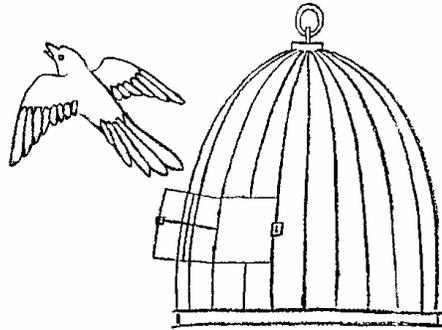


# KALAYAAN

justice for migrant domestic workers



ANNUAL REPORT  
AND FINANCIAL STATEMENTS  
APRIL 2005-MARCH 2006

St. Francis Centre, 13 Hippodrome Place, LONDON, W11 4SF  
t: +44 (0)20 7243 2942 f: +44 (0)20 7792 3060  
[www.kalayaan.org.uk](http://www.kalayaan.org.uk) email: [info@kalayaan.org.uk](mailto:info@kalayaan.org.uk)  
Charity n. 1103847  
OISC n. N200100457

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## **CHAIR'S REPORT**

Kalayaan has continued to provide a range of advice and services to migrant domestic workers at the Centre and over the telephone. In particular the organisation increased the number of English classes and free legal advice sessions during the year. 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, but also makes clear that the treatment of many domestic workers in this country remains unacceptable. This is particularly important at a time when UK government proposals for new immigration and work permit rules appear likely to worsen the status of migrant domestic workers.

During year we were awarded a grant from the Big Lottery for a new research project on the needs of migrant carers, to be undertaken with the support of the Centre for Migration Policy and Society at Oxford University. The project will begin later this year and will last almost three years.

The Management Committee are continuing discussions with the United Workers Association concerning the problems that have arisen with our joint occupancy of the St Francis Centre.

Finally I would like to thank all the members of the Management Committee who have given up their time to support the work of Kalayaan during the year. However, we have lost some longstanding members of the Committee over the past year and are seeking new members. 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 all the activities.

# KALAYAAN AND MIGRANT DOMESTIC WORKERS

## **MDWs accessing services at Kalayaan**

Kalayaan continues to provide advice, support and advocacy services to all migrant domestic workers regardless of nationality, gender, physical ability, age, religion or sexual orientation.

Migrant domestic workers are people who have entered the UK legally with an employer on a domestic worker visa to work in a private household.

Between April 2005 and March 2006, Kalayaan registered **387** new Migrant Domestic Workers (MDWs). The table below shows the percentage of new clients by nationality:

### **New clients 2005-2006**

<b>India</b>	40%
<b>Philippines</b>	32%
<b>Sri Lanka</b>	13%
<b>Indonesia</b>	5%
<b>Nepal</b>	3%
<b>Pakistan</b>	2%
<b>Peru</b>	1%
<b>Bangladesh</b>	1%
<b>Kenya</b>	1%

The remaining percentage includes clients from: **Egypt, Eritrea, Ghana, Morocco, Nigeria, South Africa, Sierra Leone, Tunisia, and Yemen.**

The percentage of nationalities remains similar to 2004-2005, with a slight increase in clients from African countries, thanks to the new addition of clients from South Africa, Sierra Leone, and Tunisia. Kalayaan always welcomes clients from new countries, both as a means to enrich its multicultural environment and as a way to reach out to new communities. Word of mouth among people of the same nationality remains a strong means of advertising our services to domestic workers living in very isolated conditions.

Statistics from this year show a significant increase in male clients registering: 18% of the total, against 8% last year.

In the financial year 05-06, Kalayaan provided face-to-face advice and support services to a total of **2494** clients. Of these, **86%** were women. Our service users came from all boroughs in Greater London, with a significant majority living and working in Kensington and Chelsea, Camden and Hammersmith and Fulham.

**Table of service users in 05-06 by borough:**

Barking and Dagenham	1%
Barnet	2%
Bexley	4%
Brent	3%
Bromley	6%
Camden	9%
Croydon	3%
Ealing	8%
Enfield	3%
Greenwich	0.5%
Hackney	4%
H&Fulham	8%
Haringey	4%
Harrow	4%
Havering	1%
Hillingdon	2%
Hounslow	4%
Islington	2%
Kensington & Chelsea	12%
Kingston upon Thames	5%
Lambeth	2%
Merton	0.4%
Newham	1%
Redbridge	0.4%
Southwark	2%
Sutton	0.4%
Tower Hamlets	1%
Waltham Forest	1%
Wandsworth	1%
Westminster	3%
Outside London	2%

Although the majority of clients coming to the centre live in Greater London, Kalayaan is keen to extend the benefits of its services to all MDWs in the UK. In addition to providing direct services to a 2% of clients from other cities, we also provided help and advice over the phone to nearly 2,000 callers from all over the UK.

## **Problems faced by MDWs**

Statistics collected upon registration of new clients confirm that MDWs continue to be face situations of abuse as well as exploitative working conditions.

New clients reported situations of physical abuse such as employers beating them, slapping them, throwing things at them, spitting in their face, pulling their hair. Domestic workers caring for children often report of being kicked by them. Forms of psychological abuse described by our clients included shouting and insults such as ‘donkey’ or ‘dog’, and threats to throw them out, have them deported or cut their salary. The isolated nature of their work within their employers’ private house, makes domestic workers particularly vulnerable to the risk of sexual abuse: unfortunately during the year there have been some reports of forms of this abuse, including touching and innuendo, and we fear that the percentage of abuse that goes unreported may be considerable.

The majority of MDWs live in the employer’s household and many have no privacy. Most don’t have their own room and often they sleep on the floor in the kitchen, in the children’s bedroom, or in some extreme cases even outside the employer’s room, in order to be readily at service. In some cases the isolation of living and working within the private household becomes extreme and MDWs are not allowed to go out except when accompanying the employer. A significant number of newly registered clients reported being locked in when the employer leaves the house.

Many of the exploitative situations suffered by MDWs, such as unreasonably long working hours and salaries well below the National Minimum Wage, are linked to the fact that domestic work is often not perceived as ‘real work’. Under the false pretence of being ‘part of the family’, employees are expected to be always available to ‘serve the family’. As described in the ‘Support with passport retention’ section below, many MDWs also have their passport withheld by their employers as a means of control.

The table below shows percentage of new clients reporting abuse, based on data collected upon registration.

### **Abuse reported by clients registered in the period April 05 – March 06**

Physical abuse	23%
Psychological abuse	70%
Sexual abuse	2%
Food deprivation	71%
Working over 16 hours a day	86%
Locked in	27%
Lack of room	56%
Passport retention	32%

Kalayaan continues in its fight to make domestic work more visible and professionalised through spreading information on domestic workers’ employment rights, advocacy and negotiation with employers, campaign and media work.

## SERVICES PROVIDED

Kalayaan's clients access information and services through face-to-face individual sessions and through regular workshops. All clients have access to individual advice sessions with Kalayaan staff. Although clients will be seen without appointment in an emergency situation, we normally encourage them to make an appointment so that we can ensure we can dedicate the appropriate amount of time to their questions and problems.

All new clients go through a standard registration process, during which they receive information regarding the terms of their domestic worker visa and the procedure for its renewal. The session also includes an introduction to their employment rights in the UK. Most people that approach Kalayaan for the first time are not aware of their rights in the UK.

This year Kalayaan has provided face-to-face advice on immigration and employment issues has been given to an average of 30 clients per week (one-hour sessions). Kalayaan's objective is to give its clients the information and support needed for them to take as much control of their life as possible. During advice sessions the situation is discussed with the advisor, who encourages clients to decide themselves which option they wish to pursue, rather than offering them solutions.

### **Accessing Immigration Rights**

Kalayaan is authorised, by the Office of Immigration Service Commissioner (OISC), to provide immigration advice and services. Our exemption number is: N200100457.

During this year, both new staff members (Kate Roberts and Rita Gava) received immigration training and were granted exemption to give immigration advice at level 1 by the OISC.

Kalayaan ensured that all MDWs attending the centre understood the terms of their visa and the responsibility of applying for visa renewal in time and the procedure to follow.

We ran the following three workshops on immigration issues:

**Domestic Worker Visa explained:** on visa renewal procedures, Indefinite Leave to Remain, citizenship.

Attendance: 50 clients

**Indefinite Leave to Remain: know your rights**

Attendance: 36 clients.

Many thanks to our volunteer Jenny Moss, who organised the event, and to our guest speakers, who provided information and assistance to our clients:

Afshan Rahim, Kensington & Chelsea College;

Jackie Mahoney, Workers Education Association;

Ingrid Lorezo-Mas, The Women's Resource Centre

**Visa renewal, Indefinite Leave to Remain and Citizenship**

Attendance: 50 clients.

## **Legal surgeries**

Thanks to the generous support of several immigration solicitors, Kalayaan was able to increase the number of free legal surgeries from two to four per month. The surgeries are held at the most convenient times for MDWs: Sundays and evenings. On average, 20 clients per month benefited from this service.

Kalayaan wishes to thank the following solicitors for giving us their time and expertise:

Adrian Seelhoff at White Ryland Solicitors  
Chris Randall and Peter Moss at Bates, Wells and Braithwaite Solicitors  
Lawrence Lupin and Juliette D'Souza at Lawrence Lupin Solicitors  
Sunny Leong at Sunny Leong & Co. Solicitors & Notary Public

## **Support with passport retention**

During the period April 05-March 06, Kalayaan assisted 127 new clients whose passports had been withheld by their employers. Passport retention causes serious problems to migrant domestic workers, including:

- Lack of official identification and/or knowledge of immigration status. At worst, this can lead to arrest, detention and incorrect deportation. It can also lead to the worker becoming undocumented unknowingly.
- Abuse and exploitation, as MDWs without passports feel unable to leave employers. Retaining a worker's passport confers power and enables the employer to intimidate workers and subject them to unacceptable working conditions.
- Difficulties accessing essential services including healthcare, education, financial services, legal services, emergency housing or refuges.

Kalayaan's assistance to clients who are in this situation begins with contacting the British Embassy that issued the visa, so as to obtain proof of entry clearance, a vital document for someone left with no other way of proving their legality in the UK.

According to the protocol developed with the Metropolitan Police in 2004, we also contact the employer in writing requesting the return of the passport to us or the embassy of the worker. If employers do not respond within 7 working days, workers can then report the retention to the Police as theft. Police provide a crime reference number, which enables workers to apply for a new passport if necessary. The protocol has proved very effective and has led to retrieving a higher number of passports. However, there still appears to be lack of information being provided to foreign visitors travelling with domestic workers as to the illegitimacy of withholding their employees' passport.

Delays in regaining possession of their passports is also a common problem for MDWs when employers return passports to their own Embassy, which then forwards it to the Home Office instead of the worker's Embassy. Kalayaan hopes to work more closely with the Home Office, UK Missions abroad, and Embassies in London to tackle these problems.

## **Working with the Police**

Kalayaan has been building on the work with the police which resulted in the procedure for passport retention. We continue to work closely with the Diversity Directorate of the Metropolitan Police who have produced draft guidance for Metropolitan Police Officers dealing with Migrant Domestic Workers and Employers. This guidance highlights the protection UK law affords to workers and reminds officers that forced labour and confinement may amount to slavery and false imprisonment. Crucially the guidance also reminds officers that employers should not withhold a workers passport and that the immediate concern of a police officer receiving a request for assistance or report of a crime should be the welfare rights of the victim, not their immigration status. We owe our gratitude to Chukwudum Ikeazor of the Diversity & Citizen Focus Directorate for all the hard work he has done towards raising the profile of MDWs in the police force.

Unfortunately the reception a MDW gets at a police station, when reporting a crime such as abuse by their employer, or passport retention, still seems to depend very much on the knowledge of the individual officer who happens to be on duty at that time. Due to the increasing emphasis on immigration status and risk of detention we have now reached the point where we will not take a worker to the police to report the theft of their passport until we have proof of their entry clearance. There is a huge need to continue to work with the police about the issues affecting MDWs as victims of abuse and we hope next year to be running training for and with the police on supporting and protecting MDWs.

## **Accessing Employment Rights and Support**

Between April 2005 and March 2006, Kalayaan provided employment rights support and advocacy to over 1,500 MDWs through face to face advice, referral to Law Centres and Trade Unions; negotiating with employers, and facilitating employment workshops.

Advice on employment includes assisting MDWs with getting a NI number, negotiating with employers for payment of tax and NI, providing information on maternity leave, and assisting clients with National Minimum Wage claims.

Kalayaan organised two focus groups on Mondays (when the highest number of clients is at the centre for the job service) in order to identify the most useful topics for workshops and presentations. We also consulted with the four migrant domestic workers in the Management Committee. The issues identified were: finding a job; interview skills; negotiating with employers; dealing with abusive employers; tax and NI; visa renewal procedures; retrieving passports; what to do when fleeing from an employer; Indefinite Leave to Remain, Naturalisation and how to obtain British passport.

Based on these requests, we ran the following workshops:

**RAW Stories** drama workshop to promote assertiveness in the workplace. Facilitated by Emma Ashcroft, BBC RAW Literacy Campaign. Topics covers: negotiating with employers, making oneself understood, explaining what one means. Attendance: 19 clients.

**Trade Union presentation.** facilitated by Dave Turnbull, Regional Industrial Organiser, Transport and General (T&G) Workers Union. Presentation and Q&A session on services provided by the T&G. Attendance: 31 clients.

**Abuse in the Workplace** run by Challenge: Training and Consultancy in Equity and Diversity. Attendance: 40 clients.

**Basic Employment Rights** run by staff member. Attendance: 30 clients.

**Interview techniques** run by staff member. Attendance: 26 clients.

Every workshop was followed by a feedback session. The comments were positive and clients generally found the workshop useful and understandable.

The job service continued to be very popular amongst our clients and was provided regularly on Mondays. Potential employers who know Kalayaan contact us with details of positions. While we are careful not to represent ourselves as a job agency, we do accept to display good positions that comply with UK employment law. Due to the high demand, the service continued to be supplied on a lottery basis. Clients are individually assisted to look at available jobs, and choose one they want to apply for.

This year we introduced some changes in the way details of available jobs are collected, with the aim to ensure that employers commit to what they put in their job offer. Unfortunately there have been several cases of employers trying to lower the salary stated to staff members when they meet the MDW. In order to tackle this problem, we always ask our clients to report such behaviour, and those employers will be bad-listed. Thanks to the launch of our website, we have been able to refer employers to the information on employers' responsibilities published there, and asked them to fill our job registration form only if they agree to comply to them. By having a written statement of their job offer, MDWs are in a better position to refuse salary negotiation when they go for interviews.

## **Health Project**

Kalayaan received a grant from the Kings Fund to coordinate a three-year health awareness and promotion project, of which we are now in the second year. The overall aim of the project is to promote all relevant aspects of health among migrant domestic workers and to increase workers understanding of identified health issues through advice, information and detailed workshops. As well as promoting knowledge of health issues among our client group, the project specifically aims to: promote knowledge of NHS and how to access it; support clients with mental health needs and raise awareness of this much misunderstood area among the community more generally; to target the health needs of excluded groups of MDWs, including those newly arrived and certain nationalities.

### **Focus Groups**

To ensure the project was client led we have held 2 focus groups on 4th July 05 and 14th November 2005 and additional informal groups held during the Monday morning job workshops especially leading up to the Health and Community fair scheduled for April 2006. MDWs showed particular interest in further workshops focusing on blood pressure; healthy eating; health and safety; worried about winter flu; and exercise classes that could take place in the centre. I have tried where possible to consult with the more marginalized groups in particular African women and men.

### **Health advice given**

We have given Health advice to a total of 143 domestic workers. 120 of these in health workshops; 13 in ESOL classes; and 30 individual advice sessions concerning accessing GP's; advice and guidance on services available and referral to other agencies.

### **Barriers to primary care**

Unfortunately, we have documented that MDWs are encountering an increasing number of barriers when trying to register with GP surgeries in London. The vague guidance on the DOH website with regard to the meaning of being 'ordinarily resident' and conflicting opinions held by practitioners and PCT's have resulted in questions over eligibility and documentation being repeatedly raised.

Generic rules for MDW to satisfy in order for MDWs to be entitled to register with GP's seem to be:

Need to have been in the UK for a minimum of 6 months and have further Leave to Remain.

Need to have proof of address.

Need to have their passport and Entry clearance documents.

In cases where a MDW does not satisfy these criteria we can try to negotiate with the GP and PALS team. If we are unsuccessful we can refer to Medecins du Monde- an NGO which provide information, support and advocacy to help people reach mainstream health services whilst also providing some basic healthcare at their drop-in surgeries.

Kalayaan is working with Joint Council for the Welfare of Immigrants on documenting these barriers. We aim to work with the Department of Health to produce clear guidance for practitioners to refer to regarding the eligibility and entitlement of MDWs.

### Workshops

<b>Date</b>	<b>Workshop Topic</b>	<b>Facilitator</b>	<b>No of People</b>
23.05.2005	<ul style="list-style-type: none"> <li>• <i>Mental Health workshop</i></li> </ul>	Karen Katz from K&C PCT	Total: 18 F16, M2
06.06.2005	<ul style="list-style-type: none"> <li>• <i>Ethnic healthy eating workshop</i></li> </ul>	Diane Hawdon/ Eve Bevan from Shepherds Bush Healthy Living Centre	Total: 20 F18, M2
26.06.2005	<ul style="list-style-type: none"> <li>• <i>First Aid Workshop: Basic living saving skills</i></li> </ul>	Red Cross Hammersmith	Total: 9F
25.07.2005	<ul style="list-style-type: none"> <li>• <i>Back care workshop</i></li> </ul>	Valerie Brandon K&C PCT	Total: 35F
12.09.2005	<ul style="list-style-type: none"> <li>• <i>Personal Safety in the workplace</i></li> </ul>	Rif Sharif: Challenge Consultancy Ltd	Total: 38F •

### **ESOL for Health**

12 weeks of 3-hour ESOL for health classes were held from February until April with a total number of 13 clients attending, 6 of whom attended 60% or more of the classes. The classes took a holistic view of health designed to enable MDWs to have increased access to British society. The classes covered a range of topics varying from Greetings, Budgeting, Healthy life-styles and the British electoral system. The classes were taught by Donalie Halstead, the Community Health Development Coordinator of Westminster PCT.

### **Mental Health**

We were keen for this topic to be explored in the mental health workshop, particularly after the issue of mental health being so clearly raised in the drama workshops discussed in the previous annual report (04-05). Whilst MDWs recognised that they can feel unhappy and isolated and could sometimes need more support, very few MDWs said they would seek professional help in these circumstances (where 2 referrals were made to counselling services provided by the Kalabaash forum, neither MDW eventually accessed this service). The most important solution identified was to find a good job. During the workshop MDWs identified the following options of the best way to deal with feeling 'unhappy': exercise- (yoga/walking/dancing), talking to friends, watching videos. All of the MDW's pointed out that it makes them feel very happy when they come to Kalayaan centre as this is a place where they can talk openly about their issues because other people 'understand', and it is where they feel 'safe'. This increased my understanding of the connection between community, health and more specifically, mental health, and encouraged me to target more resources towards this end.

### **Health and Community Fair**

In response to the issues raised above, we consulted with the Kings Fund to transform the proposed 'Health Fair' to become a 'Health & Community fair'. We invited a range of organisations including health professionals; community organisations; local statutory representatives and religious groups to the centre to meet migrant domestic workers, understand about the life and work of migrant domestic workers in the UK, and to build relationships that will connect migrant domestic workers with the community. Our aim was to promote both knowledge of health and access to services whilst also encouraging the community within Kalayaan and connections to the community outside of the centre.

We scheduled the Community and Health fair for 26<sup>th</sup> September 2005 on a Saturday afternoon. We invited over 85 organisations and health professionals. However the response was poor with only 2 organisations confirming attendance neither of which were health related. Whilst we were forced to cancel the fair, the practice of organising the event was positive. Most professionals cited the reason for not coming was short notice and lack of availability on a weekend. I replied that weekends are the ONLY time that MDWs are free which highlighted the barriers they encounter in accessing basic services. This has prompted assurances that with more prior planning, the health professionals would commit to a weekend fair.

- We have rescheduled the Health and Community Fair for Sunday 26<sup>th</sup> April 2006.

## **Accessing Skills: ESOL (English For Speakers Of Other Languages)**

The ability to understand and communicate in English is vital if Migrant Domestic Workers (MDWs) are to lessen their dependence on their employers and realise their rights as workers and community members in the UK. Not only do English language skills mean that individual MDWs increase their ability to gather information, access job opportunities and a wider range of services, speaking English also allows MDWs to work together across language groups and so benefit from wider networks and support groups as well as a far louder and more unified voice when campaigning for the rights and recognition of MDWs. Attending regular classes provides an opportunity for MDWs to meet other workers, from their own and other nationalities, and allows time and space for personal development and for skills development. The opportunity to have time for oneself is especially relevant for MDWs whose work usually involves them living in their employer's house with unclear work and rest hours and little privacy or time for themselves.

English classes continue to be extremely popular among the workers who come to Kalayaan. The main barrier remains the long working hours of most MDWs, meaning that few workers can attend classes during the week, including in the evening. It continues to be difficult for some workers to access even the Sunday classes as employers are liable to request additional work at short notice, or to 'swop' workers days off. Shockingly there remain many workers who have no regular day off.

Kalayaan continues to run classes times which fit in with the little free time MDWs do have – usually on Sundays, and which recognize that due to the nature of their work, many of the students may have little time or opportunity to study or to practice their English between classes.

Kalayaan currently works with Kensington & Chelsea College and the Workers Education Association (WEA) to run 4 accredited ESOL classes. All of these take place on Sundays. All these classes are incredibly popular and the benefits of workers having a regular space where they can meet friends and have time for personal development cannot be overstated.

Due to funding requirements workers have had to have been in the UK for a minimum of 3 years in order to access K&C and WEA classes. In order to meet the needs of MDWs who have most recently arrived in the UK and who in many cases are most vulnerable we have been running an additional 3 classes a week taught by volunteer teachers. The most popular of these is on a Sunday morning and there is also a class late on Wednesday and Thursday evenings. Around 100 MDWs a week are now accessing a total of 7 weekly English classes through Kalayaan. We owe a big thank you to all of the 5 teachers, Claudia Lozano, Tahra Actar, Simon Ryan, Tara Orlanes Angelopoulou and Gillian Doherty for their exceptional commitment and enthusiasm as well as to Rickey Denton from our Management Committee for his ongoing interest in and ideas for all the learning activities at Kalayaan.

Together with WEA we also piloted a Literacy class over two terms. However attendance was low due to a mixture of timing (the class took place on Tuesday evening from 6-8pm, when most workers are still at work) and the required level of English to enrol in the class (the focus was on literacy rather than English language) This has meant that we have not continued with the class.

## **Emergency Accommodation**

The majority of migrant domestic workers live in their employers' households. This increases their dependence from their employers and makes the decision to leave very difficult even when the conditions are unacceptable.

Securing emergency accommodation for MDWs is an ongoing challenge, and probably the most difficult area of our work. Domestic worker visa holders have no recourse to public funds. This restriction closes off access to the majority of housing providers and hostels.

We have worked to raise awareness of the situation of MDWs amongst housing providers. We have been in correspondence with Women's Aid and are active in the Women's Resource Centre Policy Forum where we are due to present on the case of MDWs and how their lack of recourse makes them particularly vulnerable to domestic violence.

In addition to continue to expand contacts with housing organisations, Kalayaan has placed new emphasis on developing contacts with members of the community and religious organisations who might be able to provide more unrestricted support.

Kalayaan has successfully established links with 7 trusted individuals (mostly current or former clients) who are willing to offer emergency accommodation occasionally, for free or for a small charge. Through this means, we have provided accommodation to 10 homeless clients. While this solution clearly has limitations, there are also certain benefits from the MDW being introduced to local networks and other MDWs. The service user not only receives accommodation, but often also meals, assistance with using public transport, and moral support from someone who speaks the same language.

We have developed a referral system to three organisations: the Women's Day Centre, Home of Peace, and Hope Worldwide. Places are however heavily oversubscribed for individuals who cannot access public funds. In addition, the private nature of their employment often means that their position has not been regularised and they do not have a National Insurance number. On one occasion, even a domestic worker who had Indefinite Leave to Remain was unable to access a refuge because she did not have an NI number.

We are also targeting religious organisations as potential providers of more unrestricted support. We have sent out a mailing to 34 religious organisations, explaining the situation of MDWs and asking if there is any help they can offer to MDWs. So far we have had a positive response by only two of them, but we will continue to expand our network.

## **Website**

Over this last year we have launched an updated Kalayaan website which can be found at [www.kalayaan.org.uk](http://www.kalayaan.org.uk) The website contains information on MDWs rights in immigration and employment, general updates on Kalayaan's activities and news effecting MDWs and allows us to refer a lot of enquiries, particularly those regarding the job service, to the website.

We are indebted to several volunteers for the content and design of the site including Roy Kuku from North Kensington Law Centre for a lot of the content on employment rights, Amanda McDowell for writing and editing much of the content, and Oliver Swann for building the new site, teaching staff how to update it, and now hosting it for us.

## CAMPAIGN

In February 2005, the Government announced its 'Five Year Strategy' for immigration and asylum in its publication: *Controlling our Borders: Making Migration work for Britain*. The strategy proposes a points-based migration scheme which seems to favour 'highly skilled' workers. Kalayaan expressed its concerns over the implications of the new proposals for its clients group in its response to the Home Office Consultation Document: *Selective Admission: Making Migration Work for Britain*.

Currently MDWs enjoy certain basic rights that offer some protection against the abuse and exploitation to which they are exposed. It took over a decade of campaign work together with the Trade Unions and MDWs, to secure them the rights to change employer. The campaign was won in 1998 when new legislation was introduced, making it possible for migrant domestic workers to change employers and retain the right to work as a domestic worker in the UK. The right to change employer gives MDWs vital protection against the violence, mistreatment and exploitation they often experience.

At present MDWs also receive basic protection under UK employment law and are entitled to the National Minimum Wage, statutory holiday pay and a notice period. Their visa as a worker is renewed annually and renewal is dependent on the MDW being in full time employment as a domestic worker in a private household at the time of renewal. There is also a right to apply for settlement after five years, as well as to family reunification.

The Home Office paper on the points-based migration system, presented to Parliament in March 2006, does not include MDWs. However, on 10th March 2006, the Immigration and Nationality Directorate (IND) presented their proposals to Kalayaan, which are to restrict domestic workers accompanying their employers to a maximum of 6 months, with no right to change employers and no route to settlement. This proposal raises the most serious concerns.

If it is approved, MDWs will lose the rights gained through over ten years of campaign work. Kalayaan believes that this would be a step backwards in the promotion of human rights, and would greatly increase the vulnerability of women working in private households in the UK. In particular, the new provisions would:

### **Legalise trafficking:**

If the proposals come into force MDWs will come as business visitors, tied to their employer, for a maximum of 6 months. They will have no option to change employer during this time, or to renew their visa. This will make it virtually impossible to challenge any maltreatment or abuse, and indeed will encourage it.

### **Increase abuse and illegality:**

Taking away the provision to renew their visa, or to change employers, as well as making employers responsible for seeing that MDWs leave the UK at the end of their stay, dramatically increases the power the employer has over the MDW. There will be increases in levels of abuse and more MDWs will be forced underground, where they will be further exploited by employers taking advantage of their irregular status.

### **Remove access to UK employment law:**

It will not be possible in practice to access UK employment law within the 6 months allowed and without the right to find alternative employment. As soon as MDWs leave an employer they will be homeless and destitute with no right to work to support themselves.

Kalayaan has launched a campaign and is working together with MDWs, solicitors, academics, the Trade Unions, the Joint Council for the Welfare of Immigrants and other non-governmental organisations to ensure that the existing provisions to protect the human rights of this marginalized and vulnerable category of workers are retained.

Kalayaan also expressed its concerns over removing the right to change employer in an analysis requested by the Sub-Committee (Home Affairs) of the House of Lords regarding the right of domestic workers to change employers, published as a memorandum for the House of Lords European Union Committee XIV Report of Session 2005-06 on Economic migration to the EU.

## STAFF AND VOLUNTEERS

**Fiona Luckhoo** resigned from her post of **Projects Co-ordinator** in May 2006, after completing her maternity leave.

**Rita Gava** – has been confirmed as **Projects Co-ordinator**.

**Camilla Brown - Health Worker**

**Kate Roberts - Community Support Worker.**

Kalayaan wishes to thank the following volunteers for their vital help and support with clients and in the office

**Amanda Mc Dowell** for her fantastic help with the website and her assistance to clients  
**Anne Boland** for her assistance to clients and her work towards expanding the network of emergency accommodation providers

**Camilla Skoglie** for her vital support running the job service and her assistance to clients

**Sr Hilda Kenny** who makes Tuesdays special at Kalayaan with her welcoming presence and helpful assistance to clients in the social area.

**Jenny Moss** who organised and facilitated the workshop for clients with ILR

**Jennifer Makin** for her assistance to clients and her office support

**Lourdes Gordolan** for collecting case studies and producing statistical information on clients' cases of abuse and exploitation

Many thanks to our fantastic volunteer English teachers who dedicate their evening and Sunday time to run classes for our clients:

**Gillian Doherty**

**Simon Ryan**

**Tarhata Orlanes Angelopoulou**

*We are also extremely grateful to our web designer, who generously volunteered his support:*

**Oliver Swann** who built the new website, taught staff how to update it, and offered to host it for us.

## **Treasurer's Report**

Income for the year of **£89,533** was **£31,162** lower than the previous year, mainly due to the large decrease in restricted funds raised for Kalayaan's work. Total expenditure of **£114,322** for the year was **£24,796** above the previous year. The increase was due to the fact that there was no staff turnover during the year. In consequence Kalayaan's accounts for the financial year 2005/6 showed a deficit of **£24,789**, made up of a surplus of **£4,133** on unrestricted funds and a deficit **£28,922** on grants carried forward. The organisation's free reserves remain very low at **£6,494**, which is less than one month of core costs.

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 2005/06, we would particularly like to thank the following:

### **Association of London Government (ALG)**

Final payment of a grant towards the costs of the advice worker.

### **Kings Fund**

The Fund made the final payments of a three-year grant towards the costs of employing a health advice worker.

### **Oak Foundation**

Continuing grant for the costs of advice and support work.

### **City Parochial Foundation**

Final payment of a grant towards the costs of advice and support work.

### **Awards for All**

A grant towards the costs of English classes

### **2 Garden Court Chambers**

Unrestricted grant to the organisation.

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.

## Thanks

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*Kalayaan wishes to thank all those who have supported its work  
April 2005- March 2006*

*Thanks to our fantastic Management Committee members for their constant support:*

David Ould – Chair and Treasurer

Emma Newcombe

Grace Opiyo

Mahani Rajak

Mara Stankovich

Margaret Healy

Melanie Vilano

Natasha David

Rickey Denton

Sarah Cutler

Sheela Valavi - Secretary

Viviane Abayomi

*Thanks to our staff team:*

Camilla Brown Health Project Worker

Kate Roberts, Community Support Worker

Fiona Luckhoo Projects Co-ordinator (resigned May 06)

Rita Gava, Projects Co-ordinator

*Thanks to our invaluable, hard-working volunteers:*

Amanda Mc Dowell, Anne Boland, Camilla Skoglie, Gillian Doherty, Sr Hilda Kenny,  
Jenny Moss, Jennifer Makin, Lourdes Gordolan, Simon Ryan, Tarhata Orlanes  
Angelopoulou

*Thanks to our English classes providers and their teachers:*

Kensington and Chelsea College and Claudia Lozano

Workers Education Association (WEA) and Tahra Actar

*Thanks to the solicitors who ran free legal surgeries at Kalayaan*

Adrian Seelhoff at White Ryland Solicitors

Chris Randall and Peter Moss at Bates, Wells and Braithwaite Solicitors

Lawrence Lupin and Juliette D'Souza at Lawrence Lupin Solicitors

Sunny Leong at Sunny Leong & Co. Solicitors & Notary Public

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

St. Francis Centre, 13 Hippodrome Place, LONDON, W11 4SF

t: +44 (0)20 7243 2942 f: +44 (0)20 7792 3060

[www.kalayaan.org.uk](http://www.kalayaan.org.uk) email: [info@kalayaan.org.uk](mailto:info@kalayaan.org.uk)

Charity n. 1103847