



Immigration and Asylum Bill

Public Bill Committee

Response by the Latin American Women's Rights Service (LAWRS) and Step Up Migrant Women Campaign (SUMW)

September 2026

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Summary

The Bill's provisions will directly harm victims of exploitation and modern slavery, increasing their fear of engaging with the National Referral Mechanism (NRM) by subjecting them to criminal and administrative punishments for the exploitation they have endured. Likewise, changes to the interpretation of Article 8 will penalise victims and survivors of modern slavery, trafficking and Violence Against Women and Girls (VAWG) for experiencing coercive control and immigration abuse. Instead of facilitating identification, safeguarding, protection and justice for migrant victims and survivors, the Bill disregards international obligations and trauma-informed statutory guidance, removing access to lifesaving support.

At present, migrant victims and survivors are afraid to report violence to the police, or to seek support from statutory services, because their information is likely to be shared with Immigration Enforcement. The practice of data-sharing has been criticised by key stakeholders and specialist organisations, yet successive governments have missed opportunities to implement safe reporting mechanisms. The Immigration and Asylum Bill expands the harmful repercussions of data-sharing, strengthening the power of perpetrators to threaten victims and survivors into silence. We propose a statutory safe reporting amendment to mitigate the Bill's devastating impacts; without this, the government will not be able to meet its commitments or obligations on VAWG or modern slavery.

About us

1. The Latin American Women's Rights Service (LAWRS) is a human rights, feminist organisation run *by and for* Latin American migrant women living in the UK. We support women who are exposed to violations of their fundamental human rights, facing violence against women and girls, exploitation in low-paid sectors, trafficking, and/or enduring severe poverty and deprivation.
2. The Step Up Migrant Women (SUMW) is a campaign led *by and for* migrant, Black and minoritised women and specialist organisations. The SUMW coalition is formed of more than 50 organisations that work and advocate to ensure migrant women victims of crime can report abuse to the police and access support safely without facing negative immigration consequences.

Introduction

3. Since its election in 2024, the government has committed to reforming the modern slavery system to ensure it is victim-centred and world-leading once again.¹ Additionally, its December 2025 VAWG strategy committed to halving VAWG in a decade through a whole-government, whole-society approach,² and its Child Poverty³ and Homelessness⁴ strategies set out aims to reduce severe poverty through prevention, particularly for families and victims of VAWG.
4. The government also has positive obligations to identify, protect and support victims and survivors under international frameworks such as the *European Convention on Human Rights* (ECHR), the *Council of Europe Convention on Action against Trafficking in Human Beings* (ECAT) and the *Council of Europe Convention on preventing and combating violence against women and domestic violence* (the Istanbul Convention). **As introduced to Parliament, the Bill is incompatible with the government's commitments and international obligations.**
5. This submission focuses on the Bill's impact on fear of reporting for migrant victims and survivors. Migrant victims of VAWG, modern slavery and exploitation often do not report crime or seek support due to fear of data-sharing between statutory services and

¹ Home Office (December 2024). [Government response to House of Lords Modern Slavery Act 2015 Committee report. 'The Modern Slavery Act 2015: becoming world-leading again'](#)

² Home Office (December 2025). [Freedom from violence and abuse: a cross-government strategy to build a safer society for women and girls.](#)

³ Cabinet Office (December 2025). [Our Children, Our Future: Tackling Child Poverty.](#)

⁴ MHCLG (December 2025). [A National Plan to End Homelessness.](#)

Immigration Enforcement. By implementing penalties, disqualifications and barriers for victims and survivors, the Bill is likely to increase fear of reporting. As a result, migrant victims will continue to have poor outcomes and unequal access to safety and justice.

6. **In order to ensure migrant victims and survivors are protected without discrimination, the Immigration and Asylum Bill must include a statutory safe reporting mechanism, preventing information shared by migrant victims of crime with the police and other statutory services for the purpose of reporting or seeking support from being used for immigration enforcement.**

Impact of the Bill

7. The Bill does not contain adequate protections for victims and survivors and will force them to bear criminal and administrative consequences for the violence they have suffered, in violation of the non-punishment principle. As a frontline service, we anticipate that migrant victims will be much more afraid to interact with police, healthcare services, local authorities and the modern slavery identification system as a result.

Bad faith disqualifications (Clause 38)

8. The Bill treats delayed disclosure of modern slavery as evidence of claims made in 'bad faith'. Victims who do not report at arbitrary disclosure opportunities - or who disclose after being subject to removal actions - face disqualification, barring them from the right to be identified as victims of modern slavery.
9. This undermines the Home Office's Modern Slavery statutory guidance, which recognises that disclosures are delayed due to shame, trauma and the difficulty of identifying experiences as modern slavery without specialist support. As stated by the guidance, "a delay in disclosing facts should not be viewed as manipulative or taken to mean these facts are untrue... disclosures often come slowly and in a piecemeal way, sometimes over years."⁵ The Bill's provision will directly harm victims of modern slavery and undermines international obligations to identify all victims.
10. The need for this provision is also unsubstantiated. Despite record levels of referrals into the NRM in 2025, only 0.03% of referrals (6 out of 23,411) were disqualified for being

⁵ Home Office (August 2026). [Modern Slavery: statutory guidance for England and Wales \(under s49 of the Modern Slavery Act 2015\) and non-statutory guidance for Scotland and Northern Ireland](#).

made in 'bad faith'.⁶ Whilst the Home Secretary claims that NRM referrals made from immigration detention are "vexatious" attempts to halt removal proceedings, almost all (93%) of those referred from immigration detention receive a positive first-stage NRM decision from the Home Office.⁷ Though increased referrals to the NRM are an opportunity for more victims to be identified and supported, specialist organisations and the Independent Anti-Slavery Commissioner have stressed that the current number of referrals significantly underrepresents the true extent of modern slavery and trafficking in the UK, as most undocumented victims are too afraid of immigration repercussions to consent to an NRM referral.

11. As the Independent Anti-Slavery Commissioner has emphasised, the Home Secretary's rhetoric has a "real-life impact" on victims and their engagement with the NRM.⁸ Fear of negative immigration repercussions is already the most common reason that victims do not consent to enter the NRM.⁹ **This Bill will not promote early identification of victims. Instead, it will deepen the fear of reporting, handing more power to exploiters for coercive control, and preventing victims from exercising their rights to identification and support.**

Public order disqualifications & automatic deportations (Clauses 20 and 38)

12. The expansion of public order disqualifications (PODs) from a discretionary power to a mandatory duty with broad, automatic application will punish victims coerced into offending during their exploitation. Victims with positive first-stage decisions who have experienced any period of imprisonment would have their claims disqualified, barring them from the right to be identified as victims and from the provision of 'recovery and reflection' support. This provision would be applicable to children with insecure immigration status too, harming vulnerable minors who have been exposed to trafficking and exploitation.
13. Under Article 4 of the ECHR and Article 26 of ECAT, the government has a positive obligation to identify and protect victims from punishment related to their experiences

⁶ Home Office (February 2026). [Modern slavery: National Referral Mechanism and Duty to Notify statistics UK, end of year summary 2025](#).

⁷ Home Office (March 2023). [Modern slavery referrals for people detained for return after arriving in the UK on small boats](#), as cited in: International Organization for Migration (December 2025). ['Modern slavery in the UK, announced policy changes risk leaving victims behind.'](#)

⁸ Diane Taylor (2025). ["UK anti-slavery commissioner condemns Shabana Mahmood's asylum comments."](#) *The Guardian*, 18 September.

⁹ Independent Anti-Slavery Commissioner (April 2025). [Refusal to Consent: Factors influencing the uptake of modern slavery support under the National Referral Mechanism](#).

of modern slavery. This includes offences they were coerced to commit, as well as being made undocumented by traffickers. International oversight bodies have repeatedly asked the UK to uphold the non-punishment principle, stating that PODs are only compatible with ECAT if applied “in very exceptional circumstances and cannot be used by States to circumvent their obligation to provide access to the recovery and reflection period.”¹⁰ The Bill’s provisions are therefore incompatible with the obligations on identification, support and non-punishment.

14. The Bill also obstructs access to justice through its provision to facilitate automatic deportation of people convicted of custodial sentences. Given the existing systemic failures in identification, victims of modern slavery are likely to be harmed by this. The Bill’s impact assessment acknowledges this risk, stating that victims convicted of offences will have poorer outcomes and increased likelihood of re-exploitation.¹¹ This reinforces the widely held belief amongst migrant victims, that they will be punished instead of exploiters. **As a result of these provisions, we anticipate that increased numbers of victims will refuse referral into the NRM.**

Changes to interpretation of Article 8 (Clauses 18 - 20)

15. The Bill restricts interpretation of Article 8 of the ECHR by narrowing the definition of ‘family life’ and instructing courts to weigh public interest more heavily against family ties. The public interest test includes consideration of periods of ‘non-compliance’ with immigration rules, debt, predicted future use of public funds, and criminal convictions. The Bill also directs courts not to consider any family or private life ties established during periods without legal status.
16. This will directly harm victims and survivors. As recognised by the government’s VAWG strategy, most women in contact with the criminal justice system are victims and survivors of VAWG. Additionally, Black and minoritised victims are disproportionately vulnerable to criminalisation, “particularly migrant victims and asylum seekers where the fear of criminalisation may be used as a tool to abuse.”¹² **The Bill’s provisions give further weight to the fear of criminalisation and reinforce perpetrator’s threats, that victims be arrested and punished if they report abuse.**

¹⁰ Group of Experts on Action against Trafficking in Human Beings (GRETA) (May 2026). [Fourth evaluation round: Evaluation Report - United Kingdom](#).

¹¹ Home Office (June 2026). [Impact assessment: Immigration and Asylum Bill](#).

¹² Home Office. 2025. *Freedom from violence and abuse*.

17. Penalising migrant women for ‘non-compliance’ with immigration rules is also incompatible with an understanding of coercive control and immigration abuse. The Bill disregards the Domestic Abuse statutory guidance, which recognises that manipulating a victim’s immigration status so she has no options for regularisation, deliberately mismanaging her immigration applications, and withholding information or documents to force her to become undocumented are common abuse tactics by perpetrators.¹³ **By penalising non-compliance and disregarding family ties established during periods without immigration status, the Bill punishes victims and survivors for enduring immigration abuse and coercive control.**
18. Many of the women we support rely on Article 8 to regularise their immigration status after fleeing abuse. Most migrant victims and survivors are ineligible for protections like the Migrant Victims of Domestic Abuse Concession (MVDAC) and Appendix Victim of Domestic Abuse leave (Appendix VDA).¹⁴ Additionally, many women cannot access the usual parent visa route, as coercive control, financial abuse, caring responsibilities and no access to state-funded childcare make it impossible to meet the financial requirements. We are especially concerned that victims and survivors separated from their children by abuse or exploitation may face challenges proving a subsisting parental relationship. There are no protections in place for these victims in the Bill.
19. Instructing courts to give weight to predicted public funds access will also harm victims and survivors. Public funds are a lifeline for all victims of VAWG. Access to benefits enables women and children to flee abuse to domestic violence refuges, emergency accommodation or long-term housing and support. However, migrant victims and survivors are systematically locked out by the No Recourse to Public Funds (NRPF) condition. Without public funds, migrant victims are forced to choose between destitution and remaining with abusers.
20. This provision carries significant adverse equality implications. **The monitoring body for implementation of the Istanbul Convention has already found the NRPF policy and**

¹³ Home Office (April 2023). [Domestic Abuse: statutory guidance](#).

¹⁴ The Migrant Victims of Domestic Abuse Concession (MVDAC) provides a temporary 3-month grant of leave to remain and access to public funds, for certain migrant victims and survivors of domestic violence. The MVDAC is only available to survivors whose immigration status depends on a partner/spouse who: is a British citizen; has settled status or Indefinite Leave to Remain; has a work or study visa; has refugee status; is a current or former member of the armed forces. On the other hand, Appendix victim of domestic abuse (Appendix VDA) is a permanent settlement status, only available for migrant victims and survivors of domestic abuse whose spouse, civil or durable partner is a British citizen, a refugee, has settled status, or is a current or former member of the armed forces. Appendix VDA replaces any previous immigration status. Examples of victims and survivors who are ineligible for the MVDAC or Appendix VDA include those who are undocumented or hold visitor visas; those with valid fiancé, student, graduate or skilled worker visas; and victims experiencing domestic violence from non-partner family members (such as parents or children).

narrow eligibility for protections (e.g. MVDAC) to be “a form of discrimination that must be addressed urgently”, as they undermine the UK’s obligations under Article 4(3) of the Istanbul Convention.¹⁵ Almost all requests to lift the NRPF condition come from single mothers, and women with NRPF are three times more likely to experience domestic abuse.¹⁶ By preventing women from regularising their immigration status if they are likely to access public funds in the future, the Bill amplifies this discrimination and harm rather than addressing it.

21. The proposed changes to Article 8 interpretation remove a lifeline for migrant victims and survivors and will force them to remain undocumented, cutting off access to support, safety and justice. The Bill strengthens perpetrators’ threats: that victims will be detained, removed/deported, disbelieved, arrested or forced into destitution if they seek help. The cumulative impact will be increased fear of reporting for migrant women, particularly criminalised or undocumented victims and survivors.

Fear of reporting

22. The Bill will deepen the unequal access to safety, justice and protection experienced by migrant victims and survivors. Already, migrant women are placed at risk by the widespread practice of data-sharing between statutory services and Immigration Enforcement. In 2023, all police forces in England and Wales were found to have shared the data of people who attempted to report crime with Immigration Enforcement.¹⁷ This meant their immigration status was prioritised above safeguarding and crime investigation, compromising the rights set out by the Victim’s Code.¹⁸
23. Data-sharing is enormously detrimental to victims and survivors. Describing the impact on a woman whose data was shared after reporting domestic abuse, stalking and harassment, our caseworker said that: “LAWRS was a safe haven until the moment she reported to the police and got the letter from [the Home Office]. Since then, she does not feel safe to engage with us anymore. The report made to the police was the only right she had as an undocumented woman to be safe. She was not entitled to housing, benefits or the majority of the services provided by the council. But even this was denied to her.”

¹⁵ Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) (June 2025). [Baseline Evaluation Report: United Kingdom](#).

¹⁶ The Unity Project (July 2019). [Access Denied: The cost of the 'no recourse to public funds' policy](#).

¹⁷ Domestic Abuse Commissioner (November 2023). [‘Police report victims of domestic abuse to Immigration Enforcement.’](#)

¹⁸ Ministry of Justice (January 2025). [Code of Practice for Victims of Crime in England and Wales \(Victims' Code\)](#)

24. Fear of reporting, data-sharing and subsequent disengagement from victims and survivors also make identification of perpetrators difficult. This obstructs access to justice and allows high-risk offenders to continue committing serious crimes with impunity. A 2020 joint investigation by the College of Policing, HMICFRS and the IOPC found that “significant harm is being caused to the public interest” by data-sharing of victim and witness information, and called for “an immediate change in police practice to allow a separation between the response to a victim’s report of domestic abuse and the handling of their immigration status”.¹⁹ **Data-sharing and the fear of reporting present a risk to all women and girls, undermining efforts to tackle VAWG and modern slavery.**
25. Following years of stakeholder advocacy, the *Domestic Abuse Act 2021* recognised the weaponisation of immigration status for coercive control,²⁰ but failed to include safe reporting mechanisms to protect migrant victims. **The government’s VAWG strategy has since committed to a consent-based data-sharing policy, but our frontline experience and Home Office engagement indicate its impact will be limited, and potentially harmful.**²¹ During post-legislative scrutiny of the Domestic Abuse Act in July 2026, the Domestic Abuse Commissioner also stressed that this model will not work to protect migrant victims and survivors.²²

Statutory safe reporting amendment

26. Without protective measures to mitigate the Bill’s impacts, the effects at individual and community level will be devastating. Alongside Focus on Labour Exploitation (FLEX) and The Joint Council for the Welfare of Immigrants (JCWI), we are proposing an amendment to establish a statutory safe reporting mechanism. This would prevent information provided by victims - for the purposes of reporting a crime or seeking support - being used for immigration enforcement. This amendment would create a safety net for victims and survivors harmed by the Bill.
27. Safe reporting models have been successfully implemented in the UK and abroad.²³ **In January 2026, the Police Service of Northern Ireland (PSNI) restricted data-sharing only to victims or witnesses reasonably suspected of high-harm offending.** Information will only be passed to Immigration Enforcement when substantiated by evidence and

¹⁹ College of Policing, HMICFRS, IOPC (December 2020). [Safe to share? Report on Liberty and Southall Black Sisters’ super-complaint](#).

²⁰ Home Office. 2023. *Domestic Abuse: statutory guidance*.

²¹ Home Office. 2025. *Freedom from violence and abuse*.

²² Domestic Abuse Act 2021 Committee, House of Lords (2nd July 2026). [Oral evidence session No. 20](#).

²³ LAWRS (2026). [‘International examples’](#).

approved by an Authorising Officer. In domestic abuse cases, officers must account for counter-allegations and establish the primary perpetrator before any data-sharing takes place. As the PSNI policy shows, safe reporting mechanisms are not incompatible with immigration enforcement functions or the identification of high-risk perpetrators.

28. Victims and survivors across England and Wales should receive the same standard of protection and safeguarding. A safe reporting amendment would standardise practice across the UK, ensuring there is not a postcode lottery for safety and justice. As addressed above, the government's proposal for a consent-based mechanism falls short of the protection required. The Welsh government has already accepted the recommendation to establish a data-sharing firewall for victims of VAWG in principle, but it cannot implement this without cooperation from central government.²⁴

29. Successive governments have had the opportunity to implement a statutory safe reporting mechanism but have failed to do so. As a result, migrant victims and survivors continue to experience discrimination. We draw your attention to support for safe reporting mechanisms from key stakeholders including the Domestic Abuse Commissioner,²⁵ the Independent Victims' Commissioner for England and Wales,²⁶ the Independent Anti-Slavery Commissioner,²⁷ the Equality and Human Rights Commission,²⁸ the Trades Union Congress,²⁹ and numerous parliamentary committees.³⁰ We urge the government to follow these recommendations and implement a statutory safe reporting mechanism to mitigate the harm the Bill will cause to victims and survivors of VAWG, exploitation and modern slavery.

Conclusion

30. At present, migrant victims and survivors of VAWG, modern slavery and exploitation are afraid to report violence to the police, or to seek support from statutory services, because their information is likely to be shared with Immigration Enforcement if they do so. The Immigration and Asylum Bill expands the harmful repercussions of data-sharing, strengthening the power of perpetrators to threaten victims and survivors into silence

²⁴ Senedd Cymru (December 2022). [The Welsh Government response to the Equality & Social Justice Committee's report on Gender based violence and the needs of migrant women](#).

²⁵ Domestic Abuse Act 2021 Committee. 2026.

²⁶ Claire Waxman OBE (22nd June 2023) ['Letter to the Victims and Prisoners Bill Committee'](#).

²⁷ Independent Anti-Slavery Commissioner (June 2026). [Annual Report 2025-2026](#).

²⁸ Equality and Human Rights Commission (EHRC) (February 2024). [Submission to the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence. UK implementation of the Istanbul Convention: Baseline Evaluation](#).

²⁹ Trades Union Congress (May 2021). [TUC action plan to reform labour market enforcement](#).

³⁰ LAWRS (2026). ['Support for safe reporting mechanisms'](#).

and isolation. Without protective measures, the Bill will force marginalised victims and survivors to endure coercive control, abuse and exploitation for lengthy periods, with no access to protection, support or justice.

31. We recommend amending the Bill to establish a statutory safe reporting mechanism for migrant victims and witnesses. Without this, the government will not meet its aims to halve VAWG in a decade or make the modern slavery identification system world-leading again. Data-sharing will continue to significantly harm public safety, and migrant women will continue to have unequal access to protection, undermining the government's international obligations.

Appendix: LAWRS case studies

**Names have been changed to protect the women's identities.*

32. **Catalina*** was brought to the UK in 2023 to work as a live-in housekeeper and nanny. She was forced to work excessively long days, with almost no food. The employer stole her passport and installed cameras in the property. They said Catalina had to bring a replacement worker to the UK if she wanted to leave the job. Catalina became undocumented during the exploitation. The employer said she was now "at the bottom of the pile" - no one would believe her due to her immigration status and lack of English. Catalina became terrified of interacting with the police, even after approaching LAWRS for support.
33. **Júlia*** is undocumented. Her partner is abusive and coerced her into a loan in their home country. Now, the loan shark is threatening Júlia online, promising to pay anyone that kills her. In the UK, Júlia's partner assaulted her in public. She lost consciousness and witnesses called the police. Her partner was arrested, but due to her immigration status, Júlia withdrew the charges and declined a Non-Molestation Order. She is terrified of being killed by the loan shark if she is detained and deported. The police explored a victimless prosecution against Júlia's partner, but witnesses refused to cooperate.
34. **Elena*** works at a beauty salon owned by a British man. He pressured Elena into a relationship and a marriage, then subjected her to abuse and exploitation. Elena was forced to work without pay and had to borrow money for a spouse visa application. She is afraid to report the violence before her visa is accepted - her husband threatens her with detention and deportation if she calls the police. Elena discovered that her husband had previous relationships with other migrant women employed at his shop, using their immigration status to abuse them in the same way.

35. **Joana*** is undocumented. She approached LAWRS for support after experiencing physical, financial and sexual abuse from her partner and his friends. Due to her complex needs, Joana was referred to adult social services. An officer from the local authority told Joana to “just stay at home and wait for deportation” when she called for an update. As a result, Joana became terrified of all engagement with statutory services. Though LAWRS helped her register with a GP, she refused to attend any appointments due to fear of detention and deportation.
36. **Lucia*** experienced high-risk stalking from her ex-partner after years of domestic abuse. She was afraid to call the police as she is undocumented, but a LAWRS caseworker convinced her to make a report. The responding police officers minimised the stalking and violent threats. They pressured Lucia into disclosing her immigration status and then called Immigration Enforcement in front of her. The police told Lucia that she was not a victim, no crime had occurred, and it was their job to report her to the authorities.
37. After the perpetrator attempted to break and enter during the night, Lucia’s caseworker spent days convincing her to make another report. Lucia finally agreed, but received an immigration bail notice shortly after. Extremely distressed, Lucia told her caseworker that there was no way to obtain justice, and completely disengaged from all services.