



Migrant Workers in Northern Ireland

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Executive Summary

Migrant workers have become an increasingly visible social group within Northern Irish society over the past few years. However little was known about the number of people moving to Northern Ireland to work, or indeed about the areas of work that were attracting migrant workers. In addition little was known about the demands these changes placed upon statutory bodies or about the specific problems faced by migrant workers as they established themselves in Northern Ireland.

This report was commissioned by the Equality Directorate Research Unit of the Office of the First Minister and Deputy First Minister to address some of the gaps in our knowledge about migrant workers. It aims to provide base line data, to identify gaps in information and service provision and to identify social problems and personal needs experienced by people moving to Northern Ireland to take up employment.

The research employed a variety of methodologies to address these aims. ICR requested data and statistics from a broad range of government departments and statutory agencies; interviewed a number of people working for statutory, voluntary and community organisations; conducted a survey and interviews with migrant workers. ICR also spoke with a number of employers and employers organisations and carried out a review of literature on migrant workers in Northern Ireland, the United Kingdom and the Republic of Ireland.

Having reviewed the literature a simple definition was adopted of a migrant worker: 'an individual who arrives in the host country either with a job to go to or with the intention of finding one'. Migrants from Great Britain and the Republic of Ireland working in Northern Ireland were excluded from our study.

Categories

There are a number of different and distinct categories of migrant workers or non-nationals who have varying rights to work in Northern Ireland. The main categories are as follows:

- Nationals of the European Economic Area who have a right to travel, live and work in the UK.
- Nationals of all other countries: who require a work permit, which is obtained by an employer who cannot find a suitable national to fill a post.

- Nationals of Switzerland and British Overseas Territories and people employed in a limited number of activities, who require clearance to enter the UK but do not require a work permit.
- Commonwealth Working Holidaymakers: individuals between the ages of 17-30 who can work in the UK for up to 2 years.
- Students from outside the EEA can work part-time whilst enrolled in courses.
- Undocumented workers including people who have entered the UK legally but are working without a legal right to do so and individuals who have entered the country illegally.

Statistics

This variety of categories, some requiring documentation some not, means that it is difficult to identify the total number of migrant workers in Northern Ireland with any degree of accuracy. Furthermore different departments have different means of classifying individuals, while some departments cannot separate migrants from nationals. This means that it is not possible to give an accurate figure for migrant workers currently in Northern Ireland.

However the available data does shed some light on the issue:

- The 2001 Census indicates that there were 5,940 people in Northern Ireland who were born in EU countries (excluding UK & RoI) and 20,719 people born in non-EU countries. This gives a maximum figure of 26,659 people who could be classified as migrant workers or dependents of migrant workers.
- The Labour Force Survey (Spring 2003) estimated that there were 9,000 non-UK and RoI nationals working in Northern Ireland.
- Data on work permits issued between 1998 and 2003 suggests that the maximum number of people working on work permits is 7,082.
- The UK Immigration Service estimates that there are around 2,000 undocumented workers in Northern Ireland.
- The UK national Statistics also indicates that there has been a net outflow of population from Northern Ireland since 1992. Over this time out-migration has exceeded immigration by 1,300 persons.

This research does not provide much clarification on the numbers of migrant workers in Northern Ireland. However it does indicate both the gaps in our knowledge and the scope for providing better data from the existing range of sources.

Demographics

Data from a variety of sources indicates that migrants are being employed in a wide range of sectors with the most frequently cited being food processing, agriculture, nursing and healthcare, education, and hospitality and catering.

The diversity of employment sectors means that migrant workers are widely distributed across Northern Ireland. The significant Portuguese speaking community in Dungannon and Portadown has been noted in the media, but more recently food processing factories in Ballymena, Coleraine and elsewhere have also been turning to migrant workers. Most health care workers are employed in the Belfast area, but many health care trusts employ nurses from other countries. Farms and agriculture businesses in Newtownards, Portadown and in the border areas have employed migrant workers and such labour has also proved attractive to a range of hotels across Northern Ireland.

Migrants with a wide range of nationalities outside of the EEA applied for work permits. The most numerous are from the Philippines, India, Poland, Ukraine, USA and China as well as from Bulgaria, Romania, South Africa, Canada and Malaysia. Among the EEA countries Portuguese nationals are the largest visible group. It is possible the enlargement of the EU in 2004 will increase the numbers of migrants coming from the new accession states in Eastern Europe.

Data for people registering for National Insurance numbers suggest that men and women are migrating to Northern Ireland in equal proportion. Data from the ICR survey indicated that 57% of migrants were married and in 67% of these cases the partner was also in Northern Ireland and 38% of the survey sample had children living with them in Northern Ireland.

The ICR survey revealed that 48% of respondents had been in Northern Ireland for a year or less, 13% had lived here between one and two years, while 29% had lived in Northern Ireland for between 2 and 5 years and 10% had lived here for over 5 years.

Reasons for Migrating

The research identified a range of 'push' and 'pull' factors that either encouraged people to leave the country they were living in or attracted them to move to Northern Ireland. Limited opportunities for work was a prominent 'push' factor encouraging migration, while a range of positive

attractions to Northern Ireland were cited. These included: a higher salary, opportunity for career development, a better standard of living, and the active recruitment process for specific occupations.

It is generally accepted that host countries benefit from inward migration of labour, in terms of having both skilled people and an increased labour capacity for jobs for which there is a limited local labour interest. The evidence from this research suggests that migrant labour is filling significant gaps in the labour force in Northern Ireland, both in terms of providing skilled workers, for example in the health system, and unskilled factory labour, for example in the food processing industry and in certain sectors of agriculture.

Furthermore the influx of migrants can have positive impact more generally. This can include the potential impact of migrants on a local economy in terms of consumption, housing and entertainment, and the increasing cultural diversity such immigration can bring to the wider society.

Issues, Problems and Responses

The research revealed that migrant workers experience a range of problems associated with working in Northern Ireland. Some of these are due to a lack of information, for example in relation to obtaining National Insurance numbers, poor working conditions, and their relationships with recruitment agencies. Other issues included a lack of recognition of existing qualifications or poor training.

Most migrant workers lived in rented accommodation and a number of interviewees had experienced problems over housing, particularly if their home was supplied by their employer. In such cases leaving a job also meant finding a new home. Some people had also experienced harassment related to their housing situation, while others had experienced racism and harassment in the workplace and in the street.

Experiences of harassment were the main reasons for those migrants who were interviewed to have had contact with the police. Other statutory agencies that migrant workers had commonly engaged with were the Housing Executive, Social Security Agency, the health service and the education system. Each of the bodies had made some acknowledgement of the existence of migrant workers as an emergent and distinctive category of client/customer and had begun to adapt systems in response.

The two major issues of concern for migrant workers in engaging with the various statutory bodies were in terms of information, often in regard to basic knowledge about access and rights to services, and the provision of interpreter services. All bodies had acknowledged this latter issue and some steps had been made to respond, but the need to be able to communicate with clients and customers in a growing number of languages was proving a challenge.

Many migrant workers had sought help and support from a diversity of community and voluntary organisations when dealing with their problems. A growing number of non-governmental organisations had acknowledged the presence of migrant workers in their locality or as a client group and were developing programmes and projects in response. Trade Unions and the Citizens Advice Bureaux were the most frequently contacted bodies, but projects such as STEP in Dungannon, Sure Start in Cookstown and Wah Hep in Craigavon represent the growing number of locally based groups engaging with migrant workers.

Conclusions

The research revealed that migrant workers are a growing category of employees in Northern Ireland and they are a necessary factor for many employment sectors due to a shortage of available local labour. Anecdotal evidence also suggests that migrant workers can have a positive impact on local communities and are an important factor in sustaining local business diversity.

However there is a lack of integrated and cross-departmental data on the number of people moving to Northern Ireland to live and work. This needs to be rectified so that service providers have a clearer indication of the needs they will be responding to.

There is also a need for better information for migrants arriving in Northern Ireland, which clearly identifies the full range of their rights and their responsibilities.

There would be value in improving cross-sectoral partnerships within and between statutory agencies and NGOs to clarify issues of concern, identify emergent good practice and develop appropriate strategies for future action. It might be appropriate to initiate such a programme of action via a public conference to which all interested parties would be invited to attend.

1. Introduction

This research was commissioned by the Equality Directorate Research Unit of the Office of the First Minister and Deputy First Minister due to recognition within government that there was a dearth of information in relation to one section of the minority ethnic communities - migrant workers. Anecdotal evidence suggested there were growing numbers of migrant workers in Northern Ireland, particularly in the meat processing and health sectors. However, these scant facts raised more questions than they answered, and it became clear that research into the subject of migrant workers was required.

There was awareness that migrant workers may experience a range of problems and needs. It was thought probable that these would include forms of racism and xenophobia experienced by many outsider groups. In addition, there was the possibility that they would encounter problems specifically in relation to their employment, such as low pay and breaches of conditions. Furthermore, as members of an emerging group, migrant workers might meet with difficulties because of a lack of local knowledge, language skills and information on their legal and civil rights. Finally, those migrant workers who work without documentation would be vulnerable to a further range of pressures and open to more extreme forms of exploitation.

The principle aim of the research was to establish an overview of the scale, background and location of migrant worker populations in Northern Ireland. Within this broad remit, there were a number of key objectives. Firstly, to develop an understanding of migrant workers' lives in Northern Ireland. This included their experiences of employment, housing, harassment and access to public services. Secondly, the report endeavoured to identify the organisations, agencies and businesses with an interest in and responsibility for migrant workers. In doing so, it aimed to catalogue the services supplied by local statutory providers and to examine these in the light of the needs of migrant workers, as described by themselves. The information and assistance supplied by community and voluntary groups would also be reviewed. These various strands of the project would then be woven together to produce a baseline study that would provide appropriate background information for policy makers and statutory bodies.

Background

The presence of minority communities in Northern Ireland has received an increasing amount of attention in recent years. Much of the initial work focused on the larger and/or longer established groups such as the Jewish, Chinese, Indian, Pakistani, Sikh and Traveller communities (Irwin and Dunn 1997; Hainsworth 1998; Mann-Kler 1997; McCann, O'Siochain and Ruane 1994). More recently researchers have turned their attention to the presence of the small number of asylum seekers and refugees in Northern Ireland (Tenant 2000; McVeigh 2001; Harvey and Ward 2001). Work has also been done on the various aspects of the relationships between members of minority communities and the white majority (Connolly and Keenan 2000a, 2000b, 2001; CRE 1999; Jarman 2002; Rolston and Shannon 2002).

Such research has been useful in creating a broader recognition and acceptance that Northern Ireland is increasingly becoming a multi-cultural society and that programmes developed by government must recognise this fact and respond accordingly. However, there is virtually a complete lack of information in relation to one section of the minority ethnic communities - migrant workers.

In this report, the focus is on migrant workers rather than workers who are part of established minority ethnic groups. Whilst many of those who comprise the established minority ethnic groups moved to Northern Ireland because of the economic potential of the region, they have also come to regard Northern Ireland as home and constitute multi-generational communities who are permanent residents here. Migrant workers on the other hand, initially at least, move to another country on a temporary basis to exploit an economic opportunity. It should be noted that people from European countries are also considered to be migrant workers, even though they may not class themselves as members of minority ethnic groups.

There is an ongoing debate as to what differentiates a 'migrant worker' from an 'immigrant'. The term 'immigrants' is sometimes used to imply long-term settlement and integration, while 'migrant worker' sometimes has implications of temporariness or the possibility of return migration (Castles et al. 2002). However, viewing migrant workers as 'temporary' workers is not straightforward. Some migrant workers come on short-term contracts before either returning to their country of origin or migrating to a third country. Others have fixed contracts lasting a couple of years, which may or may not be renewable. In short, the length of time

a migrant worker stays in Northern Ireland will depend on a range of factors - job opportunities, immigration status and experience of Northern Ireland.

For the purposes of this research a migrant worker is defined as someone who has come to Northern Ireland to work and who is neither a national of the United Kingdom nor the Republic of Ireland. It was decided to exclude workers from the Republic of Ireland from this study because there is a long history of free movement and migration of Irish workers to all parts of the UK.

A precise or universally agreed definition of the term 'migrant worker' does not exist. A summary of the different definitions is presented below:

- A person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national. (United Nations' International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families 1990).
- A national of one contracting party who has been authorized by another contracting party to reside on its territory in order to take up paid employment. (European Convention on the Legal Status of Migrant Workers 1975).
- A person who migrates or who has migrated from one country to another with a view to being employed otherwise than on his own account and includes any person regularly admitted as a migrant worker. (International Labour Organisation)
- Those who come to the UK intending to stay for at least a year and whose primary purpose in coming is to work. (United Kingdom government quoted in TUC 2002).
- A person who has resided abroad for a year or more, and who states on arrival the intention to stay in the UK for a year or more. (International Passenger Survey).
- A foreign worker is someone who works but has foreign citizenship and a foreign-born worker is anyone born outside of the UK, including British citizens. (Labour Force Survey).

All these definitions share the basic premise that a migrant worker is someone who arrives in the host country either with a job to go to or with the intention of finding one quickly.

Existing Information on Migrant Workers

The presence of migrant workers in Northern Ireland has been documented in the media since 2001. In September 2001 the Tyrone

Courier ran a story estimating that there were 500 Portuguese people in Dungannon and Portadown working in meat processing factories through employment agencies (McGreevy and Bayne 2001). The following year in May 2002, the bodies of two Lithuanian men were discovered in Warrenpoint. The murdered men were believed to have been living in Newry and working in mushroom farms in the surrounding area. Two of their co-nationals were suspected of the murders. In October 2002, UTV's Insight team broadcast 'From Portugal to Portadown'. This programme revealed the treatment of Portuguese workers in Portadown by the Atlanco employment agency. In the same month, the BBC Spotlight programme used undercover footage to expose how Lithuanians were being brought into Northern Ireland to work on mushroom farms. The workers were paid £1.20 an hour and provided with substandard accommodation. Employment agents in Northern Ireland and Lithuania were charging the workers £1,000 to arrange their passage to Northern Ireland, with false promises of high wages and good working conditions.

The employment of migrant workers at the Movie Star Café, a lap-dancing club in Belfast, was reported in the Belfast Telegraph in January 2003. Seventeen work permits were originally issued to lap-dancers from Eastern Europe and South America when the club opened in the summer of 2002. Three of these women were deported in December 2002 by the Immigration Service after overstaying on their work permits. In November 2003, Belfast City Council rescinded the club's licence. One of the reasons for refusing the renewal of the licence was that the Council believed the owner of the club was under police investigation for the illegal trafficking of women (McHugh 2003).

The employment of 560 overseas nurses in Northern Ireland's Health and Social Services Boards has been noted in the media (Gould 2003). There have also been reports of racist attacks on Filipino nurses in Ballymena (BBC Online 13.02.2003) and an assault of a Portuguese man in Cookstown (Grattan 2003). In August 2003, Albanian migrant workers also featured in the media, with reports that they were working on farms in Co. Armagh as chicken catchers and being paid £2 an hour.

These various news reports point to the growing diversity of the migrant worker population in Northern Ireland. They also indicate that migrant workers experience a range of problems - low pay, poor housing, exploitation by agencies and racism. In addition to the media coverage, there is a small but growing literature on migrant workers in Northern Ireland.

In 2002 the Multi-Cultural Resource Centre published a report on Portuguese-speaking workers in Northern Ireland (Soares 2002). The data, gathered through questionnaires and interviews with Portuguese workers living in Portadown and Dungannon, found that the majority of Portuguese workers were young single males working on factory production lines. Most had six-month contracts with recruitment agencies, with a few people having left the recruitment agency and later securing direct employment with the factory. Soares found that the Portuguese-speaking population was not a stable entity, with new workers arriving in Northern Ireland and others returning to Portugal at the end of their contract. Although none of the workers felt they had been badly treated by the public services or the state, there were linguistic barriers to accessing such services.

The Department for Employment and Learning did a small-scale study of work permit applications in Northern Ireland for May 2001 and June 2001 (Morahan and Kennedy 2001). During these two months there were 153 applications - 67% were initial applications, 11% were applications for the extension of existing work permits and 22% were for sports persons or entertainers doing 'one-off' performances in Northern Ireland. The ages of applicants ranged from 22 to 60, with 49% aged 21-30 and 34% aged 31-40. 57% of applicants were men and 43% were women. The highest number of applicants came from the Philippines (30) followed by China (13). In terms of occupation, 50 applications were made for health and social welfare professionals, followed by chefs (18), science and technology professionals (13), teaching and research professionals (9) and health professions (8). Most work applications were for two-year work permits (43%), followed by three-year permits (16%) and one-year permits (13%).

A report on sports migrants in Northern Ireland found that there were 133 sports migrants during the period May 2001 to May 2002 (Carter, Donnan and Wardle 2003). They played rugby, cricket, ice hockey, basketball, tennis and field hockey. The migrants came from 19 different countries, with the largest numbers coming from South Africa, Canada, India, Australia and USA.

Finally the Northern Ireland Life and Times Survey 2002 asked respondents to give their feelings on the fact that other EU citizens are free to live and work in Northern Ireland. 66% of respondents welcomed this fact whereas 10% stated it was unwelcome. Respondents were also asked a number of questions about immigrants in general. Only a third of people believed that immigrants were good for Northern Ireland's

economy. 46% of people disagreed with the statement that immigrants increase crime rates. Almost half of respondents, 48%, believed that immigrants take jobs away from people born in Northern Ireland. Only 12% of people believed the number of legal immigrants should be increased, 48% believed the number should remain the same, and 29% felt it should be reduced. These findings suggest that up to half of people in Northern Ireland do not regard immigration as a positive development for the country.

Categories of Migrant Workers

Nationals of the European Economic Area

The EEA comprises the European Union and the European Free Trade Area Countries (Norway, Iceland and Liechtenstein). Nationals from EEA countries have a right to enter, reside and work in the UK without the permission of any UK authority. Similarly, family members of EEA nationals, even if they themselves are not citizens of EEA countries, are free to work in the UK. Switzerland has also recently signed an Association Agreement with the EU, which gives its nationals similar rights of free movement as enjoyed by EEA nationals. The only instances in which EEA nationals may be restricted in their employment is in certain public sector jobs which involve the exercise of discretion in decision-making on matters concerning the rights of British citizens. EEA nationals working in the UK have the right to apply for all social security and social welfare benefits.

Work Permits

The work permit scheme allows employers based in the UK to employ people who are not nationals of EEA countries and who are not entitled to freely work in the UK. Applications for work permits must be made by the UK employer; individuals cannot apply for work permits on their own behalf. Work permits are not issued to recruitment or employment agencies where they are employing a person solely to provide the person's services to one or more clients under a contract. These restrictions do not, however, prevent an employer using an agency to assist in recruiting a person, provided the permit is to be issued to the employer and not the agency. In making an application, employers must make clear why they have not been able to fill the post with a resident worker or an EEA national. They need to demonstrate that the vacancy has been advertised throughout

the EEA, and that none of the applicants possess the required qualifications and work experience necessary for doing the job. The application for a work permit must be made before the potential employee leaves their home country.

Work Permits UK, part of the Home Office Immigration and Nationality Directorate based in Sheffield, England, administers work permits on a UK-wide basis. They have been responsible for processing work permits for Northern Ireland since 1 September 2002. Previously, this role was carried out by the Department for Employment and Learning for Northern Ireland. If a person is granted a work permit, the worker must remain in the employment of the specified employer and in the category of employment for which the permit was granted. If the employer or worker end the employment for which the permit was issued the work permit holder must leave the UK. A worker can only change employer if the new employer has applied for a work permit to take them on.

Work Permits UK also issue what is known as a 'First Permission'. This operates in exactly the same manner as a work permit except that the holder is in the UK when the application is made. Thus, a person who comes to the UK on a tourist visa can look for a job and the potential employer can apply for a First Permission on their behalf. If the application is successful the worker is issued with a letter of permission in lieu of a work permit, which validates their immigration status. In this report, work permits and First Permissions will collectively be referred to as 'work permits'. Work Permits UK stipulate that the pay and other conditions for work permit holders should be at least equal to those normally given to a resident worker doing similar work for the same employer.

A work permit has a maximum duration of five years. A worker on a permit valid for less than four years can apply for an extension to the permit to continue their work with the same employer. At the end of four years the worker may apply for Indefinite Leave to Remain (ILR). Once a person has obtained ILR they are free of virtually all restrictions on their employment rights in the UK. Their employer is required to support the application for ILR with a statement that they would be willing to continue employing the person. Dependants of work permit holders can apply for a visa through the British Embassy in their home country in order to enter the UK. The spouse of a work permit holder is free to take any kind of employment in the UK during the period for which their partner has a valid work permit. Work permit holders and

their dependants have no recourse to public funds when in the UK.

'Permit-free' categories

There are a number of categories of employment for which the worker does not require a work permit but must still obtain entry clearance from abroad before entering the UK. These categories are:

- Citizens of Switzerland and British Overseas Territories;
- Representatives of overseas newspapers, news agencies, or broadcasting organisations;
- Representatives of overseas firms which have no branch, subsidiary or other representative in the UK;
- Private servants in diplomatic households;
- Overseas government employees;
- Ministers of religion, missionaries and members of religious orders;
- Airport-based operational ground staff of overseas-owned airlines.

Types of work permits

A number of different categories of work permits exist depending on the type of employment being sought.

1. Business and Commercial: For occupations recognised by Work Permits UK as 'shortage occupations'. This recognition acknowledges that there are acute shortages of suitably qualified and skilled workers within the resident EEA labour market. Occupations falling under this category of work permit include engineers, doctors, social workers, pharmacists, nurses, teachers and veterinary surgeons.
2. Sports and Entertainments: For the employment of established sports people, entertainers and cultural artists.
3. Training and Work Experience Scheme (TWES): Enables people from outside the EEA to undertake work-based training for a professional or specialist qualification, or a period of work experience.
4. Internships: For students from countries outside the EEA who are studying degree courses overseas to undertake an internship with an employer in the UK.
5. General Agreement on Trade in Services (GATS): Allows employees of companies that are based outside the European Union to work in the UK on a service contract awarded to their employer by a UK-based organisation.
6. Sectors Based Scheme (SBS): Introduced on 30 May 2003. Under this scheme work permits can be issued in the food manufacturing (fish processing, meat processing and mushroom processing) and hospitality (hotels and catering) sectors. Employers must show they

have been unable to recruit resident workers for these posts. The job must have been advertised in a local Job Centre for six months before the employer can apply to Work Permits UK. Work permits will only be issued to employees aged 18-30. The dependants of SBS work permit holders are not entitled to accompany the permit holder to the UK. A permit lasts 12 months, and people can enter the UK on an indefinite number of SBS permits. However, they must spend two months outside the UK between each permit. SBS work permit holders employed in the mushroom industry must be paid according to the pay scales laid out by the Agricultural Wages Board.

7. Highly Skilled Migrant Programme: Launched in January 2002 to allow highly skilled individuals to migrate to the UK. The aim is to provide an individual migration route for highly skilled persons who have the skills and experience required by the UK to compete in the global economy. Qualification for this programme is determined by a points system, with points awarded for educational qualifications, work experience, past earnings and career achievements.

Commonwealth Working Holidaymakers

Commonwealth citizens between the ages of 17 and 30 can apply for leave to enter the UK as Working Holidaymakers for a period of two years. Working Holidaymakers must not engage in employment that is of a professional nature or pursue a career, although some professional activity (supply teaching at a junior level or agency nursing) is permitted. Furthermore, working can only account for 50% of their time spent in the UK, the rest of the stay must be devoted to vacationing. Plans to change the Working Holidaymakers Scheme were announced in the Budget Report by the Chancellor of the Exchequer in 2003. In future Working Holidaymakers will be able to take up work in any sector, move freely between employers, and switch to work permit employment after one year in the UK. This shift in policy was influenced by recognition that the UK is currently experiencing recruitment difficulties. Working Holidaymakers have no recourse to public funds when in the UK.

Seasonal Agricultural Workers' Scheme

The Seasonal Agricultural Workers' Scheme (SAWS) was developed to provide farmers with an additional source of labour during their peak season. Participants on this scheme must be full-time students aged 18-25 years old. They work in the UK during their holiday time and use their earnings to supplement their studies. A person is entitled to work in the

UK for up to 6 months during the period 1 May to 30 November. The scheme uses 'operators' who recruit participants, allocate them to farms and ensure they receive the appropriate wages and conditions, although the contract is between the farmer and the worker. In Northern Ireland they are paid according to the standards laid down by the Agricultural Wages Board. Accommodation must be provided either on site or close to the farm by the employer.

A new scheme entitled SAWS II is being introduced in January 2004. Under the new arrangements there will be two separate six months periods in which workers can come to the UK - January to June and July to December. At present workers have to leave the UK by the end of November. This change was in response to the labour shortages which farmers are experiencing in the winter months. Many SAWS workers originate from states due to accede to the European Union on 1 May 2004. Therefore, from that date nationals from these countries will be able to undertake all types of work in the UK without any kind of permit.

Teachers and Language Assistants

The British Council runs a scheme whereby language assistants and teachers from outside the UK can spend a year working in an educational establishment in Northern Ireland. The majority of these workers are from EEA countries, although a small number come from Canada, Mexico, and Colombia. The British Council also operate the Fullbright Teacher Exchange Programme whereby teachers from the USA swap jobs with teachers from Northern Ireland for up to a year.

Students

Students from the European Economic Area (EEA) do not need permission to work in the UK. Students from outside the EEA can work for up to 20 hours per week during term time and full-time hours during vacation time. The spouses of overseas students who have permission to stay in the UK for 12 months or more are also entitled to work. Graduating students can formally switch into work permit employment without having to first return to their home country.

A UK business can obtain a work permit on behalf of a student graduating from a UK educational institution while the student is still in the UK. Plans to change the rules surrounding the position of graduating non-EEA students were announced in the 2003 Budget Report. In future,

students will be permitted to work for one year post-graduation in the UK, without being covered by a work permit.

Undocumented Workers

The term 'undocumented workers' refers to individuals working in the UK without a legal right to do so. Therefore, by definition undocumented workers in the UK must originate from countries outside the European Economic Area. According to the United Kingdom Immigration Service, the main nationalities of undocumented workers in Northern Ireland are: Algerian, Bangladeshi, Bulgarian, Chinese, Latvian, Lithuanian, Malaysian, Nigerian, Romanian, Ukrainian, and Zimbabwean. In addition, there is an even spread of smaller numbers from countries including Canada, Morocco, Nepal, South Africa, Turkey and the USA.

In the majority of cases undocumented workers have entered the UK on a legal basis. They become undocumented workers when they breach the conditions of their entry. Within this category are people who have entered as a tourist on a visitor visa but have subsequently taken up employment; work permit holders whose permits have not been renewed; working holidaymakers who have overstayed; and students who have stayed in the UK after their visas have expired. In terms of future trends, the accession of ten countries to the European Union in May 2004 will effectively regularise the status of undocumented workers from those countries currently in the UK. From that date citizens of those countries will have the same rights in the UK as currently enjoyed by EEA citizens.

In some cases undocumented workers enter the country illegally. They may have been smuggled into the country by organised criminals who make a profit from this process. Alternatively, undocumented workers may be the victims of human trafficking where the intention behind the facilitation is to exploit the migrants when they reach the UK. Migrants are coerced into entering the destination country by means of threat, abduction, or deception. Exploitation includes prostitution, forced labour and slavery.

Migrant Workers in the Republic of Ireland

Historically, the Republic of Ireland had been a country with high levels of emigration. However, this trend has recently been reversed and by the late 1990s the number of immigrants surpassed the number of emigrants. While Irish nationals returning to Ireland from other countries still accounted for almost half of all immigration in 2002, there were

increasing numbers of immigrants from EU accession countries, former states of the USSR and the Philippines (NCCRI 2002).

In 2002, the Equality Authority launched a report on the experiences of migrant workers in the Republic of Ireland (Conroy 2002). The study found that experiences varied according to where migrant workers were placed on the occupational hierarchy. Those at the lower end, such as agricultural workers, were paid below the minimum wage level, had a very long working day and spoke little to no English. However, few had complained about their conditions. Nurses working in private hospitals and nursing homes had encountered breaches of contract, non-payment of wages and harassment. In contrast, nurses working in a teaching hospital had been given induction sessions and assigned a mentor. The study suggested that migrant workers do not experience a strong support infrastructure and very few of them had been in contact with public services or Irish voluntary groups.

There is very little information on the movement of migrant workers across the border between Northern Ireland and the Republic of Ireland. According to the Census 2001, 110 people born outside the UK or the Republic of Ireland migrated to Northern Ireland from the Republic of Ireland between 29 April 2000 and 29 April 2001. However, there is no way of knowing from the Census figures how many of these people were workers.

ICR contacted a range of community organisations in the border counties of the Republic of Ireland. None of them had encountered migrant workers, nor did they know of other community groups which had. The Emigrant Advice Centre in Dublin provides practical advice for anybody in the Republic of Ireland preparing to move to another country. The majority of the migrant workers that they see require information about relocating to England or mainland Europe. However, a maximum of five persons per month come to the Centre seeking advice about moving to Northern Ireland. The decision to move to Northern Ireland is in almost all cases the result of problems arising with a migrant worker's status in the Republic. Migrant workers regard moving to Northern Ireland as the most accessible option in terms of removing themselves from the jurisdiction of the Republic of Ireland.

2. Methodology

The research project involved a diverse methodology which included analysis of a diverse range of statistical data from numerous government departments and statutory bodies, a survey of 176 migrant workers in Northern Ireland, interviews with a number of migrant workers living in Northern Ireland, interviews with a range of employers, service providers and community and voluntary organisations and a review of relevant literature. The research was carried out between June and December 2003.

At the outset individuals from a number of organisations were invited to participate in an advisory group to guide and advise on the form and content of the research. The group consisted of people who had expertise and/or an interest in the field of migrant workers. They came from the following organisations: Citizens Advice Bureau, Equality Commission, Irish Congress of Trade Unions, Law Centre Northern Ireland, Northern Ireland Council for Ethnic Minorities, Northern Ireland Housing Executive, OFMDFM, Regional Health and Social Services Interpreting Project for Black and Minority Ethnic Groups, School of Geography and School of Portuguese and Spanish Queen's University Belfast, and South Tyrone Empowerment Programme (STEP). The advisory group was convened every six weeks during the course of the project. At these meetings, members reviewed the progress of the research, provided potential contacts to the research team, and discussed methodological issues. The advisory group also supplied feedback on various drafts of the report as it was being written.

Survey

ICR conducted a survey examining migrant workers' experiences in Northern Ireland. The survey aimed to collect demographic information, as well as data on emigration, education, employment, housing, public services and discrimination. It was designed to complement information obtained from interviews and focus groups with migrant workers. Furthermore, because the survey participants were given the option to be interviewed at a later date, the survey was a useful method of gaining access to a wide a range of migrant workers.

The questionnaire was developed in conjunction with the advisory group. Its design was also informed by the only previous survey

conducted with migrant workers in Northern Ireland (Soares 2002). The questionnaire was available in English, French, Portuguese and Russian. Questionnaires were distributed to six health trusts employing nurses, one health trust employing doctors, two hotels and two farms. These employers had responded to letters or telephone calls from ICR and had confirmed that they were willing to distribute questionnaires to their employees. Questionnaires were also sent to Ballymena Community Forum, Craigavon Citizens Advice Bureau, Dungannon Citizens Advice Bureau, the Equality Commission, Mandarin Speakers Association, Migrant Support Centre Dungannon, Northern Ireland Council for Ethnic Minorities, Northern Ireland Filipino Organisation and the Sure Start Project Cookstown. These bodies agreed to distribute questionnaires to migrant workers with whom they came into contact. ICR also sent questionnaires directly to nurses in Tyrone and Enniskillen with whom contact had been made through Women of the World. A small number of survey respondents contacted ICR directly and requested additional questionnaires for their acquaintances. All the questionnaires came with pre-paid envelopes for direct return to ICR.

The questionnaire was also available on the ICR website. It was publicised through the weekly internal email sent to all staff at Queen's University Belfast, the weekly email sent out by the Multi-Cultural Resource Centre, NICVA News, the Indian Community Centre's monthly newsletter, an email-out from the Mandarin Speakers Association and an article in Metro Eireann. The survey was completed between July 2003 and October 2003. In total 176 people completed questionnaires. Basic details of respondents are set out in Table 1.

Table 1: Details of Respondents to Survey

		Number	%
Gender	Female	106	61
	Male	69	39
Age	18-25	21	12
	26-35	93	53
	36-50	55	31
	Over 50	7	4
Marital Status	Single	65	37
	Married/Cohabit	100	57
	Divorced	9	5
	Widowed	2	1
	Partner in NI	67	38
	Have children	59	38

The survey was not designed to be representative of all migrant workers in Northern Ireland. There are obviously categories of migrant workers who did not have access to the questionnaire. Rather, the questionnaire was regarded as one method among others for collecting information from migrant workers.

Interviews with Migrant Workers

Interviews and focus groups were conducted with a total of 58 migrant workers. In most cases these were one to one interviews, while a small number were carried out with two or three migrant workers who were already acquainted with one another. Four focus groups were held with members of the Portuguese (2), Chinese and Bangladeshi communities. Interpreters were used to interview Portuguese and Bangladeshi individuals when necessary.

The aim of the interviews and focus groups was to obtain information on migrant workers' experiences of life in Northern Ireland. The questions were structured around a number of key themes - demographic information, reasons for migration, employment, housing, public services, harassment and issues of concern.

Access to interviewees and focus group participants was obtained through a variety of methods. In some cases, minority ethnic groups and community organisations facilitated interviews with migrant workers with whom they were in regular contact. Representatives of minority ethnic and community groups who were migrant workers themselves also agreed to be interviewed. All of the interpreters used for the project were migrant workers, and they agreed to be interviewed in addition to providing their professional services. Contact was made with nurses in Enniskillen through Women of the World, and interviews were set up accordingly. The other main method of accessing interviewees was through the questionnaire, which gave respondents the option of providing their contact details if they wished to be interviewed. The interviews were conducted in a range of locations including Ballymena, Belfast, Coleraine, Cookstown, Downpatrick, Dungannon, Enniskillen and Newtownards.

Employers of Migrant Workers

ICR made contact with a range of employers in sectors believed to use migrant labour. The aim was to gather information on the issues surrounding migrant workers from the perspective of employers. As such, questions were asked about labour shortages in the sector,

methods of recruitment, benefits and drawbacks of migrant labour and trends for the future.

One to one interviews were conducted with the manager of a local nursing employment agency, the manager of a large hotel and the owner of a Chinese restaurant. Information was obtained via telephone interviews with a general recruitment agency, agencies operating the SAWS programme, mushroom farmers, vegetable farmers, hotels, meat processing factories and health trusts employing overseas nurses.

ICR also did a mail-out to employers' organisations, trade unions and a random sample of 30 employment agencies in Northern Ireland. In addition, contact was made with the Confederation of British Industry and the Chamber of Commerce. However, both organisations stated that migrant labour was not a significant issue for their members and provided no further leads. The Education boards were asked to provide details of migrant workers employed as teachers, but stated that they did not hold such information on their employees.

Public Services and Support Organisations

Various public services were contacted in order to gauge their responses to the needs of migrant workers. Representatives from the following organisations were interviewed:

- Northern Ireland Housing Executive (Head office, three local offices);
- Social Security Agency (Corporate Customer Services Unit, two local offices);
- Southern Health and Social Services Board;
- PSNI Community Involvement officers;
- PSNI Foreign Nationals Unit.

Letters were sent to the Community Relations Officers of all the local councils. A number responded and provided contacts for organisations in their area that were dealing with migrant workers.

ICR gathered information about migrant workers by making telephone enquiries to 15 Citizens Advice Bureaux regarding their contacts with migrant workers. We also interviewed the managers of the Craigavon and Dungannon CAB offices that have had the most frequent dealings with migrant workers. In addition, the Northern Ireland Association of Citizens Advice Bureaux provided a file on individual migrant worker cases, its correspondence with the Department for Employment and Learning and the policy implications of migrant worker cases for CAB.

Interviews were carried out with representatives of various minority ethnic groups and support organisations that are involved in assisting migrant workers. These included: Amalgamated Transport and General Workers Union, Ballymena Community Forum, Bangladeshi Welfare Centre, Equality Commission, Indian Community Centre, Irish Congress of Trade Unions, Mandarin Speakers Association, Migrant Support Centre, Multi-Cultural Resource Centre, NICEM, Northern Ireland Filipino Organisation, Sai Pak Derry/Londonderry, Sure Start Centre Cookstown, UNISON and Wah Hep Craigavon.

The Law Centre Northern Ireland and the Human Rights Commission supplied information on legislation relevant to migrant workers. The issue of people trafficking was investigated by means of telephone interviews with the Organised Crime Task Force, NEXUS, Women's Coalition, and Women's Aid.

Government Departments

ICR requested information from all ten government departments in Northern Ireland via OFMDFM. The various departments provided statistical data, policy material, qualitative information, as well as pointing out the areas in which details relevant to migrant workers are not currently recorded. An analysis of the Census 2001 data was obtained from NISRA. Likewise the Department for Work and Pensions supplied a limited breakdown of National Insurance numbers issued to migrant workers in Northern Ireland. Figures on work permits were obtained from the Department for Employment and Learning and Work Permits UK. The UK Immigration Service provided an overview of its work with regard to undocumented workers in Northern Ireland and the Foreign Nationals Unit of the PSNI gave ICR access to its database of police registrations. Information was also sought from the Inland Revenue with the aim of ascertaining the contribution that migrant workers make to the economy through taxation. However, this data was not available.

Republic of Ireland

ICR attempted to investigate the movement of migrant workers between Northern Ireland and the Republic of Ireland and made contact with a range of organisations based in the border counties. These included: Cross Border Centre for Community Development (Dundalk Institute of Technology), Donegal Town Refugee Support Group, Drumlin Community Development Programme (Co. Monaghan), Dundalk Citizens Advice Centre, Farney Community Development Group (Co.

Monaghan), Law Centre (Letterkenny), Monaghan Citizens Information Centre, Monaghan County Council, Newry Citizens Advice Bureau, Newry Welfare Rights and Roma (Co. Monaghan).

Three Dublin based organisations - the Immigrant Council of Ireland, the Emigrant Advice Centre and the Migrant Rights Centre - were also approached. In the academic sector, researchers based in Armagh, Cork, Dublin and Galway with expertise in the field of migration were consulted.

Literature Review

Searches for literature relevant to the issues surrounding migrant workers were carried out on an ongoing basis for the duration of the project. ICR collated a range of material including academic writings on migration, local and national media reports on migrant workers, trade union publications, government documents, research reports and press releases. Literature dealing with migrant workers in Northern Ireland, the Republic of Ireland and the United Kingdom provided the main framework of the research, although writings on migration in European and global contexts were also consulted.

Limitations

This report is the result of a preliminary study of the impact of migrant workers on the Northern Irish economy and on local communities. The research has necessarily been limited in its investigation of some aspects of the subject due to limitations of time and resources. Two areas that would repay further study and which have not been investigated in any depth are, first in relation to the scale and needs of undocumented workers, perhaps the most difficult sector to access and the most vulnerable to exploitation; and second the scale and nature of the economic benefits of migrant workers on both local communities and the wider society.

It was always known that this study would, as an initial study, leave gaps in the subject area and would raise questions that could not be satisfactorily or completely answered. It was also evident that this is a broad and diverse issue and the scale and nature of migrant workers in Northern Ireland is a developing and changing scenario. Nevertheless this report provides extensive data on this issue and provides a base line of the current position of migrant workers within Northern Ireland and as such identifies a range of steps that need to be taken to further our knowledge and improve the delivery of services.

3. Demographic Profile

ICR consulted a range of statistical sources with the aim of establishing the total number of migrant workers in Northern Ireland and their demographic breakdown. Some of the sources consulted are specific to migrant workers, such as the data on work permits, National Insurance numbers, and employment sectors. Other material relates to minority ethnic groups in general, thus making it difficult to isolate migrant workers from members of the established minority ethnic communities. There are also figures that deal with migration but do not specify nationality. Bearing these limitations in mind, ICR has collated all the relevant statistics in order to produce an overview of migrant workers in Northern Ireland.

Some organisations and agencies, which could potentially be useful sources for information on migrant workers, do not record any such data. For example, all migrant workers who have registered with a GP will be on the Central Services Agency's database. However, because the Central Services Agency only records the medical cardholder's Northern Irish address, and not their nationality or previous country of residence, they cannot provide statistics on migrant workers.

ICR also conducted a survey of migrant workers, which yielded demographic information on 176 people. The sample is composed of migrant workers with literacy skills, who were pro-active in participating in the research and in some cases were in contact with support organisations. Therefore, the respondents may be less likely to be disadvantaged than other migrant workers in Northern Ireland. The results of the survey provide more detailed and localised demographic breakdown of migrant workers than that available from the general statistical sources. Both the statistical data and the survey results will be combined to provide a demographic profile of migrant workers in Northern Ireland.

Overall Numbers of Migrant Workers in Northern Ireland

The Census 2001 recorded a total of 26,659 people who were born outside the United Kingdom or Ireland. Of these people 6,970 were born in Western European countries (6,455 from EU countries, 515 from non-EU countries); 707 were born in Eastern Europe; 3,116 in Africa; 7,004 in Asia; 6,093 in North America and the Caribbean; 374 in South America;

2,166 in Oceania; while the remaining 229 were classified as being born in an unspecified Other. The figure of 26,659 is thus the maximum number of legally accounted for migrants in Northern Ireland. A breakdown of these figures by parliamentary constituency is included as Appendix 1, Table 8. However this figure will include UK citizens who were born abroad, people who have lived in Northern Ireland a considerable period of time, spouses of UK and Irish citizens as well as students resident in Northern Ireland. They should not all be considered as migrant workers in the definition offered above.

The Labour Force Survey (LFS) provides estimates of the numbers of persons living in Northern Ireland who are in employment, according to their country of birth. The Labour Force Survey of Spring 2003 revealed that there were 13,000 people over the age of 16 living in Northern Ireland who were not born in the UK or the Republic of Ireland (Table 2). 62% of them had entered Northern Ireland since January 1998, and 9,000 were in employment. Like the Census data, the LFS does not distinguish between migrant workers and members of established minority ethnic groups. However, as a sample survey it can be used to represent the minimum number of migrant workers in Northern Ireland.

Table 2: Persons in Northern Ireland whose country of origin is not the United Kingdom or Ireland. Labour Force Survey, Spring 2003

	Number of persons
Resident in Northern Ireland	15,000
Aged 16 years old and over	13,000
In employment	9,000

Note: The LFS is a sample survey, and as such the results are subject to sampling error. The figures are rounded to the nearest thousand.

Besides the Census 2001 and the LFS, there are other statistical sources that can be used to identify migrant workers in Northern Ireland. However these can only provide a partial picture, as they only cover certain years, thus making it difficult to ascertain any emerging patterns.

Migrant Workers from Western European Countries

The Census 2001 recorded 19,689 people born in non-Western European countries. This figure is thus the upper limit for legally recorded migrants from these countries. Other sources can provide a more detailed picture of people in this category who are working in Northern Ireland. The total number of new work permits issued in Northern Ireland between May

1998 and October 2003 is between 6,348 and 6,461, while a minimum of 621 work permit extensions have been granted (see Appendix for full figures).¹ If all of these were five-year work permits and the extensions were to permits issued before 1998, the theoretical maximum number of work permit holders in Northern Ireland between 1998 and 2003 is 7,082.

Of these 7,082 people, 6,502 were on categories of permits that allow the person's spouse to accompany them to Northern Ireland as a dependant. Dependants can do any kind of job in Northern Ireland without permission. The only statistics specific to dependants are police registrations. Persons from certain countries who are over 16 years old, and who are admitted to the UK for more than 6 months are required to register with the police (see Appendix 1). In July 2003 there were 35 dependants registered with the PSNI. This figure is of limited use as nine out of the top ten countries from which work permit holders came between September 2002 and October 2003 are not countries that require police registration. Therefore, we can say that for the period 1998 to 2003, there was a theoretical maximum of 6,502 dependants of working age in Northern Ireland.

Data is not available on the number of Working Holidaymakers who spend time in Northern Ireland each year. They are only recorded by the Home Office at their port of entry, which for the majority of people is London. Working Holidaymakers who subsequently move on to Northern Ireland do not pass through immigration control and are thus not recorded.

There were 300 migrant workers employed by means of the Seasonal Agricultural Workers Scheme for 2003.

Putting a figure on the number of undocumented workers in Northern Ireland is a difficult task. Obviously it is not in the interests of undocumented workers to either openly advertise their presence in Northern Ireland or to contact statutory bodies which would record their details. The figure provided by the UK Immigration Service is 2,000. However, they stress this number must be treated with caution as it is only a 'guesstimate' based on the limited information available.

¹ The numbers vary between 6,348 and 6,461 because the statistics from the Department for Employment and Learning were compiled manually on a number of different occasions.

Migrant Workers from EEA Countries

EEA nationals are exempt from immigration control, thus there is no central body which records their migration to Northern Ireland. Thus data on EEA migrant workers can only be derived from a range of secondary sources. The Census 2001 recorded 6,455 people living in Northern Ireland who had been born in other EU countries plus 515 people from non-EU Western European countries. Of these 1,052 people had migrated to Northern Ireland between 29 April 2000 and 29 April 2001. Thus 1,052 is the theoretical maximum of EU migrant workers who moved to Northern Ireland between 29 April 2000 and 29 April 2001.

The Department for Work and Pensions (DWP) hold statistics which can be used to identify EEA migrant workers. In the period April 2001 to April 2002 a maximum of 1,000 migrant workers from EEA countries registered for a National Insurance number. However, because DWP would only provide statistics for one year we have no way of gauging how many European workers have come to Northern Ireland in previous years. Furthermore, there is no way of knowing how many of the 1,000 workers who registered for National Insurance numbers between April 2001 and April 2002 are still in Northern Ireland today. It should be noted that these 1,000 workers came to Northern Ireland after the Census 2001 was collected.

Other Migrant Workers

There were 1,307 overseas students enrolled in Northern Ireland for the academic year 2001-2002, all have the right to work part-time. Figures were not available for more recent years. There were 132 language assistants employed in schools in Northern Ireland for the academic year 2003/2004 through a programme organised by the British Council. There were a further 4 American teachers working in Northern Ireland for the academic year 2003/2004 by means of the Fullbright Teacher Exchange Programme.

Employment

This section brings together the various statistical sources that classify migrant workers according to their employment sector. This data is drawn from the information provided in the 2001 Census, from information on work permits issued to workers in recent years and a

limited number of other sources of data.

The 2001 Census data provides economic activity status of people aged 16-74 who were born in 'Other EU Countries' (which includes a number born in non-specified areas of the UK and Republic of Ireland) and the rest of the world. The figures (Census Table EXT20032908D) indicate that there are 14,287 people in this group who were employed, 1,308 who were unemployed and 8,040 who were economically inactive. The 2001 Census data can also illustrate the employment areas of these workers, and the broad categories of occupation in which they work. The figures are set out in Tables 3 and 4.

Table 3: Areas of employment of individuals born outside of UK and RoI

	Other EU Countries	Elsewhere
Agriculture, Hunting, Forestry	58	71
Fishing	4	4
Mining, Quarrying	9	8
Manufacture	611	987
Electricity, Gas and Water	20	42
Construction	245	317
Wholesale and Retail	646	1,181
Hotels and Restaurants	365	1,476
Transport, Storage and Communications	258	411
Financial Intermediaries	121	254
Real Estate, Renting, Business	406	950
Public Administration	523	784
Education	654	964
Health and Social Work	555	1,631
Other	219	513
Total	4,694	9,593

Source: Census Table EXT20032908G

This table indicates that the main areas of employment for people born outside the UK and RoI are health care, hotel and restaurant trade, the wholesale and retail trade and manufacturing. It also indicates that few people who completed a Census form were employed in agriculture in Northern Ireland.

Table 4: Occupation of individuals born outside of UK and RoI

	Other EU Countries	Elsewhere
Managers, Senior Officials	462	1,417
Professional	818	1,989
Associate Professional, Technical	735	1,539
Administrative and Secretarial	537	1,013
Skilled Trades	495	1,287
Personal Services	331	484
Sales and Customer services	359	561
Process, Plant and Machine Operatives	360	437
Elementary Occupations	597	866
Total	4,694	9,593

Source: Census Table EXT20032908H

Table 4 provides information on the nature of the work that those born outside the UK and RoI are engaged in. The Census data indicates that 49% are employed in the managerial, professionals and associate professional categories, while only 22% are employed in the sales, machine operatives and elementary categories.

The following section provides some details on the number of work permits that have been issued in recent years for various areas of employment. The full breakdown of work permits issued by sector is displayed in Appendix 1.

Nursing and Healthcare

Statistics are available on the number of nurses issued with work permits between 1 May 1998 and 31 August 2002 (Table 5). The figures reveal a substantial annual increase over the period.

Table 5: Work permits issued to nurses 1 May 1998 - 31 August 2002

Year	New permits	Number of extensions
1 May 98 - 31 Dec 98	6	Unavailable
1999	21	Unavailable
2000	194	Unavailable
2001	350	30
1 Jan 02 - 31 Aug 02	375	70
Total	946	100

When Work Permits UK took over from DEL on 1 September 2002, they grouped nurses and other healthcare workers (e.g. doctors) together in the category 'health and medical services'. For the period 1 September 2002 to 31 October 2003, there were 989 new work permits and 127 extensions issued for 'health and medical services'. It is not possible to gauge how many of this group are nurses. However, it can be noted that the number of new permits issued to healthcare professionals, excluding nurses, by DEL between 1 May 1998 and 31 August 2002, averaged 62 per year (Table 6). Therefore, it is likely that the majority of the 989 new permits issued by Work Permits UK were for nurses rather than other healthcare professionals.

Table 6: New work permits issued to healthcare professionals (excluding nurses) 1 May 1998 to 31 August 2002

Year	Number of permits
1 May 98 - 31 Dec 98	39
1999	54
2000	48
2001	47
1 Jan 02 - 31 Aug 02	81
Total	269

The work permits data does not differentiate between nurses employed by health trusts and those employed by private nursing homes. However, in response to a Parliamentary Question by Iris Robinson (No 111799, 8 May 2003) it was revealed that there were 560 overseas nurses employed by 12 of the 18 Health and Social Services Trusts as of 31 March 2003. 502 of these nurses were from the Philippines and 50 were from India, while the remainder were from Africa (2), Australia, Bulgaria, Kenya, New Zealand, Palestine and Yugoslavia (one each).

Education

Data is available on the work permits issued for university academic staff. Since 1 May 1998, 431 new work permits and 86 extensions have been issued in this sector (Table 7).

Table 7: Work permits issued to academics from 1 May 1998 to 31 October 2003

Year	New permits	Number of extensions
1 May 98 - 31 Dec 98	50	Unavailable
1999	70	Unavailable
2000	94	Unavailable
2001	60	31
1 Jan 02 - 31 Aug 02	49	28
1 Sept 02 - 31 Oct 03 ²	108	27
Total	431	86

Statistics were also collected from the Association of University Teachers. For the academic year 2001-2002, there were 295 non-EU migrant workers employed as academic staff at the higher education institutions in Northern Ireland. The figure for EU staff for the same period was 332.³ Furthermore, there were 1,307 overseas students enrolled at universities in Northern Ireland for the academic year 2001-2002.

The British Council stated that there were 132 language assistants employed in schools in Northern Ireland for the academic year 2003/2004. In the same period there were four American teachers working in Northern Ireland on the Fullbright Teacher Exchange Programme.

Food Processing

On 30 May 2003, the Sectors Based Scheme (SBS) was introduced by Work Permits UK. This scheme allowed employers in the food manufacturing (fish, meat and mushroom processing) sectors to recruit low-skilled migrant workers for the first time. The number of SBS work permits issued to date is as follows:

- Meat processing: 381 new permits and 3 extensions;
- Fish and mushroom processing: 183 new permits.

² The figures for this period are for 'education and cultural activities', whereas the previous years' figures are specifically for 'academics'.

³ These represent the minimum number of migrant workers employed at higher education institutions because the statistics record that there are significant numbers of staff whose country of origin is unknown.

In order to gauge the number of EEA workers employed in food processing factories, ICR conducted a telephone survey of ten meat factories in Northern Ireland. In total, 110 Portuguese Identification Card holders were employed in these factories.

Agriculture

Data is available on the number of work permits issued in the agriculture sector since 2001 (Table 8). It is clear that agriculture is a growing industry for which migrant workers are required.

Table 8: Work permits issued for agriculture 1 January 2001 - 31 October 2003

Year	New permits	Number of extensions
2001	5	0
1 Jan 02 - 31 Aug 02	44	0
1 Sept 02 - 31 Oct 03	104	2
Total	153	2

In addition to the work permit holders, there were 300 migrants working in agriculture by means of the Seasonal Agricultural Workers Scheme in 2003.

Hospitality and Catering

Chefs and senior caterers have been eligible for work permits since before 1998. The number of permits issued for such people is shown in Table 9. It is clear that this is a sector where the demand for workers is growing rapidly. The increase may reflect the fact that in 2001 the skills criteria for this category were relaxed and that takeaway restaurants were allowed to apply for permits for the first time.

The SBS scheme, which opened on 30 May 2003, allowed employers in the hospitality sector to recruit low-skilled migrant workers for the first time. Since the scheme began, 13 permits have been issued to migrant workers.

Table 9: Work permits for chefs and senior caterers

Year	New permits	Number of extensions
1 May 98 - 31 Dec 98	16	Unavailable
1999	21	Unavailable
2000	25	Unavailable
2001	49	7
1 Jan 02 - 31 Aug 02	136	7
1 Sept 02 - 31 Oct 03	686	15
Total	933	29

ICR obtained a limited amount of information about the employment of EEA nationals in the hospitality industry by means of a telephone survey. Of the four Belfast hotels contacted, two employ seven EEA workers between them. A hotel in Portaferry employed two staff from EEA countries, while a Belfast pub chain employed an unknown number of international students on a part-time basis.

Survey Results

There are a number of sectors in which migrant workers are known to be employed and the ICR survey reveals the diversity of their occupations. The respondents were employed in 29 different types of jobs. Just over 44% of the questionnaires were completed by nurses. Factory operatives accounted for 16% of respondents, while 7% and 6% of people worked in academia and as medical doctors respectively. The range of occupations of respondents is set out in Table 10.

Table 10: Occupations of migrant workers in Northern Ireland

	Number	%
Nurse	71	44
Factory operative	25	16
Academic	11	7
Medical doctor	10	6
Farm labourer	7	4
Information Technology	3	2
Administrator	3	2
Chef	3	2
Domestic	3	2
Project worker	2	1
Community worker	2	1
Classroom assistant	2	1
17 other occupations	17	11

19% of respondents had been in their current employment for six months or less and 28% had been working in their present job for 6-12 months. Of those who had been working in their job for over a year, the largest category was the 2-5 years (16%). Only ten migrant workers had their job for over five years. Three quarters of people have had only one job in Northern Ireland. The most common previous job, which migrant workers have had in Northern Ireland, was that of a factory operative, which represented 41% of previous jobs, listed.

Respondents were also asked to state the job(s) they had done in their home country. It was interesting to compare the replies to this question with the jobs which people are currently doing in Northern Ireland. Of the 71 nurses currently working in Northern Ireland, 66 had previously worked as nurses in their own country. In contrast, of the 25 respondents who worked in Northern Irish factories, only five respondents had done this job in their own country. There are a number of jobs which migrant workers had done in their own country but which they had never done in Northern Ireland, these include electrician, hairdresser, journalist, painter and decorator, psychologist, public servant and fireman. Furthermore, while there were seven respondents who had worked as teachers in their own country, only two people had taught in Northern Ireland, neither of these are currently employed as teachers.

The ICR survey asked questions on the hours that people worked and their salaries. The number of hours worked by respondents varied between less than 16 and up to 70 per week. Two thirds of people worked between 36 and 40 hours per week, while 24 people worked more than 46 hours a week. The Working Time Regulations set a limit of 48 hours as the average number of hours per week that a worker can be required to work. However, people may voluntarily choose to work longer hours.

There was also great variation in terms of migrant workers' salaries. 19% of respondents earned £10,000 a year or less and 37% earned between £10,001 and £16,000. However, it should be noted some of those on low salaries might work part-time hours. The most common pay bracket was £16,001-£18,000 which accounted for 27% of respondents. 15% of respondents earned over £18,001. Three people stated that they earned less than the National Minimum Wage.

Salaries varied according to the level of spoken English that a person possesses. 90% of those migrant workers who spoke fluent English earn over £10,000 per year and 24% of them earned over £20,000. In contrast,

only 47% of those people not able to speak English earned over £10,000 a year and none earned over £20,000.

Information on the educational qualifications of migrant workers was obtained by means of the questionnaire. 73% of respondents possessed a degree level qualification, 22% had secondary school education and 5% were educated up to primary school age. 74% of respondents felt that their educational qualifications were recognised in Northern Ireland, while 26% of people did not hold this view.

We also asked migrant workers to rate their English language abilities, 87% of respondents considered themselves as able to speak English fluently or satisfactorily, while 13% stated that they do not speak any English. 87% rated their written English as good or satisfactory, and 13% stated that they could not read English.

Nationality

The Census Unit at NISRA provided some details of the nationality of people born outside the UK and Republic of Ireland living in Northern Ireland in 2001. Table 11 provides figures for the population of the top ten EU countries resident in Northern Ireland and figures for the population of those born in the top ten non-EU states.

Table 11: Number of persons born in EU states and Non-EU states resident in Northern Ireland at Census 2001

EU States		Non-EU States	
Country	No. of Persons	Country	No. of Persons
Germany	3,879	USA	3,369
France	750	Canada	2,449
Netherlands	398	Hong Kong	1,746
Spain	364	Australia	1,544
Italy	288	South Africa	1,301
Portugal	168	India	1,170
Belgium	142	China	756
Sweden	117	Malaysia	582
Austria	105	New Zealand	448
Greece	92	Cyprus	377

Source: Census Table EXT20032908A

Information is available on the nationalities of work permit holders for the periods 1 May 1998 to 31 August 2002 and 1 September 2002 to 31

October 2003. The top ten countries for work permit holders for both these periods are shown in Table 12. For both time periods, the largest number of work permit holders came from the Philippines followed by India.

However, when we compare the top ten countries for each period, there is clearly a trend by which Eastern European countries have become the main origins of work permit holders. For example, there were 64 work permits issued to Moldovians between September 2002 and October 2003, whereas this group does not even feature as a separate category in the statistics for May 1998 to August 2002. However, the picture is likely to change again in May 2004 when Latvia, Lithuania, Poland and Slovakia will accede to the European Union, and thus their nationals will no longer require work permits. For a full list of the countries of origin of work permit holders see Appendix 1.

Table 12: Top ten countries for work permits for 1 May 1998 - 31 August 2002 and 1 September 2002 to 31 October 2003

1 May 98 - 31 Aug 02		1 Sept 02 - 31 Oct 03	
Country	No. of permits	Country	No. of permits
Philippines	732	Philippines	516
India	354	India	421
USA	275	Ukraine	372
China	248	Poland	251
South Africa	171	Bulgaria	185
Poland	143	Romania	139
Canada	137	Lithuania	132
Malaysia	117	Slovakia	104
Australia	115	Latvia	75
Hong Kong	108	Pakistan	74

The Department for Work and Pensions have produced statistics on the nationalities of those migrant workers who applied for National Insurance numbers between April 2001 and April 2002. The largest numbers were for the Philippines and Portugal, with 300 persons each. There were a hundred people from each of the following countries: Australia, Canada, China, France, South Africa, Spain and USA. However, there were 500 migrant workers for which DWP did not provide information on their country of origin. This lack of detail and the fact that figures were only provided for 2001/2002, limit the usefulness of the DWP data in terms of establishing the nationalities of migrant workers in Northern Ireland.

ICR's telephone survey of meat factories revealed that all of the EEA workers they employed were Portuguese nationals. The agricultural workers on the SAWS scheme for 2003 came from Belarus, Latvia, Lithuania, Poland and Ukraine. Of the 505 overseas nurses employed by the health trusts at 13 February 2003, 458 were from the Philippines, 39 from India, two from unspecified African countries, and one each from Australia, Bulgaria, Kenya, New Zealand, Palestine and Yugoslavia.

Of the 1,307 overseas students enrolled in universities in Northern Ireland for the academic year 2001-2002, 82% were from countries outside the European Union, while 18% were from EU states. The top ten countries of origin of the students are shown in Table 13. We also know that of the 132 language assistants employed in Northern Ireland for 2003-2004, of these 80 were from France, 24 from Spain and 19 from Germany.

Table 13: Top ten countries of origin of overseas students in Northern Irish universities 2001-2002

Country of origin	Number of students
China	240
Malaysia	151
USA	130
Taiwan	90
Hong Kong	56
Spain	52
Germany	46
France	44
Jordan	32
India	31

The ICR survey of migrant workers included people from 37 different countries. A third of respondents were from the Philippines, while Portugal and India were the countries of origin of 22% and 15% of people respectively. 29% of the sample came from nine countries within the EEA. Of those people originating from countries outside the EEA, 93 came from Asia, 16 from Europe, ten from Africa, two from South America, one from the Middle East and one from the Caribbean. The vast majority of those who completed the questionnaire, 95% of the total, did not have British or Irish citizenship.

Age

The Census provides a breakdown of the age categories of people born outside of the UK and RoI who are employed, these are set down in Table 14. The figures show that 75% of the people fall within the ages of 18-44, with 31% in the 18-29 age range and 44% in the 30-44 range.

Table 14: Age categories of individuals born outside of UK and RoI

	Other EU Countries	Elsewhere	Total
16-17	102	110	212
18-29	1,885	2,544	4,429
30-44	1,897	4,756	6,653
45-59	719	1,872	2,591
60-74	91	311	402
Total	4,694	9,593	14,287

Source: Census Table EXT20032908E

The Department for Work and Pensions has produced statistics on the ages of migrant workers registering for a National Insurance number in Northern Ireland (Table 15). For both 2000/2001 and 2001/2002, two thirds or more of all migrant workers were aged 25-49 years old. Approximately one third were under 25 years old, while a very small number of people were over 50 years old. However, because of the wide age brackets used by DWP and the fact that only two year's data was provided, these figures are of limited use in determining any pattern to the ages of migrant workers coming to Northern Ireland.

Table 15: Number of migrant workers in Northern Ireland by age for 2000-2001 and 2001-2002

Age	Number of migrant workers	
	2000-2001	2001-2002
Under 25	500	500
25-49	1,000	1,200
50 and over	Nil or negligible	100

Note: Figures relate to the tax years. Figures are rounded to the nearest hundred.

The largest proportion of respondents to ICR's survey, 93 people or 53% of the total, were between 26 and 35 years old. Just under a third of respondents were between 36 and 50 years old. The sample included seven people over the age of 50 and 21 people under the age of 26.

Gender

The 2001 Census indicates that there were 26,659 people born outside of the UK and RoI living in Northern Ireland, 52% of these were females and 48% were male. The gender breakdown of these individuals is set out in Table 16.

Table 16: Gender of Individuals born outside the UK and RoI

	Other EU Countries	Elsewhere	Total
Male	2,895	9,857	12,752
Female	3,560	10,347	13,907
Total	6,455	20,204	26,659

Source: Census Table EXT20032908E

The only organisation to produce data on the gender of migrant workers is the Department for Work and Pensions. For 2001/2002 50% of migrant workers registering for National Insurance numbers were women and 50% were men. These figures are of limited use because they include people from the Republic of Ireland who are not classified as migrant workers for the purposes of our research. 60% of the respondents of the ICR survey were female and 40% were male.

Marital Status

57% of respondents to ICR's survey were married or living with a partner, and in 67% of these cases the spouse or partner resided in Northern Ireland. Therefore, 33 people have left behind a spouse or partner in another country. 37% of respondents were single, while smaller numbers were divorced (9) or widowed (2). The sample included 59 people, or 38% of the total, who had children living with them in Northern Ireland.

Locations of Migrant Workers in Northern Ireland

Data from the 2001 Census reveals that the 26,659 people who were born outside of the UK and Republic of Ireland are spread across all 18 parliamentary constituencies. It should be remembered that not all of these people would fall within our category of migrant workers, but nevertheless it does offer some indication of the diversity of residential location of this grouping. The largest number live in South Belfast which has 4,059 not born in the UK and RoI, this is followed by North Down (2,120), Lagan Valley (2,005), South Antrim (1,663), East Londonderry (1,615) and Belfast East (1,599). The smallest numbers are in Mid Ulster

(750), West Tyrone (811) and Belfast West (835). In total 7,650 people born outside of the UK and RoI live in Belfast, this is 29% the total of such people. See Appendix 1, Table 8 for the details.

Some information is available of the locations of migrant workers according to their employment sector. Overseas nurses are employed in twelve Health Trust areas, including Altnagelvin Hospital; Belfast City Hospital; Craigavon Area Hospital; Down Lisburn; Green Park; Homefirst; Mater Hospital; Newry and Mourne; Royal Group; Sperrin Lakeland; Ulster Community and Hospitals; and United. 73% of the nurses work in hospitals in the Belfast area, 9% in Craigavon and 5% in Down Lisburn.

ICR conducted a telephone survey with meat processing factories employing migrant workers. These factories were located in the following towns - Ballymena; Coleraine; Cookstown; Derry/Londonderry; Dungannon; Loughgall; Lurgan; Newry; Omagh and Portadown. ICR also made contact with a number of vegetable farmers and mushroom farmers that use migrant labour. These farms were located in Loughgall, Newtownards and Portadown. ICR's telephone survey of hotels found that migrant workers are being employed in Belfast and Derry/Londonderry. However, there was also a hotel in Portaferry with migrant staff, pointing to the fact that they are not just employed in urban centres.

British Council language assistants are employed in the Belfast, North Eastern, South Eastern, Southern and Western Education and Library and Boards. The Western Education and Library Board employed the most language assistants (27%), while the South Eastern Education Board employed the fewest (12%).

The respondents to the ICR survey resided in 23 towns across Northern Ireland in all counties except Fermanagh. 47% of respondents lived in Belfast while 17% lived in Dungannon. When respondents were grouped by county the largest sample was from Antrim (51%), followed by Tyrone (21%) and Down (11%). Counties Derry / Londonderry and Armagh were home to 9% and 7% of people respectively. The majority of people lived and worked in the same town. The only city to deviate slightly from this pattern was Belfast, to which at least five people commuted from other towns to work.

Migration to Northern Ireland

The questionnaire asked migrant workers how long they had been in Northern Ireland. Half of respondents had been here for less than a year. Of those people who had spent over a year in Northern Ireland, the largest category was the 2-5 years for which there were 50 respondents. The full breakdown of the time migrant workers had spent in Northern Ireland is set out in Table 17.

Table 17: Time spent in Northern Ireland

	Number	%
Less than 1 month	5	3
1-3 months	14	9
4-6 months	20	13
7-9 months	8	5
10-12 months	27	18
13-15 months	8	5
15-18 months	4	3
19-21 months	3	2
22-24 months	4	3
2-5 years	44	29
6-10 years	8	5
Over 10 years	7	5

The largest proportion of respondents (47%) stated that they were unsure as to how long they intended to remain in Northern Ireland. The next largest sample was from people who intended to make their move permanent (19%), followed by those who intended to stay for between 3 and 5 years (15%). Only seven people intended to stay in Northern Ireland for less than six months.

Total International Migration Estimates

The UK government's National Statistics publishes estimates of international inflows and outflows of persons by area of destination or country of origin within the United Kingdom. These estimates have been derived using a consistent methodology based primarily on the International Passenger Survey (IPS) to allocate migration to the constituent countries of the UK.

However, NISRA do not regard these figures as an accurate guide to migration flows into and out of Northern Ireland as the data is primarily

designed to estimate economic indicators, and the vast majority of those included in the flows are tourists and business people rather than migrant workers. As a result NISRA rely primarily on statistical information based on registrations with GPs to estimate migration flows in and out of Northern Ireland. The annual figures for the decade 1992-2001 are set out in Table 18.

Table 18 Annual net flow of migrants in and out of Northern Ireland

	Annual Net Flow
1992	300 +
1993	1,400 +
1994	1,100 +
1995	400 -
1996	2,100 +
1997	1,500 +
1998	700 +
1999	4,600 -
2000	1,400 -
2001	1,900 -
Total	1,300 -

The figures show that for the first half of the decade there was a net in migration of 4,500 persons and in the second half of the decade there was a net out migration of 7,100 persons. Overall there was a net out migration from Northern Ireland over the ten-year period of 1,300 persons.

Summary

The review of statistical data on migrant workers in Northern Ireland does not provide very accurate evidence on the numbers involved. The data from the 2001 Census indicates an upper limit of 26,659 persons living in Northern Ireland who were not born in the UK or RoI. This figure includes children.

The Census also indicates that there are 14,287 people born outside of the UK and RoI currently working in Northern Ireland. This figure includes all categories of workers and the total also includes a small number who were born in non-specified parts of the UK and Ireland. This figure may also include UK and RoI nationals who were born abroad and individuals who have lived in Northern Ireland for a considerable time. It is therefore an upper limit for all categories of

migrant workers.

Specific data on migrant workers suggests a maximum of 7,082 people working here on work permits, a 'guesstimate' of 2,000 undocumented workers and a minimum of 1,000 people from EEA countries. The limited availability of data makes more accurate figures impossible.

The research revealed that most migrant workers are employed in a limited range of sectors: food processing, education, agriculture, health care, and catering and hospitality. The largest national groups are from the Philippines, India and increasingly from Eastern European countries. Although many of the migrants live in Belfast, migrant workers live and work in towns across Northern Ireland.

This growing diversity in the work force is primarily being driven by a lack of available local labour for certain key areas of work. In some cases, such as the health sector, migrant workers are employed to fill a gap in skilled workers, in others such as food processing and agriculture, migrant workers are doing jobs that local people are unwilling to do.

Finally, although there appears to be growing numbers of migrants attracted to work here, Northern Ireland has in fact experienced a net out migration over the ten-year period between 1992 and 2001. Over this time records from GP registrations indicate that 1,300 more people emigrated from Northern Ireland than emigrated to Northern Ireland.

4. Understanding Migration

A variety of theories have been propagated as to why people choose to migrate to another country. Broadly speaking the reasons for migration have been categorised as either 'push' or 'pull' factors. Push factors focus on the conditions in the person's country of origin, which have impelled them to move to another country. According to this model migration is seen as response to negative conditions in the country of origin. In contrast, pull factors are those factors that entice a person to a specific country as a migration destination. Pull factors can be broken down into two main types. Firstly, there are the reasons why a country appears a particularly attractive destination in the eyes of the migrant, for example its relatively high wages. Secondly, some countries have policies aimed at actively recruiting migrant workers. As such, they target workers in certain countries who possess the skills that the resident labour force lacks, and offer such workers a range of benefits in order to persuade them to migrate. Thus in the 'pull' model, migration is a positive movement, rather than an escape from the country of origin.

Most modern studies treat migration as an investment, which has costs and returns, and in which the returns eventually outweigh the costs. The costs involve travel, foregone earnings when looking for a new job in the destination country and the psychological impact of leaving friends and family behind. The returns are measured by most theorists in terms of economic well being, chiefly an increase in salary in the country of migration (Dustman 2003). Implicit in these kinds of theories is the assumption that people migrate in order to escape conditions of poverty in their home country. Other push factors, which are typically cited, include political instability in the country of origin (TUC 2002), poverty, underdevelopment and escape from war (Anderson and Shuttlesworth 2003).

However, other theorists dispute the idea that migration is primarily about people actively deciding to leave their poor or war-torn country in order to earn more money in a developed country. Anderson and Shuttlesworth (2003) argue that this is too simplified a view and it ignores the difficulties involved in migrating across borders to enter developed countries, as well as the networked character of migration whereby people rely on help from family, acquaintances and labour agencies to inform them about where jobs are available. Rather, Anderson and Shuttlesworth argue that the demand for labour within

core countries, a 'pull' factor, is the primary reason why people migrate. Other pull factors, which attract a person to a country of migration, are better working conditions, increased career opportunities, travel opportunities and greater personal freedom.

Impact on Source Countries

Excessive loss of labour from a country because of emigration can result in a depleted workforce and a 'brain-drain' of young, highly skilled workers (Stalker 2000). Fewer workers in the source country means productivity is likely to be reduced which could restrict economic development (Findlay and Lowell 2002). Furthermore, a diminishing supply of workers may push wages up thus putting added strain on the economy (Baptiste-Meyer 2001). However, out-migration can also have positive effects on the source country. In countries with high unemployment, the migration of workers to other countries eases economic pressures. Those migrants who later return to their country of origin may well possess new skills and experiences, which can be used to educate others and develop and improve local services (Outlon 1998).

Another potential advantage of migration for source countries is the income from remittances. Money sent back home to family and friends can boost the local economy by increasing spending (Findlay and Lowell 2002). For example, in Jamaica remittances contributed 4.1% and 9.8% of the GDP in 1991 and 1997 respectively (Stalker 2000). On a global level, it is estimated that remittances from migrant workers have risen from below two billion US dollars in 1970 to 70 billion US dollars in 1995 (Castles 2000). Another benefit of migration is the creation of networks between the source and destination countries. This facilitates the exchange of information and expertise between migrant workers, their international employers and organisations in the country of origin (Baptiste-Meyer 2001).

Impact on Destination Countries

It is a common view that the destination countries are the significant beneficiaries of migrant labour. They acquire an increased stock of available labour and the knowledge and skills of migrant workers (Guellec and Cervantes 2001). Furthermore, in countries with an ageing population, migrant workers can offset labour shortage problems (Tacoli and Akoli 2001). However, there can be drawbacks associated with migrant labour. One concern is that a large increase in the employment of migrant workers reduces the number of jobs available to the resident

population. In addition, if migrant labour is readily available, employers have no incentive to raise wages (Stalker 2000).

Against this view, Haque et al. (2002) argue that there is no strong evidence that immigration has any significant adverse effects on the employment prospects and wages of existing residents. Similarly, Anderson and Shuttleworth (2003) state that migrant workers tend to be employed in jobs which resident workers are not prepared to do because of unattractive working conditions and/or pay. However, an over-reliance on migrant labour can detract governments from developing long-term retention strategies to encourage existing staff to stay in the country. This is particularly true for countries with a long history of out-migration, in which a tendency to use migrant labour obscures the fundamental problems that led to out-migration in the first place (Findlay and Lowell 2002).

Coming to Northern Ireland: the pull factors

During the research the interviewees and participants in the focus groups were asked to identify the reasons behind their decision to come to Northern Ireland. These reasons given included the following:

Higher Salaries: Nurses from the Philippines and India cited the opportunity to earn a higher salary than in their own country as one reason for migration. Higher salaries allow nurses to send money back to their country of origin to support a wider family network. Bangladeshi restaurant workers also stated that they had moved to Northern Ireland from England in order to earn more money. Portuguese factory workers expressed the view that the wages were better in Northern Ireland than in Portugal and that they were attracted by the strength of the pound as compared to the Euro.

Active Recruitment for Shortage Occupations: All of the migrant workers who had work permits were only able to come to Northern Ireland because they had been actively recruited by an employer who could not find an EEA national to do the job concerned. Bangladeshi restaurant workers stated that one reason for their movement to Northern Ireland from England was the knowledge that there were labour shortages in the Bangladeshi restaurants here.

Opportunity for Career Development: For migrant workers in the catering trade, one incentive for coming to Northern Ireland is the possibility of opening up one's own business at a later date. Nurses stated

that one factor in their decision to work in Northern Ireland was that it allowed them to practice in well-established hospitals where they could improve their skills, which they hoped would improve their long-term career prospects.

Living Costs: Many migrant workers chose to come to Northern Ireland, rather than England or the Republic of Ireland because of the cheaper costs of living. A Russian woman who had previously lived in Dublin moved to Northern Ireland because of the lower property prices in Northern Ireland. Similarly, some of the Filipino nurses had heard from acquaintances that Northern Ireland was a less expensive option than living in England or the Republic of Ireland.

Opportunity to Experience a New Country: A number of the Filipino nurses stated that one factor in their decision to migrate was to experience a new culture, including meeting new people and living in an alternative climate. An Indian nurse who had worked in India for over 25 years stated that she wanted to spend a couple of years working in a different country to broaden her horizons before she retired from nursing. Many of the Portuguese factory workers also stated that their move to Northern Ireland was influenced by their desire to experience life in another country.

To Accompany Spouse: Some migrant workers have migrated because their spouse is from Northern Ireland. Others came to Northern Ireland with their spouse because the spouse was either studying in Northern Ireland or was a work permit holder.

Coming to Northern Ireland: the push factors

Lack of Employment Opportunities: Nurses from the Philippines said that one of their reasons for coming to Northern Ireland was that there are more qualified nurses in the Philippines than nursing posts available, therefore many nurses must take other forms of employment. The nurses wanted to come to Northern Ireland so that they could practice the profession in which they were trained. Many Portuguese people stated that they came to Northern Ireland because there is high unemployment in Portugal. A French academic stated that he looked for a job outside France because there were limited job opportunities in his field of research.

Survey Results: Migrant workers were asked to identify all their reasons for coming to Northern Ireland. For 65% of respondents, taking up pre-

arranged employment was one of their reasons. Seeking employment was a reason identified by 24% of respondents and accompanying a family member was given by 13% of the sample as reasons for moving to Northern Ireland. Smaller numbers cited studying (5%) and seeking asylum (1%) as a reason for migrating.

Future Plans

During interviews people gave a range of reasons as to why they would consider staying in Northern Ireland permanently rather than migrate to another country or return to their home country. These included:

- Life in Northern Ireland is more peaceful than life in an English city;
- The cost of living is cheaper in Northern Ireland than in England;
- They had made good friends in Northern Ireland;
- They like the culture of Northern Ireland;
- Their children have been educated in Northern Ireland and have adopted the Northern Irish culture;
- They believe the standard of schooling in Northern Ireland is better than in their home country.

A number of people who have been in Northern Ireland for a long period of time stated they may move back to their home country when they retire. Some people said they would return to their own country if its economy improved. Others were unsure of their future plans at this stage.

5. Employment Perspectives

This section offers an overview of various facets of the employment process, including the role of employment agencies and methods of recruitment, the perspectives of employers in various sectors who are using migrant worker labour, and issues raised by a number of migrant workers during the research. It begins with a review of the various facets of the recruitment process.

Recruitment Processes

Many migrant workers obtain their employment as a result of being recruited by an employment agency. For workers from the EEA countries, the main trend has been recruiting people with Portuguese Identification Cards to work in meat and food processing factories, while for work permit holders, the majority of nurses are recruited through a process which involves an employment agency at some level. The ICR survey revealed that 44% of respondents were recruited by an agency while they were still in their own country, 43% obtained their current job by applying directly to the employer, and 13% were recruited by an agency after having arrived in Northern Ireland. The method of recruitment largely depends on the employment sector involved and the immigration status of the migrant worker.

It proved difficult to gather information from employment agencies themselves with regards to their involvement with migrant workers. Information was requested from thirty employment agencies across Northern Ireland on the numbers, origins and job sectors of migrant workers employed, methods of recruitment, and any liaison arrangements with employment agencies in other countries. Only one agency, based in Belfast, provided information. They have an average of five migrant workers of European or African origin registering with them every month. Most of those registering were willing to take unskilled jobs well below their educational qualifications. The agency expected to encounter migrant workers from EU accession countries from May 2004 onwards, when people from these countries would be free to come to Northern Ireland to seek work.

ICR also contacted a healthcare recruitment agency, which has been recruiting Filipino nurses to Northern Ireland for three years. The agency recruits nurses in the Philippines in partnership with a local agency. They

stipulate that the local agency does not charge the nurses a 'placement fee', but only for the necessary administrative processes. Nurses are pre-screened by the local agency, and they are then interviewed by the Northern Irish recruitment agency in the Philippines. The recruitment agency authenticates the nurses' documents and carries out security checks. Some employers travel to the Philippines with the agency to directly interview the nurses, while others will take nurses selected by the agency. The employer pays the agency a recruitment fee, the work permit fee and a return airfare for the nurse.

A meat factory owner who uses the SBS work permit scheme had used agencies based in England and the Republic of Ireland to recruit workers from Brazil and Ukraine. He explained that factory owners are wary of using agencies based in the source countries because they cannot check out their bona fides.

Portuguese speaking workers - the role of the international employment agency

An unknown number of migrant workers from Portugal have been recruited to work in food processing factories across Northern Ireland by the Atlanco employment agency. This agency has offices in Portugal, Spain, the Republic of Ireland and Great Britain and a support service manager in Northern Ireland. To date, Atlanco has only recruited workers from Portugal to work in Northern Ireland. Workers are signed up by Atlanco in Portugal, who then pay for them to fly to Northern Ireland. On arrival they are placed in shared accommodation with other Atlanco workers, with the rent deducted from their wages. Atlanco assigns them to a factory and brings them to work each morning by taxi, the money for which is again deducted from their wages. Atlanco typically appoints a Portuguese migrant worker in each town to act as a 'supervisor' to the other migrant workers. The supervisor is responsible for setting the number of hours people work, acting as an intermediary between the factory manager and the migrant workers, sorting out pay, and dealing with housing issues. It is important to note that Atlanco employs the migrant workers, not the factory in which they are working. The factory pays Atlanco for the labour of the migrant workers, and Atlanco in turn pays the migrant workers a wage which Atlanco themselves set.

Portuguese speaking workers - the role of Northern Irish employment agencies

An unknown number of Portuguese speaking migrant workers are

employed by local recruitment agencies, which operate in a similar fashion to Atlanco. Two of these agencies, JSD and CCE, operate in Dungannon and Portadown. These agencies employ Portuguese-speaking migrant workers in factories and other low-skilled jobs. As with Atlanco, the agency is the employer and often the workers must live in an agency house, the rent for which is directly deducted from their wages. Portuguese migrant workers come into contact with the local agencies in one of two ways. In some cases they approach a local agency for work after leaving or being dismissed from their job with Atlanco. In other instances migrant workers travel independently to Northern Ireland having been told by friends or family members that jobs are available with these local agencies.

Overseas Nurses

Overseas nurses are recruited to work in Northern Ireland according to one of three models:

1. Agency facilitated - the employer works in partnership with the agency to identify a source country. The employer is directly involved in the selection process.
2. Agency led - the employer appoints an agency to identify a source country and take the lead on recruitment, selection, and placement with some input from the employer.
3. Agency provided - agency actively recruits nurses on their own behalf to place in other countries (Buchan, Parkin and Sochalski 2003).

In the agency-facilitated model, representatives from the employing organisation directly interview the nurses whom they recruit. The interviews are arranged by an agency in Northern Ireland who has links with an agency in the source country. In 2002, the Mater Hospital Trust recruited its first group of nurses from India by sending senior staff with the recruitment agency representative to Delhi to interview nurses. Later in the year the Mater recruited another group of Indian nurses who were all interviewed by hospital staff by means of a videoconference. The Sperrin Lakeland Trust also sent a representative to the Philippines to interview nurses who had applied to the agency in the Philippines for the posts, while Down Lisburn Trust interviewed nurses in India by telephone conference.

In the agency led model, the healthcare employer does not interview the nurses whom they eventually employ. Rather, they rely on the skills of the employment agency to provide suitable nurses for the advertised positions. The following hospitals and trusts reported using this method

of recruitment: Belfast City Hospital Trust, Causeway Trust, Homefirst Community Trust, Greenpark Trust and Newry and Mourne Trust.

Nurses that were interviewed who worked for the Sperrin Lakeland Trust, Homefirst Community Trust, and the Causeway Trust had been charged approximately £300 by the agency in the Philippines. They were told this fee was needed to cover the processing of their applications. The Indian nurses employed by the Mater Hospital and the Down Lisburn Trust did not pay any fee to an agency. Down Lisburn Trust stressed that they took great care to select an agency to help them recruit nurses from India, they felt that some agencies did not have the necessary experience, while others displayed a prejudiced attitude towards overseas nurses.

No information was gathered from nursing homes on how they recruit overseas nurses but we interviewed a Filipino nurse who had worked in a nursing home in Northern Ireland. He had been charged £2,000 by an agency in the Philippines who told him not to tell anyone in Northern Ireland about this fee. He was accepted for the position without having to sit an exam or go through an interview. He was then placed in a nursing home in Northern Ireland by a locally based employment agency.

A senior hospital nurse from Northern Ireland had experienced employment agencies trying to convince him to employ overseas nurses. The nurse found the agencies had a very pushy sales technique and expected the hospital to find jobs for overseas nurses even when they were not advertising any vacancies. The agencies also try to convince the hospital to train the overseas nurses for free. The nurse felt that the agencies attempted to offload overseas nurses onto hospitals when the demand was not always there. However, all of the hospitals contacted reported that the recruitment of overseas nurses had been a positive process.

The conduct of private employment agencies is governed by the Employment (Miscellaneous Provision) (Northern Ireland) Order 1981. The Department of Employment and Learning in Northern Ireland (DEL) is responsible for processing updates to these regulations and has some responsibilities for enforcement. The legislation does not cover enforcement, and subsequent deregulation legislation has removed the requirement for agencies to be licensed. In addition, there is no requirement in the employment agency legislation for an individual to form a registered company in order to run an agency. Thus anyone can set up an employment agency without having to obtain a licence or register with any public authority.

The Northern Ireland Association of Citizens Advice Bureaux raised a number of concerns with DEL about the treatment of migrant workers by employment agencies. NIACAB recommended that legislative provisions should be introduced to regulate private recruitment agencies; that private recruitment agencies should be audited; that agency workers should be provided with National Insurance numbers; that safeguards should be introduced to protect the health and safety of agency employees in their place of work and when agency workers' accommodation is tied to their employment there should be adequate protection for employees in the event of the termination of their employment contract.

DEL is currently taking forward amendments to existing legislation and will initiate a consultation exercise during 2004 as part of a plan to introduce new legislation to establish minimum standards for employment agencies working in Northern Ireland.

Seasonal Agricultural Workers Scheme

Farmers can recruit seasonal migrant workers through the SAWS scheme, through one of two agencies or operators - Concordia and Hops. These operators receive a proportion of the SAWS quota each year from the Home Office. Farmers who want to employ SAWS workers contact one of the operators. The operators source the workers from universities and colleges in Eastern European countries. A code of practice between the Home Office and the operators governs the operation of the scheme. Under this code, the operators must arrange for the students to be employed directly by a farmer without the use of gang-masters or employment agencies.

The EURES Scheme

The EURES Scheme is run by the Department of Employment and Learning through Job Centres and operates across seventeen European countries - the European Union states, Iceland and Norway. The system allows an employer in Northern Ireland to place an advert in a local Job Centre, which will be circulated throughout the EURES network. Applicants from outside Northern Ireland send their CV to the Job Centre, which forwards it to a prospective employer. The EURES office in Belfast stated that the main sectors in which Northern Irish employers place advertisements are welding, mushroom and fruit picking, hotel and catering, and healthcare.

Direct employment

Migrant workers in a range of occupations acquire a job in Northern Ireland by responding directly to an advert from a Northern Irish employer. For example, university researchers often learn of positions in Northern Ireland via the Internet. Other migrant workers take a more proactive approach, and contact Northern Irish employers to see if they have any vacancies. For example, Bangladeshi restaurant workers who live in England may find a job in Northern Ireland by going through the Yellow Pages and phoning the Indian restaurants listed to enquire about work.

Employment Sectors

Our research revealed that migrant workers were widely utilised in a small number of important areas of employment: as nurses within the National Health Service; as workers within food processing factories, particularly meat processing work; within the agricultural sector particularly working in areas that are not suitable for mechanisation and within the hotel and catering sector both in ethnic restaurants and take-ways and in the wider hotel sector. Migrant workers were also employed prominently in the further education sector, in construction trades and they are increasingly being seen as a useful source of labour by a wide range of businesses.

Nursing

Nurses are employed both within the National Health Service and the private health sector. Information from the Down Lisburn Trust, Green Park Trust, Sperrin and Lakeland Trust, United Hospital Trust and Mater Hospital indicated that the various trusts offered a variety of support mechanisms for nurses coming from abroad. These include: arranging private rental accommodation or accommodation in a nursing home before their arrival; providing an individual mentor for an adaptation period; provision of education in language colloquialisms during the induction period; sessions with trade union representatives; arranging for registration with a GP; arranging visits to the Social Security Agency to get a National Insurance number. They also made links with relevant minority ethnic community groups.

Information from a healthcare recruitment agency that has been recruiting Filipino nurses to Northern Ireland for three years also

revealed a range of procedures to support both the nurses and their employers. The agency supplies nurses in the Philippines with tapes of Northern Irish radio broadcasts and television documentaries on local hospitals in order to familiarise them with local accents and surroundings. The agency makes telephone contact with nurses and employers on a weekly basis during the adaptation period to check on progress and encourages employers to have cultural awareness training for their staff on an ongoing basis. They had also reported one nursing home to the Nursing Midwifery Council after it unfairly dismissed two overseas nurses.

The agency also discovered that in some nursing homes there were problems with the adaptation training the nurses were receiving. In some cases, a structured adaptation programme had not been put in place, while in others the adaptee had little contact with their mentor because they worked different shift patterns. Therefore, the agency is piloting an educational supervised placement programme in nursing homes, in which the nurse receives two hours on duty training per week from the recruitment agency's own nurse. This training continues for the length of the nurse's adaptation period. The agency's programme runs alongside the nursing home's own adaptation programme and the nurse still has a mentor within the nursing home. This recruitment agency reported that 94% of their overseas nurses who had come to the end of their initial contract had renewed the contract. They expect overseas nurses will continue to be recruited to Northern Ireland for at least the next ten years.

Meat Processing Factories

ICR obtained information on the employment of migrant workers in the meat-processing sector by means of a telephone survey conducted in July and August 2003. Ten factories provided data on migrant worker employees. Five factories employed work permit holders from the Czech Republic, Latvia, Lithuania, Poland and Ukraine on the SBS scheme. Five factories employed migrant workers with Portuguese Identification Cards who originated from Portugal, East Timor and Brazil. One factory employed eight men from Sri Lanka whose wives were full-time students in Northern Ireland.

The different factories provide various levels of language support for migrant workers. One factory has employed a woman who speaks Polish and Russian to provide a verbal induction for the workers and to translate the induction manual into their languages. This woman also

accompanies workers to the GP to interpret while medical examinations are carried out. Another factory uses a Russian interpreter when required, and provides English classes for workers and Russian classes for other factory staff. Signs around the factory are also translated into the workers' languages. However, other factories reported that they use one migrant worker who speaks good English to interpret for the other workers.

Some of the factories employing work permit holders provide accommodation, which the migrant workers rent directly from them. Others provide a list of landlords, and can facilitate an agreement between the landlord and the migrant workers. None of the factories, which employ EEA migrant workers, lease accommodation to them.

Agriculture

According to the Department of Agriculture and Rural Development, the Mushroom Industry Association of Northern Ireland and the Ulster Farmers Union, labour shortages in the mushroom sector have been an ongoing problem for a number of years. Farmers have found it difficult to recruit local workers mainly because the work is labour intensive and is paid at the National Minimum Wage. Until recently, mushroom farmers had not been able to legitimately recruit migrant workers from outside the EEA countries. They were prevented from participating in the Seasonal Agricultural Workers Scheme because mushroom picking is not a seasonal activity but rather continues throughout the entire year. However, the government has recognised the recruitment problems faced by mushroom farmers and in May 2003 the Shortage Based Sector (SBS) work permit scheme was introduced. Under this scheme, mushroom farmers can employ non-EEA nationals on one-year work permits.

A telephone interview was conducted with a mushroom farmer who had recently recruited five workers from Ukraine through the SBS scheme. The farmer explained that he had used the SBS scheme because he had been unable to find local workers. In his experience, local people would turn up for an interview but would subsequently never appear for work. Those who were willing to work would only do so on condition that they were paid in cash so that they could continue to claim Job Seekers Allowance, which the farmer was not willing to do. The farmer is extremely satisfied with the Ukrainian workers, and in his opinion without them he would have had to close business.

The Department of Agriculture and Rural Development stated in July

2003 that they believed that approximately 50-60 mushroom farmers in Northern Ireland had applied for the SBS scheme. It was their opinion that between 50% and 60% of existing mushroom growers with a farm consisting of four or more houses would require the assistance of the SBS scheme in the future.

It is hoped that the introduction of the SBS scheme will reduce the numbers of undocumented workers employed in the mushroom sector. During a telephone interview, one mushroom farmer revealed that he knew of another farmer in the industry who had employed three undocumented workers in the previous year. The farmer interviewed had himself received a letter from an individual who said that he could supply workers for a fee of £200. The letter did not make clear whether these were legal or undocumented workers.

There are also labour shortages in fruit and vegetable farming. Farmers in these sectors in Northern Ireland have been able to utilise the Seasonal Agricultural Workers Scheme since 2000 to recruit migrant workers. There are two operators based in England who supply Northern Irish farmers with workers through SAWS - Concordia and Hops. Between them these agencies supplied 38 farms with approximately 300 workers in 2003.

One farmer, who had employed migrant workers through SAWS for the last two years, explained that she relied heavily on these workers as she could not recruit people locally. In previous years the farmer was not able to harvest all the crops due to the difficulty in recruiting labour. Therefore, she turned to the SAWS programme. For the last two years she has employed workers from Poland and Belarus from November to April each year. She is extremely satisfied with their attitudes to the work and their willingness to work a 40-hour week. Another farmer commented that the SAWS scheme allows him to employ workers for fixed periods of time when the need for labour is at a peak. A further advantage of SAWS is that because the workers are students in their own country, the farmer does not have to pay employer's liability, which constitutes a saving of 10% of the wages bill.

In January 2004, SAWS II will be introduced which will allow farmers to employ migrant workers throughout the entire year. The Ulster Farmers Union and the farmers interviewed welcomed this move and believed that it would help prevent farmers from having to employ undocumented workers over the winter period to meet their needs.

Hotel and Catering Industry

Information was obtained from five hotels, a restaurant, and a pub chain by means of a telephone survey. The results, summarised below, reveal the diversity of practices and recruitment processes within this sector:

- Belfast hotel 1 - employs migrant workers from China, India and Canada.
- Belfast hotel 2 – employs three persons from Spain. The hotel advertises vacancies in the local Job Centre, which are circulated throughout the EURES network.
- Belfast hotel 3 – has seven students from a hospitality college in India employed on a one-year contract.
- Derry/Londonderry hotel – has one Indian person employed. The hotel does not actively recruit from overseas as it does not perceive there to be a labour shortage in the industry.
- Portaferry hotel - employs two staff from EU countries and one person by means of a work permit. The hotel has experienced difficulty recruiting skilled local workers and actively recruits in Europe through an agency and via the Internet.
- Belfast Chinese restaurant – employs three chefs from China and Hong Kong on work permits. The restaurant noted that it was difficult to recruit chefs in Northern Ireland, as it is a highly skilled job requiring at least five years training.
- Belfast pub chain - unknown number of international students employed on a part-time basis. The pub also has plans to recruit students from hospitality colleges in Eastern European countries for short-term work placements.

More information was gathered in an interview with the general manager of a large hotel in Belfast, which employs four people from European countries, and ten people from outside Europe. They all were recruited through locally placed advertisements, and some were spouses of work permit holders. These people typically have held highly skilled, well-paid jobs in their country of origin. However, they are willing to take a low-skilled job in a hotel in order to earn money whereas young Northern Irish people without qualifications are not so willing to work in a hotel. This hotel is exploring the employment of workers from the Czech Republic by means of the SBS work permit scheme. The attraction of this system is that the work permit is issued on the condition that the holder must stay with the named employer for the duration of his/her time in Northern Ireland. In other words, the hotel is guaranteed a full-time worker for a year. The hotel manager was of the opinion that in five years time migrant labour would become a major element in hotel staffing in Northern Ireland.

Construction Industry

Limited information was gathered about migrant workers in the construction industry. Italian and Portuguese workers had been employed by an Italian contractor to do new building work at the at Ballylumford power station. According to a representative from the trade union Amicus/AEEU, the migrant workers were paid less than half the standard wage for a construction worker in Northern Ireland. A local engineering company noted that a contract at Coolkeeragh power station had been awarded to an Austrian company and felt that local companies were being priced out of the market when tendering for some work because overseas contractors can bring workers from their own country to Northern Ireland and pay them low wages.

Problems in the Work Place

During the course of interviews with migrant workers and members of community organisations a range of problems connected to employment were noted. The Northern Ireland Association of Citizens Advice Bureaux also provided case notes of migrant workers who have made complaints concerning employment issues. The Equality Commission have also been involved in dealing with employment related complaints by a number of migrant workers. We tried to arrange interviews with a number of employment agencies to address these concerns and to give them an opportunity to reply but apart from one instance the agencies did not respond to our requests.

Payment of Salary

A number of overseas nurses had concerns that their salary did not reflect their professional experience. When nurses from the Philippines and India receive their registration number from the Nursing Midwifery Council (NMC), they become Grade D nurses, the lowest salary bracket of this scale. Some nurses felt this was unfair as it did not recognise the nursing experience they had outside Northern Ireland. One nurse who completed a questionnaire expressed dissatisfaction that she had not yet received her registration with NMC and thus was not being paid a staff nurse salary:

I am currently trying to get registered as a nurse in the UK. The process has been painfully slow (2 years) and is still not completed. I am underpaid as I am not fully registered yet.

A number of agency workers reported problems over receiving the proper payment for the work they had done. Former employees of the Atlanco agency raised a number of issues related to payment of salaries. These included earning a lower hourly rate than had been indicated; being underpaid for the hours worked; not being paid for authorised breaks; not receiving proper payslips; and having unauthorised deductions from wages. A French migrant worker who did a day's work for a Belfast-based recruitment agency did not receive any payment. He worked in a food-processing factory for eight hours and expected to be paid £4.20 per hour. However, when he went to the agency to collect his pay, they claimed they had no record of him having worked in the factory and refused to pay him.

Overall 10% of respondents to the survey said that they had had problems receiving pay. The most common problem was related to taxation (6 people), followed by being underpaid (4 people), problems with the Atlanco agency (2 people) and being owed wages by a previous employer (2 people). Twenty percent of people recruited by an agency in Northern Ireland have had problems receiving pay. Thus migrant workers who were recruited through an agency were more likely to experience problems related to pay than those who obtained work by applying directly to the employer.

Holidays and Sickness

A number of workers cited problems related to their holiday pay, sickness and maternity entitlements. A man employed by the JSD agency in Dungannon for two years asked for time off as his wife was having a baby. The agency refused to give him the time off. When the man subsequently took the time off he was dismissed from his job. Workers in a Cookstown factory reported that when they brought a letter into work with details of a GP appointment, the factory had rung the health centre without their permission to postpone the appointment to a time outside their working hours.

A number of problems were raised by current and former employees of the Atlanco agency. An Atlanco worker was told by the agency that he would be paid during his two weeks holiday. However, when he returned to work, he did not receive the agreed holiday pay. In other cases employees had not received sickness pay despite having a doctor's certificate, and being threatened that overtime would be stopped if time-off was taken to go to a GP. Female employees reported that they had

been sacked for refusing to work on a doctor's advice because of a pregnancy-related illness, while one woman had been sacked after revealing her pregnancy to the employer.

Contracts and Training

The Citizens Advice Bureau encountered a case in which a group of Bulgarian workers who had been recruited to work as care assistants, were working under very restrictive contracts. They were recruited by an agency in Bulgaria and each had a four-year work permit as a care assistant. Each person had to pay the Bulgarian agency US\$1,000 to cover air tickets, insurance and administration. In Bulgaria they were told to sign three documents in English, which were not translated nor explained to them, and told if they did not sign they would lose their US\$1,000. One of the documents is a declaration that they will pay a further £1,500 deducted from their pay at £150 a month for 10 months. They also had to bring a guarantor to sign this document. They were told by the agency that once they were in Northern Ireland they would be provided with training in their relevant disciplines - the group includes nurses, physiotherapists and doctors. However, no training is mentioned in the terms and conditions of their contract.

A former Atlanco employee knew of people who had signed statements on the instruction of their supervisor saying they had completed training when they had not. A senior hospital nurse from Northern Ireland had worked with a number of overseas nurses who had received adaptation training at nursing homes. However, in his experience, the training they received not meet the required NMC standard. As such, the hospital was forced to retrain the nurses once they began work there.

Unfair Dismissal

Portuguese speaking workers reported being sacked by employment agencies for various reasons, including taking time off work when ill; becoming pregnant; asking for information on employment rights and for refusing to do overtime. A Filipino nurse complained of being unfairly dismissed from a nursing home. Initially work went well and the nursing home manager seemed pleased with his work. However, soon afterwards the care assistants began to complain of his work and as a result the nursing home manager sent him a letter stating she was dissatisfied with his work and he was dismissed with one week's notice. The nurse was never asked to give his side of the story or to reply to the complaints made against him.

Recognition of Qualifications

A number of migrant workers had encountered difficulties because potential employers did not recognise the legitimacy of their qualifications nor take into account their work experience in other countries, while others felt that employers also tended to assume that they were only capable of low-skilled work. The belief among migrant workers that Northern Irish employers do not recognise their skills can prevent them from applying for jobs in which they have experience in their home country. As a result, the skills of migrant workers may be under-used in the labour market. For example 26% of the survey respondents believe that their educational qualifications were not recognised in Northern Ireland.

People who obtained their current job by applying directly to the employer in Northern Ireland are much more likely to be of the opinion that their educational qualifications are not recognised than those people recruited by agencies. Thus 35% of migrant workers who have applied directly to Northern Irish employers believe their education is not recognised, compared to 18% of those recruited by an agency in their own country and 5% by an agency in Northern Ireland. This suggests that people who come to Northern Ireland independently with the intention of seeking work on arrival find it harder to have their qualifications validated than those people who come through agencies. The recognition of educational achievements also varied according to the level of education a person possesses, 83% of those who had been to university or college felt their qualifications were accepted, whereas only 40% of those whose highest educational qualification was obtained at secondary school felt it was recognised in Northern Ireland.

Discrimination, Racism and Intimidation

Thirty-seven of the survey respondents (22% of the total) had experienced some kind of harassment or discrimination at their work place. During interviews migrant workers described a variety of forms of discrimination they had experienced. These included being made to justify their reasons for coming to Northern Ireland during interviews for jobs, being denied small privileges which were granted to Northern Irish employees - e.g. toilet breaks outside authorised breaks, being referred to as '*criminal asylum seekers*' by colleagues, and being excluded from staff social events. General experiences of harassment are discussed in more detail in a later section of this report.

Undocumented Workers

Undocumented workers can encounter their own set of employment-linked problems. They are more open to exploitation from employers because of the fear that their immigration status will be discovered, which usually prevents them from contacting the authorities to complain about unsatisfactory working conditions. Undocumented workers are often paid less than the National Minimum Wage. Members of the Chinese communities in Belfast and Craigavon noted that undocumented workers employed in Chinese restaurants are prepared to work long, hard hours for low pay. Not surprisingly, they appear an attractive proposition to some restaurant owners, especially when compared to documented workers who will not work such long hours and will expect a proper wage.

One Citizens Advice Bureau had dealt with a group of undocumented workers who had been employed by a Portuguese man who set himself up as a recruitment agent. The agent supplied the workers to an established local employment agency. The Portuguese agent told the workers he needed details of their bank accounts and then proceeded to steal their wages. None of the undocumented workers were willing to report the incident to the PSNI because they were afraid their immigration status would be detected. This Citizens Advice Bureau has also dealt with undocumented workers who were not given proper pay slips, P45 forms or holiday pay.

Summary

The research indicates that migrant workers are an attractive labour option for a growing number of businesses in Northern Ireland, either due to a lack of suitably skilled individuals or due to a lack of willingness to take up work in some sectors by local people. Increasing flexibility in the regulation of the employment of migrants and a wider range of recruitment practices indicates that migrant workers will increase in number in coming years.

The research also reveals that many migrant workers are recruited to their job through an employment agency, which acts as an intermediary between employer and employee. And, while many agencies and recruitment processes are thorough, fair and supportive of the people they recruit, others are less scrupulous. At present employment agencies in Northern Ireland are unregulated and some agencies appear to have

adopted practices that exploit the vulnerability of the migrant workers. A number of people we interviewed for this report complained of being denied their rights by agencies, while others complained of being treated differently from other workers. There are also suggestions that some migrant workers are not being trained to a satisfactory level.

The Northern Ireland Association of Citizens Advice Bureaux has raised a number of concerns with the Department of Employment and Learning and believes that there are issues that need to be addressed to ensure that migrant workers experience the same employment rights as local workers.

6. Harassment

We asked survey respondents if they had suffered any form of discrimination in Northern Ireland. 86 people, or 51% of the total, had been the victim of at least one form of discrimination. The most common occurrence was verbal abuse, with 53 people (30%) subjected to this type of mistreatment. 39 people (23%) felt they had been discriminated against, 31 (19%) had been harassed and 14 (8%) had been the victim of a physical assault.

Abuse on the Street

The street was the most common place in which survey respondents had experienced some sort of abuse, 54 people (33% of respondents) reported such occurrences. Many migrant workers who were interviewed had also been abused on the street at some point in time. This kind of abuse affected a range of people including Bangladeshis, Brazilians, Chinese, Filipinos, French, Indians, Palestinians, Portuguese, and Zimbabweans. The abuse took a variety of forms, including racist insults, being told to *'go back to your own country'*, being called an asylum seeker, having alcohol poured on clothing, and being attacked with stones or eggs. For example a woman from Goa living in Dungannon described how she had been walking down the street pushing her baby in a pram when a group of men drove past in a car and squirted water over her and her child with a toy gun while shouting racist insults.

A number of migrant workers of different nationalities living in various towns said that they avoided going out on the street late at night, particularly at the weekends. There was a general perception that they were more likely to be racially harassed or abused at this time by people under the influence of alcohol. Only one person interviewed had reported such incidents to the police. The others felt it was pointless notifying the police because those responsible could not be identified or caught.

Abuse in Shops, Bars and Taxis

Eighteen survey respondents (11% of the total) had experienced harassment in shops, bars or cafes, while two interviewees expressed displeasure at the way they were treated in shops. A Croatian woman living in Belfast reported that shop owners in her local area would refer

to her as *'the little asylum seeker'*. A Serbian woman made the following comment: *'What I notice is soon as they hear my accent a lot of people just switch off'*. Furthermore when she is with her Northern Irish partner she finds many shop assistants address all their comments to him and ignore her. This woman felt this was indirect discrimination and resented being made to feel as if she did not exist.

A community worker in Ballymena stated that Portuguese speaking migrant workers living in the town did not feel welcome to socialise in local bars. The community worker was of the opinion that although the majority of migrant workers in the town were white, they were nevertheless perceived by local people as a racial 'other'. Tensions were further heightened by the fact that Ballymena is a predominately Protestant town while the migrant workers were perceived to be Catholics.

A Portuguese speaking migrant worker originally from India told how she had been physically attacked by a Portuguese woman in a bar in Dungannon. Her attacker had also verbally abused her by referring to her as *'an Indian whore'*. A Portuguese speaking man originating from an African country reported that he had been physically attacked by seven men from East Timor with whom he was sharing a taxi because he smoked a cigarette. He believed the attack to be racially motivated. Community workers in both Dungannon and Cookstown were of the opinion that racist tensions existed between migrant workers from Portugal and those from former Portuguese colonies.

Abuse In and Around the Home

Twenty-one respondents to the survey (12%) had experienced abuse in or at their homes, while 20% of people who completed the questionnaire said they felt unsafe in their home. Feelings of insecurity varied according to the type of accommodation. Only 7% of people who owned their home reported feeling unsafe in it, while the figures for those living in privately rented accommodation or accommodation rented from their employer were higher at 19% and 28% respectively. The statistics for those living in Housing Executive Accommodation were considerably greater with 50% of people stating they felt unsafe in their home. The reasons, which caused people to feel unsafe in their home, are set out in Table 19.

Table 19: Reasons for feeling unsafe in the home

	Number
Attacked with stones outside house by racists	7
Presence of drunks/thugs in area	3
Area unsafe	3
Rude neighbours	2
House burgled	2
Share house with violent person	2
Fear of July bonfires in area	2
Windows deliberately broken	2
House unhygienic	1
Fear of new area	1
Only one man present in house, the rest women	1
Racism	1
Threatened with homelessness by agency	1
Living with convicted murderer in agency house	1

Migrant workers living in privately rented accommodation reported being abused by other local residents:

- A Russian family living in a Co. Down town had the windows of their house broken by a teenager;
- A group of Filipino nurses living in a Co. Antrim town in a shared house were targeted by a group of male youths who threw bottles at their house one night;
- A group of Indian nurses living in Belfast were harassed by male teenagers living in their street. Eggs and apples were thrown at their windows and their bin was burned in the back lane;
- A Portuguese family in Dungannon had their windows broken and graffiti painted on their garage door telling them they were not welcome;
- A Croatian woman reported that since moving to a new area in Belfast she has deliberately kept a low profile in order to prevent her neighbours learning of her nationality.

Migrant workers can also suffer abuse by being drawn into cross-community conflicts. One man living in a Catholic area of Belfast recounted how a group of children in a neighbouring Protestant area tried to attack him, calling him a '*Fenian bastard*' on the presumption that he was a Catholic. The PSNI in Portadown stated that they were aware that landlords in the town were buying cheap properties in interface areas to let out to migrant workers and some migrant workers have had their houses attacked by loyalists who perceive them as Catholics. A

Chinese community worker in the Craigavon area reported that Chinese migrant workers had been threatened by paramilitaries in the area where they live. The community worker believed that the paramilitaries wanted to exclude all persons who are not co-religionists, including the Chinese, from what they regarded as their 'territory'.

There were two instances in Ballymena of migrant workers being abused at their homes by other migrant workers. One Portuguese man recounted how he had been physically assaulted by his employment agency's supervisor and three other Portuguese men outside his house. The attack, in which he received a stab wound, occurred after he complained that there were no saucepans in the house. He reported the attack to the PSNI. In another case a Portuguese woman was sacked when she complained to her supervisor about conditions in the workplace. She therefore approached the factory directly to ask for a job and they agreed to employ her directly. However, when she returned to the house, which was provided by the agency, her two Portuguese flatmates stole her key and locked her in the house. They told her to go back to Portugal and that she would be in trouble if she stayed in Ballymena and worked directly for the factory. The woman locked herself in her bedroom but managed to escape from the house early the next morning.

The range of incidents reveals that migrant workers not only suffer racist abuse from Northern Irish people, but can also suffer at the hands of fellow migrants. The research reveals not only the diversity of people, languages, ethnicities and background covered by the term migrant worker, but also the hostility and tension that may exist between people who are covered by such as term.

Reporting Harassment

Most migrant workers encounter the PSNI when they report a case of harassment. 28% of those surveyed had been in contact with the PSNI, in 64% of cases the migrant worker had been a victim of crime, 28% of people had been asked to produce documents and 9% had witnessed a crime. Only one person stated that they had been the perpetrator of a crime.

Those migrant workers who had suffered a form of harassment were asked whether they had reported the problems. Fourteen people (16%) had reported an incident to the police, 14 (16%) to their employer, 11 (13%) to a trade union and seven (8%) to a solicitor. Thus while 86 people had experienced some form of harassment, only 46 of them had

reported the incident. It is worrying to note that of the 12 people who have been physically assaulted only 7 reported the incident to the PSNI.

Some migrant workers were satisfied with the manner in which the police had dealt with their experiences of harassment. A Portuguese couple in Dungannon whose house had been attacked had received a speedy response from the police. They felt reassured that the police would come to their aid quickly if they experienced any further problems. Similarly, a group of Filipino nurses living in a County Antrim town had bottles thrown at their house one night by a group of local teenagers. They called the police to the house and were satisfied with the service they provided.

Of those survey respondents who did report an incident to at least one agency, 14 (30%) said they were satisfied with the way their complaint was handled, whereas 17 (37%) said they were dissatisfied. Those who were dissatisfied with the response to their complaint listed a range of reasons, including a belief that no action was taken; a feeling that the complaint was not treated seriously or received no reply; a belief that the agencies supposed to provide help were racist or that the police were unhelpful.

An Algerian man living in Belfast made the following comment in his questionnaire: *'Police are totally unhelpful and do not respond to racially motivated attacks.'* Members of the Bangladeshi community in County Down believed that the PSNI were more focused on the traditional sectarian problems in Northern Ireland than the issues facing minority ethnic groups. Similarly, a Chinese community worker in Derry/Londonderry said that the Chinese community felt the PSNI did not put enough time or effort into investigating robberies of their houses and businesses. Likewise, a Portuguese woman in Dungannon who had been involved in a fight with other migrant workers believed that the police did not take the case seriously because it did not involve Northern Irish people.

One Russian woman felt she had been discriminated against by the PSNI because of her ethnicity. She had seen a youth, whom she recognised from the area, break her window and reported the incident to the police. However, when the police officer arrived he seemed more interested in questioning the woman rather than the youth. He asked her what country she was from and where she worked, among other things. She felt these questions were irrelevant. When she told the police officer the identity of the youth, he went to his house and spoke to him. The police

officer then phoned the woman and said that the youth had denied breaking the window and that he believed him. The woman was very annoyed as she felt the police officer was accusing her of lying. She then turned to her neighbours who helped her deal with the problem.

PSNI and Migrant Workers

PSNI Community Involvement officers have responsibility for liaising with community associations in their local area, including minority ethnic community groups. The Community Involvement teams in a number of towns have begun to engage with migrant workers and migrant worker support projects.

In Portadown the Community Involvement officer participates in a multi-agency group set up to look at the issue of migrant workers in the Craigavon area. Similarly in Dungannon the Community Involvement officer participates in the Migrant Workers Forum. The PSNI had also paid for a Portuguese interpreter to attend the Citizens Advice Bureau for two hours per week although this provision has since been withdrawn.

In Ballymena, police officers had noted that migrant workers had been experiencing problems of harassment. For example the homes of Filipino nurses were vandalised and neo-Nazi literature was distributed in the town. They had also responded to complaints by migrant workers that they had been assaulted and harassed by supervisors from their employment agency. However, the police officers stated that they had difficulties locating those accused as they were based in the Republic of Ireland and although one person had been arrested s/he had jumped bail and apparently left the country. Police officers in Ballymena had worked with approximately six to eight migrant workers and their families since December 2001 and they have referred victims of crime to Victim Support.

Summary

Just over half of the migrant workers who responded to the ICR survey reported that they had been harassed or suffered some form of discrimination. This was most frequently experienced on the street, but harassment and discrimination was also experienced in shops and accessing services and in the home. As a result 19% of respondents said they did not feel safe in their home. While many migrant workers were harassed because of their perceived otherness from the two majority communities, some were harassed because they were perceived as

Catholics. Only a small percentage had reported such incidents.

Although some people complained of the attitudes of the police, the PSNI has made some attempts to respond to the needs of migrant workers, particularly in towns such as Dungannon, Portadown and Ballymena where multi-agency programmes have been established. However, such initiatives are still in the early stages of their development.

7. Housing Options

The research indicates that migrant workers have four main options for finding accommodation in Northern Ireland: they can rent privately; they may have housing supplied as part of the terms of employment; they can buy a house; and they can have access to social housing. The largest proportion of respondents to the survey, 54% of the total, lived in privately rented accommodation, 22% of people lived in houses rented from the employer, 18% owned their own home, while 6% of respondents lived in Housing Executive accommodation. Only 10% of respondents lived by themselves, while 78% lived in a house containing between two and five people. Twenty respondents (12%) lived in a house that had between six and eight residents.

Employment Tied Accommodation

There are three main types of arrangement whereby migrant workers are provided with housing by their employer:

1. Property owned by employer - tenant pays rent directly to employer;
2. Property owned by a third party - tenant pays rent directly to employer who passes the payment to the property owner;
3. Property owned by a third party - tenant pays rent directly to third party. Employer's role is to initially facilitate the arrangement.

The following groups of migrant workers typically live in accommodation provided by their employers:

- Restaurant workers, for example in Chinese and Bangladeshi owned businesses, are provided with accommodation as part of a job package and this is reflected in their salaries;
- Nurses working in private nursing homes and for health trusts. The employer will arrange shared private rental accommodation for a group of nurses and the nurses either pay rent directly to the landlord or it is deducted from their salary;
- Workers on the Seasonal Agricultural Workers Scheme. This scheme requires participating farmers to provide accommodation either on or close to the farm;
- Sectors Based Scheme work permit holders. The majority of meat processing factories arrange shared private rental accommodation for their workers and deduct the rent from salaries. Other factories assist the worker in finding accommodation by providing a list of landlords;

- Factory operatives working directly for an agency. When a person signs up with an agency in Portugal to work in Northern Ireland, their accommodation is provided by the agency. The house is usually owned by a third party, but managed by the agency. The rent is directly deducted from their salary.

There are a number of problems associated with accommodation that is tied to employment that have been identified by interviewees:

- The accommodation is usually designed to accommodate single adults. If a person wants their spouse and children to join them they must rely on the goodwill of their flatmates to allow family members to stay in the shared house until they can make alternative arrangements. People living in employment agency housing who want their family to join them must find their own house, and because housing and employment are part of the same package, they potentially risk losing their job. Only 15% of survey respondents who rented accommodation from their employer were accompanied by their children, while 50% of people who owned their homes and 41% who rent privately live with their children;
- Overcrowding. One man who had worked for Atlanco commented: *'There are six to twelve persons, depends how many they have, they have to just stuff them in the houses they have and that's it'*. In one example, a husband, wife and their young child arrived in Dungannon and were placed in a one bed roomed house with one other man. A few days later they were informed that three other men would be moving into the house and would sleep in the dining room. The woman objected, but was told that if she did not comply money would be deducted from her salary. She refused to be threatened and handed in her notice. She then approached the owner of the house and arranged for her family to rent it directly from him;
- Dismissal from an employment agency usually results in a person being evicted from the agency house;
- Absence of any tenancy agreement in employment agency housing. One Atlanco employee had lived in four houses in the last ten months. He described how the supervisor would arrive at the house without notice: *'They arrive anytime and say pack your bags, you are going to another house'*;
- Deducting rent directly from wages. Atlanco employees receive £3.62 per hour rather than the minimum wage of £4.20 per hour. The deduction is for rent and transport. This arrangement means that the more hours a person works per week the more money they pay for rent;
- Rent set by employment agency is higher than amount charged by private landlords for similar properties.

Renting Privately

Many migrant workers choose to rent accommodation privately. This may be because their employer does not provide accommodation, they want more independence or because they have been forced to leave their employment tied accommodation. There are a number of drawbacks associated with privately rented accommodation which affect anyone who chooses this housing option, be they migrant workers or otherwise. These include: the need for a deposit and a month's rent in advance; insecurity as a landlord can give one month's notice at any time and the cap on Housing Benefit means that there may be a shortfall between the amount of Housing Benefit paid and the cost of the rent.

There are also features of renting privately which have a particular impact on migrant workers. Migrant workers who are sacked by an employment agency may have to leave their job and home almost immediately, in such instances it can be difficult to find the money for a deposit. There are also suggestions that some landlords are unwilling to rent to migrant workers. For example one Bangladeshi man was told by an estate agent that he would have to pay a year's rent in advance. This problem is exacerbated by the fact that much of the private market is tied up by the employment agencies, which rent houses exclusively to their workers.

Home Ownership

Some migrant workers who decide to stay in Northern Ireland choose to buy a house. Like any other potential buyers, they give careful consideration to the area in which the house is located. Those migrant workers who had bought houses stated that safety and the absence of sectarian graffiti were important factors when it came to choice of location. However, not all migrant workers were able to secure a mortgage in order to buy a house. One nurse who had a five-year work-permit discovered that none of the banks or buildings societies were willing to give him a mortgage because of his immigration status.

Northern Ireland Housing Executive

The Housing Executive have acknowledged the importance of housing related issues associated with the growing number of migrant workers in Northern Ireland since 2002. To date four internal reports have been produced looking at such issues as inspections of private rental multi-occupation properties, provision of social housing, and establishing links with other agencies with an interest in migrant workers. The work done on each of these issues is detailed in the sections overleaf.

Houses with Multi-Occupancy

It is the responsibility of the Housing Executive to inspect privately rented accommodation housing three or more people who do not form a family unit. If the property does not meet the required Housing Executive standards the owner will be issued with an Article 80 Notice requiring them to make the necessary improvements. HMO inspections are co-ordinated by HMO West based in Coleraine and HMO East based in Belfast. The Housing Executive has actively taken steps to ascertain the addresses of multi-occupancy properties in which migrant workers are living by contacting employers and employment agencies. The work done on investigating HMO properties containing migrant workers is shown in Table 20.

Table 20: HMO Inspections of properties housing migrant workers January 2003 - August 2003

Stage	Number
Investigatory inspections	122
Properties identified as HMOs	86
Full inspections	86
Properties requiring Notices	73
Notices served	42
Properties conforming to standard	9

Most of the properties identified are located in the Dungannon, Cookstown, and Portadown areas, with a smaller number in Ballymena, Ballymoney, and Coleraine.

HMO West and HMO East offices have taken different approaches to the issue of inspecting properties inhabited by migrant workers, due to relevant competing priorities in their areas. The HMO West office has actively sought to discover the addresses of migrant workers in order to inspect them, whereas the HMO East office has not singled out migrant workers as a specific type of tenant. The manager of the HMO East office stated that housing problems related to migrant workers were not a significant issue for them, thus they did not actively seek out properties rented by migrant workers and when staff do inspect properties they do not ask occupants if they are migrant workers. A recent Housing Executive internal report (August 2003) states that the HMO properties housing migrant workers do not exhibit any significant features that distinguish them from other HMO properties. Therefore, HMO inspections of such properties are now being assimilated into the normal HMO programme.

Social Housing and Housing Benefit

Only 21% of respondents to the ICR survey had visited a Housing Executive office, 65% of those had done so in order to apply for social housing, while other visits had been to apply for housing benefit and to complain about their area of residence.

The Housing Executive does not have a system in place for recording a client as a migrant worker. However, they have compiled statistics on the numbers of migrant workers applying for and being allocated to social housing (Table 21).

Table 21: Migrant worker applications for and allocations to Social Housing. Cumulative totals for each District Office.

District	Jan 2003 - Aug 2003	
	Applications	Allocations
Ballymena	13	3
Ballymoney	2	0
Banbridge	3	1
Brownlow/Lurgan	1	0
Coleraine	3	2
Cookstown	33	3
Dungannon	70	20
Fermanagh	4	0
Larne	2	1
Lisburn	1	0
Londonderry Waterside	1	1
Magherafelt	4	2
Omagh	3	1
Portadown	33	12
Total	173	46

At present there are two criteria in terms of determining whether a person is eligible for social housing or Housing Benefit. The person must not be subject to immigration controls (Immigration Act 1999) and the person must prove they have a connection to Northern Ireland - for example they have relatives living in Northern Ireland or they are seeking work in Northern Ireland. The Housing Executive is currently developing guidance on how front-line staff can assess whether a person meets the above criteria.

In relation to determining a person's immigration status, the challenge is to develop a common policy applicable to all applicants, whether they are migrant workers or British or Irish citizens. Thus, the Housing Executive cannot request proof of immigration status based on a person's accent or race.

Links with Other Agencies

The Housing Executive's Equality Unit has established connections with the South Tyrone Empowerment Project (STEP) and the Multi-Cultural Resource Centre. A representative of the Dungannon office sits on the Migrant Workers Forum in the town and works with the Migrant Support Centre to provide general housing advice to migrant workers.

Summary

Migrant workers can experience a range of problems in relation to housing. This is particularly the case if their accommodation is provided by their employer. A number of examples were provided where migrant workers were forced to accept undesirable living conditions because job and home were tied together. In such cases changing or losing a job can also require moving houses. Tied accommodation seems to be a particular problem for couples and people with children. There is some indication that the Northern Ireland Housing Executive are aware of some of the problems experienced by migrant workers and have begun to respond to these issues.

8. Public Services

This section reviews the approaches taken by key social service providers to address the needs of migrant workers. It begins by reviewing the work of the Social Security Agency, and continues by looking at issues in relation to education provision for the children of migrant workers and finally reviews issues related to the health services.

Social Security Agency

People who have just arrived in Northern Ireland and who want to work must apply for a National Insurance number through the Social Security Agency. There are four steps to this process:

1. Visit in person the local Social Security Office and state the intention to apply for a National Insurance number;
2. Await a letter from the Social Security Agency containing the date and time of what is called an 'evidence of identity' interview;
3. Attend this interview in person and bring along documents such as passport, national ID card, birth certificate, proof of address, payslips;
4. Assuming the application is accepted, await receipt of the National Insurance number by post.

Processing of National Insurance numbers is administered by three offices in Northern Ireland - Belfast, Portadown, and Derry/Londonderry. Staff from these three offices travel to a person's local Social Security office to do the 'evidence of identity' interview.

When migrant workers arrive in Northern Ireland they are not provided with any kind of documentation that explains what a National Insurance number is and why there is a requirement to obtain one. Many migrant workers reported that initially they were completely unaware that they had to obtain National Insurance numbers. They usually pick up information about the system from friends and colleagues on an informal basis. Some employers do take a proactive stance on this matter. Health Trusts for example, tend to approach the Social Security Agency and make an initial request for National Insurance numbers on behalf of overseas nurses before they even arrive in Northern Ireland. However, other employers take no action to inform their workers of the National Insurance system. A former Atlanco employee recounted how she had been provided with misinformation on this matter. Initially she had been told that Atlanco had applied for a number on her behalf. However,

when it had not arrived six months later, she was told that her date of birth was her National Insurance number. She realised this was not correct and went to the Social Security Agency herself to make an application.

83% of survey respondents possessed National Insurance numbers. Migrant workers who were recruited by an agency while still in their country of origin were less likely than other kinds of workers to possess a National Insurance number. Only 69% of respondents recruited by agencies in their own countries had a National Insurance number, compared to 95% of those recruited by an agency in Northern Ireland and 94% of those in direct employment. This suggests that agencies, which recruit migrant workers in their countries of origin are not routinely informing people of the need to apply for a National Insurance number. By not asking new employees for their National Insurance numbers, employers may be contravening the Asylum and Immigration Act 1996. This stipulates that employers are required to ask all new employees for proof of a right to work. Where a migrant worker has obtained work through a work permit then this will be sufficient proof of right to work. For all other employees the most commonly accepted proof is the National Insurance number (TUC 2002).

Migrant workers who are aware of and do apply for National Insurance numbers can encounter difficulties in terms of the length of time taken to process their application. Many migrant workers had waited up to six months to be called for interview. Others had waited up to seven months after the interview to receive their number. For example, one man working in Dungannon recounted how he had made an initial application in November 2002, was called for interview in March 2003, and finally received the number in August 2003.

The absence of a National Insurance number prevents migrant workers from accessing certain services. Migrant workers listed a range of difficulties in this respect. These included: an inability to open a bank account; an inability to claim benefits; an inability to open a pension fund and an inability to participate in voluntary work as a National Insurance number is required for security checks.

There is some recognition of the problems in this regard. The Social Security Office in Portadown is involved in a committee in the Craigavon area, which is looking at issues affecting migrant workers. They are currently considering the specific information needs of migrants and aim to include information about obtaining National Insurance numbers in any future leaflets and advertising materials that are produced.

Claiming Benefits

They tax us like the local people, but we are not allowed the other benefits, why is it like that?

EC Regulation 1408/71 co-ordinates Member States' social security schemes. It enables workers and members of their families, who move within the EU, to take with them their acquired social security rights, including health care. These arrangements also apply to EEA Member States and Switzerland. Nationals of EEA states are entitled to a range of contributory and non-contributory social security benefits: sickness and maternity benefits, incapacity, retirement and widowhood, accidents at work and occupational diseases, death, unemployment and family benefits (TUC, 2002). The European Commission has published a practical guide on these rights entitled *Your Social Security rights when moving within the European Union* (1997).

Work permit holders and Working Holidaymakers are admitted to the UK on the condition that they do not have recourse to public funds. This means they cannot claim certain benefits including: Child Benefit; Disability Living Allowance; Working Tax Credit; Housing Benefit; Income Support; and Jobseeker's Allowance (TUC 2002). Such people have the phrase 'No recourse to public funds' stamped on their permit. They are not provided with any further information as to which services and benefits fall under 'public funds'. A number of migrant workers reported being confused as to whether they could claim Child Benefit and the Working Tax Credit. Those who had enquired into the issue and discovered they were not entitled to these benefits felt the system was unfair.

Education

Just as it is difficult to obtain statistics on the number of migrant workers in Northern Ireland, it is also difficult to establish how many migrant workers have children with them in Northern Ireland. The Department of Education keeps statistics on the number of children from minority ethnic groups enrolled in schools in Northern Ireland (Table 22). However, these figures cannot be used as a proxy for the children of migrant workers. There is no way to distinguish between the children of 'settled' ethnic minorities and the children of migrant workers.

Table 22: Ethnicity of pupils enrolled in schools in Northern Ireland 2002/2003

Ethnicity	Nursery	Reception	Primary	Post Primary	Total
White	13,893	1,175	165,739	154,470	335,277
Chinese/ Hong Kong	46	0	381	435	862
Irish Travellers	18	1	455	182	656
Indian/ Sri Lankan	13	0	180	122	315
Pakistani	10	0	116	49	175
Bangladeshi	0	0	28	7	35
Black-Caribbean	1	0	16	14	31
Black-African	6	0	64	39	109
Black-Other	2	0	10	3	15
Korean	1	0	20	2	23
Any other ethnicity	26	2	237	217	482
Mixed ethnicity	76	2	553	207	838
Total non-white	199	5	2,060	1,277	3,541
Total pupils	14,092	1,180	167,799	155,747	338,818

Language Support for Children

The English language ability of migrant workers' children is dependant on a number of factors, including the country of birth, the age at which they moved to Northern Ireland and the level of English tuition available in country of origin. In general, the migrant workers who do have children enrolled at schools did not express major concerns about their child's ability to adapt to speaking English.

There are at least two primary schools in Dungannon that have employed Portuguese speakers to provide support for the non-English speaking children. However, one of these support workers felt that her part-time hours did not allow her to provide the necessary support to all the children needing her assistance. As a result she worried about the language support her own child would receive when he was old enough to attend school:

I speak because of my own experience - I work in a school, I have nine Portuguese kids and I have just three hours every day to work there and I have to divide the time . . . Sometimes I don't even have time to see all of them, just two or three because most of the time I'm in the office phoning to the parents and making translations via phone.

A representative from the Mandarin Speakers' Association said that most of their members' children go to one of two primary schools in South Belfast. One of these schools provides language support for children who have just arrived from China. While parents are concerned that their children learn to speak fluent English, they also wish them to be able to speak Mandarin. As such, the Association runs weekly Mandarin classes for children.

A health visitor in County Down held the view that pre-school Bangladeshi children needed to have the opportunity to mix socially with other children before they began primary school. Bangladeshi women can be fearful of bringing their children outside the home because they fear they will be racially abused in the street. In the past, nursery schools reserved places and asked the health visitor to allocate them to the children who most needed them. The health visitor allocated them to Bangladeshi children to give them the chance to meet other children. However, the system has changed so that nursery schools can no longer reserve discretionary places. The health visitor believed it was important to find other venues in which pre-school children from minority ethnic groups could mix with other children.

Children can encounter other language difficulties when they arrive at a school in Northern Ireland. A representative from the Indian community explained that the requirement to take a GCSE in another European language was difficult for children from India. While they will speak three languages fluently (English, Hindi, and other language of their province) they will not have had the opportunity to learn other European languages before coming to Northern Ireland.

Interpreting Provisions for Parents

Migrant workers who could not speak English expressed concerns about the lack of effort which schools made to translate documents requiring their attention. A Chinese community worker in Derry/Londonderry said that she knew of migrant workers with children who had missed out on parent-teacher meetings because they could not read the letter sent home with the children. She also reported that schools did not provide interpreters at such meetings. Similarly, a Portuguese mother in Cookstown reported that she could not understand a letter which the school had sent to her regarding the arrangements for the new school term. However, one playschool in Cookstown has made efforts to communicate with Portuguese speaking parents. The school collaborates with the local Sure Start Centre, who translate letters into Portuguese by means of a free computer programme available on the Internet.

Knowledge of the Education System

A number of parents expressed the view that they did not possess adequate information on the schooling system in Northern Ireland. A focus group with Portuguese parents in Cookstown revealed that they had not previously been aware that in Northern Ireland a child begins school at the age of four, because in Portugal a child does not start school until they are six-years old. There was also confusion surrounding the different types of schools available in Northern Ireland. Staff from the Migrant Support Centre in Dungannon explained that migrant workers tend to assume that integrated schools belong to the state system and that Protestant and Catholic schools are 'religious' schools. Therefore, they tend to gravitate towards the integrated schools. As a result the integrated schools cannot cope with the demand. One Russian mother, who speaks fluent English, explained that at first she had not understood the concept of 'assessment' as used by schools. She felt there was an assumption that because she speaks fluent English she can understand how the education system in Northern Ireland works, even though she has no experience of it.

Racism at School

A Russian woman whose child is of a mixed ethnic origin, reported a number of problems at her primary school which she felt were racially motivated. The school had refused to heat up her child's homemade lunches. She was told that foods she had supplied were on a 'banned list' in terms of re-heating. In another instance a teacher had coloured in her child's face black in a picture her child had drawn. Finally an assessment that her child, who has special needs, was limited in her ability to communicate was based on the fact that the family did not speak English at home. The mother pointed out that her child's ability to speak English may be limited, but not her overall communication as she can speak Russian.

A Portuguese woman in Cookstown stated that teachers and pupils had picked on her five-year old daughter when she began attending a local Catholic primary school. When she initially enrolled her daughter in the school she was asked to state the family's religion. The mother cannot speak English so she mistakenly said that her daughter was a Protestant. In her view this misunderstanding had resulted in her daughter being the victim of sectarian bullying based on perceived religious faith.

Future Trends

It is difficult to assess how many children of migrant workers will attend schools in Northern Ireland in the future. However, there are a number

of factors that would suggest that the number would rise in future years. A good percentage of migrant workers stated that they intended to stay in Northern Ireland permanently (19% of survey respondents). Many nurses who were interviewed said that once they were settled they intended to bring their spouses and children to Northern Ireland. A number of Portuguese speaking migrant workers in Dungannon and Cookstown said that the school system in Northern Ireland is of a higher standard than that in Portugal and this would be one reason why they would consider staying in Northern Ireland on a permanent basis.

Health and Social Care

All migrant workers have the right to access health care. EEA nationals and people from countries, which have reciprocal agreements with the UK, have the right to free health care provided by the NHS. The only people who have to pay for treatment are those on Visitors Visas from countries without reciprocal agreements with the UK. However, all migrant workers are entitled to free healthcare in the case of urgent treatment. Work permit holders who possess a permit lasting more than six months, along with their dependants, are entitled to free health care provided by the NHS.

The first point of contact for accessing health services in the UK is the General Practitioner (GP). People can register with a GP surgery in their area which is taking on new patients; patients are then issued with a Northern Ireland medical card. If a person has not registered with a GP, but becomes ill, they can register as a temporary resident in order to receive medical treatment from that surgery. The questionnaire revealed that a Health Centre is the public service contacted by the greatest number of migrant workers: 71% of respondents had been in contact with a Health Centre and 85% of people were registered with the GP, while 59% of respondents have had contact with a hospital in Northern Ireland.

However, it should be remembered that the sample of migrant workers, which completed the questionnaire, were literate, proactive in participating in the research and in some cases in contact with support organisations. Therefore, the survey figures on GP registration could be higher than that for the overall population of migrant workers. GP registration also varied according to occupation. While 100% of academics and 93% of nurses were registered, the figure for factory workers was lower at 73%. GP registration also varies according to the English language ability of the respondent with 92% of respondents who

speak fluent English registered with a GP, compared to only 68% of people who do not speak English.

The Chinese community group Wah Hep, based in Craigavon, is encouraging migrant workers to register with GPs by alleviating misconceptions they have to pay for the services of the doctor. In relation to undocumented workers, they advise people that asking to see a passport when registering at a health centre constitutes discrimination, and they should refuse to do so. However, in order to build confidence among undocumented workers, Wah Hep needs reassurances from health centres that the addresses of Chinese migrant workers who register with a GP will not be passed to the PSNI or Immigration Service.

The Sure Start Centre in Cookstown feels that Portuguese migrant workers need to be made aware of the system of registering with a GP as the healthcare system in Portugal has no equivalent to a GP. Craigavon Area Hospital Group Trust reported that migrant workers have turned up at the Accident and Emergency Department in Craigavon Area Hospital and the minor injuries clinic in Dungannon because they are not aware of how to register with a GP. As a result, GP registration forms were translated into Portuguese and are available in Dungannon. One migrant worker from Serbia had experienced difficulties in registering with a GP. A number of the health centres that she approached stated that they did not know whether Serbians were entitled to register with GPs and thus would not register her. She eventually found a health centre that was aware that there is a bilateral agreement between the UK and Serbia regarding health care, and registered her immediately.

The Regional Health and Social Services Interpreting Project has been established by the DHSSPS. Managed by the Eastern Health and Social Services Board, the Project's Board is representative of the four regional Boards, the Equality Commission and minority ethnic organisations. The aim is to create a central register of professional sessional interpreters and a central contact service for booking. To achieve this, the Project has developed an accredited interpreter training programme and is delivering the Certificate in Community Interpreting across Northern Ireland. The content covers good practice and ethics. It provides the interpreter with an understanding of local Health and Social Services structures, provision and terminology and the rights of the client/patient within current equality legislation. The Project has also developed and implemented a training programme for Health and Social Services practitioners and staff called 'Working Well With Interpreters'. A Code of Practice will be distributed through Health Boards, Trusts, Agencies and

Councils. This will ensure consistent, standardised, regional procedures for booking and working with interpreters. The service is due to be introduced in Spring 2004.

Summary

Social security, health and education are, as well as the PSNI and the NIHE, the main areas of statutory activity that migrant workers engage with most frequently. In each sector engagement with migrant workers occurs on an uneven basis, in part due to the relatively small number of people involved, in part due to the fact that many migrant workers do not need to call on the services of the different agencies on a regular basis.

Nevertheless there is evidence that in each of the areas of statutory activity, agencies have begun to acknowledge and respond to the needs of migrant workers by adapting practice and procedures. One issue common to each area of activity is in relation to the need to provide translation or interpreter facilities, this is addressed in more detail in the following section. Another issue of concern that has been raised is with regard to the availability and provision of basic information on the rights, entitlements and responsibilities of migrant workers to services and support.

There is the beginning of a response to this issue and support on advice and information is also being provided by a number of voluntary and community organisations (see next section for more details), but there is a need for a more considered and comprehensive response to the need for information for migrant workers. This may be little more than developing and extending the work that has already been initiated in response to the needs of minority ethnic communities, but it has been identified as a key need by a number of people interviewed as part of this research.

9. Interpreting and Public Services

Interpreting services have been revealed as a significant issue in the research, both in relation to the ability of statutory agencies to provide an appropriate level of services, and for migrant workers to be able to access the services and information they require.

In terms of language policy, any policy framework for dealing with minority ethnic languages arises from the commitment in the Good Friday Agreement to promote respect, tolerance and understanding for linguistic diversity, including the languages of the minority ethnic communities. This does not specify which ethnic communities, so those who have arrived most recently could not be excluded from that obligation. The finer detail of how the Good Friday Agreement commitment might translate into action in respect of different languages has yet to be worked out although individual departments have put programmes in place.

The Department of Health, Social Services and Public Safety in particular has been developing a Regional Interpreting Service Project (see above) and DCAL have been liaising with them. DCAL set up an inclusive Planning Group to run an Open Space Conference in 2002, the first time all the departments, associated bodies and minority ethnic groups have collectively identified and documented the relevant language issues, including those associated with migrant workers. Groups are now being set up through the Race Equality Forum which will provide decisions on how to go about meeting the language needs and preferences of the various minority language groups

Public services have responded to their interpreting needs with face-to-face interpreters, through telephone interpreting or a combination of both. Interpreters can be accessed through FLEX (based at the University of Ulster) and through minority ethnic organisations and charge between £25 and £30 per hour or via Language Line, a private company providing telephone interpreters in 120 languages. Interpreting takes the format of a three-way conference call between the public service staff member, the client, and the interpreter. The minimum cost of a one-hour call is £109.50. Language Line has been widely adopted by the statutory sector.

All of the Housing Executive's district offices across Northern Ireland have access to Language Line, but there are no resources allocated for the

provision of face-to-face interpreters. Language Line has been available in all Job Centres and Jobs and Benefits offices since July 2003. The Social Security Agency installed Language Line in the East Down district in June 2002 and from July 2003 has been available in all customer-facing offices across Northern Ireland for a trial period, after which it will be evaluated. The Social Security Agency also book interpreters in advance of 'evidence of identity' interviews for National Insurance number applications, and for the initial interview for claiming Jobseeker's Allowance.

The PSNI currently have a contract with the interpreting and translation agency FLEX, but the current arrangement is not sufficient to meet their needs in relation to migrant workers and members of minority ethnic groups. Interpreters usually have to come from Belfast and there are difficulties in securing an interpreter at short notice. The PSNI are therefore in the process of designing a new interpreting policy, which will involve the use of Language Line.

The Social Security Agency and the Department of Employment and Learning are working on a new policy on interpreting and in the long-term hope to develop a pool of interpreters. They have also fed information into the development of the Regional Interpreting Project for Black and Minority Ethnic Groups. The project has a remit for all of Northern Ireland although its work has been facilitated through the Eastern Health and Social Services Board. Its work began in April 2002 and will initially run for a period of three years.

The Southern Health and Social Services Board draws on a broad range of services and linguistic resources. A full-time Chinese interpreter receives funding from four Health and Social Services Trusts in the Southern Board area. Interpreting is available for a variety of services including community nursing, elderly care, school nursing, mental health, health visitor, GPs, dentists, opticians, pharmacists, outpatient appointments, inpatient admissions, maternity services and completing application forms for services.

Craigavon and Banbridge Community Trust installed Language Line in early 2003. This is available in the hospitals and health centres but it cannot be used for home visits. Therefore, if a person who does not speak English is receiving a home visit, they are expected to have a friend present who speaks English to act as an interpreter. The Trust is aware that such situations ideally require a face-to-face interpreter, and are working in partnership with other statutory bodies on developing an interpreting policy for the Craigavon area. Craigavon and Banbridge

Community Trust also provide a representative who sits on the Craigavon Migrant Workers Forum.

Craigavon Area Hospital Group Trust uses interpreters for pre-arranged appointments while Language Line is used when a person needing an interpreter arrives without an appointment. As a member of the Migrant Workers Forum, the trust has drawn up a leaflet on how to access a range of health services. This has been translated into Portuguese, Chinese, Urdu, Latvian, Lithuanian and Russian. It will form part of a general welcome pack for migrant workers, which provides information on accessing public services.

Interpreting Practices

Employees of the various agencies noted a number of advantages of Language Line, including the wide range of languages and that it facilitates an almost immediate communication with the client. However, they also stated that there were limitations to the service. In particular claims made by phone are not suited to Language Line, there is an awkwardness in a three-way conversation, clients prefer to use a 'friend' or family member to interpret, Language Line cannot be used for home visits and there is a lengthy process of form filling.

It should be noted that the vast majority of survey respondents, 89% of the sample, had not been provided with an interpreter by any of the public services. Those organisations named by respondents as having supplied an interpreter were the Social Security Agency, Citizens Advice Bureau, South Tyrone Empowerment Project, the courts and an unnamed hospital.

Migrant workers experienced a range of difficulties in relation to Language Line as an interpreting facility. These included the public service staff member not being properly trained in the use of Language Line; a difficulty in explaining your situation to the staff member via a third person over the phone and having no provision for home visits.

Migrant workers are not always aware of the interpreting services to which they are entitled. The situation is further complicated because the various public services have different interpreting provisions. Barriers to awareness included:

- Signs in some public service buildings advertising the availability of interpreters are only available in English;

- The burden being on a migrant worker to request an interpreter, rather than being offered one by the public service when it is clear they do not speak English;
- Perception that clients must pay for interpreters themselves.

A Chinese interpreter who completed a questionnaire believed that public services do not put enough effort into informing clients that interpreting is available:

Clients have experienced many appointments without an interpreter at GP and hospitals when I am not available. Service providers never initiate the service of interpreters for clients/service users.

Migrant workers reported being asked to bring 'friends' or family members with them to appointments at the Social Security Agency, the Housing Executive, the PSNI, the health centre, the hospital and to schools. Migrant workers reported being dissatisfied with this arrangement for a range of reasons. Some felt that 'friends' cannot be trusted to interpret information accurately or may not speak adequate English to interpret accurately. Others noted that they may have to pay 'friends' to accompany them, while some migrant workers do not have 'friends' or family members with them who can help them.

Others raised concerns over confidentiality. For example a former Atlanco employee had been provided with a supervisor from the employment agency to act as an interpreter by a public service. Public services should not assume that people who speak the same language have each other's best interests at heart. The 'friend' may be someone who has power over the client. A community worker pointed out the difficulties she saw with public services using 'friends' as interpreters:

You're really imposing upon other people to do what is a statutory right, they should be providing rather than imposing upon other people and taking advantage of the fact that there's a good creature out there who will come along with everybody and speak English for them.

Migrant workers reported a range of situations in which the lack of interpreting provisions had prevented them from fully accessing public services. Some examples included:

- Receiving letters detailing appointments in English, not being able to understand such letters, and consequently missing appointments;

- A dentist did not provide a Portuguese man with an interpreter and instead the client had to use an English/Portuguese dictionary to describe his symptoms;
- A Portuguese couple's house was attacked, the police did not have an interpreter and the couple were forced to communicate with limited English and gestures;
- A community worker in Ballymena recalled an instance when a Portuguese man went to the police station to report an assault, which occurred at his workplace. The agency, which employed him, sent the supervisor to the police station to interpret. The PSNI assumed that the supervisor was the man's 'friend'. Allegedly the supervisor did not interpret accurately in order to cover-up the details of the assault.

Summary

The provision of appropriate interpreter facilities has been acknowledged as an issue for all public bodies and although there is a range of options open to public agencies, none appear to be completely satisfactory. However it is also evident that agencies such as the Eastern Health Board and DCAL have recognised the need for a more flexible and diverse response and are seeking to develop newer strategies in response.

10. Information and Support

This section details a range of organisations that are involved in meeting the needs of migrant workers. As such, it supplies insights into the locations of migrant workers across Northern Ireland and the kinds of problems for which they seek help. Information was sought from respondents to the survey on the support mechanisms they were utilising in Northern Ireland. The Trade Unions and Citizens Advice Bureaux were contacted by the greatest number of people, 25% of the total sample. The number of people contacting the various organisations is shown in Table 23.

Table 23: Migrant workers visiting community/voluntary/advice organisations

	Number	%
Trade Union	42	25
Citizens Advice Bureau	42	25
Embassy	25	15
Solicitor	24	14
Priest/Minister	24	14
Equality Commission	14	8
Unnamed voluntary group	14	8
South Tyrone Empowerment Project	12	7
NI Council for Ethnic Minorities	4	2
Multi-Cultural Resource Centre	3	2
Islamic Centre	1	1
Indian Community Centre	1	1
Chinese Welfare Association	1	1
St Vincent de Paul	1	1
OFMDFM	1	1

Trade Unions

The TUC have produced two reports addressing the issues surrounding migrant workers in the UK - *Migrant workers: a TUC guide (2002)* and *Overworked, underpaid, and over here (2003)*. The reports outline the rights of the various categories of migrant workers, as well as highlighting the difficulties faced by migrant workers. The TUC aims to support migrant workers so they become less vulnerable to exploitation from employers and more aware of their rights. However, the report *Overworked,*

underpaid, and over here (2003) revealed that between 1995 and 2002 the percentage of migrant workers in unions has dropped much more rapidly than the percentage of UK workers in unions. This is of concern to the unions because in that same period the number of migrant workers in the UK has risen.

At present, it is estimated that less than one in four migrant workers is a member of a trade union. Our survey revealed that 44% of respondents were members of a trade union, 47% were members of UNISON, 18% of RCN and 15% of TGWU, while smaller numbers belonged to NIPSA, BMA and NATFHE. The Royal College of Nursing stated that it had 280 overseas nurses in its membership in Northern Ireland at 31 March 2003.

The Transport and General Workers Union represents workers in the food and agriculture, manufacturing, service and transport sectors. A representative from the Belfast office stated that there are a number of issues surrounding migrant workers which have been brought to the attention of the union. These include issues related to pay, such as workers not receiving itemised payslips from employment agencies, workers paid the standard rate for overtime and employers attempting to pay migrant workers less than the National Minimum Wage and by cash in hand. They were also aware of other complaints such as workers being dismissed without notice and being evicted from their homes when dismissed by employment agencies.

In response the TGWU set up a weekly advice centre for migrant workers in Dungannon. The advice centre is run in partnership with the STEP. They are also in the process of drawing up minimum standard agreements with factories which employ migrant workers. One such agreement has already been established with the Moy Park factory. In addition, the TGWU has requested a meeting with the DEL to discuss how migrant workers' employment rights can be safeguarded.

The TGWU estimates that it has between 100-150 migrant worker members. However, they believe that many migrant workers employed by agencies are reluctant to join the union in case it results in them being dismissed, although some migrant workers are actively working with the TGWU to assert their rights. A Portuguese migrant worker who was dismissed from his employer for seeking advice from the union was awarded £7,800 in damages by an Industrial Tribunal in June 2003.

District Councils

Information was requested from the Community Relations Officers in all the district councils on their knowledge of migrant workers residing in the council area and any work the council was doing with such communities. Craigavon, Dungannon and Cookstown Councils, have all actively responded to the presence of migrant workers in their area. Craigavon Borough Council is aware that in excess of 500 migrant workers are employed in local food processing factories. The Council is a member of a multi-agency group working to produce a welcome pack for migrant workers to improve their knowledge of and access to statutory and community based services.

Dungannon District Council is a member of the Migrant Workers Forum, for which it provides grant aid. Council members were alerted to the difficulties faced by migrant workers when UTV broadcast the Insight programme entitled *From Portugal to Portadown* in October 2002. In response to the concerns raised in this programme, Council members requested a meeting with those recruitment agencies employing migrant workers. However it was suggested that the meeting was of limited use because the Council does not have the power to investigate agencies. The Council has also applied to the Department of Social Development to fund a worker to do research and outreach work on all the issues surrounding migrant workers.

The Community Relations Officer of Cookstown District Council has met with a representative of the Housing Executive and a bilingual migrant worker living in the area to discuss the issues surrounding migrant workers.

Citizens Advice Bureaux

The Citizens Advice Bureaux (CAB) is the largest advice charity in Northern Ireland with a network of 28 offices. ICR secured information from 15 of these offices regarding their contacts with migrant workers. Ten offices stated that they had dealt with migrant worker clients. Migrant workers had received advice on a range of issues, including employment rights, housing, health, social security, legal matters and immigration procedures. The types of migrant workers who have approached the CAB offices are set out in Table 24.

Table 24: Migrant workers visits to local CAB offices

CAB Office	Types of clients	Number of clients
Armagh	Latvian welders on work permits Filipino nurses from nursing homes	
Australian	working holidaymakers	Not available
Ballymena	Portuguese speakers	Not available
Bangor	European farm worker	1 in total
Coleraine	Portuguese speakers	30 in total
Cookstown	Portuguese speakers Russians Latvians	Not available
Craigavon	Portuguese speakers Undocumented workers	Approx 12 per month
Dungannon	Portuguese speakers Undocumented workers	Approx 11 per month
Fermanagh	East Europeans	Less than 10 in total
Magherafelt	Portuguese speakers Chinese Filipino nurses	Approx 5 per month

Note: The figures are derived from the knowledge of CAB office managers and manual checks which they have done on their cases.

South Tyrone Empowerment Project

STEP is a community organisation specialising in supplying services to individuals and groups least likely to have access to general provision. They work by identifying a need, developing a project and applying for funding to deliver the project. STEP initiated the establishment of the 'Portuguese Forum' (also known as the Migrant Worker Forum) in Dungannon. This is a service providers' forum aimed at identifying the needs of migrant workers. STEP secured funding to set up the Migrant Support Centre, which employs three part-time staff. The centre provides a point of contact and support to individuals, the service is provided in the first language of the individual. In addition, STEP provides strategic language support including English and Portuguese classes, community interpreters, translation and language resources. STEP are also developing an interpreters co-operative as a sustainable business for those bilingual persons from the migrant communities who they currently employ as part-time workers, and for those people from whom they buy interpreting services.

Sure Start Project, Gold Community Centre, Cookstown

Sure Start projects support pregnant women and parents with children up to the age of four living in disadvantaged areas. The centre's contact with migrant workers dates from September 2002. In response to the growing needs and growing numbers of the Portuguese speaking population in Cookstown, the project adjusted its funding application so that it can now work with migrant workers in all areas of Cookstown. Sure Start provides ante-natal support, parenting courses and crèche facilities for all the parents and children they work with. The project also provides a range of additional services to Portuguese speaking migrant workers, particularly those who speak little English. These include helping to translate letters from schools and statutory agencies from English to Portuguese using a computer programme and accompanying people to health centres, hospitals, the Social Security Agency, and the Housing Executive. In such cases the Sure Start worker often acts as an advocate for people so that they receive the service they seek.

Ballymena Community Forum

The Ballymena Community Forum is an umbrella organisation with responsibility for addressing the needs of minority ethnic communities in the area. Ballymena Community Forum made some initial contacts with Portuguese migrant workers in early 2003 and in March 2003 held a public meeting to introduce the kinds of support and advice they can provide. Approximately thirty migrant workers attended this meeting. Ballymena Community Forum provides support for migrant workers by assisting them in accessing statutory services and by supplying a Portuguese interpreter for appointments with such services.

Wah Hep

Wah Hep, a Chinese community organisation based in Craigavon provides support for migrant workers from China, Hong Kong, Vietnam and Malaysia. Wah Hep has actively sought to make contact with migrant workers to inform them of their rights to healthcare. In addition, Wah Hep is trying to encourage Mandarin-speaking migrant workers to set up their own support group.

Multi-Cultural Resource Centre

MCRC commissioned and published a *Report on Portuguese workers in Northern Ireland* (Soares 2002), the first piece of research documenting the lives of migrant workers in the region. They have been involved in initiatives to raise the issue of migrant workers with statutory services and to promote awareness of migrant worker languages. MCRC has also undertaken client work with individual migrant workers. In addition, as part of the Refugee Action Group, they visit undocumented workers who are held without trial in Maghaberry Prison.

Summary

A broad range of voluntary and community groups and organisations have begun to respond to the needs of migrant workers in a diverse range of towns across Northern Ireland. The evidence from the work being done on the ground suggests that the most pressing need is from migrant workers employed in factory based labour in Dungannon, Cookstown, Portadown/Craigavon and Ballymena. However the little data gathered from the CAB offices gives some evidence of the presence of migrant workers in a number of other areas.

Interestingly there is little evidence to date of activity related to migrant workers in the Belfast area, although other data suggests that Belfast has the largest number of such workers. It may well be that migrant workers in Belfast have access to support and information through other organisations, such as professional bodies, trade unions or minority ethnic organisations.

11. Review and Recommendations

The migrant worker population in Northern Ireland is very diverse. In 2002-2003, work permit holders from 66 different countries came to Northern Ireland, in addition to nationals from EEA countries. Migrant workers are living in urban and rural areas, and include both single people and family units.

At present, most migrant workers are at either the bottom or top ends of the occupational hierarchy. It would appear that it is relatively difficult for migrant workers to obtain middle level jobs, unless they are actively recruited by means of the work permit scheme.

It is difficult to predict whether the number of migrant workers in Northern Ireland will increase or decrease. EEA nationals are free to reside in Northern Ireland indefinitely, and work permit holders can apply for Indefinite Leave to Remain after being in the UK for four years. The arrival of new migrant workers to Northern Ireland depends on a range of factors: continued active recruitment for shortage occupations, government migration policies, the accession of countries to the European Union, the initiatives of recruitment agencies and the economic conditions in the countries of origin of migrant workers.

Migrant Workers' Experiences by Employment Sector

Nursing: The majority of overseas nurses are work permit holders from the Philippines, with a smaller number from India. They are recruited by agencies in their own countries working in conjunction with their eventual employers. Nurses working for Health Trusts have a structured adaptation programme and access to trade unions. Nurses working in nursing homes may have a less structured adaptation programme and face tensions with care assistants. Most nurses are registered with a GP because of their familiarity with the healthcare system and their ability to speak fluent English.

Food Processing: Migrant workers from EEA and non-EEA countries are employed in the food processing industry. The majority of EEA workers are Portuguese nationals, from Portugal and former Portuguese colonies. Non-EEA nationals are SBS work permit holders from Eastern European countries. Many Portuguese nationals are technically the employees of employment agencies, though increasing numbers are seeking direct

employment with factories. The main problems experienced by agency workers are connected to pay and conditions and the fact that their accommodation is tied to their employment. EEA workers have the option of relocating their families to Northern Ireland, whereas the SBS workers must come alone. Workers' access to public services will depend on their English language abilities and how pro-active their employer is in terms of helping them access such services.

Agriculture: Migrant workers are involved in mushroom picking and fruit and vegetable farming. The majority are from Eastern European countries, and are recruited by means of the SBS or SAWS scheme. Both programmes stipulate that the employer must assist the workers in finding accommodation, and wages are regulated by the Agricultural Wages Board. Undocumented workers in this sector are likely to experience poor pay and conditions.

Hotel and Catering: Migrant workers from EEA countries and non-EEA countries are working in hotels and restaurants. EEA nationals tend to approach hotels directly seeking work, although some vacancies are advertised by means of the EURES network. Anecdotal evidence suggests that overseas students are likely to seek part-time work in this sector. The majority of work permit holders are chefs, although the recently introduced SBS scheme allows employers to obtain work permits for low-skilled positions.

Education: Academics, language assistants, and overseas students come from EEA and non-EEA countries. Academics do not typically experience work-related problems. They are fluent English speakers and do not have any difficulty in accessing public services.

Factors Affecting Migrant Workers' Experiences in Northern Ireland

Language Ability: Migrant workers who do not speak adequate English may find it difficult to understand their employment rights, to communicate with employers, and to access trade unions and public services.

Length of Time in Northern Ireland: The longer a person resides in Northern Ireland the more opportunity they have to improve their English language skills, familiarise themselves with public services, become aware of information and support organisations and to build up a personal network of support.

Immigration Status: Migrant workers from EEA countries can move freely between jobs in Northern Ireland without endangering their right of residence. In contrast, if a work permit holder wishes to leave their job they must find another employer prepared to apply for a work permit on their behalf. If they cannot find another employer they must leave the UK.

Country of Origin: All kinds of migrant workers may experience verbal abuse, including white Europeans. As outsiders to Northern Ireland, migrant workers are perceived as 'Other'. Furthermore, migrant workers can suffer sectarian harassment because of their perceived religious affiliation.

Income: Migrant workers with higher salaries are more likely to be able to speak English and thus access public services, and they will have more choice in terms of where they live.

Length of Time Employer has used Migrant Workers: Some organisations, such as universities, have a longer tradition of employing overseas staff and consequently may be more alert to their requirements. For other companies, such as food processing factories, migrant labour is a relatively new development, and thus they may not be knowledgeable about the issues involved in employing migrant workers.

Recommendations

The following recommendations are in part based upon the views expressed by migrant workers during interviews and focus groups. They also draw on comments from representatives of voluntary and statutory organisations that provide support to migrant workers, as well as insights from the ICR research team.

As a general caveat, it is worth acknowledging that migrant workers are a broad and growing constituency in Northern Ireland. They include individuals from many countries and from many ethnic and national groups. Many migrant workers are members of minority ethnic communities and as such many are subject to a similar range of discrimination and racist abuse and harassment that are experienced by the permanently resident minority ethnic communities. A number of issues of concern for migrant workers will be included in policies already initiated in response to the growing recognition of racist harassment and violence experienced by minority communities in Northern Ireland. These recommendations are in addition to such issues.

Information and Support

1. There is currently a limited amount of accurate official data on the nature, scale and demographic breakdown of the migrant worker population in Northern Ireland. Some consideration needs to be given to identifying ways in which existing sources of information can yield better data on migrant workers so that policy development can proceed from a more informed basis.
2. Migrant workers would like a government produced booklet containing information on their rights and responsibilities. This should cover issues such as employment rights, healthcare, housing and social security. It should also explain the UK's taxation system and National Insurance contributions as well as practical advice such as how to open a bank account. This booklet should be available in a range of languages.
3. The Equality Commission has identified migrant workers as a priority policy issue. Any future good practice guidelines that it develops should include a section on the role of employment agencies in dealing with migrant workers. This should clearly set out the responsibilities of employment agencies and should outline best practice. The Commission should also recognise the need for education of employees in all organisations regarding the treatment of migrant workers both in the workplace and in the delivery of services.
4. The European Commission publish booklets for European Union nationals who are moving to another EU state but many migrant workers are unaware that such information exists. It would be useful if these booklets were available at airports, post offices, Job Centres, health centres, libraries, Social Security offices and Housing Executive offices, and in a range of languages.
5. Work permit holders currently do not receive any explanatory material concerning the conditions of their work permit. They would welcome specific information on the type of work they can do when in the UK, what to do if they are experiencing problems with their employer, their eligibility for social security benefits and how and when they can make an application for Indefinite Leave to Remain in the UK. Work permit holders would also find a list of minority ethnic organisations helpful. Such material should be available in a range of languages.

6. Some migrant workers do not know where to turn for help when they encounter problems. There needs to be more awareness raising of the existence of organisations such as the Equality Commission, Law Centre Northern Ireland, Migrant Support Centre Dungannon, Multi-Cultural Resource Centre, Northern Ireland Association of Citizens Advice Bureaux and the Northern Ireland Council for Ethnic Minorities.

Public Services

7. There is a general need for all public services to be aware of the growing diversity of minority communities in Northern Ireland and of the specific issues that affect the lives of migrant workers. There is a need for all training for public service employees to include issues relevant to dealing with migrant worker communities.
8. Migrant workers want all public services to use professional interpreters. They are unhappy with the practice of being told to bring 'friends' and family members to act as interpreters. Migrant workers would also be assisted in fully accessing public services if they were provided with information leaflets in their own languages. Failing to provide interpreting facilities when it is known there is a language barrier could be construed as unlawful racial discrimination.
9. Migrant workers' lives are made more difficult by the lengthy waiting times for National Insurance numbers. There is a need both for clearer and more accessible information about how to obtain National Insurance numbers, and for a faster means of processing applications for National Insurance numbers.
10. There is a general need for all sectors of the health service to be aware of the specific needs of migrant workers both as employees and as customers, and in particular needs that might arise in trying to access public health services. For example registering with a GP is made difficult when health centres are not aware of the healthcare entitlements of nationals from different countries.
11. Migrant workers want more support from Job Centres in terms of how to seek work and undertake training courses.
12. Migrant workers from European countries are frustrated that if they want to register their children as citizens of their own country they have to travel to an Embassy in London. At present some European

migrant workers are registering newly born children as Irish citizens in order to secure a passport for them. They would like to register their children as nationals of their own country of origin, but are not able to do so because of the prohibitive cost of travelling to London.

Employment Issues

13. Employers that use migrant workers who are technically the employees of an employment agency must make clear to these agencies what their responsibilities are towards the workers. Likewise, the company should inform the workers of the terms of the agreement they have made with the agency. Furthermore, if a company delegates responsibility for health and safety training to the employment agency, the company must check this training has been carried out correctly and in the language of the migrant worker.
14. Employers of overseas nurses should take care when choosing a recruitment agency. Some recruitment agencies exact extortionate fees from nurses and do not require them to pass any written exams nor be interviewed before being sent to Northern Ireland.
15. The practice of employment agencies deducting money for accommodation and transport from the worker's hourly rate of pay is unfair. Rather, an agreed amount for rent and transport should be deducted from the worker's gross pay at the end of the month. Safeguards are needed so that a migrant worker who loses their job with an employment agency is not either immediately or automatically required to leave the agency house.
16. Migrant workers are often uncertain about their holiday entitlements, sickness pay and disciplinary procedures at the workplace. Terms and conditions should be clarified in a written contract in both English and the worker's first language.
17. Migrant workers may experience problems in having qualifications recognised by potential employers. They need to be able to consult qualification equivalency guidelines.
18. Work permit holders believe that they should have the same educational opportunities as people from the EEA, when the purpose of the education is professional development. They feel it unfair that they have to pay higher university fees than EEA nationals to study on a part-time basis.

19. There is scope for the trade union movement to expand and develop the range of support, education, advice and information that it provides to migrant workers and to work more extensively with many of the voluntary and community based groups currently providing services to migrant workers.

Further Action

20. There is clearly a need for the development of a more co-ordinated and integrated strategy to respond to the issues raised in this report. At present there are a number of organisations and bodies that have some responsibility for dealing with the rights and needs of migrant workers and in particular the Equality Commission and the Race Equality Forum would be well placed to take on some aspects of future work.
21. It would also be appropriate to convene a conference to discuss the issues raised in this report and to begin to explore the development of a future strategy. All key stakeholders in government and in areas of health, education, employment and policing should be invited to any such meeting, as well as representatives of appropriate community and voluntary groups and members of the growing migrant workers population.
22. This report provides an introductory review of migrant workers in Northern Ireland. It is not comprehensive in its scope or scale, the work done to date indicates that there is a need for further work on this issue. This report includes very little on the position of undocumented migrant workers, it has little on the economic and social benefits that migrants bring to the areas they move to, and the survey was of a limited range and number of migrant workers. There is thus scope and need for further work on the general issue of migrant workers in Northern Ireland.

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Useful Websites

Department of Enterprise, Trade and Employment, Work Permits Section:
www.entemp.ie/efd

Immigration and Nationality Directorate, Home Office:
www.ind.homeoffice.gov.uk

International Labour Organisation:
www.ilo.org/migrant

International Organisation for Migration:
www.iom.int

International Steering Committee for the Campaign for Ratification of the Migrants' Rights Convention:
www.migrantsrights.org

Organised Crime Task Force:
www.octf.gov.uk/immigration.cfm

UN Convention on Migrant Workers:
www.unesco.org/most/migration/convention

Appendix 1

Table 25: New work permits and extensions issued between 1998 and 2003

Period	New permits	Extensions
DEL Statistics		
1 May 98 - 31 Dec 98	280	Unavailable
1999	396	Unavailable
2000	693	Unavailable
2001	927	146
1 Jan 02 - 31 Aug 02	1109	210
DEL Total	(3405)	
Work Permits UK Statistics		
1 Sept 02 - 31 Oct 03	2933	265
Total	6348	Minimum 621

Note: Extensions are granted to existing work permit holders who are continuing their work with the same employer.

Table 26: New work permits by country of origin for 1 May 1998 - 31 August 2002 and 1 September 2002 - 31 October 2003

Country	Time period	
	1 May 98-31 Aug 02	1 Sept 02-31 Oct 03
Philippines	732	516
India	354	421
USA	275	62
China	248	92
South Africa	171	85
Poland	143	251
Canada	137	15
Malaysia	117	43
Australia	115	22
Hong Kong	108	27
Romania	101	139
Turkey	94	4
Bulgaria	87	185
South Korea	77	9
Pakistan	74	74
Ukraine	62	372
Japan	55	16
Russia	42	15

Czech Republic	39	33
Lithuania	39	132
Brazil	33	18
Argentina	30	10
Hungary	29	25
Nigeria	28	8
New Zealand	27	9
Latvia	25	75
Chile	18	0
Egypt	18	7
Switzerland	15	0
Kenya	12	3
Jordan	12	4
Ghana	11	2
Thailand	11	9
Slovakia	Separate figures unavailable	104
Moldova	Separate figures unavailable	64
British National Overseas	Separate figures unavailable	25
	189 from 59 Other countries	62 from 30 Other countries
Total	3528	2933

It should be noted that when making comparisons between the two columns that they cover different lengths of time - 52 months and 14 months.

Table 27: Migrant workers registering for National Insurance numbers in Northern Ireland 2001/2002 by top ten countries of origin

Country of origin	Total
Philippines	300
Portugal	300
Australia	100
Canada	100
China	100
France	100
South Africa	100
Spain	100
USA	100
Other countries with less than 100 persons	500
Total	1800

Table 28: New work permits issued between 1998-2000 by employment category

Occupation	Year		
	1 May 1998 -		
	31 Dec 1998	1999	2000
Nurse	6	21	194
Academic	50	70	94
Professional	84	69	82
Sport	16	46	48
Catering	16	21	25
Health	39	54	48
TWES	5	29	41
Information Technology	25	33	81
Art Professional	0	7	6
Skilled manual	39	46	74
Total	280	396	693

Table 29: New work permits and extensions issued in 2001 and 2002 by employment category

Occupation	2001		1 Jan 02 - 31 Aug 02	
	New permits	Extensions	New permits	Extensions
Academic	60	31	49	28
Agriculture/food processing	5	0	44	0
Chef/senior catering	49	7	136	7
Healthcare professional	47	24	81	12
Information Technology	95	8	43	23
Management/administration	45	9	46	6
Miscellaneous	21	2	31	0
Nurses	350	30	375	70
Professional/scientific	12	2	27	4
Senior engineers	34	12	35	20
Skilled manual	96	12	144	20
Sport	64	7	50	11
TWES	49	2	48	9
Total	927	146	1109	210

Table 30: New work permits and extensions issued between 1 September 2002 and 31 October 2003 by employment category

Occupation	Sept 02 - 31 Oct 03	
	New permits	Extensions
Administration, business and Management services	136	7
Agriculture activities	104	2
Computer services	15	7
Construction and land services	37	18
Education and cultural activities	108	27
Entertainment and leisure activities	59	1
Extraction industries	0	0
Financial services	15	4
Government	7	2
Health and medical services	989	127
Hospitality SBS	13	0
Hospitality and catering	686	15
Law related services	2	3
Manufacturing	97	32
Meat processing SBS	381	3
Other food processing SBS	183	0
Real estate and property services	2	0
Retail and related services	13	1
Security and protection services	4	0
Sporting activities	41	5
Telecommunications	8	4
Transport	26	3
Utilities -gas, electricity, water	7	4
Total	2933	265

Table 31: Police registrations in Northern Ireland by nationality, July 2003

Country	Current registrations July 03
Afghanistan	0
Algeria	14
Argentina	11
Armenia	3
Azerbaijan	1
Bahrain	2
Belarus	3
Bolivia	0
Brazil	14
China	579
Columbia	5
Cuba	0
Egypt	42
Georgia	1
Iran	20
Iraq	2
Israel	1
Jordan	52
Kazakhstan	2
Kirgyzstan	1
Kuwait	0
Lebanon	4
Libya	14
Moldovia	12
Morocco	7
North Korea	0
Oman	4
Palestine	4
Peru	2
Qatar	0
Russia	34
Saudi Arabia	0
Sudan	27
Syria	6
Tajikstan	1
Tunisia	3
Turkey	60
Turkmenistan	0
United Arab Emirates	0
Ukraine	68
Uzbekistan	0
Yemen	4
Total	1003

Table 32: Persons born outside of UK and Republic of Ireland by Parliamentary Constituency

	West Europe	East Europe	Africa	Asia	North Am'ca	South Am'ca	Ocea- nia	Other	Total
Belfast E	365	46	246	440	336	27	130	9	1599
Belfast N	311	34	109	294	278	13	105	13	1157
Belfast S	907	153	454	1551	685	64	211	34	4059
Belfast W	152	25	115	196	234	9	93	11	835
E Antrim	390	49	229	440	299	26	113	16	1562
E L'Derry	460	49	134	380	328	23	216	25	1615
Fermanagh	235	18	109	178	268	7	66	14	895
Foyle	398	24	96	304	390	8	79	14	1313
Lagan V'ey	715	39	255	496	313	31	142	14	2005
Mid Ulster	100	25	55	153	314	13	76	14	750
Newry/Arm	189	25	97	169	337	20	93	8	938
N Antrim	323	25	132	251	234	14	119	8	1106
N Down	647	57	326	436	461	34	159	0	2120
S Antrim	499	18	188	465	320	27	133	13	1663
S Down	302	51	136	254	408	10	148	6	1315
Strangford	396	34	193	446	326	33	115	6	1549
U'er Bann	376	15	166	403	241	11	110	10	1332
W Tyrone	181	9	81	151	322	4	50	13	811
Total	6970	707	3116	7004	6093	374	2166	229	26659

Appendix 2 - Legislation

This section sets out the various pieces of legislation that are of relevance to migrant workers in Northern Ireland.

Northern Ireland Act 1998: Section 75

Section 75 of the Northern Ireland Act 1998 states that 'A public authority shall in carrying out its functions relating to Northern Ireland have due regard to the need to promote equality of opportunity between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation ... A public authority shall in carrying out its functions relating to Northern Ireland have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial groups.'

The Race Relations Order (Northern Ireland) 1997

The Race Relations Order (NI) came 32 years after the 1965 Race Relations Act was first introduced in Great Britain. The Order defines three kinds of discrimination: direct, indirect and victimisation. Direct discrimination occurs when someone is treated less favourably than others on grounds of race, colour, nationality or national or ethnic origin. Indirect discrimination occurs when a rule or procedure, which appears to be fair, because it applies equally to everyone, actually puts people from a particular racial group at a disproportionate disadvantage to others. The Order protects anyone who is victimised for having asserted his or her rights under the Order, or for supporting a third person in so doing. It makes it unlawful to discriminate, either directly or indirectly, on racial grounds in the areas of employment and training, education, the provision of goods, facilities or services, and the disposal and management of premises and advertisements.

The Race Relations (NI) Order 1997 has been amended by way of regulations under the Race Relations (NI) Order (Amendment) Regulations 2003 to implement the European Union Race and Ethnic Origin Directive. These regulations apply only to the grounds of race, ethnic or national origin and Irish Travellers and do not apply to the grounds of colour or nationality as set out in the Race Relations (NI) Order 1997. This means that there are now two anti racial discrimination legislation regimes - one under the 1997 Order and another under the 2003 Regulations. The latter has, among other changes, introduced a new

burden of proof test in racial discrimination complaints, defined racial harassment for the first time and provided a new definition of indirect discrimination. However, none of the amendments in the 2003 Regulations apply to the grounds of 'colour' and 'nationality'.

The Race Relations (NI) Order 1997 established the Commission for Racial Equality for Northern Ireland and outlined its particular duties and responsibilities. Under the Northern Ireland Act 1998 the CRC was dissolved and its duties and responsibilities have been assumed by the Equality Commission for Northern Ireland.

The Children Order (Northern Ireland) 1995

This Order is a wide-ranging and significant piece of legislation designed to protect all children. It places an obligation on providers of early years education to consider the religious persuasion, racial origin, cultural and linguistic background of every child and applies to all children under the age of twelve years. The Order requires all Health and Social Services Boards or Trusts to have regard for the different racial groups to which children in need belong, such as when recruiting foster carers or making provision for day care.

The Fair Employment and Treatment (Northern Ireland) Order 1998

The Fair Employment and Treatment (Northern Ireland) Order 1998 makes discrimination on grounds of religious belief and/or political opinion unlawful in the areas of employment; goods, facilities and services; the sale or management of land or property; further and higher education and partnerships and barristers. The Order defines three types of unlawful discrimination - direct discrimination, indirect discrimination and victimisation. The Order applies to all employers and makes it unlawful to discriminate in recruitment and selection; terms and conditions, access to benefits and dismissal.

Public Order Act (Northern Ireland) 1987

The Order makes it unlawful to use words or behaviour, or display any written material likely or intended to provoke hatred based on religious belief, colour, race, nationality (including citizenship) or ethnic or national origins.

The European Union Race Directive

The European Union Council of Ministers under Article 13 of the Treaty of Amsterdam (1997) approved the Race Directive. It was implemented in July 2003. The Directive requires member states to make discrimination on grounds of racial or ethnic origin unlawful in the following areas: employment; training; education; access to social security and health care; social advantages; and access to goods and services including housing. Anyone working, or simply travelling, within the European Union will be entitled to the same minimum level of protection from discrimination in all the member states.

European Convention on Human Rights

The European Convention on Human Rights, which was incorporated into UK Law with the passing of the Human Rights Act (1998), does not directly address the issue of migrant workers, but it does guarantee certain fundamental rights for all individuals living in a territory of a signatory country. These rights include: due process of law; protection from inhuman and degrading treatment; the right to privacy and family life; and to protection against discrimination on grounds of, among other things, race and gender in the enjoyment of these basic rights.

United Nations Convention on the Protection of the Rights of all Migrant Workers and Members of their Families (1990)

It should be noted that none of the EU states, including the UK, have signed up to the Convention. The Convention gives migrant workers and their families the following specific rights:

- The right to leave any state, including their state of origin;
- The right to life, liberty and the right to private family life;
- The right not to be subjected to torture or cruel, inhuman or degrading treatment;
- The right not to be required to perform forced labour;
- The right to freedom of religion and thought and the right to hold opinions freely;
- The right to own property;
- The right not to be subjected to collective expulsion;
- The right to urgent medical care;
- The right to education for children.

ICR Reports and Publications

The following reports and publications are the result from work carried out by ICR to date. Most are available on the ICR website at www.conflictresearch.org.uk

Young People's Attitudes and Experiences of Sectarianism and Community Conflict in Larne. Jonny Byrne, (2004). A Community Research Project report, commissioned by Larne YMCA.

The Impact of Political Conflict on Children in Northern Ireland. Marie Smyth with Marie Therese Fay, Emily Brough and Jennifer Hamilton, (2004). The final report from the Community Conflict Impact on Children project.

A Review of the Health and Social Care Needs of Victims/Survivors of the Northern Ireland Conflict. Jennifer Hamilton, (2003). Commissioned by the Eastern Health and Social Services Board.

Human Rights and Community Relations: Competing or Complimentary Approaches in Response to Conflict? Neil Jarman (ed), (2003). Papers from an international conference in Belfast in November 2002.

An Acceptable Prejudice? Homophobic Violence and Harassment in Northern Ireland. Neil Jarman and Alex Tennant, (2003). Second report from the Hate Crime project, commissioned by OFMDFM.

Young People and Politics. North Belfast Community Research Group, (2003). First report from the Community Research Project.

Policing, Accountability and Young People. Jennifer Hamilton, Katy Radford and Neil Jarman, (2003). Commissioned by the Police Ombudsman for Northern Ireland and the Northern Ireland Policing Board.

Racist Harassment in Northern Ireland. Neil Jarman and Rachel Monaghan, (2003). First report from the Hate Crime project, commissioned by OFMDFM.

The Human Impact of the Troubles on Housing Provision and Policy. Jennifer Hamilton, Rachel Monaghan and Marie Smyth, (2002). A study commissioned by the Northern Ireland Housing Executive.

Creggan Community Restorative Justice: An Evaluation and Suggested Way Forward. Marie Smyth, Jennifer Hamilton and Kirsten Thomson, (2002). Commissioned by St Columb's Park House, in conjunction with Community Restorative Justice, Ireland.

Reviewing REAL Provision: An Evaluation of Provision and Support for People Affected by the Northern Ireland Troubles. Jennifer Hamilton, Kirsten Thomson and Marie Smyth, (2002). Commissioned by Community Foundation Northern Ireland / NIVI.

Caring Through the Troubles: Health and Social Services in North and West Belfast. Marie Smyth, Mike Morrissey and Jennifer Hamilton, (2001). Commissioned by the North and West Belfast Health and Social Services Trust.

Migrant workers have become an increasingly visible social group within Northern Irish society over the past few years. However, little was known about the number of people moving to Northern Ireland to work, or indeed about the areas of work that were attracting migrant workers. In addition little was known about the demands these changes placed upon statutory bodies or about the specific problems faced by migrant workers as they established themselves in Northern Ireland.

This report was commissioned by the Equality Directorate Research Unit of the Office of the First Minister and Deputy First Minister to address some of the gaps in our knowledge about migrant workers. It provides base line data on migrant workers, identifies current information and service provision and highlights social problems and personal needs experienced by people moving to Northern Ireland to take up employment.



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