



**KALAYAAN**  
justice for migrant domestic workers

**The Voice of  
Domestic Workers**



Felicity Buchan  
MP for Kensington  
By email: [felicity.buchan.mp@parliament.uk](mailto:felicity.buchan.mp@parliament.uk)

**5 April 2024**

Dear Felicity Buchan,

Thank you for your time in speaking with us on Microsoft Teams on 22 March 2024.

As the MP for Kensington where Kalayaan's community centre is based, we believe it is very important to highlight the every-day issues our client group faces and the changes we need to see in order that they are kept safe and protected at work.

The UK issues approximately 20,000 visas to migrant domestic workers each year. In 2012, changes were made to the terms of the Overseas Domestic Worker visa which saw workers tied to the employer they accompanied to the UK. This meant that even in cases where workers fled abusive employers, they became undocumented and at risk from those looking to exploit their insecure status in the UK.

In 2016, after the findings of an independent review into the visa was published, the Government made some limited changes to the visa terms. In April 2016, the Government permitted workers to change employers in order they had an escape route from abuse, but they rejected the review's recommendation for workers to have the right to renew their visa, subject to ongoing employment. The review was evidence based and its recommendations designed to fit together in order to secure and guarantee the fundamental rights of migrant domestic workers whilst they are in the UK. The review found that workers need to be afforded sufficient time to be able to safely exercise their right to change employer, as the underlying rationale for changing employers is to give workers a route out of abusive employment, of which safe re-employment is an essential part.

Ultimately the Government did not agree with the review's recommendation so, since April 2016, workers have the right to change employers, but only whilst their six-month visa remains valid. It is, generally, outside the control of workers as to when they arrive in the UK, as this is dictated by their employer, meaning that workers arrive in the UK with less than, sometimes significantly less than, six months on their visa. Once they have left an abusive employer and found their way to The Voice of Domestic Workers and Kalayaan, often the first place they receive trusted and regulated advice on their position in the UK, their visa has only weeks, sometimes days before it expires.

When Kalayaan and The Voice of Domestic Workers have tried to flag this issue with the Home Office, they have advised that they are aware of the special vulnerability that migrant domestic workers have, and that there is the National Referral Mechanism (NRM) to provide support and assistance. This policy position is problematic because not only does it not *prevent* work conditions from deteriorating but also because not all abuse experienced by migrant domestic workers falls within the legal definition of trafficking or slavery. These cases will not qualify for a referral, leaving workers at high risk of further harm from those looking to exploit their insecure status. Some of these workers have been forced into exploitative work due to there being no other options for their survival.

There is a proven solution that works to safeguard all migrant domestic workers who experience abuse at work. The original Overseas Domestic Worker visa, in place from 1998 – 2012, is recognised both nationally and internationally as the best form of protection for this workforce. This visa permitted workers to change employer without condition (but did require workers register any such change with the Home Office for them to consider initiating any enquiries against abusive and unscrupulous employers) and granted workers the right to renew their visa annually, subject to ongoing employment and so long as they could demonstrate they would be self-sufficient without recourse to public funds. This meant that workers remained visible to the authorities at all times, and were able to contribute financially via tax contributions and immigration application fees, as well as paying for their legal costs.

Reinstating the rights provided for by the original Overseas Domestic Worker visa would transform the lives of this workforce and guarantee their safety at work. You kindly offered to write to the Home Secretary to convey our concerns so we would be grateful if your office could arrange this at your earliest availability. Later this year, Kalayaan is due to publish some new research on the impact of the current visa terms on migrant domestic workers which we would be happy to share with you.

Thank you for your time in speaking with us and our client about her own experiences in the UK since leaving her abusive employer. We look forward to working with your office on tackling this issue.

If you require further information, please do not hesitate to contact us.

Yours sincerely,

**Avril Sharp, Policy Officer for Kalayaan.**

**Marissa Begonia, Director of The Voice of Domestic Workers.**