

KALAYAAN

justice for migrant domestic workers

ANNUAL REPORT AND FINANCIAL STATEMENTS

APRIL 2012-MARCH 2013

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

Tel: + 44 (0)20 7243 2942

Fax: +44 (0)20 7792 3060

www.kalayaan.org.uk email: info@kalayaan.org.uk

Charity n. 1103847

OISC n. N200100457

Contents

Chair's Report	p. 2
Kalayaan's aims and objectives	p. 4
Issues experienced by MDWs	p. 5
Services at Kalayaan	p. 9
Immigration and employment advice	p. 9
Employment Law Project	p. 12
Helping MDWs back to work	p. 13
English classes	p. 14
The Kalayaan Community	p. 16
Campaign	p. 17
Media work	p. 20
Trafficking	p. 20
Treasurer's Report (David Ould)	p. 22
Thanks	p. 23

Financial statements

Appendix

Chair's Report

The year up to March 2103 has been another very busy and eventful year for Kalayaan. Despite considerable challenges, the organisation remains strong, due to the commitment of our talented staff and dedicated volunteers.

The biggest internal challenge was probably the work on the new rooms over the summer and autumn. Rita managed the process of developing the centre and deserves special thanks for this. We now have new rooms that are perfect for our education classes and a space for domestic works to access the internet. Just as importantly, we have a private space for advice interviews now to ensure our clients privacy and confidentiality.

The biggest external challenge, of course, has been the fall out following the visa changes. In consultation with domestic workers, we decided to prioritise a longer term campaign strategy on the visa, rather than try to go for short term wins. We have been concentrating on building an evidence base on the impact of the new visa. We continue to campaign on this issue - which is difficult - but the staff, in partnership with J4DW, have worked hard to keep domestic workers on the political agenda.

In terms of staff, at the end of 2012 we said goodbye and thank you to Natalie Sharples and Ishah Jawaid and were very pleased to welcome Karen Singh and Kate Roberts back to Kalayaan. In January 2103 we recruited Catherine Kenny. I am very pleased that the organisation has such a knowledgeable and enthusiastic staff team. I must also thank my colleagues on the management committee for their time and energy in overseeing the organisation. Particular thanks also to all our volunteers who make such a difference to the organisation and the services we provide.

Kalayaan continues to provide a welcoming and safe space for domestic workers whilst also enabling domestic workers to access their immigration and employment rights. I look forward to another challenging but successful year for the organisation.

Francesca Cooney

Kalayaan's aims and objectives

Since 1987 Kalayaan has worked with and supported migrant domestic workers (MDWs) in the UK, with the **overall aim** of improving their quality of life. Kalayaan recognises that MDWs frequently experience abuse, exploitation, discrimination, racism and social exclusion. The organisation aims to reduce these problems by increasing MDWs' knowledge of their rights and ability to access them in practice, and to improve the policy and legislative environment for MDWs in the UK.

Migrant domestic workers are foreign nationals who have come to the UK accompanying their employers to work in their private household, typically as house-keepers, cooks, nannies, elder carers, or chauffeurs. They enter the UK on an overseas domestic worker visa.

MDWs are particularly vulnerable to abuse of their human rights and to labour exploitation, or in some cases forced labour, for several reasons: they are isolated within their employer's private house, hidden from any of the usual oversight mechanisms for workers, and often have little or no knowledge of the English language. They rely on their employer for their income, their accommodation and their immigration status in the UK, as well as for any information about their rights in the UK. MDWs are restricted from accessing public funds.

Our services were affected by the changes in legislation regarding the domestic worker visa, which came into effect on 6th April 2012. In 2008, Kalayaan and the Union's campaign had led to the government's decision to postpone the planned review of the domestic worker visa. As part of their pledge to cut back on immigration, however, the coalition government went ahead with the proposed review, and since April 2012 domestic workers are only granted a 6-month non-renewable visa, tied to the employer they accompany. They are not allowed to change employer: if they experience abuse and exploitation they will face the choice of continuing to suffer or fleeing and becoming undocumented and at risk of deportation. The short period of their stay also means that it will be impossible in practice to access justice through an employment tribunal, due to the length of the process.

Kalayaan continues to oppose these changes and to campaign for the rights given by the previous system to be reinstated, in particular the right to change employer and remain in the UK legally. In terms of services, Kalayaan will continue to meet the demand of domestic workers already in the UK, not affected by these changes, while also welcoming and supporting newcomers.

Kalayaan's **specific aims** are:

- to increase MDWs' knowledge of their rights
- to increase access to justice
- to increase access to emergency support for victims of abuse
- to raise awareness among policy makers on issues affecting MDWs

-to reduce MDWs' isolation

Our **main objectives** are:

-to provide 1:1 advice on immigration and employment rights

-to refer MDWs to immigration and employment solicitors for free representation

-to refer victims of trafficking to the National Referral Mechanism for assistance and support

-to lobby the UK government on MDWs' rights

-to offer English classes to MDWs

Issues experienced by migrant domestic workers

In recent years, we have always registered an average of 300 new clients a year. During this financial year, however, we registered 198 new service users, a much lower figure than anticipated. We think that this is due to the changes in legislation, which now ties MDWs to their employer. This may make it more difficult for them to approach us, for a number of factors, including:

-they may be more controlled by the employer, given that their visa is tied to them

-as they only have a 6-month visa they may not have the time/opportunity to plan their escape/establish contacts

-those who run away may be too scared to make themselves known, as they find themselves undocumented.

Significantly, out of the 198 new registrations in the last year, only 29 MDWs were on the new visa. We are working with existing service users and with the self-help group of MDWs within Unite the Union, J4DW, to try and reach out to MDWs on the new visa, reassuring them about confidentiality and about our commitment to campaigning for their rights. We are also trying to expand our network of service providers, particularly those who work with victims of trafficking, both in London and elsewhere in the UK, so that if they come in contact with MDWs they can signpost them/refer them to us.

The majority of MDWs who come to Kalayaan live within London, but Kalayaan is keen to extend the benefits of its expertise to all MDWs in the UK, and we answer calls for help or advice from all over the UK, both from workers and from those supporting them. Some MDWs travel from other cities to use our services, particularly the advice sessions on Sundays.

The table below shows the breakdown of newly registered clients by nationality:

New clients by nationality

Philippines	46%
India	16%
Indonesia	9%
Nepal	7%
Nigeria	5%
Sri Lanka	4%
Morocco	2%
Colombia	2%
Tunisia	2%
Egypt	1%
Kenya	1%
Uganda	1%
Zambia	1%

The remaining 4% of clients consisted of nationals of the following countries:

Afghanistan, Burma, Camerun, Malawi, Pakistan, South Africa, Syria and UAE.

We are very concerned about the negative impact that the new legislation is having on migrant domestic workers, because data collected upon registration shows that in most aspects MDWs on the new visa are experiencing worse abuse than those on the old visa, who have more rights and protection.

The table below shows the abuse reported by the MDWs in the period April 12 to March 13, during the registration process:

	MDWs on original visa		MDWs on new tied visa	
	Percentage	Number of MDWs interviewed	Percentage	Number of MDWs interviewed
Physical abuse	15%	n=107	5%	n=21
Psychological abuse	28%	n=130	74%	n=27
Not allowed out of the house	44%	n=136	96%	n=26
Sexual abuse	7%	n= 95	0%	n=16
No regular food	15%	n=117	30%	n=23
Did not have own room	31%	n= 123	85%	n= 27
Did not have a bed	21%	n= 108	58%	n=19
No day off	46%	n= 132	100%	n=25
Worked on call	40%	n=95	89%	n=18
Received no salary	14%	n=113	62%	n=21
Paid less than £50/week	45%	n=113	95%	n=21
Paid less than £100/week	60%	n=113	100%	n=21
Had passport withheld by employer	46%	n= 140	86%	n= 28
Staff believe potentially trafficked	26%	n=144	48%	n=29

These data are collected as part of the registration process, at a time when MDWs 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 are also scared of the repercussions of reporting abuse, particularly if the employer has relatives or powerful contacts in the country where the worker's family lives.

Service users reported situations of physical abuse such as employers hitting them, kicking them, spitting in their face, grabbing them by their clothes, slapping them and pushing them. Domestic workers caring for children often report of being kicked, bitten and hit by them, even under the eyes of their parents, who don't reprimand them.

Forms of psychological abuse described by our clients included shouting, racial abuse and insults such as 'useless' or 'idiot' and threats to be thrown out or deported. Workers often describe these humiliations as 'being treated like an animal'.

Lack of privacy is another recurrent problem for MDWs, and often linked to sexual abuse. The majority live in the employer's household and have no private space to which they can retire. Over half of the MDWs that we have registered don't have their own room and sleep in public areas such as the kitchen, the living-room or the children's bedroom. Sleeping in a public area means that they have no protection against the men in the house's attempts to approach them. In addition, it means that sleep is interrupted by people entering the room for other purposes, or by children waking up. Many of the workers told us that they are expected to wake up in the middle of the night to attend to every need of the members of the household, like making hot drinks, bringing water, etc. Many MDWs don't even have a proper bed and have to sleep on cold floors, with serious consequences for their health.

In many 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.

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'. The tables on the next page show the level of abuse and exploitation reported by new service users

Services at Kalayaan

Immigration and Employment Advice

Kalayaan has continued to provide one-to-one advice sessions to migrant domestic workers on immigration and employment matters, including making referrals to relevant law centres and solicitors where appropriate. In order to ensure maximum accessibility, advice sessions were also available every Sunday, (except on national holidays). Sunday is the only day off for the majority of MDWs, and the most popular choice for appointment time. We have also provided advice sessions in the evening.

Kalayaan has given at least **20 sessions of advice to domestic workers each week**. In order to ensure maximum accessibility, an additional 4 advice sessions were offered every Sunday, (except on national holidays). Sunday is the only day off for the majority of MDWs, and the most popular choice for appointment time.

Some cases can be extremely involved and lengthy whereas others can be quite straightforward advice sessions, and for this reason we try to operate flexibly depending on the caseload of each adviser. However, in any week there are often emergency cases where migrant domestic workers attend Kalayaan having just fled an employer. In these cases we provide advice outside of the allocated sessions.

Advice sessions are normally one hour long and they are strictly confidential. For new clients the first session was the registration process, in which they received information about their immigration and employment rights and has an initial assessment of their situation.

Most people that approach Kalayaan for the first time are not aware of their rights in the UK, and this initial session often represents a breakthrough towards regaining control of their lives. For many MDWs this is a sensitive and emotional time, since this is often the first time they have been able to talk about the abuse they have experienced. During advice sessions the advisor discusses the situation with the workers, and informs them of their rights and responsibilities. Once the situation has been assessed and discussed, Kalayaan's policy is to encourage MDWs to decide themselves which option they wish to pursue, rather than offering them solutions.

If we identify that the individual has had their employment rights violated or is a potential victim of trafficking we discuss this with the domestic worker and make referrals where desired and appropriate.

If they have immigration issues that are beyond our level of expertise and exemption, we refer domestic workers into the Kalayaan legal surgeries for advice or directly to legal aid or private immigration lawyers depending on the person's means.

Additionally there were many domestic workers who popped in to ask quick questions about their situation and to seek advice.

Where these questions were straightforward, we endeavoured to answer them immediately, rather than requiring people to return for an appointment. On average, at least **3-4 people a day dropped in with general enquiries**.

We also provided **advice by telephone** to domestic workers, and to employers. On average we deal with at least **10 general enquiries on immigration and employment matters a day**. We are often called by employers in situations where we have not met their domestic employee. In these cases, although our purpose is not to serve employers, we do assist with general advice and information as for instance about the National Minimum Wage or what documents they need to provide to assist a domestic worker to renew their visa, as we consider that this will be in the interest of the domestic worker concerned.

Kalayaan also continued to run legal surgeries on immigration thanks to immigration solicitors and barristers who give their time as volunteers on Sundays or in the evening.

This year over 200 domestic workers received free immigration advice from a volunteer lawyer or barrister. This advice is usually on issues such as (a) the documents required to bring a dependent (b) advice on whether the person has a case to take for leave/to appeal a decision (where the person would like free advice about this before spending money engaging private representation). Kalayaan wishes to thank the following solicitors for giving us their time and expertise:

Adrian Seelhoff at A. Seelhoff Solicitors

Jenny Oscroft at Cornerstone Barristers

Priya Solanki at 10 King's Bench Walk

Tahir Bashir at Farringdons Solicitors

Kalayaan has recruited and managed a number of volunteers to support our advice and advocacy work. These *ad hoc* volunteers were available when a service user needed support: they have acted as interpreters, accompanied workers to appointments with lawyers, the Home Office, police stations and embassies, and provided support in registering for bank accounts.

Additional services offered to migrant domestic workers, thanks to the help of trained volunteers, included:

-Support in **reporting passports lost or stolen at the police station**

-**Support in attending an employment tribunal**, GPs, their embassy, lawyer appointments

-**Interpreting**

-Assistance **making CVs**

-The '**jobs system**', whereby employers can advertise their job at Kalayaan providing it meets statutory requirements

-**Help reading** the jobs on Kalayaan's notice board

-**Referrals to** Project London (drop in charity **health clinic**), sign posting to 'walk-in' NHS clinics and letters -for domestic workers to provide to GPs detailing their rights to healthcare

-Other ad hoc support, such as: **opening a bank account, buying an oyster card, filling out job application forms**, etc.

Kalayaan would like to thank all the advocacy volunteers and the volunteer interpreters who have offered their support and their friendship to our service users and enabled them to access the services they needed.

Outcomes for individuals

The support we provided to MDWs who had experienced such abuse resulted in the following outcomes:

- **198 migrant domestic workers registered** with Kalayaan and thus **received information about their employment and immigration rights**
- An **additional 500 existing service users received further advice** at follow-up sessions.
- **Over 200 domestic workers received free immigration advice from a volunteer lawyer/barrister** at our surgeries. This advice was usually on issues such as (a) the documents required to bring a dependent (b) advice on whether the person has a case to apply for leave/to appeal a negative decision (sometimes we encourage people to take free advice about their chances of success, before spending money engaging private representation).
- **68 domestic workers wrote their CV** with the help of our volunteers
- **11 domestic workers were accompanied to the police** by volunteers **to report their passports stolen or lost**. This number is decreasing from previous years, as it is more difficult for the new visa holders to approach the police given their precarious immigration status. This is an example of how the changes in the rules have given additional power to abusive employers.
- **28 people were referred to employment solicitors for free representation**, either under legal aid or pro bono.
- **18 individuals had been supported into emergency accommodation** (either with another domestic worker, or through the National Referral Mechanism)

Employment Law Project

The Barrow Cadbury Trust partly funded Kalayaan and the employment solicitors at North Kensington Law Centre to provide increased access to legal advice and representation on breaches of employment law. During this year of the project, a significant change to our work was the end of the partnership with North Kensington Law Centre. In August 2012, all staff within the employment and immigration units, to whom we used to refer our clients, were made redundant with immediate effect. We were concerned about the loss of expertise and stopped making referrals to North Kensington Law Centre. We were extremely worried that clients who had been represented by that team would be left to represent themselves and deal with complex legal issues without assistance. Fortunately, the employment solicitors were able to obtain insurance cover via the Free Representation Unit and continued to act for the clients on a pro bono basis for 3 months. During that time there were a number of positive outcomes for clients including settlements amounting to £30,000. After three months, the team secured a space at Islington Law Centre and set up their specialised Anti-Trafficking and Labour Exploitation Unit (ATLEU), and Kalayaan successfully set up a new referral agreement with ATLEU.

In total, **28 referrals** have been made to external employment advice agencies. Over half of the referrals were made to ATLEU, the rest to Islington Law Centre, the Free Representation Unit, and, on a pro bono basis, to the following firms: Hogan Lovells, Russell Jones and Walker, Freshfields, Bruckhaus Deringer and Slater & Gordon (formerly Russell Jones and Walker). Most of the claims submitted to the tribunal were around breach in working time regulations, National Minimum Wage, constructive dismissal and race discrimination.

Twenty of the referred clients have been awarded claims out of court. During the reporting period, **a combined total of** settlement claims for these clients approximated around **£322,000**. **Three clients have received positive decisions in the employment tribunal** and several other are awaiting their hearing date.

Feedback from clients has been very positive:

One client who won £35,000 in her settlement claim, said:

"I feel very happy that I received my money and so quickly. I can't explain how good I feel. I am so happy with the way Kalayaan worked with me. Kalayaan always takes interest in people's cases.

Another client who was also successful and won an out of court settlement claim against her employer said:

"I enjoy coming to Kalayaan and working with the staff here. They explain everything very well. Kalayaan and the lawyers they referred me to were great. I am glad justice is working. I wanted to make sure that my employers cannot treat anyone the way they treated me"

A client who was destitute when she registered with Kalayaan and decided to pursue an employment case said:

"Kalayaan helped me so much and they treated me with so much respect despite me not knowing much English. My solicitor was excellent and ensured that I didn't lost my current job by arranging appointments around my schedule. Everybody believed the truth I was telling. I am so happy that my case settled for £20,000 and I am now able to provide for my family".

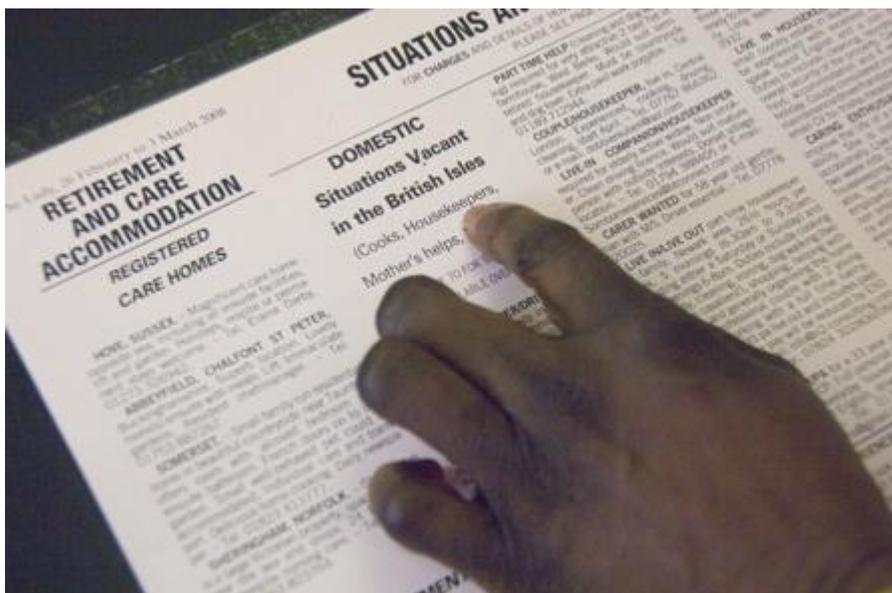
We would like to thank all the employment solicitors that have offered their expertise and support to our service users.

Helping MDWs back to work

For the domestic workers still under the original visa system, finding a new job when they leave an abusive employer represents not just a source of income and a way out of homelessness, but also the condition for them to maintain a legal status in the UK.

Kalayaan has continued to support MDWs find their way back to work by displaying job adverts that employers send us via our website. Employers that advertise through us are aware that workers have often escaped abusive situations and are therefore unable to provide references. Employers are also provided with information about UK employment law and only jobs that comply are advertised. We have employers of many nationalities, which means that even MDWs who can't speak English might be able to find employment.

We display the job adverts on a board in the social area, and we update it every Monday. On Mondays there are two trained volunteers to help manage this service. They also help service users who can't read English or need help to understand some details. Kalayaan would like to thank Jennifer Makin and Sr Shalini, the volunteers who have made this service possible.



Kalayaan has further supported MDWs looking for work by assisting with CV writing: administration volunteers were in the office four days a week and available to offer this service.

While finding a new job is challenging enough for MDWs on a visa that allows them to work, MDWs on the tied visa who escape an abusive employer will find themselves unable to take on any legal work and are at serious risk of becoming homeless and destitute, or of being abused and exploited further by unscrupulous employers who take advantage of their vulnerability and lack of legal protection.

English classes

Accredited Classes

The partnership between the Workers Education Association and Kalayaan continues to deliver for migrant domestic workers. At any one time the WEA were delivering 7 classes specifically for migrant domestic workers. These classes are partly funded by Kalayaan, partly by the Learning Skills Council and partly by the domestic worker learners themselves.

We have delivered **7 ESOL classes per week** (in term time) in partnership with the Workers Education Association (WEA). These WEA classes are made up of:

2 ESOL & Citizenship classes per term

2 ESOL & Numeracy classes lasting the year

2 Basic level literacy classes

1 Higher level literacy class

The ESOL & Numeracy and ESOL & Citizenship classes are ten weeks long and teach English through a syllabus that has a 'citizenship' content. This means that on successful completion of their final exam, students have a certificate that will allow them to apply for indefinite leave to remain (ILR) in the UK. This is important as ILR dramatically reduces the vulnerability of domestic workers, and many would struggle to pass the computerised 'life in the UK test' which requires a high standard of literacy in English.

The Basic level literacy classes are tailored to the needs of the many domestic workers who are not literate in their own language and therefore in order to progress in their English they need support with their literacy.

The higher level literacy class is for domestic workers who have completed the entry level ESOL courses and wish to progress but need to improve their literacy to do so.

Volunteer English Classes

We also continued to offer **informal English classes** at **4 different levels**. While these classes do not provide any certificate, they provide a good platform to progress onto the college classes. As they are run internally, all MDWs, irrespective of their immigration status, are welcome. This provides an opportunity to attract MDWs on the new visa, and maintain contact with them.



We wish to thank all the teachers who have volunteered their time on a Sunday to help our service users learn English, improve their communication skills gain confidence.

The Kalayaan Community

Kalayaan aims to be a safe space where MDWs can relax outside of their employer's home, meet people with similar experiences and make new friends. We have been significantly helped in our efforts to make the social area a warm, welcoming space by our invaluable Community Support volunteers.

Thanks to the regular presence of Sr Shalini on Mondays and Sr Rosary on Sundays, clients who come to the centre on its busiest days are received by a warm welcome. All service users are encouraged to join the volunteers at the table and share hot drinks and food. The community volunteers lend a friendly ear to those who want to have a chat, help those who can't read English go through the job adverts, read letters, fill in forms etc. Sharing food and drinks also help people talk to each other, share experiences and start new friendships.



End of year party, December 2012

We also had an 'End of Year' party for the members of the Kalayaan community, with multi-ethnic music and dance performances and many games. Over 100 service users attended the party.

Campaign

Campaigns and Policy work

Following the devastating changes to the Overseas Domestic Worker visa which were introduced in April 2012 we felt it was important to consult with migrant domestic workers as to the way forward and future asks. In order to inform our future campaign strategy, we ran three focus groups with service users and Justice 4 Domestic Workers members, and we presented MDWs both on the old and the new visa with a list of possible campaign objectives, with the aim to understand whether people were more oriented towards a long-term, principled campaign to have all previous rights reinstated, or a possibly shorter-term campaign to improve some conditions within the limits of the new visa (for instance, staying and working while taking action against old employer in court, being allowed to work for another employer until the 6-month visa finishes, free government accommodation while waiting to leave the UK).

The results indicate the conviction among migrant domestic workers in the UK that their quality of life would improve only with the full restoration of the previous visa system, so any other negotiation (for instance a longer period, but still tied to the employer) would not bring any significant benefit and would only serve to undermine a the eventual restoration of the only rights which can provide significant protection against abuse for migrant domestic workers in the UK; principally an independent immigration status which entails the right to change employer and if in full time work to apply to renew their visa.



Photo credit: Ila Mehrotra

Campaign activities

Legal action

Following the changes to the domestic workers visa in April 2012, Kalayaan applied for permission to Judicially Review the Government's changes to the domestic worker visa under the representation of Zubier Yazdani, solicitor at Deighton Pierce Glyn, who acted pro bono. Unfortunately we were refused permission to judicially review, as the judge agreed with the Home Office argument that Kalayaan is not a victim for the purposes of the human rights Act (in other words, we were not directly affected).

Research

As part of our campaign strategy, we have started to collect evidence on the impact of the new visa on MDWs' lives. We have added questions to our registration form to gather information about:

- (a) What effect the new tied visa has had on domestic workers' ability to escape
- (b) What has been the effect of the new visa on domestic workers' vulnerability post-escape
- (c) What situations would domestic workers be returning home to and would they be at risk of being re-trafficked

This information was published in the briefing paper 'Slavery by a new name; the tied migrant domestic worker visa' which was published at an event in parliament on the 7th May 2013. The event was sponsored by Fiona Mactaggart MP who has worked hard to highlight the issues effecting migrant domestic workers in the UK and marked the completion of the first year since migrant domestic workers entering the UK became tied to their employers.

Policy Reports

Kalayaan produced or contributed to the following reports during the year;

-Provided evidence to Fiona MacTaggart MP on her 'Service not Servitude' report

-Made submission to EHRC report on human rights in the UK 2012—on article 4 (slavery)

-Provided evidence to the Centre for Social Justice for their policy report by the Slavery Working Group. The report 'It Happens Here-Equipping the United Kingdom to fight modern slavery', published in March 2013, makes the following recommendation regarding MDWs:

'Given the risks of exploitation of overseas domestic workers, the Government should restore the ability for domestic workers to change employers. In these cases, the domestic worker should be allowed only to access other domestic work'

Lobbying

Submission to United Nations Universal Periodic Review (UN UPR) of the UK – Kalayaan points included in summary of stakeholder evidence

Provided evidence to the Women’s Resource Centre Shadow Report for CEDAW

Made a Joint Submission with Anti Slavery International UK on Migration for Employment convention 97 under review at the ILO

With Anti Slavery International UK made a joint submission to the CEDAW review of the UK

Kalayaan accompanied two MDWs to meet with the Immigration Minister, Chris Bryant MP, to highlight the issue of MDWs

Presentation at UK Feminista roundtable, asking their activists to write to their MPs to express concerns about the changes

Met Natalie Bennett (leader of Green party), who pledged her support

Presentation at Jewish League of Women, Human Rights Day event, activists asked to write to their MPs

Outcomes of policy and campaigns

Although we were ultimately unsuccessful in stopping Government proposals on changes to the domestic worker visa, we did succeed in convincing them to change some aspects and certainly their discourse. In their initial consultation the UK Government described bringing domestic workers to the UK as visitors and visitor visas and could not confirm to us whether they would be considered covered by UK employment legislation. They have since changed this and are clear that domestic workers are workers with workers rights (even if the effects of their changes make it almost impossible to access these rights in practice)

The campaign against the visa changes has improved Kalayaan’s links with other allies and we have continued to work closely with J4DW in particular. It has also increased the confidence of individual migrant domestic workers in speaking out. Campaign staff worked with many domestic workers who are not the usual individuals to step forward and offer to speak, increasing their confidence and giving them experience in speaking out to politicians, the media and each other. Domestic workers also found the campaign to be a galvanising force and increased support and involvement in Kalayaan’s work and in J4DW. The important thing in the future will be to maintain this momentum, particularly when the day to day reality for migrant domestic workers arriving on the tied visa is so grim and when Kalayaan can offer so little practical assistance to these workers. Kalayaan is committed to continue to campaign until the basic rights of MDWs are re-instated.

MDWs and Media work

Kalayaan has taken every opportunity to give MDWs a platform from which to express the concerns. MDWs have been actively involved in media work, including the following articles:

[More women are forced into slavery after change to immigration law](#) The Independent 3 January 2013

[British Stories of Nigerian Cinderellas are no fairy tale](#) The Independent, 24 January 2013

[ILO urges better pay and conditions for 53 million domestic workers](#) The Guardian, 9 January 2013

[UK based domestic workers share stories of exploitation](#) ABS-CBN News, 20 December 2012

[Workers abused by immune diplomats](#) The Washington Times, 13 December 2012

[Human Luggage: Lives of Neo-bondage and servitude](#) Open Democracy, 30 November 2012

[Where there is no sunlight: one worker's story](#) The New Londoners, 29 May 2012

[Woman allegedly trafficked from India: Six Charged](#) BBC, 18 May 2012

Trafficking

Kalayaan remains an organisation which supports and works with all migrant domestic workers in the UK, whatever their experience or treatment. Many of the workers we see at Kalayaan have been trafficked to the UK for domestic servitude. Kalayaan remains a named 'first responder' which means that we are able to make referrals (if individuals consent to this) in to the Government's National Referral Mechanism (NRM); the system which identifies whether or not someone has been trafficked.

Kalayaan by no means refers all the individuals we identify as trafficked into the NRM. We only make a referral if the worker involved gives their active consent. Many choose not to be referred as they do not see how the label as having been trafficked to the UK will make any difference to their lives and they are keen to move on.

In August 2013 the UK Human Trafficking Centre (the 'Competent Authority') published its Strategic Assessment on the Nature and Scale of Human trafficking in 2012 which reported that there was a decrease of 59% in reports of trafficking for domestic servitude. This decrease may in part be due to domestic workers on the tied visa being driven underground, too fearful to contact authorities and so not being referred to the NRM. However as the report itself states responses to their requests for information vary and their findings in the assessment should be considered illustrative rather than representative.

Liam Vernon, Head of the UKHTC has since confirmed to Kalayaan that they did not receive any data from Kalayaan in 2012, whereas our data significantly contributed to the numbers for domestic servitude in 2011 so it appears that this difference is primarily due to data

collection errors. Kalayaan have since submitted the data retrospectively to the UKHTC and are waiting to see what the figure would have been for 2012 had it been included.

Support to Victims of Trafficking

For those who are referred into the NRM, and who receive a positive 'Reasonable Grounds' decision (ie, there are indicators that she may have been trafficked) there is a 45 day 'reflection period'; a time during which they are entitled to accommodation and cannot be removed from the UK. However among Kalayaan clients the take up of accommodation remains low, principally because accommodation is rarely within London and there remains a fear of losing contact with the support networks and organisations individuals have developed since escaping their traffickers.

Other than the 45 days reflection there is no additional practical statutory support or residence entitlement for victims of trafficking, including those who have a positive conclusive grounds decision (ie. The Competent Authority have decided conclusively that the individual was trafficked) and finding a lawyer can prove difficult. Kalayaan continues to work to support these individuals to the best of our abilities as we do our other clients.

Treasurer's Report

Kalayaan Year 2012-13

Income for the year of **£200,579** was just below the previous year. Although most income came from restricted fund grants, unrestricted income was £26,113 was 27% above the previous year. Total expenditure of **£233,794** for the year was 11% up on the previous year, mainly due to increased payments to legal centres to assist clients with taking employment tribunal cases against their employers.

In consequence Kalayaan's accounts for the financial year 2011/12 showed a deficit of **£33,215**, made up of a deficit of **£24,940** on restricted funds, and a deficit of **£8,275** on unrestricted funds. The main reason for the deficit on restricted funds is the issue of the timing of grants, which do not coincide with the organisation's financial year. As a result the organisation's free (unrestricted) reserves have decreased to **£74,553** but remain in line with the Board's target. Overall the financial situation remains healthy.

At the beginning of 2012 Kalayaan became a not for profit company limited by guarantee. As a result the organisation had to re-register as a charity. This was done and the new company/charity took over all the assets and the debts of the old charity with effect from 1 April 2012. The change in status to a charity and limited company and the re-registration as a charity is reflected in the accounts where the assets of the previous charity, Kalayaan, have been transferred to the new charity, Kalayaan.

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 2012/13 we would particularly like to thank the following:

Barrow Cadbury Trust
The Bromley Trust
The Esmee Fairbairn Foundation
The Oak Foundation
The Royal Borough of Kensington and Chelsea
Trust for London
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.

David Ould

Kalayaan wishes to thank all those that made our work possible

April 2012- March 2013

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

Francesca Cooney - Chair

David Ould - Treasurer

Mumtaz Lalani – Secretary

Margaret Healy – Deputy Chair

Bridget Anderson - Confidentiality Officer

Khadija Najlaoui

Maria Gonzalez Dardagan

Myriam Cherti

Ruby Lopes

Simon Goldie

Thanks to our 12-13 staff team and committed and inspirational volunteers.

Staff

Rita Gava – Projects Co-ordinator

Jenny Moss- Community Advocate (mat leave from Feb 12)

Kate Roberts – Community Advocate (returned from mat leave in Oct 12)

Natalie Sharples - Community Advocate (maternity cover until Oct 12)

Ishah Jawaid - Community Advocate (left Nov 12)

Karanvir Singh - Community Advocate (joined Nov 12)

Catherine Kenny - Community Advocate (maternity cover from Jan 13)

Volunteers

Sr Shalini, Sr Leela and Sr Rosary for their community support work.

Jennifer Makin for her support running the job service and her advocacy work

Anna Weedon, Bhoomika Joshi, Hebah Aboud, Kimberley Meninga, Krizia Ong, Owen Whyte, Rhoda Severino, Rosie Boggis, Sonia Mrsic and Tara Piasetski for their reception, casework support and administration work

Asiya Islam, Janice Babida, Maria Fahmi, Michelle Thornton, Nina Holmes, Ratih Ambarwati, Richa Sandill, Rob Moore, Thaier Mokhef for their advocacy and interpreting work

Our popular English classes could not run without the following volunteer teachers, who give their time on Sundays to ensure that workers not eligible for college classes can learn English:

Angela Michel, Cordelia Mayfield, Denise Brown, Emily Reed, Gareth Barnes, Harriet Ayles, Harriet Maltby, Natalie Sen, Simon Ryan and Susan Toft

Thanks to **Margaret Joojo Richards, Jill Walters, Maria Zur, Richard Bell** and **Sarah Kinsella** from our partner organisation Workers Education Association (WEA) which runs accredited English classes and further training at times accessible to MDWs.

Thanks to the solicitors and barristers who ran the free legal advice surgeries at Kalayaan:

Adrian Seelhoff at A. Seelhoff Solicitors

Jenny Oscroft at Cornerstone Barristers

Priya Solanki at 10 King's Bench Walk

Tahir Bashir at Farringdons Solicitors

We would also like to thank the lawyers who take on so many of our referrals, in particular the employment and immigration team at **ATLEU, Hogan Lovells, Russell Jones and Walker, Freshfields, Bruckhaus Deringer, Slater & Gordon** (formerly Russell Jones and Walker), and **Birnberg Pierce**.

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