Firewalls

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Firewalls: A necessary tool to enable social rights for undocumented migrants in social work

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Abstract

Firewalls are clear divisions between border policing and the provision of basic social rights. They have a dual character: to ensure that no information collected with the purpose of safeguarding basic social rights should be shared for immigration control purposes; and that migrants should not be subject to immigration control when being present at, or in the vicinity, of religious, private and public institutions upholding and providing social rights. This article suggests a normative

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argument for 'firewalls' in the context of social work and develops the concept theoretically as a principle practised and negotiated at different scales.

Introduction: The urgency of firewalls

Firewalls prohibit information sharing about undocumented migrants[1] between social rights providers and immigration control authorities, and limit the ability of the latter to conduct immigration control inside or within the vicinity of social rights providers' facilities. In this article, we present (1) a normative argument for firewalls in social work with undocumented migrants based on professional ethics linked to social rights conventions, and (2) a theoretical development of the concept of firewalls through a discussion about how they are practised and negotiated at various scales.

The basic social rights of undocumented migrants are broadly defined by Articles 22–27 in the Universal Declaration of Human Rights (United Nations [UN] General Assembly, 1948) and include the rights to social security (Art. 22), an adequate standard of living (Art. 25), and basic education (Art. 26). Previous research has pointed to the challenges that migration and the social problems of undocumented migrants pose for the national basis of social work (Jönsson, 2014). We propose firewalls as a way for social work to maintain its role as society's ultimate safety net, in a world increasingly characterized by cross-border human mobility and an expanding deportation regime, where those who should be excluded from the state are identified and managed (De Genova and Peutz, 2010).

Apart from being a safety net, a place of care and responsiveness to rights claims, social work has also historically always been involved in contentious practices of control in relation to social issues. Social workers may confuse the scope of their controlling responsibilities with that of the immigration authorities, but in this article, we put forward a number of arguments for why immigration control must never be the responsibility of social workers. Firewall principles and practices, we suggest, are a necessary consequence, and a prerequisite, for basic protection of social rights, as well as for maintaining the ethics of the social work profession in contemporary diverse societies.

A few key examples highlight the variations in how firewall practices and principles in Europe today are practised and negotiated in social work. In the United Kingdom, the 'Hostile Environment' (Price, 2014) for undocumented migrants is characterized by the almost complete lack of firewall practices within social work. Prior to completing an assessment of need, social workers commonly screen for immigration status through a joint database information-sharing scheme between local authorities and the immigration authorities (No Recourse to Public Funds [NRPF] Network, 2018). Furthermore, immigration officers in the United Kingdom may be involved as 'State-associates' in social work teams (Meade, 2016). Similarly, in France, the state recently initiated administrative immigration controls on all beneficiaries of emergency housing. However, protests from migrants' rights activists and critique from the French Ombudsman resulted in a ruling from the Supreme Court of administrative law, which interpreted that residents at the facilities have the right to not talk to any officials and that information should not be shared without their consent (Conseil d'État, 2018). Furthermore, in Sweden, in the summer of 2017, the border police raided a summer camp organized by the Church, which was attended by undocumented families. Border police have also approached the social services in the city of Malmö in southern Sweden with a request for the addresses of more than 200 undocumented migrants. These incidents had serious consequences for several of the individuals, who were deported – in many cases to countries where the families had not been living for years (Lind, 2019).

The above examples relate to a relentless ethical, legal and political dilemma for contemporary social work, to which there is no general solution or answer, but which it is our intention in the present article to reach beyond: *the tension between social work as society's outmost safety net, based on equal social rights for all, and social work's responsibility to carry out democratically adopted migratory and other regulations* (cf. Corrigan and Leonard, 1978). In what follows, we draw on the above dilemma as a circumstantial companion throughout our analysis. Our aim is to develop a normative and theoretical understanding of firewall principles and practices, that is, processes through which clear divisions between migrant policing and provisions of basic rights may be established and maintained. This normative and politically topical study relates to what has been described as unprecedented challenges in social workers' encounters with human mobility. Transnational connections raise relational, emotional and organizational dilemmas far from 'emancipatory' accounts of mobility (Righard and Boccagni, 2015).

In the following sections, we first discuss our methodology and then place the concept of firewalls within previous research on Sanctuary Cities. After this, we present our normative argument for firewalls as based in professional ethics and international law. This leads us into our theoretical argument, where we provide a developed conceptualization of firewalls that highlights their dual character and the various scales where firewalls are negotiated. Building on this, we discuss further how the notion of firewall principles and practices helps to understand the processes through which these negotiations take place.

Methodological standpoints

This study was conducted over a 6-month period and was carried out through individual work by each co-author, as well as three collaborative workshops and three additional meetings where firewalls as a practice and principle, social rights, sanctuaries and other related notions were elaborated. Much time was put into a collective conversation about social work ethics, human rights in the context of irregular migration, and the current repressive developments in debates on migration and welfare issues in Sweden and other European states. The collective conversations and the practical work on the article were characterized by politically informed conversations where we shared experiences of working with support and advice in a context of irregular migration. In our unpacking of firewall principles and practices, and identification of scales of negotiations, the contributing authors' previous experiences from theoretical as well as practical social work were imperative. Much conversation during our workshops circled around what we had learned since the last time we met, in terms of reading, thinking and acting for or on behalf of undocumented migrants in our respective positions. We also shared individual examples and knowledge about the situation in different countries and, not least, engaged in a concerned conversation about how we could contribute to better protection in the field of social rights. Importantly, the group together has decades of experience of social work in the context of immigration to Sweden, including irregular migration.[2]

A literature study was conducted by two co-authors, of previous research that directly or indirectly discusses firewalls with regard to the deportation regime. This included a brief review of the critical migration literature on Sanctuary Cities and a search for the concept of 'firewalls' in relevant literature databases. Moreover, international developments in the United Nations' and regional organizations' recommendations on firewalls were studied to comprehend how the concept has evolved and been framed in international policy decisions. One of the co-authors also collected existing ethical guidelines from social work unions and other bodies to explore potential professional-ethical arguments. In the analysis, we furthermore used the exchange of practical knowledge from previous activist work that had been conducted together with or on behalf of undocumented

migrants. Our previous theoretical and political involvements and multidisciplinary backgrounds, in law, human rights and social work, were apposite in our mutual contributions.

In order to frame the discussion in a context of the above dilemma, we identified the following assumptions regarding the role and function of contemporary social work, which informed our analysis. Our *first assumption* was that social work practice tends to be carried out in places where people, including undocumented migrants, are in vulnerable situations where access to basic social rights is particularly important (Furman et al., 2012: 170). A *second assumption* concerned the governance of social work: whereas regulations vary in scope and content, a transnational principle of the social work profession is to act in solidarity while taking part in social work (International Federation of Social Workers [IFSW], 2014). A *third assumption* was that social work takes place in diverse places and in relation to various institutions in society. Social workers fulfil the role of enabling or making legitimate claims for basic welfare such as food, shelter, a home, healthcare and so on. Expressed in another way, social work is meant to be a human rights–based profession (Healy, 2008).

These assumptions about social work relate to encounters brought up by the IFSW (2018) in their international guidelines for social workers. In these, human rights and social justice are important elements of social work. Social rights, in this context, are the basis for access to welfare provision and have both ethical and legal implications. Ultimately, basic social rights mean entitlement to certain living conditions (The Union for Professionals, 2015) that are considered so important that they have been recognized in international treaties. Furthermore, the IFSW *Statement of Ethical Principles* (2018) guides each social worker to challenge inequalities and discrimination in all its forms. Social workers should enable people to be in charge of their lives, providing that they do not seek to harm or abuse others. The principles also recognize the fact that the loyalty of social workers is often pulled between conflicting interests: demands for efficiency and utility may be in stark contrast to the interests of vulnerable groups (IFSW, 2014).

Earlier research: Firewalls in Sanctuary Cities

Apart from the work by Joseph Carens (2013) and François Crépeau and Bethany Hastie (2015), scientific discussions about the firewall concept have been limited. However, the literature on Sanctuary Cities (see e.g. Lundberg and Strange, 2017) and studies of social work practices in the context of irregular migration (Cuadra and Staaf, 2014; Nordling, 2017) do consider certain firewall practices without naming them as such. Migration scholar Harald Bauder (2017), in his review of the Sanctuary Cities literature, suggests that the concept of sanctuary is ambiguous and involves 'a wide range of different policies and practices' (p. 3). Here, we refer mainly to the part of the literature that gives examples of locally created and enacted policy and practice that make undocumented migrants' access to rights provisions without fear of migration control possible. Drawing mainly on research from North America, this section also serves as a further exemplification from outside of Europe of how firewalls are practised and negotiated.

Peter Mancina (2016) analyses sanctuary practices in one of the earliest and most progressive cities in the United States in terms of sanctuary initiatives, San Francisco. Mancina describes how a number of firewall practices (without identifying them as such) have been established and negotiated in the city. These include protocols for front-line staff on how they could serve all residents regardless of legal status (including policies on confidentiality and limiting information sharing with the border police); the Housing and Homeless Division policy of not allowing immigration officers to enter their shelters to take someone into custody for deportation purposes; and the San Francisco Sheriff's Department's argument against the immigration enforcement authorities' requests that the Department should share information about their detainees with them (Mancina,

2016). Concretely, the Department adheres to a policy of not asking detainees about their immigration status and therefore they have no information to share. This 'Don't Ask Don't Tell' policy has also been employed by the police and schools in Toronto, Canada, among other places (Villegas, 2018). In some of the cities, municipal identification cards are issued to enable undocumented migrants to carry valid ID. Activist scholar Harsha Walia (2014) suggests that the Sanctuary City movements have learned that sanctuary practices are always the result of activist work and need to be defended and continuously constituted 'by us – service providers, educators, healthcare professionals, and neighbours – on the basis of solidarity and mutual aid'. The Sanctuary City movement (Bauder, 2017) has increased greatly in recent years in response to the repressive policies of the Trump administration. Around half of the US population now live in a state, county or city that refuses some level of cooperation with immigration authorities regarding undocumented migrants (Dinan, 2018).

Sanctuary City firewall practices, although not explicitly related to social work, are relevant also when basic social rights are negotiated in social work without the support of a Sanctuary City framework, such as when the sphere of rights bearers is extended beyond persons with a residence permit. Vanna Nordling, in her doctoral thesis on Swedish social workers' encounters with irregular migration, describes such practices as acts of citizenship (Nordling, 2017). Nordling's study draws on the same experiences that the Sanctuary City movement illustrates, namely that immigrants with insecure legal status may be active citizens. They work, go to school, make friends, follow the laws, pay consumption taxes and give birth to children. Many have been part of their new communities for many years or even decades. They also encounter all kinds of social work when they come into contact with school counselling, support for disability and other support programmes, or when they seek emergency housing and social support. In this manner, people being subject to the laws in a community can also claim some form of social membership. This argument will be elaborated on in the next section as a foundation for equal access to basic social rights (Benhabib, 2004 [cited in Gibney, 2009]; Carens, 2013).

Ethical, professional and legal foundations

Before we engage in a closer theorization of firewall principles and practices in social work, we need to reflect on the implications of the practice and non-practice of firewalls as well as their normative and legal foundations.

Normative foundations: Firewalls as a professional-ethical issue

The first foundation for firewalls that we have identified constitutes the normative balancing acts that many social workers face in the contemporary 'super-diverse world' (Vertovec, 2007). These balancing acts are shaped in the context of ethics in a broader sense, and relate to what Furman et al. (2012) describe as three ethical dilemmas that confront social workers when faced with people whose legal status is insecure. Social workers in these encounters first have to balance their duty to obey the law versus their duty to adhere to professional values. Second, confidentiality is one of the core values of the social work profession and hence needs to be upheld. If confidentiality is undermined, clients will not engage with social work services and treatment. Providing information to comply with immigration laws may then actually lead social workers to undermine the value of confidentiality. Third, Furman et al. argue that social workers may be forced to decide between the welfare of one client versus the well-being of their whole institution. Supporting migrants with insecure legal status might lead the social worker to ignore or circumvent certain laws that are central to other parts of their work: 'This dynamic threatens to pit human service agencies against their

most vulnerable clients, and the ones that are most in need of services' and to undermine the fundamental idea in social work of being a needs-oriented profession (Furman et al., 2012: 179).

A partial answer on how to handle the above contemporary dilemmas may be found in the Global Definition of Social Work adopted in 2014 by the IFSW, which outlines the core aspects of the discipline:

> Social work is a practice-based profession and an academic discipline that promotes social change and development, social cohesion, and the empowerment and liberation of people. Principles of social justice, human rights, collective responsibility and respect for diversities are central to social work. Underpinned by theories of social work, social sciences, humanities and indigenous knowledge, social work engages people and structures to address life challenges and enhance wellbeing.

This definition is also present in the ethical code that was updated in the summer of 2018 by IFSW. The code also states that social workers act in solidarity with people and struggle for justice, partly through bringing the attention of their employers and politicians to unfair and harmful practices (Paragraph 3.4). In terms of social rights obligations, it is stated that social workers often work with people to find an appropriate balance between competing welfare rights (Paragraph 2). With regard to firewall practices, while not explicitly mentioned, social workers are to respect and work in accordance with people's rights to confidentiality and privacy, unless there is risk of harm to the self or to others, or other statutory restrictions (Paragraph 6); they must act with integrity (Paragraph 9.4), and social workers and their employing bodies should foster and engage in debates to facilitate ethically informed decisions that consider international social rights obligations (Paragraph 9.8).

Legal foundations: Firewalls in international law and policy recommendations

The firewall principle and practices in an international context gain justification, in broad terms, from a variety of sources in international human rights treaties that states voluntarily committed to comply with and implement. These are to a large extent relevant to the social work profession and its organization. Furthermore, these are also firmly grounded in the non-discrimination obligation under international human rights law (Brownlie, 2012; also see Office of the United Nations High Commissioner for Human Rights [OHCHR], 2014; Platform for International Cooperation on Undocumented Migrants [PICUM], 2019). Firewalls may also be supported by reference to the proportionality principle, which requires that authorities strike an appropriate balance between competing interests, such as immigration control and basic social rights in the state. For example, the proportionality principle may constrain immigration enforcement activities around schools or in hospitals. By seeking to enforce immigration control in these settings, there is a danger that individuals who are exposed to immigration enforcement procedures will stop using these services, thus resulting in a disproportionate interference with the right to essential social rights (FRA European Union Agency for Fundamental Rights, 2013). Firewalls gain further support from the principle, most clearly articulated in European human rights law, that rights must be 'practical and effective, not theoretical and illusory' (European Court of Human Rights [ECtHR], 1979).

Numerous human rights bodies of the world community, as well as international agencies, have suggested that undocumented migrants are entitled to basic social rights in the country where they reside (see e.g. European Commission against Racism and Intolerance [ECRI], 2016; FRA, 2013; Global Migration Group, 2010; UN Convention on the Rights of the Child [UNCRC] & Committee of Migrant Workers [CMW], 2017a, 2017b). According to these institutions, basic rights should be accessible to undocumented migrants on an unconditional and non-discriminatory basis. Hence, if someone is injured, they should have the right to emergency care; workers should have the right to get paid and to have safe working conditions; victims of crime should have the right to help and support from the justice system; if someone is suspected of having committed a crime they should have the right to a fair

trial; and no one should be subjected to torture. Whereas these latter rights – not to be subject to torture and to have a fair trial – are not controversial, rights such as healthcare or social protection are less firmly established. In this article, we will not get involved in listing which rights undocumented migrants ought to be entitled to, but refer to the substantive social rights of the Universal Declaration of Human Rights (see Articles 22–27, UN General Assembly, 1948).

Nevertheless, it is important to ask what measures should be taken to implement firewall principles, according to international bodies. Among recommendations to the UN General Assembly in 2017, the then UN Special Rapporteur on the Human Rights of Migrants explicitly highlighted the importance of firewalls between immigration enforcement and public services, as these allow for 'access to justice, housing, health care, education, police, social and labour services . . . without fear of detection, detention and deportation' (UN General Assembly, 2017, Paragraph 67).

Where children are concerned, it is emphasized that they, regardless of legal status, must be given access to the services and benefits they are entitled to under the United Nations Convention on the Rights of the Child (UN General Assembly, 1989). As stated in a recent joint general comment by the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the Committee on the Rights of the Child, the firewall principle is 'necessary to uphold data protection principles and protect the rights of the child, as stipulated in the Convention [on the rights of the Child]' (UNCRC & CMW, 2017a, Section 17). This can only be achieved through a clear separation of migration management and other public activities (UNCRC & CMW, 2017a, Section 17).

On a European level, in relation to data protection specifically, the new European Union (EU) General Data Protection Regulation (GDPR) may also offer additional protection of fundamental privacy rights of undocumented migrants, at least within EU member states. Further research on this specific area is indicated. There are also specific regional European initiatives for firewalls; for example, the European Commission against Racism and Intolerance ECRI (2016) recognizes the principle of non-discrimination and the requirement that rights must be 'practical and effective' as the basis for firewalls. Furthermore, the ECRI highlights the importance of clear legislation and accompanying guidance so that actors in both private and public sectors are prohibited from contacting migration authorities, apart from in special cases. Provisions of this kind should be subject to appeal and control mechanisms so that legal certainty is not violated (ECRI, 2016, Paragraph 12). In relation to social work specifically, The European Committee of Social Rights ([ECSR]; Council of Europe) has explicitly recognized, on the basis of the principle of non-discrimination, that emergency social assistance should be provided to 'all persons requiring it, including those who are unlawfully present, for as long as their need for it persists and whenever the need arises' (ECSR, 2009, quoted in OHCHR, 2014).

Drawing on these ethical and legal foundations for firewalls, we argue for the basic assumption that social work starts from the position of individuals' needs and basic rights. We therefore assume that ethical guidelines are intended to support social workers in their protection of access to basic social rights. In order to be sustainable, the guidelines further need to be complemented with strict regulations and be re-invented in everyday practice.

Defining firewalls: Dual character negotiated at various scales

Grounded in this overview of previous studies and ethical and legal foundations, we now respond to Carens' (2013) call for a firm legal principle:

> . . . that no information gathered by those responsible for protecting general human rights can be used for immigration enforcement purposes. We ought to guarantee that people will be able to pursue their human rights without exposing themselves to arrest and expulsion. (p. 133)
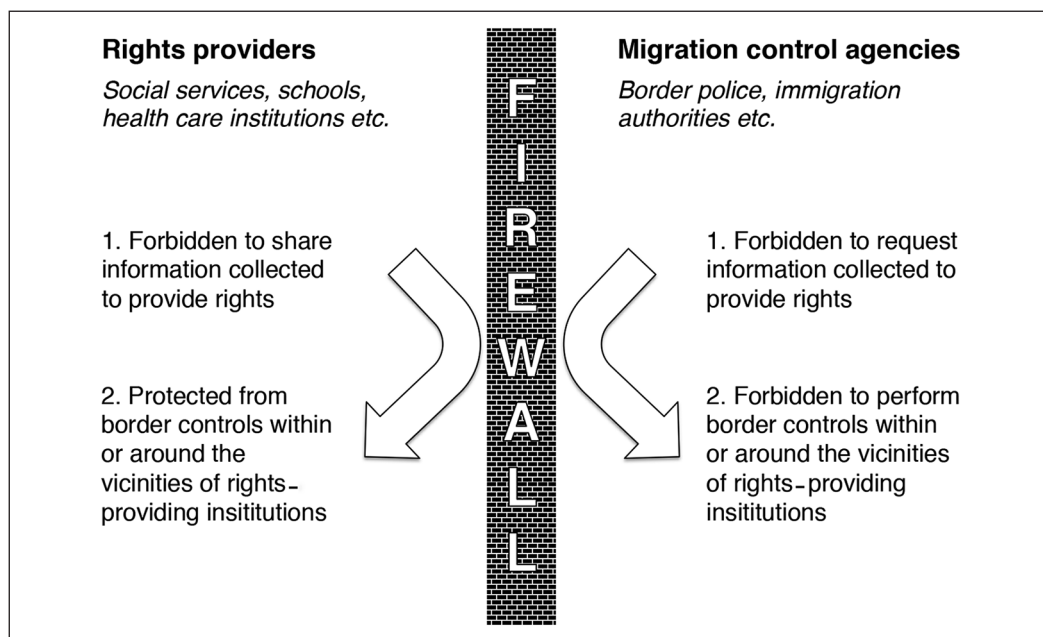
| **Rights providers** | **F** | **Migration control agencies** |

Figure 1. The dual character of firewalls.

This definition points to the dual character of firewall principle and practices, where both information sharing and physical interference should be prohibited. The meaning of the firewall and its dual character is illustrated in Figure 1 above.

The first aspect of the firewall principle states that information and data registered as part of welfare provision should not be shared with the immigration authorities, and immigration authorities should not request information registered for such protection. Importantly, if there is a breach of the firewall from the social service provider's side, the police have a responsibility not to act on such information. With regard to our examples in the introduction of the present article, this would imply that the police must not approach the social services for the addresses of people with an irregular migration status, and the social workers should under no circumstances share such information (even if they are requested to do so).

The second aspect of the firewall principle states that people must be guaranteed to be able to pursue their human rights without risking arrest and expulsion. Whereas this 'physical' aspect of the firewall principle is overlooked by some international bodies (see e.g. ECRI, 2016), we argue that this includes a range of places of rights provision. When being present at, or in the vicinity of, religious, private and public institutions upholding and providing human rights, migrants should not be subject to searches or detention on the basis of their immigration status. Such places may include the offices of social services, schools, nurseries or religious institutions. However, the fact that immigration control practices should not take place in or around these places does not mean that migrants cannot be arrested as part of a criminal investigation. For example, there are specific rules on patient confidentiality that, although not formally termed firewalls, serve to prevent data sharing in relation to all patients, regardless of immigration status. This approach demonstrates how states, and their representatives such as social workers, are already balancing individual rights against the imperatives of law enforcement. The catalogue of places and institutions is not

Table 1. Scales of firewalls principles and practices.

	Social service provision	Border policing
Personal attitudes	Individuals navigating an uncomfortable issue and managing dilemmas through professional ethics	Individuals navigating an uncomfortable issue
Informal policy	Unwritten inclusionary practices at local offices	Unwritten exclusionary practices at local social service provision offices
Formal policy	Written and explicit policies at local offices	Internal policies prohibiting certain methods for border policing
National and international law	National and international law directly prohibiting information sharing	National and international law directly prohibiting certain methods for border policing

exhaustive, and nor is there a complete list of rights that undocumented migrants should be entitled to. To avoid breaches of legal and ethical obligations in the context of social work, collectives of social workers should explain to immigration enforcement agencies the harm of such searches and establish formal or informal firewall agreements with them on different scales. The following expanded definition of the firewall principle that we have developed is possibly a starting point for such a project:

> No information collected with the purpose of protecting access to human rights should be requested, shared or used for migration law enforcement. When being present at, or in the vicinity of, religious, private and public institutions upholding and providing human rights, migrants should not be subject to searches or detainment on the basis of their legal migratory status.

The examples described in the introduction and the section on Sanctuary Cities point to the dual character of firewalls and also to the various scales on which they operate. In Table 1, we conceptualize the key scales that we have identified when exchanging experiences of activist work and encounters with undocumented migrants, and provide examples, in each case, of practices through which firewalls are negotiated. We believe that developing firewalls means addressing all these levels, from attitudes of professionals on both sides of the wall, via informal and formal policies, to 'firm legal principles' as Carens (2013) calls for.

Personal attitudes

Based on the IFSW guidelines, the social worker has a moral obligation to take the side of someone in a disadvantaged and marginalized position. This ideal may, however, come into conflict with other ideals, such as following regulations. Furthermore, a police or migration officer could also refrain from entering social work institutions based on a personal view that it is wrong since it harms people. In some cases, individual officers can choose to ignore rules that would require that they have to breach firewalls in their professional work based on personal convictions. What we want to highlight here is that personal attitudes are an important factor in how firewalls are practised, since they lose their meaning if they are not continually re-invented in the everyday work of individual people.

Informal policy

Informal policy can include, for example, semi-formal agreements that have been turned into a common local practice. This could be part of an overall policy on information and data protection,

or a local agreement between social services and border police that the latter refrains from entering social service facilities. One can consider, for example, an informal policy where social workers always tell the police they will call back when the police call and request information about an undocumented migrant, so that the social worker has time to warn the person concerned (a routine used in healthcare systems; see Hermansson et al., 2019). Another informal policy could be a decision to not register undocumented migrants' home addresses (a routine used in libraries; see Lundberg and Dahlquist, 2018). Such policies are often the result of a combination of claims by migrant rights groups and workplace organization among professionals, and they can be an important aspect of how undocumented migrants' rights are protected in local settings.

Formal policy

Formal policy agreements are written rules that instruct the work of an organization, which may be interpretations of laws in relation to firewalls or that may have developed in an organization over time as the role of the organization is discussed. Formal policies often occur as responses to questions such as the following: Is it possible to be granted emergency support and other social support anonymously or with outdated ID documents? Do regulations demand that social services check an applicant's background story with immigration authorities, or are there ways of circumventing this? Is there mandatory police reporting in, for instance, cases of drug addiction, domestic violence or prostitution? If so, are the regular police reporting to immigration authorities or could information leak? One example of a more rigid formal policy in Sweden is how the national police organization has established their own written rules limiting their ability to arrest undocumented migrant children in schools. Such policies can be very effective while they are in place, but it is important to remember that they can swiftly be withdrawn. Ultimately, formal legal safeguards are needed.

National and international law

On the level of national law, the possibilities for creating firewalls in legislation are nearly endless, and mostly limited by political will and juridical (non)imagination. Existing legislation on, for example, data protection, patient confidentiality and child protection may constitute firewalls in practice without identifying (on their own) such protections as 'firewalls'. Such legislation, at the national level, often aims to give effect to international human rights principles, including social rights treaties. This indicates the importance of international treaties in the development of firewalls in national legislative settings.

Discussion: Firewall principles and practices in social work

Firewalls are not 'fixed walls made out of bricks'. It is their function of separating fire cells that the metaphor refers to, not the rigid, permanent character of a wall. From our discussion on the normative and ethical need for firewalls in social work in super-diverse societies (Vertovec, 2007), we conclude that it is useful to talk about firewall *principles* and *practices*. This helps to better understand the processes involved when firewalls are continuously erected and dismantled in social work. This plays out in a tension between control and care on one hand, and capitalist forces, an expanding deportation regime and logics of neoliberalism on the other (Corrigan and Leonard, 1978; Kamali and Jönsson, 2018). Through the actions of professional groups such as social workers, civil servants, politicians as well as migrants themselves and their support networks, firewalls ought to be fought for and upheld.

It is completely possible, and highly needed, to introduce firewall regulations on various scales in social services to ensure the basic rights of undocumented migrants. Practical routines that draw from a clear and justifiable professional ethic can achieve much, but legal certainty regarding basic social rights for all is unambiguously reinforced through statutory firewalls between the border police and municipal social services and other social activities. An ethics of firewall practices and principles within social work also serves a broader purpose.

First, the firewall idea offers perspectives and tools that are important in an ongoing discussion of professional ethics. A central question in contemporary social work concerns professional ethics in social work with undocumented migrants in times of austerity politics (Scarpa and Schierup, 2018). Of central importance in this context is also how it can be ensured that the concerned individuals – who reside with a constant risk of deportation – are informed of the routines developed by social workers to protect their social rights, including work to create trust in the profession. In contemporary nationalist and populist political propaganda in the Western world, migrants are commonly portrayed as a threat to the welfare of citizens. However, it is well established in social research that austerity politics are the key to understanding how access to basic social rights in Europe is currently undermined (see Kamali and Jönsson, 2018; Scarpa and Schierup, 2018: 199). In the context of recent changes in Swedish migration management, which has taken a clearly restrictive turn, an increased nexus has been identified between restricted welfare and the deportation regime (for a discussion about Sweden, see Dahlquist and Neergaard, 2019; Lundberg, 2017; Scarpa and Schierup, 2018: 199). The latter here serves to fuel government's unbending adherence to austerity politics.

Second, firewall principles and practices offer perspectives on how to analyse alliances and solidarity with groups on society's margins, in social work research and education. Issues that deal with political action, critical perspectives on law and professional ethics in a diverse world are becoming increasingly important to education and research in social work. This presupposes that social work education is rooted in the practice of social work in a society in which people with different legal status live side by side.

Third, the firewall principle and practice offer perspectives and tools for new transnational institutional arrangements and public debate. Together and in solidarity with undocumented community members, research about firewall practices and principles can contribute to the social debate and work for a society in which all inhabitants have access to welfare. The likelihood of achieving this primarily depends on how many allies advocate this progressive line.

There is a need for further research into how restrictive policies limiting migrants' access to social rights spill over to marginalized groups of citizens to make way for the undermining of welfare systems in general. From this perspective, migrants are not a threat to the welfare state, but rather, by protecting the rights of migrants and their access to rights through firewalls, one potentially protects the integrity and welfare of citizens as well.

Conclusion: Regularization is the long-term solution

Our starting point of this article was the fact that social workers in Europe increasingly face dilemmas associated with irregular migration and immigration control, and become part of a system where migrants whose status has been irregularized are gradually pushed into destitution (Farmer, 2017). Facing a 'rights trap', migrants must bring themselves to the attention of migration authorities in order to access rights. Basic social rights are thus not denied directly but indirectly, as a result of migration control practices (Gibney, 2009). As a consequence, people refrain from approaching the social services, even if they need support and might be entitled to at least emergency support, because they are afraid of being subject to detention and deportation. And since the

number of undocumented migrants looks set to rise in today's Europe (Crépeau and Hastie, 2015), social workers need to enact firewalls.

A striking question that lacks an answer is whether firewalls are a practical and long-term solution. The tradition of social work has always been a lively and engaging encounter with new situations and needs, such as advocating rights in solidarity with children, LBTQ+ or women, which have led to legislative changes and improved professional ethics. These issues are a constant struggle, and they often emerge in repressive times. Whereas the firewall principle and practices are not new, they exist in embryonic form in today's bureaucraticized welfare systems with strong populist forces. This requires strategies within social work, based on the clear professional ethics and social rights treaties of protecting access to welfare on equal terms. We believe that firewalls can be a productive tool for professional-ethical social work and beyond, and with the strong foundations presented above, firewall practices appear to be possible to implement.

In the long term, the development of regularization processes and pathways for citizenship (individual as well as, periodically, group oriented) should also be considered, that is, after some time as a resident it should be possible to hand in a notification of regularization. Then, there should be paths to a permanent residence permit and citizenship.

The academic social work discipline needs to work for societies that embrace diversity and welcome new members, and contest developments that polarize and exclude. This is crucial if social work is to maintain its fundamental role in a world increasingly characterized by both cross-border human mobility and austerity politics.

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Notes

1. We use the common term 'undocumented migrants' in this article as a reference to a situation where a person lacks a formal residence permit in the state where they reside. Other notions used in discussions about irregular migration are 'irregular migrants', 'irregularised migrants' or 'undocumented persons' and so on. A common denominator for all discussions around the position of undocumentedness is the ever-present risk of deportation (De Genova, 2002).
2. The authors have been involved with academic, professional and activist social work in various settings in Sweden, over the last decade. These activities have included working with reception of newly arrived migrants, providing legal advice in a context of irregular migration, and teaching in universities as well as to broader audiences.

References

Bauder, H. (2017) 'Sanctuary Cities: Policies and Practices in International Perspective', *International Migration* 55(2): 174–87.
Benhabib, S. (2004) *The Rights of Others: Aliens, Residents, and Citizens*, Vol. 5. Cambridge: Cambridge University Press.

Brownlie, I. (2012) *Brownlie's Principles of Public International Law*, 8th edn. Oxford: Oxford University Press.

Carens, J.H. (2013) *The Ethics of Immigration*. New York: Oxford University Press.

Conseil d'État (2018) 'Décision du 11 avril 2018, Fédération des acteurs de la solidarité et autres, N° 417206 [Federation of solidarity actors and others]'. Available online at: https://www.conseil-etat.fr/ressources/decisions-contentieuses/dernieres-decisions-importantes/conseil-d-etat-decision-du-11-avril-2018-federation-des-acteurs-de-la-solidarite-et-autres (accessed 20 December 2019).

Corrigan, P. and P. Leonard (1978) *Social Work Practice Under Capitalism: A Marxist Approach*. New York: Springer.

Crépeau, F. and B. Hastie (2015) 'The Case for "Firewall" Protections for Irregular Migrants: Safeguarding Fundamental Rights', *European Journal of Migration and Law* 17(2–3): 157–83.

Cuadra, C.B. and A. Staaf (2014) 'Public Social Services' Encounters with Irregular Migrants in Sweden: Amid Values of Social Work and Control of Migration', *European Journal of Social Work* 17(1): 88–103.

Dahlquist, M. and A. Neergaard (2019) 'Crisis of Solidarity? Changing Welfare and Migration Regimes in Sweden', *Critical Sociology* 45(1): 121–35.

De Genova, N. (2002) 'Migrant "Illegality" and Deportability in Everyday Life', *Annual Review of Anthropology* 31(1): 419–47.

De Genova, N. and N. Peutz (eds) (2010) *The Deportation Regime: Sovereignty, Space, and the Freedom of Movement*. Durham, NC: Duke University Press.

Dinan, S. (2018) 'Half of All Americans Now Live in "Sanctuaries" Protecting Immigrants', *The Washington Times*. Available online at: https://www.washingtontimes.com/news/2018/may/10/half-of-americans-now-live-in-sanctuaries (accessed 20 December 2019).

European Commission against Racism and Intolerance (ECRI) (2016) 'General Policy Recommendation No. 16 on Safeguarding Irregularly Present Migrants from Discrimination'. Available online at: http://www.refworld.org/docid/581318d64.html (accessed 20 December 2019).

European Commission of Social Rights (ECSR) (2009) '*Conclusions (XIX-2) on the Application by Luxembourg of the European Social Charter*'. Available online at: https://www.coe.int/en/web/european-social-charter/national-reports (accessed 20 December 2019).

European Court of Human Rights (ECtHR) (1979) '*Airey v. Ireland, Series A No. 41, § 26*'. Available online at: http://hudoc.echr.coe.int/eng?i=001-57420 (accessed 20 December 2019).

Farmer, N.J. (2017) "No Recourse to Public Funds", Insecure Immigration Status and Destitution: The Role of Social Work?', *Critical and Radical Social Work* 5(3): 357–67.

FRA European Union Agency for Fundamental Rights (2013) '*Apprehension of Migrants in an Irregular Situation – Fundamental Rights Considerations*'. Available online at: https://fra.europa.eu/sites/default/files/fra-2013-apprehension-migrants-irregular-situation_en.pdf (accessed 20 December 2019).

Furman, R., A.R. Ackerman, M. Loya, S. Jones and N. Egi (2012) 'The Criminalization of Immigration: Value Conflicts for the Social Work Profession', *Journal of Sociology and Social Work* 39(1): 169–85.

Gibney, M. (2009) 'Precarious Residents: Migration Control, Membership and the Rights of Non-Citizens', *Human Development Research Paper 2009/10*. Available online at: http://mpra.ub.uni-muenchen.de/19190/ (accessed 20 December 2019).

Global Migration Group (2010) '*Statement of the Global Migration Group on the Human Rights of Migrants in Irregular Situation*'. Available online at: https://globalmigrationgroup.org/system/files/uploads/news/GMG%20Joint%20Statement%20Adopted%2030%20Sept%202010.pdf (accessed 6 May 2020).

Healy, L.M. (2008) 'Exploring the History of Social Work as a Human Rights Profession', *International Social Work* 51(6): 735–48.

Hermansson, L., J. Lind and H. Scott (2019) 'Brandväggsprincipen – Att säkerställa papperslösa barn och ungas rättigheter i Malmö [The firewall-principle - To safeguard undocumented children and youth's rights in Malmö]', in A. Harju and J. Sjölander (eds) *Drömmar och röster – En antologi om barns och ungas livsvillkor i Malmö*, pp. 60–73. Malmö: Malmö University.

International Federation of Social Workers (IFSW) (2014) '*Global Definition of Social Work*'. Available online at: https://www.ifsw.org/what-is-social-work/global-definition-of-social-work (accessed 20 December 2019).

International Federation of Social Workers (IFSW) (2018) '*Global Social Work Statement of Ethical Principles*'. Available online at: https://www.ifsw.org/global-social-work-statement-of-ethical-principles (accessed 20 December 2019).

Jönsson, J.H. (2014) 'Local Reactions to Global Problems: Undocumented Immigrants and Social Work', *The British Journal of Social Work* 44(suppl. 1): i35–52.

Kamali, M. and J.H. Jönsson (2018) 'Introduction: Neoliberalism and Social Work in the Nordic Welfare States', in M. Kamali and J.H. Jönsson (eds) *Neoliberalism, Nordic Welfare States and Social Work*, pp. 19–40. Abingdon: Routledge.

Lind, J. (2019) 'Governing Vulnerabilised Migrant Childhoods through Children's Rights', *Childhood* 26(3): 337–51.

Lundberg, A. (2017) '"En kommentar till Sveriges krispolitik mot människor på flykt"', *Tidsskrift for Velferdsforskning* 4: 349–56.

Lundberg, A. and L. Dahlquist (2018) 'Sanctuary Practices in Scandinavian Transnational Cities: The Case of Public Libraries', *Journal of Human Rights Practice* 10(1): 142–58.

Lundberg, A. and M. Strange (2017) 'Who Provides the Conditions for Human Life? Sanctuary Movements in Sweden as Both Contesting and Working with State Agencies', *Politics* 37(3): 347–62.

Mancina, P.A. (2016) *In the Spirit of Sanctuary: Sanctuary-City Policy Advocacy and the Production of Sanctuary-Power in San Francisco, California*. Nashville, TN: Vanderbilt University.

Meade, K. (2016) 'Details of Arrangement for Home Office Personnel to Attend S.17 Children Act Assessments'. Available online at: https://www.whatdotheyknow.com/user/kathy_meade_2 (accessed 20 December 2019).

No Recourse to Public Funds (NRPF) Network (2018) 'NRPF Connect: Resolution through Partnership'. Available online at: http://www.nrpfnetwork.org.uk/nrpfconnect/Pages/default.aspx (accessed 20 December 2019).

Nordling, V. (2017) 'Taking Responsibility: Negotiating Undocumented Migrants' Access to Social Rights', Doctoral Dissertation, Lund University, Lund.

Office of the United Nations High Commissioner for Human Rights (OHCHR) (2014) 'The Economic, Social and Cultural Rights of Migrants in an Irregular Situation'. Available online at: https://www.refworld.org/docid/54479e174.html (accessed 20 December 2019).

Platform for International Cooperation on Undocumented Migrants (PICUM) (2019) *Firewall*. Brussels: PICUM. Available online at: https://picum.org/firewall-3 (accessed 20 December 2019).

Price, J. (2014) 'The Hostile Environment', in B. Anderson and M. Keith (eds) *Migration: The COMPAS Anthology*, pp. 193–94. Oxford: COMPAS.

Righard, E. and P. Boccagni (2015) 'Mapping the Theoretical Foundations of the Social Work–Migration Nexus', *Journal of Immigrant & Refugee Studies* 13(3): 229–44.

Scarpa, S. and C.U. Schierup (2018) 'Who Undermines the Welfare State? Austerity-Dogmatism and the U-Turn in Swedish Asylum Policy', *Social Inclusion* 6(1): 199–207.

The Union for Professionals (2015) 'Yrkesetiska riktlinjer för socionomer'. Available online at: https://www.ifsw.org/wp-content/uploads/ifsw-cdn/assets/Sweden_ethics_swe.pdf (accessed 20 December 2019).

United Nations General Assembly (1948) 'Universal Declaration of Human Rights'. Available online at: https://www.refworld.org/docid/3ae6b3712c.html (accessed 20 December 2019).

United Nations General Assembly (1989) 'Convention on the Rights of the Child'. Available online at: https://www.refworld.org/docid/3ae6b38f0.html (accessed 20 December 2019).

United Nations General Assembly (2017) 'Report of the Special Rapporteur on the Human Rights of Migrants (A/72/173)'. Available online at: https://reliefweb.int/report/world/human-rights-migrants-report-special-rapporteur-human-rights-migrants-a72173-enar (accessed 6 May 2020).

United Nations Convention on the Rights of the Child (UNCRC) & Committee of Migrant Workers (CMW) (2017a) 'Joint General Comment No. 3 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 22 (2017) of the Committee on the Rights

of the Child on the General Principles Regarding the Human Rights of Children in the Context of International Migration'. Available online at: http://www.refworld.org/docid/5a1293a24.html (accessed 20 December 2019).

United Nations Convention on the Rights of the Child (UNCRC) & Committee of Migrant Workers (CMW) (2017b) 'Joint General Comment No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 23 (2017) of the Committee on the Rights of the Child on State Obligations Regarding the Human Rights of Children in the Context of International Migration in Countries of Origin, Transit, Destination and Return'. Available online at: https://www.refworld.org/docid/5a12942a2b.html (accessed 20 December 2019).

Vertovec, S. (2007) 'Super-Diversity and Its Implications', *Ethnic and Racial Studies* 30(6): 1024–54.

Villegas, F.J. (2018) 'Don't Ask, Don't Tell': Examining the Illegalization of Undocumented Students in Toronto, Canada', *British Journal of Sociology of Education* 39(8): 1111–25.

Walia, H. (2014) 'Sanctuary City from Below: Dismantling the Colonial City of Vancouver', *The Mainlander*. Available online at: http://themainlander.com/2014/06/02/sanctuary-city-from-below-dismantling-the-city-of-vancouver (accessed 20 December 2019).

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