



Devolving Immigration Powers

Introduction

Last month, Glasgow East MP John Grady said in a Westminster debate that Home Secretary Yvette Cooper was "determined" to set up an independent Scottish immigration system. He was supported by other Labour MPs, including Torcuil Crichton, MP for Na h-Eileanan an Iar, who argued that one size does not fit all.

 **Torcuil Crichton MP for Na h-Eileanan an Iar**
@Torcuil

Depopulation is the biggest economic & social issue facing the Western Isles and rural Scotland. When it comes to immigration policy one size does not fit all. It shouldn't be beyond us to devise ways to attract more people to work and settle here.

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During the General Election campaign, Scottish Labour Deputy Leader Jackie Baillie did not go quite that far but [did say](#) that Labour was open to talks over a Scottish visa. However, a Home Office spokesperson [contradicted](#) Grady's claims: "This is not government policy and not something the Home Secretary is considering." The new UK Tory leader, Kemi Badenoch, is also opposed, while SNP MP Stephen Gethins plans to submit a private [members bill](#) that would give Holyrood powers to create its own visa scheme.

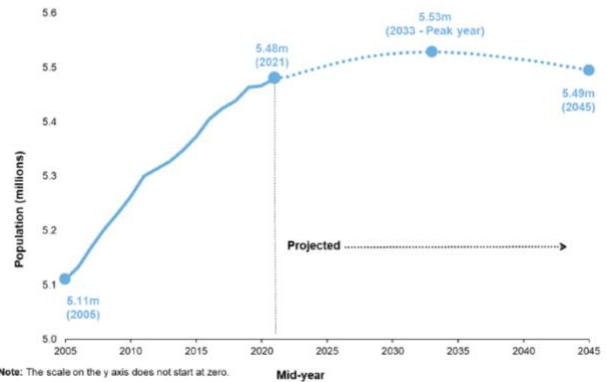
In this briefing, we examine the case for devolving immigration powers to Scotland and how a devolved system might work.

The case for devolution

There is good [evidence](#) that immigration has positively impacted the economy and the delivery of our public services. Migrants have a higher employment rate than people born in the UK and are less likely to claim benefits or use the NHS. Skilled migrants can boost innovation and stimulate economic growth.

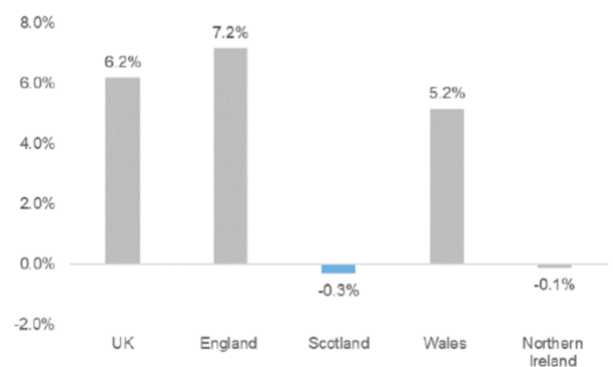
Scotland's working-age population is not [projected](#) to increase at the same rate as the rest of the UK, and the number of working-age Scots to support our ageing population won't be available without immigration.

Figure 1: Population of Scotland, mid-2005 to mid-2045



The ONS data also highlights the particular challenges faced by Scotland. These may also be optimistic, as the end of free movement under Brexit and other changes to the UK immigration system have yet to have their full impact.

Figure 2: Projected working age population change(%) across the UK, mid-2022 to mid-2045



Specific sectors of the Scottish economy will be hardest hit, including tourism, care, hospitality and agriculture, which rely on a higher proportion of non-UK workers. This is why business organisations were [disappointed](#) the proposal was not "on the table" after calling for the UK Government to consider one.

There is a particular challenge with [depopulation](#) in rural areas of Scotland, and many believe immigration is one part of the solution. While there is no evidence immigration has undermined wages, employer conditionality should include adherence to collective agreements and the payment of the Living Wage.

How would a Scottish visa work

Devolved immigration initiatives are not new. They have been deployed in Scotland through the Fresh Talent initiative introduced by the then First Minister, Jack McConnell, in 2004 to counter Scotland's falling population.

Dr Eve Hepburn set out three levers for differentiating the UK's immigration system in a [paper](#) for the Scottish Parliament's External Relations Committee in April 2017. Soft levers such as migrant integration, awareness, and education help ensure migrants stay, but they don't address the need to allow migration into Scotland.

Mid-range levers include working with the UK Migration Advisory Committee (MAC) to create a Scotland-specific Shortage Occupation List (SOL). In practice, the variations in the Scotland-specific shortage list have been limited and only address perceived temporary skill shortages. Scotland has long-term demographic challenges that will not be addressed quickly. Temporary systems also do not encourage a high level of integration.

Hard levers would involve devolving exclusive competencies over immigration on the Canadian or Quebec model – even if that is within an agreed framework of regional visas. The main criticism is the risk of leakage of migrants to other parts of the UK. The international evidence in the Hepburn Report shows that high retention rates can be achieved. Scotland is not an isolated, low-wage, underdeveloped nation comparable to regions in other countries that have sustained lower retention rates. There is a good quality of life, a developed economy and a generally welcoming population. While we need to do more on these issues, these factors favour the higher retention rates we have seen internationally – as high as 90% in Quebec. Contrary to the claim by the Tory leader, enforcement is not complex, given the development of Scottish income tax codes.

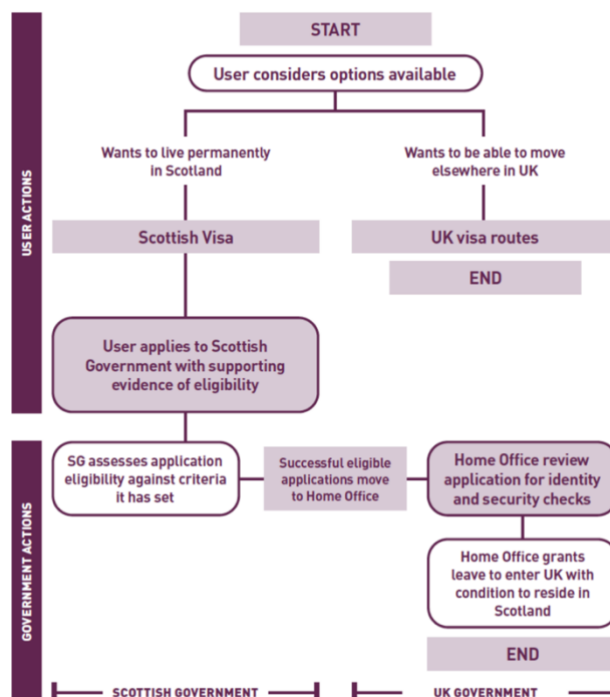
There is also the issue of [asylum seekers](#) who are not allowed to work until they gain refugee status. Scotland's 5,080 asylum seekers include highly educated and skilled individuals who want to contribute economically to Scotland. The country is losing out on up to £264 million a year by refusing to allow these migrants to work.

Scottish Government proposal

The Scottish Government [proposes](#) a Scottish visa to enter the UK that would let migrants live and work in Scotland, with a Scottish tax code. This would be similar to the Canadian Province

Nominee Programme (PNP), which is less extensive than the Quebec model. This would be a partial devolution of immigration, sharing responsibility within the UK.

User Journey Through Scottish Visa Application



This approach has broad support within Scotland, including business organisations and trade unions. Public opinion in Scotland is also more positive about immigration than other parts of the UK.

Conclusion

Immigration is intuitively an unlikely candidate for devolution until you look at the international evidence. Sadly, successive UK ministers have instinctively rejected the concept without adequately examining the issue.

The partial devolution of immigration powers on the abovementioned model could address Scotland's demographic challenges. A shared responsibility would allow the policy to be introduced gradually (starting with rural areas), providing an evidence base for further action.

Jimmy Reid Foundation

The Jimmy Reid Foundation is a think tank which brings together different voices from across Scotland to make the case for economic, environmental, political and social equity and justice in Scotland and further afield.

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