



Joint statement

UK: Protect Migrant Domestic Workers

Don't Dismiss Reports of Forced Labor, Exploitation

(London, September 4, 2014) – The [UK](#) government should address, not dismiss, evidence that employers have abused migrant domestic workers in the UK, Human Rights Watch and the UK charity [Kalayaan](#) said today. A draft law before parliament is aimed at combating forced labor and other criminal offences but does not address a visa system that contributes to the abuse of migrant domestic workers by their employers.

In a [fact-sheet](#) published on August 29 in relation to the Modern Slavery Bill, the UK government claimed that reports by Kalayaan, which provides support services to migrant domestic workers, and Human Rights Watch showing abuse of migrant domestic workers by their employers related to only a small number of cases.

“Our research uncovered serious abuses, including forced labor, of migrant domestic workers living here in London,” said [Izza Leghtas](#), Western Europe researcher at Human Rights Watch. “The UK government should be doing everything it can to help these workers escape this abuse and hold those responsible to account, instead of dismissing the evidence as anecdotal.”

The government defended the “tied visa” system, under which migrant domestic workers entering the UK with an employer lose their immigration status if they leave that employer. The government removed the right of migrant domestic workers to change employers in April 2012 as part of a broader effort to limit immigration to the UK.

Under the tied visa system, workers who are abused face a quandary. They can return to their home country, where they are often under tremendous pressure to provide for their family by working abroad, take the risk of remaining in the UK without legal status, or remain with their existing employer and risk further abuse.

“Our work with migrant domestic workers who come to Kalayaan for help clearly shows that the tied visa has facilitated their exploitation and leaves them without recourse to justice” said Kate Roberts, community advocate at Kalayaan. “It's disappointing that the Modern Slavery Bill misses the opportunity to prevent abuse against migrant domestic workers in the UK.”

In the March 2014 report [Hidden Away – Abuses Against Migrant Domestic Workers in the UK](#), Human Rights Watch found that many migrant domestic workers who accompany their

employer to the UK faced a range of abuses. The abuses include confiscation of passports, confining workers to their employer's home, subjecting workers to verbal and psychological abuse, paying them very little or not at all for extremely long hours of work without breaks, and not giving them adequate food.

In the briefing [*Still enslaved: The migrant domestic workers who are trapped by the immigration rules*](#), published in April, Kalayaan found that in the two years following the introduction of the tied visa, migrant domestic workers who were not allowed to change employers suffered significantly worse treatment by their employers than those who were in the UK under the original visa.

While migrant domestic workers are legally entitled to the national minimum wage and to time off, the UK authorities do not monitor employers' compliance with UK law. Human Rights Watch and Kalayaan have found that the tied visa system often deters migrant domestic workers who leave an employer because of abuse from reporting it to the police due to their undocumented status, and that information for domestic workers applying for UK visas about their rights is seriously deficient.

The government's fact sheet on Overseas Domestic Workers claims that Human Rights Watch only selected domestic workers who had experienced abuse and concluded that the sample was not representative. As the *Hidden Away* report makes clear, the Human Rights Watch findings are based on the qualitative research methods it uses around the world. While making no claims about the percentage of workers affected, the research provides clear evidence that many migrant domestic workers have been abused and made vulnerable by the tied visa system.

Most domestic workers Human Rights Watch interviewed had escaped from their employer and said they had suffered a form of abuse. They described treatment that was consistent with a pattern of abuse of migrant domestic workers by their employers and the lack of safeguards under the tied visa system to effectively protect them from such abuse.

The abuse they described is consistent with [research](#) Human Rights Watch has conducted for over a decade in several countries where domestic workers are not allowed to change employers. The reports by Human Rights Watch and Kalayaan show that the UK's tied visa system prevents victims from reporting abuse, seeking help, and obtaining redress. The UK government should urgently tackle this problem.

The fact sheet also claims that Kalayaan was "set up specifically to provide support to abused workers," which appears to be an effort to explain away the high levels of abuse by workers seeking help from Kalayaan. Kalayaan in fact is a workers' rights organization that gives advice and support to all migrant domestic workers in the UK, whether exploited or not. The levels of abuse reported to Kalayaan should be of concern to any government that claims to be committed to combating what it calls modern slavery.

In a report published in April, a cross-party parliamentary committee tasked with reviewing the first draft of the government's Modern Slavery Bill [found](#) that "tying migrant domestic

workers to their employer institutionalises their abuse.” Citing evidence from Human Rights Watch and others, the committee urged the government to [restore](#) the right for migrant domestic workers to change employer.

Following a visit to the UK in April, Rashida Manjoo, the United Nations special rapporteur on violence against women, [highlighted](#) the negative impact of the tied visa on migrant domestic workers and their [increased vulnerability](#) due to this system. The Modern Slavery Evidence Review, commissioned by Home Secretary Theresa May and chaired by Member of Parliament (MP) Frank Field, also [called for](#) the restoration of the right to change employer in a report published in December 2013.

“The UK government cites Human Rights Watch reports as evidence of abuses by other countries, yet it cynically ignores our inconvenient finding that the UK is itself failing to protect migrant domestic workers from abuses,” Leghtas said. “UK parliamentarians should address the shortcomings in the government’s draft bill, and amend the legislation so that it protects some of the most vulnerable workers in the country.