CABINET

COLONIAL IMMIGRANTS

Memorandum by the Secretary of State for Commonwealth Relations

My colleagues will expect me to advise what are likely to be the reactions of Commonwealth countries to the Home Secretary's proposal in C. (54) 356. I think it will be convenient for them to have my impressions in this short paper. I can say at once that I agree with his proposal for the appointment of a Departmental Committee to study this question.

2. I should have preferred that the terms of reference of this Committee should be confined to the question of admission and that we should announce that we are prepared to legislate to deport Commonwealth citizens not belonging to the United Kingdom if they are found to be undesirable members of the community, whether by reason of conviction for criminal offences or otherwise, or if they are persistently dependent upon National Assistance. I am sure that we ought to have these powers, and I think all the Ministers who have considered this question were prepared to recommend legislation for this purpose. Nor do I think we should underrate the deterrent effect which the announcement and early passage of such legislation would have on immigrants of the kind which is troubling us, and there is some risk that the bare announcement of the appointment of a Committee may lead to forestalling.

3. I do not consider that we should have difficulty with Commonwealth Governments about such a proposal. All of them except India and Pakistan have powers to deport British subjects which, from time to time, they use against United Kingdom citizens. If, however, there is no prospect of getting the necessary legislation into the programme for the coming session, I agree this should be referred to the Departmental Committee.

4. If we are to get wise and practical recommendations from the Committee, and avoid trouble when we come to take action, the Committee must have all the problems fully set before them; and I think they will find that the enquiry will take longer than some expect. If the Committee is to include someone with special knowledge of the purely Colonial side of the problem, then I must ask for the inclusion of someone with a similar knowledge of those aspects which concern the self-governing Commonwealth countries. The effect of any restrictions on entry upon citizens of those countries is an integral part of this problem. Any action which may weaken the ties which help to bind the Commonwealth together is a matter of direct interest to the United Kingdom, and it is important that this side of the question should be given full weight.
5. I appreciate the force of the contention that, if we are to legislate for restrictions on the entry of British subjects into the United Kingdom and their employment here, the legislation should be non-discriminatory in form. This will not, however, conceal the fact that the problem with which we are in fact concerned is that of coloured immigrants from Colonial territories. In fact we shall welcome the comparatively few good young Canadians or New Zealanders who wish to work here, while restricting an excessive number of West Indians or West Africans. Other Commonwealth countries have this problem. And the fact that in some instances their legislation is non-discriminatory in form while their administration is discriminatory in practice has been strongly objected to by India. But we too shall have to discriminate in practice if we are "to operate with the minimum of inconvenience to Commonwealth citizens".

6. The old Commonwealth countries have powers to control the admission of British subjects. They therefore could not reasonably object if we do the same. But I should expect them to look at the substance of what we propose rather than the form. Unless we are in a position to give the public in Commonwealth countries some assurance as to how restriction on entry will work in practice, we must expect to be criticised by the public and Press in these countries. I fear this may deter Commonwealth citizens who come here in large numbers not only as short-term visitors but in order to study or to take employment or to try their luck.

7. The Home Secretary suggests that it will be neither necessary nor desirable to extend the control to citizens of the Irish Republic. I fully appreciate that for practical reasons it would be difficult to control traffic between the Irish Republic and Great Britain. But I fear we shall be criticised in Commonwealth countries if we give to citizens of the Irish Republic, which has left the Commonwealth, more favoured treatment than we give to the Commonwealth countries themselves.

8. It will, as the Home Secretary says, be necessary before any announcement is made to give Commonwealth Governments its text and to explain to them what is in our minds.

SWINTON

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