

## Chapter 16. Women and crimmigration

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### Abstract

In the contemporary era of the securitization of risk, control of migration is becoming an increasingly important task for contemporary policing and criminal justice agencies, particularly in the Australian context. This chapter explores border control from a criminological perspective and introduces the reading to key concepts around 'crimmigration' and theoretical perspectives on the criminalisation of migration. This chapter will pay particular attention to the gendered impacts of border-hardening in Australia, and the lived experiences of women, and in particular mothers, attempting to cross borders in these circumstances.

### Introduction

Garcia Hernandez (2018) describes the origins of crimmigration and its impacts thus:

Fears of violence and border-crossing chaos justified strong-armed legislative responses and heavy-handed policing. As a result, crimmigration law's perniciousness is tightly wrapped up with its existence.... This is not an area of law characterized by harsh edges or the one-off example of excessiveness. Its very core is damaging.

Crimmigration is a common term used by criminological border scholars to describe the link between states' expanding border control practices and the increasing use of criminal tactics applied to migrants. In these tactics, non-citizens are funnelled through an immigration system that mimics the criminal justice system without the due process rights afforded to accused offenders. The lack of due process rights is key in understanding crimmigration, as it means that some migrants have less rights than people who have been accused of committing

a criminal offense. The term was coined by Stumpf (2006) to describe the relationship between policing and immigration policies within a US context. However, crimmigration's gendered effects remain under-studied within the criminology literature.

Historical migration scholars have noted connections between gender, immigration and control in affluent nations, including the United States, Australia, Canada and the United Kingdom (Auerbach 2009, FitzGerald 2007, Lee 2002, Mar 2010). Past control of gender and migration by these affluent countries focused on limiting family reunification for men whose labour was necessary in the short term. The outcome for women of this policy was separation from husbands and being confined to home countries. However, there has been a more recent shift in migration away from the "men migrate first" model.

In the last two decades, there has been a "feminisation of migration," meaning more women are migrating than ever before. Reasons for migration include the desire to obtain more highly paid work and the desire to attend to carework in more affluent states (Bosniak 2009, Zimmerman *et al.* 2006). Due to shifting gender norms for women in affluent states, there is a care deficit in households and in certain parts of the job market (Bosniak 2009, Chavkin and Maher 2010, Ehrenreich and Hochschild 2003, Lan 2003 Maher 2010, Zimmerman *et al.* 2006, Zontini 2010). Many women from less affluent countries move to affluent nations to fill this gap and to send remittances back to their families (Zontini 2010)

These women are subject to state notions of legal and illegal movement, with some women having more power to move than ever before (Martin 2004). Women with high levels of education in skilled labour find work in other countries and move through borders along more legal channels, whether from more affluent or less affluent nations. Highly skilled women

from less affluent nations who migrate are often linked with the concept of brain drain in the migration literature (Martin 2004). Brain drain occurs when highly skilled people within a less affluent country move to a more affluent country for better opportunities from themselves.

However, other women are becoming increasingly the target of state control as they travel to fill the care deficit or to escape persecution, along routes made illegal by states. In attempting to curtail migration from home countries, affluent nations are increasingly subjecting migrant women to imprisonment, detention and risky border crossings that threaten their lives (Cochrane 2018, Pickering and Cochrane 2012, Weber and Pickering 2011). Deportation is another consequence of extending border control and crimmigration. Those people who have been deemed by the state to have “bad character” – who have committed a crime or who have overstayed their visas – are being expelled from affluent nations, as is the case in Australia, where New Zealanders are increasingly being detained and deported (Stanley 2018).

While the focus of the chapter is on women and crimmigration and the gendered consequences of that link, the increased merging of immigration and criminal law is also linked to race and class. Therefore, the practices of crimmigration must be viewed through a lens of the intersectionality, paying attention to the links and intersections between gender, race and class. Affluent countries use discourses of security against the outside threats of immigration to “other” those who do not fall within the majority population, usually brown and black bodies from less affluent nations. Many migrant women from less affluent areas like the Philippines, Central and South America, and Morocco are disadvantaged in a crimmigration system, as they face multiple points of discrimination made by officials in

destination countries (Parreñas 2001, Hondagneu-Sotelo and Avila 1997, Huang and Yeoh 2005, Zimmerman *et al.* 2006).

There has been some criticism of the term *crimmigration* by criminology scholars (Hudson 2018). For instance, Hudson (2018) argues that using the term formally links together the ideas of crime and migration in the minds of academics, practitioners and policymakers.

However, the link between these two ideas over the past two decades has been forged not by criminologists, but by the actions of affluent states, using criminal strategies in the realm of migration to deal with issues that were previously handled administratively. Therefore, I use the term in this chapter to acknowledge those links, not to enforce or promote them.

Additionally, it is important to understand that seeking asylum is enshrined in international law. The 1951 Refugee Convention originated from Article 14 of the Universal Declaration of Human Rights. The Convention established the right of a persecuted individual to seek asylum. States then chose to ratify and sign the Convention on an individual basis, as is the case with Australia. However, Australian *crimmigration* tactics have made the seeking of asylum illegal within its borders. The United Nations and internal Australian agencies have stated that the treatment of asylum-seeking people goes against basic human rights law and the treaties that have been signed by Australia, such as the 1951 Refugee Convention (Triggs 2015).

In this chapter, I will analyse affluent nations' tactics of *crimmigration* through a gendered lens. The chapter will use the example of gendered impacts of *crimmigration* on non-citizen women. First, I will survey the goals and outcomes of *crimmigration* tactics used by affluent states. Then the chapter will examine the direct punishment of detention and deportation

meted out to migrant women by affluent countries in the name of security. Last, I will go on to discuss how bureaucratic administrative processes that allow for differential treatment of people, including temporary visas and reduced social security benefits, can function as punishment of migrant women.

### Crimmigration: Goals and outcomes

Crimmigration has two main goals: to demarcate “belonging”; and to deter migration.

#### Demarcate belonging

The first goal of crimmigration is to demarcate those who belong from those who do not, marked as “others.” Affluent states consolidate power and display their power for citizens of the nation, to demonstrate how citizens are themselves protected by the state. The state uses a citizenship binary to delineate citizens as those who belong and who will be protected, while positing non-citizens as the dangerous “others.” States frame these others as undeserving of protection and a threat to the state and its citizens. That is not to suggest there is no variance between affluent state practices throughout the world, but there is a clear trend of crimmigration and othering of non-citizens in destination countries.

Tactics of states around border control are highly discretionary and fluctuating, meaning that non-citizens who are subjected to crimmigration are punished in both public and private ways (Welch 2012). As Welch (2012) terms these phenomena, in his work around asylum seekers, there is both a “wall of noise” and “quiet manoeuvring” that are simultaneous within and outside of the Australian legal context (p. 324). The wall of noise refers to the loud panic that is made by the government and the media about the arrival of asylum seekers by boat. The

quiet manoeuvring refers to legislative decisions, use of offshore detention, secret tribunals and obscuring of statistics about arrivals and deportations (Pickering and Cochrane 2012, van Berlo 2015, Welch 2012).

### Deterrence

The other main goal of crimmigration is to deter migration to affluent nations. Multiple authors have argued that modern border securitisation, and its crimmigration practices, are how the state deals with a loss of sovereignty in a globalising world, with the war on terrorism serving a dual purpose as both excuse and backdrop (Bosworth and Guild 2008, Bosworth and Kaufman 2011, Garcia Hernandez 2018, Nevins 2003, Wilson and Weber 2002, Wonders 2006). This results in the exclusion of would-be migrants and the portrayal of some groups as welcome and having legitimacy to settle. To achieve these goals, countries of the Global North have funnelled large quantities of funds and labour into securitising their borders with additional personnel, technology for risk assessment and the tracking of travellers, and programmes that target smugglers of irregular travellers (Green and Grewcock 2002, Pickering 2004, Weber 2007). By the logic of rational choice, this means that unwanted migration should be deterred by border securitisation.

However, despite these tactics and expenditure by affluent nations, the extant literature has come to an agreement that securitisation and technologisation of borders has not reduced irregular travel (Nevins 2007, Purcell and Nevins 2005, Weber 2007, Weber and Pickering 2011). There are a multitude of reasons why border securitisation does not deter travel, despite the risks. Weber (2007) argues deterrence can only be effective for people who have a choice about their migration. Asylum seekers often travel in an irregular fashion and are often leaving conflict zones, violence, and extreme poverty. While it is important to acknowledge

the agency of asylum seekers, it is also necessary to note the dire circumstances in home countries. They may feel that in order to find security, encountering border securitisation is safer than staying within home countries. Their lack of choice in a search for security means they are a highly vulnerable group.

Crimmigration and border securitisation practices are also based on the philosophy that illegalised travellers know the details of immigration policies of a destination country, have weighed these immigration policies, and determined the risks associated with border hardening to be acceptable. The theory behind target hardening and deterrence is predicated on the idea of an individual making a cost/benefit analysis before committing an act. Rational choice theory does not take into account structural issues and gendered differences.

Deterrence practices fail to take into account complicated and compelling reasons that women migrate in an illegalised fashion. Migratory decision-making for women is connected to gender roles, safety, motherhood, and insecurity of self (Cochrane 2018).

Multiple studies have found these messages of deterrence from governments have varied impacts (Costello and Kaytaz 2013, Fleay *et al.* 2016, Koser 2010, Richardson 2010). As Fleay *et al.* (2016) suggest, many asylum seekers have peer networks and online access, but they may unknowingly “block” information that doesn’t support their journey to a host country. Messages may be unheard or ignored in pursuit of security by irregular travellers. Additionally, governments generally do not understand how information around deterrence is spread, nor do they take into account the traveller’s reliance on smugglers for information.

In regard to Australian border deterrence tactics, Fleay *et al.* (2016) found, when talking to with Hazara men – and some women – from Afghanistan, Pakistan, and Iran, that the

knowledge on which they were basing their decision was far more complex than simply knowing or not knowing about destination countries. Instead, the focus of asylum seekers was on what are described as “push” factors, the situation in the country of origin that propels forced migration. We observed that many asylum seekers do not study the nuances of rapidly changing policies that may or may not operate within foreign political systems.... This contrasts with government responses that discuss “pull” factors premised on the notion that asylum seekers have wide-ranging information that makes Australia a prized destination (p. 10).

The work of Robinson and Sergott (2002) supports the notion that asylum seekers have partial or no information about destination countries. They found the majority of asylum seekers that they spoke to within the United Kingdom knew nothing about United Kingdom immigrations policies, restrictions on benefit entitlements, job availability, or detention. Instead, the choice to travel to the United Kingdom was based on family networks, costs associated with travel to certain countries as compared to others, Britain’s colonialist ties and occupation of African states, and the desire or ability to speak the English language (Robinson and Sergott 2002).

Women may not have accurate descriptions of protections and care offered to them and their children and may not be receiving the messages of deterrence aimed at them. In research focusing specifically on the knowledge of mothers and messages of deterrence among pregnant asylum-seeking women traveling to the European Union, Carling (2007) suggests that there are often misunderstandings held by women. The women were under the impression that if they were pregnant when they arrived, they would be given additional help and allowed to stay within the country. Additionally, if they gave birth on that country’s soil,



they would be allowed to stay (Carling 2007). Deterrent border messages may not reach their intended subjects, and even if they do, other factors influence decisions to migrate.

Women's assessment of security may mean that the deterrent border messages are ineffective. With regard to asylum-seeking mothers, the key factor is not solely knowledge of the host country, but instead understanding of where security is to be located (Cochrane 2018). In the case of asylum-seeking mothers who come from Iran and Afghanistan, security is not located in home and transit countries, but instead within the country of Australia and its promise of no conflict, no oppression, and better lives for their children (Cochrane 2018).

Whether the messages of deterrence reach women or not, crimmigration tactics still have an outcome on irregular travellers. Instead of the deterrent effect that governments may desire, what border securitisation does is increase the risk for irregular travellers, especially women, who are seeking a better life (Nevins 2003, Pickering and Cochrane 2012, Weber and Pickering 2011).

## Outcomes

There are two outcomes of crimmigration: lack of due process rights; and punishment for attempting to illegally enter a new country.

### Lack of due process rights

Crimmigration's outcomes shift what was previously considered an administrative matter to mimic a criminal-style proceeding. However, when migration issues are reframed as criminal proceedings the right to due process allowed to an "accused" is not also shifted across. As shown by the Australian example, refugee applications are administrative proceedings, with

the highest avenue of appeal being the Administrative Appeals Tribunal of Australia. The determination of these proceedings can often lead to deportation, but the onus remains on the individual asylum seeker to prove the validity of their claims, essentially a guilty-until-innocent proceeding. In a recent case, a lesbian asylum seeker was denied her claim because the Tribunal found she did not have enough contact with the LGBTIQ+ community in Australia, alleging that her main reason for claiming asylum was economic and not the oppression she faced in her home country (Administrative Appeals Tribunal of Australia 2017). The asylum seeker was unable to “prove” her queerness and was therefore found undeserving of protection within Australia.

Crimmigration in the Australian context covers many different types of non-citizens, from New Zealanders to international students to asylum-seeking mothers from Afghanistan (Cochrane 2018, Stanley 2018, Tran and Soejatminah 2018). These populations are subject to a variety of legal processes different to those faced by citizens, and that replicate the criminal justice system. Stanley (2018, p. 529) suggests in her work about New Zealanders in Australia that the “contagious nature of crimmigration” has spread to include all non-citizens, even those countries who have a history of cyclical migration for a variety of reasons. In the case of asylum-seeking mothers from Iran and Afghanistan who entered by boat, women’s narratives discuss the extensive use of onshore and offshore detention that mimics imprisonment in nature, despite its indefinite and supposedly administrative nature (Cochrane 2018).

The Australian crimmigration effort has a wide focus, but many of the more public tactics have been targeted at asylum-seeking people, particularly but not limited to those who arrived by boat. As an example, the simple mantra of “Stop the Boats” has been in circulation in

news outlets, and used by the Liberal Party as a term regarding asylum seekers since the Howard Government. Additionally, the Australian Government has crafted anti-immigration videos aimed at asylum seekers (Pickering and Weber 2011). Videos contain slogans in multiple languages that say things such as, “Stay away” and “No way – you will not make Australia home.” Due to the multifaceted and public nature of tactics used against this group, I will focus on the experiences of refugee and asylum-seeking women in the Australian context in the next section.

## Punishment

The framework I will use examines the two different categories of punishment that the Australian Government metes out to women at the nexus of immigration and crime: the more recognisable direct punishment of detention and deportation; and the more indirect punishment of government immigration processes. The analysis directly reflects the goals of crimmigration law, which, as described above, are to demarcate who does (or more precisely who doesn't) belong and to deter migration.

### Punishment as punishment

Detention and deportation are hallmarks of crimmigration. As Stanley (2018) finds in her work about the Australian Government deporting New Zealanders, the realm of immigration detention and deportation are obvious spaces of punishment. I will examine these two forms of direct punishment within the Australian context by focusing on asylum-seeking mothers' experience of crimmigration.

### Detention as punishment

Mandatory indefinite offshore detention, called “the Pacific solution,” was introduced by Prime Minister John Howard in 2001, specifically targeted at asylum seekers who arrived by boat (Weber and Pickering 2011). The Rudd Government abolished the Pacific solution in 2008, resulting in the end of offshore processing of asylum seekers and the closure of detention facilities on Manus Island and Nauru. These changes marked a brief shift towards more humanitarian policies in Australia with regard to asylum seekers and refugees, in line with international protocol. The Gillard Government reopened offshore detention centres in 2010 (Pickering 2011). Currently, Australia no longer allows asylum seekers onshore regardless of the outcome of their claims. Instead, they face indefinite detention offshore and deportation or resettlement in other countries.

While crimmigration tactics are constituted by the actions of affluent countries, the processes of crimmigration are not just governmental in nature. Private companies play a major role, as states contract companies to operate prisons and immigration detention facilities. In the Australian example, since the early 2000s, many corporations have profited from crimmigration, including Australasian Correctional Management, Broadspectrum, Canstruct International, G4S, Paladin Group, Serco, Surveillance Australia and Wilson Security (Baird 2016, Flynn and Cannon 2009). As Menjivar *et al.* (2017) discuss in their research into mass detention and deportation in the United States, a key feature of crimmigration is the “large-scale privatization” (p. 7) of detention centres. They found that 65 per cent of immigrant detainees were held in privately owned or managed facilities. Therefore, corporations are complicit with the state in the detention of migrant women and the gendered consequences that are described below.

Lack of physical and mental health care, and unsafe and unsanitary conditions within detention centres, have all been well documented (Bilboe 2002, Burnside 2016, Lorek *et al.* 2009, Triggs 2015). These conditions have specific gendered consequences, including many incidences of sexual assault, division of families, long queues for women's sanitary items, humiliation tactics such as asking women to show used sanitary items to receive more, no specific maternal medical care, unsafe conditions for children and scarcity of baby food and formula (Bacon *et al.* 2013, Cochrane, 2018; Triggs 2015, Sanggaran *et al.* 2016).

In a study that I conducted with refugee and asylum-seeking mothers, they discussed continuing health issues in detention as well as the unsafe and unsanitary conditions of the detention centres (Cochrane 2018). Women identified overcrowding, lack of sanitation, and food issues as barriers to their mothering practices. These spaces are also not safe for children, which makes the daily performance of carework complicated. Mothers are under distinct pressures that become more complex within detention centres; women without children and most men are not subject to these pressures. These consequences are gendered in nature and they impact the everyday relationship of mother and child (Cochrane 2018).

#### Deportation and voluntary return

Deportation is a clear case of punishment and is a tactic often used as part of the crimmigration paradigm (Stanley 2018, Walsh 2018, Weber 2015). However, deportation is not the current terminology of the world of crimmigration. Instead, "voluntary" returns and "involuntary" removals have become the terms most commonly invoked by government agencies. The shifting terminology used by affluent states obscures the actual nature of deportations of non-citizens.

Multiple countries have policies of voluntary returns, including Australia and the United Kingdom (Webber 2011). In Webber's (2011) work on the United Kingdom, she argues that these deportations are not voluntary at all, and that "Voluntary return is instead offered as a less painful alternative to continued destitution followed by (inevitable) compulsory return, and it is generally impossible for the returnee to make an informed choice about the country to which they are returning" (p. 103). Australia also no longer uses the term deportation in regard to asylum-seeking people. Instead, the recent terminology used by Operation Sovereign Borders is "voluntary" and "involuntary" removal of "illegal maritime arrivals" and "potential illegal immigrants"; that is, of asylum-seeking people who arrive by boat to Australia (Operation Sovereign Borders 2019).

The Australian Government provides no public demographic data regarding deportees, asylum seekers or otherwise. Therefore, the gendered outcomes of these immigration tactics remain unknown. Although Operation Sovereign Borders does not release demographic information publicly, based on the feminisation of migration that has occurred in the recent decade, many of the people who are subject to deportation are likely to be women and mothers, both asylum seekers and others.

In 2019, the Australian Government, in cooperation with the International Organisation for Migration, voluntarily removed 62 asylum seekers and involuntarily removed 13 asylum seekers (Operation Sovereign Borders 2019). It has also intercepted multiple "smuggling ventures" and been aided by transit countries in detaining "Potential Illegal Immigrants." Examining the most recent data on deportation overall (2016–2017), Australia deported 14,660 people, excluding possible asylum seekers (Operation Sovereign Borders 2019). This data also does not include basic demographic information such as sex or age.

Differential treatment is a hallmark of crimmigration (Aas 2014, Cochrane 2018, Stanley 2018). The different treatment of non-citizens comes into force through governmental legislation and legal challenges. As discussed previously, these laws create clear actions of punishment, such as detention and deportation. However, focusing on process as punishment in examining specific policies demonstrates how difference is created between groups, specifically between those who belong and the “others.” The next section will focus on these crimmigration tactics that create differences between citizens and non-citizens within the Australian context, again focusing specifically on refugee and asylum-seeking mothers. Reinforcing difference and deterring migration remain the goals of these crimmigration tactics.

#### Reinforcing difference: Process as punishment

Australian immigration processes act as punishment for non-citizen women. While at first glance process as punishment that stems from crimmigration tactics may seem less harmful than detention and deportation, in fact their outcomes are no less damaging to non-citizen women. Policies of this type identified in the literature include temporary protections, limited governmental assistance, prohibitions on work, differential treatment in courts, lack of family reunification, and bureaucratic processing delays (Brady 2008, Cohen 2002, Gerard 2012, Kanstroom 2007, Pickering 2004 Schuster 2011).

Australian policies exemplify these processes that act as punishment in their post-arrival crimmigration practices. For example, the Australian Government introduced Temporary Protection Visas (TPVs) in 1999 for asylum seekers who arrived without authorisation. TPVs granted asylum seekers the right to stay in Australia for three years, after which they were

required to reapply for refugee status. Asylum seekers with a TPV could not sponsor family members for resettlement in Australia, were not allowed to return to Australia if they travelled overseas, and had limited access to settlement services. TPVs were removed in 2008 and briefly reintroduced in 2013 before the Australian Senate passed a disallowance motion.

Bridging visas are another type of temporary immigration status used in Australia. Bridging visas introduced detention within the community for asylum seekers in 2005, and the use of this community detention was expanded in 2011. These visas grant work rights and access to Medicare, Centrelink benefits and trauma-counselling services, but the asylum seekers are not eligible for family reunion or to return to Australia if they travel abroad (Pickering 2011). Some asylum seekers are still on bridging visas at the time of this publication.

The Australian Government's use of temporary status to make everyday lives uncomfortable for refugees and asylum seekers was instituted to deter arrivals from those countries considered "undesirable." In 2012, under Prime Minister Gillard, it was decided to transfer all asylum seekers who arrived by boat on or after 13 August 2012 to offshore processing centres (Cochrane 2018). However, it became clear that this was not possible after an increase in the number of boat arrivals.

As a result, some asylum seekers were to be processed in Australia and were subject to what was termed the "no advantage" test (Houston, 2012). Asylum seekers were released into the community on bridging visas, but were not granted the right to work. If the asylum seekers were found to be refugees after a legal process, they still remained on bridging visas and could not receive a permanent visa, according to Prime Minister Gillard, until they had



“waited for the same length of time” as they would if they had applied for resettlement from overseas. The Government could also transfer people to Nauru or Manus Island at any time.

In July 2013, the Rudd Government stated that all asylum seekers arriving by boat were to be incarcerated in offshore detention with no access to any visas from Australia nor resettlement within Australia. After the Senate abolished TPVs in late 2013, the Abbott Government, in January 2014, then began granting Temporary Humanitarian Concern visas (THCs) to asylum seekers who arrived by boat. THCs were originally introduced in 2000 and the conditions attached to THCs are similar to those attached to TPVs. These two policies led to reduced rights for asylum seekers. The limiting of rights, like the temporary nature of visas, are deliberate actions by the Australian Government to create and maintain precariousness in the everyday lives of asylum seekers. These systemic practices have specific gendered consequences.

Therefore, crimmigration policies instituted by the Australian Government act as punishments for women and mothers. Australian government policies that bar legal employment, disrupt consistent housing, and separate families affect all non-citizen women, but also have specific consequences for women who are mothers with dependent children. Australian policies limit mothers who are seeking refugee status to two-thirds of the benefits of citizen mothers (Cochrane 2018). Reduced benefits and lack of work rights for refugee and asylum-seeking mothers in Australia create a state of poverty. Mothers do not have the resources to provide consistent food and housing for children. In a study that I conducted with refugee and asylum-seeking mothers from Iran and Afghanistan who had settled in Australia, women identified a lack of governmental benefits, no rights to work and the cost of living as a mounting pressure in daily life that affects their carework of children (Cochrane 2018).

These crimmigration policies act as punishment by complicating daily survival in ways that stop families from thriving, leaving them instead barely surviving. While these policies may seem less severe than deportation and detention, it is important to understand that they act as a different kind of punishment for women. Crimmigration tactics do not end once people live within Australia, meaning that the punishment continues, sometimes even after refugee status is granted.

## Conclusion

Affluent states are increasingly securitising their borders through physical and technological deterrent tactics aimed at the migration of people from less affluent states. Crimmigration actions are not accidental in nature, but outcomes of state actions to deter travel. It is critical to centre the experiences of women who encounter crimmigration tactics as, increasingly, more women are migrating and are therefore increasingly subject to these tactics.

Although the consequences of crimmigration on women are a worldwide phenomenon, this chapter focuses on Australia to give detailed context to these actions. Crimmigration tactics imposed by the Australian Government have specific gendered effects, as has been discussed within the chapter. By examining the experiences of refugee and asylum-seeking mothers who undertake irregular journeys to Australia, the reader can clearly see there is evidence of direct punishment, and of government processes functioning as punishment, arising from crimmigration tactics.

Criminological feminist researchers within Australia must challenge crimmigration tactics. In order to continue to contest these tactics, we need to continue researching. Direct punishment

and process as punishment complicate security and create distress for female migrants.

Researchers and policymakers may group women who eventually do gain legal status with non-humanitarian visa holders. However, refugee women and mothers' experiences in host countries are likely quite different from the experiences of other types of migrants, as they are often facing mental and physical health issues associated with serious traumas.

Criminological feminist research in the Australian and New Zealand context should further examine these stories of non-citizen women, both those who gain status and those who are denied legal status. Women who are jailed or deported should have their stories told, in order to disturb the overt and covert tactics of affluent states. Women and mothers would benefit from policy changes informed by research into the punishing effects of crimmigration tactics.

### Keywords

Border securitisation, crimmigration, feminisation of migration, voluntary and involuntary return

### Study questions

1. What are some of the gendered consequences of crimmigration?
2. What factors further complicate these consequences?
3. What is the difference between punishment and process as punishment?

## Suggested further readings

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