



**KALAYAAN**  
justice for migrant domestic workers

**ANNUAL REPORT  
AND FINANCIAL STATEMENTS**

**APRIL 2008-MARCH 2009**

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## **KALAYAAN Annual Report 1st April 2008- 31st March 2009**

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## **Chair's Report**

The highlight of the year was Kalayaan's success in persuading the government to allow migrant domestic workers to retain the current domestic worker visa, which allows them to continue to renew their visas as long as they are employed and to change their employers. This included some recognition of the rights of domestic workers who work for diplomats but we remain concerned that these workers are often abused, remain unable to change employers outside the diplomatic mission with which they entered the UK, and find it particularly difficult to access any protection from the authorities. Our campaign success was due to more than two year's of vigorous campaigning and the support of many unions, MPs and NGOs and I would particularly like to thank the trade union UNITE for their support in this area.

In the past few years Kalayaan, thanks to the generosity of our funders, has been gradually increasing its staff resources and this is allowing us to follow up some of the cases of exploitation of MDWs in more detail. In particular we have begun to work more regularly with employment law specialists to use the law to gain compensation for MDWs. In this way we hope to demonstrate to employers and agencies such as the police and immigration that employment law in the UK applies fully to migrant domestic workers.

Kalayaan has continued to provide a range of advice and services to migrant domestic workers at the Centre and over the telephone. The English classes and free legal advice sessions during the year remained very popular and it is impossible to fully meet the demand. You will find detailed reports on all the activities elsewhere in the report. The high number of people who continue to access these services is testament to the work of the staff and volunteers.

Finally I would like to thank the staff, volunteers and all the members of the Management Committee who have worked so hard and given up their time to support the work of Kalayaan during the year. In particular I must also offer thanks to St Francis Church for continuing to rent us the St Francis Centre, which provides such an ideal space for the office and most of our activities.

## **Kalayaan and migrant domestic workers**

Since 1987 Kalayaan has continued to work with and to support migrant domestic workers in the UK, adapting the emphasis of our activities in response to the needs of this group of workers and the changing wider political and policy context.

The migrant domestic worker (MDW) visa is issued to people who have come to the UK accompanying an employer to work in that employer's private household. These workers enter the UK on a specific visa which provides key protections against abuse. The visa provides formal recognition as a worker and allows MDWs to change employers (but not work sector) and so escape and challenge abuse. It may be renewed annually providing the worker continues to be employed full time as a domestic worker in a private household. As the statistics in this report will show, despite these protections MDWs in the UK continue to experience unacceptably high levels of abuse and exploitation. There is no doubt however that if MDWs were not formally recognised as workers with recourse to UK law their treatment would be far worse.

The implementation of the Points Based System for immigration to the UK has continued to have a significant impact on Kalayaan's work. In June 2008, after two years of campaigning, we won our struggle against the government's proposals, announced in March 2006, which were to abolish the migrant domestic worker visa under the Points Based System. This would have resulted in the loss of all current protections for MDWs. The suggestion from the government was that MDWs would instead enter the UK on a 6 month non renewable visa. They would be completely tied to their employers and have no effective access to UK employment law.

In June 2008, following two years of campaigning by migrant domestic workers, Kalayaan, Unite the union and other allies, Liam Byrne, then Home Office Minister for Immigration, announced that the MDW visa and associated protections, including the recognition of MDWs as workers and the right to change employer, would be maintained for at least the first two years implementation of the PBS, so until Spring 2011. After this time, if appropriate, the government may review the visa. While this possible review does pose a potential risk to the current protections for MDWs, given government commitments to protect MDWs, together with commitments under the Council of Europe Convention for Action Against Trafficking in Human Beings to protect against trafficking, including trafficking for domestic servitude, Kalayaan sees any future review as an opportunity to build on protections and ensure that MDWs are better able to access their rights as workers, so preventing abuse.

The June 2008 campaign success did not result in an end to our campaigning. In addition to continuing to build up evidence around the importance of the visa and ways in which protections for MDWs can be built on and strengthened we have focused on two other key areas:

- Recognition that as workers in the UK, MDWs are entitled to the National Minimum Wage (NMW)

- The right for MDWs who accompanied diplomats [Migrant domestic worker (diplomats)] to the UK to have the same rights as other MDWs to change employers, allowing them to escape abuse.

We have of course continued to offer direct support to MDWs, in the form of individual advice, with a focus on immigration and employment. We also run a community centre with activities which include English classes and other relevant training, workshops, a social area where MDWs can relax outside of their employer's house during their time off and make friends, to work with Unite the union to organise workers, to run trips and events and support MDWs to access mainstream activities to which they are entitled. In partnership with COMPAS at Oxford University we have also continued to research into the situation of MDWs working in eldercare.

In the year between April 2008 and end March 2009 356 new MDWs registered at Kalayaan. We gave approximately 1,000 formal advice sessions to new and existing service users. Additional advice is given out informally to workers who visit the centre for information, read our website or who phone. Not only does our provision of services to MDWs allow individuals to access rights and challenge abuses, it gives us a real and direct understanding of the day to day issues which affect MDWs. It is this understanding which informs our campaigns and policy work.

Most MDWs who come to Kalayaan find us through word of mouth. Workers who have escaped abuse and appealed to strangers or are found homeless in a station or park are directed to our centre. Others are referred to us through CABs, solicitors or other advice organisations. Some hear of us through the internet.

The nationality of the **356** MDWs who came to Kalayaan for the first time during 2008-09 can be broken down as follows:

<b>Nationality</b>	<b>Number of MDWs who registered 08-09</b>
	<b>N=356</b>
Indian	26% N= 93
Filipino	23% N=81
Indonesian	18% N=64
Nepalese	14% N= 51

The remainder of the MDWs who registered at Kalayaan during 2008-09 include workers from Sri Lanka, Nigeria, Thailand, Bangladesh, Morocco and Pakistan.

The MDWs who register at Kalayaan may not be proportionality representative of workers coming to the UK as many MDWs find us through networks made up of people of their

nationality. This means that those nationalities who are not familiar with Kalayaan are far less likely to establish contact.

**17%** of the MDWs who registered at Kalayaan during 2008-09 were male (an insignificant change from 16% in 2007-08).

The majority of MDWs who come to Kalayaan are based within London, although we do receive calls for help or advice from all over the UK, both from workers and from those supporting them. The breakdown by borough of workers who come to Kalayaan is as follows:

<b>Borough</b>	<b>Number of MDWs who registered 08-09</b> <b>N=356</b>
Kensington and Chelsea	17% N=50
Brent	11% N= 33
Westminster	11% N= 32
Barnet	9% N= 27
Camden	7% N= 20
Ealing	4% N= 12
Hammersmith and Fulham	3% N= 10
Haringey	3% N= 10

The remainder of the MDWs are spread across London. A few come to Kalayaan from outside the capital. There is also a large proportion 18% for whom we do not have a borough recorded.

#### Issues experienced by MDWs

The abuse that MDWs report to Kalayaan continues to shock as the table below will show. Even more alarmingly, it is likely that these figures do not reveal the full extent of the problem. These figures show MDWs responses to questions which they are asked the first time they come to Kalayaan, at a time when they will not have built up enough trust to disclose the full extent of their treatment. Taboos mean that sexual abuse is especially likely to be under reported. Often MDWs want to protect their former employers or are scared of the repercussions of reporting abuse. It is clear that despite the important protections which exist in law for MDWs, there remains plenty of work to be done, not only to ensure that

these minimum standards remain, but to ensure that protections are enforced and that rights can be accessed.

**Abuse by former employer reported by migrant domestic workers who registered at Kalayaan between 1/4/08 and 31/3/09.**

(356 new MDWs registered at Kalayaan during this time)

<b>Type of abuse</b>	<b>Number of MDWs who registered at Kalayaan during 08-09 and reported this abuse</b>
Physical assault	17%
Psychological abuse (threats, insults, intimidation etc)	58%
Not allowed out of the house without employer/ supervision from family	59%
Sexual abuse	6%
Did not get regular food	21%
Did not have own room or any personal space in the house(slept in hall, lounge, kitchen or children's room)	57%
Did not have a bed (slept on the floor or had to share a bed with the children)	25%
No time off	60%
.Worked 'on call' – could be called to work at any time	68%
Paid less than £50 a week	52%
Worked 16 or more hours a day	48%
Had their passport kept from them by their employer	58%

There are some differences to abuse reported by workers who registered at Kalayaan during 07-08. Reports of physical and psychological abuse have both decreased slightly although levels still remain unacceptable. While less workers report having no day (or time) off, there is also a significant increase in numbers reporting having to work on an 'on call' basis (an increase of 28%). In spite of Kalayaan's efforts to work with the police and the Home Office and to raise awareness around the implications of taking a workers passport there is an increase of 27% of workers reporting that their passports have been kept from them against their will. In many of these cases the workers have no knowledge as to their own immigration status.

It is important to remember that these figures are taken from questions asked to all MDWs who register at Kalayaan, and that some of the workers registering at Kalayaan are doing so to access our services such as workshops, employment training or English classes and may have no complaint against their employers.



Photo by Leticia Valverdas

## Campaign

In June 2008 the Home Office minister Liam Byrne announced that MDWs would remain on the MDW visa, with its associated protections. This was a big campaign success reversing the 2006 Home Office proposals to rid MDWs of current protections. MDWs will remain outside the Points Based System and maintain their recognition as workers. They will continue to be permitted to change employers within the domestic work sector, allowing them to escape abuse without jeopardising their immigration status. These protections may be reviewed, if appropriate, in Spring 2011. This means that there remains work to be done in order to evidence that the result of any review should be more protections rather than any less.

Kalayaan sees the possible review of the visa as an opportunity to demonstrate where the protections are working and to highlight where they need to be built upon. We consider that the success of our campaign was an example of true joined up working between the domestic worker community, Kalayaan, TGWU-UNITE and many other organisations.

The possible review does however also pose challenges. The government has put any review in the context of 'anti trafficking legislation' introduced with the implementation of the Council of Europe Convention on Action Against Trafficking in Human Beings and there have been suggestions that protection under the Convention may replace the need for the protections provided by the visa. Kalayaan is clear that preventative protections for domestic workers as workers which allow them to access their rights cannot be replaced by anti trafficking legislation for a number of reasons:

- Preventative protections are necessary to avoid vulnerable people being trafficked in the first place. While any measures which support individuals who have been

recognised as trafficked are welcomed it would clearly have been better to prevent this abuse in the first place. This could be best achieved by protecting individuals as workers and ensuring that they are not made vulnerable by their immigration status.

- Anti Trafficking protections will only be available to individuals who have been formally identified as trafficked. Reliance on trafficking legislation alone would mean that there would be no protections in place for individuals who don't meet the trafficking criteria yet have been severely abused, for example those subjected to forced labour.
- We have also pointed out to the government that to allow people to become 'victims' before offering them protection is far more costly than giving them preventative protection as workers. Under the Council of Europe Convention, once a domestic worker is identified as having being trafficked the government has an obligation to offer protection including accommodation which can be very expensive. In contrast for a domestic worker to change employer to escape abuse costs the government nothing. MDWs can only renew their visa if they have a job, so there needs to be a demand for their labour; they pay their visa application costs, pay tax and national insurance and have no recourse to public funds.

The 2008 announcement of the maintenance of the migrant domestic worker visa included a commitment on behalf of UK Border Agency to establish an ODW Steering group on which Kalayaan and Unite sit, together with UKBA, Foreign and Commonwealth Office and Department for Business, Innovation & Skills officials. The group meets quarterly to discuss ongoing issues which affect MDWs and provides an important opportunity to raise issues directly with policy makers. The findings of the group will feed into any future review of the MDW visa.

As well as focusing on our two specific campaign aims;

-To ensure MDWs are able to access the National Minimum Wage, and

-For domestic workers who accompany diplomats to the UK to have the same right to change employers as other MDWs,

Kalayaan continues to highlight the need for protections for MDWs in the UK to be built upon. We use our direct work with MDWs to build up our understanding of the issues affecting these workers and to inform policy.

During 2008-09 progress on the campaign included:

In April 2008 Kalayaan gave oral evidence to **Home Affairs Select Committee Inquiry into Human Trafficking** followed by further written submissions in March 2009.

In May 2008 A domestic worker Paulina D'Souza, spoke at the **TUC's Commission on Vulnerable Employment launch of their report 'Hard Work, Hidden Lives'**. Other members of the panel included the Chancellor Alistair Darling and Brendan Barber, TUC General Secretary. Paulina highlighted the importance of the protections provided by the MDW visa and MDWs being able to access UK employment law.

In June 2008 together with Oxfam we held a Parliamentary Launch of 'The New Bonded Labour Report' hosted by Chris McCafferty MP.

Media coverage of the launch included the BBC Breakfast, BBC News 24, the Today Programme and the Metro.

In Autumn 2008 following pressure from Unite the Union together with Kalayaan, the Home Office announced that **diplomatic domestic workers** (MDWs who enter the UK in the employ of a diplomat) will retain rights to apply for settlement and to renew their visa (if in full time employment in the diplomatic mission) despite inclusion in Tier 5 of the PBS. They also announced transitional arrangements for diplomatic domestic workers which meant that approved visa renewal applications were eligible for a one-off grant of leave to remain of up to five years, which is the current threshold for settlement. These arrangements remain in place until 26 May 2010. New entrants to the UK as diplomatic domestic workers need to apply under Tier 5 of the PBS and will be eligible to renew their visas for periods of up to 12 months at a time, up to a total of six years. They are eligible to apply for settlement once they have reached the required threshold, which is currently five years.

While pleased that Diplomatic MDWs did not lose the minimal rights they have to renew their visa if in full time employment as a domestic worker within the diplomatic mission Kalayaan is concerned that Diplomatic MDWs were included in Tier 5 of the PBS, despite the Home Office announcement in June 2008 that all MDWs would remain outside of the PBS. We are also very aware that the immigration rules for Diplomatic MDWs, together with Diplomat employers' apparent immunity from prosecution mean that Diplomatic MDWs remain especially vulnerable to abuse. We are continuing to campaign for Diplomatic MDWs to have the same rights as other MDWs.

In January 2009 we took part on the panel and participated in an OSCE/ODIHR conference organised together with The TUC and Anti Slavery International to look at the UK's National Referral Mechanism for individuals who may be trafficked.

In February 2009 Kalayaan spoke at Commonwealth Parliamentary Association International Parliamentarians Conference: Protecting Migrants, Responsibilities and Experiences

In Spring 2009, together with the Poppy Project, Kalayaan delivered training to the UK Human Trafficking Centre Competent Authority and to the UKBA Competent Authority as part of preparations for implementation of the Council of Europe Convention for Action Against Trafficking in Human Beings.

Kalayaan also gave a presentation to the Special Organised Crime Agency (SOCA) and UK wide police forces on the issues affecting MDWs including employers keeping passports and trafficking for domestic servitude.

### **Council of Europe Convention for Action Against Trafficking in Human Beings (ECAT)**

In December 2008 the UK government ratified ECAT. Although, until implementation (planned for the 1<sup>st</sup> April 2009), this did not make binding obligations on the government it did show an intention to protect individuals who had been trafficked, including those trafficked for domestic servitude.

Kalayaan works with all MDWs in the UK. While we welcome any additional support and protections which ECAT may provide for MDWs who are recognised as trafficked we maintain that these protections cannot replace basic workers rights which go towards protecting individuals from being trafficked in the first place. It is also important to remember that ECAT will not protect many individuals who have been subjected to forced labour or other abuse, but whose exploitation does not meet all the criteria of trafficking.

Between the start of May and the 5<sup>th</sup> September 2008 Kalayaan participated as a referral organisation in a Home Office pilot on trafficking for labour exploitation (Operation Tolerance). During the pilot we referred 12 MDWs who had been trafficked, all of whom had been recognised as trafficked by the Competent Authority. Kalayaan also worked closely with staff at the Poppy Project in Eaves Housing, who accommodated trafficked domestic workers as part of the pilot, to make them aware of the specific issues effecting MDWs.

MDWs who were accepted onto the pilot received support and accommodation if required as well as either a 30 or 45 day reflection period. Kalayaan remains a confidential service. Only MDWs who consent to a referral are ever referred.

Kalayaan believes that our participation in the pilot and the recognition of MDWs as having been trafficked for domestic servitude was important strategically for our campaign to highlight the vulnerabilities of domestic workers in general and the need for preventative support. It also highlighted how migrant domestic workers employed by diplomats, who are not able to change employers outside of the diplomatic household without jeopardising their immigration status, are particularly vulnerable. Five of the twelve referrals to the Labour Trafficking pilot, who were all recognised as trafficked, were of migrant domestic workers who worked for diplomats.

#### Data collection

Over the past year, Kalayaan has drawn many lessons from its successful campaign, not least that robust data is of paramount importance. Aside from the records kept by the Home Office, Kalayaan is the only source of primary data on domestic workers in the UK. This year we have made a number of improvements to the Kalayaan database so that we can access the data we collect more easily in order to present this to key audiences.

## **Activities at Kalayaan**

### Immigration and Employment Advice

Kalayaan has continued to provide advice in one-to-one advice sessions with migrant domestic workers on immigration and employment matters including making referrals to relevant law centres and solicitors where appropriate; signposting and making referrals to GP surgeries or Medecins du Monde for support accessing healthcare; providing support to complete forms and understand correspondence; finding support and accommodation for homeless migrant domestic workers who have recently fled their employers; providing individual workers with small financial loans to carry them through a crisis period.

In addition to the individual advice work, Kalayaan is now running monthly immigration updates on current issues affecting MDWs one Sunday a month.

Kalayaan has recruited and managed a number of volunteers to support our advice and advocacy work. The recruitment of 6 volunteer interpreters who cover almost all of the community languages (Sinhala, Indonesian, Hindi, Tagalog, Malayalam, Bengali) spoken by the domestic workers has dramatically increased our ability to communicate directly with workers. These interpreters have accompanied workers to appointments with lawyers, the Home Office, workers' embassies and accommodation, and have provided support in registering for bank accounts. During this year the community support workers have held two advocacy support training days at which a total of 15 volunteers attended. The training specifically looked at advocacy skills related to reporting the theft of passports to the police. The recruitment and management of the volunteers has significantly increased our overall capacity. During this last year we have also benefitted from 2 part-time volunteer administrative assistants who were fluent in a community language so also able to interpret.

All advice giving staff at Kalayaan have OISC exemption to give immigration advice to Level 1. We run around 15 regular advice sessions a week. In addition we are open two Sundays and two evenings a month for advice. This is important for MDWs who cannot get time off during the week to be able to access our advice services.

Kalayaan benefits hugely from the professionals who offer their time on a pro bono basis to MDWs who come to our centre. Four immigration firms volunteer to run regular monthly pro bono advice sessions at Kalayaan. We continue to work closely with other immigration solicitors to whom we make referrals or call for advice. While some MDWs are able to benefit from legal aid to support their cases, cuts to legal aid have meant that it is becoming harder and harder to find a solicitor able to take cases on under legal aid and cases which are taken on have less and less time spent on them.

North Kensington Law Centre continues to take on a significant number of employment cases and has developed significant expertise in the complexities of supporting MDWs to access employment law. This area of work remains of vital importance as we continue to have to fight to remind authorities and enforcement bodies that MDWs are workers in the UK and have entitlements such as to the National Minimum Wage and holiday pay.

Supporting MDWs in disputes with their employers, including negotiating with the police to retrieve withheld passports or contacting embassies:

Kalayaan staff are trying to encourage the police to improve their treatment of migrant domestic workers and as such in the past year we have:-

- helped the police to close a number of missing persons files by proactively contacting the boroughs to see if missing persons reports have been made about domestic workers who have fled their employment
- made a complaint to the Independent Police Complaints Commission (IPCC) about the handling of a domestic worker case where the police officer knowingly allowed an employer to take the workers' passport out of the UK
- Worked with 'Liberty' to encourage the police to reopen and investigate a trafficking case which they had previously refused to consider.
- been invited to train SOIT officers (who deal with victims of rape and sexual assault) and raise their awareness about the situation of migrant domestic workers and how they can sensitively deal with such cases
- been invited to attend a Crown Prosecution Service conference on how victims have felt about how the police have dealt with reports of trafficking for forced labour.
- met with officers from the Metropolitan Diplomatic Unit to highlight abuses suffered by domestic workers who accompany diplomats and look at how we can work with the Met police to protect this group of workers.

In addition a Kalayaan staff member has spoken to a delegation of over 100 Metropolitan police officers at New Scotland Yard on issues affecting Migrant Domestic Workers and suggestions for how the police can provide additional support.

The success of this presentation has prompted a request from SOCA for another presentation to be given to delegates from SOCA, ACPO, London Metropolitan, Kent, Thames Valley, Sussex, Hampshire, Avon & Somerset, City of London, Devon and Worcester, which will take place on 29<sup>th</sup> April 09.

Accommodation

One of the conditions of the migrant domestic worker visa is that its bearer has no recourse to public funds. Health care and legal aid are excluded from this category, so can, in theory, be accessed by MDWs. Accommodation, including domestic violence refuges, counts as public funds. This means that when an MDW escapes an employer, no matter what the reason for leaving, they become homeless. Workers often arrive at Kalayaan with none of their belongings, or any ID documents, no money and no-where to stay.

This leaves MDWs who escape their employer in a very vulnerable position. Many know no one in the UK. Commonly workers will come to us having met someone at a bus stop or in the street who gave them our address or paid for a taxi to take them to us. One risk is that

domestic workers in this position will be offered a place to stay by someone who will take further advantage of them. Another is that they will become so desperate for accommodation that they will be forced to take any live in job, even at very poor pay for long hours.

Kalayaan is not a housing provider and we offer no accommodation ourselves. When homeless workers arrive at our Centre we do our best to find them somewhere to stay but there are no guarantees. We usually have to find another domestic worker who can house the worker for a few days. Few workers are able to offer this help as so many live in their employer's house but some will be able to house someone for a few days. There are of course problems with this. We are aware that we are putting a vulnerable person in need of support with another person who is also vulnerable and that this is by no means ideal. The strain on the worker offering the housing can be considerable as they often end up supporting the worker in many ways and dependencies can develop. Kalayaan continues to have a limited fund for emergency accommodation which means we can make a financial contribution towards the costs of housing someone and give them some money for food and travel.

One of the benefits of Operation Tolerance (the Home Office Labour Trafficking Pilot which ran in 2008) was that MDWs who were recognised as trafficked could access safe accommodation and support, including 5 spaces at the Poppy Project. This gave those individuals time to recover from the abuse they had experienced before making decisions about how they would move on with their lives.

### Health

Migrant Domestic Workers are in theory eligible for free healthcare in the UK. Unfortunately in practice however many of them have difficulty accessing Primary Healthcare. Medicins du Monde (MdM) are a healthcare charity that work with vulnerable migrants, homeless people and women involved in prostitution in the UK, helping them to access healthcare through their 'Project: London'. Since February 2008 MdM's 'Project: London' team has continued to deliver monthly free health clinics at Kalayaan to migrant domestic workers, helping Kalayaan clients to register with GPs, giving them nurse consultations and helping to meet other immediate and longer term healthcare needs.

Where domestic workers do not have a GP and need more immediate healthcare and where A&E is not appropriate Kalayaan refers them to the frequent 'Project: London' clinic in East London. Kalayaan also continues to provide clients with a letter to take to the GP with which they wish to register, stating their eligibility to free healthcare.

### First Aid

On 15<sup>th</sup> February we organised 3 Red Cross first aid trainings in which 34 workers participated. The course enabled domestic workers to act as a first responder and equipped participants with the knowledge and skills to perform CPR, resuscitation and also to know who they should contact when. The successful completion of the course gave participants a 'Basic First Aid for Appointed Person' valid for 3 years. Feedback from the course was very

positive, and workers have requested to have further courses looking more specifically into elder care and child care.



## English

English classes at Kalayaan continue to be hugely popular. Kalayaan continues to run five volunteer led classes a week and, together with the Workers Education Association (WEA) four accredited college led English classes per week. All but one of these classes is run on a Sunday to enable domestic workers to attend on what is normally their only free day in the week.

The volunteer led classes are an important part of Kalayaan's work helping newly arrived migrant domestic workers meet friends and increase their confidence in spoken English. Attending classes gets MDWs used to travelling around London and will facilitate them accessing other services such as healthcare.

The classes are specifically targeted at the beginner levels with two classes catering for absolute beginners many of whom are illiterate in their first language. Improved levels of spoken English also contribute to reducing MDWs vulnerability to exploitation by helping them to access information about their rights and to negotiate with employers. Learning English also dramatically increases MDWs employment options.

We cannot emphasize enough the enormous input of the volunteer teachers in providing this valuable service. Sara Kinsella, the teacher of the absolute beginners group, has agreed to co-ordinate the classes by carrying out diagnostic tests with each student to ensure their placement in the appropriate level class and to meet and interview prospective teachers.

The three different levels of volunteer taught English classes enables students to progress through the classes and ensures that they have the appropriate level to take full benefit from the Workers Education Association classes. 2 of the WEA classes are ESOL with Citizenship and focus entirely on speaking and listening, the other 2 classes are at Entry level 1 (ongoing provision) and are the most advanced classes provided by Kalayaan.

Government funding for ESOL means that migrants can only access Workers Education Association classes after they have been in the UK for more than three years.

The college led classes are particularly useful to those domestic workers who have been in the UK for between 3 and 5 years and are hoping to soon be eligible for indefinite leave to remain. Current legislation requires all migrants to pass the "Life in the UK" test before they can apply for indefinite leave to remain. The high level of literacy required for this test means that many migrant domestic workers find it impossible to pass this test on their own. The test must be taken on a computer which many MDWs are not familiar with using.

The college led classes are a chance for them to learn about citizenship and English at the same time and to take a spoken English qualification and Life in the UK test. It is particularly significant that migrant domestic workers are able to move from the domestic work visa to indefinite leave to remain. This new immigration status greatly reduces the dependence of migrant domestic workers on their employer, and they have a much more secure position from which to bargain for their rights.

For those migrant domestic workers who are able to read English to a high level but are uncertain of how to study for the life in the UK test, Kalayaan now also runs a Sunday "Life in the UK study group" and, thanks to the commitment and relaxed teaching style of the volunteer tutor, this class has become very popular with attendance currently at 10 people.

Over the course of the year, more than 400 students have benefited from English classes run by Kalayaan.



#### Support into work: Finding a job, employment skills and employment rights

One of the challenges for a MDW upon leaving an employer is finding another full time job as a domestic worker in a private household. MDWs need to find alternative work quickly. This is because many will have dependent family members who need remittances, many need a 'live in' job as they have no alternative accommodation and also their visa is dependent upon being in full time employment as a domestic worker in a private household.

Often when a domestic worker leaves an employer they do so under less than ideal circumstances and many are escaping severe abuse. They escape leaving everything and so clearly contacting such an employer for a reference is out of the question. This lack of references can make it very hard to find another job, particularly since employing someone to work in your house requires a high level of trust and responsibility.

Many MDWs come to Kalayaan for support in finding a job. We have a facility whereby potential employers can advertise jobs which comply with UK employment law in our centre. Unfortunately we do not have the capacity to vet employers but all employers do have to download a form from the 'employment' section of our website where they will have read about their responsibilities as employers. The form confirms the salary, hours of work, time off, holiday etc. New jobs go up on Mondays when we have a volunteer at the centre to support workers with reading job descriptions and negotiating with employers.

Capacity building with MDWs continues to be an important part of Kalayaan's work, both in terms of empowering individual workers by informing them about their rights and opportunities but also in involving workers in our campaign work and to serve as a forum for workers to make friends and build up networks.

Kalayaan continues to work closely with Unite the Union who support the self organised group of migrant domestic workers, 'Justice 4 Domestic Workers' to hold a monthly Sunday meeting to discuss topical issues as well as to access training such as computer classes.

The Migrant Resource Centre runs a twice monthly workshop at Kalayaan on skills to find employment and interview techniques.

Between July and August 2008, Cardboard Citizens ran a series of participatory theatre workshops on Sundays to support migrant domestic workers to work through issues affecting them and find solutions. The workshops culminated in Cardboard Citizens producing a play about MDWs which was performed at our AGM in October 2008. Feedback from the workshops showed that whilst MDWs enjoyed the initial workshop, they said they preferred to spend their time attending English classes or a workshop that would enhance their employment prospects.

### Community

Kalayaan continues to aim to be a safe space where MDWs can relax and have fun. In the last year, as well as a winter party, we ran a popular trip to Cambridge and organised several day trips to popular tourist sites within London, providing workers an opportunity to relax and enjoy a side of the UK that they might otherwise not see.

## Justice 4 Migrant Domestic Workers

Justice for Domestic Workers was established in March 2009. It is an organisation of Migrant Domestic Workers who share experiences and support each other as well as campaign for freedom, rights and Justice. Justice for Domestic Workers meet regularly on Sundays at Transport House, Unite the Union.

Activities of Justice 4 Migrant Domestic Workers include: IT and Computer Classes for members provided by Unite in Cooperation with College of North East London (CONEL), regular campaign activities for the rights of MDWs with particular regards to campaigning against the Citizenship Bill, and regular Sunday meetings.



## **Community Research Project - Care and Immigration: migrant care workers in private households**

Conducted between January 2007 and October 2009, the study is funded by the Big Lottery Fund and conducted by Kalayaan in collaboration with the Centre on Migration, Policy and Society (COMPAS), University of Oxford.

This research investigates the role of migrant domestic workers employed to care for the elderly in private households in the United Kingdom. It explores the living and working conditions of these migrant care workers; the ways in which they negotiate their employment and social relationship with their care user; the impact of race and racism on their experiences of employment; and makes recommendation to promote the inclusion and greater support of migrant care workers. In doing so the study highlights the existence of informal arrangements of elder care many of whom have little or no formal training.

In the period April 2008 and March 2009, in addition to completing all interviews with migrant carers, the BLF project was able to organize the following outreach events at Kalayaan:

### Photography Workshops

A series of one-day photography workshops were organized by Kalayaan on the 27th of July and the 2nd of August 2008. Held at the Migrant and Refugee Communities Forum in West London, the workshop provided migrant domestic workers with basic training in the use of digital cameras.

The idea for this workshop came after Kalayaan noticed that, in the course of formal interviews, migrant workers were using photographs to help express their life narratives.

Cameras already played an essential part of their lives, and several migrant workers expressed the desire to learn more about photography in general. Workshop instructor and PANOS photographer Aubrey Wade asked participants to take a series of photos in and around London – including their areas of work and places they spent their leisure time. Digital cameras were available on loan by Kalayaan for participants who did not have access to their own. Photos were assessed, as the group discussed the merits and qualities of each.

Participants who completed both workshops were given Certificates of Appreciation, and automatic membership into Kalayaan's new Photography Club. The use of photography as a form of expression and communication is a technique currently being explored by Kalayaan. It is particularly relevant given the multi-lingual nature of migrant domestic workers, and differing literacy levels among Kalayaan clients. This series of workshops emphasized the use of pictures to express ideas and feelings. Kalayaan hopes that future seminars can utilize photographs and storyboards created by migrant domestic workers as an alternative tool to written communication – bridging cultural, linguistic, and literacy differences, while helping workers further communicate and share crucial information with one another.

### Migrant Domestic Worker Photography Contest

Three migrant domestic workers were winners of Marks & Spencer gift vouchers worth a total of £175 during Kalayaan's first Photography Contest held in September 2008.

Winners submitted photographs they took around the contest's theme, 'Working in the UK: Why the Country Needs Me.' Nearly 70 photographs in all were considered. Judges noted the high quality of the submissions, in both their technical and artistic aspects. The entries provided a rare glimpse into the lives of migrant domestic workers in London through unmediated photographs taken and chosen by migrant workers themselves as they live, work, and create a life in the City.

Far from the stereotypical 'victim' imagery often used to portray migrant workers, the photographs captured intimate, less-portrayed aspects of migrant worker life, which include a sense of wonder, curiosity over new surroundings, friendship, nostalgia, and hope.

The five top entries are available for viewing at the Kalayaan centre.

### Interview Skills Workshops

The Migrant Resource Centre (MRC) facilitated a workshop on Interview Skills at Kalayaan last July 2008. Attended by a group numbering around 20 migrant domestic workers, the workshop took place on Monday morning, traditionally the day each week Kalayaan clients searching for jobs drop by the Centre to check new listings.

Workers were given tips on how to get through an interview with employers, and took part in role play, facilitated by Laura and Bianca. Each participant was provided with various handouts, which summarized the lessons from the workshop.

MRC holds a series of workshops helpful to migrant workers, and organizes a Job search Support Group twice a week. Bianca continued to run the interview skills workshop regularly at Kalayaan, on the first and third Monday of each month.

## **Staff and Volunteers**

### Staff

Rita Gava –Coordinator (on Maternity leave from mid April 08)

Kate Roberts – Acting up as Coordinator (previously employed as Community Support Worker)

Jenny Moss- Community Support Worker

Agnieszka Burban- Community Support Worker (maternity cover until mid September 08)

Camilla Brown - Community Support Worker (maternity cover from mid October 08)

Lourdes Gordolan – Community Researcher

We are delighted to have secured funding from The Barrow Cadbury Trust and Oxfam in order to employ an additional Community Support Worker from April 09. This worker will lead a 2 year 'Employment Law Project', ensuring that MDWs access their rights as workers in the UK.

### Volunteers

As ever Kalayaan would not be able to continue much of our work without the commitment and support of our volunteers:

Katherine Nordmann received funding from Leonardo da Vinci project to volunteer at Kalayaan for three months offering administration support in the office.

Elaine Garcia also provided several months of office support and translation as well as designing our new leaflets.

Divya Marshall gave invaluable translation services, office support and accompanied countless MDWs to the police, to embassies and to solicitors appointments

Sr Hilda Kenny, continues to host informal support sessions on Tuesdays. Workers come for a chat and cup of tea, help filling forms or preparing CVs.

Aodh O'Halpin continues to be passionately involved in campaign activities and keeping the centre open and welcoming on Sundays.

Jennifer Makin continues to run the regular Monday morning job search.

Nikita Aggarwal helped with the parliamentary work on the campaign.

Sr. Shalini and Sr. Leela have returned to Kalayaan on an ongoing basis to provide support to the English classes on Sundays and to keep the social area of the centre welcoming on Mondays and Tuesdays.

Advocacy Support Volunteers include: Divya Marshall, Harit Mani Pokharel, Charlotte Craze, Sarah Wasson, Michael English, Emma Hunt, Elaine Garcia, Daniel Wate, Ana Cristina Sampaio De Melo and Dmitri Singer

Vanina Wittenburg researched and wrote the New Bonded Labour? report, together with Nivedita Niyoga.

Our popular English classes could not continue without the following teachers who volunteer to ensure that workers who would otherwise not be eligible for classes can learn English:

Michelle Collin, Kamil Trzebiatowski , Tara Aggarwal, Len Hulley, Michael English, Simon Ryan, Sarah Kinsella, Polly Gant, Dmitrii Singer, Joanna Unsworth, Anuradha Shee, Elisa Brewis, Anslem Vaz, Marion Sharp.

Immigration solicitors who gave their time pro bono to run legal advice sessions at Kalayaan, during the evenings and weekends:

- Chris Randall, Peter Moss, Ben Maitland and Philip Trott from Bates Wells & Braithwaite Solicitors
- Sunny Leong from Sunny Leong & Co Solicitors & Notary Public
- Lawrence Lupin and colleagues from Lawrence Lupin Solicitors
- Adrian Seelhoff

## **Treasurer's Report and Financial Review (David Ould)**

Income for the year of **£201,409** was 17% above the previous year due to an increase in both the level of restricted and unrestricted funds. The increase in unrestricted funds was particularly to be welcomed but it is unclear if this will continue. Total expenditure of **£177,754** for the year was just above the previous year. In consequence Kalayaan's accounts for the financial year 2008/9 showed a surplus of **£23,736**, made up of a surplus of **£13,712** on restricted funds and a surplus of **£10,024** on unrestricted funds. As a result the organisation's free reserves have increased to **£38,451** just less than two months of core costs compared to the three months that is the policy of the Management Committee.

The Management Committee would like to extend its thanks to all the donors and funders who have enabled Kalayaan to continue to provide support and services to migrant domestic workers throughout the year. Such support comes not only as financial contributions, but also in the voluntary support so freely given by members, volunteers, solicitors, trade unions and religious organisations. In the financial year 2008/9 we would particularly like to thank the following:

Barrow Cadbury Trust

The Big Lottery Fund

City Parochial Foundation

The Henry Smith Charity

The Oak Foundation

Oxfam

The Royal Borough of Kensington and Chelsea

The Tudor Trust

We are also grateful for the many other generous donations that we have received.

A full picture of Kalayaan's accounts for the year may be found in the figures provided in the financial statements at the end of this annual report.

***Kalayaan wishes to thank all those without who much of its work would not have been possible***

***April 2008- March 2009***

*Thanks to our fantastic Management Committee members (past and present) for their constant support:*

David Ould

Dr Bridget Anderson

Francesca Cooney

Genevieve Bassene

Mahani Rajak

Margaret Healy

Melanie Vilano

Myriam Cherti

Natasha David

Poonam Joshi

Ruby Lopes

Virgie Canada

Gillian Doherty

*Thanks to our 08-09 staff team and committed and inspirational volunteers.*

*Thanks to Margaret Joojo Richards, Maria Zur and Richard Bell from our partner organisation Workers Education Association (WEA) which runs accredited English classes at times accessible to MDWs:*

In addition to the solicitors who run free legal advice surgeries at Kalayaan we would like to thank the lawyers who take on so many of our referrals, in particular North Kensington Law Centre, Lovells pro bono team and Bindman and Partners.

*Thanks to our generous Funders and Donors, who make our work possible*