

# ANNUAL REPORT AND FINANCIAL STATEMENTS

## APRIL 2016-MARCH 2017

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. 1146596 Company n. 7968872 OISC n. N200100457

Contents	Page
Co-Chair's Report	3
Mission and beneficiaries	4
Direct Services	5
English classes	9
Policy Work	12
Thanks	15
Financial statements	Appendix

#### **CO-CHAIRS' REPORT**

The last year has continued to present challenges to Kalayaan and the work which it does, but new members of staff and ideas and continued financial stability have meant that Kalayaan is well-placed to continue to provide its services to migrant domestic workers, many of whom are vulnerable to exploitation and some who have been trafficked.

The financial year opened with a victory in the House of Lords in a vote on our amendment to the Bill that became the Immigration Act 2016. Our amendment, championed by Lord Hylton who has our very grateful thanks, would have enshrined the recommendations of James Ewins QC in his report for the Government on overseas domestic workers in domestic law. Unfortunately the Government resisted the amendment and it was overturned in the House of Commons. The Government determined that protection could be provided by allowing domestic workers to change employer within the currency of the six-month visa, by changing the commitments their employers must make and by holding information meetings for them after arrival. The information meetings have failed to materialise and all the signs from our caseload are that the changes to the commitments employers must make have not increased protection, while an ability to change employer within the currency of the six-month visa is more apparent than real: finding a job for a few months, particularly when the worker has fled and is without references, is not realistic. We are working to gather evidence on the effect of the changes and to press for the information meetings to be introduced.

We said goodbye just before this financial year to Kate Roberts and in the course of the year to Catherine Kenny, both of whom we thank for their contribution to the work of Kalayaan. Catherine returned to Ireland to complete her doctorate. Kate, to our delight, is not lost to the cause of overseas domestic workers for she has gone to be Head of Office at the Human Trafficking Foundation where overseas domestic workers, along with others, fall within her remit. The departures left large shoes to fill but we have been fortunate in recruiting new staff to develop the work of Kalayaan. We welcomed Avril Sharp as our Policy and Casework Officer. Avril is a level 3 OISC advisor and former legal officer for the POPPY project. Marta Bartek also joined us; she is an immigration solicitor with 10 years' experience. Whilst Marta is on maternity leave we are assisted by Alex Millbrook, a barrister with significant experience in assisting migrant domestic workers in Hong Kong. Along with Dominic Clarke, our English teacher who continues to provide lessons to our clients, Rita Gava, our long-standing Director and Josie Collins, an immensely experienced Casework Officer, Kalayaan's strength in its personnel has never been stronger.

As announced in the last report, Francesca Cooney left us as Chair after nine years and that position is now held jointly by Alison Harvey and Rob Fink. Sadly, the management committee also lost its only migrant domestic worker representative, Khadija Najlaoui, and it continues to seek a management committee member from the migrant domestic worker community. We welcomed Silvia Hill who will act as treasurer.

Our new staff and trustee give us significant strength in depth and mean that we are well placed to continue to implement the results of the strategic review undertaken last year.

#### MISSION AND BENEFICIARIES

Since 1987 Kalayaan has worked with and supported migrant domestic workers (MDWs) in the UK, aiming to improve their quality of life.

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, 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.

Kalayaan 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.

Due to changes in legislation in recent years, we now work with two very distinctive groups of migrant domestic workers:

-those whose visa was issued prior to 6<sup>th</sup> April 2012 have been unaffected by the new restrictions, and continue to be able to renew their visa, provided that they meet the strict conditions, and eventually after 5 years they can apply for settlement. In practice, due to the English language knowledge requirements that need to be met to apply for settlement, many people are not ready after 5 years and continue to renew their domestic worker visa year after year until they are ready. For this reason, we continue to have many service users who are still on the original visa. The demand for our services by this group is still high in terms of support with their applications for visa renewal of settlement, and for advice on employment rights.

-those whose visa was issued after 6<sup>th</sup> April 2012 have very limited options in the UK. Their visa only allows them to remain in the UK for 6 months and it is not renewable in the UK. After the government conceded that MDWs must be granted at least the right to change employer, in May 2016, those who still have a valid visa are allowed to find alternative employment if they escape an abusive situation, but they are still restricted to a 6-month stay in the UK. MDWs from this group often come to us after having experienced harrowing abuse, and Kalayaan would assess the working experience of each individual to determine whether there are indicators of trafficking for domestic servitude.

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 answers 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.

#### **DIRECT SERVICES**

#### Advice

Kalayaan has continued to provide bespoke advice and assistance to Migrant Domestic Workers (MDWs), to promote greater knowledge amongst MDWs in the UK, to empower them to exercise their rights in various ways, and to improve their quality of life.

-throughout the reporting period, Kalayaan has offered an average of **20 one-to-one advice sessions** per week, including advice sessions on Sunday, often the only day off work for MDWs. Over **260 service users** benefitted from these sessions: beneficiaries were a combination of previous and newly registered service users, all of whom presented a diverse range of needs. We **registered 100 new service users**, **70 were assisted with their application for visa renewal**, **57 with settlement applications** and around **40 needed advice on other immigration issues**.

#### Form checking

Immigration applications have become increasingly complex, and require very specific supporting documents. Often the employers are unwilling or too busy to help their workers with these forms, and solicitors would charge between £500 and £1,000, so our service is greatly valued by our service users, who often state that they would not be able to prepare these applications on their own. A MDW who received our assistance in applying for Indefinite Leave to Remain in the UK with her husband and three children as her dependents called to tell us the application was successful and commented:

'Thank you for all the work Kalayaan has done for my application. I feel very relieved and so happy, I am really grateful. And thank you so much for the work you do for other domestic workers too'.

In addition, migrants now have to pay a health surcharge online before applying. Many of our service users are unfamiliar with computers and the internet, and risk making expensive mistakes if they don't use the system correctly, or even worse, have their application rejected for not complying with this requirement. Kalayaan advisers assist service users with this process as part of the form checking service.

We have also observed that the Home Office appears to apply stricter checks on whether MDWs' salary meets the National Minimum Wage (NMW), when applying to extend their leave in the UK. This has increased the importance of having applications checked by Kalayaan advisors before submission, and has added further value to our service: if the employer is not meeting UK Employment legislation requirements in paying the NMW, the application will most likely be rejected, and our intervention may mean that the employer becomes aware and willing to comply.

## Registrations

When Kalayaan registers a new service users, in addition to collecting personal information we assess the working conditions with the employer that brought them to the UK. In the reporting period, we registered 100 new service users, **94% were women** and **6% males**. They came from a broad range of nations, with the highest percentage being from the **Philippines (69%)**, and then **India (8%)**, and **Indonesia (6%)**. The remaining clients came from the following countries: **Bangladesh**, **Egypt**, **Ethiopia**, **Ivory Coast**, **Kenya**, **Morocco**, **Nepal**, **Nigeria**, **Pakistan**, **Peru**, **Sri Lanka**, **St Lucia and Tanzania**.

New clients 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 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 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'.

The isolated nature of their work within their employers' private houses makes domestic workers particularly vulnerable to the risk of sexual abuse. We fear that the percentage of victims might be higher than our statistics indicate, as evidence collected during more indepths interviews shows that this crime is highly underreported at the point of registration. 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.

Many MDWs 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 any unwanted attention. 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 any needs 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 following table indicates the abuse reported:

Abuse reported	Original ODW	Tied visa	Post May 16
to Kalayaan	visa		visa
	(pre Apr 12)		
Physical abuse	<b>1</b> (n = 29) <b>3%</b>	<b>6</b> (n = 14) <b>42%</b>	<b>4</b> (n = 15) <b>26%</b>
Psychological	<b>12</b> (n = 30) <b>40%</b>	<b>17</b> (n = 19) <b>89%</b>	<b>12</b> (n = 14) <b>85%</b>
abuse			
Sexual abuse	<b>0</b> (n = 20) <b>0%</b>	<b>1</b> (n = 9) <b>11%</b>	<b>1</b> (n = 14) <b>7%</b>
No regular food	<b>5</b> (n = 32) <b>16%</b>	<b>11</b> (n = 18) <b>61%</b>	<b>10</b> (n = 16) <b>63%</b>
No bedroom /	<b>13</b> (n = 36) <b>36%</b>	<b>12</b> (n = 20) <b>60%</b>	<b>12</b> (n = 17) <b>71%</b>
private space			
No bed	<b>6</b> (n = 33) <b>18%</b>	<b>8</b> (n = 18) <b>44%</b>	<b>6</b> (n = 16) <b>38%</b>
No day off	11 (n = 33) <b>33%</b>	<b>11</b> (n = 16) <b>69%</b>	<b>9</b> (n = 14) <b>64%</b>
Worked over	<b>7</b> (n = 29) <b>24%</b>	<b>12</b> (n = 18) <b>67%</b>	<b>11</b> (n = 13) <b>85%</b>
15 hours a day			
On call	<b>9</b> (n = 26) <b>35%</b>	<b>10</b> (n = 14) <b>71%</b>	<b>7</b> (n = 10) <b>70%</b>
Not allowed	<b>13</b> (n = 35) <b>37%</b>	<b>14</b> (n = 21) <b>67%</b>	<b>13</b> (n = 16) <b>81%</b>
out			
Weekly salary			
£0	<b>2</b> (n = 14) <b>14%</b>	<b>7</b> (n = 18) <b>39%</b>	<b>5</b> (n = 15) <b>33%</b>
Less than £50	<b>0</b> (n = 14) <b>0%</b>	<b>2</b> (n = 18) <b>11%</b>	<b>0</b> (n = 15) <b>0%</b>
Less than £100	<b>2</b> (n = 14) <b>14%</b>	<b>2</b> (n = 18) <b>11%</b>	<b>4</b> (n = 15) <b>27%</b>
£150 or	<b>10</b> (n = 14) <b>71%</b>	<b>4</b> (n = 18) <b>22%</b>	<b>2</b> (n = 15) <b>13%</b>
aboveuse			
report			
Passport kept	<b>12</b> (n = 34) <b>35%</b>	<b>12</b> (n = 17) <b>71%</b>	<b>15</b> (n = 18) <b>83%</b>
from worker			
Presence of	<b>13</b> (n = 37) <b>35%</b>	<b>15</b> (n = 22) <b>68%</b>	<b>12</b> (n = 18) <b>67%</b>
trafficking			
indicators			

## Referrals

Kalayaan staff referred **20 victims of trafficking into the NRM.** They also received **free representation from immigration solicitors** so that they could make applications for leave to remain either as asylum seekers, under Humanitarian Protection rules or under the new rules which allow MDWs to apply for a 2-year Overseas Domestic Worker visa once they have received the final (conclusive grounds) decisions.

While obviously the experience of having to recount their ordeals is hard, many clients appreciate being heard and report having felt adequately supported by Kalayaan.

A trafficked client who finally received positive conclusive grounds decision and was granted asylum for her and her little children, emailed:

"I am so happy to have a worker like you. You supported us till we got our desired result. I remembered you coming to see us at the B&B [emergency accommodation] when we had no money or food to eat. You were and still are a Blessing to me and my young children. I cannot thank you enough. Thank you for all the support you provided us".

A trafficked client suffering with severe depression wrote:

"I felt better speaking with you yesterday. Thank you. I do appreciate it very much"

Another client who was referred into the NRM and subsequently to the Salvation Army to access safe accommodation and subsistence support emailed:

"I just wanted to say thank you for all the help... words are not enough to show how grateful I am for everything that you've done and the kindness and generosity that you've shown... I feel so blessed and thankful... Thanks for the love and concern... I appreciate everything so much... All the best and more blessings to come".

During the reporting period, 8 clients were referred to pro bono employment solicitors.

In one employment case, referred to Freshfields Bruckhaus, the Court accepted the following claims by the MDW:

- unfair dismissal
- failure to provide statutory minimum notice period of termination of employment
- unfair deductions of wages
- failure to provide an accurate statement of particular terms and conditions of employment (i.e. the date the employment started, the date the Claimant's period of continuous employment began and the Claimant's holiday entitlement and holiday pay)
- failure to provide itemised payslips

The Court issued a judgement ordering compensation for £72,000.

## Volunteer-led Sunday English classes (April 2016 to March 2017)

Kalayaan continued to offer volunteer-led English classes at three different levels, including provision designed to address the needs of students who have had little or no formal education, and may have very limited literacy in their native languages. The reporting period covers two academic years. In the whole previous academic year 2015-2016 (April to July 16), **167 students** attended English classes. In the whole academic year 2016-2017 (September-March), **98 students** have been attending English classes.

The volunteers always created a happy and welcoming atmosphere in which students could socialise and learn at the same time. Topics were chosen which reflected the needs and interests of the students. Volunteers were free to choose their own topics or chose from those suggested by the English class coordinator.

The English Class Coordinator, Dominic Clarke, is extremely grateful for the efforts of volunteers who willingly give up their time on Sundays to help migrant domestic workers, in particular the flexible and helpful approach of teachers and teaching assistants who covered classes at short or no notice. During this period the following volunteers worked on Sundays, and many of these continue to volunteer with Kalayaan, with many benefits provided by this continuity:

Denise Brown-Branch, Lesley Douglas, Denise Tansley, Imogen Arkwright, Sarah Jefferies, Miguel Bodamen. Mary Kuper, Christine Pennington, Hannah Vintner, Neveen Fahmy, Abdul Choudhury, Aliyah Choudhury, Alma Cataytay, Anne-Marie Morgan, Giada Baldi, Karina Khokar, Mai Gray, Riham Al-Yaremi, Stephanie Sybliss, Zahid Zaman, Zinab Baig and Alice Walker.

One volunteer teacher who left due to increased work commitments wrote:

Many thanks for the opportunity to spend the last year as a volunteer staff at Kalayaan, first as a Teaching Assistant and subsequently as a Teacher. I am especially grateful for the opportunity to have been able to teach in the sessions, as I enjoyed it immensely, the students are amazing and it has helped me in gaining the experience I need in the future to tutor adults. I would love to come back occasionally. Once again, thank you for everything. Please could you keep me updated on the things that Kalayaan are doing? I think it's a wonderful charity and I feel very privileged to have been a part of the experience.

Another volunteer was able to achieve her ambition of moving into paid ESOL teaching work.

In line with Kalayaan's commitment to giving something back to volunteers, the English class coordinator organised a training session for volunteers, attendance at this was optional. The coordinator facilitated a discussion amongst attendees about the many different ways a single resource could be exploited in the classroom. In addition, the Coordinator provided career guidance for volunteers wishing to gain paid ESOL work. At the request of a volunteer the coordinator formally mentored a volunteer who was doing a teacher training course at Kensington & Chelsea college.

At the start of the 2016-2017 academic year a full day's induction was offered to all Sunday volunteers. This included a session led by the English class project manager, Josie Collins, giving insights into Kalayaan's work and the situation of migrant domestic workers. Also the English class coordinator led a session in which volunteers were given detailed training about the screening clients to check their English proficiency level, helping make sure students attended the most suitable class.

#### Preparation classes for the language components of Indefinite Leave to Remain

Kalayaan continued to provide free of charge preparation classes for the Life in The UK ( LIUK) test and the B1 Speaking and Listening test, as part of its commitment to helping clients gain the very significant benefits of Indefinite Leave to Remain.During this reporting period 38 students attended LIUK classes and 13 students passed the LIUK test. 34 students attended B1 S&L classes and 18 students passed the S&L exam.

The 2015-2016 Annual Report contains background information on these two language tests. Suffice it to say that the Life in The UK test is an extremely challenging test, while the Speaking & Listening test can be potentially very stressful for students due to its 'viva voce' aspect. On a positive note, the language requirements for Indefinite Leave to Remain have remained unchanged since April 2015, in the previous few years these were subject to frequent significant change, always becoming more challenging. This stability means the English class coordinator has developed his teaching practice specific to these assessments.

With regard to the LIUK test, a systematic and detailed approach is taken to help students retain the large amount of (frequently arcane) content that students need to recall in order to succeed in the live exam. The English class coordinator is keen to ensure that weaker students are supported in this onerous task. To this end he has devised a set of self study materials that allow stronger students to progress via a more independent study route, allowing the coordinator to give more individualised support to weaker students. Notwithstanding this approach, weaker and stronger students happily work together in classes. The classes are run on a roll-on,roll off basis – students do not need to wait until the start of a term to join the class and can leave when they feel ready to attempt the exams.

The S&L exam is a very different proposition from the LIUK test. In particular, the S&L exam is highly personalised, since students can choose what they wish to talk about in the first part of the exam. Students generally chose to talk about their jobs, and the coordinator has now created a set of materials to help them approach the live exam with confidence when

talking about their jobs. Students with a high degree of fluency in English, only need to attend one or two sessions to become familiar with the format and conduct of the exams.

As mentioned above, students frequently chose to talk about their jobs in the S&L exam. This is particularly helpful for students with lower proficiency in spoken English, since this is clearly a familiar and relevant topic – they would not be clients of Kalayaan if they were not migrant workers. Within their chosen topic students then decide 5 'items' related to the topic to talk about. For example within the topic *My Job* the 5 items could be: *money, hours, contract of employment, respect, working in another country.* The discussions between students on these topics are informed by their own working lives and are an opportunity to exchange experiences and talk about their feelings in a sympathetic and supportive setting.

Occasionally, the English class coordinator has noted that students may be giving each other immigration advice. In these situations the coordinator always instructs students to talk to a Kalayaan adviser.

The English class coordinator adopts a holistic approach to the preparation classes for the LIUK and SELT classes. This means that prior to joining the course students are assessed both in terms of speaking and listening and ability to meet the demands of the LIUK test. Students are given advice on booking the tests and guided through this if required.

#### **POLICY WORK**

Kalayaan has successfully brought the issue of the increased vulnerability of MDWs on the government's agenda.

Our main focus in the reporting period has been on the amendment to the Immigration Bill 2016 on overseas domestic workers. Representatives of Kalayaan, J4DW and Unite the Union met with the then Labour immigration spokesperson Mr Keir Starmer MP and his special advisor prior to the debate in the House of Commons on the amendment to the Immigration Bill 2016 on migrant domestic workers tabled by Lord Hylton and Lord Rosser. Mr Starmer assured us of Labour's support for the rights of domestic workers and in particular support for the amendment to the Immigration Bill 2016. Mr Starmer proposed a further meeting as Labour are in the process of revising their immigration policy.

Kalayaan considered that Government's amendment made to the Immigration Bill are not adequate to ensure that the rights of domestic workers are protected and to prevent trafficking and other forms of modern slavery among this vulnerable group of workers.

The government accepted that ODWs should be provided an escape route from abuse and permitted to change employer, but only for the duration of their six-month visa. While this is an admission that the right to change employer is inalienable, Kalayaan believes this is of little benefit in practice, as it is will be difficult to secure employment for such short term, and we will continue to advocate for the right to extend the visa.

The most significant achievement of our campaign was that the Home Office conceded that if a victim of trafficking for domestic servitude receives a positive Conclusive Ground decision they can apply for a 2-year visa. Kalayaan will be monitoring how this is applied in practice.

Kalayaan welcomed the Government's stated intention of providing information sessions for all newly arrived domestic workers staying in the UK for more than 42 days, which have the stated purpose of giving information on rights and check working conditions. Kalayaan will be monitoring the progress of this project. The Home Office have confirmed that Kalayaan will be able to feed into the discussions and preparation of these meetings as they are rolled out.

Kalayaan also had a very useful meeting with the Independent Anti-Slavery Commissioner (IASC) Mr Kevin Hyland in April 16. Although Mr Hyland did not share Kalayaan's view that domestic workers should be permitted to change employer and renew their visa, he supported the provision of information sessions for domestic workers and looked forward to working closely with Kalayaan on this and other measures.

Kalayaan continued to be a member of the Modern Slavery Stakeholders Forum chaired by Minister Karen Bradley until its winding up in April. This group has now been replaced by the Modern Slavery Strategy implementation Group. Given its expertise in working with domestic workers who have been trafficked and otherwise been victims of modern slavery, we applied for associate membership of this Group and our application was accepted by the Home Office.

As a member of the Anti Trafficking Monitoring Group, Kalayaan fed into the joint response into the outcomes of the National Referral Mechanism (NRM) pilots and continues to engage in dialogue with the Independent Anti Slavery Commissioner. It is envisaged that the Home Office Modern Slavery Unit will propose a Model NRM to the Minister based on the results of the NRM and the input of stakeholders.

In May 16, we made a submission to Chris Rant at the Ministry of Justice to the Consultation on the provision of legal aid in respect of Trafficking and Modern Slavery Compensation Claims, highlighting the difficulties of securing access to Legal Aid solicitors since the coming into force of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) in April 2012, which has reduced the matter starts given to Legal Aid solicitors firms. Solicitors were limited to five cases a year. Given the restricted matter starts given to solicitors firms who have experience in representing victims of trafficking for compensation claims, Kalayaan remains concerned that victims who have the right to pursue a claim are being denied the opportunity to do so because of the difficulties in accessing legal aid. Legal aid is a fundamental right and a restorative justice for victims who have been abused and exploited by their employer.

In August 2016, Kalayaan submitted recommendations to the Independent Chief Inspector of Borders and Immigration on the inspection of the identification of potential victims of trafficking at the UK border. Kalayaan recommended that UK border officials issue an information leaflet to domestic workers and produce it in a variety of languages. This would ensure that workers were aware of some of their basic rights as workers in the UK which they may previously been unaware of if they were not issued an information leaflet at the visa application centre abroad. Andrew Ould, on behalf of the office of the ICIBI contacted Kalayaan to thank us for our submissions and said they would be taking on board this recommendation.

In December 2016, Kalayaan made submissions to the Work and Pensions Committee inquiry examining the Department for Work and Pensions' policies and processes in relation to recognised victims of trafficking. We called on the Committee to lend support to calls for long term support tailored to individual need once victims had been conclusively identified. We also highlighted issues that we anticipated with procedural issues in applying for further leave as a domestic worker who had been accepted as a victim of trafficking. Kalayaan was also a co-author to a new report on victim care titled: *Supporting adult survivors of slavery to facilitate recovery and reintegration and prevent re-exploitation*. This was published in March 2017.

Kalayaan has also been preparing for a legal test case, an intervention in the appeal brought before the Supreme Court (Reyes v Almalki), challenging the diplomatic immunity of the trafficker. The case is due to be heard in the spring of 2017. The intervention is based on these points: 1. A diplomat who has trafficked their worker is engaging in a commercial activity outside of their official functions and therefore the commercial exception to immunity under Article 31(1)(c) Vienna Convention on Diplomatic Relations 1961 applies (Human trafficking is inherently commercial)

2. The prohibition of slavery/trafficking is a ius cogens peremptory norm in international law of an equivalent status to diplomatic immunity and the conflict between the two should be resolved in favour of a human rights based approach

3. The role of the court requires it to make ECHR compliant decision favouring the approach in (2) above. If the commercial exception does not apply, then the resulting immunity is contrary to Articles 4 and 6 ECHR because it deprives DW of what is recognised by the government as a key protection against trafficking and exploitation.

Kalayaan continues to be a member of the Anti Trafficking Monitoring Group. Our most recent contribution was a chapter in the latest report 'Class Acts? – Examining modern slavery legislation across the UK'.

We met with the Home Office and the Organised Crime Command (SCO7) regarding 'Operation Radix', an initiative of the Home Office Modern Slavery Unit in collaboration with the Metropolitan Police, consisting of unannounced visits to households where a recently arrived MDW works, in order to check working conditions, etc. At the meeting we made recommendations, as we have concerns that MDWs may be reluctant to disclose abuse in front of employers.

In recognition of our policy work, Kalayaan was very proud to be presented with an award for Outstanding Contribution to the Fight against Modern Slavery at the Anti-Slavery Day Awards 2016 organised by the Human Trafficking Foundation and the All-Party Parliamentary Group on Modern Day Slavery/Human Trafficking, and supported by the Marsh Christian Trust. The winners were announced during a ceremony at the State Rooms of Speaker's House. John Bercow MP, Speaker of the House of Commons, Home Secretary, Rt Hon Amber Rudd MP and Human Trafficking Foundation's Chairman, Anthony Steen CBE presented the awards.

## THANKS

## Kalayaan wishes to thank all those that made our work possible

#### <u>Trustees</u>

Thanks to our fantastic Trustees for their constant support:

Alison Harvey – Co-Chair Rob Fink – Co-Chair David Ould – Treasurer Dr Virginia Mantouvalou (Secretary) Dr Myriam Cherti Mumtaz Lalani (resigned Jul 16) Khadija Najlaoui (resigned June 17) Francesca Coney (Chair until Nov 16, resigned March 17) Silvia Hill (joined Jul 17)

## <u>Staff</u>

Thanks to our dedicated staff:

Rita Gava – Director Josie Collins – Casework Officer Avril Sharp – Policy and Casework Officer Marta Bratek – Immigration Solicitor (on maternity leave since Mar 17) Alex Millbrook – Immigration Lawyer (maternity cover) Catherine Kenny - Community Advocate (left June 16) Dominic Clarke – English Teacher and Class Coordinator

## **Volunteers**

Thanks to **Sr. Leela Philip**, **Sr. Elisabeth Varghese**, **Sr. Mary Selvaraj** and **Sr Shalini Saleth**, of the order of the Franciscan Servants of Mary for their invaluable practical and emotional support to the our service users, especially with emergency accommodation.

Thanks to our office volunteers for their support to clients, administrative work and support with research work: Despoina Georgiou, Kazuki Yamada, Patrick Burland, Shavone Ravlich, Sheri Somera and Zina Askari.

Our popular English classes could not run without the following volunteer teachers, who give their time on Sundays: Denise Brown-Branch, Lesley Douglas, Denise Tansley, Imogen Arkwright, Sarah Jefferies, Miguel Bodamen. Mary Kuper, Christine Pennington, Hannah Vintner, Neveen Fahmy, Abdul Choudhury, Aliyah Choudhury, Alma Cataytay, Anne-Marie Morgan, Giada Baldi, Karina Khokar, Mai Gray, Riham Al-Yaremi, Stephanie Sybliss, Zahid Zaman, Zinab Baig and Alice Walker. <u>Friends and Supporters</u> Kalayaan wishes to thank the following law firms for giving us their time and expertise and supporting our clients: ATLEU, Blavo and Co, Bindmans, Birnberg Peirce & Partners, Deighton Pierce Glynn, Duncan Lewis, Hogan Lovells, Freshfields, JCWI, Keasar and Co, Liberty, and Wilsons.

Thanks to **Marissa Begonia** and **everyone at J4DW** (now **The Voice of Domestic Workers**) for their collaboration and support.

Thanks to our generous Funders and Donors, who make our work possible: the AB Charitable Trust, the Barrow Cadbury Trust, the Bromley Trust, the Esmee Fairbairn Foundation, the Henry Smith Charity, the Lloyds Bank Foundation, the Oak Foundation, the Royal Borough of Kensington and Chelsea, the Samworth Foundation, Trust for London, and all the individuals who support us with their kind donations.