills on the issue, which presented an important opportunity to draw attention to the issue in Parliament, though they are unlikely to progress much further. In the future, Lift the Ban may consider putting in a Ballot bill on the right to work, and will learn from other experiences in the sector, such as the refugee family reunion PMB.