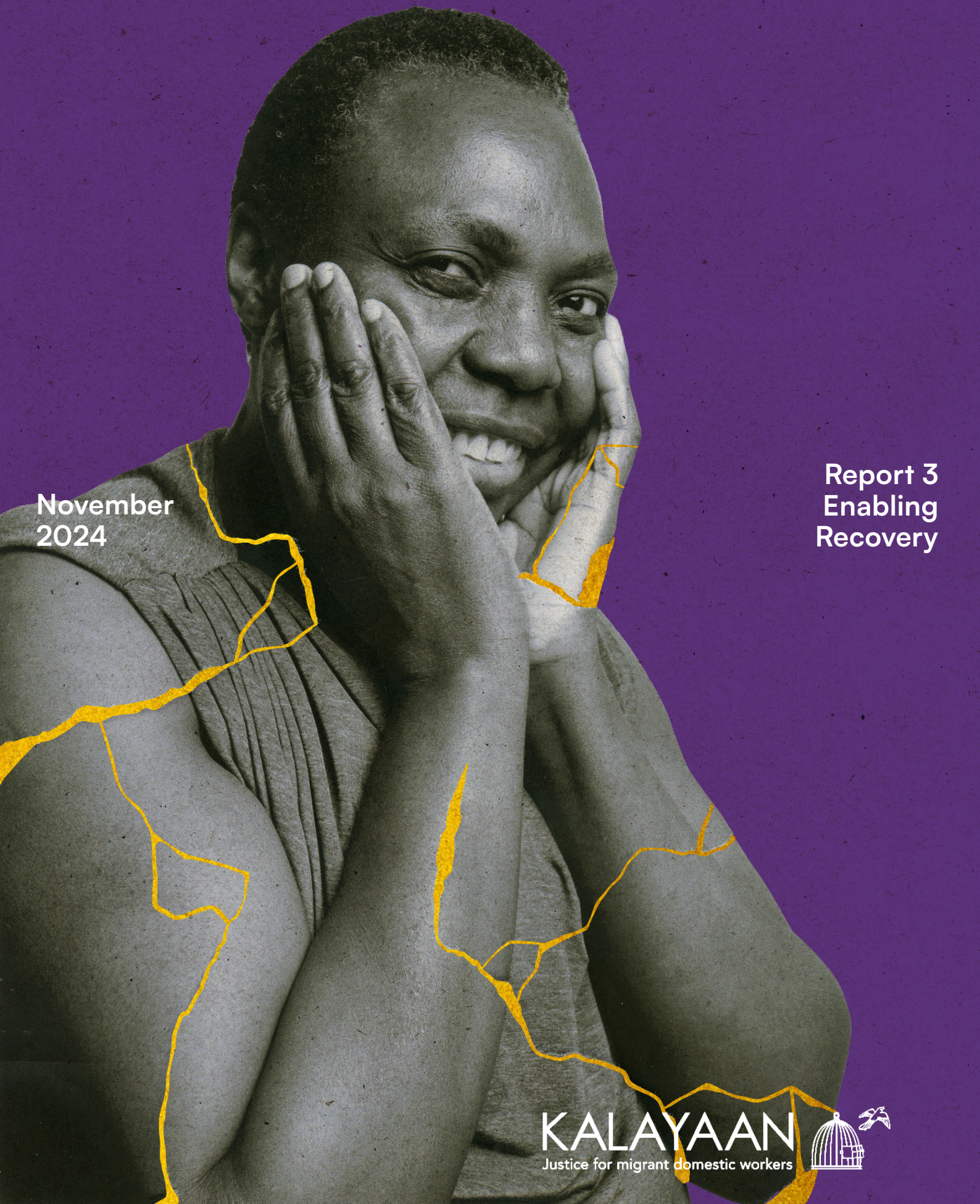
READY, WILLING & ABLE

The cost of not allowing survivors in the NRM to work



November 2024

Report 3
Enabling Recovery

KALAYAAN
Justice for migrant domestic workers

Why we have decided to focus on those in the NRM who are prevented from working

Issues of immigration are top of the current government's agenda.

This series of reports does not aim to answer those larger political questions; instead, they focus on those potential victims of trafficking and modern slavery languishing in the National Referral Mechanism (NRM) who cannot work. We have chosen to look into the plight of these individuals, because not allowing them to work during such extensive wait times in the NRM is tortuous, pointless and a waste of human resources. Yet the issue is often overlooked by policymakers who determine that once in the NRM these survivors' needs are being adequately met.

They are not.

We hope that these reports will show how just a small change in legal policy allowing survivors of trafficking and modern slavery to work while in the NRM could have a huge positive impact on them, the economy and the country more generally.

Moreover, this policy change would **cost nothing** and take up very little of parliamentarians' time.

We acknowledge that the NRM system has its flaws (for example, one criticism is that it fails to address and prevent the causes of labour exploitation) and that other migrants and refugees in the UK (such as asylum seekers) also languish without work and purpose due to excessively long wait times. We congratulate all those who have already worked so hard to highlight these problems, and we encourage many more to continue to raise such issues and call for change.

In this series, however, we have chosen to give a voice to survivors waiting for years, essentially stuck in the NRM, who can often be overlooked among the wider discourse.

Sophie Levack
Immigration Lawyer & Policy Officer
Kalayaan

Caroline Lewis
Employment Lawyer
Saltworks Law

Acknowledgements

Thanks to **Edward Davies** for the creation and donation of the beautiful artwork on the covers of this series of reports.

Thanks to **Giulia V. Azzoni** for designing this series of reports.

Thanks to **Anti Trafficking and Labour Exploitation Unit (ATLEU)** for their support.

ATLEU
ANTI TRAFFICKING AND
LABOUR EXPLOITATION UNIT

Kalayaan is producing a series of five ‘mini reports’, highlighting the benefits to be gained and costs saved in allowing those in National Referral Mechanism who do not currently have the right to work, to do so.

This report is the third in the series, examining the effect of unemployment on wellbeing and recovery and how both can be improved by giving survivors in the NRM, the right to work.

The purpose of the NRM is to enable recovery

According to the Home Office, *"The National Referral Mechanism (NRM) is the UK's system for identifying and providing access to support for potential victims of modern slavery. The aim of the NRM is to lift victims out of a situation of exploitation, provide them with a period of intensive support to assist with their recovery, and get them to a position where they can begin to re-build their life."*[1]

Therefore, ensuring that potential survivors of trafficking and modern slavery are provided with the support and opportunity to recover is essential to the aim of the NRM. It follows that should the NRM impede recovery, or even fail to provide the required support, then it is not fit for purpose.

Long-term unemployment has serious negative effects on health and mental health

The negative health impacts of long-term unemployment[2] have been confirmed through extensive research.[3] These include a deterioration in a range of physical health outcomes as well as in mental health. Indeed, studies have shown that being continuously unemployed is associated with elevated depression, psychological distress, and anxiety.[4] These findings have been recognised and accepted by the Department for Work & Pensions and the Department of Health & Social Care.[5]

In addition, the Royal College of Psychiatrists (RCP) considers work and employment as key areas to be given priority by mental health services. The RCP highlights the non-financial gains of a person's ability to work, including *"identity and status, social contacts and support, a means of structuring and occupying time, activity and involvement, and a sense of personal achievement"*.[6]

---

[1] Home Office (2024) Recovery Needs Assessment (RNA) (Version 8) (available at: https://assets.publishing.service.gov.uk/media/65fadce2703c42001158f06a/FINAL+Recovery+Needs+Assessment+v8.pdf)

[2] i.e. 12 months or more according to the ILO and OECD.

[3] Wilson H., Finch D. (2021) Unemployment and mental health: Why both require action for our COVID-19 recovery. The Health Foundation (available at: https://www.health.org.uk/sites/default/files/2021-04/2021%20-%20Unemployment%20and%20mental%20health.pdf)

[4] Cantor J.C., Van Horn C., Mouzon D.M., Walkup J. (2023) Unemployment and Mental Health: An Important Opportunity for Cross-Sector Action. Milbank Memorial Fund (available at: https://www.milbank.org/2023/10/unemployment-and-mental-health-an-important-opportunity-for-cross-sector-action/)

5 DWP research report no. 994: A study of work and health transitions: analysis of Understanding Society (2021) (available at: https://assets.publishing.service.gov.uk/media/60f1891e8fa8f50c7a1b9fbb/a-study-of-work-and-health-transitions-analysis-of-understanding-society.pdf)

[6] The Royal College of Psychiatrists (2017) Employment and Mental Health (Occasional paper OP101). RCPsych. (available at: https://www.rcpsych.ac.uk/docs/default-source/mental-health/work-and-mental-health-library/op101-final.pdf)

Crucially, the RCP states: *"In general, work is considered beneficial to health and well-being. It can be an important part of a person's recovery journey."*

It is evident from the above, therefore, that long-term unemployment has an undeniably negative effect on an individual's mental health and recovery. Preventing survivors of trafficking in the NRM from working, while they wait for a Conclusive Grounds decision, is resulting in a system meant to support these survivors, in fact impeding their recovery.

By granting all survivors in the NRM the right to work, we could enable victims to recover and rebuild their lives just as the NRM was meant to do - rather than prolong their suffering.

Unemployment causes a strain on the NHS and the UK's health system

The NRM provides support for survivors of trafficking and modern slavery, which includes psychological and other medical support for those who need it. Many potential victims will need this support because of the traumatic experiences they have had during their trafficking and enslavement. It is likely, however, that a lot of the distress experienced by these survivors may be due to a sense of aimlessness they experience while they wait for their Conclusive Grounds decision, or as a result of more serious issues as highlighted in the studies mentioned above.

If that is the case, then, granting all survivors in the NRM the right to work may well alleviate the need for psychological and medical support, and allow for these resources to be redistributed and better targeted to those individuals freshly emerging from exploitation that are recovering from the trauma of trafficking and modern slavery. In other words, granting all potential victims the right to work while in the NRM would remove any unnecessary strain on the NHS's resources.

[7] Ibid.

Being able to work will facilitate the recovery of survivors

Kalayaan and its partners in the sector continuously hear from their clients and service users about the benefits that working has or would have on their wellbeing and their mental and physical, as well as, financial, recovery. Below, we share some testimonials of survivors:

CLAIRE* IS NOT ALLOWED TO WORK IN THE NRM:

"If I'm working, I'm busy. Because if I'm not working, my mind is thinking too much about this. I have a lot of stress and then I go in my GP they say my blood pressure become high. Because they said maybe you're thinking too much. That's why your blood pressure, it's very high. Then she said to me, stop worrying.

Every morning when I wake up my head, it's very pain. I have headache. [The GP tells me to sleep more but] every hour I wake up.

I need to work, so that I have my own money. Even I can save. Because if I have my own money, maybe [I can save for when I'm] sick. But you don't have money, maybe your friend can help, but not every time.

I'm waiting. Waiting."

PADMA* IS NOT ALLOWED TO WORK IN THE NRM:

She doesn't have enough money to spend on food:

"I am sick so much. It is now one year. I get £73 from the Government and it is always going to the medicine, I'm using the money for medicines.

Working, it makes me strong. My body, little strength. No, now still no strong.

Little happiness come myself working. I'll take that. Buy myself food, [with my] money, I'm happy."

PATRICIA* HAD A VERY COMPLICATED CASE AND WAS NOT CORRECTLY REFERRED INTO THE NRM.

Instead, she waited for six years after seeking help from the Home Office before she was formally recognised as a victim of human trafficking. Her testimony highlights the psychological effects and emotional hardship of not being allowed to work during that protracted period.

"I was told, 'you're not allowed to work, so you have to wait until your case has been sorted from Home Office'. But then nothing happened... I was just crying. Using medicine to sleep. I end up to the hospital like [I was] crazy... I was just stuck in one place. For me, I was feeling, I had to follow the law, yeah? ...

Stress, lots of stress. I didn't even have a phone even to contact my family back home. [Even after my support worker gave me a phone,] just [waiting for] her to call me, for key workers calling me. I can't have money to top up my phone to contact anyone.

And it's too much. I'm human beings, you know. I have a plan of my life. I wanted something good to happen to my life. But I've been locked in one place. I'm not able to do anything. I can't work. I can't do anything.

And you can't even feel positive things and negative things.

And then I became very skinny. I couldn't even be able to eat. I was given milk from Boots just to be able... I couldn't hear because the energy was like when I'm so stressed, I don't eat. So I used to be very skinny. Because I can't even have communication with my family.

There, it's very hard. The confidence I had before that I don't think that we can come later affected.

I don't trust myself."

"I think waiting for so long is affecting you, your experience. [Even when you eventually do get the right to work], you can't even explain.

You don't know where to start. Everything comes back. It's very hard. You can't even explain why [you haven't been working]... Obviously we haven't worked for so long. So now we end up with being on benefits... I can't find a job right now that they've given me the right to work. Thank you, but I've been waiting for so long now that it's like, 'go to work now'. They're asking for experience but there's [nothing in my] CV.

[If I had been able to work], I could be able to plan my life, study, work hard. Things could be different. My mental health wouldn't be affected. You know, ***before I had been affected mental health, before losing my confidence, I was able to do a lot of things at the early age and before everything went wrong."***

TWINN* WAS IN THE NRM FOR OVER 4 YEARS WITHOUT THE RIGHT TO WORK.

She still feels the effects of that today.

"If I had the right to work, then I think it would help my mental health. So reverse that affected my mental health. I have a big family: I have nine children. And for me to be away from my nine children not having a job that I could support them has destroyed me completely. There's no words to describe how I felt just being at home with no job most of the time... What really takes me down, like really far, it's knowing I can't provide. I can't work. I can't do anything, but yet I would be faced with another challenge from home. They completely destroyed me, you know. Money is not all of it, but it goes a long way. You can solve most of the problems that you have, especially when kids are involved.

My mental health was crushed. *I end up not communicating with people because I have too much going on to talk to anybody... Because I have something just really bothering me at this time, and I end up being at home, I'm not coming outside my house. I'm not talking to anybody. I'm not taking part in any activities. There's nothing that you could tell me to put a smile on my face because that doesn't involve me supporting my children. And that's all my mind and I end up staying in your room, not communicating, not coming out. Doesn't even want to take a shower. Not eating.*

At times when the call from home comes in, it becomes so distressful that I feel like I should just end the call, because if I'm here and I can't do anything for myself.

I can't do anything for the kids. Sometimes I feel like I could just maybe go outside and maybe across the middle of the road, you know, get run over like, you know, maybe..."

"Most of the time I can't sleep up to this present day. I have this limited amount of sleep and I think that my body was just rewired. It's ongoing: every day, every night... If I had had the right to work, I wouldn't have the time staying inside to be thinking about this...

There's some point where I feel so depressed... With PTSD, anxiety and then my past traumas also, everything just come mixing on a daily basis. And then you sit down not going out, not talking to anybody, not doing anything because everything that they want me to participate in does not contribute to what I'm going through."

"If I was working then most of those things wouldn't have been a problem. I would have been able to solve those problems before it affected me mentally. If I had the possibility to work, I try to make good use of every minute that I spend because I know I have all these kids to take care of. I think my mind would have been so occupied doing what I want to do. ***I don't think that I would have been diagnosed with PTSD. I don't think I would have been depressed to that stage where I wanted to take my own life.*** *All these things would have been erased; they would have never been there in the beginning. So I would say that this system is [what] created all those things that you now have to sit down and take medication and go to counselling.* ***They rather spend money to get you better when they are the ones who put you in a situation."***

MIA* IS ALLOWED TO WORK IN THE NRM:

She considers what it would be like if she couldn't work:

"It is difficult. Maybe if [you're] not allowed to work. because if you have work, you feel busy. Your mind is relaxing. If maybe [if you're] not allowed to work, maybe sometimes it's difficult [because] your mind is scrambled.

Because if you work then you do not remember about what happened."

A lot of the pressure leading to this decline in mental health comes from the financial pressures on survivors who came to the UK in the hopes of supporting their families back home. The current financial support provided in the NRM is not sufficient to meet that need, and so many survivors without the right to work end up taking irregular and often unsafe work despite being advised against doing so by their support workers. We explore this issue further in the next instalment of this series.

Report 4: Preventing re-exploitation will be available on Wednesday 11 December 2024.

---

*All the names have been replaced by pseudonyms to protect the individuals' identities.

KALAYAAN

justice for migrant domestic workers