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Michael Tomlinson MP
Minister for Illegal Migration
Home Office

Sent via email only.

28th March 2024

Dear Michael,

Re: The increasing exploitation of migrant workers and lack of government action

I am writing to you about concerning media reports detailing the exploitation of migrant workers and the ways in which a number of unscrupulous employers appear to be misusing Government visa and recruitment schemes to trap workers into poor working conditions and so-called 'debt bondage'. These practices appear particularly prevalent across the social care, agriculture, and domestic worker visa schemes.

Only this week the Government belatedly published a report from the former Independent Inspector of Borders and Immigration into the health and social care scheme which displayed serious misgivings about its management, including the concerning revelation that 275 visas had been awarded to a care home that didn't actually exist. And I am deeply concerned that this lack of oversight and regulation reflects wider failures within the immigration system which allow for unscrupulous employers to exploit migrant workers.

Everybody loses when migrant workers are exploited. Poor wages and conditions are detrimental for the people who are being exploited, it is bad for public finances with the Exchequer receiving less tax revenue, and it is bad for local workers who are often undercut. Yet Government Ministers appear to be turning a blind eye.

Exploitation within the Seasonal Agricultural Worker Visa Scheme

In October 2023, [a report](#) published by The Bureau of Investigative Journalism (TBIJ) revealed long-standing awareness by the Home Office of widespread and serious exploitation experienced by migrant workers on British farms. It is difficult to know what is more disturbing; the allegations themselves, or the fact that the Home Office's immigration watchdog (the ICIBI) pointed out that none of the allegations were investigated sufficiently by the Home Office.

The TBIJ report argues that many of these reported abuses were *"in sharp contrast with equivalent programmes in other countries, like the US, where flights and accommodation costs are covered by the farm, or Canada, where the cost of accommodation is capped at CA\$30 (£18) per week."*

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In its [2022 annual report](#), the MAC designated agriculture as one of only two sectors (alongside hand car washes) with 'severe' risks of non-compliance with labour laws.

Evidence presented in the 11th May 2023 session of the [House of Lords Horticulture Committee](#) also suggested that exploitation of migrant workers on the scheme is taking place both in their recruitment and their employment.

Given the importance of ensuring that this scheme does not feed exploitation, I would appreciate it if you could provide me answers to the following questions:

- 1. What do you make of the Independent Chief Inspector of Borders and Immigration's findings that the Home Office failed to investigate serious allegations of abuse?**
- 2. Could you provide data about the average number of hours, weeks and months worked by each seasonal worker on the scheme?**
- 3. What consideration has been given to giving greater flexibility to workers on the scheme, establishing a clear employer transfer pathway, including transparent criteria for making a transfer request and a process for considering such requests?**
- 4. What consideration has been given to having a standardised contract for workers on the SAWS, which can be shared with workers in their country of origin?**
- 5. What consideration has been given to a grievance mechanism for workers on the SAWS and on its funding, including the possibility of this being funded by employers?**

Exploitation within Health and Social Care

The BBC [revealed](#) last summer that the number of modern slavery cases reported within the care industry has more than doubled compared to the same period last year, with 109 potential victims, exploited for personal or financial gain, between January and March 2023.

The Gangmasters and Labour Abuse Authority (GLAA) said that there were 17 ongoing care sector investigations, relating to more than 300 pieces of intelligence. Charity Unseen says the rise in calls about the care sector in the past 12 months is because the government has made it easier for overseas social care staff to work in the UK post-Brexit.

Last year the Observer reported that workers from countries including India, the Philippines, Ghana and Zimbabwe said privately that they were being charged between £2,000 and £18,000 in illegal fees. Meanwhile, John Ncube, who came to Britain from Zimbabwe in 2021,

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[told the Observer](#) he had been forced to borrow money to cover the cost of a £2,000 'administration fee' for finding his job, with £250 a month deducted from his salary. [Another Observer report](#) suggested that workers are also being trafficked into the care sector by illegal routes, including an 18-year-old who was brought from West Africa as the spouse of a man on a student visa and forced to work as a domiciliary carer. The teenager believed she was going to work in the beauty industry, but she was registered to a UK care agency using a fake identity and forced to work 10 hours a day, seven days a week, while the money went into someone else's bank account.

Could I therefore ask you to address the following questions:

6. **What tangible results have there been from 'Operation Brycem' in identifying victims of modern slavery, particularly in the care sector?** There has been a number of government [press releases](#) about enforcement raids, including with respect to care work, but what progress has been made in improving the rates of prosecution and conviction against exploitative employers for illegal working offences?
7. **Does it concern you that the share of care sector-related complaints to the Employment Agency Standards Inspectorate, which ultimately lead to enforcement action being taken, is [falling](#)?** And in light of these figures, is the government confident that the inspectorate has adequate resources at its disposal to tackle increasing exploitation?
8. **Why has the GLAA's annual budget been cut by 20%?** Will this not limit the organisation's ability to tackle worker exploitation?

Exploitation within the Domestic Worker scheme

I have recently heard testimonies from women who've worked in the UK on domestic worker visas and suffered intolerable mental and physical abuse at the hands of their employers.

9. **Please could you set out what research your department has undertaken into the levels of domestic worker exploitation?** How do you plan to tackle this awful practice?

The Government's wider strategy to tackle worker exploitation

On the wider topic of worker exploitation, I would appreciate answers to the following questions?:

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10. **Why have the Conservative Government dropped its manifesto commitment to establish a Single Enforcement Body?** This proposal is widely popular and your Party made a commitment in 2019 to introduce legislation at the earliest opportunity.
11. **Can you confirm the number of inspectors employed in the Employment Agency Standards Inspectorate, the Gangmasters and Labour Abuse Authority and the National Minimum Wage Team at His Majesty's Revenue and Customs?** Evidence presented at two different Parliamentary committees have made clear the importance of properly resourcing such a body and that it must be resourced to International Labour Organisation (ILO) standards. The ILO recommends that Governments employ at least one inspector for every 10,000 workers in the country. The DLME believes we currently have a quarter of that number (Guardian interview, February 2023) and the TUC believes the UK is 1,797 inspectors short.

The Labour Party is clear on how we would tackle exploitation. We would introduce a Single Enforcement Body for employment rights and protections, restrict the use of repayment clauses for relocation and visa costs, and deliver serious reforms for social care – including a National Care Service, a workforce plan, and the rollout of a Fair Pay Agreement for adult social care to empower workers.

I do hope the Conservative Government can commit to matching these ambitions.

I look forward to receiving your reply on these important points. Due to the level of public interest in this matter I plan to make this letter public.

Kind regards,

Stephen Kinnock
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Shadow Minister for Immigration

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