



FOREWORD

Thursday 1 November, 2007

I welcome the publication of this paper, *Here to stay?* prepared by the West Midlands Industrial Mission Association.

This paper examines the modern phenomenon of migration particularly in the West Midlands.

Migration, for any reason, is a topic which influences every level of society: politics, local government, the role of the public services, the faith communities, and most importantly, families and homes; migration affects everyone.

For the Christian community there are the imperatives of our faith. First, to recognise each person as a child of God who is to be loved and cherished as much we honour and respect ourselves. And secondly, to care for the weak and the vulnerable by giving voice to their place in society and ensuring that their human rights are respected.

The recommendations of this paper reach beyond the faith communities. The recommendations call to all people of good will, those in the business community and those in the public sector.

I thank all those who have contributed to this paper. It will be an important resource for people of the West Midlands.

Vincent Nichols
Archbishop of Birmingham

The Context

The 1990 UN Convention on the Rights of Migrant Workers and Their Families defines a migrant worker as a person who is to be engaged, is engaged or has been engaged in remunerative activity in a state of which he or she is not a national, regardless of legal status. The only exceptions to this are stateless persons, and refugees. Refugees have the same rights as citizens of the country which has granted refugee status.

This definition is helpful as the term 'migrant worker' is often used imprecisely. In the UK it is commonly used to speak of the most recent migrants from Eastern Europe but then elides into other groups. In rural areas a distinction seems to be made between seasonal and migrant workers. Those working with asylum seekers and refugees find people confused as to whether or not these groups are migrant workers. This confusion of definition makes it difficult to identify and discuss issues of migration in a coherent way. The UN definition, while simple, helps us recognise the scope of migration and the range of experience of migrant workers.

Migrant workers have become a 'hot topic' since 2004 when the enlargement of the EU gave workers from the new member states the right to come to work in the UK. It can be an emotive subject for all involved, with concerns about the exploitation of migrants, and about their impact on the job prospects of indigenous workers and on services such as education, health and housing. Despite the stereotypes, there is no single experience of being a migrant worker and no single experience for settled communities.

In 2006/7 there has been a growing realisation of the need for a fuller understanding of what is happening in

relation to Eastern European migrant workers and the impact on established communities, if the needs of both are to be met. Various levels of local government, and bodies such as the Regional Development Agency, Advantage West Midlands [AWM], and the Learning and Skills Council [LSC] have commissioned research to understand better the extent of migrant work in the region and its economic impact, in order to begin developing appropriate responses. While AWM and the LSC tend to concentrate on the economic and skills impacts, local

The Churches Industrial Group Birmingham report into the status of migrants in this country is very timely. Whilst there has been a lot of dialogue about immigration of late, little has been said about the relations between the indigenous population and migrant groups, or about the conditions in which many migrant workers are living. This report provides that much needed focus, and also issues the entire population, both indigenous and migrant, with a pertinent challenge: that of community.

The work of the Churches Together group in Leominster, in conjunction with Leominster Town Council is an outstanding example of what can be achieved when a community pulls together. The voluntary sector has played an enormous role in this move towards community cohesion, but all sectors of society need to play a part in this. Communication, cooperation and engagement from all sectors and all groups of people will enable our society to take steps towards becoming a more cohesive community.

Caroline Spelmen MP

government is looking at housing and other impacts.

Various church bodies have also made their contribution to the on going debate on public policy and social action. This paper is a further contribution by the industrial chaplains working in the West Midlands, based on their experience of workplaces and local communities in the region and drawing on a number of events held in 2006/07.

The understanding and thinking about migrant workers, and their effects on the UK, continues to develop. All sectors of society, including migrant workers themselves, need to share their understanding and insights in order to develop the responses that are needed.

Introduction

The global movement of people is increasing. In 1975 approximately 85 million people lived outside their country of birth, that figure is now estimated to be 190 million. The world has a mobile citizenry moving to work, to study, to reunite with families, seeking refuge and asylum or just travelling. Environmental change and economic inequality mean that this movement is likely to continue to increase. With its ageing population, it has been suggested that by 2010 Europe will be seeking to attract migrants from outside Europe to maintain its economic position. While the immediate issue may be our response to migrant workers in the European Economic Area [EEA] our thinking needs to be done in this global context.

The term 'migrant worker' has become attached to people who have come to the UK from Eastern Europe since 2004, through the enlargement of the European Union. However, migrant workers have

been coming to the UK since before the UK existed as a state. Groups of migrant workers have included French Huguenots in the 16th and 17th century, people from Ireland from the 19th century onwards and those from the Commonwealth and former countries of the British Empire in the 20th century. In hindsight we talk of these as 'waves' of migration but the experience was lived by individuals and families and so more complex than hindsight admits. Equally, although there are patterns among current migrant workers, there is also a huge range of experience depending to a great extent on the level of vulnerability of the worker.

Whenever there has been a significant flow of migration into the UK, often encouraged by economic needs and consequent government policy, questions have arisen regarding the capacity of the receiving communities, particularly in relation to jobs and housing and latterly in relation to the various elements of the welfare state, as well as the more subtle capacity to provide a welcome and to build community. The current debate about migrant workers raises similar questions.

One difference is the speed with which significant numbers of migrant workers from EEA countries have arrived. This was unforeseen by government and the numbers are disputed. However, new languages on the street and in the shops mean that many communities are aware of having a significant number of new neighbours in a short space of time.

A second difference is that, for at least some earlier migrant communities, the assumption was that, while some would return home, many would establish themselves in the UK. The assumption around current migration from the European Economic Area [EEA]

is that young adult workers will come to the UK on a seasonal or temporary basis with little intent to settle. As with earlier groups the intention to remain or return may change for any individual but the assumption by the state is return. This has shifted the emphasis so that we now speak of 'migrant workers' or 'economic migrants' rather than migrants.

In the popular imagination, the term 'migrant worker' is generally attached to the set of people doing comparatively low skilled work, whatever their particular qualifications. The term seems less frequently attached to highly skilled people who obtain work individually in sectors with a history of international recruitment such as higher education, the NHS or in high tech / science based sectors. The Highly Qualified Worker scheme for EEA graduates may be blurring this distinction, although anecdotally there are suggestions that overseas graduates may be paid less. At one property development company the belief is that three UK civil engineers have been replaced by a higher number of 'Polish' engineers on lower pay. However, whatever their conditions of employment, 'migrant workers' are understood to be in the UK primarily to work.

The danger in this is that people become defined by their economic status rather than their humanity and that 'migrant worker' becomes a pejorative term. Other European countries have a tradition of 'Guest workers' - Algerians in France, Turkish people in Germany. These people have had fewer rights than citizens and have been the first to suffer in economic down turns. This has not been the British approach and any tendency of the new terminology to move us in that direction is to be resisted. UNISON, now part of the UNITE trade union, has tried to turn this terminology round, saying that guests should be treated as such and afforded the

When I travel around the country talking to Chamber members and businesses, conversations often turn to the issue of migrant workers and the increasing number of foreign employees in the British labour market.

Business takes a pragmatic approach. With the UK's very apparent skills shortage, particularly prevalent in the manufacturing, science and technology and construction industries, and 1.24 million of Britain's young people unemployed, we cannot forget that without a steady flow of migrants with the skills and aptitude for work employers would struggle to recruit.

The value of migration to our member businesses and the economy as a whole has been substantial.

If we want to see less reliance on the migrant worker in future years, the British Chambers of Commerce proposes continued reform of our education and apprenticeship systems so that real improvements are made and young people gain the attributes and skills needed for life in the modern world of work.

David Frost

same protections as indigenous workers. The union encourages its members to think of people as 'fellow workers' rather than using divisive categories.

Although the term 'migrant worker' is typified in the popular press by 'the Polish plumber' there is also a great deal of blurring of boundaries. There are important issues for a number of migrant groups - asylum

seekers, refugees, established immigrant communities, new immigrant communities, EEA migrant workers, those with and without documentation or the legal right to be in the UK, victims of people trafficking. It is important to recognise the similarities and the differences between these groups so that responses can be tailored to meet their needs so that they can both contribute most effectively to UK society, and influence their own well being. For instance, the new West Midlands Strategic Migration Partnership may recognise common issues such as language and recognition of qualifications but also needs to recognise the variety of issues that people face.

A Church contribution

The Christian church values all people as made in the image of God and has a 'bias to the poor' in its social teaching. This requires a commitment to a decent living for all workers, migrant or otherwise, and a rejection of the polarisation of the needs of migrants and the needs of existing UK residents, which too often appears in the populist press. This polarisation builds on anxieties about change and is based on a belief that there are a finite number of jobs and a finite amount of public sector provision. Various strands of Christian theology are at odds with this anxious, narrow world view. God's abundance in creation and generosity in Grace, the encouragement to trust and not be anxious, the vision of the household of God in which all flourish, all these encourage Christians to engage more positively with issues of migration. However, such engagement must take seriously the realities of the current experience of both migrants and resident communities if it is to escape the accusation of naivety.

People have always moved in order to

find a better life – to escape poverty and famine, to find greater, sometimes religious, freedom, and to have a better future. The Old Testament stories of Abraham who moved from Ur in modern Iraq to Canaan in modern Israel, of Joseph who was trafficked by his brothers into Egypt but who later sent for them to save them from famine, of the Exodus from slavery in Egypt and the later exile which took Israel's skilled workers to Babylon for two generations all remind us that people move, sometimes through choice and sometimes because there is no choice. In either case, the journey has rarely been easy. These same stories also tell us of the struggles between newcomers and indigenous populations over access to resources and the distribution of power.

Whether or not the move is permanent, leaving home and family takes courage, and migrants are often regarded as among the most resourceful in their community. Being a receiving population also, though less obviously, takes courage. Courage to accept difference, to accommodate new cultures, and to trust to the future. The Jewish tradition, carried over into Christianity, is to welcome the stranger, empathising with the newcomers by remembering times when the 'welcomers' were the 'strangers'. More than just empathy, the Judao - Christian tradition offers the possibility that by welcoming strangers we may be 'entertaining angels unawares'. [Hebrews 13:1-2, Genesis 18] The 'strangers' have good things to bring us. The encounter has positive possibilities for both parties.

Churches in the West Midlands, as elsewhere, have responded to the needs of migrant workers in a number of ways. The Roman Catholic church has appointed chaplains to specific migrant communities; churches are involved in providing places

Since the expansion of the EU in 2004, official figures show that over half a million people have moved from Eastern European countries to work in the UK. In 2004 – 2006, just over 60,000 came to the West Midlands. These figures are disputed and may well be an under estimate. From the 1st January 2007, Romania and Bulgaria joined the EU but workers from these countries were not allowed the same access to the UK. Unskilled workers from Bulgaria and Romania are only allowed to work in the agriculture/ food processing sectors. Whatever the true figure, the new population is changing neighbourhoods.

of welcome where migrants can receive anything from a cup of tea to employment advice and language classes; churches are involved in campaigns on behalf of the most vulnerable migrants; worship can be a time and place of connection for migrants. One church member commented that those who may be transitory neighbours are particularly in need of welcome because of their isolation, although the transitory state itself challenges how we can make contact.

The strands of Judao - Christian theology have already influenced church responses to migrant workers and can continue to be a resource to public debate in this area.

The West Midlands

Like other areas of the UK, the West Midlands has experienced different phases of migration. Firstly, rural populations migrating to the growing Midland cities and later, significant numbers of people from Ireland, the Caribbean, the Indian sub continent and Africa. The Midlands now

benefits from the cultural diversity, energies and skills of its diverse population. It also faces the challenge of ensuring people from all communities can benefit from success in the region.

Birmingham will be one of the first UK cities in which the indigenous white population, while remaining the largest single group, will be the minority if all other groups are counted together. One of the first minority majority cities. One element of this is the outward migration of indigenous population. For example, one paramedic is considering migration to Australia, which is seeking to recruit two hundred and fifty UK trained paramedics in each of the next five years and there is already a national shortage in the UK.

Significant numbers of new people are most obvious where existing populations are small and the rural areas of the West Midlands were probably the first to recognise the change. The rural churches have certainly responded in a more concerted way than some urban areas. Migration in urban areas may at first be less obvious but the changing profile in areas of lower cost housing is now visible. In Handsworth, Birmingham, with its many shops serving the Asian and African Caribbean communities, several now specifically serve the new communities – Polish, Russian, Czech, Bulgarian, Romanian, Ukrainian, Kurdish, Slovakian.

The West Midlands has seen and is seeing a huge restructuring of the economy with the loss of many manufacturing jobs, the pressures on agriculture and the rural economy and a growth in the service and commercial sectors. This includes a predicted 50,000 jobs in professional and financial services in Birmingham and Solihull between 2005 – 2015. Meanwhile,

Birmingham has an employment rate of 64%, Wolverhampton 66.5%, Walsall 70% against a regional average of 73% and a national average of 74%.

One reason given for the movement of workers to the West Midlands is the low level of basic skills among the local population, leading to worklessness. Twenty percent of adults in the region have problems with reading and writing and nearly nineteen percent have no qualifications. If the influx of migrant workers means that the educational, skills and employment needs of the existing local population remain unaddressed, masked by employers' ability to recruit new migrants, then future economic development will be unsustainable.

Social sustainability will also be under threat if some groups feel that the presence of others block their own path to success. There is already anecdotal evidence of resentments between groups in relation to jobs and housing and sometimes puzzlement about peoples' attitudes. One Polish woman commented 'Why do people dislike us? We speak English. They accept others. We are only here to work, it's just a job but people [customers] are rude sometimes. It's hard.'

Areas of employment

While the caricature of the European migrant worker is the Polish plumber, the industrial chaplains in the West Midlands mainly work with established medium to large companies. The employment of migrant workers in these companies varies hugely.

Migrant workers are generally absent from car manufacture as the automotive sector as a whole is shrinking rather than recruiting. In 'high tech' sectors, higher education and in health there is already a

tradition of international recruitment so that individuals may not be identified as 'migrant workers'. The exception to this being the nursing staff recruited from the Philippines in the 1990's. This particular practice is now limited because of ethical questions about removing key skills from poorer countries but it is notable that the 'migrant worker' label attached to a group rather than an individual and not to the highest skills set among the health professions. In the rest of the public sector employment of migrant workers appears to be limited. The areas of employment where migrant workers are most in evidence are agriculture, the service sector, including retail and transport, and light manufacture.

In August / September 2006 Birmingham Chamber of Commerce did a survey of employers' experience of and attitudes to migrant workers. The businesses that replied included 157 from the service sector and 67 manufacturing businesses. Over all 23% of the employers employed migrant workers, 36% of manufacturers and 17% of service sector companies. However, there was a difference in profile. Only 41% of migrants employed in manufacturing originated in the EU as against 55% of migrants employed in the service sector. It was not possible to ascertain whether the non EU migrant workers were recent migrants or whether the term was being used to describe workers from established immigrant communities.

Forty percent of employers believed that in relation to skills, sickness absence and contribution to competitiveness their migrant workforce was about the same as the indigenous population, although approximately a third felt that migrant workers had less time off sick and made a greater contribution to competitiveness. Over fifty percent of employers believed that

migrant workers had a better work ethic. A small percentage thought that migration should be unconditional and only one percent believed that no migrant workers at all should be allowed into the UK.

As with the general population, employers have mixed views about the conditions under which migrant workers should be allowed into the UK – to fill skills shortages, if workers have qualifications, if workers originate from within the EU or as part of a quota system.

The British Chambers of Commerce welcomed the immigration points system proposed in 2006, but warned that the new system should not be too onerous on employers. Small and medium size companies in particular would need clear information on how to comply with the rules. Bill Midgeley, the then President of BCC commented 'Migrant workers are vital for the success for the economy – they help increase investment, innovation and entrepreneurship. But migration is not the total solution to our skills gap. The Government must continue to invest in up-skilling our domestic workforce in order to ensure British businesses can meet their global economic challenges.'

The Airport

Birmingham International Airport is situated between the generally affluent area of central and south Solihull and the more disadvantaged area of north Solihull. Approximately 7000 people work at the airport employed by a range of companies from airlines to coffee shops. Many companies operate in a number of airports. Recruitment to service jobs in airports in the UK is generally difficult. Jobs are often at minimum pay levels, shift patterns include unsocial hours, and airports are often situated away from towns so access is difficult or expensive. Jobs are not fully

secure as the company may lose the contract with the airport. Consequently some service companies have national recruitment policies to reflect the general difficulty in recruitment. A further barrier to employment at any airport is the level of security required. Any employee has to provide references proving where they were and what they were doing over the previous 5 years and be CRB checked. This can be difficult for people whose lives have been 'chaotic'.

Several airport catering companies have recruited directly from Eastern Europe. One outlet recruiting to over thirty new jobs only had two 'suitable local applicants', so was forced to recruit elsewhere. Another company has a national policy to recruit from abroad on short term contracts. The companies work through agencies in the relevant country. The agency advertises the recruitment fair and deals with all the administration, references and permits. Detailed security checks cannot be done where there is no system in the country of origin. Company representatives then spend several days interviewing several hundred people and making appointments. A UK manager was impressed by the commitment of applicants. One group had traveled for six hours over night in order to attend the interviews. The UK company is very dependent on the quality of the agent. The same company had also recruited in India and South Africa but, although there were good applicants from South Africa, the local agents could not provide the security checks needed. Recruitment in India was more successful. Workers recruited in this way had exactly the same terms and conditions of employment as indigenous staff and were found accommodation for an initial three days on arrival. The three days could be extended if necessary. The manager's perception was that her migrant workers

were an asset, with good attitudes to work, which influenced UK staff, and there was no animosity between groups. She regretted when workers had to return home and some re-applied in future recruitment drives.

'Job Junction' offers a different solution to airport recruitment. Run by the on site Job Centre Plus, in partnership with other private and public sector organisations, Job Junction works with the local long term unemployed to make them 'job ready' for vacancies at the airport. The course includes skills for work, IT training and work placements and is very successful with 92% of participants still being employed after twelve months. Conversations with people who have done the Job Junction programme speak highly of the experience in terms of personal development, the sense of community within the group, in getting work and in many cases transforming their lives. However, the programme does not have permanent funding.

The airport situation highlights one of the key issues around migrant workers. Does the presence of migrant workers prevent the lower skilled/ unskilled indigenous population from accessing work? The answer is not simple. While local people and migrant workers share the aspiration to build a secure future for themselves and their families the ways they can achieve that will not be the same. Local people may have a more realistic view than migrants of what a living wage would be in the UK, including travel costs and housing. More could be done to make workless locals employment ready. Moving from state benefit to work is always a difficult transition, particularly for those with caring responsibilities. Companies could give more time to reaching out into the community so that local people see them as potential employers.

Conversations with the 'migrant' staff in the airport offered more diverse stories of how they came to the UK. Some came by the route described above, others came independently from the EU and from other regions, one had been granted refugee status and another remarked that he came from a community that had always migrated. Many staff were glad to be in the UK and to be working, although some had much higher qualifications than the work required which was frustrating. For others it is a holiday job between university terms. Not unexpectedly many missed their family and friendship networks. One mother hoped that she would be able to bring her daughters over in future. Some wished to remain in the UK as life here is less difficult than in their country of origin but a number had also found the UK less than welcoming. They were not seen as people or individuals but as a category, about which people had set ideas.' The English pay the minimum and do not care who does the work.' This lack of welcome may be particularly difficult for migrants from countries which do not have an existing settled population in the UK. However, whatever the country of origin, migrants workers are often sharing houses with other migrants so that whole households spend their time working and sleeping with little time for life. The financial benefits of sending money home and perhaps saving for the future are there but one woman summed up her experience saying 'It's brutal actually'

However, at the airport, as in other parts of the service sector, there is a continuous ebb and flow of jobs. It is not the case that a job given to a migrant is lost to future applicants. The danger is that employers and public policy makers use the supply of migrant

workers to reduce commitment to other excluded groups, creating resentment that is unhelpful and socially divisive.

Refugees are not migrant workers in the UN definition, but they can be legitimately looking for work. According to agencies working with refugees, employers are often confused about the difference between asylum seeker, refugee and illegal migrant. In these circumstances it is easier to employ a migrant worker from the EU whose status is obvious. There is work to be done so that lack of knowledge does not add to existing disadvantage.

Leominster

Agriculture is a traditional user of seasonal migrant workers and the influx of significant numbers of workers into a comparatively small local population cannot go unrecognised. These factors may have enabled those working in rural areas, including Agricultural and Rural Chaplains, to respond more quickly to the arrival of large numbers of workers from Eastern Europe. The Arthur Rank Centre Churches Rural Group and Robert Barlow, Rural Chaplain in Worcester Diocese both produced leaflets for local churches in 2005.

As elsewhere, the experience of rural migrant workers is variable. At a meeting of the Worcestershire group of the Rural Theology Association in November 2006 members described a largely positive experience in Evesham in contrast to that in Leominster, which was described by John Crowe, chair of the Leominster Friendship Centre.

'At the peak of the strawberry picking season there are over 2,500 seasonal workers at just one farm at Brierley, some three miles

from Leominster. Closer to Hereford at Marden over 1,000 workers are employed by the same firm, S&A Produce Ltd. The workers come from Poland, Slovakia, Czech Republic, Bulgaria, Romania, Lithuania, Latvia, Ukraine and Russia. Workers have often paid considerable sums to an 'agent' in their country of origin in order to get the job. Workers live in caravans on site for which they pay approximately £30 and some social activities are laid on for an additional cost. There is tight security around the Brierley site with a high, barbed wire topped fence 'for the safety of workers'. Visitors must let the company know in advance of a visit.

In 2004, local people started giving lifts to workers on their walk in and out of Leominster to shop. In an informal way, emergency help, including over night stay, was given to those in pastoral need. Workers were warmly welcomed to worship in local churches.

In autumn 2005, a 'brainstorming' session set up by Churches Together in Leominster recommended that more be done. By May 2006, a Friendship Centre had been established in the Moravian Church, well situated on the route into town. The work of the Centre had the full support of Leominster Town Council.

The Centre was open for two hour sessions in the late afternoon, offering free refreshments, the chance for a rest and conversation with local people. Information about the town was available. Complicated problems presented to the volunteers were referred to the employers, the Citizens Advice Bureau and, if necessary, the Transport and General Workers Union [TGWU]. For instance, two older men from the Marden farm had their passports retained by their employer, although it is

illegal for an employer to retail a passport beyond one day. They had no money and neither spoke any English.

Soon there were free English lessons for the workers, given by volunteer teachers. Local people were rather shy about opening their homes to give simple evening meals but, when this was done, it proved to be highly popular with workers. The management at the farm helped with transport . Larger events were also arranged, including a highly successful BBQ, bringing together over a hundred people from the two communities and a concert, enabling workers to share their skills as musicians and dancers.

Because of poor working conditions on the farm closest to Leominster, the TGWU became involved and lobbied the big supermarkets, which sell the strawberries. As a result, under pressure from the supermarkets, the employers ceased the practice of putting redundant workers out of the camp before they had had their final pay. This practice had led to some people having to sleep rough. Now workers are allowed to stay until they have received their pay, paying £10 a night for a bunk bed in a caravan or metal 'pod'. Personal crises, such as bereavement necessitating a quick return home, have involved the Friendship Centre's volunteers urging the employers to co-operate in speeding up their administration.

At the end of 2006 it was decided that the Friendship Centre should become a registered charity, in order to allow more effective fund raising. The pattern of work has been similar in 2007, with up to sixty workers attending weekly English lessons, a BBQ for a hundred and fifty people, a concert and outings. A visiting Polish priest said Mass at the farms in July and August

and a Ukrainian Protestant pastor is chaplain to migrant workers in the county. A local policeman has also been designated to relate to migrant workers in the area as well as keep an eye on conditions at the farms. There has been at least one incident of intimidation of migrant workers but also conflict between workers.

We realise we only touch a few of the workers and much more needs to be done. The issue of migrant and seasonal workers needs more thought and action'

Workers rights

Research in Local Authority Districts such as Wychavon and Stratford on Avon indicate that most local employers of migrant workers are not exploitative even if the work is commonly low paid. However, where workers have a bad experience they are particularly vulnerable because of their lack of knowledge of their rights and the systems that might help them. This is compounded by the general lack of knowledge in the indigenous population so even colleagues may not be best placed to help.

The Department of Trade and Industry, Trades Unions, Chambers of Commerce, Citizens Advice Bureau and others have attempted to provide information to migrant workers. Not unexpectedly the Trades Union information is often the most comprehensive but Trades Union membership among migrants is low because of the nature of their employment.

The migrant workers who are at most risk of having their rights denied are those who are working illegally. This group may include failed asylum seekers, illegal immigrants, trafficked people and those from the expanded EU who are employed but have not joined the Worker Registration

Scheme [WRS]. The self employed do not need to join the WRS but if they move into employment they need to register, paying the £90 fee, which some will not be able, or perhaps willing, to afford.

The vulnerability of workers without legal status means that they are more open to exploitation and abuse in employment, housing conditions and financial arrangements. Their extreme vulnerability may also impact on other vulnerable groups by depressing pay levels and perpetuating unsafe working conditions. Deportation of workers without employment rights can also damage business. There is anecdotal evidence of companies suffering loss of production and profitability when key established staff had to be dismissed when their lack of status was discovered. These factors form part of the reasoning behind the 'Strangers into citizens' campaign of Citizens groups in Birmingham and London. The campaign calls for there to be a mechanism by which illegal workers can move towards legal status by demonstrating that, although without legal status, they are positively contributing to society. At the current rate of deportation it will take many years to exclude all non legal workers, assuming that no new workers without legal status enter the country. Meanwhile, the damaging vulnerability of workers will continue. Other European countries have already granted amnesties to those working illegally and it is better to address the issue of illegal working proactively and positively rather than leaving the situation to continue to have it's adverse effects on workers, business and local communities.

It is a matter of regret that the has UK not ratified the 1990 UN Convention on the Protection of the Rights of Migrant Workers and their Families' which gives rights to all

migrant workers irrespective of legal status. The Convention became effective in 2003 and is enforced in thirty three countries but no EU country has signed. In 2005, the Select Committee on the European Union felt the arguments against signing were weak and recommended that the government looked in to the likely costs and developed a political consensus towards signing in the UK and in the EU.

Migrant workers are covered by legislation on pay slips and deductions, the minimum wage, working time, paid holidays, discrimination, and health and safety. They may gain other rights, such as maternity leave, after the qualifying period if they are classed as employees. Employers are not allowed to retain passports for more than a day and a worker can leave an employer at any point. If a worker was recruited by an agency that misrepresents the employment a complaint can be made, but only if the agency has UK offices.

Migrant workers are not entitled to non - contributory benefits and, despite popular myth few are drawing welfare benefits.

Apart from employment related rights migrants need to understand other legal and regulatory frame works in the UK including housing rights and rental agreements, taxation, laws relating to driving and car ownership, how to set up a bank account or register with a GP or dentist. A mentoring project for migrant workers in East Anglia covers these areas but in the West Midlands there seems to be a dearth of organisations working specifically with migrant workers apart from those elements of the church and voluntary sectors which have picked up this work as people have come to their door.

Impacts on communities

Reference has already been made to the potential impacts of migration on established

communities. When new groups move in to neighbourhoods there is the possibility for conflict over resources and culture. This will vary from area to area. Some Industrial Missioners are involved in community regeneration work and all recognise the links.

Impacts on communities

Reference has already been made to the potential impacts of migration on established communities. When new groups move in to neighbourhoods there is the possibility for conflict over resources and culture. This will vary from area to area. Some Industrial Missioners are involved in community regeneration work and all recognise the links between economic life and housing, health and education. However, more detailed research on community impacts must be left to others, including Unitary, County and District Authorities and NHS Trusts.

Greater understanding is likely to benefit the whole community. A UK worker complained that he had had to wait two hours for his child to be seen in A&E. The reason given was that migrants came to the hospital for any health need. This is because primary health care is not available in their country of origin. There is a need to educate migrants about the UK system but the local Primary Care Trust is also planning some local treatment centres to prevent the hospital becoming blocked. The issue arose because of migrants' needs but the solution will benefit all.

It is not only receiving communities that are affected by the migration of workers but also the sending countries. Migrant workers commonly send remittances home and there was the possibility that these monies would enable economic development in workers' countries of origin. Employers noted

that if the economies of Eastern Europe developed, the flow of migrant workers would diminish, making skills gaps in the indigenous workforce even more critical. Consequently, the availability of migrant workers should not be seen as a long term solution or a reason to neglect the resident workforce.

The real impact of remittances is not yet clear. Some migrant workers report that the situation at home has improved, but often not sufficiently to enable them to be sure of a good future there. One chaplain was able to observe the significant level of house building, based on remittances, in Romania. However, other colleagues in the Czech Republic [CZ] note that as skilled workers moved to Western Europe so the CZ also experienced migrant workers coming from the East. The economy, like nature, abhors a vacuum. Finally, Eastern European countries now face falling populations through falling birth rates. It is not possible to identify the extent to which migration is a factor in this but it seems unlikely that it has no relevance.

'Has Slavery been abolished: combating contemporary slavery in the UK'

Christien van den Anker

The worst possible way in which a migrant worker enters the UK is as a trafficked person. As part of the 'Setting all free' theme of 2007, the bicentenary of the abolition of the slave trade act, the Churches Industrial Group Birmingham had a speaker on this theme at its AGM in June. The overheads from the lecture are on CIGB's website [www.cigb.org.uk]

Worldwide contemporary slavery takes a number of forms - descent based, bonded labour, forced marriage, child labour and

people trafficking. Ethically, the response is obvious – slavery is morally repugnant and illegal under national and international law. However, there is disagreement over the various approaches to combating contemporary slavery and there is no consensus on the ethical basis for policies.

The Palermo Protocol [2000] was the first agreed definition of trafficking. Trafficking involves the recruitment, transfer, harbouring or receipt of human beings. It involves the use of threat such as the use of force, other forms of coercion, abduction, fraud, deception, the abuse of power or of vulnerability, the giving or receiving payments or benefits to gain consent. Trafficking involves having control over another person for the purpose of exploitation including sexual exploitation, forced labour or services, slavery or similar practices, servitude or the removal of organs.

Despite the Palermo Protocol present difficulties include the lack of internationally compatible definitions at national level, lack of use of trafficking legislation in court cases, lack of the inclusion of industries other than the sex trade, and lack of victim support systems, especially in non sex related industries. Every country in Europe can probably provide evidence of cases of contemporary slavery and trafficking.

Polish workers in the food packaging industry were brought to a house in the UK. There was deceit at the recruitment stage in Poland. The workers had no idea where they were and spoke little English. Traffickers prefer workers with few language skills as this increases vulnerability. The workers were subcontracted in a complex chain of labour agencies. The house contained no

furniture just soiled mattresses on the floor and piles of rubbish. The electric cooker had no plug but the wires went directly into the socket. The workers were threatened with eviction and the loss of two weeks wages if they spoke out. Pay was withheld and tax deducted at a high rate, despite the tax office having no record of their employment. The minimum wage was not paid and most did not register under the Workers Registration Scheme as they could not afford the fee – then £50, now £90. Consequently the workers were undocumented and therefore illegal.

Van den Anker's research show a number of things

- Firstly, the desperate situations in which people find themselves through social isolation and lack of knowledge of their rights, with various patterns of multiple dependency, coercion and deception.
- Secondly, complex and restrictive migration law and a system of work permits can increase people's vulnerability.
- Thirdly, trafficking and contemporary slavery are driven by the demand for cheap labour.
- Fourthly, as the border of the EU moves further East a new set of countries and victims are drawn in.

The UK has responded by restricting migrant flows at the same time as developing human rights approaches to victims of trafficking. The UK has now signed the EU Convention on Action Against Trafficking 2005 which emphasises victim support including housing, legal aid, a reflection period of 30 days, counselling and education. The convention also encourages international co-

operation such as prevention campaigns in countries of origin, support for returnees and co-operation to convict more traffickers.

The root causes of trafficking are economic inequality and patterns of discrimination. There is poverty and lack of opportunity in one country and a demand for cheap labour in another. Cheap labour may be sought in agriculture, catering, tourism, domestic work and other sectors and women are vulnerable in relation to sexual and reproductive services. Gender inequality; discrimination on the basis of ethnicity, religion, nationality, or marital status; conflict, peace keeping and post conflict reconstruction creating a market for cheap labour all contribute to the pattern.

As criminalisation and anti immigration policies have generally failed to prevent trafficking. Short term prevention has been tried such as information campaigns in countries of origin. Longer term prevention work has tended to concentrate on gender inequality and the sex trade. However, some wider longer term prevention proposals are coming forward. The Brussels Declaration 2002 is concerned with poverty and the South Asia Association for Regional Co-operation [SAARC] Convention refers to development and to the supervision of employment agencies. The Organisation for Security and Co-operation in Europe 2003 action plan includes social and economic measures but again there is no international obligation, only national.

What is needed is a multi pronged, cosmopolitan approach. Long term prevention based on the most inclusive set of root causes including the structures of the global economy. Action plans must include international obligations to support social and economic measures in all affected

countries.

Christien van den Anker spoke at CIGB's AGM in June 2007 drawing on her research and writing, particularly 'Trafficking and Women's Rights: beyond the sex industry to 'other industries'' in A. Guichon and R. Shah (eds.) Women's rights in Europe, Special Issue of Journal of Global Ethics 3(1) December 2006: 161-180.

Themes and issues

Vulnerability

The elements that have generated the public concern about the numbers, experience and impacts of migrant workers can best be understood in terms of vulnerability rather than category.

Categories can be used to identify the 'deserving' and 'undeserving'. The term 'citizen' has come to be used in this way in some quarters with the suggestion that only citizens have a legitimate claim to social benefits. This takes us in the direction of 'guest workers' in the French and German model and does not acknowledge the contribution of migrant workers to our pensions and other benefits through tax and National Insurance.

Categories are inadequate because they change. An individual may be in the UK legally but then outstay their visa / right to work. An individual can arrive here legally but then be trafficked within the UK. Categories also mean that some people are over looked, for instance those 'internal migrants' who are bussed each day from urban to rural areas for work.

Rather, people coming to the UK and working experience a spectrum of vulnerabilities. The highly qualified individual recruited internationally for a high skill, high paid job faces the vulnerabilities of living in a different culture away from support systems of family and friends but they are likely to have reasonable housing, non abusive relationships with employers and access to rights. Young migrant workers from Eastern Europe may live with groups from their country of origin but they are less likely to have reasonable housing and may

be more vulnerable to abusive relationships with employers. People who are working in the UK illegally and those who have been trafficked here are most vulnerable to abusive relationships, including physical and sexual abuse. The responses needed by these various 'migrant workers' vary hugely.

Similarly, communities and individuals who were already disadvantaged in the UK economy have another dimension added to that vulnerability by the presence of large numbers of migrant workers. A man with a history of homelessness and alcohol problems felt that his only possibility of employment was a season agricultural worker but that work was now being done by people specifically recruited from Eastern Europe. Agencies working with refugees observe that employers are reluctant to employ refugees as they are confused about the difference between refugee, asylum seeker, and illegal migrant. Refugees have the same rights as British citizens but the confusion means that it is easier to employ a migrant worker from the EU whose employment status is obvious than risk inadvertently employing someone illegally.

The presence of migrant workers does not create the vulnerability but their presence may exacerbate it if existing and new measures for social inclusion are not strengthened.

The Church is concerned for people not categories. For instance, The Yorkshire and Humber Churches Regional Commission paper 'Welcoming transient communities' was an attempt to look at the needs of specific groups within an overarching framework. It is essential to understand all

people as contributing to our common life and to address both the vulnerabilities of existing communities and the vulnerabilities of those who come to the UK and work. People cannot be illegal even if their actions are. Responding to vulnerabilities is a more inclusive, humane and effective way of addressing the needs of people in the UK than narrow categorisation.

Hospitality and engagement

Hospitality is a key theme in many faiths and cultures. In the Judao-Christian tradition welcoming the stranger reminds us of our own history as migrants, of our own need of welcome, of the blessings we have already received and the possibility that this new encounter will enrich us further.

Many churches are already offering hospitality as in Leominster or exploring the possibilities as at St Michael's, West Bromwich.

One difficulty with hospitality is that it can be conceived of as something we offer to others from our riches or from our status as established residents. There can be a power dynamic that is a barrier. True hospitality is about engagement, engaging with people's experience, hearing their stories. Hospitality builds community, a new community that was not possible before. Even, perhaps especially, where the hospitality and the community are to be short lived they are of ultimate importance.

A clergyman described moving to a new part of Birmingham and meeting one of the neighbours. She was dressed in a sari and he surmised that she came from the Indian subcontinent. 'Where are you from?' he asked. 'Birmingham. And you?' 'Wales'. In a world of migrating populations and diversity

we need to welcome each other.

There will always be the practical hospitality of making people welcome when they move to a new situation, passing on the knowledge that will enable them to settle in and function. But these resources are not just the possession of the existing, resident group. If real community is to be built then hospitality and welcome need to be a mutual openness. Hospitality and welcome may involve physical places, but more profoundly they involve relationships and attitudes. A hospitable chance encounter on the street is at least as important as physically welcoming people in.

Being welcoming and hospitable has particular importance for the most vulnerable. The hospitality offered by the churches in Leominster has provided a space for people and their needs to be recognised. Christien van den Anker told of a trafficked woman who was working in a household where she was verbally and physically abused and locked in. With no English or knowledge of the system the frightened and exhausted woman eventually asked a visitor to the house for help. There was something 'hospitable' about this visitor, which enabled the woman to approach her.

Bishop David Walker describes engagement as being informed, in touch and in conversation. Reverse the order and this framework becomes a complete description of hospitality and welcome, Either way, informed, in touch and in conversation is

Recommendations

This paper comes from a Christian perspective. However, the other mainstream faiths also embrace the imperative of care of oppressed or neglected people and the offering of welcome to the stranger. Beyond the faith communities, people who profess no such faith are also conscious of the moral and social need to respond to the needs of migrant and indigenous communities facing a new situation. It is in that spirit that these recommendations are offered.

To the church

1. Develop our knowledge of the rights of migrant workers and other migrant groups in order to counteract ill informed stereotypes in the media and elsewhere.
2. To seek to become people and places of hospitality and welcome.
3. To develop our understanding of the vulnerabilities of different groups in our local community and consider responses.
4. To be active partners with others addressing these concerns.
5. Support the 'Strangers into citizens' campaign
6. To consider other points of influence – for instance as customers and shareholders in food companies it may be possible to effect the conditions of people working in the supply chain
7. Lobby the UK government to both sign the UN Convention on Migrant Workers and their Families and to encourage other EU countries to do the same.
8. Lobby for the regulation of EEA employment agencies

To Business

1. To be aware of the employment rights of migrants and to implement them.
2. To check the credentials of any employment agency, agent or gang master used in recruiting migrant workers.

3. Where there is lack of knowledge of the rights of refugees, asylum seekers and others to seek advice from an appropriate agency.
4. Not to use the availability of migrant workers as a reason to cease or neglect corporate responsibility activities with groups disadvantaged in the labour market.
5. Lobby for the regulation of EEA employment agencies.
6. To work with Chambers of Commerce and other business/ professional bodies to promote good practice in employing migrants.

To the public sector

1. There is an on going need to develop further our understanding of the impacts of migration. The public sector is well placed to commission appropriate research.
2. To provide materials and opportunities to educate migrant populations about their rights and about those elements of British law and culture which are essential to enable integration.
3. To encourage projects responding to the needs of migrant workers, and to be active partners with those elements of the voluntary sector which are responding to the needs of migrants and of local communities.
4. In responding to the needs of specific groups, to consider the impacts on and the perceptions of other groups and take ameliorative measures.
5. To counteract stereotyping and celebrate diversity.
6. Lobby for the regulation of EEA employment agencies.

West Midlands Industrial Mission Association DayConference

‘Here to stay?’

**The experience of migrant labour in the West Midlands
February 6th 2007
The day aims to help us**

- understand the scope & impact of migrant work in the West Midlands Region
- reflect theologically on what this means, using the underlying principles of the CULF report as a framework
- take time to reflect on our own experience as industrial chaplains

Resource people

Sr. Helen Ryan – the experience in Handsworth

Andrew Crossley – Birmingham Citizens

James Cooper – Birmingham Chamber of Commerce - employers perspectives

Canon John Crowe – Leominster

Pastor Jorge – a rural experience

Rt. Revd David Walker - theological reflection

Appendix 2

Useful websites

www.worksmart.org.ul/rights/migrant_workers

www.dti.gov.uk/employment/migrant_workers/index

www.tuc.org.uk/international/index.cfm?mins

www.adviceguide.org.uk/e_migrant_workers.pdf

www.ofmdfm.gov.uk/a8_061006.pdf

www.ofmdfm.gov.uk/eea_091006.pdf

www.december18.net

www.birminghamcitizens.org.uk

www.antislavery.org/homepage/antislavery/trafficking.htm

www.cigb.org.uk

www.restore-uk.org