

**What are the political, professional, and legal structures shaping the experiences of irregular migrants navigating systems of support in Italy, Greece, Turkiye and the United Kingdom from the perspective of NGO workers?**

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## ACRONYM TABLE

| Acronym       | Meaning                                                                                                                             |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------|
| BID           | Bail for Immigration Detainees                                                                                                      |
| EUSS          | European Union Settlement Scheme                                                                                                    |
| FNO           | Foreign National Offender                                                                                                           |
| GCR           | Greek Council for Refugees                                                                                                          |
| IECA          | Immigration Enforcement Competency Authority                                                                                        |
| IRC           | Immigration Removal Centre                                                                                                          |
| NGO           | Non-Governmental Organisation                                                                                                       |
| NRM           | National Referral Mechanism                                                                                                         |
| POD           | Public Order Disqualification                                                                                                       |
| SCA           | Single Competency Authority                                                                                                         |
| SIPROIMI/ SAI | System for Protection of Holders of International Protection and for Unaccompanied Foreign Minors/ Reception and Integration System |

## INTRODUCTION

As irregular migration becomes an increasingly significant and polarising topic in global affairs, this research project attempts to uncover the ways political, professional, and legal structures translate into the experiences of irregular migrants. Irregular migration is defined as the movement of people to a place of permanent or impermanent residence outside the regulatory norms of migration.<sup>1</sup>

Over the course of two months, we travelled to Rome, Athens, Istanbul and London to interview legal and humanitarian professionals. Based on our findings, we argue that the experiences of irregular migrants in these transnational spaces are defined by precarity and liminality, and we highlight political, professional, and legal structures as the most significant factors shaping their experiences. As such, we centre this paper on the following question:

*What are the political, professional and legal structures shaping the experiences of irregular migrants navigating systems of support in Italy, Greece, Turkiye and the United Kingdom (UK) from the perspective of NGO workers?*

We have chosen to analyse these three structures in Italy, Greece, Turkiye, and the UK as these countries are popular recipients of irregular migrants. This is due to their geo-strategic location - specifically as shoreline states that can be more easily accessed by sea. They are also popular due to their commitment to international human rights frameworks such as the European Convention of Human Rights (ECHR) which offer irregular migrants enforceable rights upon arrival.

As regional conflicts and instability in the Middle East, Sub-Saharan Africa and Eastern Europe continue, many individuals are exposed to life-threatening conditions such as food insecurity, violence, climate-induced atrocity, disease and psychological trauma. The urgent nature of their migration classifies most of these individuals as irregular migrants by the time they reach the selected countries – oftentimes extremely vulnerable and with little legal documentation.

Unfortunately, as policy and law makers attempt to grapple with increased irregular migration, many irregular migrants are excluded and/or fall through systems for support in the immigration process across Europe. The increasingly politicised nature of our topic in the selected countries of research, and the importance of accessible legal services makes our study topical and significant. Particularly in light of recent outburst of violence against migrants in the UK, following the proliferation of false racist and Islamophobic rhetoric.<sup>2</sup>

With this study, we use qualitative data to identify shortcomings and challenges in creating a safe and hospitable environment for irregular migrants. It is our hope that this data will inform discourses around irregular migration in a way that humanises irregular migrants and centres their experiences from the

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<sup>1</sup> European Union Commission. (2024). Definitions – [Irregular Migration](#). Norms of migration are defined from the perspective of destination countries. It is entry, stay or work in a country without the necessary authorisation/documentation required under a country's immigration regulations.

<sup>2</sup> Institute of Strategic Dialogue (2024). [The foundations of violence: The growth of far-right hate in the UK](#). ISD.. Also see Reuters (2024). [More than 1,000 arrested following UK riots, police say](#). Reuters

perspective of their advocates. By speaking to lawyers and NGO workers who are intimately embedded within the three identified structures, we hope to answer our research question based on their professional experiences. We expand more on our decision to frame this paper through the lens of NGO workers later in our methodology.

The content of this study is also intimately linked with core principles of leadership. On a macro level, we highlight the role of political actors, their impact, and influence over the three structures in our research question. On a micro level, the leadership of NGO workers is highlighted, as they provide advice and support to some of the most vulnerable communities in Europe.

To address the research question in sufficient depth, our paper will begin with a literature review outlining our contextual knowledge of the topic and theoretical framework, followed by a methodology outlining our data collection process. Subsequently, we will present our findings on policy, professional, and legal structures that shape the experiences of irregular migrants as described by NGO workers and legal professionals in Italy, Greece, Turkiye and the UK. Finally, we will present a conclusion detailing recommendations and our reflections on the totality of the research.

## LITERATURE REVIEW

In this section, we combine and analyse prior research to identify gaps and complications within the fields that pertain to the research question. To do this, the review will firstly analyse theoretical foundations and then look at three distinct structures: legal-political and professional structures. We chose to combine the legal-political structures because of their overlaps, derived from a common source of state politicians and international agreements.

### Theoretical Perspective

Firstly, we will consider the theoretical lens of our study, then provide an overview of the theoretical traditions that inform migration studies as a whole. The theoretical framework of this research is an amalgam between Şahin-Mencütek et al's 'strategic temporality'<sup>3</sup> and Mahmood Mamdani's understanding of 'agency'.<sup>4</sup> These two ideas will be explained individually before we illustrate how they affect irregular migrants' navigation of political, professional and legal structures.

Strategic temporality is understood as the mechanisation of temporality by governing bodies for the control and management of displaced peoples. Within the understanding outlined by Şahin-Mencütek et al., temporality is placed in a profoundly interlinked relationship with 'liminality', which is conceptualised as the feeling of 'being at a boundary, or an in between position'.<sup>5</sup> In the context of this research, irregular migrants may find themselves in a social position of 'in betweenness' for an indefinite amount of time as their immigration matters are processed. Temporality is thus related to time, transitory periods, and feelings of uncertainty.

The agency of irregular migrants can be understood as 'one's ability to guide a situation'.<sup>6</sup> Experiences of liminality negatively affect the ability of irregular migrants to possess control of a situation. This lack of agency is understood to grasp the extent to which macro structures inform the experience of irregular migration. Mamdani's understanding of historicised agency highlights the colonial logics which sheds light onto the power dynamics that shape the political, professional and legal structures irregular migrants navigate – including race, class and language.

### Scope and Definitions

For the purposes of this project, we define political structures as the political climate, media, and attitudes of a country, influenced by political actors, in relation to immigration. Professional structures refer to interpretation services frequently used by NGO workers in their work with irregular migrants. Legal structures refer to national laws that intend to identify and/or protect vulnerable irregular migrants in the selected countries.

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<sup>3</sup>Şahin Mencütek, Z., Gökalp-Aras, N. E., Kaya, A., & Rottmann, S. B. (2023). *Syrian refugees in Turkey: Between Reception and Integration*. Cham: Springer

<sup>4</sup>Mamdani, M. (2001). Beyond settler and native as political identities: Overcoming the political legacy of colonialism. *Comparative studies in Society and History*, 43(4), p. 651-664

<sup>5</sup>Şahin Mencütek, Gökalp-Aras, Kaya, & Rottmann (2023)

<sup>6</sup> Ibid.

## Legal and Political Structures

Within the legal-political structure, criminality is often evoked by politicians through campaigning and mainstream media.

Matilde Rosina (2022) analyses justifications for harsh forms of European migration control through various theoretical lenses.<sup>7</sup> Realists may argue that state capacity to control migration has diminished due to globalisation, while transnationalism may focus on the influence of global economic integration on migration patterns.<sup>8</sup> Building on Bhagwati,<sup>9</sup> however, Rosina posits that deterrence and criminalisation are common political strategies used to justify and control irregular migration.

The efficacy of deterrence and criminalisation to manage irregular migration is dependent on citizens' perceptions of migrants.<sup>10</sup> Criminalisation strategies thus combine legal sanctions with moral condemnation - making the perceived threat existential and nationalistic. Furthermore, interdisciplinary articles have used 'militant research' to illustrate how xenophobic language used in migration policies strategically frames irregular migrants as "unauthorised migrants"<sup>11</sup> to appeal to the present xenophobic political climate in Greece,<sup>12</sup> the UK and Italy.<sup>13</sup>

In actuality, criminalisation has had no deterrent effect on migratory flows but has instead contributed to a cycle of irregularity and precarity for irregular migrants by increasing their social and political vulnerability.<sup>14</sup> In part, stringent migration proposals can be seen as symbolic rather than practically viable.<sup>15</sup>

In sum, scholarship on migration has shown that legal-political structures aimed at 'deterring migration' do not actually impact the frequency of irregular migration, but rather alter the social and political climate of a particular state towards the treatment of irregular migrants.

## Professional Structures

Our focus on professional structures relates to interpretation services, which are often used by irregular migrants as they navigate systems of victim identification and attempt to regularise their immigration statuses.

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<sup>7</sup> Rosina, M. (2022). *The Criminalisation of Irregular Migration in Europe: Globalisation, Deterrence, and Vicious Cycles*. Springer Nature

<sup>8</sup> Ibid.

<sup>9</sup> Bhagwati, J. (2003). Borders beyond control. *Foreign Aff.*, 82, 98

<sup>10</sup> Rosina (2022: 66)

<sup>11</sup> Hönig, P. (2014). States, Borders and the State of Exception: Framing the Unauthorised Migrant in Europe. *Etnofoor*, 26(1), p. 130

<sup>12</sup> Drymiotis, M., & Gerasopoulos, V. (2018). Entangling the Migration and the Economic 'Crisis'. *Etnofoor*, 30(2), p. 55

<sup>13</sup> Polyakova, A., & Shekhovtsov, A. (2016). On the rise: Europe's fringe right. *World Affairs*, 179(1), p. 73

<sup>14</sup> Rosina, M (2022: 267-270)

<sup>15</sup> Rosina, M., & Kadhum, O. (2023). Can the government's immigration bill succeed?. *LSE Blogs*.

Elfving and Marcinkowska's research<sup>16</sup> into the EU Settlement Scheme (EUSS) application process asserts that limited English skills/ low levels of literacy, even in one's own language, leaves groups of EU migrants particularly vulnerable in the EUSS immigration process and when trying to find long-term employment.

Elfving and Marcinkowska's article is perhaps incomplete in its analysis of the diversity of EU migrants with limited literacy skills, failing to address the impacts of racism for EU migrants who cannot speak English, access to non-European language interpreters, and how these may contribute to experiences of precarity in the UK – particularly if migrants are detained in an Immigration Removal Centre (IRC), detained in prison following a custodial sentence, or have exhausted their appeal rights.

Existing interpretation frameworks in IRCs and prisons in Europe have been studied across the same lines of critique by sociologists like Aída Martínez-Gómez, who highlighted the inequalities faced by imprisoned linguistic minorities in relation to prison management models,<sup>17</sup> and freelance translators like Aisha Maniar (2019) who critically assess the efficacy of legal interpreting services to advocate for qualitative progress.<sup>18</sup> Scholars have even argued that interpreting studies replicate the existing power structures of the societies they are situated in,<sup>19</sup> suggesting that a historicist approach is appropriate for the purposes of understanding the implicit power relationships within professional structures like interpretation services.

Access to interpreter services, trust between interpreters and clients, and the right to interpretation and translation are increasingly important in the public sector in Europe.<sup>20</sup> With that said, our data analysis will rely and contribute to the literature on aforementioned themes by focusing on how NGO workers and legal officers navigate existing political, legal, and professional structures, as well as how it defines the experiences of their clients.

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<sup>16</sup> Elfving, S., & Marcinkowska, A. (2021). Imagining the impossible? Fears of deportation and the barriers to obtaining EU settled status in the UK. *Central and Eastern European Migration Review*, p. 55-73

<sup>17</sup> Martínez-Gómez, A. (2018). Language, translation and interpreting policies in prisons: Protecting the rights of speakers of non-official languages. *International Journal of the Sociology of Language*, 2018(251), p. 151-172

<sup>18</sup> Maniar, A. (2019). Behind a Wall of Silence: Interpreters and Detainee Vulnerability in Britain's Immigration Detention Estate. *FITISPos International Journal*, 6(1), p. 123-140

<sup>19</sup> Cronin, M. (2002). The empire talks back: Orality, heteronomy and the cultural turn in interpreting studies. *The interpreting studies reader*, p. 386-39

<sup>20</sup> Council of the European Union (2010). DIRECTIVE 2010/64/EU OF THE EUROPEAN PARLIAMENT AND THE COUNCIL OF 20 October 2010 on the right to interpretation and translation in criminal proceedings. ; also see Migrant Help (10 November 2022). [Asylum Services Update](#).

## **METHODOLOGY**

The methodology of this paper is designed to capture the experiences of irregular migrants while addressing the logistical and ethical constraints of direct interaction with irregular migrants. We aim to interpret the experiences of irregular migrants from the perspectives of NGO workers based on interviews conducted in Italy, Greece, Turkiye and the UK, and offer insights into the broader legal, political, and professional frameworks they navigate when working.

### **Research Design**

We employ a qualitative methodology for this research. Given the complexity of irregular migration in Europe, Turkiye and the UK, and the unique insights of NGO workers from their experiences, interviews were used to address differing perspectives that would not have been addressed through quantitative approaches.

### **Countries**

Irregular migrants commonly enter the EU via the central (Italy) and eastern Mediterranean routes (Turkiye to Greece). Initially, we aimed to cover all countries along these routes but faced constraints due to limited time and resources. We also chose to conduct research in the UK to gain insight into the immigration detention process, which can capture anyone under immigration control if they are convicted of a crime for more than twelve months.

Considering these countries' unique structures and thus challenges, we selected them to ensure a comprehensive understanding of the immigration in Europe, almost ten years after the 'immigration crisis' in 2015.

### **Sample Selection**

Participants were selected through purposive sampling, targeting key NGO workers involved in legal advocacy (particularly for vulnerable clients), integration programs, and direct service provision to irregular migrants.

These workers were chosen for their direct experience with the legal, political, and professional structures we are researching. We made contact with our interviewees through a mixture of cold contact and use of personal contacts from previous volunteering and internship experiences. Several organisations were responsive, with organisations in Greece being the most responsive.

## Participating organisations

| Organisation                               | Country | Function                                                                                                                                                                                                                                |
|--------------------------------------------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Bail for Immigration Detainees (BID)       | UK      | Provides free legal advice to individuals detained in IRCs and prisons in England. We interviewed two members of the <i>Right2Liberty</i> team ( <i>R2L</i> ), which specialises on complex bail cases, working with vulnerable adults. |
| Greek Council for Refugees (GCR)           | Greece  | Provides legal advice and advocacy for refugees, aiming to integrate them into Greek society. They are also involved in refugee assimilation programs.                                                                                  |
| Greek Humanitarian Aid Society (Pseudonym) | Greece  | Provides a broad range of services to refugees and migrants upon arrival, including language courses and employability programs.                                                                                                        |
| Intersos Hellas                            | Greece  | Provides humanitarian aid and support to refugees and migrants, including shelter, medical care, and legal assistance.                                                                                                                  |

## Participants

| Name              | Position                                             | Organisation                               | Country |
|-------------------|------------------------------------------------------|--------------------------------------------|---------|
| Rodrick           | Caseworker                                           | Bail for Immigration Detainees (BID)       | UK      |
| Nadia             | Legal Manager                                        | Bail for Immigration Detainees (BID)       | UK      |
| Giulia            | Human Rights and Employment Lawyer                   | N/A                                        | Italy   |
| Lefteris          | Director                                             | Greek Council for Refugees (GCR)           | Greece  |
| Mariana           | Programmes, Fundraising & Communications Coordinator | Greek Council for Refugees (GCR)           | Greece  |
| Melanie           | Former Livelihoods Officer and Interpreter           | Caritas Hellas and Caritas Athens          | Greece  |
| Apostolos Veizis  | Executive Director                                   | Intersos Hellas                            | Greece  |
| Alara (Pseudonym) | NGO Worker, Project Coordinator                      | Hrant Dink Foundation                      | Turkiye |
| (Unnamed)         | NGO Worker                                           | Greek Humanitarian Aid Society (Pseudonym) | Greece  |

## **Data Collection**

### **Interviews**

The primary data collection method was semi-structured interviews with NGO workers and caseworkers with direct experience working with irregular migrants in the selected countries. We conducted eight interviews in total. These interviews allowed for an in-depth exploration of the interviewees' experiences, opinions, and reflections on the legal and policy frameworks they navigate. The semi-structured format provided a flexible structure that enabled the interviewees to discuss the most relevant issues.

### **Challenges and Access**

We faced logistical issues, including the inability of two team members to travel for interviews due to difficulties in scheduling and visas. This was compounded by limited responsiveness from contacts in Italy and Türkiye, which restricted our interview pool.

Ensuring the neutrality of our interview questions was another challenge, as was determining the key themes for our data analysis. While significant issues like racism faced by irregular migrants emerged during interviews, we did not collect enough conclusive data to expand on this, complicating our thematic analysis.

### **Data Analysis**

Our approach to data analysis adheres to thematic analysis. This method involved coding the interview transcripts to identify key themes aligned with our literature review. Thematic analysis was chosen for its ability to systematically organise data, highlight recurring patterns that reflect participants' experiences, and allow accessibility for readers.

### **Ethical Considerations**

Given the sensitive nature of this research, several ethical considerations were prioritised. Interviews were conducted with NGO workers rather than irregular migrants due to ethical concerns e.g., inability to build meaningful rapport with irregular migrants given our time restraints.

Informed consent was obtained from all participants, ensuring they understood the study's purpose and their rights, including their right to withdraw at any time. To protect participants' identities, pseudonyms were primarily used, and any potentially identifying information about irregular migrants themselves was removed from the transcripts and final report.

The full names of individuals and/ or organisations have only been included with the expressed consent of said individuals and organisations. Some individuals interviewed expressed their desire to be named, as they saw the inclusion of their real names in this research as beneficial. We chose to respect their wishes

and use whatever naming strategy they wished us to use. This ethical approach ensures the integrity and respect for all involved in the research process.

### **Limitations**

It is important to note that our study has limitations due to not directly interviewing irregular migrants. Our interviews with NGO workers include their biases and their opinions may not fully capture/distort the true nature of the migrants' experience - particularly in relation to the liminal experiences of displacement and waiting.

Furthermore, we make no claims for generalisability as it only applies to some irregular migrants in some irregular migration contexts. The study also only provides a snapshot of the situation at a particular moment in time and may not capture progressive changes.

## DATA ANALYSIS

We will analyse political structures in relation to political rhetoric in mainstream media, and local, xenophobic attitudes. Professional interpretation services will be analysed in relation to the accessibility of immigration process for those with low levels of literacy. Finally, we will look primarily to the UK for a legal analysis focused on access to accommodation and shortcomings in systems of victim identification.

### Political Structures

Immigration has been politically contentious in Europe since 2015, with terms like “European Migrant Crisis” dominating political discourses.<sup>21</sup> In 2024, Italy, Greece, and the United Kingdom have created policies that aid and/or discourage the integration of irregular migrants into society.

Based on interviews conducted with NGO experts, we argue that attitudes of xenophobia, nationalistic sentiments, and divisive language shape the environment irregular migrants, and their advocates are situated in - producing feelings of uncertainty, what we have termed strategic temporality.

### *Xenophobia, Local Attitudes, and Political Rhetoric*

In Greece, irregular migration triggered xenophobic sentiments which inform national immigration policies, and thus the experiences of irregular migrants.<sup>22</sup>

To NGO workers in Greece, nationality is homogenous - a rigid set of characteristics used to define the identity of the country and its citizens. The presence of irregular migrants challenge the homogeneity of their ethnic, cultural and linguistic differences, and are seen as a social disruption. This perceived disruption catalyses a protectionist perspective on migration that seeks to address the “urgent threat to the ethnicity, religion, and culture [many] deem fundamental to their national identity”.<sup>23</sup>

At the Greek Council for Refugees, Mr Lefteris mentioned this way of thinking was deeply rooted in Greece. Historically, from the point of Greece’s independence in 1830 to its Civil Wars in the 1940s, Greek citizens have used homogeneity as a means of establishing a sense of nationalism after long periods of instability. Ms Gavrogiorgos echoed this, stating that many Greek citizens today have ancestors from a neighbouring Balkan country or Syria, but are opposed to the idea of having irregular migrants from these countries in Greece.

These xenophobic sentiments are emphasised in mainstream media outlets by political actors who influence the attitudes of Greek citizens. This is harmful because scholars like Brell et al. (2020) have shown that

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<sup>21</sup> Quinn, E. (2016). The Refugee and Migrant Crisis: Europe’s Challenge. *Studies: An Irish Quarterly Review*, 105(419), p. 275–285

<sup>22</sup> Hönig, P. (2014). States, Borders and the State of Exception: Framing the Unauthorised Migrant in Europe. *Etnofoor*, 26(1), p. 134

<sup>23</sup> Polyakova, A., & Shekhovtsov, A. (2016). ON THE RISE: Europe’s Fringe Right. *World Affairs*, 179(1), p. 70–80

social integration is key in mitigating the practical issues caused by irregular migration like employment and continued secondary movement to other EU countries.<sup>24</sup>

Additionally, xenophobic discourses reveal the extent to which European citizens may not know who ‘irregular migrants’ are. In Italy, Human Rights and Employment lawyer Guilia stated that many who oppose open migration policies see distinct differences between the migrants they know and those they do not. For example, Guilia shared that one of her relatives echoed certain xenophobic sentiments but had a positive view of her domestic helper who was an asylum seeker in Rome.

Similarly, in the UK, Nadia at Bail for Immigration Detainees (BID) believed that mainstream political discourses around immigration oversimplified the issue - particularly for concerned citizens who are uninformed. This can be linked to the language used in the UK to classify categories of irregular migrants e.g., “foreign national offenders” (FNO).

FNOs can be people who have grown up in the UK, or those who were trafficked to the UK as minors and committed crimes in the context of exploitation. Yet, their experiences neatly fit into the box of “FNO”, offering a reductionist framing. This framing extends further into Europe, where political scholars have documented increased written right-wing sentiments focused on criminalising irregular migrants.<sup>25</sup>

In Türkiye, criminality is mobilised by political actors in mainstream Turkish media to produce prejudice and sometimes calls for violence against irregular migrants. In the Hrant Dink Foundation, Ms Alara runs a research project on hate speech in Turkish media. She cited how crimes committed by irregular migrants are often overrepresented in the news cycle, leading to a perceived criminality attached to the group.<sup>26</sup> The local attitudes towards irregular migrants in Türkiye are therefore hostile, with the discursive image of ‘the criminal foreigner’ kept within the public zeitgeist.

In Italy, Prime Minister Giorgia Meloni promised to be “tough on migrants”,<sup>27</sup> and followed this up with a “costly, cruel” migration deal with Albania.<sup>28</sup> Government ministers have also recently been reported to have tightened constrictions on “NGOs helping migrants entering by sea”.<sup>29</sup>

Economists have argued that social integration is “up to the development of capacities for successful participation in the host society”, and without these opportunities, irregular migrants are stuck in a liminal

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<sup>24</sup> Brell, C., Dustmann, C., & Preston, I. (2020). The Labor Market Integration of Refugee Migrants in High-Income Countries. *The Journal of Economic Perspectives*, 34(1), p. 95

<sup>25</sup> Polyakova, A., & Shekhovtsov, A. (2016). ON THE RISE: Europe’s Fringe Right. *World Affairs*, 179(1), p. 73

<sup>26</sup> Hrant Dink Foundation (June 10 2024). Media Watch on Hate Speech. Discourse Dialogue Democracy Laboratory. See especially: [15. Ticaret Gazetesi, Tayfun Gözümlü, “Are they refugees, asylum seekers or invaders \(II\)”](#)

<sup>27</sup> Bettini, G., & Casaglia, A. (2024b). From denial to domestication: Unpacking Italy’s right-wing approach to climate migration and security. *Geoforum*, 155, 104079

<sup>28</sup> Sunderland, J. (2024). Italy Migration Deal with Albania is a Costly, Cruel Face: Scheme is a Model of Mismanagement and a Blueprint for Abuse. *Human Rights Watch*

<sup>29</sup> Marx, W. (2024). Italy’s right-wing ministers crack down on NGOs helping migrants entering by sea. *NPR*.

position in their respective host countries.<sup>30</sup> The experience of liminality is further exploited by policy changes like Italy's Citizenship Law Amendment 2018<sup>31</sup> - which increased the waiting time for citizenship applications from two to four years<sup>32</sup> - and the Reception and Integration System (SAI) - which discusses the rights of unaccompanied minors.<sup>33</sup>

The 2018 Amendment complicated irregular migrants' integration into Italian society by frustrating their access to employment and housing, which require citizenship permits. SAI repealed humanitarian protections and refugee status from unaccompanied migrant minors after they turn eighteen, complicating their ability to regularise their immigration status and placing them in legal limbo.<sup>34</sup> Additionally, Salvini's Decree essentially dismantled the Protection System for Asylum Seekers and Refugees (SPRAR), which recruited local authorities to receive and host unaccompanied migrant minors. As stated by Irene and Paoletti, recent reforms are "framed by a logic of creating walls and impediments instead of providing protection and integration".<sup>35</sup>

In this way, adult and minor irregular migrants are at the mercy of the politicians and their policies in Europe - which can fall on a spectrum between intentional exclusion and voluntary acceptance. Increasingly divisive political rhetoric, misinformation, extensive waiting times to obtain citizenship, and new barriers in regularising one's immigration status all contribute to feelings of uncertainty and alienation amongst irregular migrants by keeping them in a state of strategic temporality. They are not fully welcomed, protected, or integrated into the countries they are situated in - an experience facilitated through said countries' migration political structures.

### **Professional Structures**

Professional structures in our analysis are limited to interpreters and legal actors who intervene in the migration process.

### ***Translation and Trust***

In the UK, limited English and/ or low levels of literacy in one's own language make migrants detained in IRCs particularly vulnerable by limiting their ability to understand their experiences and effectively advocate for themselves.<sup>36</sup>

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<sup>30</sup> Brell, C., Dustmann, C., & Preston, I. (2020). The Labor Market Integration of Refugee Migrants in High-Income Countries. *The Journal of Economic Perspectives*, 34(1), p. 95

<sup>31</sup> Italy's Citizen Law Amendment 2018 available at: [Act No. 91 of 5 February 1992 \(Italy\) Article 1 1. The following shall be citizens by birth.](#)

<sup>32</sup> KPMG (13 December 2018). GMS Flash Alert: Immigration Edition. KPMG.

<sup>33</sup> Carvalho, M.I., & Paoletti, I. (2023). Protection of Unaccompanied Migrant Minors in Two European Countries: (Re)Acting or Being (In)Different? *Revista Crítica de Ciências Sociais*.

<sup>34</sup> Ibid (2023: 14)

<sup>35</sup> Ibid (2023: 15)

<sup>36</sup> Martínez-Gómez 2018; Maniar 2019; Elfving and Marcinkowska 2021.

From Rodrick's experience as a caseworker at BID, clients need to trust their interpreter and vice versa, to obtain necessary information for their case. Nadia also emphasised the need for interpreters who were experienced in working with vulnerable adults.

In Greece, these factors are compounded by the racialised treatment of different irregular migrants, complicating their access to interpretation services, fair representation, and support. Strategic exclusion through language is evident in Greece, seen through selective hiring and firing practices. Following the events of October 7,<sup>37</sup> Ms Gavrogiorgos stated that Arab translators were dismissed and replaced with Ukrainian translators, despite the needs of the diverse irregular migrant population. This experience made certain irregular migrants feel "invisible", legally vulnerable, and unsupported.

In Italy, the absence of adequate interpretation services often results in irregular migrants being unaware of their rights and unable to engage with support systems. In the context of Italy's National Referral Mechanism (NRM) for potential victims of human trafficking, the role of interpretation services is crucial. Gulia noted that interpretation services often suffer from underfunding, and also identified individuals who do not speak colonial languages like French or Spanish, as particularly vulnerable - as these language barriers are more pronounced, and access is even more limited.

In Türkiye, on the other hand, cultural similarities between Turkish citizens and irregular migrants do not alter the experience of marginalisation where linguistic differences remain. Ms Alara recalled how institutions like TÖMER attempt to provide language courses for irregular migrants to assist their social integration, but do not deliver high-quality of classes.<sup>38</sup> This restricts the ability of many irregular migrants to assimilate in Türkiye despite their attempts to do so, furthering their experiences of linguistic marginalisation.

In sum, access to interpretation services is paramount. They enhance irregular migrants' access to the legal system, and necessary medical support and allow states to capture potential victims of human trafficking. Some of the most vulnerable groups within the immigration system, e.g., those who speak Semitic languages, are nevertheless often excluded from these services - falling through the cracks due to underfunding and discrimination. Short-term improvements to these services requires increased, sufficient funding to charities and legal advocates through frameworks like legal aid; while long term improvements would entail a sustained financial commitment to diversity, equity, and inclusion in the languages offered by interpretation services, including regional dialects, to further ensure access to justice.

## **Legal Structures**

Finally, we will discuss access to accommodation and systems for victim identification - particularly in the context of human trafficking and modern slavery. Using the UK as a primary case study, we highlight shortcomings in the UK's approach to housing irregular migrants and limitations within legal frameworks for victim identification, ending with suggestions provided by NGO workers.

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<sup>37</sup> On October 7, Hamas and several Palestinian nationalist militant groups launched coordinated armed incursions from the Gaza Strip into the Gaza Envelope of southern Israel, leading to over a thousand casualties and more than 250 Israeli citizens and security force personnel taken as hostages.

<sup>38</sup> Turkish and Foreign Languages Application and Research Center. Further information available at: [Ankara University TÖMER](#) (Accessed: 1 September 2024)

### ***Accommodation and Bureaucratic Miscommunication***

As per the UK Home Office's own guidance, immigration detention should only be used to effect removal, if removal is said to be imminent.<sup>39</sup> Yet, detention is often maintained due to difficulties in sourcing accommodation.

Rodrick accredited these difficulties to unrealistic bureaucratic demands. For example, accommodation and support under Section 4(2) and Section 95 of the Immigration and Asylum Act 1999 requires asylum seekers, failed asylum seekers, and their dependents to demonstrate "destitution" through information applicants are unlikely to have e.g., bank account numbers and sort codes for accounts that have been closed/unused for multiple years.<sup>40</sup>

Even after applications are processed and accepted, there is an issue of sourcing accommodation.<sup>41</sup> Probation Services play a role in delaying the accommodation process because they must approve accommodations sourced by the Home Office for FNOs. This process can take months.<sup>42</sup> BID has raised serious concerns regarding delays in the immigration process since 2014.<sup>43</sup>

Immigration detention in the UK is exceptional in that the Schedule 10 of the Immigration Act 1971 (and subsequent legislation) gives the Secretary of State the power to hold anyone subject to immigration control detained for an indefinite period of time.<sup>44</sup> From a political perspective, the Government uses detention 'sparingly', but in Rodrick's experience this is not the case. In fact, he stated that "detention should not be used as an alternative to housing someone" - suggesting that immigration detention may be used as a means of avoiding the responsibility of housing irregular migrants despite the UK's national and international human rights commitments.

To Turnbull, shortcomings in accommodation allocation reflect the fundamental denial of migrants' liberty, perpetuated through the liminal experience of waiting.<sup>45</sup> The nature of waiting is oftentimes perceived as arbitrary to detainees subject to the time frames and decisions of others, causing physical and mental health deterioration, and making the experience of detention "highly affective and emotional, unpredictable and monotonous... characterised by confusion".<sup>46</sup>

To reclaim a sense of agency, Turnbull argues that irregular migrants deploy strategies like chasing up their caseworkers with phone calls, going on hunger strikes, or even agreeing to return to their countries of origin.<sup>47</sup> Particularly when there are barriers to removal from the UK that are unlikely to be resolved

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<sup>39</sup> Home Office (2023). Detention: General Instructions. Version 3.0. p. 9, 56

<sup>40</sup> Home Office (2022). Asylum Support, section 4(2): policy and process. Version 3.0. p. 9,10

<sup>41</sup> Home Office (2024). How many people are detained or returned?

<sup>42</sup> Ministry of Justice (2024). Foreign National Offenders on Licence, PSS, and IS91 Policy Framework. p. 8-10

<sup>43</sup> Bail for Immigration Detainees (2014). No Place to go: delays in Home Office provision of Section 4(1)(c) bail accommodation. *BID UK*.

<sup>44</sup> Immigration Act 1971; Immigration Act 2016, Nationality, Immigration and Asylum Act 2002

<sup>45</sup> Turnbull, S. (2016). 'Stuck in the middle': Waiting and uncertainty in immigration detention. *Time & Society*, 25(1), p. 61-79.

<sup>46</sup> Turnbull (2015: 64-5)

<sup>47</sup> Turnbull (2015: 71, 73)

expeditiously, and detainees are placed in a state of indefinite temporal spatiality - spatially and socially isolated from the community - larger questions can be raised concerning the extent to which detention is used to serve a punitive function.

Like the UK, irregular migrants in Greece experience accommodation challenges. From the perspective of Mr Lefteris, these challenges can be categorised into two main areas: systemic and civic. The former relate to Greek politicians and policymakers sustaining a “system of no system” – whereby a lack of support for migrants in Greece pushes them to “engage in secondary migration”. The civil challenges result from Greek landlords rescinding tenancy offers or increasing costs upon finding out their potential tenants are Sub-Saharan African or Arab, according to Melanie. It is factors like this which have made the EU label Greece as an ‘unsafe’ place for migrants.<sup>48</sup>

### ***Limitations within Systems for Victim Identification***

Rodrick and Nadia often navigate systems of victim identification, like the NRM<sup>49</sup>, the Adults at Risk (AAR) Policy<sup>50</sup>, and Rule 34 and 35 assessments<sup>51</sup>.

In theory, these mechanisms should inform decision-making and support potential victims of trafficking as they navigate their immigration matters. In practice, they have been inadequate in identifying potential victims and producing consistent outcomes for potential victims and their advocates.

Rodrick admitted that there was no guarantee that a client would be released from detention, even with relevant medical evidence. One of his clients was flagged as a Level 3 AAR due to their experiences at Brook House but kept detained.<sup>52</sup> Following the Brook House inquiry, however, they were granted bail almost immediately - raising questions around the connection between media popularity and equal application of the law, as this judicial outcome was a direct result of the media attention garnered by the Brook House inquiry.

For Nadia, the main limitations involved accessibility and client comprehension. Rule 34 and 35 assessments are legally important, but irregular migrants may not be aware of their significance. Particularly if they are dealing with trauma, think they are in legal trouble, or are overwhelmed by concurrent deportation proceedings. Nadia also highlighted that these mechanisms - especially the NRM - are difficult to navigate, more so if a client has language/ literacy barriers and no access to an advocate for assistance.

In the UK, the NRM is a two tier system, composed of the Immigration Enforcement Competency Authority (IECA) and, ironically, the Single Competency Authority (SCA).<sup>53</sup> As an immigration enforcement

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<sup>48</sup>Law and Policy Freedom United (2024). Hunted and thrown into sea: Greece’s deadly deterrence policy. *Freedom United*.

<sup>49</sup> Home Office (2024). National Referral Mechanism Guidance: adult (England and Wales)

<sup>50</sup> Home Office (2023). Detention: General Instructions. Version 3.0

<sup>51</sup> Home Office (2013). Detention centre rule 35 and Short Term Holding Facility rule 32 process

<sup>52</sup> Eves, K. (2023). The Brook House Inquiry Report Volume II

<sup>53</sup> Detention Taskforce (2024). *Call for Evidence: Inspection of the Immigration Enforcement Competent Authority* (2024:10)

authority, the IECA rejects the majority cases refereed through the NRM - making positive, conclusive reasonable grounds decisions for only 29.2% of cases.<sup>54</sup> This is further compounded by legislation like Section 63 of the Nationality and Borders Act, which created a Public Order Disqualification (POD) to disqualify potential and confirmed victims of modern slavery and human trafficking from protection on the grounds of public order.<sup>55</sup> This severely impacts victims of criminal exploitation, erases the nuances of trafficking, and diminishes the ability of victims to avoid re-trafficking and/or further exploitation.<sup>56</sup>

## Policy Recommendations

Based on our interviews, recommendations from our interviewees to improve the structures discussed above include:

1. Standardised trauma-informed medical/vulnerabilities assessment for all migrants upon arrival at IRCs in the UK - to identify certain aspects of vulnerability bypassed by the legal process e.g., understanding that memory loss is a common response to traumatic events.
2. Those assessed as meeting Level 2 or 3 under the AAR policy in the UK should be released from detention and/or given enhanced support when navigating legal processes like the NRM.
3. Systems for victim identification must be implemented equally. Organisations like BID too often come across cases where the Home Office bypasses its own guidance for vulnerable adults through case mismanagement (e.g., errors in clients' legal documentation), ineffective communication with Probation Services (e.g., accommodation allocation), and extensive detention with no prospects of imminent removal.
4. Allow irregular migrants in Italy to transfer power of attorney to lawyers in NGOs without requiring them to be there in-person, which limits their access to legal and interpretation services. Although this process can be done in the presence of a public notary instead, governments trying to prevent irregular migration, such as the Tunisian government, have tightened regulations against public notaries – resulting in many of them being intimidated out of helping citizens who wish to leave their country.
5. Implement interactive programs between Greek citizens and irregular migrants to address deeply rooted xenophobia linked to Greece's historical emphasis on national homogeneity. These initiatives can challenge misconceptions, build mutual understanding, and promote inclusivity. This approach is particularly relevant given that many Greeks have foreign ancestry yet oppose migration from those same regions, highlighting the need for education and engagement to bridge cultural divides and reduce social tensions.
6. Implement comprehensive hate speech laws in the Turkish media sector - in order to avoid the proliferation of false narratives against irregular migrants, as well as other minorities.

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<sup>54</sup> Detention Taskforce (2024: 3, 5)

<sup>55</sup> Available at: [Nationality and Borders Act 2022](#)

<sup>56</sup> Detention Taskforce (2024: 12)

## CONCLUSIONS

To conclude on this project, we offered an extensive analysis of the transnational structures that irregular migrants navigate. Through this analysis, a general image emerged that highlights the different ways immigration policy is used to systematically frustrate, isolate, and dissuade the arrival and stay of irregular migrants, often through the weaponisation of time and bureaucracy, creating an intentionally hostile environment which places them in a position of liminality with limited agency.

The analysis has also demonstrated glaring gaps within existing legal, political, and professional structures that irregular migrants navigate which must be addressed to ensure their safety, well-being, and dignity. Suggestions such as implementing standard medical/ vulnerabilities assessment for all migrants upon arrival at IRCs and trauma-informed medical responses in the UK system could be the first steps to doing that.

In sum, a concerted, interdisciplinary, transnational European effort is needed to address the ‘migration crisis’. A strategy that does not merely externalise migration controls to third countries, but a solution that strives to uphold existing commitments to Human Rights, acknowledge historic responsibility, and take into consideration the autonomy and wishes of irregular migrants.<sup>57</sup>

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<sup>57</sup> Frelick, B., Kysel, I.M., Podkul, J. (2016). The Impact of Externalisation of Migration Controls on the Rights of Asylum Seekers and Other Migrants. *Journal on Migration and Human Security*, 4(4), 190-220

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