

In-depth look at Overseas Domestic Worker Visas

Background

The right to be free from enslavement is one of the most fundamental human rights and yet slavery continues to exist in modern society. Approximately 13,000 people in the UK are the victims of slavery and trafficking, often working in nail salons, takeaway restaurants or as domestic and agricultural workers.

Although individual cases vary, slavery usually involves being owned or controlled by an 'employer' who coerces victims into working through physical or mental threat. Victims are subsequently dehumanized by being treated as a commodity and may also be physically constrained. Closely linked to slavery is human trafficking, which involves transporting and trading people as if they were commodities, and often aims to subsequently force people into conditions of slavery.

Slavery and trafficking are illegal in the UK and the Modern Slavery Act of 2015 was pioneering in its attempt to tackle modern slavery. Provisions within the Act include an increase in maximum sentences for trafficking offenders, assured protection of victims and the establishment of the UK's first ever Independent Anti-Slavery Commissioner. Despite the number of identified victims having risen by 40% and an increase in prosecutions for slavery offences, there is still room for significant improvement in a number of areas.

Overseas Domestic Worker Visas

Workers who come to the UK on the 'tied' Overseas Domestic Worker (ODW) Visa are particularly vulnerable to slavery and abuse from their employer. 17,000 overseas domestic visas were issued last year, mostly to families from the Gulf states. The visas allow workers such as nannies, chauffeurs, cooks and cleaners to come to the UK with the family.

The abuse suffered by ODWs is well documented. An investigation by a charity for migrant domestic workers, Kalayaan, found that ODWs who are tied to their employers are twice as likely to report being physically abused than those on non-tied visas. What is more, over half ODWs on tied visas work for more than 16 hours a day, and nearly three quarters are never allowed to leave the house unsupervised.



Tied visas were introduced in 2012 and they legally restricted domestic workers to one particular employer and limited their stay in the UK to six months. The Government has faced a barrage of criticism over the 'tied' visa system, including an independent review of the visa system by barrister James Ewins QC which found **“no evidence that a tie to a single employer does anything other than increase the risk of abuse and therefore increases actual abuse”**.

Despite these findings, the Government has refused to end the ODW 'tied' visa, opting instead for an 'immediate escape route' which allows workers to change employers during their first six months in the UK. In reality, this will do little to protect the rights of ODWs-- when faced with the choice of leaving their employer and attempting to find work with only a few months or weeks left on their visa, quite possibly with no support or references, or remaining in an abusive situation, many will be forced to choose the latter.

The Government has agreed to provide meetings for domestic workers who remain in the UK for more than 42 days to provide information, advice and support so that workers are aware of their rights while in the UK. Although these meetings are a positive step, they do not address the root of the issue, the ODW visa system itself. Given the conclusive evidence that 'tied' visas facilitate slavery and trafficking; the system urgently needs to be changed.

Have a look through our other resources in this pack to read about other specific areas we are campaigning for change in. We work across Jewish denominations in schools, youth movements and Synagogues to get the Jewish community engaged on this issue and we'd love you to join us.

Thank you for taking part in Human Rights Shabbat 5777 – the biggest one that René Cassin has ever run. Please do not hesitate to get in touch if you have any questions about the resources at info@renecassin.org

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