Jenni Russell article, The Times, 7th September 2017

Oh the irony. The Home Office intends to introduce tough new controls on immigration after Brexit. The tone could not be more aggressive. It is provoking fury and retaliation from the EU states whose goodwill we need for a successful deal.

The implication is that we have to be out of Europe to control immigration. That's not accurate. Successive governments have simply failed to use many of the ways in which we could have limited immigration under EU law. If only they had been more thoughtful and careful about this, and had put in half the restrictions they now plan, we might never have provoked the anger that led to Brexit.

Nick Clegg, the former deputy prime minister, is withering about this. "Europe can't understand why we're blaming them for problems of our own making. So much of this was always in our own gift. If we move to checks on biometrics, or residence, that's what lots of European countries have been doing for years."

For a country that is so resentful about migration, we have been astonishingly careless about measuring or managing it. We didn't know who was here for two decades, because Tory and Labour governments removed exit checks in the 1990s, meaning that we had no idea who was staying on. Those controls were only reapplied in 2015 because the Lib Dems insisted on it. The Home Office under Theresa May stubbornly resisted it, petrified about what the figures might reveal. They preferred public rhetoric to effective action.

Britain's next major error was in 2004 when it allowed free access to its labour markets to new members of the EU, including Poland, Latvia, Lithuania and Slovakia. It needn't have done so. These countries had much lower wage rates and less developed economies than the EU norm. Britain had the option of restricting workers' rights to move here for up to seven years. Every other EU country except Sweden and Ireland decided to move cautiously, restricting migration for between two to seven years.

The Blair government didn't, basing its decision on a Home Office report that up to 130,000 people over a decade would move. The ONS calculates that in eight years net migration from the new countries was in fact more than 400,000. The 2011 census showed a large leap in Polish migration alone. In 2001 there were 58,000 Polish-born people here. By 2011 that was 579,000. A laissez-faire attitude was applied to finding out who had arrived in Britain, who had the right to live and work here, and who had the right to access public services. Unlike the majority of the EU, Britain basically neglected to apply most of those controls.

Under EU law there is no absolute right to freedom of movement. After three months any EU migrant must either have a job or a realistic chance of one, be a dependent of a family member who does, or have funds to support themselves, along with sickness insurance. If they don't they can be sent home. Belgium, which registers every visitor within three months and issues them with residence cards, is increasingly strict about implementing these rules, ordering those who fail them to leave.

Britain has not implemented the policy for a simple reason: it has never bothered to get EU residents to register their presence here, has not, until the recent rollout of universal credit, asked welfare claimants their nationality, and has not had any system for requiring EU non-workers to take out

health insurance. In 2013 Theresa May's Home Office admitted it gave all EU citizens unfettered free movement rights and had no way of collecting data on EU welfare claims. Public anxiety about benefit and health tourism has been allowed to grow without any practical action taken to provide reassurance or redress.

In much of the rest of Europe there is less political unease about EU movement because there is more control over who is in the country and on what terms. France, Germany, Austria and Belgium have identity cards; Spain insists that everyone carries national ID. Most of Europe also has contributory health and welfare systems, meaning that only those who have paid in, and their dependents, can claim. Because Britain gives welfare and healthcare largely according to need, not contributions, and has much looser identity checks it is far easier for those not entitled to those services to use them. But all of those systems are within our power to change.

Other EU states are taking advantage of their scope to restrict the movement of cheaper, poorer workers, within existing rules. Germany is clamping down on the employment of Romanians and Bulgarians in the construction industry, arguing that they are not covered by pay-bargaining agreements between unions and employers.

President Macron, desperate to stop French workers being undercut by cheap Polish labour, is demanding that Poland agrees to restrict what he calls "social dumping", where temporary workers are sent by companies to work in France but are paid in Poland at far lower rates. He wants similar jobs to get similar pay, saying anything else is a betrayal of European values.

Britain has been too careless about immigration; too slow to see that its many economic and cultural benefits must be balanced against its social and psychological costs. But it's not the EU that's the problem, it's our own ineffectiveness and complacency. We are veering from too little control to a vengeful approach that could well sabotage our future relationship with the EU. What a miserable, avoidable mess.