

The impacts of COVID-19 pandemic on migrant women in the UK

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This briefing outlines the UK migration context and provides an overview of the vulnerabilities and heightened inequalities experienced by women engaged in international mobilities in the UK during the COVID-19 pandemic.

Migration to the UK

The United Kingdom is a country with a culturally and ethnically diverse population, currently characterised by positive net migration. In 2021, net migration was estimated at around 239,000 and people from migrant backgrounds make up around 14% of the UK population. This diversity is however unevenly spread, with half of foreign-born population residing in the Southeast or London. Other UK nations are comparatively less diverse; in Scotland, 9% of the population has been born abroad, with smaller proportions of the population being foreign-born in Northern Ireland (7.0%) and Wales (6.5%) (House of Commons Library, 2022; Migration Observatory, 2022c).

Most migrants living in the UK come from outside of the European Union (EU) and the top nationalities are reflective of the country's historical and contemporary ties. When considered by country of birth, the biggest nationality group of migrants settled in the UK are Indian, Polish, Pakistani, Romanian and Irish people. While EU migrants have been more likely to come to the UK for work, non-EU migrants have more often come to the UK for family reasons. Migrant workers are particularly concentrated in the health and social work, retail, manufacturing and education sectors (Migration Observatory, 2022b and 2022c).

Following the United Kingdom's exit from the European Union (the so-called "Brexit"), over 6 million applications were submitted by EU nationals to secure their immigration status in the UK, although this number includes repeat applications and people who have departed the UK since applying. By June 2022, 3.2 million EU nationals who could demonstrate they had lived in the UK for more than 5 years had been

granted "settled status" (meaning they have indefinite leave to settle and work in the UK), and 2.6 million received "pre-settled status", given that they had not resided in the UK for 5 continuous years (Home Office, 2022).

Prior to the pandemic, only around 5% of all UK's migrants were asylum seekers and refugees, meaning that the UK ranked 4th in the number of asylum applications when compared to other EU nations (UNHCR UK, 2021). However, the UK fairs relatively well when it comes to resettlement of refugees through different schemes, having resettled more people than any other European country in years 2014-2018 (House of Commons Library, 2020). Women make up a small majority of all UK migrants (Migration Observatory, 2022c), although they represent a smaller proportion of asylum applicants, which reflects their reliance on family reunion and resettlement schemes (Refugee Council, 2020).

Much like elsewhere in Europe, the COVID-19 pandemic has had a significant impact on net migration, particularly during the border closures. Nonetheless, evidence shows that the non-EU migration which fell during the pandemic has now bounced back, although the same cannot be said for migration from the EU zone (Migration Observatory, 2022d). Additionally, short-term developments including the temporary halting of refugee resettlement and border closures during the height of the Covid-19 crisis have reduced immigration to the UK.

The UK immigration system

Shifts in the profile of migrants coming to the UK have taken place in the context of significant changes to the national immigration and asylum policy. Over the last two decades, the UK has implemented stricter controls under both Conservative and Labour Governments to reduce irregular immigration and limit the rights and entitlements of migrants without the so-called "Indefinite Leave to Remain" status, in efforts to tackle irregular migration. Since 1999, subsequent laws have included the removal of asylum seekers' right to work and access mainstream welfare benefits, the implementation of a "no-choice" asylum housing provision and

sanctions where irregular migrants are found to work or rent property (Saunders and Al-Om, 2022).

Following the Conservative-Liberal Coalition Government commitment to reduce net migration levels to under 100,000, the UK has seen a more hostile environment to migrants over the last decade, including a harsher detention regime and increased data sharing between the Home Office and statutory services to identify irregular immigrants (JCWI, n.d). This has led to immigration enforcement to become embedded in core welfare services (Griffiths and Yeo, 2021). Other significant developments include Brexit and the subsequent implementation of a new points-based immigration system. Most recently, the Nationality and Borders Act 2022 was accompanied by the controversial Migration and Economic Development Partnership with Rwanda, aimed to implement a system whereby asylum claims could be processed offshore if they arrive by sea across the English Channel. The Act has prompted widespread opposition among immigration lawyers and support organisations, who have criticised it as a breach of international law for treating refugees differently depending on their route of arrival (Ingham et al., 2022). Richardson, 2022). Most recently, the Government has introduced the Illegal Migration Bill which seeks to change the law to impose a duty on the Home Secretary to remove migrants from UK who have entered in breach of immigration laws on or after 7th of March 2023, through a “safe country” without leave to enter or remain in the UK (UK Parliament, 2023). In effect, the Bill would end most migrants’ right to seek asylum in the UK.

Following Brexit, EU migrants have been required to register for the EU Settlement Scheme (EUSS) to secure either “settled” or “pre-settled” status, depending on how long they had lived in the UK. Settled status guarantees indefinite leave to remain in the UK, and largely similar rights to what EU nationals had prior to Brexit. In contrast, the “pre-settled status” is a form of temporary residence for EU nationals, who have to re-apply for settled status. They are at risk of losing their residence rights and becoming undocumented migrants if they do not apply for settled status

before their pre-settled status expires. This Scheme has not been without controversy due to issues arising from confusion on who needed to apply, along with difficulties faced by applicants with lack of digital access or the required documents to secure status (McClelland, 2021). Although EU settlement rates had already halved between 2004 and 2014, Brexit has led to a further drop in long-term EU immigration, a significant rise in citizenship applications from EU nationals and larger-scale return emigration by some national groups, for example Polish migrants (Migration Observatory, 2022a, 2022c, 2022d).

Since January 2021, the UK has adopted a new points-based immigration system which treats new EU arrivals on the same terms as non-EU arrivals. This employer-led system assesses applications from newly arrived migrants with points given based on salary level and job offer, education qualifications and proof of language skills. Other routes exist for shortage occupations, seasonal work and migrants with specific skills (UK Visas and Immigration, 2022). Since its establishment, the take up of the new visa system among EU migrants has been low. Notably, some sectors previously populated by EU workers, including hospitality and food manufacturing, are now largely excluded from the new system due to a required minimum salary threshold (currently at £25,600/year or £10.10/ hour, whichever is higher).

Unlike recognised refugees and settled EU nationals, most other migrants on study, work and family visas are subject to a *No Recourse to Public Funds* (NRPF) condition, which excludes them from social security payments and social housing assistance. Additionally, most asylum seekers have no right to work for the duration of their application and rely on limited financial support. They cannot choose where to live during the application process and are given a cash allowance of £45 per week (less if they are housed in hotels, and slightly more for claimants with young children) (UK Government, N.D.).

COVID-19 and rising inequalities in the UK

Emerging evidence has shown that marginalised communities, including those most deprived and Black and other Minority Ethnic (BME), have fared worse outcomes from the COVID-19 crisis. This has included a higher risk of death among the foreign-born population, especially those from Central and Western Africa, the Caribbean, Southeast Asia, the Middle East and South and Eastern Africa (Public Health England, 2020). However, as the data does not record immigration status, but rather nationality and ethnicity, it is much harder to make comprehensive conclusions about the possible differential health outcomes experienced by different migrant groups. Access to healthcare can be influenced by immigration status, whereby rejected asylum seekers in England only qualify for primary healthcare (BMA, 2022). Migrants on visas are required to pay a health surcharge as part of their application to use the National Health Service.

The pandemic has also heightened existing social and economic inequalities. The UK Government implemented several urgent policy measures, including national lockdowns and schemes to support businesses and individuals in response. However, emergent evidence suggests that migrants have been falling in between the cracks of some of these initiatives. For example, the economic consequences of the COVID-19 crisis have had an impact on migrants' abilities to meet visa requirements, such as the required income threshold. In the UK, the Government implemented a Job Retention Scheme (so-called "Furlough" scheme) which enabled employers to continue to pay staff while businesses were closed. Although foreign nationals were eligible, some employers lacked awareness that Furlough and Statutory Sick Pay were available to migrant workers, which excluded many migrants from these sources of support, as employers made the applications (Fotherinham and Boswell, 2022). Some migrant groups experienced added vulnerabilities, including asylum seekers who only received a nominal £2.68/week increase in their asylum support in June 2020, and other migrants with No Recourse to Public Funds, particularly

if they were made redundant (Refugee Council, 2022a; FLEX, 2021). Additionally, EU migrants with pre-settled status need to satisfy a right to reside requirement (for instance, work or family reasons) before qualifying for mainstream social security; however, recent reports suggest that failure to qualify has led to some EU migrants being rejected for Universal Credit, which is the main social security payment to help with living costs (Bulat, 2020). The COVID-19 restrictions and lockdowns also made it harder for law centres and third sector providers to support vulnerable EU Nationals in applying for secure status, particularly those with limited digital access, low levels of literacy or English language proficiency, and homeless individuals (Law Centres Network, 2021).

In addition to increased financial precarity, migrants in the UK also experienced heightened health inequalities. The compounding effects of COVID-19 and the hostile environment policy enabling health data sharing with the Home Office has made many migrants fear using the National Health Service or getting the vaccines (Fotherinham and Boswell, 2022). Reports about a COVID-19 outbreak in a former military base housing asylum seekers led to a High Court ruling that the Home Office unlawfully used unsuitable and unsafe accommodation to house asylum seekers, yet the military base continues to be used (DPG Law, 2021). Lack of clear COVID-19 measures and 23-hour curfews in hotel accommodation used to house many asylum seekers also prompted considerable health, wellbeing and safeguarding related concerns across the refugee-sector (Lock, 2021; Refugee Council, 2022b).

Despite UK's record in resettling refugees, more recent schemes have been riddled with administrative difficulties, such as thousands of Afghan refugees stranded in hotel accommodation during the pandemic, months after their evacuation (Corker, 2022). The UK has also continued to detain migrants, despite the call from international organisations to release immigrant detainees to mitigate the devastating consequences of possible COVID-19 outbreaks in detention settings (OHCHR, IOM, UNHCR and WHO, 2020). Although the Home Office

continued to process asylum applications during lockdowns, the temporary pausing of in-person interviews and appeal hearings increased delays in an already backlogged system, leading to further need for advocacy and advice services for vulnerable claimants (Right to Remain, 2021). While some changes, including the temporary halting of evictions from asylum accommodation during the pandemic, have been positive, destitute asylum seekers have continued to struggle to access emergency housing, despite the Government's approach to get "everyone in", which was a public health measure adopted to prevent the spread of COVID-19 (Lock, 2021).

COVID-19 and migrant women in the UK

The wider effects of the pandemic on national economies, services and mobility have led to heightened gendered inequalities and risks for women in particular. Many migrant women in the UK are in precarious and part-time work, concentrated in key professions including care work and nursing, which have been linked to higher risk of dying during the pandemic. Although workers with No Recourse to Public Funds with a long contribution record can access selected benefits, migrant women often do not qualify due to their likelihood of working insecure jobs (WBG, 2020b).

During the height of the pandemic, migrants with No Recourse to Public Funds (NRPF) could access furlough payments, but not the Universal Credit, if they had lost their jobs (Hick and Murphy, 2021). The NRPF condition has been found to disproportionately disadvantage women (including during pregnancy and maternity), BME people, disabled people and low-income families (Woolley, 2019; WBG, 2020a). The condition indirectly discriminates against many migrant women; accessing government funded childcare hours for 3 to 4 year olds requires meeting a residency requirement, either through British or Irish citizenship, either status or pending application through the EUSS or other immigration status with recourse to public funds. Combined with precarious employment, this condition restricts migrant women's access to full-time employment (WBG, 2020a, 2020b). Research predating the pandemic found that

74% surveyed respondents on Limited Leave to Remain with NRPF had experienced food poverty, 90% of which were women (Woolley, 2019).

In addition to financial precarity, many migrants also bear the high cost of immigration, including a £624 annual health care surcharge to use the NHS, in contrast to UK residents with access to free universal public healthcare provision. Migrant health and social care workers and their dependants were exempt from paying the surcharge during the pandemic, but organisations have campaigned for the fees to be abolished completely (House of Commons Home Affairs Committee, 2020). The cost of healthcare comes with gendered consequences, as it has been reported that migrant women's health has been put at risk, as necessary care for pregnancy and birth has been withheld, unless women pay high fees upfront (Summers, 2022). Research has also found that the NRPF condition can leave migrant women unable to take maternity leave or force heavily pregnant women to work, despite extreme discomfort; in the UK, law only mandates 2 weeks off after birth (Maternity Action, 2022). Additionally, evidence shows asylum seekers are frequently refused care by family doctors (GPs) and other health providers, regardless of their entitlements (Equality and Human Rights Commission, 2018).

While the pandemic has highlighted the significance of many low-paid professions, the compounding effects of the pandemic and changes in the immigration system have adversely affected migrant women. Notably, under the new immigration system and with the end of "key worker" visa extensions, many of the women who have been working in health services have been excluded from work visas, due to their salary being below the newly required salary threshold, usually at £25,600 per year (UK Visas and Immigration, 2022). Additionally, women are disadvantaged by the language requirements of the new visa system (WBG, 2022a). The changes in the immigration system are also of concern to EU nationals; the EU Settlement Scheme has faced considerable delays during the pandemic, with over 569,000 pending applications in July 2021 (Law Centres

Network, 2021). Organisations have raised concerns that women may find it more difficult to secure their status due to the lesser likelihood of having a record of continuous employment required to prove residence, or difficulties registering due to domestic abuse (McClelland, 2021). The UK asylum process has also been criticised for failing to address women's needs; this has included a failure to consistently implement gender-sensitive measures during asylum interviews, the on-going detention of vulnerable women and the inadequate provisions for women during pregnancy and maternity (British Red Cross, 2021; Baillot and Connelly, 2018; Canning, 2014).

Only 19% of migrant women in the UK are on work visas (Women's Budget Group, 2020b). Financial dependency on partners, combined with insecure immigration status and the effects of lockdowns which restricted access to women's services and informal support networks have led to heightened risk of domestic abuse (Domestic Abuse Commissioner, 2021; Women's Aid, 2021). Notably, women with NRPF cannot access Housing Benefit used to fund most shelters for victim/survivors of domestic abuse. This lack of support is compounded by professionals' lack of knowledge about immigration entitlements, as recent findings have shown that 70% of women referred to a third sector domestic violence support service due to their NRPF condition should have had access to public funds (Domestic Abuse Commissioner, 2021). Asylum seeking women also experience a higher risk of gender-based violence during the process due to these restrictions; asylum poverty and risk of destitution, limited support networks and their position in the immigration system, as they are often being treated as dependants on men's asylum claims, can facilitate coercive control (Domestic Abuse Commissioner, 2021). Fear of data sharing with immigration enforcement also deters victim/survivors from reaching out for support and reporting violence to the police (Domestic Abuse Commissioner, 2021). These barriers can be worse for women who are not on spousal visas, who are excluded from The Destitution Domestic Violence Concession (DDVC), which provides women fleeing domestic abuse a few months of temporary leave and

support to apply Indefinite Leave to Remain in the UK (Domestic Abuse Commissioner, 2021). Fears over heightened risk of gender-based violence against women and children have also been raised following the launch of the Homes for Ukraine Scheme, due to lack of sufficient checks to safeguard refugees against predatory men and exploitation (UNHCR, 2022).

Despite calls to extend the DDVC support from three to six months to provide victim/survivors enough time to apply for Indefinite Leave to Remain, the Domestic Abuse Act 2021 was passed without the recommended amendments (Domestic Abuse Commissioner, 2021). In June 2022, the UK Government announced it would finally ratify the Istanbul Convention on preventing and combating violence against women, more than a decade since signing it. However, the Government said it would reserve Article 59, which would require the state to grant residence to survivors whose immigration status depends on an abusive partner. The Government justified this decision on the basis of an ongoing Migrant Victims Pilot scheme which offers support for victim/survivors with NRPF, although the decision was questioned by the provider of the pilot project and the women's rights sector (Thomas, 2022).

Conclusion

This briefing has overviewed some of the emergent and heightened inequalities experienced by women engaged in international mobilities in the UK in light of the COVID-19 pandemic. The increasingly restrictive and rapidly changed UK immigration policy context provides an important backdrop for understanding the experiences of migrant women.

The situation of women with histories of migration in the UK has been compounded by the effects of welfare disentitlements, gendered labour market inequalities, additional caring responsibilities and vulnerabilities to gender-based violence. These vulnerabilities have been particularly pronounced for migrants with No Recourse to Public Funds, including asylum seekers who are forced to navigate lengthy decision-making process with extremely limited support provided.

The GEN-MIGRA Project is jointly funded under the Trans-Atlantic Platform for Social Sciences and Humanities (T-AP). Bringing together researchers and practitioners from four countries- Brazil, Germany, Poland and United Kingdom- it researches the impact of the pandemic on migrant women and their families. Find out more at: www.genmigra.org

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