

**Fair, effective, transparent and trusted
Rebuilding confidence in our
immigration system**

**Race Equality Impact Assessment
Report**

July 2006

Executive Summary

Background

'Fair, effective, transparent and trusted' reports on the fundamental review of IND led by Liam Byrne. Recent events have highlighted weaknesses within the Immigration and Nationality Directorate. We need to reform its systems so that they are truly able to meet the challenge of hugely changed circumstances.

Top aims and objectives of reform

The report outlines how we are going to transform the Immigration & Nationality Directorate (IND) into a body that is fit for the future and capable of delivering an efficient and robust service to restore the trust of the people of this country in our ability to manage our borders effectively. It is a high level plan showing a broad direction of travel and key milestones, with more work to be done on the details of implementation.

This document highlights actions within the review which have potential race equality implications and signposts a set of actions for future work as a result. The document also highlights policies which have already been assessed as part of previous policies or legislation.

Process

Engagement

Over the last six weeks we have examined the immigration system from the perspective of the front line, talking directly to over 600 immigration officers, caseworkers and managers and consulting several thousand others about what they need to make the organisation work better. Their views have shaped our plans for reform and will continue to do so.

An implementation plan will be drawn up to take forward the proposals in the report. As part of this we will consider how we can best engage with stakeholders and community groups in order to consider the potential for impact, and appropriate oversight arrangements and safeguards. The Race Monitor has statutory responsibilities under the Race Relations (Amendment) Act 2000 to monitor how immigration and nationality functions are carried out and we will work with The Monitor in implementing this plan .

Some changes will happen quickly. Others will take time. This is a long term investment, not a quick fix. But we are committed to achieving a transformation in the way IND works over the next few years, so that we can deliver the services that Parliament and the public rightfully expect.

Assessment

A number of policy areas have the potential to impact on the experience that people from black and other minority ethnic backgrounds have of IND. A full race equality impact assessment will be carried out before decisions on implementation are made.

In particular, we will carefully screen proposals to help us to enforce compliance with our immigration laws, including increased deportation of Foreign National Prisoners; work to continue deciding asylum cases more quickly and enforce those decisions, including greater use of tagging and monitoring; and moves to strengthen our border, checking eligibility to travel and enter the UK.

Annex A gives further details of the assessment, together with proposed actions.

Conclusion

There are some areas of work in the programme which will require REIAs and others where they have already been completed. The needs of all communities will also be considered through the consultation process to discuss some of these proposals and as part of the normal legislative scrutiny process.

**IND REPORT: FAIR, EFFECTIVE, TRANSPARENT AND TRUSTED: REBUILDING CONFIDENCE IN OUR IMMIGRATION SYSTEM
INITIAL RACE EQUALITY IMPACT ASSESSMENT (REIA)**

The report published by the Home Office on 25 July outlines how we are going to transform the Immigration & Nationality Directorate (IND) into a body that is fit for the future and capable of delivering an efficient and robust service to restore the trust of the people of this country in our ability to manage our borders effectively. It is a high level plan showing a broad direction of travel and key milestones, with more work to be done on the details of implementation. The range of changes proposed to both the way we work and what we do presents opportunities and possible risks for race equality and the promotion of good relations.

The policies in *Fair, Effective, Transparent and Trusted* have undergone an initial race impact screening exercise, and the results are shown in the grid below. Where an impact, or possible impact, has been identified we will consider the development and publication of more detailed impact assessments in due course. As we develop the detail of the policies we will consider the possible impact and whether safeguards or other mitigating actions can be built into the process. As an integral part of our approach to implementation we will engage and consult with staff and stakeholders. Where necessary, we will publish full impact assessments at the appropriate point.

WORKSTREAM	INITIAL ASSESSMENT	CURRENT POSITION / EXPLANATION	ACTION
Strengthen our borders; use tougher checks abroad so that only those with permission can travel to the UK; and ensure that we can take action against those who break the rules			
Collection of pre-arrival and pre-departure passenger and crew data under the e-Borders Programme and intelligence-led exit controls	RELEVANT	Partial REIA published in 2005 to accompany the passage of the IAN Act for the e-Borders provisions. Consideration of possible impact from operation of exit controls needed.	Review REIA and monitor equality impact as the e-Borders programme develops.
Biometric visas and requirement for other unique, secure ID for high risk groups	RELEVANT	Impact would arise from visa issuing policy rather than requirement to have biometric documents	REIA to be drafted on the visa issuing policy

WORKSTREAM	INITIAL ASSESSMENT	CURRENT POSITION / EXPLANATION	ACTION
Development of visible, uniformed border control	RELEVANT	Development of existing control policy and consultation on uniform policy under way	Ensure REIA is drafted during development of policy.
Cross-Government country specific strategies to make co-operation on returns a key feature of bilateral relationships with countries of immigration concern	RELEVANT	Strategies to be developed with relevant Government departments, including FCO and DfID	Ensure REIA is drafted during development of strategy.
Fast track asylum decisions, remove those whose claims fail and integrate those who need our protection			
Regional model of asylum management	RELEVANT	REIA published to support roll-out of New Asylum Model	Review REIA and monitor race equality impact as programme develops
Legacy programme	RELEVANT	Detail of programme to be developed with clear milestones and action plan	REIA to be drafted as part of programme development
Expanded contact management for asylum claimants, including tagging or monitoring	RELEVANT	Tagging or monitoring will be extended to cover all nationalities. Roll out of this policy may have impact depending on tranches	REIA to be conducted on operational impact
Ensure and enforce compliance with our immigration laws, removing the most harmful people first and denying privileges of Britain to those here illegally			

WORKSTREAM	INITIAL ASSESSMENT	CURRENT POSITION / EXPLANATION	ACTION
Increase in enforcement and compliance activity through new, commissioned model and action plan for tackling overstayers and illegal immigrants	RELEVANT	Details of commissioned model and action plan to be developed	REIA to be drafted during development of new action plan and commissioned model with appropriate safeguards
Cross-Government strategy on enforcement	RELEVANT	REIA on civil penalties for employers of illegal workers published during the passage of the IAN Act in 2005	Review REIA and monitor actual impact
Special Envoy to be appointed by the Prime Minister to increase the profile of work on removals and enforcement	NOT RELEVANT		
Limiting obstacles to deportation and removal from ECHR through intervention in case (Ramzy) before the European Court	RELEVANT	Possible race impact to be considered in light of outcome of case and necessary steps to limit obstacles in ECHR	Full REIA to be published when next steps announced
Consultation on making it easier to deport people under UK law, including Foreign National Prisoners and those who have entered the country illegally or whose asylum claims have failed	RELEVANT	Possible race impact to be considered during development of proposals for consultation	Full REIA to be published with consultation
Work to make it easier to deport Foreign National Prisoners, including making deportation the presumption and strengthening prisoner transfers, including legislation to remove requirements for consent of the prisoner	RELEVANT	Possible race impact to be considered during the development of policy and subsequent legislation	Full REIA to be published when Bill Introduced
Boost Britain's economy by bringing the right skills here from around the world, and ensuring this country is easy to visit legally			
Implementation of new Points Based System	RELEVANT	Partial REIA published in 2005	Full REIA to be published before PBS implemented

WORKSTREAM	INITIAL ASSESSMENT	CURRENT POSITION / EXPLANATION	ACTION
Establishment of Migration Advisory Committee	RELEVANT	Proposals for Committee to be agreed and subject to consultation	Screen proposals and conduct REIA. Safeguards against potential impact to be built into recommendation process
Trusted Traveller scheme implemented	RELEVANT	Limits to Trusted Traveller scheme need further consideration	Limits to scheme to be considered through REIA
More stringent checks for travellers from high risk countries	RELEVANT	Definition of high risk to be considered	Conduct REIA of definition and consider possible safeguards
Language skills required for migrants wishing to settle	RELEVANT	Extension of existing policy, operation of policy, including impact on dependents, to be considered	REIA to be drafted as policy developed
Building a system which is fair, effective, transparent and trusted			
Establishment of IND as a shadow executive agency	RELEVANT	Possible impact on staff to be considered as implementation plan developed	Screen & REIA
Appointment of regional directors and regional structures	RELEVANT	Implementation plan to be developed. Possible impact on staff to be considered as implementation plan developed. Ensuring diversity of representation within directorship	REIA on implementation plan and impact on staff to be drafted
New electronic caseworking systems implemented	NOT RELEVANT	Processes to be supported by IT to improve efficiency in deciding cases	

WORKSTREAM	INITIAL ASSESSMENT	CURRENT POSITION / EXPLANATION	ACTION
Simplification of legislative framework, including reconsidering law on deportation and removal	RELEVANT	Existing complicated legislative framework to be drawn into new streamlined piece of legislation. Opportunity to consider impact of existing legislation	REIA to be published at Introduction of new Bill
Establishment of new regulator	RELEVANT	Role of race monitor to be considered to ensure duties picked up in new remit	REIA to be developed to support new regulator appointment, including engagement with CRE
HR policies amended with review of pay and grading and leadership programme for middle management	RELEVANT	Opportunity to ensure minority ethnic staff benefit proportionately from new development initiatives.	Impact to be considered as policies developed