



**Step Up Migrant Women
Latin American Women's Rights Service (LAWRS)
Victims and Prisoners Bill - Firewall Amendment
November 2023**

Introduction

The Victims and Prisoners Bill provides an opportunity to improve protection and support for all victims of crime, including victims of violence against women and girls (VAWG) and modern slavery. However, the Bill, as drafted, leaves victims with insecure immigration status behind, excluding them from accessing said protection and support.

As recognised by the Government, immigration status can be a risk factor for becoming a victim of serious crime, including [violence against women and girls \(VAWG\)](#) and [modern slavery](#). Having control over someone's immigration status and their right to live and work in the UK allows abusers and employers to control, threaten and trap victims in abuse or exploitative working conditions. Research by LAWRS found that [over 60% of migrant victims of VAWG](#) had specifically been threatened in this manner by their abusers. Furthermore, it is often as a result of the abuse or exploitation that victims lose their legal status.

For many years, organisations supporting migrant victims of crime have raised concerns about information sharing between statutory services and Immigration Enforcement harms victims. Furthermore, in 2020, the first independent police super-complaint investigation concluded that close collaboration between the police and Immigration Enforcement causes significant harm to the public interest as victims are too fearful to approach the police, leaving perpetrators to act with impunity.

Migrant victims trapped in harm

Migrant victims, particularly those with insecure immigration status, often feel unable to report instances of abuse and exploitation to the police or other authorities, such as labour inspectorates, due to the fear that authorities will prioritise their immigration status over the crimes that they have faced. This acts to heighten their existing vulnerability, with perpetrators able to take advantage of this dynamic.

Research by the Latin American Women's Rights Service (LAWRS) shows that [1 in 2 migrant victims with insecure immigration status do not report abuse to the police for fear of disbelief, destitution, detention and deportation](#). In many cases, modern slavery victims with insecure immigration status do not consent to a referral to the National Referral Mechanism (NRM). Despite a desperate need for support, they choose to remain underground for fear of Immigration Enforcement.

These fears are not unfounded. Recent data obtained by the Domestic Abuse Commissioner's Office showed [that all police forces in England and Wales have shared victims' data with Immigration Enforcement over](#) three years. In 2022, a Freedom of Information (FOI) request revealed that [between May 2020 and September 2022, the police shared the details of over 2,000 victims of crime with Immigration Enforcement](#) after victims approached them to report a crime and access support. Some of these victims have been served with enforcement papers at risk of deportation.

Without safe reporting mechanisms in place, the fear of immigration-related consequences for migrant victims will continue to act as a major barrier to reporting domestic abuse or exploitation and accessing support. This means that, without this amendment, the bill will fall short of its aim to protect all victims of crime.

Case study

Carla* arrived in the UK in 2017 with the promise of a job as a domestic worker with an extended family member. She was told she was allowed to work with her visitor's visa and would live in her employer's house. The family had three children living in a big house in London. Carla worked around 15 hours daily (6:30 am up to 10 pm) without breaks. She earned £1600 per month, reaching £3.55 an hour, and could not take any annual leave and was not paid for it either.

Carla came to LAWRS in 2020 to enquire about her rights as a worker. She disclosed suffering from joint and back pains and wanted to see a doctor. By this point, she had become undocumented and was aware of her immigration status. When LAWRS advised her to register with the local GP, she refused as she could not provide the address where she was living because her employer would not allow it. She was also scared of registering because she did not want to risk the police going to the house, as she feared she could be deported.

LAWRS advised her that she was a victim of exploitation and that she could receive further support through the National Referral Mechanism. However, Carla was scared of reporting her employer and losing her job, as she needed to send money to her family back home. She felt she had no alternative but to continue to work in those conditions.

*Name has been changed to protect the woman's identity.

A firewall amendment

By introducing **Amendment NC30** to the Victims and Prisoners Bill that establishes a firewall between statutory services - such as the police - and Immigration Enforcement, victims would feel confident to approach law enforcement, report abusers or exploitative employers and traffickers, and access support.

A firewall is a clear separation between any form of immigration control and access to public service provision, including policing. It guarantees that any information accessed by statutory services won't be used for immigration enforcement purposes. Firewalls would give migrant women an opportunity to exercise their rights and be safe whilst accessing redress.

A firewall with Immigration Enforcement would ensure that victims feel confident in coming forward to seek support, report their perpetrators and collaborate with law enforcement. Data-sharing with Immigration Enforcement has been established to be [harmful both to victims and the public interest](#), as migrant victims are prevented from reporting to the police, allowing abusers to remain unpunished and free to target other victims, creating a significant threat to public safety.

A firewall would help build trust with migrant communities, where there is currently none. The practice of data sharing fosters mistrust in the police and labour inspectorates and harms the relationship between them and the communities they serve. In turn, they are prevented from accessing valuable intelligence that would allow them to identify and prosecute abusers or exploiters and traffickers.

The implementation of a firewall is possible. [Examples of how a firewall can work in practice have been tried internationally](#) with great success. Local pilots are also taking place in the UK, with police forces implementing safe reporting multi-agency local guidance (Northumbria PCC and police) and firewalls (Surrey police) to ensure migrant women who are experiencing domestic abuse can access support without fear of immigration consequences.

Conclusion

Prioritising immigration enforcement over the human rights of migrant victims prevents them from reporting serious crimes due to fear of being treated as criminals. The lack of safe reporting mechanisms creates a barrier for migrant women seeking support to flee violence, putting their lives at risk and allowing perpetrators and exploiters to exert abuse with impunity. New Clause 30 will enable victims to report abuse without the fear of being arrested, imprisoned, detained and deported. We support the Domestic Abuse Commissioner, Nicole Jacobs' call to introduce a firewall.

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