

GRETA - Fourth evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the United Kingdom



Thematic focus: Addressing vulnerabilities to trafficking in human beings

Submission by the Latin American Women's Rights Service (LAWRS)

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1. About Latin American Women's Rights Service (LAWRS)

- 1.1. Latin American Women's Rights Service (LAWRS) is a human rights, feminist organisation led *by and for* Latin American women living in the UK. LAWRS supports over 1,700 women every year who are exposed to violations of their fundamental human rights, facing violence against women and girls, exploitation in low-paid sectors, trafficking, enduring severe poverty and deprivation, with little access to justice and support.
- 1.2. LAWRS's practical support includes casework for women experiencing violence and abuse, counselling and emotional support, advice and casework on employment rights and exploitation, family law and immigration, among others.
- 1.3. LAWRS also actively advocates for women's rights, migrants' rights and the rights of ethnic minorities, working with sister organisations in the ending violence against women and girls (VAWG), migrant and anti-slavery and anti-trafficking sectors.

2. Introduction

- 2.1. The Latin American migrant women that LAWRS supports are employed mainly in three key feminised and low-paid areas of the UK's labour sectors: cleaning, hospitality and domestic work. These sectors, on which we will focus our evidence, are characterised by low wages and high levels of exploitation and abuse.
- 2.2. LAWRS welcomes the opportunity to submit evidence to GRETA's fourth evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the United Kingdom. We hope that our evidence as a specialist *by and for* organisation will help provide a frontline perspective on the vulnerabilities to human trafficking and modern slavery and help inform recommendations for improved protections for migrant victims.

3. Prevention

3.1. Migrant workers

- 3.1.1. Migrant workers in the UK can face significant barriers to accessing decent employment. Such barriers lead many Latin American women into [low-paid feminised job sectors](#) such as cleaning, hospitality and domestic work, sectors in which exploitation is endemic and abuse is often the business model for companies looking to make a profit off their workers by underpaying wages.
- 3.1.2. Migrant workers also face many intersecting barriers to accessing support when their employment rights are breached. Alongside language barriers, others include lack of access to information and lack of knowledge of rights; a lack of awareness of the three enforcement bodies that could provide support; lack of appropriate and holistic support from enforcement bodies when migrant workers do eventually reach out for help, as they lack understanding of migrants' specific and intersectional needs. These barriers are felt more acutely by migrant women in domestic work who tend to live very isolated lives, often having limited contact with anyone outside of the family they are employed by. In LAWRS' experience, it is common practice for employers to keep domestic workers from learning English, and even from registering with a GP. As a result of this, the responsibility of navigating access to support for exploited migrant workers falls on community organisations with limited resources.
- 3.1.3. As recognised by the UK Government, [immigration status can be a risk factor for becoming a victim of trafficking and modern slavery](#). Migrant workers with insecure immigration status are particularly vulnerable to exploitation. The UK's Hostile Environment policies¹ make it harder for migrants to challenge unfair conditions, report abuse, change employers or demand fair wages. As [evidence shows](#), these policies enable abusive employers to use migrants' immigration status to threaten, control and trap them in abusive and exploitative situations.
- 3.1.4. Criminalisation of undocumented work through the illegal working offence, coupled with high fines for those employing undocumented workers, has left many migrants with no other option than to accept unsafe jobs, often with conditions that amount to or that pave the way for exploitation, including forced labour and servitude. Our experience shows that rather than deterring employment of undocumented workers, it is used by employers as a tool to maintain a compliant workforce that is unable to

¹ *Hostile environment* is a concept widely used to refer to policies and legislation that seek to make life for migrants in Britain increasingly difficult, including the introduction of immigration control in every aspect of daily life, such as renting accommodation, working and accessing vital services such as the NHS. It also includes a highly divisive and dehumanising public rhetoric against migrants.

demand fair conditions or exit exploitation, as workers know that if they seek support they could face fines, detention and/or deportation. The [current government's plans](#) to increase sanctions for employers hiring undocumented workers and detention of workers is a worrying sign.

- 3.1.5. Furthermore, in our experience supporting victims of modern slavery and domestic abuse, it is often as a result of the exploitation and abuse that victims lose their legal status. Such is the case when, for example, an employer gives false information to the worker about their immigration status or their right to work in the UK, or makes false promises to apply for the appropriate visa when it is time to do so.

Carola's story

Carola* was brought to the UK under a lie, having been told that she did not need a visa to work here as a domestic worker for 6 months. She worked 6 days a week, 16 hours a day, and received £1.92 an hour. She was isolated, did not speak English and did not know what the National Minimum Wage was in the UK. She was paid twice: once after the first 3 months, and again after the second 3 months, and deductions were made for the flight that the employer had paid. After sending money back home she was left with no financial safety net to leave this exploitative situation. After the first 6 months were up, Carola was not allowed to leave the house and her passport was taken from her without her knowledge. Carola only managed to escape when her employer went out and forgot to lock a door. She was owed 3 months wages when she escaped.

After a while Carola found LAWRS via a friend. LAWRS explained that she had been a victim of exploitation and that she could be referred to the National Referral Mechanism (NRM). Her case was referred to The Salvation Army and Carola initially received a negative Reasonable Grounds decision. LAWRS made a reconsideration request to the Single Competent Authority and Carola finally received a positive Reasonable Grounds decision and is receiving support.

Carola had a baby in the UK and as a result of being undocumented she had accumulated a debt with the NHS of over £9,000. The hospital refused to recognise her as an exempt patient, despite her receiving a positive Reasonable Grounds decision. She was referred to Maternity Action and after four months of advocacy her debt was cancelled, but only after her case was escalated to Public Health England. Carola was also offered the opportunity to try to recover unpaid wages from her exploiter, but chose not to go ahead with making a claim at the employment Tribunal for fear of having to re-engage with her exploiter.

*name has been changed to protect the woman's identity

- 3.1.6. Brexit and the end of free movement has also created precarity amongst communities who had previously been able to migrate to the UK. As the UK transitions to e-Visas at the end of this year, [we are concerned](#) that millions of people will be at risk of being left without status and subject to the

government's hostile environment. The EU Settlement scheme, where e-Visas have been piloted, has shown that when technology fails or is inaccessible, individuals are left in precarious situations and unable to prove their rights. The inability of migrants to work, rent, open a bank account or access basic services if they cannot prove their immigration status is well documented².

Catalina's* story

Catalina was brought to the UK from Latin America in early 2023 to work as a live-in housekeeper and look after two children. She was paid £850 a month. Catalina would wake up at 5 am to start work and never had an end to her working day, often going without food.

Catalina was not allowed to leave the house. The house had camera surveillance in most of the rooms, so she was watched all day. The toilet was the only space with no cameras and this is where she would go to take a break, but even her time there was controlled. Her employer also took her passport away.

Catalina was unaware of her rights in the UK or where to find help. When Catalina said she wanted to leave, her employer said she could not leave until she could go to her home country and bring someone back to replace her. When Catalina threatened to call the police, her employer told her that because she did not speak English no one would believe her. She was told to remember that she was at the bottom of the pile in the UK.

Catalina is undocumented, and this threat made her terrified to try and call the police. Catalina got in touch with LAWRS after a former victim of the employer gave her our number. Catalina did not want us to report to the police as she was undocumented and just wanted help to get back home. LAWRS eventually supported her to make a report to the police so she could escape and be taken to a refuge. When the perpetrator found out that Catalina had escaped they published posts on social media to try and search for her.

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

3.2. Lack of a gender perspective on modern slavery and human trafficking

- 3.2.1. The UK government's strategies for the prevention of human trafficking and modern slavery lacks a gender perspective. UK anti-trafficking enforcement efforts often fail to address the full gendered dimensions of exploitation and trafficking, largely focusing on visible, high-profile sectors such as nail salons, yet consistently overlooking other feminised and less visible sectors where migrant women are largely employed. Sectors like cleaning, domestic work,

² The Windrush Scandal is a clear example of how thousands who lacked the documentation to prove their right to remain in the UK ended up losing their jobs and homes, being denied healthcare, and even being detained and deported. You can see read about this in JCWI's explainer: <https://jcwi.org.uk/reportsbriefings/windrush-scandal-explained/>

and hospitality are rife with exploitation³, but the isolation and informality of these environments make them difficult to monitor. In settings like private homes or late-night cleaning shifts, this isolation can become a tool of control. Employers and traffickers exploit the invisibility and conditions of these roles to impose abusive conditions without fear of scrutiny.

- 3.2.2. As highlighted in [our research on the experiences of Latin American domestic workers](#), UK labour legislation⁴ and context facilitates exploitation and abuse of domestic workers. Many migrant women working in domestic roles are subjected to isolation, long hours, unpaid wages, degrading treatment, coercive control, abuse and exploitation⁵, yet this is frequently downplayed as contractual disputes or employment issues.
- 3.2.3. The absence of a gender-sensitive lens in policymaking leads to weak enforcement, inadequate victim identification, and limited access to justice for those who suffer from this type of exploitation. The failure to prioritise these sectors leaves significant blind spots in anti-trafficking strategies, enabling exploiters to operate with impunity and further marginalising vulnerable migrant women.
- 3.2.4. The disconnect between strategies to tackle gender-based violence (GBV) and anti-trafficking initiatives in the UK leaves significant gaps in protection and fragmented support systems that are ill-equipped to respond to the intersectional nature of the exploitation and violence that some migrant women face.

Simone's story

Simone was brought to the UK by a British citizen under the pretence that she was being employed as an escort. They agreed that he would pay her £1000 per month, and he paid for her ticket to the UK, which she entered as a visitor. However, since arriving she did not receive the payments they had agreed to and the perpetrator began abusing Simone physically and sexually. She was also suffering emotional, psychological, financial and immigration abuse. She did not report him to the police due to the language barrier and fear because of her immigration status. When she contacted LAWRS, she was still living with the perpetrator as she had no other place to go and her insecure immigration status was an

³ Our report [The Unheard Workforce: Experiences of Latin American Migrant Women in Cleaning, Hospitality and Domestic Work](#), outlines the ways in which intersectional barriers make migrant women workers vulnerable to exploitation.

⁴ The UK has not ratified the Domestic Workers Convention 189 of the International Labour Organisation (ILO) which seeks to guarantee that domestic workers have the right to protection from the excessively long hours, low wages, and informal contracts that ridden the sector.

⁵ In addition to the evidence in our report, [Behind Closed Doors](#), A detailed description of the conditions that Latin American domestic workers are subject to can also be found here: [Evidence submission by LAWRS: Low Pay Commission's Consultation on April 2022 National Minimum Wage rates](#).

obstacle to her finding alternative accommodation. Simone felt that to avoid further violence and to get money for food and transport she had to have sex with him.

LAWRS attempted a referral to a First Responder but it was refused on the grounds that her case would not meet the threshold and that she needed to leave the perpetrators' house and make herself destitute or call the police and ask them to extract her. Simone is afraid of reporting to the police due to her immigration status. Finally, after a new referral to Camden Adult Safeguarding was done, an NRM referral was completed.

4. Identification of victims

4.1. Identification of victims and workplace inspections

- 4.1.1. In LAWRS' experience, migrant women workers are unaware of the existence or role of each labour enforcement body. They do not generally know who they are or how to contact them for support or to report abuse and exploitation. When advice is sought, it is generally with unions or specialist voluntary organisations which will provide holistic support and respect confidentiality, and which can provide linguistic and culturally-appropriate assistance to workers. It is typically at this point that migrant women who have suffered exploitation are confronted with this reality, as self-identification can prove difficult for victims.
- 4.1.2. The lack of inspections by these bodies - in part due to lack of funding - puts the burden on workers to report violations to their employment rights or exploitation, while providing little, unclear and often inaccessible information on the type of support that workers could expect from each agency.
- 4.1.3. [When inspections do take place in the workplace, it is not uncommon for them to be done in collaboration with Immigration Enforcement.](#) As information flows swiftly through migrant communities, it only takes one migrant worker to be reported to Immigration Enforcement by the police or to see an inspection carried out in collaboration with Immigration Enforcement for the whole community to find out. Sadly, without safe reporting mechanisms in place, for undocumented workers fear of immigration consequences will continue to act as a major barrier to reporting exploitation and seeking help even when they have the opportunity.⁶

⁶ For more information on how safe reporting mechanisms can work in practice, please see our guide: [Preventing and Addressing Abuse and Exploitation: A Guide for Police and Labour Inspectors Working with Migrants.](#)

4.2. Lack of safe reporting mechanisms

- 4.2.1. Migrant workers, and in particular those who are undocumented, are among those more vulnerable to exploitation. Immigration status is a tool often used by perpetrators to threaten workers into submission and silence⁷, as they are regularly told that if they are found by the police or other authorities they will be imprisoned or detained and deported, thus discouraging them from seeking help. Currently, there are no safeguards in place to ensure that an undocumented worker that reports abuse to the police or a labour inspectorate will not be reported to Immigration Enforcement.
- 4.2.2. The UK's strategies to prevent and protect from modern slavery exclude migrants subject to the hostile environment, because in the current system immigration status is prioritised before the safety, dignity and protection of migrant workers.
- 4.2.3. [Research by the Step Up Migrant Women Campaign](#) shows that one in two migrant victims with insecure immigration status do not report domestic abuse to the police for fear of disbelief, destitution, detention and deportation. Perpetrators often exploit women's insecure status, telling them that if they approach the police they will not be supported and will instead be placed at risk of detention or removal because of their legal status. Evidence shows that 62% of migrant women had specifically been threatened in this manner by their abusers.
- 4.2.4. Similarly, victims of labour exploitation including trafficking and modern slavery who do not have secure migration status, will often feel unable to report instances of abuse and exploitation to the police (or other authorities, such as labour market enforcement) due to the fear that authorities will prioritise their immigration status over the crimes that they have faced or their wellbeing. This acts to heighten their existing vulnerability, with exploiters able to take advantage of this dynamic, and act with impunity.
- 4.2.5. Victims of exploitation supported by LAWRS do not generally consent to a referral to the National Referral Mechanism or wish to contact the police unless they have secure immigration status. In spite of a desperate need for support, they choose to remain underground for fear of Immigration Enforcement. Often having received threats or been lied to by their exploiters, victims do not know or believe that they have a right to receive support.

⁷ This is the case not only for those without a right to work, but also for migrant workers who are not aware of their rights. For example, during Brexit many employers told our service users with European nationality and the right to live and work in the UK that because of Brexit, they had now lost their rights and they could be reported to the police or Immigration Enforcement at any time.

Carla's story

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 she would be living in her employer's house. The family had 3 children - 10, 8 and 6 years old - and they lived in a big house in London. She worked around 15 hours per day (6:30 am up to 10 pm), without breaks. She earned £1600 per month, which came to £3.55 an hour. She did not take any annual leave, and she was not paid for it either. Carla came to LAWRS in 2020 to enquire about her rights as a worker, and stated that she was 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 explained that she could not register as she could not provide the address where she is 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.

- 4.2.6. In order to ensure equal access to justice and support for all victims, it is essential that all victims, including those with insecure immigration status, can report crime and access support safely. There is consensus among organisations supporting migrant victims of crime on the need for a complete firewall between statutory services (such as the police) and Immigration Enforcement as the most appropriate mechanism for safe reporting. A complete firewall would restrict statutory services' ability to share a victim's personal data with Immigration Enforcement when reporting a crime or accessing services. This would ensure that personal data of a victim or witness of crime in the United Kingdom that is processed for the purpose of that person requesting or receiving support or assistance related to crime is not used for any immigration control purpose. This form of safe reporting mechanism is likely to improve reporting rates amongst victims and witnesses with insecure immigration status, as well as those with secure status who would currently choose not to report for fear of endangering others. Evidence shows that a firewall would make victims and witnesses feel confident in approaching the police to report crimes and more likely to engage in criminal proceedings which will in turn allow the

police to hold perpetrators to account and prevent crime.⁸⁹

4.3. Dismantling of support services

- 4.3.1. The number of modern slavery victims in the UK has been consistently growing year on year. In 2023, [the last full year of data](#) currently made available by the Government, confirms that 17,004 people were referred to the NRM, the highest annual number since the NRM was established in 2009.¹⁰ We see this reflected at the frontline in LAWRS, as we are dealing with an increasing number of modern slavery cases, whilst simultaneously witnessing the [dismantling of the systems of protection](#) that exist for modern slavery victims, leaving many trapped in exploitation and at risk of further harm.
- 4.3.2. The previous government implemented restrictions for support to victims of modern slavery through the introduction of legislation such as the Nationality and Borders Act (NABA) and the Illegal Migration Act. The migrant women survivors of exploitation we support are feeling the impacts of this legislation. [The increase in evidence thresholds has exacerbated NRM first responder backlogs](#) and, as we have experienced at LAWRS, this is causing huge delays to getting access to NRM support. For migrant victims these delays are exacerbated by their fear of reporting to the police. As the case study below shows, these delays and exclusions are putting migrant victims and survivors at increased risk of violence and re-exploitation. Concerningly, the previous government also revoked its commitment to pre-NRM support.
- 4.3.3. Another impact of the new legislation is an increase in the number of negative NRM decisions. [Analysis of the 2023 NRM data by IOM](#) shows that while there were a record high 17,004 referrals in 2023, the number of people who received positive Reasonable Grounds and Conclusive Grounds decisions fell for the first time ever. Their analysis also found that there were unprecedented differences in the proportion of positive Reasonable Grounds decisions for UK and foreign national cases. We have seen this reflected in the cases we have received at LAWRS. Since NABA came into force we have received our first negative Reasonable Grounds (RG)

⁸ Examples of how a firewall can work in practice have been tried internationally. For more information please see: [Preventing and Addressing Abuse and Exploitation: A Guide for Police and Labour Inspectors Working with Migrants](#), 2022.

⁹ Since 2017, the [Step Up Migrant Women campaign](#), led by LAWRS, has called for establishing safe reporting mechanisms in the form of a firewall. Cross-party Parliamentarians and Independent Commissioners such as the Domestic Abuse Commissioner and the London Victims Commissioner have long supported this recommendation. During the passage of the Victims & Prisoners Bill through parliament our firewall amendment which covered migrant victims of modern slavery was voted by peers in the House of Lords to be included in the final bill.

¹⁰ While the previous government stated that this was evidence that the system was being abused, organisations working on the frontline like LAWRS know that NRM data does not capture the number of victims too afraid to report and so will always remain an underestimation of the full extent of the problem.

decisions, requiring the extra work of submitting reconsideration requests to get access into the NRM. We have also received calls for support from survivors with negative RG decisions. This increase in the level and extent of support needed only adds to the capacity issues both community organisations and legal support services are facing.

- 4.3.4. With these new changes many victims are being denied the support that they are entitled to and that they desperately need, and being put at risk of re-exploitation and further harm. This means that the gaps in support for modern slavery victims outside of the NRM are being felt more acutely. Continued austerity policies in the UK are forcing local authorities to exclude the most vulnerable migrant victims with No Recourse to Public Funds from the safety nets they would have previously been able to access. The lack of funding for *by and for* services means there is also no capacity for specialist support with labour exploitation and modern slavery. *By and for* community organisations are lifelines for victims who face many barriers to accessing mainstream support services. The system is failing to meet migrant victims' and survivors' needs by excluding them from the social and financial protection that would allow them to exit exploitation.

Teresa's story

Teresa* arrived in the UK on a tourist visa with her child. They were fleeing persecution in their home country and arrived in the UK with very limited funds. In trying to seek help, Teresa was introduced to a family that offered them a room in exchange for taking care of the family's children, cooking and cleaning the house. With no other options available to her, Teresa accepted the offer.

Teresa worked 18 hours a day, from 7 am to 1 am. She was not able to take breaks and had to cook and clean even on weekends. Teresa was not allowed to leave the house, apart from when taking the kids to school. She was threatened with being arrested whenever she tried to leave.

Teresa and her child became overstayers during her exploitation and Teresa was repeatedly told by her employers that she would not be able to find a job or receive any help because of her immigration status. She was told that if she did not follow orders, she would be deported and have her child taken away from her. Teresa was also told she was not allowed to register with GP because she was undocumented, despite needing medication for a thyroid condition.

Only when Teresa met another woman who invited her and her child to come and live with her were they able to finally leave. They moved in with this woman, and both slept on sofas in her living room. Teresa was given LAWRS' number by someone at a food bank who explained to her that she had been a victim of modern slavery. LAWRS helped Teresa get a referral into the National Referral Mechanism (NRM), but faced a huge backlog from First Responders.

Whilst LAWRS was trying to secure support for Teresa, a tenant at the host's house tried to

rape Teresa in front of her child. Teresa was told by her host not to report the assault to the police as she was undocumented and they would deport her. For this reason, Teresa was afraid of any engagement with the police, including for a referral to the NRM. The host then asked Teresa and her child to leave as she did not want any trouble.

With Teresa and her daughter at risk of destitution, LAWRS referred them to Children Social Services (CSS) under section 17 of the Children's Act, but CSS did not respond to the referral. CSS were notified that Teresa was a victim of modern slavery, but they did not make a referral to the NRM. NRM referral requests sent to the local authority also went unanswered. During this time, the person that had introduced Teresa to the family that exploited her got in touch to say he knew someone else that could help her. Teresa knew she could not trust this person, but was also facing limited options. An NRM referral was finally submitted two months after LAWRS began searching for a first responder to support Teresa. She received a positive Reasonable Grounds decision and was finally able to access safety. Three weeks later, Teresa was rushed to hospital with symptoms of cardiac arrest, having still not been supported to register with a GP.

The difficulties and delays Teresa faced in accessing the support she is entitled to as a victim of modern slavery put her at severe risk of destitution and re-exploitation and exposed her and her young daughter to gender-based violence. It also delayed the support she required to register with a GP which led to health complications which put her life at risk.

*name has been changed to protect the woman's identity