



**KALAYAAN**  
justice for migrant domestic workers

**FOCUS ON  
LABOUR  
EXPLOITATION**

# The Voice of Domestic Workers



September 2025

## **Why the UK must reinstate the original Overseas Domestic Worker visa Briefing for Committee Stage of the Border Security, Asylum and Immigration Bill in the House of Lords**

Baroness Hamwee, Baroness Lister of Burtersett and Baroness O'Grady of Upper Holloway have tabled an urgent amendment to the Borders Security Bill, which if passed, would restore the rights of migrant domestic workers 13 years after they were stripped from them. Such rights would ensure the safety and dignity of this predominantly female workforce who work in a sector recognised as particularly high risk for exploitation and serve to close a protection gap in the UK's response to the abuse and exploitation of this group of workers. It would also support wider Government strategy on tackling gendered forms of violence. The amendment reads:

Insert the following new Clause—

### **“Migrant domestic workers**

- (1) The Secretary of State must amend the Immigration Rules to make provision for the matters the subject of subsection (2).
- (2) All holders of domestic worker or diplomatic domestic worker visas, including those working for staff of diplomatic missions, must be entitled—
  - (a) to change their employer (but not work sector) without restriction, but must register such change with the Home Office;
  - (b) to renew their domestic worker or diplomatic domestic worker visa for a period of not less than 12 months, provided they are in employment at the date of application and able to support themselves without recourse to public funds, and to make successive applications;
  - (c) to apply for leave to enter and remain for their spouse or partner and any child under the age of 18 for a period equivalent to the unexpired period of their visa and of any subsequent visa;
  - (d) to be granted indefinite leave to remain after five continuous years of residence in the United Kingdom if at the date of application their employer proposes to continue their employment.”

## The issue

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 issued a six-month non-renewable visa and 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. Stripping rights for this workforce did not reduce demand for domestic workers' labour but did produce a significant increase in [rates of worker exploitation](#).

In 2016, after the findings of a Government commissioned [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 linked 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 implement the review's recommendations in full so, since April 2016, workers have had the right to change employers, but only whilst their six-month visa remains valid and, there has been no requirement for workers to notify the Home Office when changing employer. 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 may arrive in the UK with less than, sometimes significantly less than, six months on their visa. Once a worker has left an abusive employer and found their way to Kalayaan, often the first place they receive trusted and regulated advice on their position in the UK, their visa may have only weeks, sometimes days before it expires. Many workers are not in possession of their passport holding their visa and therefore may not know their visa status or be able to demonstrate if they have permission to work and for how long. This uncertainty and the inability to apply to renew a visa, unless the worker has been identified as trafficked, means decent prospective employers are not willing to offer work, leaving this workforce at high risk of exploitation from those looking to exploit their insecure status.

**The absence of the right to renew this visa means that workers risk destitution if they change jobs and/or challenge their employer or conditions of employment.** Many are forced to remain with abusive employers rather than lose their livelihood, accommodation and permission to stay in the UK, while those that flee are at risk of destitution and further harm, including the risk of being trafficked or forced into other situations of labour exploitation. The current situation means that workers cannot hold abusive employers accountable and are trapped in cycles of workplace abuse.

## Government responses to date

When workers and supporting organisations have raised this exploitation trap with officials, the response has been 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 and withholds protections until the harm has taken place, 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.

Other responses have included that the length of the domestic worker visa aligns with that of the employer and reflects the short-term nature of their time in the UK. The purpose of the visa route for domestic workers is not in dispute. However, by denying workers the options to withdraw their labour for any reason, including to leave exploitation, the visa structure exacerbates a significant power imbalance, creates multiple dependencies and significant risks of exploitation. **When workers experience abuse or threats of abuse whilst in the UK, they are denied an effective and accessible escape route.**

The Government has also claimed that workers are able to change their employer without notifying the Home Office, to ensure that those who need to escape unsuitable conditions can do so quickly and without additional administration. This is at odds with those who were issued a visa prior to April 2012 and are still required to notify the Home Office. The result of this is that, since April 2012, not only are workers not protected or safeguarded from abuse, but **the Government has denied themselves crucial data which would help inform their understanding of the reasons why workers change employer.** Interrogation of NRM cases and outcomes, and the use of entry and exit data cannot and should not serve as an adequate substitute for this given their respective limitations.

### **The evidence base**

On International Domestic Workers Day in 2024, Kalayaan produced a report called [12 Years of Modern Slavery: the smokescreen used to deflect state accountability for migrant domestic workers](#). This has an overview of the history of the domestic worker visa regime and sets out in full the reasons why previous Government administrations have rejected calls made by workers to have rights at work that would keep them safe. **It also contains evidence of more than 2,000 workers and their reported experiences over a 16-year period, the largest data picture that exists in the UK. This data unequivocally demonstrates that reported abuse has increased exponentially since 2012, with changes in 2016 making little difference.**

Of 2,080 workers registering at Kalayaan between April 2008 and April 2024:

- 14% of workers issued a visa prior to 6 April 2012 presented with **indicators of trafficking**. This rose to 40% of the workers issued a visa after 6 April 2012 and 41% of the workers issued a visa after 6 April 2016.
- 47% of workers issued a visa prior to 6 April 2012 **did not have access to their passport in the UK**. This rose to 73% of workers issued a visa after 6 April 2012 and 6 April 2016 respectively.
- 38% of workers issued a visa prior to 6 April 2012 **did not have their own bedroom or private space**. This rose to 64% of workers issued a visa after 6 April 2012 and 53% of workers issued a visa after 6 April 2016.
- 24% of workers issued a visa prior to 6 April 2012 were **not paid regularly**. This rose to 39% of workers issued a visa after 6 April 2012 and 31% of workers issued a visa after 6 April 2016.

In all types of reported abuse collated by Kalayaan, reports are higher when the worker was issued a visa after 6 April 2012, when the tied visa regime took effect, with levels remaining consistently high following changes to the visa made in April 2016.

## **A proven solution that works**

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 apply 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.

Ultimately, the availability of the NRM and the role the state plays in rescuing workers once their treatment has sufficiently deteriorated deliberately ignores the need to safeguard workers by providing them with rights to challenge exploitation early on and prevent labour law breaches escalating to more severe forms of abuse. Whilst our legal framework leaves in place a regime that allows labour law breaches to go undetected (in the absence of any monitoring) and unchallenged (given a lack of enforceable rights), the state is failing in its positive obligations to protect all workers from abuse.

For further information please contact:

Avril Sharp, Immigration Lawyer and Policy Officer, Kalayaan  
[avril@kalayaan.org.uk](mailto:avril@kalayaan.org.uk)

Marissa Begonia, Director, The Voice of Domestic Workers  
[marissa@thevoiceofdomesticworkers.com](mailto:marissa@thevoiceofdomesticworkers.com)

Kate Roberts, Head of Policy, Focus on Labour Exploitation  
[kate.roberts@labourexploitation.org](mailto:kate.roberts@labourexploitation.org)