Multi-Level Governance, convergence and divergence in territorial policy in the UK – a case study of refugee integration in Scotland

Introduction
Questions about how policy is made; rationales, power relations, coalitions of interest, inherited regimes, and continuity and change, sometimes occurring simultaneously, have long been key debates within political science. These debates have also both reflected and refracted, but in some cases ignored and been ignored by, spatial and territorial developments. As territorial forms of government and/or administration emerge and change, are made and remade, and as they are challenged by new pressures from both the supra-national and sub-national levels, the way policy is made, the parties involved and contests of power necessarily influence and are influenced by these policy questions.

1. In the modern era, demands placed on decision-making are so extensive that responsibility, for some observers, has had to be spread more thinly than previously (hollowing out of the state refs). That is, the increasing complexity of policy-making suggests the need for it to be broken into parts and power spread, a move from government to governance. This suggests that policy-making and policy-makers interact with policy-making arenas in complex ways. One relatively recent means of such analysis has been that of multi-level governance (MLG), with a particular locus on EU policy-making. While MLG emerged from institutional debates about the nature of the EU, with a particular focus on European cohesion policy and structural funds (Bache 2008, Smith 1997), it has expanded to include many other policies that have been subject to theoretical and empirical enquiry (Fairgrass and Jordan 1998, Kern and Bulkeley 2009). However, MLG is not in all cases the most appropriate means in which to analyse a specific policy within a specific political context. In the UK context, despite the various forms of interaction between the EU, UK and Scotland, there remains a place for analysis based on domestic politics and intergovernmental relations, particularly in areas of ‘intractable policy controversies’ (Scholten 2013) and in policy areas where the EUs influence appears marginal.
Within the Scottish context that this paper is based on, immigration policy, who is allowed into the country, is reserved to the Westminster Government, but immigrant policy, what happens once they get here is largely devolved to the Scottish Parliament (see Hammar 2006 on the relationship between immigration and immigrant policy). However, whether immigration policy and immigrant policy are seen as being different stages of the same policy or different policies, they are clearly linked. The proxy concept for immigrant policy in this paper is that of integration.

Migrant integration is a policy area where multi-level complexity is joined by policy that is transversal. While few policy areas are truly independent, there are some transversal policies that impact upon and/or are impacted by others more directly. Social inclusion policy in the UK has been treated as such (Levitas 2005) but integration policy has perhaps not been subject to similar analysis, with a couple of notable exceptions.

Migrant integration in the UK covers a multitude of both reserved and devolved policy areas such as immigration policy, employment and welfare, national security, foreign affairs (all reserved) housing, education, health, community planning, neighbourhood policy, policing, and social work (all devolved) and justice which in terms of the asylum system is in Britain is both (see Gidley and Jayaweera 2010). This makes immigrant policy, or immigrant integration, an ideal policy area in which to examine transversal or polycentric policies in a multi-level polity. However, even using the broad concept of immigrants is problematic, with various migrant ‘types’ having different rights associated with them. While refugees have among the fewest rights, they were also the only migrant group with a specific integration policy. Therefore the focus of this piece is on the integration of refugees, although it is recognised that the differences between forced and unforced migration are not always as clear as policy assumes. Refugee integration from the perspective of the UK Government more often than not concerned refugees throughout the UK. Thus Scottish policy in many cases has been additional, although different approaches
have existed, as will become clear. Other aspects of Scottish commitments are highlighted only to contrast them with the UK approach, although they are by no means exhaustive.

The transversal nature of policy also adds analytical complexity, such that in order to fully examine integration policy, it would be necessary to examine all of the policies that have an impact on integration, clearly an undertaking too substantial for this paper. Thus specific integration measures alongside broad political philosophy must suffice. As refugees are the only migrant group to have been subject to such measures at the UK level the focus of this paper is on refugee integration. This paper begins by looking at some of the literature on policy-making in a multi-level polity, with a particular focus on the concept of Multi-level governance. It then goes on to look at Scottish devolution and whether this has been characterised by policy divergence. The paper then begins to look specifically at the different levels of government involved in refugee integration, beginning with the global, moving to the national and then to the sub-national. The final section discusses the broad issue of refugee migration in a multi-level polity, with reference to the theories of MLG as well as a more domestic politics approach.

Policy-making in a multi-level polity
Long-standing and at times acrimonious debates about the nature of policy-making in the EU coalesced around the ‘two great camps’ of neofunctionalism and intergovernmentalism. To grossly simplify, the debate concerns whether nation states remain all powerful in EU policy-making or whether the institutions of the EU have extended their own independent power and influence. While other theories emerged that sought to encompass both, none have been as influential as MLG. MLG governance has been described as a “new way of thinking” (Bache and Flinders 2005 2) that takes analysis beyond that duality. The theory has been widely used to analyse decision making between the EU, national governments and sub-national governments with a logical focus on areas where the EU role is prominent.
The creators of MLG, Gary Marks and Liesbet Hooghe, talk of MLG as a process of decentralising power both upwards and downwards (Marks and Hooghe 2005 15) to both the supranational and the subnational, although two very different forms emerged. Type 1 MLG describes a similar institutional set up to some forms of federalism, whereby central governments and sub-national governments have a generally ‘non-intersecting’ relationship (Ibid 17). The unit of analysis in such areas of study tends to be governments rather than policy, the rules of the game and forms of relationships dominate over a policy focus. Jurisdictional levels are limited to, for example, the three involved in policy relationships in the Scottish context, the EU, UK and Scotland.

Type 2 MLG suggests a more complicated policy making environment. Different policy sectors are governed by more than one tier of government but in a less structured and/or hierarchal way. Marks and Hooghe talk of policy-making being more task specific rather than general purpose whereby governance is realised not through levels of government but through sectors or industries, involving many non-governmental actors (Marks and Hooghe 2004). Indeed the dispersal of legitimate authority is one of the key facets of the idea of governance.

For Piattoni there are risks of conceptual stretching in both of these formulations of MLG (Piattoni 2010 2), with MLG being used as a framework in which to analyse policy-making rather than policy-making studies being used to see which theories of the policy process are evident. For Piattoni analysis should seek to determine whether or not a specific policy area is an example of MLG rather than attempt to squeeze policy into these concepts, and to do so there is a need to check whether different levels of government are involved in specific policy areas simultaneously, whether there are non-governmental actors involved at all these levels and where the interrelationships between actors and levels defy existing hierarchies (Piattoni 2010 83). However, the level of involvement is something of a moot point, which cautions against a blanket proposition of viewing the present as a form of governance rather than government. Would a non-governmental actor responding to a consultation, whose views are then not represented in any policy be seen to be
involved? If not then the implication would appear to be that for MLG to have existed in a policy area would require either unanimity of opinion, or at least all contributions being in some way encompassed within the final policy, an argument that must surely be rejected. The alternative implication appears to be that having a consultation process itself implies the existence of MLG, clearly an unsatisfactory assumption as responding to consultations can surely not be seen on its own as involvement in governance. Indeed Blom Hansen (2005) points out that one major issue with MLG is that involvement in decision-making (however minor) does appear to be equated with governance. The solution, for Blom Hansen, is that domestic institutional relationships need to be uncovered.

Bache and Flinders appear to agree in the importance of directing attention to complexity and cross-sectionality at various territorial levels (Bache and Flinders 2005 94). They (2004 3) state that “Recent constitutional reforms have accelerated, both formally and informally, the transition from ‘government’ to ‘governance’ by increasing the inter-organizational complexity and institutional hybridity of the British state”, and add that attention can then be drawn to domestic contests of legitimate authority.

However, by design or not the implication is that MLG is a mode for organising a study, or a heuristic device rather than a theory of how the policy process works within a complex territorial and political structure, or set of structures. Bache and Flinders point out that MLG emerged due to interest in the dispersion of authority, specifically concerning the EU challenge to the role of the state (Ibid 95) but it is unclear whether MLG can predict how actors will behave within policy sectors subject to multiple authoritative claims.

One of the few studies to look at migrant integration and MLG is Scholten’s work where he compares migrant integration policy in Rotterdam and Amsterdam. Although more about the relationship between national and local policy he finds that different levels of Government often have different approaches to problem definition (Scholten 2013 219), and that policy framing differs significantly, an
argument that is relevant to the Scottish case. What is more, he rightly highlights that different levels of Government have their own power relations and their own policy legacies. The latter is true even in the case of a country like Scotland that has only had its own Parliament for a short time (Mitchell on inherited regime).

The relevance in this case is the question of why the Scottish parliament no matter who has been in power has had a differing view to that of Westminster and how or whether this has impacted upon policy. In addition, even in areas where policy competencies appear clear, one level of Government can be capable of passing on the costs of ‘their’ policy onto another layer of Government, even or especially in areas and at times when there is fundamental disagreement about the policy that leads to these costs. Migration is one such policy that is reserved to Westminster but that has impacts on numerous devolved policy areas.

Debates about MLG also touch upon arguments about globalisation as well as regional reterritorialisation. Migratory movements, being global, regional, national and sub-national should perhaps lends itself to a study of MLG more than most other areas of policy-making. Indeed the crossover with debates about whether nation states are increasing or losing their control of migration policy (Joppke 1999, Freeman 2006) is evident, with some arguments pointing to the need to ‘bring the state back in’. However, with regard to the UK, the opt out, or more accurately opt in to measures relating to immigration and asylum at the EU level may well suggest that at least with regard to asylum policy, state interests remain dominant and are pursued, and that EU policy levers are either utilised to pursue those state interests, or else they are seen as incompatible with those interest and so largely operated around.

There has been a long debate in political science regarding the notion of the state ‘hollowing out’, with the ‘differentiated policy’ model one of the suggested means of analysis. The DP model highlighted that seemingly contradictory processes can occur simultaneously. That is, fragmentation and centralisation can co-exist. The differentiated polity approach, as Rhodes points out, does not suggest the central
state cannot intervene in policy (Rhodes 1997). Indeed, as this case will suggest the central state continues to have a significant impact upon formally devolved policies and the erosion of central power should not be assumed, but must be empirically shown.

So MLG aids understanding of a dynamic process rather than explain everything. It describes the dispersal of authority within debates about whether European integration has challenged the role of the state. However, in some cases the challenge for authority and legitimacy comes from sub-national authorities. Bache and Flinders usefully highlight that relationships between levels of government vary in importance across different policy areas while Stephenson points out that MLG is only evident in certain policy areas (Stephenson 2013 818). The question then is if the EU has little formal role in refugee integration, are there other means by which the EU is involved in refugee integration and what does this suggest about the concept of MLG? And what is the relationship between levels of Government that do have a formal role?

**Policy making and Scottish devolution – a divergent approach?**

In assuming there to be an important role for domestic politics in refugee integration, the policy-making environment in an era of constitutional change is of obvious importance. While the policy-making environment has changed markedly since 1999 when the Scottish Parliament was established, devolution didn’t come into a policy vacuum. Prior to 1999 the Scottish Office was central governments recognition of Scotland’s difference’ (Mitchell 2009 17). There was different provision in education, in public health and in housing, to name three clear areas of utility in any examination of migrant integration, or immigrant policy, as well as some structural difference in relation to justice, in the form of the legal system (including legal aid). That said, the Scotland Act did establish other areas of policy to be under the competence of the Scottish Parliament.

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1 In 2007 the Scottish executive was renamed the Scottish Government. Scottish Government is used in this paper for both unless a specific differentiation is deemed necessary.
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*Scotland has always had its own legal system

The devolved settlement at first sight appears to have established a relatively clear set of policy competencies at different levels of Government. As Keating points out, there are few formal shared powers and very few whereby the Scottish Government have had to work within parameters established by the EU (Keating 2005 455). Indeed for Mitchell (2010 313) the limited EU role is due to devolution being conceived of in dualist terms, allowing different policies to develop in Scotland from those in the UK but with some implicit assumptions that any conflict between the two was easily manageable.

Part of the reason for this assumption, and one initially proven to be at least partly correct, is that intergovernmental relations were largely conducted through the Labour Party (Keating 2005) in the years following devolution. However, even during the period of Labour being in office at the UK, Scottish and local levels of government, some policy divergence occurred. Most famously the smoking ban, care for the elderly, tuition fees and control of the railways showed a degree of divergence while the formally devolved but through negotiation shared areas of broadcasting regulation, abortion and the regulation of professions indicate a less than static division of powers. Some authors have also commented on the Scottish Executives vow to end the dawn raids used to remove those whose asylum claims had been rejected (Mooney and Williams 2006) and the Fresh talent initiative as a sign of a different approach to migration matters in Scotland (Williams and De Lima 2006).
However, Mitchell points to the importance of reserved powers limiting the policy space of devolved administrations (Mitchell 2009), an issue of importance to migrant integration. Thus the centre can limit the policy space for devolved authorities even in devolved policies. As an example Fyfe et al highlight the grey areas between devolved and reserved policies in relation to gender equality (Fyfe et al 2009 204) with the structure of reserved/devolved policy limiting the opportunities for effective implementation or presumably also differential implementation. However, despite equal opportunities being reserved, in areas where the devolved administration has competence, they can legislate (Fyfe et al 208). This is a useful parallel for this paper. Despite immigration being reserved, there are issues around social provision that are devolved and so the Scottish Government are effectively able to legislate on apparently reserved matters but conversely, there are reserved policies that limit room for differential manoeuvre in devolved areas.

Differential approaches are also highlighted by Cairney, who points out that policymaking both shapes and is shaped by the policy environment, meaning different things are taken into account in identifying problems and decisions as to how to address them (Cairney 2012 111). Thus, as Mitchell points out, despite much policy and policy-making having a bias towards what is, “it also creates new opportunities for progressive forces” (Mitchell 2009 140). In the Scottish case these spaces can occur in either positively or negatively reacting to the agenda being set by Westminster. Dente suggests that in federal systems there are three types of policymaking, those where the problem and solution are known, those where the problem but not the solution are known, and those where neither problem or solution are known (Keating 2003 429). Perhaps missing from this, and with relevance for immigration policy-making, are policies where there is not necessarily an objective problem, but where a solution is created nevertheless (t’Hart 1993). Indeed the divergence between different levels of government on this problem/solution nexus perhaps suggests that issue definition and territorial decision-making should be examined cotermiously. Thus the struggles over the naming and framing in policy discourse matter as “meaning implies not only what is at issue but what is to be done” (Rein and Schon 1991 28/29) and these can decouple in a multi-level polity.
Policy or issue definition shows considerable divergence between Holyrood and Westminster regarding migration. In the former demographic issues are highlighted alongside the economic and social impacts of migration, more the former than the latter. At Westminster, migration is conceived of as in perpetual crisis, alongside a focus on control, with legislative activism apparent.

Differences are perhaps more likely to emerge in transversal polices where various government departments’ own policy proclivities can combine to produce a larger divergence together than would have been the case when seen independently or where one department can pass many of the costs of policy to another (Hampshire and Bale 2014). Integration policy has been largely about removing barriers but it is also, like social inclusion, a ‘transversal policy’. As such is spans “several functional fields, as opposed to a horizontal policy, based in one department or professional hierarchy” (Keating 2003 429, Levitas 2005). Different priorities can emerge at different levels of Government within the same transversal policy, but reserved powers can impact upon the devolved states powers. The link to integration policy is also made by Keating who explains inclusion/exclusion divergence in part by official competencies resulting from the devolved settlement. “Generally speaking, the settlement reserves cash payments and the fundamentals of the welfare state to the centre but devolves social services” (Keating 2003 433). While this certainly describes the official competencies vis-à-vis immigrant integration, behaviour varies and questions any sole focus on competencies. That is, immigration is a reserved policy matter and UK bodies refuse to discuss refugee and asylum issues with Scottish policy-makers and parliamentarians, yet Scottish control of several social policies may be creating greater levels of divergence than the official settlement might suggest. In this case, decisions, or at least many of those decisions that most matter, remain at the centre but there is devolution of the costs of those decisions, the devolution of penury as some would have it (Mitchell 2002). To characterise things somewhat crudely, UK Government policy in some instances has created or contributed to the exclusion, or lack of inclusion, of sections of the population. The results of this exclusion, or lack of inclusion, are met in most cases by the Scottish Government.
There are clear differences in the outlooks of the various levels of government in the UK with regard to refugee integration, but the reserved/devolved settlement brings an added complexity. That is, the policy relationship between Scottish and UK governments does not just involve a clear division of powers and differing ideological predispositions, but there are also policy effects and devolved costs from one level of government to the next, almost exclusively in a downward trajectory from the UK to Scotland and from Scotland to Glasgow. In addition, migrant integration raises questions of MLG as a concept in this case. For third country nationals, that is, non EU citizens, the EU exerts little influence beyond broader appeals to human rights. The UK has opted out of any initiatives aimed at either clarifying or unifying the position of third country nationals, all of whom are dealt with by the UKs own immigration procedures, and attempts at creating a common refugee system throughout the EU have also been met by domestic UK opt-outs. This may suggest that migrant integration in Scotland is more correctly seen in relation to intergovernmental relations and a domestic policy approach, with the potential for policy decoupling.

**Migrant integration – the impact of the Supranational**

The United Nations High Commission for Refugees (UNHCR) has long established international standards on refugee integration, encompassing access to rights, to employment, the labour market and to naturalise. However, UNHCR themselves point out that these are global standards, and so are fairly low, “When it comes to core rights and entitlements, we think of basic services: housing, food, health and education. That will mean something different in Mali or Niger from what it means in Britain” (Special Standing Committee 16th March 1999). Thus they do not put many onerous requirements on the UK, who in any case remain free to implement the Refugee Convention as it sees fit. While UNHCR have been, at times, highly critical of UK Government policy, they do not have any powers to change such policy.

One of the questions that this paper seeks to raise about the utility of MLG is to ask the seemingly obvious question of whether MLG is less able to accommodate areas
of policy in which the EU has a relatively minor role. The EU places a number of demands upon member states with regard to the migration of EU citizens and there has also been interest in broader migrant integration at the EU level since the Tampere programme in 1999, although it did not come within EU competencies until the Lisbon Treaty in 2009. The main EU influence on migration matters concerns existing EU citizens, their free movement and the social provision available to them. Prior to 2009 for refugees there were agreements on Common Basic Principles, established in 2004, followed by some sharing of best practice and limited funding for activities through the European Refugee Fund. While the UK Government did receive funding from this scheme, the EU had little influence in how that money was spent. What is more, the UK opt-out meant that the EU has little influence in relation to 3rd country nationals and so common basic standards do not apply in the case of the UK.

That said, with regards to asylum seekers the influence of the Dublin Convention, later the Dublin regulation marks 1, 2 and 3 has a clear impact on UK policy and was an area that the UK opted into. This allowed the British Government to remove asylum seekers to another European country without first hearing their case. However, beyond that it is difficult to argue that the EU has a major role in terms of the UK, although it did have a role in helping to create asylum systems in new EU member states who had previously not had one. What this suggests therefore is that MLG in this context, if it exists at all, may concern UK, Scottish and Local Government rather than the EU and that the EU has a marginal influence on integration issues. If that is the case then there may be an argument for eschewing MLG in favour of a domestic politics approach. In addition, with the UK opting into procedures that it saw as being to its own benefit, there is an argument to be made that the EU can be the vehicle of choice for domestic policy aims (Guiraudon 2000).

Refugee integration – The UK and Scotland compared
Integration was historically a concept largely avoided in Britain due to a perception of it being a form of assimilation (Castles 2010) or assimilation light (Threadgold and Court), which conflicted with the multi-cultural approach being taken from the
1960s. Nevertheless, integration or multiculturalism/anti-racism from then has been predicated on a dual perspective, tight control of migrant numbers and the outlawing of racial discrimination for those who did arrive. The implication of the external plank was that migrants themselves create the problems regarding integration due to sheer numbers. In addition the internal plank never stretched to positive integration measures or affirmative action, just the outlawing of discrimination. In terms of broader integration, strategies have therefore historically been largely absent. Only refugees in the 2000s were subject to tangible and funded integration strategies, and these have now ended.

The devolved settlement also means that the Scottish Government have no jurisdiction on immigration but must address integration matters through other policy means as well as address some of the effects of immigration policy on integration. Thus in looking at integration in Westminster and Holyrood, many social policy areas that are not specific to refugees have an impact.

**The UK Government and refugee integration**

Prior to the early 2000s no policy framework existed around refugee integration. Indeed neither refugees nor asylum seekers were recognised in British law until 1994, despite Britain being a signatory to the refugee convention since 1951. Before then asylum seekers and refugees were processed under general immigration procedures. Since then British policy has tried to completely differentiate the two, with small numbers of resettled refugees deemed wanted and spontaneous arrivals in the form of asylum seekers unwanted. This distinction has had the obvious impact of treating those in the asylum system differently from recognised refugees. The British Government effectively take the position that the integration of refugees is desirable, but that asylum seekers should not be integrated until they have been recognised as refugees. Thus policy interventions where they have existed have been aimed solely at those who have had their claims for refugee status approved, with access to health services and education being used as a means of immigration control rather than to support integration for asylum seekers.
In 2002 the Home Office developed its first refugee integration strategy, ‘Full and Equal Citizens’, funded by the European Integration Fund. The stated aim was to help refugees access jobs, benefits, accommodation, health care, education and language classes, as well as encouraging community participation. This contributed to the Department of Work and Pensions in 2003 publishing Working to Rebuild Lives, with a focus on support in accessing the labour market, highlighting the transversal nature of refugee integration.

Full and Equal Citizens was established as a means of supporting small local projects rather than as a national strategy with more ambitious aims and it provided limited resources to small organisations working with refugees. £500,000 in its first year was available to new organisations with a further £650,000 to support capacity building among existing organisations. It also established a national integration forum to monitor the implementation of this strategy. This forum was chaired by the Home Office but had representation from the voluntary sector.

In 2005 Full and Equal Citizens was superseded by Integration Matters. For the first time the funding of national integration programmes were included. The focus was on the labour market, and on behavioural expectations on refugees. Such a narrow focus belies the transversal nature of migrant integration and the limited role of non-governmental actors also questions the nature of ‘governance’. This is not to say that no non-governmental actors fed into the strategy, just that there is no evidence that their role had a any impact on policy.

These strategies led to the establishment of the Sunrise programme in 2005. It provided individual and time limited casework support to newly recognised refugees in relation to housing, employment, benefit and financial advice, access to English language tuition and information on the process of family reunion (Stewart 2009). Sunrise was replaced by the RIES in 2008 with a narrower but longer-term focus. RIES came out of the Labour Governments last refugee integration strategy, ‘Moving on Together’. This document is primarily focussed on internal Home Office reform alongside ‘innovations’ in the asylum process, although there is also recognition that
“our work helping refugees after they have been granted the right to stay in the UK has not often been in the foreground”. Such internalised discussion again questions governance. The document reinforces the UK Government's support for help to newly recognised refugees, alongside an emphasis on refugees integrating into the workplace and into ‘British values’, never clearly defined and with clear assimilationist dimensions. RIES maintained the caseworker approach but was more limited in providing support in employment and education, as well as the opportunity to have a mentor. However, this support, offered to all newly recognised refugees, would last for a year rather than the previous 28 days. Both Sunrise and RIES were contracted out to third sector organisations. While the costs of Sunrise are unclear, the total costs of RIES over 4-years was over £25 million (Hansard Jan 17 2014 Col 721W), a somewhat modest outlay set against the cost of control measures being simultaneously undertaken. The Scottish share is likely to be roughly 10% given around 10% of asylum seekers are sent to the city, so about £2.5 million over 4-years.

Although these Government programmes were somewhat limited, they did at least provide some financial support to the integration of refugees. In 2007 the Home Office replaced making up the 30% less Income Support paid to asylum seekers with integration loans. Loans and some support to local authorities taking part in Gateway resettlement, with controlled and therefore less unwanted refugees, are now the only UK Government support to refugees in Britain.

Other aspects of integration have not been addressed by specific interventions but have in some cases been caught up within broader policy debates such as those around community cohesion, social inclusion/exclusion and wider immigration policy as well as numerous social policy issues such as those around health (see for example the removal of access for refused asylum seekers in England) and education. Indeed the consequences of immigration policy have been significant with regard to refugee integration (Mulvey 2010).
The coalition government since 2010 have developed a somewhat different approach to refugee integration, although it has parallels with the early years of the Labour Government. The locus of ‘integration policy’ has shifted from the Home Office to the Department for Communities and Local Government, meaning that within the rubric of the UK’s constitutional set-up, it applies to England only. This can be seen as a return to the days prior to the existence of national funded integration programmes through Sunrise and RIES, when integration was viewed as an aspiration by documents such as Integration Matters but were largely unfunded and involved no government departments with UK wide jurisdiction. Nevertheless, it is worth looking at the strategy to gain a sense of the direction of travel with regard to Westminster.

The coalition government’s plans are partly spelled out in the Department for Communities and Local Governments ‘Creating the Conditions for Integration’ (DCLG 2012). In it the emphasis is on a smaller role, if any, for central government funding and initiatives and a very clear position on what will, or more pointedly what will not be supported. One sub-heading in the document states that ‘Government will only act exceptionally’ but that “only small amounts of funding” will be available with the expectation that action “will rapidly become self-sustaining”. The implication appears to be that funds will only be provided to programmes that are able to raise additional monies, removing the possibility of funds for programmes aimed at helping individual migrants to find work, access educational opportunities and access secure housing, with the austerity regime ensuring that obtaining sustainability is all but impossible. Any funded initiatives are for broader communities or localities, with nothing with the specific aim of integrating migrants. The document talks of mainstream services having more of an impact than specific new integration activity. Indeed the language of localism and of enterprise joins a key strategic goal of combatting extremism to set the parameters of government plans, such that even policies such as free schools are mentioned as a means of assisting integrated communities (DCLG 2012 15).

Scottish Policy on Refugee Integration
The Scottish government, including its predecessor the Scottish Executive, have taken a symbolically different approach to that of Westminster with regard to both the general discourse around migration, as well as more specific refugee integration issues. Thus even when Labour was in power in both parliaments, the approach diverged. The best example of the different symbolism is the fact that all Governments since the establishment of the Scottish Parliament in 1999 have operated on the basis that where they have powers to do so, integration should begin the day an asylum seeker arrives in Scotland, in the vast majority of cases arrival as dictated by the UK Home Office under its dispersal scheme. Thus Scottish policy makers take the position that beyond the reserved powers that set the rules for the asylum process, including support, support levels, location, changes in location and the process itself up to and including appeals (although Scotland does have some differences when it comes to appeals to higher courts), they will use what policy levers they have in the policy competencies located within the Scottish parliament to encourage and facilitate integration as soon as an asylum seeker arrives in Scotland. The view taken has been that this approach would make integration easier once an asylum seeker is recognised as a refugee, and also for those whose cases are refused, educational support, for example, will make re-integration into their country of origin easier. While little is yet known about any potential impacts of these differences on the lives of asylum seekers and refugees themselves, these opposing perspectives raise questions about the devolved settlement and about the relationships between various levels of Government.

Due to the reserved nature of immigration, refugees in Scotland were also subject to integration support through Sunrise and RIES, with Glasgow City Council having a role in the provision of housing. The Scottish Government also supported refugees in other direct ways. While it is difficult to ascertain exactly the resources spent on various integration measures either directly through funding organisations and/or services or via payments made to the local authority, itself an indication of the multi-levelled nature of this policy area, it is clear that money beyond Sunrise and RIES has been spent. In parliamentary questions, for example, the Scottish Executive as it then was highlighted that they had allocated ‘an additional’ £9 million to aid refugee
integration between 2001 and 2004, with further after 2004 not as easy to ascertain. Much of this funding went to Scottish Refugee Council who provide a range of community development, capacity building, public awareness and direct advice and advocacy services to support the integration of asylum seekers and refugees, £735,000 in 2013, while some was also allocated to Glasgow’s many Integration Networks, community development organisations who provide a range of services within defined localities with the aim of bringing existing and new communities together. These networks were funded largely from within the Fairer Scotland fund, wound up in 2011 after the end of ring-fencing, more on which below. Nevertheless, Fairer Scotland allocated more than £14 million to Glasgow’s community planning partnerships in 2008/09, much of which went to supporting integration networks.

While not solely focussed on refugees, ESOL funding also forms a major part of the Scottish Governments approach and again contrasts with that of the UK. While funding for language support for asylum seekers ended in England in 2011 when such support was tied to ‘actively seeking work’, a status denied to those in the asylum process, £13 million was allocated to Esol by the Scottish Government, 60% direct to colleges and 40% to local authorities (DATE?). This funding is not all or even primarily aimed at asylum seekers, but the Scottish Governments approach in distinction to Westminster’s is that asylum seekers should be able to access such courses on the same basis as others.

In addition to the UK wide National Integration Forum, the Scottish Government also developed a Scottish specific one, the Scottish Refugee Integration Forum (SRIF), which ran between 2002 and 2008. Although chaired by the Scottish Justice Secretary, participation was wide, indeed too wide in the view of some, meaning that meetings were often large and conclusions difficult to reach. This provided a forum for organisations working with refugees and refugee organisations themselves an opportunity to raise issues, primarily those within the remit of the Scottish Government, and it developed a large action plan, covering some 47 issues. SRIF had some notable successes in meeting its numerous objectives such as facilitating inter-agency working and, and although not causal, encouraging the Scottish Executive to
commit £9 million to refugee integration programmes (Scottish Executive 2005). Other plans around impacting on the public debate and challenging racism are also seen as having had some impact, all of which suggests that governance within the Scottish context appears to be evident to some degree.

In terms of practical measures around, for example, Ager and Strang’s ‘Indicators of Integration Framework’ (Ager and Strang 2008), there has been some Scottish Government activity beyond that provided by Westminster. In particular, there is provision around extra support for asylum seekers to pursue educational courses (up to 16 hours a week in Further Education) and continued access to health services for those whose cases are refused. There is additional support for children in asylum seeking families, with children in Scotland for three years getting the same access to schools as all other children as well as the same access to further and higher education, regardless of the progress of their case. There was also work between the Scottish Government and Glasgow City Council in the provision of nursery places for asylum families.

More recently, the Scottish Government have developed a 3-year integration strategy that emerged from a large consultation with voluntary, statutory and refugee organisations. Although direct funding is unclear, the strategy itself is an ambitious one, consciously covering the range of indicators developed for the Home Office by Ager and Strang. Integration from day 1 remains a key theme, alongside six individual action plans aimed primarily at better coordination to produce better outcomes for refugees.

On the other side of the coin Scotland’s share of Barnett consequentials from the Migration Impacts Forum was not spent on addressing any migration related issues, but instead became part of the Governments general funds. £2.9 million was allocated to Scotland in 2009/10 and £1.4million in 2010/11. While Scottish government funding of migrant integration preceded the availability of these funds, and both totals would still indicate a significant level of funding by the Scottish Government over and above that paid by the migration impacts fund, it does suggest
that the financial outlay by the Scottish government has not been as substantial as perhaps first thought. That said, the Scottish Government calculate that between 2001 and 2013, therefore including all Scottish Executives and Scottish Governments since the establishment of the Scottish Parliament, £13.5m has been spent to aid the integration of asylum seekers and refugees (ref).

Discussion
As the previous sections have suggested, the past 15-years has witnessed both UK-wide policy interventions within the transversal policy field of refugee integration, and policy between Westminster and Holyrood diverging, with the position of the EU something of an open question. So, what does this suggest about the utility of multi-level governance, domestic politics, both or neither as a means of analysis in this policy area. This section takes each concept and applies the empirical lessons of the case to them before making some tentative theoretical conclusions.

MLG Type 1
It appears fair to say that allied to the EUs minor role in refugee policy in the UK, both the contestation between levels of Government and the blurred boundaries between reserved and devolved powers raises significant questions as to the existence of Type 1 MLG. Type 1 MLG, for Entwistle et al suggests that each tier pursues their own programmes in their own separate and clearly demarcated sphere of competence or jurisdiction (2014 310). The suggestion is that governments enjoy the autonomy to focus on their own core business and not worry about other levels in a system of non-competing policy competencies. The different political outlooks between levels of Government, along with different policy directions on refugee issues negate the utility of type 1. Reserved policy has a significant, and from the perspective of the Scottish Government an unwelcome impact upon devolved policy in this area. Competence is not clearly demarcated but spread across both government departments and levels of government, with some evidence of a devolution of penury rather than of competence.
There also appears to be little positive multi-level interaction between levels of government in the UK. The UK Government tend to be protective of their responsibilities in this area. While immigration is a reserved policy area, so too is social security and Chair of the Scottish Parliaments External Affairs Committee Christina McKelvie MSP contrasts the Home office refusal to discuss immigration cases with MSPs with the DWP’s approach who ‘never send replies saying this is a reserved matter’. Furthermore, there is little evidence of a move towards governance in refugee integration at the UK level with the Government pursuing their own policies while paying little cognisance to other interests.

MLG Type 2

So what of type 2? Type 2 MLG is seen as more task specific, where policy tasks are spread and performed across numerous territorial scales. Membership is overlapping and more fluid than in type 1 and horizontal and vertical networks are involved in policy. In some ways type 2 would appear to lend itself to migratory movements and government responses to them, being fluid, and by nature not bound within national borders. Type 2, while not implying the relatively static form of policy-making in Type 1, seeks to include ‘networks’ as a defining factor rather than differing political outlooks of different levels of Government. However, it is unclear whether these networks have any influence at the UK level in this case. Indeed the ending of any financial support for refugee integration appears to have come as something of a surprise among all non-governmental parties involved in the National Integration Forum, but was taken by a UK Government looking at cutting the size of the state sector more generally as well as move away from national strategies around migrant issues. Thus, despite talk of localism, non-government actors are marginal, and appear to have become more marginal over time. There are exceptions such as private sector service providers like Serco and G4S winning Home Office contracts to provide accommodation and transport services to asylum seekers, but even in these cases, there is limited discretion available to them at the implementation phase. Overall the UK government has pursued an approach that chimed with its own political perspective, as perhaps should be expected. However, this means that it has had little engagement with various ‘networks’ or indeed with...
the Scottish Government as it tries to maintain its absolute dominance in migration related matters.

Domestic politics –
With regard to a domestic politics or differentiated polity approach, it is clear at the very least that policy divergence has occurred between Westminster and Holyrood. There is some evidence that the policy discourse around migration issues does have an impact on the lived experiences of migrants (Korkut 2013). The less negative discourse around migration in Scotland is either reflected, refracted or both in less negative public attitudes. Not only is the Scottish population less negative in their overall views on migration, they also rank it as a less important issue than the UK population as a whole. Thus it would appear to be fair to surmise that the different discourses at the different levels of Government can have differing effects, although differences in the volume of migratory movements are also likely to have some effect. That said, public hostility towards migrants in England is not most prevalent in the areas most subject to such movements (Blinder 2014).

Domestic politics – the UK
Looking first at the case of UK policy, Spencer points out that the level of support provided to refugees through integration programmes was never enough to address the disproportionate disadvantage facing refugees (Spencer 2011 216). Indeed the funding for refugee integration accounted for less than 1% of the overall spend around the issues of asylum and refugees, a clear signal of where attention was focussed. McGhee has described this as ‘managing migration but not managing settlement’ (McGhee in Somerville 2007 177).

The UK Governments division between asylum seekers and refugees had consequences, not the least of which has been to delay integration support for asylum seekers who subsequently go on to be granted refugee status in Scotland and elsewhere. While the importance of up-front and intensive support is highlighted by the UK Governments own Survey of New Refugees, delayed support can therefore have long term negative consequences (Cebulla et al 2010).
Nevertheless, the UK Government in recent years has ended all financial and administrative support for integrating refugees who are recognised as such in the UK other than small-scale integration loans.

Domestic politics – Scotland

Hammar’s recognition of the difference between immigration policy and immigrant policy (Hammar 2006) is of particular relevance in the case of refugee integration in Scotland (see also Scholten 2013 on the multi-level governance of integration). Outside of entry issues and prior to settlement and naturalisation processes the majority of immigrant policy is devolved (see Bowes et al 2009 on the added complexity of devolution in relation to asylum issues). Nevertheless the restrictions placed on asylum seekers by reserved policy have enduring impacts. The health effects associated with the asylum process, the removal of the right to work for asylum seekers and many of the problems associated with dispersal are reserved policies, but their social costs are encountered and in many cases paid for by both the Scottish Government and Glasgow City Council, the devolution of penury as Mitchell puts it (Mitchell 2002).

While immigration and asylum in a broad sense remains a reserved policy area under the devolution settlement, this does not mean that all aspects of the lives of asylum seekers and refugees come under the remit of the UK Government. Housing for asylum seekers, for example, is provided by the UK Government under contract to agencies. However, housing for refugees is the responsibility of the Scottish Government and Scottish Local Authorities. On being recognised as a refugee, therefore, responsibility effectively becomes devolved alongside the consequences of asylum policy.

Added to that is the Scottish Governments 3-year integration strategy. The way that this strategy was developed mirrored some of the suggested practices of governance in MLG Type 2 but in one nation, and a nation that cannot yet be seen as a nation state. However, while requirements and demands on Glasgow City Council around, for example, the housing of newly recognised refugees have increased, the local...
authorities ability to meet those demands is hampered by the council tax freeze imposed on all Scotland’s local authorities by the Scottish Government, another case of the costs of government policies being devolved without the requisite resources, or the downloading of penury. Ali and Gidley also point to ‘promising practice’ in Glasgow with regards to working with migrant youth, some of which are mainstream and some group specific. The combination of Scottish and Glasgow policy leads to them arguing that despite the reserved nature of immigration, “Scotland provides a distinctive context for migration, refugee and asylum issues within the United Kingdom” (Ali and Gidley 2014 18).

**Theoretical lessons**

Thus the policy context into which refugees and asylum seekers attempt to integrate is complex and often contradictory. Policy areas interact with one another, with the status of individuals and with the constitutional settlement to create an environment that can be difficult to comprehend and which often appears to lack coherence. Policy in the UK has been somewhat ad hoc and there has been divergence between the Westminster and Holyrood Governments. Contests over who has legitimate authority in this area have yet to emerge as full blown conflict, although there have been some broader conflicts over immigration in Scotland versus the rest of the UK. However, what this does hint at is some degree of decoupling, suggesting the continued importance of domestic politics in the case of refugee integration. Added to the relatively minor role of the European Union in actual policy, and the dominance of Government over Governance, the suggestion, following Piatonni, is that this empirical case finds little or no evidence of MLG. In the case of refugee integration, or policy around third country nationals more generally, domestic politics and Government remain dominant.
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