



Dame Sara Thornton DBE QPM
Independent Anti-Slavery Commissioner
5th Floor, Globe House
89 Eccleston Square
London, SW1V 1PN

Tel: +44 (0) 20 3513 0477

Email: shelley.perera@iasc.independent.gov.uk

7 January 2020

Kevin Foster MP
Parliamentary Under Secretary for Immigration
Home Office
2 Marsham Street
London
SW1P 4DF

Dear Minister,

Overseas domestic worker visas: the application process and information sessions

I am writing to you in connection with my statutory responsibility to encourage good practice in the prevention of slavery and human trafficking offences. In October 2019 I wrote to your predecessor, Seema Kennedy, raising concerns over certain aspects of domestic worker visas. Understandably, due to the dissolution of Parliament I did not receive a response.

I would therefore be grateful if you could provide me with an update on the current position of two key steps the Government agreed to take in response to the Independent Review of the Overseas Domestic Worker Visa published in December 2015:

- Implementing information sessions for overseas domestic workers in the UK
- Considering whether a more proactive approach to communicating rights and obligations is necessary during the entry clearance process

The Government commissioned the review in March 2015 in order to assess whether the arrangements for the overseas domestic workers visa were appropriate, given its commitment to tackling modern slavery. I acknowledge that a number of reforms have since been introduced. However, in October 2019 I met with Kalayaan (a charity working to support migrant domestic workers in the UK) and three survivors who had escaped from domestic servitude a few years ago.

Having listened to their experiences I share their concerns around implementation of the specific steps mentioned above to protect migrant domestic workers from abuse and exploitation.

Information sessions

The independent review highlighted two key recommendations. The first related to the terms of the visa and the existence of an employer tie. The second recommended the *'introduction of mandatory group information sessions for all overseas domestic workers who remain in the UK for more than 42 days'*. Furthermore, the review concluded that the first key recommendation would only be of

practical help if overseas domestic workers understand their rights¹, emphasising the importance of these information sessions.

In March 2016 the then Minister of State for Immigration, James Brokenshire, set out the Government response to the key recommendations. In this he committed to implementing the review's proposal for information meetings for overseas domestic workers in the UK, hosted independently of the Home Office².

On July 12 2019 the Financial Times published an article raising concerns that plans for information meetings would be abandoned, although the Home Office stated that results of the tendering exercise would be released in due course³. I also note Vernon Coaker's subsequent written question to the Home Office on timescales for the information sessions on 16 July 2019. The then Minister of State for Immigration, Caroline Nokes, similarly stated that the Government was running a procurement exercise and that results would be released in due course⁴.

In my original letter to Seema Kennedy I referenced an update provided by Kalayaan to the Modern Slavery Strategy and Implementation Group Prevent meeting in September 2019. During a meeting with Home Office officials in May 2019, Kalayaan was informed that there were a number of commercial issues with the low number of bids received and that a final decision on the procurement process would be made in about a month's time, but no further information had been provided⁵. I understand that there has still been no formal update and I am concerned by persistent rumours in the sector that the information sessions will indeed no longer be implemented.

The entry clearance process

The independent review also made a number of recommendations to ensure that applicants for overseas domestic worker visas are communicated with independently of their employers and given clear information about their rights⁶.

The Government accepted the broad thrust of these recommendations and committed to considering whether it should adopt a more proactive approach to communicating rights and obligations during the entry clearance process⁷.

Although the Government does produce leaflets for provision at the visa application stage, evidence collated by Kalayaan from those registering with them between 6 April 2016 and 19 August 2019 suggests that workers are often not issued with this information and are not always spoken to independently⁸:

- 89% of workers were not issued an information sheet

¹ James Ewins 'Independent Review of the Overseas Domestic Workers Visa' 17 December 2015

² James Brokenshire 'Overseas Domestic Workers: Written statement – HLWS568' 7 March 2016

³ Robert Wright 'Ministers set to drop plan to safeguard overseas domestic workers' Financial Times 12 July 2019

⁴ Caroline Nokes, response to 'Migrant Workers: Domestic Service: Written question – 275677' 16 July 2019

⁵ Kalayaan 'Briefing on overseas domestic workers for the Modern Slavery Strategy and Implementation Group prevent meeting', 11 September 2019

⁶ See note 1 above

⁷ See note 2 above

⁸ The total number of workers on the current visa regime registering with Kalayaan was 131, although answers relating specifically to the information sheet and whether they were accompanied to interview by their employer were only recorded for 110 and 98 workers respectively.

- 58% of workers were accompanied to the interview at the visa application centre by their employer or member of staff
- 30% of workers travelled from Saudi Arabia, 24% from Qatar and 20% from UAE

I would really appreciate your support in providing an update on the current position and addressing my concerns around these issues.

More broadly, I am aware of proposals to conduct a deep dive into overseas domestic worker visas. I would welcome the opportunity to input into this and suggest Government also consult the author of the 2015 Independent Review of the Overseas Domestic Worker Visa, James Ewins QC.

I look forward to receiving your response. In the interests of transparency, I request that you respond in a way that enables me to publish your letter on my website.



Independent Anti-Slavery Commissioner