

# THE CONVERSATION

## Why I'm resisting the Conservatives' war on foreign intellectuals in Britain

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Academics doing battle with the Home Office. British visa entry via  
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Earlier this year, the UK lost a great scholar through a “soft deportation” when Miwa Hirono voluntarily left the country after an extended legal battle with the Home Office that left her and her family financially and psychologically exhausted.

Hirono, a Japanese citizen, worked for the University of Nottingham for nearly seven years as an expert in UK-China relations, had a child born in the UK, and had every intention of permanently residing here. However, she had been “absent” from the UK for more than 180 days over the past five years and as such was in breach Home Office residency requirements.

There is no doubt that the country benefited enormously from Hirono's presence here. Even business secretary Vince Cable spoke out against the Home Office policies that compelled her to become a UK émigré.

I am an immigrant from the US grappling with my own set of work visa difficulties. After seven years here undertaking a UK-funded PhD, a two-year postdoc and now in a

permanent position the University of Southampton, I remain under imminent threat of deportation, as do all of us lacking permanent residency.

Staying in the UK has cost me everything I have earned, destroyed relationships and severed ties to family in the US. I am regularly bewildered by my own stubborn desire to live and work here and struggle, as I know many of my colleagues do, to come to grips with whether this precarious existence is worth trying to maintain. Since arriving in 2008, I have been slowly collecting stories from colleagues about their costly battles with immigration authorities – and they are surely just the tip of the iceberg.

## Visible targets

Riding a wave of EU-induced xenophobia, David Cameron declared in 2010 that he would “cut net migration to tens of thousands” from almost 300,000 per year. What Cameron did not say is who would be barred or deported from the country. Since that campaign promise, a steady war of attrition has been waged against Britain’s skilled workers arriving from outside the European Union, including those working at academic institutions, who, because they are playing by the rules, are most-easily targeted for removal through either “hard” or “soft” measures.

Soft measures make life untenable so that the migrant chooses to leave of their own volition, which is cheaper for the government. On the harder end of the spectrum, one person emailed me to say that his friend was in the middle of a PhD in London when he was “deported suddenly in the middle of the night after waiting a year for a decision on what should have been a routine visa extension”.

We can trace the implementation of these Conservative immigration policies to April 2012 when the Home Office scrapped the enormously popular Tier 1 post-study work visa, which gave students a window of up to two years to find work in the country with their newly-acquired UK university degrees.

A recent **parliamentary report** found that since the closure of the post-study work visa programme, there was a drop of 88% in the number of skilled and highly-skilled non-European graduates remaining in the UK to work, and that the number of students from overseas declined in 2012-13 for the first time in 29 years.

I was able to get my application in for a Tier 1 post-study work visa just before the closing deadline in 2012. This bought me enough time to secure a two-year postdoctoral position at the University of Oxford later that year. However, had I not been incredibly fastidious in following the changes in legislation, or had I not had the resources to pay the £918 application fee and been able to show £2,800 available funds for the preceding three months, I would not be here right now.

## Tighter and tighter restrictions



Forced to fly away. davepatten/flickr, CC BY-NC-SA

The next blow to skilled workers landed in July 2012 when the Home Office also changed the rules of spousal visas so that families must make £18,600 in the 12 months prior to application in order to keep a partner in the country looking for work.

One of the first outspoken victims of this particular policy was Andrew Wilbur, a geographer originally from California, who had earned a PhD from Glasgow University, had been married to a Scottish woman for six years and was, by all measures, highly qualified. Wilbur was offered a job at Glasgow University after graduation but was unable to take it up because their combined household income did not exceed the threshold in the run-up to application. As a result, not only did Wilbur have to leave the UK, but the situation also forced his Scottish wife to leave. The only other option was to have their family split up.

Academic jobs are incredibly competitive. However, increasingly under these coalition policies, highly qualified immigrants do not even have to opportunity to compete.

When I eventually began my job at the University of Oxford in September 2012, I shared an office with a British-born natural resource expert who was working in a part-time research position as part of a larger project in the department. His wife was a US citizen and had, like him, recently earned a PhD from a UK university. After attending a series of job interviews (I went to six interviews over an eight month period before being offered my postdoc position) she received a letter from the Home Office stating that because her British husband made only £18,000 per year as a part-time researcher and she did not have an income, she would need to leave the UK, having fallen below the £18,600 threshold.

After watching them scramble find another £600 hiding in the previous year's income somewhere, they both decided that they had had enough, packed up and moved abroad. They are good people and they were doing important work. They were no strain on the system. But faced with the prospect of their family being split up, their choice was obvious.

In 2015, along with making non-EU foreign nationals pay for the NHS (which we already pay taxes into if we are working), the Home Office also removed the right to appeal their refusal of visa applications in many instances.

## Waiting it out

Currently, the Home Office is reviewing my work visa application (a move from the Tier 1 post-study work visa, now expired, to a Tier 2 employer-sponsored visa) and I got the application in before the Immigration Act 2014 took effect in May 2015. They have been "reviewing" the application since October 2014, which means my passport has been in a filing cabinet in Sheffield since then. It is clear that the Home Office has made a practice of

retaining foreign passports for extended periods in many such instances, as they have with myself and Miwa Hirono.

I am used to being grounded. Since 2012, I have only been “allowed” to leave the UK twice. Both times required specific authorisation from my caseworker, which was only given after enormous pressure was exerted by my lawyers at great expense to myself and my hosting universities. I am fortunate to have the full support of the University of Southampton at present, but human resources is understandably wary every time my name comes up – they are as afraid of contravening confusing Home Office policy as I am. If, after waiting this long for a decision, the Home Office deny my visa for some reason, I will appeal and appeal again, as long as I need to. It is now a matter of principle.

My PhD research was overtly political and resulted in my house being raided twice and a high-profile court case. I was spared a jail sentence, but after pleading guilty to five counts of incidental criminal damage to railway property, I was given a three-year discharge and ordered to pay £2,000 costs.

I perfectly understand, in that context, why the Home Office is treating my application as complicated and I accept that due to the nature of my research I may need to prove, in Home Office speak, that my presence is “conducive to the public good”.

I have no problem fighting – but I am tenacious and single. Hirono, who had a husband and a child to consider, had her passport retained for a year through the appeal process. As much as we might appreciate Britain, being kept captive against one's will is never going to be a situation one chooses without very good reason.

## Rhetoric vs reality

Most people I ask about these situations, regardless of their political leanings, find them abhorrent. It seems to me there is a severe disconnect between the vitriol levelled at immigration into the country and the government policies actively curtailing immigration, which are damaging families, destroying careers and triggering an unprecedented skilled worker exodus from this sceptred isle.

A few weeks ago, in a cosy Hampshire pub, I was marking student papers when I heard a man at the bar loudly denouncing “immigrants” for “ruining the country”. When I ordered my next pint, I introduced myself and told him I was an immigrant. After speaking to him for a few minutes, it turned out his daughter had studied geography at Southampton. Had she been a few years younger, I likely would have been her lecturer.

By the end of our brief chat, he clapped a hand on my shoulder and told me “you know, when I say I'm frustrated about immigration, I wasn't talking about people like you”. Perhaps by “people like you” he meant “white” or “American” or even “highly skilled”. I didn't ask. But as I sat there sipping my beer, thinking about the upcoming election that I have no right to vote in despite paying the same taxes he does, I could not help but wonder if he was planning to cast a vote to cast me out.



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