

MIGRANT DOMESTIC WORKERS IN THE UK: THE FIGHT TO RESTORE THEIR STOLEN RIGHTS

ILO Domestic Workers Convention 189
Anniversary Event

www.kalayaan.org.uk
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2012: IMPORTING KAFALA

Despite vehement opposition and warnings that such a move would institutionalise the abuse of a recognised group of vulnerable workers, the UK government made significant changes to the terms of the domestic worker visa in 2012, a year after abstaining from voting to ratify Convention 189.

The changes meant that workers were tied to their employers and denied the right to change employer, even if they were experiencing abuse. These changes were widely condemned by trade unions, NGOs and parliamentarians.



Slavery by another name: the tied migrant domestic worker visa

"Modern day slavery comes in many forms ... we have to have a really concerted approach...to make sure that we look at the rights of those who are affected and take a criminal approach to those who are the traffickers and above all call it what it is: slavery." Prime Minister David Cameron speaking at the Hidden Slavery exhibition, April 2013

Until 2012, the UK Government had a good record of protecting migrant domestic workers against the exploitations so prevalent in private households*. This protection ended on 6 April 2012, when migrant domestic workers were prohibited from changing employers or renewing their visa beyond 6 months. The motive behind the changes was to reduce net migration to the UK*. There was no regard for impact on the migrant domestic workers, mostly women, who have been shown time and time again to be vulnerable to the most shocking abuse within the UK.

Migrant domestic workers come to Kalayaan for advice and support, usually having fled abusive conditions of employment. We record their reports of the treatment they experienced. Workers coming to Kalayaan on the new tied migrant domestic worker visa** have reported markedly worse treatment than those who registered with us during the same time period but who entered the UK on the original migrant domestic worker visa prior to the changes:

- All the workers on the tied visa reported that they were paid less than £100/ week, as opposed to 60% of those

*Domestic servitude often involves people working in a household where they are ill-treated, humiliated and subjected to exhausting working hours. It occurs when domestic workers have their rights violated as they are forced to live and work under unbearable conditions for little or no pay - until they escape or are rescued. A common indicator is withholding of passports or information about their rights as workers or visitors in the UK.

'we regard the removal of the right of an overseas domestic worker to change employer as a backward step in the protection of migrant domestic workers, particularly as the pre-2012 regime had been cited internationally as good practice'

Joint Committee on Human Rights, 2014

'policy changes have unintentionally strengthened the hand of the slave master against the victim of slavery. The moral case for revisiting the issue is urgent and overwhelming'

Joint Committee on Draft Modern Slavery Bill, 2014



March 30, 2014
Hidden Away

Abuses against Migrant Domestic Workers in the UK

2014: OPPORTUNITY KNOCKS

Domestic workers and their allies called the UK's commitment to eradicating modern slavery into question when they announced draft legislation to tackle the crime but failed to address the sharp increase in reported abuse of migrant domestic workers since the 2012 visa changes.



After 4 years of campaigning, in 2016 the government accepted workers needed an escape route from abuse and reinstated the right to change employer BUT only during the term of the visa which remains capped at 6 months with no option to renew.

2016: MEANINGLESS CONCESSIONS

Workers report struggling to find safe and decent work with only months or weeks remaining on their visa. Many flee abuse without possession of their passport containing their visa so are not able to demonstrate they have the right to work leaving them subject to the UK's hostile environment.

Without recourse to public funds, workers are resigned to accepting any work or face becoming destitute. This leaves them at risk of going from one exploitative employer to another which undermines the underlying rationale for being able to change employers: giving workers a safe route out of an abusive situation and find safe re-employment.

2021: THE FIGHT CONTINUES

Domestic workers await the government's response to a petition calling for the reinstatement of the pre-2012 visa.

It's time for the UK government to give back these workers their stolen rights.



The screenshot shows a petition page with a green header. The header contains the text 'Petitions' and 'UK Government and Parliament'. Below the header, the text 'Closed petition' is displayed. The main title of the petition is 'Reinstate the pre-2012 Overseas Domestic Worker visa with a route to settlement'. A short description follows: 'We want the Government to reinstate the pre-2012 Overseas Domestic Worker visa in order to enable migrant domestic workers to renew their visas (which are currently capped at 6 months) and to ensure there is a route to settlement (also known as Indefinite Leave to Remain)'. A blue link labeled 'More details' is present. A grey box contains the text 'This petition is closed' and 'All petitions run for 6 months'. Below this, the number of signatures is shown as '12,724 signatures' with a progress bar. At the bottom, there is a 'Show on a map' link and the number '100,000'.

Petitions
UK Government and Parliament

Closed petition

Reinstate the pre-2012 Overseas Domestic Worker visa with a route to settlement

We want the Government to reinstate the pre-2012 Overseas Domestic Worker visa in order to enable migrant domestic workers to renew their visas (which are currently capped at 6 months) and to ensure there is a route to settlement (also known as Indefinite Leave to Remain).

[More details](#)

This petition is closed
All petitions run for 6 months

12,724 signatures

[Show on a map](#) 100,000

<https://petition.parliament.uk/petitions/326765>

Abstract topic: Improving and ensuring domestic worker rights, addressing the gaps in protection

Avril Sharp

avril@kalayaan.org.uk

Avril Sharp is Policy and Casework Officer at Kalayaan, a worker's rights charity in London. She originally trained as an immigration lawyer at a human rights law firm, specialising in representing victims of trafficking, torture and gender based persecution. Avril joined Kalayaan in May 2016 as an immigration advisor providing direct advice and support to domestic workers. She is also leading on Kalayaan's policy and campaign work to better improve the conditions and protections of domestic workers in the UK.