

Gendered Migrations

*Towards gender sensitive
policies in the UK*

Eleonore Kofman, Parvati Raghuram and Matt Merefield



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Asylum and Migration Working Paper 6

May 2005



Institute for Public Policy Research
30-32 Southampton Street, London WC2E 7RA, United Kingdom
Registered Charity No 800065



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Preface

Migrants and the migration process are implicitly - and sometimes explicitly - assumed to be male. From analyses of economic migration and its impacts on the labour market through to assumptions about the persecution of politically active men, the description of the factors underlying migration to the UK, the experiences of migrants themselves and the costs and benefits that they bring to our society and economy are based on a model of male migration. Unfortunately, this model rarely, if ever, reflects the reality of what is actually going on.

Policy and practice relating to immigration control and management inevitably reflect and reinforce these tendencies. Whilst recent research has highlighted, in particular, the feminisation of labour flows and the need for an interpretation of the 1951 Refugee Convention that takes into account gendered experiences of persecution, the complex relationship between gender and migration remains relatively under researched or taken adequately into account in policymaking.

This working paper examines the factors that underlie the neglect of gender and the consequences of this neglect for our understanding of migration processes and outcomes. It is clear from the analysis in the working paper that the lack of gender-differentiated statistics - itself a reflection of the assumption that gender makes no difference - has made it very difficult to find out more about these processes. It is also clear that whilst women are present in all migratory flows, a closer inspection of each channel of entry reveals very different proportions of men and women. For example, whilst women have formed an increasing proportion of all labour migration, some sectors (including health, education and domestic service) are heavily female dominated and with fewer social and economic rights attached. Family-related migration (formation and reunion), although the dominant category of settlement, is also highly feminised yet has hardly received any attention.

The evidence presented in this paper suggests not only that the proportion of women in all migration flows is increasing but that their modes of entry and access to rights in the UK are increasingly complex and diversified. Given that discourses around migration are also gendered - particularly in relation to social cohesion and the economic contribution of migration - the failure of policy makers to take these trends into account threatens to undermine the ability of existing and future policies to reflect and capitalise on the migrant experience.

The working paper makes a number of recommendations to address this situation. The first step is to ensure that the data on which policy is based actually reflects what is already happening. Beyond this there is a need to evaluate the impact of existing policies to ensure that the potential benefits afforded by labour migration to the UK are maximised, that asylum seekers who require protection are able to access it and that the rights and entitlements of all female migrants - including those who arrive in the UK as part of the process of family reunification - are not at odds with the broader goal of social cohesion.

Heaven Crawley & Dhananjayan Sriskandarajah
Editors, Asylum & Migration Working Paper Series
May 2005

About the authors

Eleonore Kofman is Professor of Social Policy at Middlesex University. She has co-edited books on *Gender and International Migration in Europe* and *Mapping Women, Making Politics: Feminist Perspectives on Political Geography* and has prepared papers on migrant and refugee women in Europe for the EC/OECD and UNRISD Beijing Plus 10. Her research interests lie in gendered migrations, stratification and globalisation and in skilled and family migrations.

Parvati Raghuram is Lecturer in Geography at the Open University. She has co-authored *Gender and International Migration in Europe* (Routledge, 2000) and co-edited *South Asian Women in the Diaspora* (Berg, 2003). She has also co-edited special issues on gender and migration for *Feminist Review*, *Geoforum* and *Women's Studies International Forum*. She has published a number of articles on the experiences of migrants and minorities in the UK and on migration from India.

Matt Merefieid is completing a PhD on the British politics of mobility control within colonial capitalism and globalisation in the School of Arts, Communication and Culture, Nottingham Trent University. His research interests include the pauperisation and criminalisation of migrants and their regions of origin.

The authors would like to thank Amira Osman for her assistance with parts of this research, Sunny Lee for her help with the tables, and Danny Sriskandarajah and Sarah Kyambi for their insightful comments on an earlier draft. They would also like to thank Work Permits UK for providing data on work permits and the seminar participants for feedback on the draft version.

Introduction

The importance of women in migrant streams was recognised by the first theorist of migration, E.G. Ravenstein, as far back as the 1880s:

‘Woman is a greater migrant than man. This may surprise those who associate woman with domestic life, but the figures of the census clearly prove it. Nor do women migrate merely from the rural districts in to the towns in search of domestic service, for they migrate quite as frequently into certain manufacturing districts, and the workshop is a formidable rival of the kitchen and scullery’ (cited in Kelson and DeLaet 1999: 33).

Yet, the classic image of the single adventuresome male migrant as the family breadwinner joined eventually by a woman without an economic role has persisted as an historical portrait. This was partly based on the fact that international migration, unlike internal rural-urban migration, remained predominantly male in the nineteenth century. However, from the end of the nineteenth century Irish women migrated in greater numbers than men except in periods of major wars (Walter 2001: 15). By the second half of the twentieth century this pattern of large numbers of women migrants was also apparent amongst other European migrants to the UK. Thus, in the post-war years of economic migration, though men dominated amongst post-colonial migrants, especially from South Asia, females formed the majority in migrant stocks from a number of European countries (Morgan 2004: 32). The example of Spanish migrants to the UK is illustrative: 2,633 women registered as aliens in 1954 compared to 1982 men and these figures rose to 11,517 and 5547 respectively by 1959. Ever since then, females have outnumbered men and in the 2001 Census 59 per cent of Spanish-born migrants were women. Moreover, 70 per cent of these women were unmarried, divorced, cohabiting or single (Morgan 2004: 34) and were migrating for economic reasons, to acquire independence and autonomy, as well as for marriage.

These complex patterns have been elaborated by feminist scholars of migration in the UK for some two decades (Anthias and Yuval-Davis 1992; Brah 1996; Buijs 1993; Phizacklea 1983; Refugee Council 1996; Walter 2001). In particular, the feminisation of labour migration and gender issues facing refugees (Bloch 2004a) have generated much interest. However, most research has focused on selected sectors or groups of female migrants and there have been very few overviews which bring together evidence of the large number of case-studies undertaken within the country. Moreover, numerous gaps remain in our knowledge of female migrants - many employment sectors and occupations with substantial female workers, such as hospitality and care are only now becoming the object of study in the UK (on-going studies by the Working Lives Institute, London; Anderson and Rogaly 2005). Domestic labour, which has received considerable attention internationally, has been under-researched in the UK (but see Anderson 2000; Cox 1999). Family-related migration (formation and reunion), though the dominant category of settlement (Home Office 2003; Home Office 2004a), has also hardly received any attention (Kofman 2004a; Raghuram 2004) in recent years. The intersection of gender with other vectors such as nationality, education, and economic, social and cultural resources also creates a complex matrix of migration outcomes - and a stratification within migrant groups which are set to become more acute; this too requires urgent study.

There has also been no comprehensive study of the policies that influence the arrival and settlement of women migrants even though (often outmoded) gendered assumptions underlie policy. Thus, although there is increasing research on the gendered aspects of different channels of entry to the UK (Kofman *et al.* 2000; Morris 2002; Yuval-Davis, Anthias and Kofman 2005) there has been little overall analysis of the gendered implications of managed migration or of its specific policies.

Despite the complexities of the system (Morris 2002), some key dimensions that stratify access to residence, employment and social entitlements can be identified. The first axis demarcates the bundle of rights applying to those entering through labour routes, that is between the highly-skilled and the lesser skilled, especially in relation to prolonged residence, the switching of employer and status, and family reunification. The second overlapping axis differentiates between legal, illegal and undocumented migrants. The third consists of distinctions amongst those who seek asylum, which have been reinforced in recent years. For example differential rights are accorded on the basis of whether they were accepted as Convention Refugees, obtained Humanitarian Protection or Discretionary Leave. There is also a withdrawal of the right to work from asylum seekers. The fourth dimension - of particular significance for women migrants - concerns the degrees of autonomy available to those whose entry is derivative, for example, based on the rights of a principal applicant. It particularly affects family reunification migrants during the probationary period as well as certain forms of migrants who enter for certain forms of employment (for example, domestic worker who enters with an employer). Family dependants are not only bound to stay with their partner for two years (except in the case of proven domestic violence), but may also find it difficult to enter the labour market except in an informal capacity. Although, in general, these categories apply to men and women, their impact is in reality gendered in the light of women's differential patterns of immigration, family responsibilities and access to economic and social resources.

The dynamic and intersecting axes of these different vectors of stratification shape migrant women's experiences. Yet there are few policy instruments that recognise this intersectionality. For example, the *International Convention on the Protection of the Rights of all Migrant Workers and their Families*, which was finally ratified in July 2003, explicitly recognises the active involvement of women in migration and states the principle of equal treatment (Hune 1991), but it does not address the unequal position and segregation of women in the labour market, their sexual exploitation and victimisation. The Committee for the Elimination of Discrimination Against Women (CEDAW), on the other hand, does recognise these multiple forms of discrimination - it notes "that migrant women are faced with multiple discrimination in society at large and in their own communities and that the intersection of gender with ethnic and religious factors negatively affects access to health, education, permanent residence status, work permit and employment". However, since the adoption in 2000 of the *Convention against Transnational Organized Crime* together with its *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Children and Women*, the conclusions adopted by CEDAW in relation to migrant women have focused overwhelmingly on trafficking (Slinkx 2004). Nevertheless adopting an intersectional approach highlights the possibility of mobilising a variety of existing conventions such as the *Convention on the Elimination of All Forms of*

Racial Discrimination or the Covenant on Economic, Social and Cultural Rights in order to protect women.

Developing better policies also requires greater comprehensive knowledge of the experiences of women migrants - a lacuna, which is increasingly being recognised. For example the Women's National Commission (2003) has initiated a discussion on the specificities of female migration and its policy implications and outlined the following areas of concern:

- € the invisibility of women in official data;
- € the different channels of entry to the UK, both legitimate and illegitimate;
- € the impact of globalisation on the receiving and losing economies;
- € the expanding trade in women; and
- € the rights of women migrants

This paper takes up some of these concerns. It has four aims: to explore the inadequacies of statistical data and highlight the problems this poses for a better understanding of gendered migrations and policy making; to understand the changing nature of contemporary gendered migrations; to examine the gender implications of changing policies within an overall context of managed migration; and to make recommendations towards the development of gender sensitive policies.

Gendered Data

Many recent studies have noted the lack of availability of gender disaggregated data (Kofman 2003; Morris 2002) and the problems this poses for understanding the range of migrant women's experience of migration and settlement, and for formulating and evaluating policy. However, gender disaggregated raw data does exist, especially for the stocks of foreign nationals living and working in the UK (Tables 1 and 2). Sources such as the Home Office Control of Immigration (by type of entry) and the International Passenger Survey (gender, occupational category, citizenship, age, nationality, main reason for migrating) also collect gender disaggregated data on migrant flows (Figure 1). Data are available for labour-related entries under the HSMP, work permit and sector-based schemes, but has not until now been analysed and published.¹ Some of the most detailed gendered data available are those on overseas nationals who have been allocated a national insurance number (Robinson 2002; DWP 2004). This data source provides information on region of residence, year of arrival and country of origin by gender (Table 3) and is an example of good practice in data collection and dissemination.

Table 1: Foreign nationals living in the UK (top 25 countries of origin), 2004

<i>Nationality</i>	<i>Number living in UK (thousands)</i>	<i>% female</i>
Ireland	368	56.0
India	171	53.8
United States	133	51.1
Italy	121	50.4
Germany	96	61.5
France	95	53.7
South Africa	92	53.3
Pakistan	86	44.2
Portugal	83	53.0
Australia	80	51.3
Zimbabwe	73	54.8
Bangladesh	69	39.1
Somalia	60	55.0
Former Yugoslavia	54	51.9
Philippines	52	65.4
Turkey	51	51.0
Netherlands	48	60.4
Poland	48	54.2
Jamaica	45	57.8
Former Soviet Union	44	61.4
Nigeria	43	41.9
Spain	40	67.5
Greece	37	48.6
Canada	37	51.4
Iran	36	33.3
All foreign nationals	2,857	53.1
UK nationals	55,362	51.2

Source: Salt (2004)

Table 2: Foreign nationals living and working in the UK, 2004

<i>Region</i>	<i>Number living and working in the UK (thousands)</i>	<i>% female</i>
European Union*	510	51.4
Asia	333	37.8
Africa	218	47.7
Americas	155	51.0
Central and Eastern Europe	89	56.2
Europe Other	32	37.5
Middle East	36	27.8
Oceania	92	43.5
All foreign nationals	1,445	47.2
UK nationals	26,302	46.4

Source: Salt (2004). *Including 15 members of EU at the start of 2004, and Iceland, Liechtenstein and Switzerland. Note: we have used regions of origin rather than countries of origin because numbers involved in latter were often too small.

Table 3: Foreign nationals allocated National Insurance Numbers, March 2003

<i>Nationality</i>	<i>Number allocated (thousands)</i>	<i>% female</i>
India	22.8	40.4
South Africa	15.8	53.2
Australia	15.6	59.0
France	10.6	50.0
Spain	10.6	54.7
China	10.1	55.4
Portugal	9.6	36.5
Philippines	9.3	62.4
Pakistan	9.2	34.8
Zimbabwe	8.3	53.0

Source: DWP (2004)

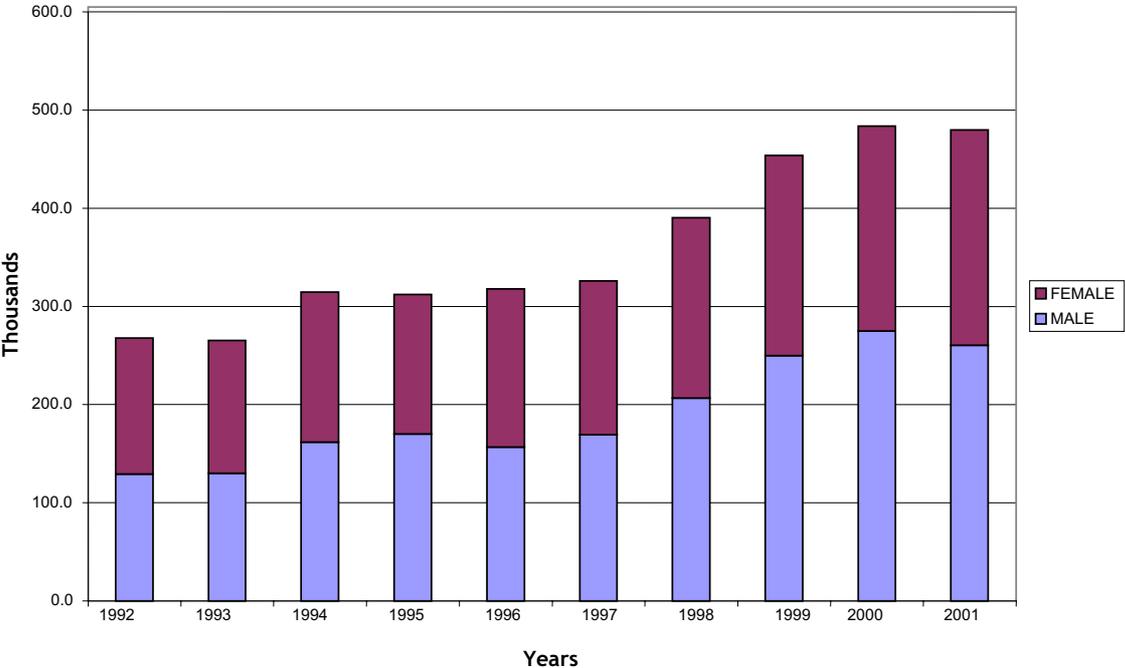
In the UK gender disaggregated statistics on asylum seekers and refugees have been collected since the early 1990s but have only been published since 2001 (ICAR 2003). Prior to 2001, the only information on gender included in the annual asylum statistics was a gender breakdown of the number of asylum applicants in detention. Since 2001, the annual statistics (Home Office 2004b) have included a breakdown of applications and decision by nationality, age and gender. In 2002, a gender and age breakdown of those who applied as dependants, or who arrived before the initial decision on the principal applicants was made, has also become available. However, no such information is published relating to the appeals process and outcomes, NASS support and other issues of the asylum process (ICAR 2003).

The availability of longitudinal data, which allows policy makers to evaluate the impact of economic and social policy on different categories of migrants and refugees, is even more limited. The decennial Census provides information on internal migrants and established ethnic minorities (Black *et al.* 2003) as does the

Labour Force Survey (LFS) but neither of these sources afford us the possibility of tracing individual migrants' experiences over time. The infrequency of the Census and the small sample of the LFS too limit the extent to which these sources can be used.

To summarise, although gender disaggregated data is increasingly being collected, it is not always published or analysed. Ease of availability of data has however, led to some extremely promising analysis. The study of labour market performance which pays due attention to gendered outcomes is one example. Some analysts have also used these diverse data sets to trace gendered adaptation profiles including employment, participation, self-employment and wages (Dustmann *et al.* 2003). Together these data sources provide us with information about the channels of migration - the issue to which we turn next.

Figure 1: Migrant Entry by Gender, 1992-2001 (England and Wales)



Channels of Migration

Although women are present in all migratory flows, each channel of entry reveals very different proportions of women. Asylum seekers are the least feminised group of entrants, though the number of women in this group is growing. Women are also present in migrant groups from most countries (Tables 1-3). In this section we explore some of the changing gendered patterns of different forms of migration to the UK.

Labour Migration and Female Employment

Through the 1990s labour market shortages in many sectors of the British economy led to increasing levels of labour migration. Women have formed an increasingly important part of such migration as a number of the sectors with severe shortages - education and health - are female dominated. Although migrant women's participation in male-dominated sectors such as Information and Communication Technology (ICT), finance and business has increased, on the whole, migration has reinforced extant gender divisions in the work place with migrant women participating in a wide range of sectors, similar to those in which white British-born women participate (Tables 4 and 5) including hospitality, industrial cleaning and retailing. Migrant women are also involved in providing services such as advocacy, mediation, interpreting, translating, social services for community organizations and associations (Kofman 2003), usually on behalf of other migrants. Self-employment too has been on the increase especially amongst migrant South Asian, Chinese and Turkish women (Struder 2002). Women enter self-employment both in order to achieve flexibility in combining work and familial responsibilities, and due to labour market disadvantages.

Table 4: Employment patterns of male immigrants and UK-born whites and non-whites, 1979 and 2000

	<i>UK born white</i>		<i>UK born non-white</i>		<i>Immigrants</i>	
	1979	2000	1979	2000	1979	2000
% manufacturing	34	24	27	17	36	17
% retail	8	10	13	12	8	11
% hotel/rest.	1	4	3	6	5	9
% finance	4	15	5	23	3	19
% education	3	4	2	3	2	4
% health	3	3	5	5	3	8
% public	N/A	16	N/A	14	N/A	16

Source: Dustmann *et al.* (2003). Note: all figures are population weighted. Excludes those in full-time education. Figures are percentage of all employees in each origin category. Part time workers are all employees.

Table 5: Employment patterns of female immigrants and UK-born whites and non-whites, 1979 and 2000

	<i>UK born white</i>		<i>UK born non-white</i>		<i>Immigrants</i>	
	1979	2000	1979	2000	1979	2000
% manufacturing	15	10	16	9	16	10
% retail	11	13	11	11	6	10
% hotel/rest.	3	5	5	4	4	5
% finance	4	16	3	24	3	18
% education	8	14	3	9	5	12
% health	6	20	3	17	10	23
% public	N/A	33	N/A	31	N/A	31

Source: Dustmann *et al.* (2003). Note: all figures are population weighted, exclude those in full-time education. Figures are percentage of all employees in each origin category. Part time workers are all employees.

Female-dominated sectors

The image of female migrant workers entering sex work, domestic work and, more recently, health, especially nursing (Buchan *et al.* 2003), dominate discourses around female labour migration. The demand for and trade in sex workers in the UK has increased considerably since the late 1990s as the feminisation of poverty has created a form of female slavery (European Commission 2001). The UK is a transit and destination country for women from Eastern Europe, West Africa (especially Nigeria) and Asia (China and Thailand). It is difficult to be specific about numbers; most experts simply give lower and higher estimates of between 142 and 1420 per annum of women trafficked for sexual exploitation (Kelly and Regan 2000). However, it is likely that such workers are predominantly located in urban centres, especially London, where there are trafficked prostitutes in every borough (van den Acker 2003).

A second feminised sector for female labour migrants is domestic work. It is estimated that there were 14,300 overseas domestic workers in the UK in 2000 (Crawley 2002). However, a large number of domestic workers may be undocumented - either because they entered illegally, have overstayed or have failed to inform the Immigration and Nationality Directorate (IND) about change of employers - means that this too is a sector where the estimates are unlikely to be inaccurate. We know little about the demand for domestic labour in the UK (but see Anderson 2000), although it is surmised that much of this demand is for live-out labour. For example, in the UK, unlike in many other European countries, domestic workers are not eligible to apply for work permits. Rather entry conditions are based on the right to continuity of work - employers who migrate to the UK are allowed to bring domestic workers currently in their employment with them. This, along with the exemption of the household as a site of labour from much public policy protecting employees has meant that domestic workers are often left in very vulnerable positions. For instance, this form of labour is exempted from the remit of the Race Relations Amendment Act (2000) in terms of nationality and colour (Women's National Commission 2003). The unwillingness to regard domestic workers as requiring the same protection and rights as employees outside the household is also mirrored amongst employers who are reluctant to adopt a contractual approach to domestic work. Instead, very often a duty-based approach is adopted which draws on notions of protection and responsibility between the employer and the domestic worker, where the latter is drawn into the family through hierarchical but reciprocal

relations (Anderson 2000; Anderson and O'Connell Davidson 2003). An employer's recognition of the domestic worker's entitlements to a minimum wage or paid holidays and labour rights, which would be considered normal outside the household, is often limited in the duty-based approach.

A third feminised sector that has evoked interest in policy circles is nursing. The large demand for overseas nurses and UK's dependence on such nurses has meant that this is the most important formal sector of female migrant employment. Active recruitment in a number of Third World countries, especially the Philippines, is occurring at a time when the entry of nurses from other European countries and the Old Commonwealth has stagnated (Table 6). Data from the United Kingdom Central Council for Nursing, Midwifery and Health Visiting (UKCC) on registrants and work permit holders (new and extended) reveal that the biggest increases have occurred among nurses from the Philippines (from 52 in 1998/99 to 5594 in 2002/3), India (from 30 to 1833) South Africa (599 to 1480), Australia (1335 to 940), Nigeria (179 to 524) and Zimbabwe (52 to 493) (Nursing and Midwifery Council quoted in Buchan and Dovlo 2004). However, the number of registrants from almost all the countries fell between February 2001 and March 2002 with the greatest fall in the number of nurses from the Philippines (7235 to 5594). The only exception was in the number of nurses from India, which virtually doubled in the same period (Table 6).

Table 6: Main Source Countries to the UK Nurse Register 1998-2003

<i>Country</i>	<i>1998/99</i>	<i>1999/00</i>	<i>2000/01</i>	<i>2001/02</i>	<i>2002/03</i>	<i>2003/04</i>
Philippines	52	1,052	3,396	7,235	5,594	4,338
India	30	96	289	994	1,833	3,073
South Africa	599	1,460	1,088	2,114	1,480	1,689
Australia	1,335	1,209	1,046	1,342	940	1,326
Nigeria	179	208	347	432	524	511
West Indies	221	425	261	248	57	397
Zimbabwe	52	221	382	473	493	391
Ghana	40	74	140	195	255	354
New Zealand	527	461	393	443	292	348
Zambia	15	40	88	183	135	168
Kenya	19	29	50	155	152	146
USA	139	168	147	122	89	141
Pakistan	3	13	44	207	172	140
Mauritius	6	15	41	62	60	95
Botswana	4	-	87	100	42	90
Malawi	1	15	45	75	57	64
Canada	196	130	89	79	53	89
Swaziland	-	-	-	-	-	81
Malawi	1	15	45	75	57	64
Lesotho	-	-	-	-	-	50
UK total	-	14,035	15,433	14,538	18,216	19,462
Non EU total	3,621	5,945	8,403	15,064	12,730	14,122
EU total	1,413	1,416	1,295	1,091	802	1,030*

Source: Statistical analysis of the register (NMC 2004). * EEA Total

Much of the publicity around nurse migration has focused on issues of ethical recruitment and brain drain from the South (Buchan and Dovlo 2004; Mensah *et al.*,

2005). However, while these studies have adopted a human resources perspective, few studies have explored the actual experiences of migrant nurses. For instance, we have little knowledge of how nurses are deployed within the health and social care sector (Allan and Aggergaard 2003), the extent to which their qualifications and expertise are recognised, their experience of racism, the extent to which they avail of family reunification policies or their future plans.

At the same time the boundaries between care work and nursing are blurring as experience gained in care homes is being recognised as a form of adaptation course for migrant nurses. Nurses can therefore use caring as a route into a nursing career although the extent to which the aspirations of such nurses to move into nursing are being fulfilled is not yet known. It is likely that labour shortages in the care sector may help nurses find employment but may eventually become a labour market trap. Recent reports have highlighted the deskilling of Third World nurses brought in under work permits for nurses but working in care homes as part of the 'adaptation' programme. This programme usually requires work experience in a recognised care centre (care home, hospital etc.) for between 3 and 6 months (Anderson and Rogaly 2005; CAB 2004) and is a pre-requisite for nurses to obtain registration to work in the UK. Once they have passed this phase, they can register with the Nursing and Midwifery Council and receive pay at the nursing scale. Some homes have employed these staff to undertake menial tasks, paid them at lower rates than cited on their work permit (CAB 2004: 8) and delayed the registration in order to continue paying them at these lower rates.

Direct recruitment into the care labour market too has been increased. The General Social Care Council (GSCC) opened up registration to social workers who had trained overseas in April 2004. This forms one part of the overall regulation process of social work and care work. In 1999-2000 the GSCC issued 482 letters of verification to foreign social workers confirming their qualifications. In 2002-3 a total of 1,390 letters were issued to applicants from 58 countries wishing to practice in the UK, an increase of 19 per cent over the previous year. Australia and South Africa with about a quarter of applications each headed the list of countries from which applicants have qualified, followed by the USA. Although figures for verification of overseas social work qualifications are still small, active recruitment is being recognised as a possible way of addressing the shortage of workers in this sector (Eborral 2003). In this light it is significant that about 83 per cent of all social work employees are women.

Gender-neutral and male-dominated sectors

Women migrants also form part of flows that are usually deemed to be masculine or presented in gender neutral terms. For instance, women form an important part of the migrant doctors in the UK with about 54 per cent of new full registrants to the GMC being women in 2002 (Table 7 and Table 8). They form a much larger proportion among limited registrants - usually EEA doctors who come to the UK to top up their training (Raghuram and Montiel 2003). In England over 47 per cent of EEA qualified doctors working in the NHS in England are women but only 37 per cent of UK qualified doctors are women and this proportion falls to about 26 per cent for those who qualified in other overseas countries (DoH 2001). Over 47 per cent of EEA qualified doctors working in the NHS in England are women but only 37 per cent of UK qualified doctors are women and this proportion falls to about 26 per cent for those who qualified in other overseas countries. This distribution varies along a

range of vectors including grade and specialism. For instance, women consultants only account for less than a quarter of all consultants and these proportions vary from 22 per cent for EEA qualified to 18 per cent for those who qualified in other overseas countries (DoH 2001). Over half of the overseas qualified women doctors are classified as either Asian or Asian British ethnicity while 8.7 per cent are classified as Black. It is likely that such women face intersecting problems due to their immigration status, gender and race.

Table 7: Gender mix of full registrants to GMC by region of qualification, 2002

	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Females as % of total</i>
UK	1,972	2,316	4,288	54
EEA	1,156	332	1,488	22
Other overseas	2,156	1,424	3,580	40

Source: Buchan and Dovlo (2004: 5)

Although migrant doctors play a significant part in General Practice, most of them joined before 1979. Since then overseas doctors without a right of residence in the UK were not allowed to enter General Practice and these restrictions were extended to assistant and locum posts in 1985. These rules were altered in November 2001 and since then overseas-qualified doctors are increasingly entering General Practice as reflected by the fact that the proportion of overseas-qualified doctors among GP registrars (trainees) is much higher than among GPs as a whole. Women doctors are also disproportionately represented amongst GPs. In 2002, only 4.3 per cent of the overall GPs were overseas-qualified women but 11.2 per cent of all GP registrars were from this group (Table 8).

Table 8: Doctors by country of qualification, England, 2002

	<i>EEA</i>	<i>of whom female %</i>	<i>Other non-UK</i>	<i>of whom female %</i>	<i>UK</i>	<i>of whom female %</i>	<i>Total</i>
GP registrars	118	54.2	576	43.4	1,537	66.7	2,231
% of GP registrars	5.3	2.9	25.8	11.2	68.9	45.9	100
UPEs	1,139	35.2	4,068	25.7	23,361	37.2	28,568
% of all UPEs	4	1.4	14.2	3.7	81.8	30.4	100
Total GPs	1,447	39.7	4,970	29	27,147	42.5	33,564
% of all GPs	4.3	1.7	14.8	4.3	80.9	34.3	100
Hospital doctors	3,965	40.4	20,715	28.2	48,697	38.7	73,377
% of all hospital doctors	5.4	2.2	28.2	8	66.4	25.7	100
Total	5,412	40.2	25,685	28.4	75,844	40	106,941

Source: DoH Medical and Dental Workforce Census, England 2002. UPE: Unrestricted Principals and Equivalentents (including salaried GPs, contracted GPs and Principals).

Table 9: Overseas qualified women in hospital medicine, 2003

<i>Ethnic group</i>	<i>Numbers</i>	<i>% of total overseas qualified women in sector</i>
Asian or Asian British	3,541	55.7
White	1,205	18.9
Black or Black British	557	8.7
Mixed	123	1.9
Chinese	70	1.1
Any other ethnic group	586	9.2
Not stated	289	4.5
Total	6,371	100.0

Source: DoH Medical and Dental Workforce Census, England 2003

Gender-neutral and male-dominated sectors are not limited to the highly skilled spectrum of employment. Many of the lesser skilled jobs available to migrants are also male-dominated. For example, overall the sector based schemes for food processing and hospitality seem to be totally dominated by men (Table 16) but some women too enter through these routes. Amongst Eastern Europe the ratio in this sector is more akin to the gender balance recorded in the Worker Registration Scheme for accession countries (Home Office 2005b), that is about 55/45 men and women so that male-dominated sectors too may have significant female presence in particular migration streams.

Emerging trends

Future demand for female migrant labour will be influenced by a number of developments that will change the participation of women in the labour market and alter the contours of welfare. These include the shift to an adult worker model where both partners work, the expansion in the provision of childcare, both at home and increasingly in schools and the impact of new legislation such as the Care Standards Act (2000) which have raised standards and costs but driven down wages. The reclassification of tasks and use of assistants rather than fully qualified professionals in a number of welfare sectors (for example, care, education, and health) and the attendant deskilling of such jobs will also affect the desirability of such work. Government policy is also increasingly transferring care work from the public sector into the home (Ungerson 2000; ESRC Future of Work Programme). For instance, the shift to direct payment rather than the use of community care services is likely to create new household markets for care. Most recently, the government's announcement of a massive expansion of childcare provision, including child minders, nurseries and nannies (*The Guardian* 9 December 2004) will extend subsidised provision to the home. These shifts together serve to increase the demand for care workers, on the one hand, and to make it a less desirable occupation on the other, so that labour market shortages in this sector are likely to continue.

It is inevitable that migrant women will meet some of this labour demand.² A report from the King's Fund Care and Support Inquiry conducted in 2000-1 suggested that recruiting young women from countries like New Zealand and Australia, who are funding their travel in Europe by doing care work, especially in London, was an example of good practice. However, it is likely that the new policies will lead to new divisions between care workers based on their site of work (private homes, public sector) and migrant status. At the moment, the workforce in nurseries tends to be

young, female and white (Pandya 2005), and it is unclear whether the new forms of migration will also exacerbate differences based on age and race. We may also want to question how immigration policy is going to respond to labour demands in this sector which has risen to the top of the political agenda (*Society Guardian* 26 January 2005). Thus the role of migrant labour in changing and supporting welfare regimes urgently needs to be explored (Kofman 2004b; Williams 2003).

Some of the tasks undertaken within the care sector are also undertaken in hospitality jobs such as cleaning, waiting, housekeeping and reception work. Hence, they too are highly feminised but there has been little analysis of the gendered aspects of such temporary work so far (Anderson and Rogaly 2005; DRC 2004; House of Commons 2004) although we do know that the gender breakdown varies considerably according to nationality, age and sector. For instance, there appear to be differences among migrant women from the different Eastern European countries in terms of the industries in which they seek employment and the level of skills they bring. Also, younger women may find it easier to find employment in the hospitality sector than older women, who find themselves choosing self-employment or home-working. Finally, the whole sector is marked by transience with the UK being final destination for some women and a transient destination for others. Eastern European women entering these sectors are in particular, likely to have worked in another country before coming to the UK.

Activities such as advocacy, mediation, interpreting and general community work are also increasingly offering employment opportunities for migrant women enabling them to break out of manufacturing and low level service employment and to deploy other skills. Women, who are unable to work in the area of their qualification, may initially take up these jobs on a voluntary basis. However, although these activities can provide rewarding employment opportunities, it may at the same time leave migrants trapped in services for migrants, as has been noted in social work and teaching in Germany and the Netherlands (Lutz 1993). The likely expansion of integration programmes in the future may further improve job opportunities in this sector but there is a substantial risk that these jobs may only generate fixed-term and insecure employment.

Inter-cultural knowledge which underpins mediation and advocacy work could also be translated into professional competence in a range of fields such as trading, tourism, ICT and media (Federal Institute for Vocational Training 2000). Women in professional and entrepreneurial positions may also find employment in the creation and management of cultural diversity and tourism, especially as it interfaces with the growth of the knowledge economy. This may offer better opportunities than the precarious and seasonal employment usually associated with leisure and tourism. But there is so far little research on the opportunities migrants have or the gendered outcomes of the growth of this sector (Kofman 2003). However, it is likely that the labelling of intercultural knowledge as a feminine skill rather than trained professional competence is likely to lead to a devaluing of these skills and under-remuneration amongst those who find employment by deploying such skills.

Students

An increasingly important group of entrants who provide labour - usually poorly-paid casualised labour, such as in cleaning (Anderson and Rogaly 2005: 28) and

hospitality, is students. At the same time students can also act as a reserve of skilled labour once they have obtained their qualifications so that the difference between students and labour market entrants is not wholly clear-cut. Presently, the number of entry permits granted to students is much larger than that granted for work so that education forms a very significant route of entry for migrants and perhaps a significant source of migrant labour.

The number of non-UK domiciled students entering the UK in order to study has trebled since the early 1980s. It went up steadily from 272,000 in 1999 to 369,000 in 2002 but then fell back to 319,000 in 2003. In 2002/2003 almost 89 per cent of full time students obtaining their first degree in the UK were domiciled in the UK but only 44 per cent of full time higher degree students were from this group. Non-EU students accounted for almost 38 per cent of all full-time higher degree students. Both numbers and the gender breakdown varies greatly according to disciplines and countries of origin. Overall, women form around half of the overseas student cohort amongst both undergraduates and postgraduates although they are more significant amongst the former than the latter (Table 10). As universities compete to attract foreign students, the number of students entering the UK is likely to increase further.

Table 10: Students in higher education, 2002/03

	<i>Number of students</i>	<i>Percentage female</i>
UK	1,899,850	58.0
Other European Union	90,580	48.8
Non-European Union	184,685	46.1

Source: HESA Table 2e

Issues for the future

As outlined above there are many gaps in our existing knowledge of female labour migrants. First, most of the analysis focuses on migrant women in feminised sectors. The experience of women in less feminised sectors has received much less attention - although they may face specific issues precisely because of working in such sectors where women are a minority. Secondly we know little about their involvement in new and emerging sectors of the labour market. Related to this is our inability to trace new migrant women’s activities in some sectors as much of the literature on the labour markets where older migrants sought employment - manufacturing, home-working etc. - have either collapsed or are no longer studied. And the studies that exist usually base their data and analysis on ethnic minorities rather than in terms of migration, so that we are not able to distinguish how newer migrants interact with or engage in these sectors. Thirdly, we know little about the ways in which the experiences of migrant women change over time. The longitudinal study of Filipina migrant women (COMPAS) is a notable exception. Finally, many of the distinctions between migrants in different sectors are being reproduced through the different conceptual lenses we use to understand them. For instance, feminist scholars have analysed the migration of lesser skilled labour in terms of global chains of care, and the ways in which migration of domestic workers and sex workers, in particular, have led to a redistribution of social reproduction across the globe

(Ehrenreich and Hochschild 2002; Hochschild 2000; Sassen 2000). In this narrative the care deficit caused by migrant women is primarily located within the household in the home country. The policy agenda that follows focuses on the feminised roles that women perform. The migration of skilled women, on the other hand, is primarily assessed for its impact on public services. Thus, nurses who migrate are incorporated into the 'brain drain' discourse. The policies that ensue aim to assess the effectiveness of ethical recruitment policies (Buchan and Dovlo 2004; Carvel 2004) and the implementation of return measures and temporary worker schemes (Lowell, Findlay and Stewart 2004). It is the public care deficit that becomes the focus of attention here. However, skilled women too belong to households, they too leave children and parents behind, and they too continue to bear the burden of caring responsibilities within the household. Yet skilled women are usually treated as wage workers and rarely as carers within the home. To summarise then, the impact of female migration on social reproduction has to be assessed across both the skilled and lesser skilled sectors and across waged and unwaged work - this is an area that merits more study.

Family Migration

Since a raft of regulations controlling labour migration was introduced in 1962, family migration has emerged as the single most enduring, though also restricted, basis for entry of migrants to the UK. Family migration is even more important when it comes to grants for settlement, with just under half of all those permitted to settle falling into this category. However, since 1997 the number of family members settling has not grown at the same pace as the other two major categories of employment-related and asylum-related grants. As a result the proportion which is granted settlement for family reasons is now falling (Table 9). Between 2001 and 2002, the actual numbers entering through this category also fell for the first time in a number of years, from 56,810, to 52,765 (Salt 2001). However, there is little research currently on family migration so the reasons for these patterns are difficult to surmise.

Table 11: Grants of Settlement by Category, 1993 and 2003

<i>Category</i>	<i>1993</i>	<i>% of total</i>	<i>2003</i>	<i>% of total</i>
Completion 4 years (work or business)	4,020	7.2	10,745	7.6
UK ancestry seeking to work	10	0.0	5,275	3.7
Refugees	3,990	7.2	12,580	8.9
Other discretionary leave	2,360	4.2	11,235	7.9
Husbands	12,000	21.6	19,580	13.8
Wives	19,100	34.3	38,020	26.9
Children	8,550	15.4	27,420	19.4
Other dependents	4,640	8.3	9,925	7.0
Other or unknown categories	970	1.7	6,710	4.7
Total	55,640	100.0	141,490	100.0

Source: Home Office (2005a)

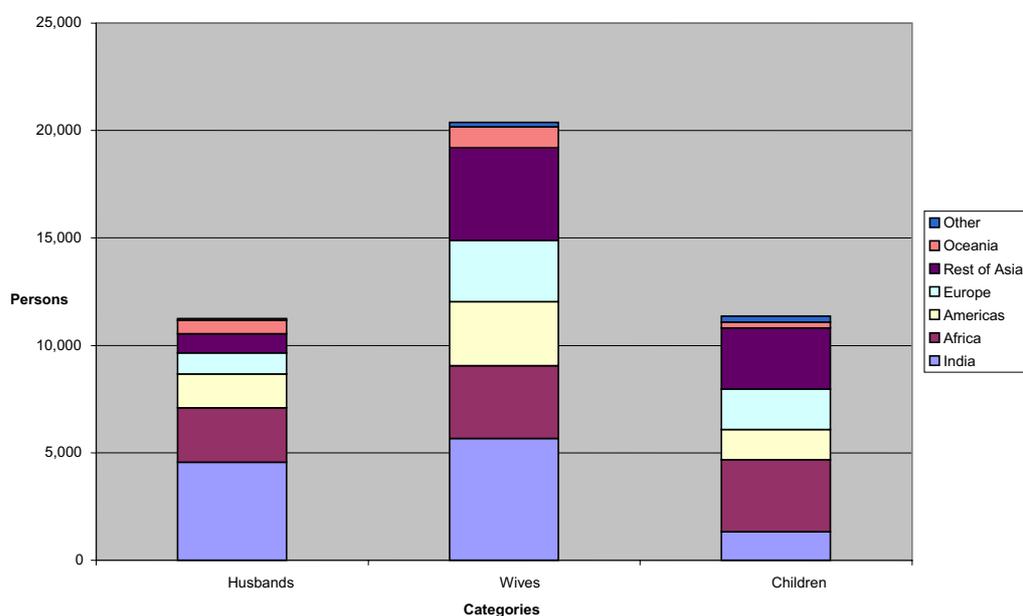
Nevertheless we can distinguish some aspects of family migration. First, family migration is highly feminised. It has for long been the most feminised of the three major migrant groups (the other two being labour migrants and asylum-seekers) entering and settling in the country. In 2002, 48 per cent of family granted settlement were wives, 29 per cent were husbands. The number of husbands who were granted settlement dropped significantly between 2001 and 2002. The female bias is even larger for entry clearance - 21,100 wives and fiancées were granted entry clearance in 2002, compared to 9,220 men (Salt 2003). However, gender divisions vary markedly based on regions of entry (Table 10 and Figures 2 and 3).

Table 12: Spouses granted settlement by gender and region of origin, 1997 and 2003

	<i>Husbands</i>		<i>Wives</i>	
	1997	2003	1997	2003
Europe	995	1,860	2,850	6,095
Americas	1,565	3,080	2,985	4,985
Africa	2,540	4,690	3,380	6,375
Indian sub-continent	4,555	7,100	5,670	10,730
Rest of Asia	875	1,650	4,305	7,970
Oceania	635	1,125	990	1,665
Other nationalities	90	70	220	200
All nationalities	11,260	19,580	20,400	38,020

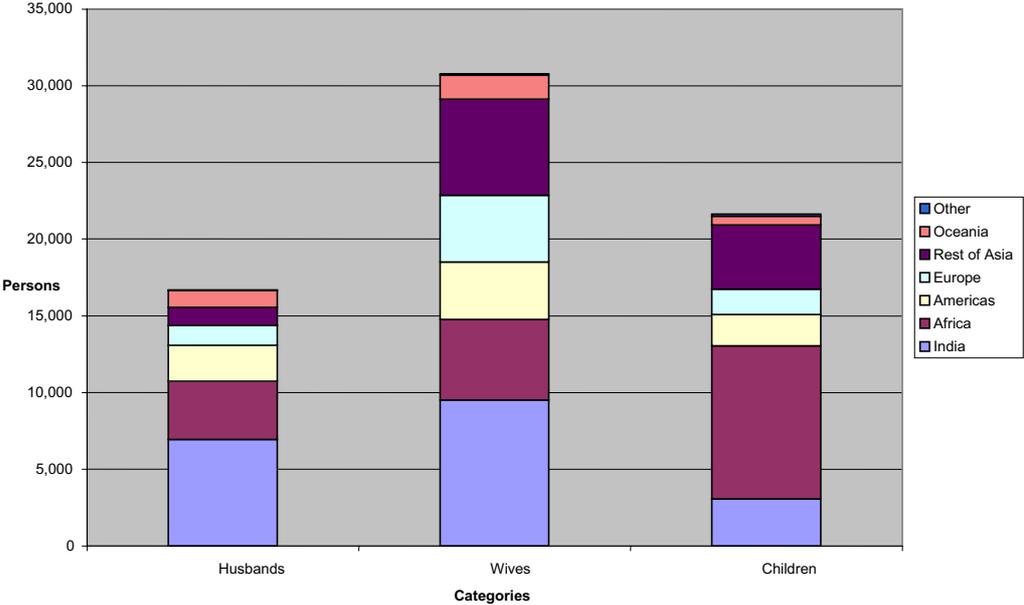
Source: Home Office (2004a)

Figure 2: Family Entry by Region 1997



Source: Salt (2003)

Figure 3: Family Entry by Region 2002



Source: Salt (2003)

Secondly, as family migration has a derivative status, both entry and right to work are dependent on the immigration category under which the primary migrant enters. For instance, spouses of skilled migrants have both rights of entry and the right to work while many lesser skilled workers have no right to bring family. Domestic workers are one exception as they are permitted to bring family although the actual conditions of work, including the nature of live-in work means that they are rarely able to avail themselves of this right. However, these rights are indirect rights as the UK does not offer work permits to domestic workers so that the domestic worker’s rights to enter and stay are itself based on the rights of entry of the employer. The spouses of students are treated like spouses of skilled migrants so that they accrue many rights, while the spouses of asylum seekers have limited rights.

Thirdly, we can distinguish between different kinds of family migration on the basis of how family formation intersects with migration, for example, is the family formed before migration or due to migration? Moreover, the nature of the family (presence of children in particular, as rights to bring parents and siblings is very limited) too affects migration. Kofman’s (2004a) typology of family migration offers one route into unpacking this complexity. She differentiates between its different forms:

- € *family reunification migration*, where primary migrants bring in members of the immediate family (children, spouses and parents and others where permitted);
- € *family formation migration*, where migrants with settled status or British born children of migrants bring in marriage partners - usually from their parents’ countries of origin;

-
- € *marriage migration*, where permanent residents or citizens bringing in a partner they have met while abroad for purposes of work, study or holiday; and
 - € *family migration*, where the entire family migrates simultaneously.

Although it is not yet possible to trace these differences from existing data sets, a fuller analysis of longitudinal data derived from the Census and the use of the Sample of Anonymised Records can yield insights into these patterns.

This differentiation is particularly useful in helping to take account of the different gendered patterns of family migration. For instance, family formation migration, which is generally associated with migrants from the Indian subcontinent, is now seen as an increasingly important component of family migration (Table 10 and Figures 1-2). It has replaced family reunification that followed the post-war labour migration as the most common trajectory for family migrants. Both women and men are well represented in this category as shown in Table 10.

It is also useful in helping us to trace how changes in the nature of other forms of migration influence the nature of family migration. First, increases in international occupational mobility in the corporate world, means that the predominantly male migrant workforce in this field is likely to increase female marriage migrants. The circulation of students too will have gendered effects on marriage migration, although the gender patterns here are far from clear. Work permit holders and refugees, on the other hand, are most likely to bring in family either through the first or the last route, and as these two forms of entry into the UK become increasingly important, we are likely to see shifts in the nature of family migration that accompanies this. Significantly, the increasing feminisation of both the work permit holders and asylum seeker categories could lead to an increasing masculinisation of both family reunification and family migration. The demand for labour in particular feminised niches such as nursing, where women do earn enough to bring in family members is likely to significantly increase the number of male family reunification migrants (Raghuram 2004).

Issues for the future

As stated above there is little research currently on family migration, as female labour migration has captured the narrative of female migration. This is a significant departure from the past when much feminist research focused on female family migrants arguing for recognition of the role that such women played in labour markets and indeed, public life more generally (see Kofman *et al.* 2000 for an overview). This literature highlighted the economic participation of female family migrants and the extent to which they provided unwaged labour in family businesses, engaged in home-working, in part-time and full-time work in industries and as entrepreneurs in their own right. The trajectory of newer female family migrants however has hardly been researched. We know little about the extent to which women who enter under family-linked categories participate in the labour market or the kinds of work they do. Despite the feminist interventions cited above much policy still assumes that female family migrants are women who are 'traditional' and homebound. Policies therefore primarily focus on trying to integrate female migrants into the public world of men. For instance, many of the

policy initiatives for such women focus on language and skills training that will make such women employable but there is little baseline data on what skills they may actually have.

The different experience of family migrants coming in as spouses of different categories of migrants too needs study. In particular, women accompanying skilled men may often have skills too and may deploy those skills in the labour market as partners of work-permit holders. This has now been recognised in the allocation of points for the HSMP (Table 15) where those with tertiary degrees can receive 10 points. Coming in as skilled spouses may indeed afford them greater labour market opportunities than the primary male migrant (Raghuram 2004). The impact that the changing regimes of migration have on family migration therefore needs study.

Finally, there are increasing numbers of men in family migration. However, the predominance of women in the family category had for long led to a conceptual collapse of female migration into family migration in much policy discussion so that male family migrants receive little or no attention. This is another lacuna that needs addressing (Raghuram 2004).

Asylum and Refugees

Demographic characteristics

In 2003 about a quarter of asylum applicants, excluding dependants, were women (Home Office 2004b)(Table 13i). The proportion of women is highest among applicants from Africa and the only country outside of Africa with high proportions of female applicants is the Former Republic of Yugoslavia. Women are least represented in claimants from the Americas and the Middle East, with highly masculinised intakes from countries like Iraq for instance (Home Office 2004b). The demographic pattern of asylum seekers and dependants that principal applicants bring with them vary across gender. For instance, the number of women over 50 years of age is higher amongst women applicants (4 per cent) than men (2 per cent). On the other hand, almost 65 per cent of males who apply as dependants are below 10 years of age while this figure is considerably lower (51 per cent) for female dependants. Women principal claimants seem to be more likely to have dependants than men - 37 per cent of female applicants in one study had children when they made their claim while according to a Home Office study between 1993 and 2001 only 13 per cent of claimants had dependants (Ceneda 2002).

Table 13i: Asylum applications by gender, 2002 and 2003

	2002		2003	
	Number	%	Number	%
Applications				
Principal female asylum applicants	21,780	26	15,200	31
Principal male asylum Applicants	62,355	74	34,170	69
Women applying for asylum as dependants	10,720	57	5,860	55
Men applying for asylum as dependants	-	-	4,775	45

Table 13ii: Initial decisions by gender, 2002 and 2003

	2002		2003	
	Number	%	Number	%
Initial decisions				
Women recognised as refugees	3,369	4	1,660	3
Men recognised as refugees	4,999	6	2,220	3
Women granted Exceptional Leave, HP or DL*	3,158	4	1,844	3
Men granted Exceptional Leave, HP or DL	16,871	20	5,366	8
Women refused asylum	14,738	18	14,936	23
Men refused asylum	40,615	48	38,574	60
Total female	21,265	26	18,440	29
Total male	62,485	74	46,160	71
Total	83,750	-	64,605	-

Source: Home Office (2004b). *DL and HP replaced ELR from April 1st 2003

Routes

Gender provides some distinctive aspects to the processes of entry as discussed below:

As principal applicants: The proportion of women making asylum applications as principal applicants has increased from 24 per cent in 2001 to 31 per cent in 2003 (Home Office 2004a: 7). Educational qualifications and professional skills provide an important vector of difference between women asylum seekers. Thus, a study of professionals (teachers, doctors and nurses) by Hildegard Dumper (2002a) showed that 66 per cent of women had come in as primary applicants. This is a significant statistic in that it shows this group of professional women to be less affected by rules governing dependants of refugees (Dumper 2002:16). Nevertheless, women are often not recognised as political actors so they have a harder time in having their asylum claims recognised. Gendered presumptions are made about women's political activity so that one study (Ceneda 2002) found that women have a better chance of making successful claims on the basis of political and imputed political opinion (over half of all successful claims). Applications based on political activity were least likely to have been successful.

Yet women may have some specific bases on which they may seek asylum. For instance, female principal applicants may apply for asylum on the basis of indirect persecution, for example, where women are persecuted due to their link to family member. Thus in Ceneda's study (2002) abuse due to political association was a common reason for women seeking asylum as abuse of the female relative is often used as a tool for controlling other (male) family members' involvement in political activity. These cases are often difficult because women may have little or no knowledge about why their family members are being persecuted - and therefore why they are being persecuted.

Another category, which primarily applies to women asylum seekers, is that of gender specific persecution. This involves persecution that women face because of their sex (such as female genital mutilation) and usually includes gender specific forms of harm. Gender-related persecution, on the other hand, covers violence or fear based on failure to comply with social norms that govern women's behaviour. The violence that women may face if they refuse to wear the veil may be included in this category.

Finally, women may seek asylum because they have suffered gender-based violence because of their wider political activity. Here the activities that women engage in may be the same as men, but the form of retribution may be gender specific - usually including rape. This is a common cause for women claiming asylum with one study reporting that 50 per cent of women claiming asylum in the UK have been raped (The Refugee Council). The incidence of severe harm is also very high amongst those having received ELTR or refugee status (Ceneda 2002).³

As dependants: 69 per cent of women who seek asylum do so as dependants of principal applicants. In 2003, 5860 women applied as dependants, whereas 4775 men applied in this category (Home Office 2004a).

Process of making claims

While the regulations and guidelines recognise aspects of gendered violence (Home Office 2004c), and identify gender guidelines for asylum seekers (Immigration Appellate Authority 2000), women still face undue disadvantage while making claims for asylum. This is testified by the fact that in 2003, although 9 per cent of women gained asylum on first application compared to 5 per cent of men the proportion of refusals in the initial decision outcomes was higher for women at 70 per cent in 2002, than for men whose initial refusal rate was 65 per cent (Home Office 2004a). More women gained refugee status, but this was more than compensated by the fact that more men gained ELTR (Table 13ii).

The specific problems that women face during the asylum process that leads to poor acceptance of claims can be traced to a range of factors. First, they may be less able to make claims because the claims are made on their behalf by male relatives, giving them little room to express the ways in which they faced serious harm. Dependant women are much less likely to make claims within the initial period than men. They often change status from dependant to principal claimant but then get caught out by the rules for not having applied on entry. Secondly, the presence of male interviewers and/or the public nature of the interview process can make women reluctant to speak about gender-specific harm - either because of patriarchal control over disclosure of acts which may be seen as bringing dishonour to the family or due to social norms that limit the ways in which these truths may be enunciated. Thirdly, women may also be less able to provide adequate corroborative evidence because of the surreptitious nature of the political activities in which they engaged. Fourthly, lack of knowledge about gender issues in country of origin can influence the final decision-making. Finally, the appeals process can also disadvantage women. The *Gender Guidelines for the Assessment of Asylum Claims* set out in 2000 aims to address some of these issues. However, their success is becoming muted by the hardening public perception around asylum issues in general.

Post-application

Women asylum seekers faced a range of problems during the post-application period too. One of the most significant was the lack of safety - thus one study found that 83 per cent of women asylum seekers rarely go out (Dumper 2002b). Asylum seekers in mixed sex hostels and the highly masculinised detention centres⁴ face high risk of sexual abuse (Communitycare.co.uk 2001; Women Asylum News 2002) and racial harassment (Penrose and Elagib 2002) which they are reluctant to report for fear of indifference or hostility from the authorities. This, along with women's child care responsibilities means that women become isolated and their visibility within the community is reduced. Women asylum seekers whose claims are linked to their husbands might face domestic violence because of the stresses the family face in the new environment. Moreover, the National Asylum Support Service (NASS - see below), which makes women financially dependent on their husbands, perpetuates the situation (Communitycare.co.uk 2001). Although there is supposed to be provision for such women to obtain sheltered accommodation, the rules of access are stringent and therefore difficult for most women in such relationships to access (Refugee Women's Resource Project RWRP 2003).

Men's greater public presence within their communities has meant that they also appear to find it easier to access support systems from networks within the community (Dumper 2002b: 19). The history of gender breakdown among refugees and public representations of refugees as almost always male have also led to masculine bias in the provision of support for asylum-seekers and refugees. The Home Office policy of dispersal introduced in 1999 (Scottish Refugee Council 2003) and delivered by NASS is one such example. It presumes a highly mobile male individual who has no dependants so that the difficulties that the specific experiences that women may face through dispersal are not adequately considered. For instance, one study found that women's access to appropriate housing, health, interpreters and legal firms or similar ethnic minority groups an asylum seeker could turn to for help were particularly affected through the dispersal policies (Dumper 2002b). Figures from June 2003 show that 37 per cent of those receiving subsistence only support from NASS were female. The same figures indicate that 30 per cent of those supported through NASS accommodation were female (ICAR 2003). It is in London that the vast majority of subsistence only support is to be found; many of these recipients are young men.

A number of factors influence refugee women's experiences in exile: causes of flight, education, social class, education, age, employment status, household composition, cultural norms and religious beliefs (Bloch 2004b). The life chances of refugees are also significantly and lastingly influenced by the economic and legislative climate at time of entry and the process of 'managing migration' from an economic perspective appear to significantly influence the experiences of those seeking asylum today (Bloch 2004b). As a result, as in much of the migration debate an increasingly important vector of difference is the possession of skills. The Home Office's decision to flag up the applications for asylum based on skills means that those with skills (especially professional skills in shortage occupations) are likely to be offered specific packages for integration into the workforce, something that is simply not on offer for refugees who are less-skilled. In 2000, a refugee health professionals' steering group was established and over two million pounds have been allocated to projects for refugee professionals (BMA 2004a). The most developed schemes are those offered for nurses (Employability Forum 2003) and doctors (BMA 2004b).

Issues for the future

A number of attempts have been made to recognise the specific issues facing women refugees. Steps taken to recognise and tap into their employment potential through the recognition of skills amongst refugee women (Dumper 2002a), the incorporation of refugee women in research projects on refugees, and the provision of training for women to undertake research are particularly striking developments. Provision of female-specific support, such as the project jointly run by Refugee Action and St. Peter Church in Nottingham are also examples of good practice. The project aims to afford women the space to socialise and get help in different areas such as housing, schooling, training for future employment, healthcare, legal advice and English lessons (Pearce 2003). Many women asylum seekers and refugees work there as volunteers. They hold different qualifications, possess rich experiences, speak different languages and belong to different ethnic minority groups. Their expertise is crucial in assisting new comers who seek help before settling down in Nottingham.

However, the opening up of 'integration' projects for skilled refugees without at least a concomitant degree of support for lesser skilled refugees can result in widening divides amongst refugees. There is a danger that problems of social cohesion may be applied to the lesser skilled refugees while skilled refugees are incorporated into narratives of economic success. The distinction between skilled and less skilled is becoming the core divide in the development of the managed migration approach, the issue to which we turn next.

Gendered Implications of Managed Migration and Stratified Rights

Barbara Roche's keynote speech at the conference on UK Migration in the Global Economy in September 2000 marked the beginning of UK's new approach of 'managing migration'. This approach brings together different forms of migration, including those associated in theory with normative principles - asylum and family reunification - under an overarching framework (Morris 2004; Salt 2001). Migration is managed in order to deliver UK's economic interests within the context of a competitive global economy while at the same time 'maintaining social cohesion'. The links between immigration and employment become a central feature of such a policy (Duvell and Jordan 2003). The acknowledged corollary of the pursuit of the national economic interest is the closure of other possible reasons and routes of entry, notably for undocumented migrants and asylum seekers requiring tighter control and deterrence, externally and internally (King *et al.* 2003; Morris 2004:3). And those migrants whose labour market contributions are less obvious are primarily viewed through the lens of social cohesion.

Managed migration offers a new emphasis on a regulated opening up of migration but within the context of differential contractual obligations and rights for different categories of migrants (with highly-skilled at one end and low skilled at the other). This leads to a more pronounced stratification, or system of inclusion and exclusion, through migrant statuses and rights to settlement (Kofman 2002; Morris 2002). So whilst some groups, namely the skilled, have seen their rights expand, others, particularly asylum seekers and the less skilled, have experienced a contraction in their rights (Morris 2004). There is also increasing problematisation of those who are unlawfully present, for example, those who have entered clandestinely or are overstaying (Pinkerton *et al.* 2004; DRC 2004).

This approach to migration has been brought into force through a plethora of policies relating to migration and subsequent settlement (Spencer 2003). Since 2000 there has been an expansion in labour migration, a simplification of the work permit system and loosening of restrictions on the skilled. For instance, work permits were extendable to five years, thus enabling the individual to accumulate the four years necessary to obtain Indefinite Leave to Remain and the five continuous years of residence to apply for citizenship. Furthermore, the Highly Skilled Migrant Programme (HSMP) introduced in January 2002, allowed migrants meeting a high standard of qualifications and work experience in their homeland to enter without a firm job offer. Under both schemes, applicants may bring in family members, including cohabiting partners, who in turn also have the right to work. The latest revision (Home Office 2005a) to policy proposes the introduction of a new four-tiered scheme which will bring all the current work schemes and students into a single points-based system. The HSMP is to be incorporated as the highest tier with the old work permit system now placed in the second tier. The highly skilled will not require a sponsor but the second tier will be tied to a sponsor. The low skilled (proposed tier 3), for which official channels had been expanded through sector-based since 2003, are to be phased out over time in the light of the supply of labour from new EU members and future accession countries. In the meantime, those providing less skilled labour provide a supply of flexible guest workers whose rights are severely circumscribed (see section on less skilled).

The gendered consequences of policies are inflected through a range of factors. The sites and sectors of work and labour market shortages influence labour migrants. Secondary effects of labour migration affect gender distribution within family migration. At the same time cultural perceptions of gendered familial relations have shaped family migration policy largely based on the assumption that spouses are female and dependent. Public representations of refugees as young and single males marginalise women refugees. In the following sections we look at the gendered implications and outcomes of different forms of immigration.

Skilled Migrants and Managed Migration

The gendered outcomes of managed labour migration result primarily from the differential valuation of (gendered) skills, related in part to prevailing shortages. For much of the 1990s the valued skills were those associated with the globalisation of production, trade and technology, which privileged male dominated employment in transnational corporations and in ICT. Towards the end of the 1990s, labour shortages in (feminised) welfare sectors such as health and education led to increases in work permits for employees in these sectors (Kofman 2000; Kofman and Raghuram forthcoming). These changes were accompanied by a move to bring in more generic skills through the HSMP. A variant of the system deployed by Canadian immigration, the system awarded points for qualifications, experience and wealth. However, unlike Canada, the UK has not undertaken a Gender Based Analysis (GBA) of the regulations.

Table 14: Work permits by nationality and gender, various years

<i>Year</i>	<i>1995</i>	<i>1999</i>	<i>2003</i>	<i>2004</i>
Females				
USA	3,841	5,340	5,777	5,046
Philippines	70	1,755	12,053	8,962
India	671	1,519	11,961	11,743
South Africa	336	2,705	7,542	5,026
Australia	756	1,935	24,079	2,875
Zimbabwe	178	696	2,897	2,259
China PR	291	560	2,819	2,874
Canada	575	932	1,526	1,212
New Zealand	226	735	1,812	1,140
Nigeria	264	702	1,518	1,206
Others	2,891	4,667	12,017	9,566
Total	12,520	25,582	75,639	60,671
Males				
USA	14,074	16,533	18,515	15,006
India	3,768	9,747	30,226	28,049
South Africa	934	2617	5,611	4,165
Japan	3,191	3,244	3,004	2,305
Australia	1,392	2,626	4,747	3,145
Pakistan	733	1,104	7,419	8,487
Bangladesh	116	164	6,827	12,593
China PR	1,038	1,249	4,858	4,241
Canada	1,334	1,976	2,454	1,945
Philippines	83	848	3,974	3,011
Others	8,148	9,498	22,476	17,532
Total	39,366	55,528	125,273	111,837

Source: Work Permits UK

Table 15: Work permits applications by gender and industry, various years

<i>Year</i>	<i>1995</i>	<i>1999</i>	<i>2003</i>	<i>2004</i>
Females				
Health & Medical	876	7,626	36,413	29,801
Entertainment & Leisure	1,914	4,145	7,646	5,908
Admin, Business Managerial	1,939	4,370	6,545	4,908
Education & cultural activities	674	1,288	6,797	4,681
Hospitality, catering & others	81	534	6,347	4,627
Financial Services	692	2,145	2,051	2,004
Computer Services	216	1,113	2,497	2,497
Other services	1,275	1,145	0	0
Cinemas and Theatres	1,473	427	0	0
Manufacturing	126	368	928	757
Total	12,520	25,583	75,476	60,594
Males				
Entertainment & Leisure	7,201	14,058	25,961	19,730
Computer Services	1,324	6,776	17,251	15,185
Admin, Business Managerial	5,849	8,905	11,919	9,127
Health & Medical	1,029	4,166	14,415	12,287
Hospitality and Catering	145	868	21,479	21,435
Financial Services	2,157	4,822	4,843	4,548
Education & Cultural activities	1,853	2,529	6,634	4,962
Manufacturing	968	2,231	3,907	3,292
Cinemas and theatres	5,905	1,328	0	0
Total	39,366	55,528	124,806	111,477

Source: Work Permits UK. Note: The large number of applications for entertainment arise from the fact that a separate application has to be made for each visit and for each individual in a group.

Table 16: Work permit applications by gender and occupation, 1999 - 2004

<i>Year</i>	1999	2001	2003	2004*
Females				
Nurse	2,438	20,590	25,571	19,403
Other Health/Medical	264	2,341	10,203	9,621
Other MGR related	853	4,306	5,067	4,337
Teacher School/College	142	4,113	4,341	2,812
Singer	1,005	1,213	1,481	1,145
Musician	981	1,113	1,333	1,029
Other IT related	280	1,849	1,415	1,349
Other financial	321	1,511	1,378	1,495
Researcher	231	1,122	1,365	1,038
Other hotel category	101	831	1,762	747
Dancer	90	820	1,349	1,079
Accountant	497	1,174	722	544
Other Ed/Cultural	135	777	1,101	719
Fashion Model	187	1,014	638	436
Chef	30	456	1,300	1,026
Software Engineer	52	607	627	662
Others	6,076	10,738	15,890	13,182
Total	25,568	54,597	75,543	60,624
Males				
Musician	8,266	10,034	13,105	10,048
Other MGR related	2,187	9,970	11,227	9,559
Other IT related	1,039	7,831	7,064	6,866
Chef	172	3,988	11,574	605
Software Engineer	349	5,171	5,573	4,911
Nurse	563	5,090	5,634	4,063
Other engineering occupations	838	4,441	4,696	3,343
Other health/medical	533	2,464	3,894	4,254
System analyst	659	3,986	3,203	1,621
Other financial	636	3,137	2,788	2,846
Singer	1,270	1,691	2,248	1,694
Researcher	600	2,878	2,946	2,268
Analyst programmer	3,024	2,458	1,829	
Teacher school/college	52	2,162	2,438	1,546
Accountant	905	2,290	1,351	980
Technician (music)	368	1,653	2,182	1,704
Others	13,092	25,050	41,783	45,509
Total	55,493	149,959	125,076	111,649
Percentage female of total	31.5	36.5	37.7	35.2

Source: Work Permits UK. * to 30 September 2004.

Citizenship and Immigration Canada (2002) applied Gender Based Analysis to various aspects of the Immigration and Refugee Protection Act, which was implemented in 2002. Status of Women Canada (2002) defines GBA as:

a process that assesses the differential impact of proposed and/or existing policies, programs and legislation on women and men. It makes it possible for policy to be undertaken with an appreciation of gender differences, of the nature of relationships between women and men and of their different social realities, life

expectations and economic circumstances. It is a tool for understanding social processes and for responding with informed and equitable options.

It compares how and why women and men are affected by policy issues. Gender-based analysis challenges the assumption that everyone is affected by policies, programs and legislation in the same way regardless of gender, a notion often referred to as "gender-neutral policy".

As a result of this analysis, Status of Women Canada (2002) suggested various changes to the policy. In relation to the skilled worker class, it argued for a broader notion of human capital to replace the previous emphasis on specific occupations which gave preference in the 1990s to science and technology occupations and excluded a number of female-dominated professions, such as nursing (Couton 2002; Tolley 2003). Even so, Status of Women suggested that consideration of education, training and work experience does not always take into account the barriers faced by women and the gender stratification in many of its source countries. In the new points system (see Table 15) implemented in 2002, there are no specified occupations whilst the three fields accruing the greatest number of points are education, language and years of work experience. The latter has been kept to a low level, partly reflecting the greater difficulty women face in accumulating continuous years of work.⁵

Table 17: Comparison of Points Systems for Skilled Workers - Canada and UK

(i) Canadian Skilled Worker Class	
Acceptance is based on 67 points.	Maximum points
Education	
e.g. MA or PhD and 17 yrs of full-time study	25
2 year diploma and 14 yrs study	20
Language	24
Need both English and French, 16 for the first language, 8 for the second if able to converse, read and write fluently	
Work Experience (4 years)	21
Has to have been in past 10 years in a management, professional or highly skilled occupation	
1 yr 15 points	
2 yrs 17	
3 yrs 19	
Age (21-49 years)	10
Loss of 2 points per year from 50 to 54	
Arranged employment	10
Adaptability	10
E.g. Canadian qualification, educated spouse or common law partner up to 5 points for MA/PhD, 4 BA, 3 post secondary;	
5 points for applicant or spouse who has worked studied family	
Source: http://www.workpermit.com/news/canada_points_changes.html	

(ii) UK Highly Skilled Migrants Programme

Acceptance is based on gaining 65 points (reduced from an original 75 in October 2003). The scheme has been split into two, on the basis of age: one for those under 28 years and another for those who are over 28 years

Educational background

Graduate	15
Masters	25
PhD	30

Work Experience

Over 28 years

5 years full time graduate work or 3 years with a PhD	25
5 years full-time graduate including at least 2 years in a senior or specialist position	35
At least 10 full-time including at least 5 years senior or specialist position	50

Under 28 years

2 years graduate	25
4 years graduate	35
4 years including at least 1 year senior or specialist	50

Past Earnings

These points (25 to 50) depending on the level of earnings are largely derived from earned income rather than dividends, property rental or inheritance and is based on the country of residence and not citizenship of the past 12 months. There is a complicated table of 3 levels within 5 categories corresponding to different income levels across the world. Earnings levels for those under 28 years are adjusted accordingly.

Achievement in Your Chosen Field

This refers to peer recognition or significant contribution to one's field e.g. original piece of research, artistic achievement, a lifetime achievement award from an industry body; an invention. Significant achievement earns 15 points, exceptional 25.

Partner's Achievement

This awards 10 points for the skilled spouses (married and unmarried if they are in a relationship akin to marriage) of those successful under HSMP. The partner must have a BA or equivalent professional qualification.

Source: Home Office (2005c) Annexes to chapter 5

Applying a GBA to the criteria employed in the HSMP (see Tables 15 and 16) can enable us to disentangle some of the gendered consequences of aspects of the managed migration policy. It also gives us an example of a method that could be applied to immigration regulations, more broadly. Within the HSMP criteria such as position within an organisation will probably favour male applicants as men are generally over-represented in organisational hierarchies and are less likely to have career breaks so that they can accumulate the necessary years of experience. Continuing gender inequities in pay also means that awarding points on the basis of income levels will have gendered outcomes. Moreover, gender will intersect with country of origin as the gender pay gap will vary across countries so that the sensitivity to different income levels may also need to take account of gender inequities in income level. The differentiation between the experiences of those under 28 and those over 28 may also need to take account of the fact that in many countries women may be in the middle of child-bearing and therefore of career breaks during this period. Hence, the age limit of 28 too may need to be adjusted for women.

Some of these factors may also be reflected in the gender differences in the current HSMP acceptances. Women form less than a quarter of HSMP applicants and figures on acceptances of HSMP by occupational groups are dominated by finance, ICT, business management and medical professions (Table 15). Most of these occupations are skewed towards the private sector. The more feminised welfare sectors, such as health and education, are, on the other hand, some of the leading occupations amongst the ordinary work permit system. They have more limited rights but women who enter through these schemes too have rights of family reunification, and of the possibility of settlement under the contemporary managed migration regime.

Table 18: HSMP applications by gender, 2002 - 2004

<i>Female</i>	2002	2003	2004*	Total
Teacher	11	49	200	260
Accountant	15	60	176	251
Doctor	21	44	95	160
Student	1	13	116	130
Chartered Accountant	4	11	87	102
Finance	11	45	30	86
Medical Doctor	7	17	61	85
Banking	6	24	54	84
Marketing	9	34	40	83
Teaching	2	10	59	71
Lawyer	9	16	43	68
Lecturer	7	10	47	64
Management Consultant	17	23	16	56
Female Total	582	1,399	3,946	5,927
Male				
Doctor	63	214	554	831
Accountant	49	185	409	643
Engineer	21	141	228	390
IT	50	214	108	372
Software Engineer	14	64	259	337
Chartered Accountant	25	39	237	301
Finance	52	137	91	280
Banking	20	84	159	263
Student	2	17	239	258
Civil Engineer	19	39	183	241
Teacher	17	58	164	239
Banker	22	53	158	233
Medical Doctor	14	38	166	218
Male total	1,870	5,062	13,322	20,254
Total Applications	2,452	6,461	17,269	26,182
% female	23.7	21.6	22.8	22.6

Source: Work Permits UK. * to 30 September 2004

A highly feminised group whose rights have changed over the last few years are Working Holiday Makers (WHMs). Their conditions of entry and stay were considerably relaxed in August 2003, but they have now (as of 8 February 2005) largely reverted to earlier strictures on the type of employment which can be undertaken (not to be closely related to the WHMs' career) and a limitation to the equivalent of a year full-time within a 2 year stay. WHMs can, however, convert their status, once here for at least 12 months, to a work permit in a shortage occupation or to an HSMP. Hence they too have the opportunity if they fulfil the criteria to stay and settle. This is at least partially because they are represented as unproblematic in terms of fitting in and social cohesion- which is probably in part due to their national origins (largely white Old Commonwealth though this has now been extended to the New Commonwealth).

Student migration- an increasingly feminised phenomena - is also being linked to future labour market requirements so that the rules governing student's participation in the labour market have slowly been eased and switching from student to other categories is increasingly permitted. The Government's attempt to

use immigration to meet very specific skills shortages (following the publication of Roberts, 2002) has prompted the introduction of a new initiative the Science and Engineering Graduate Scheme (SEGS, launched in October 2004). The scheme permits students who have obtained a good degree in specified courses at given levels (undergraduate, postgraduate - taught/research) to remain in the UK for 12 months in order to find a job. However, many of the engineering and mathematics courses eligible in this scheme have predominantly male student cohorts so that it is likely that most of those who will be eligible for the SEGS scheme are likely to be men. For instance, less than 20 per cent of all higher degree engineering qualifications are obtained by women, although the proportions are slightly higher among non-European Union (EU) students compared to UK or EU domiciled students. Scotland's Fresh Talent scheme (to be offered from summer 2005) will allow all overseas graduates from Scottish Universities to stay in Scotland for two years and seek any type of work during that period. As it is not subject specific its impact on retention is likely to be much more gender neutral.

Lesser Skilled and Lesser Rights

While skilled migrants, as outlined, have been welcomed and granted rights of settlement, family reunification and eventual citizenship, the entry of the lesser skilled is subjected to quotas, limited to a few sectors, prevented from switching to schemes for the skilled in contrast to graduate students and WHMs (Home Office 2004a). The Sector Based Scheme (SBS), for hospitality and food processing, though likely to offer employment opportunities for migrant women, only offers a temporary sojourn of up to 12 months and can only be renewed by leaving the country. Workers cannot bring in family members. There is a maximum limit of 15,000 permits (9,000 for hospitality, 6,000 for food processing) and only 20 per cent of permits can be obtained by people from any single nationality.

However, most of the discourse around managed migration focuses on work done in public spaces. The private sphere of the home - an important site for women's work - has been ignored in its demands for labour. Whilst the family is increasingly recognised in its importance for social reproduction and is being aided financially by the state, no work permits have been allocated for domestic labour and caring.

Though immigration policy has failed to recognise labour in the private household as proper employment, it has not however capped either the numbers of domestic workers accompanying their overseas employer or of au pairs. There has also been a marked improvement in the conditions of residence and employment for overseas domestic workers who accompany in-coming personnel (managers of transnational companies, consultants, diplomats etc). Since changes to the concession in July 1998, overseas domestic workers can change employer within the sector and, if employment continues, apply for settlement at the end of four years. Once this happens the employment restrictions are also lifted and therefore domestic workers could eventually acquire citizenship. Furthermore, their previous exclusion from the Sex Discrimination 1975 has been progressively lifted since 1987 although they still remain outside the remit of the Race Relations Act of 2000. Au pairs, who are largely women (Williams and Baláz 2004), fall into a contradictory position between cultural exchange and work (Newcombe 2004), where the State leaves the negotiation of their actual rights to the family.

Table 19: Sector-Based Scheme applications

<i>Nationality</i>	<i>No. Fish</i>	<i>% female</i>	<i>No. Food</i>	<i>% female</i>	<i>No. Meat</i>	<i>% female</i>	<i>No. Hosp.</i>	<i>% female</i>
Bangladesh	327	0.3%	153	0.7%	616	0.3%	11,684	0.5%
Bulgaria	328	63.4%	107	31.8%	451	20.0%	864	44.7%
Czech Rep.	21	23.8%	1	0.0%	483	2.7%	0	0.0%
India	4	0.0%	12	0.0%	122	0.0%	965	8.4%
Latvia	52	26.9%	44	86.4%	80	25.0%	242	60.3%
Lithuania	18	61.1%	238	54.6%	60	6.7%	184	57.1%
Moldova	9	66.7%	53	41.5%	308	9.7%	242	38.4%
Philippines	48	89.6%	37	89.2%	10	10.0%	357	61.6%
Poland	105	22.9%	213	52.1%	672	12.5%	756	50.9%
Romania	5	20.0%	11	18.2%	545	21.1%	452	42.9%
Russia	103	43.7%	7	42.9%	23	52.2%	396	55.3%
Slovakia	0	0.0%	1	0.0%	715	2.9%	113	59.3%
Thailand	0	0.0%	71	80.3%	1	0.0%	140	55.0%
Ukraine	391	39.1%	950	56.2%	1,048	11.8%	939	37.9%
Others	199	28.6%	549	4.7%	1,175	3.5%	4,000	26.3%
Total	1,610	35.3%	2,447	40.5%	6,309	8.8%	21,334	16.1%

Source: Work Permits UK. Fish, food and meat workers are in catering SBS; hospitality have their own SBS.

Family

Other forms of migration, such as family migration have also been integrated into the system of managed migration. In family migration (reunification, formation and accompanying), the skilled may bring in partners whilst the less-skilled cannot. Switching from a temporary status to a settlement status through the marriage route has been disallowed since July 2003 on the basis that this would thwart the Government's ability to manage numbers and control entry. On the other hand, much immigration policy enforces dependency on spouses, at least temporarily. In 2003 the refrain of bogus or sham marriages led to the extension of the probationary period from one to two years and in 2005 tougher rules have been imposed on the marriage of spouses of British citizens and of permanent residents from outside the European Union. From 1 February 2005 they have either had to apply for entry clearance at the relevant British Embassy or consulate or, if already in the UK, obtain approval from the Home Office.

The gendered assumptions that underlie family reunification policy also form the basis for the community cohesion and citizenship initiatives that followed the disturbances in Northern cities in summer 2001. In this instance stereotypical images of 'traditional' patriarchal gender relations (South Asian communities and generally Muslim) and women isolated from the external world drive both immigration and settlement policies (Yuval-Davis *et al.* 2005) and fail to adequately recognise the diversity of women's experiences and situations (see Table 1).

Asylum

Currently asylum seekers are publicly represented as the greatest threats to social cohesion but these representations also assume most asylum seekers to be young and economically predatory men⁶ and hence generating policies (Sales 2002; Feminist Review 2003) designed to reduce public concerns. As a result, a range of measures have been introduced in the last couple of years to tighten the regulations for claiming asylum and reduce the number who have been fully recognised as Convention refugees with full rights. The latest turn of the screw has undermined integration programmes by making even refugees vulnerable to return to their country depending on the political and security situation there for up to five years.

Many of the new regulations differentiate between asylum seekers who make claims soon after arrival and have valid travel documents and those who do not. As women are less likely to have such documents, especially if they are fleeing gender persecution or have been trafficked into the UK, the policy is likely to be particularly detrimental to women (Refugee Council 2004). Increasing emphasis on how claims are made rather than the basis of the claims will also very likely reduce women's ability to gain asylum as they may be less likely to know how to make claims. The withdrawal of family benefits in the 1996 Immigration and Asylum Act affects a number of asylum seekers who come in as dependants. The shift from the back payment of benefits to 'integration loans' is based on the notion that all refugees will be able to work and to pay off loans. This is again based on the notion of refugees being young, able-bodied men - a group with very high labour force participation rates. Refugee women, even more so than other women, are likely to face a number of barriers to employment and therefore may well be unable to repay loans. The fear of inability to repay is likely to prevent such women from taking the loans in the first place. Finally, the effects of removal to safe third countries without any rights of appeal can affect women as awareness of gendered persecution in both 'safe third countries' and in the countries which have been placed on the 'white list of safe countries' is often both limited and distorted (RWRP 2004). The effects of these new regulations are yet to be fully felt. But the gendered assumptions of asylum seekers as mobile single individuals also underlie the dispersal policies adopted in 2000. Measures introduced to disperse asylum seekers from the South East to a number of regions created numerous problems for women. Women, especially those with children are unable to avail of subsistence-only support suggesting the gender-blindness of asylum policy. On the other hand, women may also be more dependent on help from migrant communities and NGOs, which are more numerous in London. Hence, when women choose to avail of subsistence-only support, the sacrifices they make may be larger, and the implications for their dependants greater.

The government has also been active in policymaking regarding irregular migration and sex trafficking. In effect there have been several regularisations such as that of overseas domestic workers from July 1998 to October 1999, a one-off amnesty for asylum seekers and their families who have been in the UK for more than three years in 2003, amnesty for undeclared family members of refugees (closed in December 2004) as well as de facto regularisation of Central and Eastern European workers when their countries entered into the EU. Unlike most other existing EU members, the UK allowed workers from these countries to enter and work as long as they registered and made no claims on benefits in the first year they worked. From May to December 2004, some 131,000 workers applied to register in this scheme (Home

Office 2005b) and 122,770 were approved. Most were young and 5 per cent had dependants with them in the UK. These immigration flows are much more feminised than the older immigrations from Eastern European - forty-five per cent of applicants were women. Of these, 2,450 have registered as care workers. We do not yet know gender differences in conditions of work and wages amongst Eastern Europeans who have registered under the worker registration scheme (on-going COMPAS study). However the TUC (Hardy and Clark 2005) noted that those working in care homes, which are often small, poorly unionised and isolated, may face particular problems and, though legal, are often not aware of their employment rights and recourse against sexual harassment.

Sex trafficking has been addressed through the Sexual Offences Bill 2003 and the inclusion of a separate offence for all forms of labour exploitation (agricultural, domestic, sexual) in the Asylum and Immigration (Treatment of Claimants etc) Act in 2004 (Anti Slavery International 2004). Those arranging or facilitating the movement into, within or out of the UK in order to sexually exploit may receive prison sentences of up to 14 years. These recent initiatives have been prompted by a spate of international and European measures such as the UN Trafficking Protocol (2000) and the EU Council Framework Decision on Combating Trafficking in Human Beings (July 2002). Non-governmental organisations (NGOs) have been especially active in lobbying governments, the EU and international organisations in seeking a rights-based approach which does not lead to the victimisation of the person being trafficked, allows them to stay in the country for a three month period of reflection, and to have access to employment and support services (van den Anker 2003). Some have argued that, as a victim of gender-based persecution, a trafficked woman should be entitled to entry into refugee- determination process to ascertain whether she has a well-founded fear of persecution and for the recognition of trafficking as a form of gender based persecution under the refugee convention (Shearer and Demir 2003).

The restrictive regime of asylum policies forces certain categories of migrants to employ irregular means of migration, include the use of clandestine entry, smuggling and trafficking routes (Morrison and Crossland 2001), as well as overstaying on visas granted for temporary purposes. Because the relevant 'push' and 'pull' factors including conflicts in regions of origin and the need for low-skilled labour in the UK as well as established transnational networks are not likely to become less important, irregular immigration is likely to continue at significant levels. One consequence of this is that, despite the obvious difficulties with measurement of irregular migration flows into the UK (Pinkerton *et al.* 2004), the informal economy is likely to remain a significant feature of the British economy (Anderson and Rogaly 2005). This has important implications for gendered immigration, as an analysis of the stocks of migrant labour shows that certain sectors of the informal economy - for example, care, cleaning, hospitality, clothing manufacture, and sex work etc. - contain a significantly feminised labour force. In so far as migration management produces flows of irregular migration, there will also be a correspondingly detrimental effect on female immigrant labour.

Recent policy discussions have however not taken adequate account of the complexities outlined above. Thus, the new regulations proposed in February 2005 (Home Office 2005a) offer a diminution of rights for most migrants, especially

asylum-seekers and migrants who are less skilled. These changes will also have gendered effects.

First, the proposed four-tiered system makes a number of gender distinctions. For example, the first tier, which represents the current HSMP, will continue to have many of the problems identified in our analysis of this category. Qualifications, the income level and work experience, may all be harder barriers for women than men. The second tier (which requires applicants to have skills equivalent to NVQ3 and above), which approximates the current work permit category, is envisaged to meet labour requirements at the less qualified and lower income end of skilled work. Unlike tier 1, tier 2 migrants will require a sponsor (employer, faith community or local authority) who will ensure they comply with the regulations of employment and residence. Although professionals, such as nurses and teachers cited in the White Paper as examples of the second tier, are not barred from applying through the first tier, the lower wage levels in these heavily feminised sectors will often mean that women may not have the income levels to apply through the first. Much more severe is the proposed plan to heavily restrict the migration of the lesser skilled (tier three) on grounds that the demand for lesser skilled jobs will be largely met by migrants from the new EU member countries. However, this does not take into account that over time EU migrants too may be unwilling to engage in lesser paid jobs. In particular, the regulations fail to recognise the significance of continuing labour shortages in sectors such as care and domestic work that depend on migrant female labour.

The proposed increase in the number of years (from four to five) that migrants have to be resident in the UK (usually paying taxes and National Insurance) before they can obtain permanent residence status is likely to have a greater impact on women. Migrant workers will have to wait longer to access benefits such as child benefit and this will especially disadvantage women migrants, who are often the primary carers for children and therefore bear the cost of rearing them. The level of language proficiency required for obtaining residence is likely to affect women more as they are less likely to know English and may at the same time find it harder to get to language lessons. Women, many of whom are family migrants, are also more likely to be affected by the emphasis on labour migration, which is becoming the only socially acceptable route of entry to the UK. Finally, the restrictions on marriage migration and the language of 'sham marriages' is likely to make the entry and marriage of female migrants (many of whom still continue to enter for the purposes of marriage) increasingly difficult.

Conclusions and Policy Recommendations

In a short span of years, a number of major white papers and parliamentary acts, such as *Secure Borders, Safe Haven* (2001), *The New Asylum and Immigration (Treatment of Claimants, etc.) Act 2004*, and, most recently, *Controlling Our Borders* have reshaped both migration flows as well as discourses around migration, entry, settlement and rights. One of the interesting aspects of this new migration regime is the changing gender dimension of migration. The proportion of women in migrant flows is increasing but their modes of entry and their access to rights are becoming increasingly complex and diversified. For example, migrant women from nationalities that were previously poorly represented in earlier flows, such as the Philippines and Eastern Europe, are now becoming more significant in the labour market. Amongst some established groups, such as Indians, new migrants are entering as skilled labour migrants, lesser skilled migrants as well as family migrants (often also qualified). New gender divisions thus appear to be emerging both between women and men, and amongst women themselves, across a range of vectors, especially the level of skills. Women may accrue very different bundles of rights, have different settlement outcomes, and experience migration and settlement in very different ways. Forms of racism and xenophobia continue but have become varied - for instance, racism against older established groups now co-exists with xeno-racism against new migrants and both are cross-cut by gender.

Discourses around managed migration too are gendered with social cohesion being seen as a primary issue for asylum seekers and refugees (many of whom are male) and for (female) family reunification migrants while the language of economic contribution is deployed for skilled labour migrants. The lesser skilled, on the other hand, are seen as a greater threat to social stability. This is partly because they are considered as competitors for jobs, and the shortages in the areas where migrant labour makes a contribution - especially in household and care work - are not acknowledged as shortage areas for immigration. The new migration policies will therefore lead to differential incorporation of women into the UK.

In this paper we have highlighted some aspects of these emerging patterns and policies. We have brought together data on different forms of migration in order to highlight gaps in existing data collection, publication and analysis, and to open up issues that we think will influence female migration in the future. It is clear that the need to assess the importance of female migrants in the UK and the impact of specific policies have never been greater.

Based on our research we argue that we require a more comprehensive understanding of gendered migrations and the value of female labour, and through the application of a gendered-based analysis, an evaluation of the impact of immigration, settlement and citizenship policies. In particular we recommend the need to:

- € Analyse data on immigration by gender so as to make women less invisible. We would recommend that national and international organisations be urged to generate and analyse data of flows, stocks and longitudinal series by gender. This will improve our understanding of social and economic outcomes for female and male migrants.

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- € Recognise the diversity of migrant women's immigration, their labour market position and their different needs and entitlements to ensure that more targeted policies are developed.
 - € Undertake a gender-based analysis of the impact of different immigration policies. This has been undertaken in Canada and has led to changes in the application of selected criteria used in the allocation of points in the skilled worker class but has also been applied to family class migration and asylum applications and decision-making processes. GBA could also be applied to post-migration processes, such as the dispersal of asylum seekers.
 - € Extend employment and social rights to household labour, including the application of the Race Relations Amendment Act 2000. The proportion of migrants is set to grow in this sector as a result of government policies expanding the availability of child care and replacing community-provided services with direct employment by the individual (tax deductions, cash lump sums).
 - € Recognise the valuable contribution of lesser skilled employment, including care, and enable those undertaking such work to renew their work permits with accompanying rights, such as family reunification.
 - € Ratify the UN Convention for the Protection of the Rights of All Migrant Workers and their Families and mobilise a range of international conventions, such as CEDAW, for the protection of migrant women, both regular and irregular.

Seminar Participants

<i>Name</i>	<i>Organisation</i>
Louise Ackers	University of Leeds
Amanda Ariss	Equal Opportunities Commission
Alice Bloch	City University
Kate Bellamy	Fawcett Society
Gosia Brykczynska	Royal College of Nursing
Dipali Chandra	Joseph Rowntree Foundation
Laurence Cooley	ippr
Don Flynn	Joint Council for the Welfare of Immigrants
Audrey Guichon	University of Birmingham
Gina Hocking	OXFAM
Francesca Hopwood Road	ippr
Guy Horsington	Department for Trade and Industry
Renu Jobanputra	Health Commission
Mike Kaye	Anti-Slavery International
Eleonore Kofman	Middlesex University
Sarah Kyambi	ippr
Sue Lukes	
Lydia Morris	Essex University
Traute Myer	Southampton University
Annie Phizacklea	University of Warwick
Parvati Raghuram	Open University
Louise Ryan	Middlesex University
Rosemary Sales	Middlesex University
Danny Sriskandarjah	ippr
Leni Wild	ippr
Tessa Wright	London Metropolitan University

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Endnotes

¹ See Tables 12-17

² About 84 per cent of all social work employees are women (Simon *et al.* 2003, cited in Roche and Rankin, 2004), while 98 per cent of childcare workers are women (EOC 2004).

³ In this paper we have used the categories that were utilised at the time of the study.

However, since 1 April 2003, the Home Office has replaced exceptional leave to remain by two new forms of leave: humanitarian protection and discretionary leave. Humanitarian protection is granted to anyone who would, if removed, face in the country of return a serious risk to life or person arising from the death penalty or unlawful killing or torture, inhuman or degrading treatment or punishment. Discretionary leave may be granted to asylum applicants who are considered not to be in need of international protection or excluded from such protection but are allowed to remain for other reasons, for example because they have children or relationships in the UK.

⁴ Only 155 of the 1615 persons in detention centres were women (Home Office 2004a).

⁵ The section on Gender Based Analysis benefited from a study of Skilled International Female Migrants: migratory strategies and settlement experiences (2002-3) funded by the Canadian Faculty Research Program.

⁶ For example, Lord Rooker, the Immigration Minister was quoted as saying that 'most asylum seekers are young, single men who have deserted their families for economic gain' (Dumper 2002b).

➔ This working paper seeks to understand the changing nature of contemporary gendered migrations in the UK. The paper argues that whilst the increasing feminisation of migration is widely recognised in academic circles, gendered assumptions still prevail in UK immigration policy. The authors suggest ways of developing gender sensitive policies as well as recommendations for implementation.

Eleonore Kofman is Professor of Social Policy at Middlesex University.

Parvati Raghuram is a Lecturer in Geography at the Open University.

Matt Merefield is completing a PhD at Nottingham Trent University

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