



# KALAYAAN

justice for migrant domestic workers

Oral statement from Kalayaan

## **Human Rights Committee's review of the eighth Periodic Report of the United Kingdom**

**Formal briefing – Civil society – 11 March 2024**

**Speaker: Ms. Sophie Levack**

Dear Chair, Excellencies, members of the Human Rights Committee, Ladies and Gentlemen,

I represent Kalayaan, a British charity that provides legal advice and support to migrant domestic workers in the United Kingdom. Kalayaan wishes to bring to the Committee's attention the United Kingdom's ongoing failure to prevent the trafficking and modern slavery of migrant domestic workers.

Migrant domestic workers enter the UK on a non-renewable six-month visa. While this visa theoretically grants them rights, in reality, resolving an employment claim often takes longer than six months, leaving many workers without remedy and access to justice, and enabling further, more serious, abuse.

For the past 12 years, the UK Government's position has been to wait until work conditions amount to trafficking or slavery *before* taking any action. The UK Government's continued reliance on the National Referral Mechanism to support abused workers is deeply flawed given that not all abuse experienced by migrant domestic workers amounts to trafficking or modern slavery. Those who experience other forms of abuse and labour law breaches are not protected at all and fall into a gap in protection.

The UK also neglects the crisis faced by NGOs like Kalayaan who struggle to refer survivors into the National Referral Mechanism. Lack of NGOs with the ability to make referrals has created bottlenecks, thus denying access to support and putting survivors at unnecessary risk.

Furthermore, many migrant workers in the National Referral Mechanism are prohibited from working, forced instead to become reliant on the state and often unable to meet their basic needs. This has resulted in people being forced to take exploitative work, all whilst they are in the framework which is designed to protect them.

We thank the Committee for their support and call for the UK Government to fully abide by its obligations to prevent trafficking and slavery and support survivors, by:

- Firstly, restoring the terms of the Overseas Domestic Worker Visa in place prior to April 2012, which granted, among other rights, the right to renew the visa, subject to ongoing employment;
- Secondly, increasing the number of organisations able to refer survivors to the National Referral Mechanism; and
- Thirdly, granting all survivors in the National Referral Mechanism the right to work.