

Remember and Resist Podcast Episode 2 Transcript

Episode 2: Migrant Workers Organise

This text is transcribed from the audio recording, and partially edited for readability.

Tessa: You are listening to the second in a series of podcasts entitled *Remember and Resist: Borders, Solidarity and the Essex 39*. The discussion you're about to hear was held at an event in London in February 2020, organised by the Remember the Essex 39 Campaign who came together in October 2019 after the deaths of 39 Vietnamese migrants whose bodies were found in the back of a lorry in Essex trying to get into the UK. Our vision is a world without borders or prisons, and until now have been primarily organising around issues of border violence facing East and South-East Asian migrant communities. We stand in resistance to the hostile environment and state violence, and in solidarity with those most directly impacted.

If you'd like more information on the work we're doing or to get involved, you can email us at remembertheessex39@protonmail.com or contact daikon* (@daikonzine) on social media.

This panel is chaired by Kay Stephens. Kay is a cultural worker specialising in oral history, and co-founder of [daikon](#), a zine and collective for Southeast and East Asian women, non-binary & all trans people.

Kay: This panel will focus on how migrant workers organize against exploitative working conditions, and the intersections of racism, sexism, and state violence. We will never know the full stories of the 39 people at the back of the lorry; but we do know, based on migration histories such as those shared by our previous panel, that they were likely coming to the UK to work and improve their conditions. Had they survived, they would have likely become undocumented workers. They would have faced the compounded effects of an exploitative economic system and a border regime that strips them of social and economic rights solely on the basis of their nationality and lack of citizenship. Migrants in such precarious conditions are constantly agitating and mobilizing to improve their condition. In this panel, we want to explore the actual issues migrant workers are facing and strategies for resistance, situating those in the context of hostile law/law enforcement and immigration policy.

Amina (SWARM): SWARM (Sex Workers Advocacy Resistance Movement) is a UK based workers' collective that advocates for the labour rights and wellbeing of sex workers. Amina du Jean is on the board of SWARM with years of experience working in East Asia and Europe.

Amina: I'm very happy to be here, thank you for introducing me. So I am an organiser with SWARM which, as was said, is a sex workers advocacy and resistance movement here in the UK. My particular areas of interest are migrant sex workers and the experiences that migrants specifically have to go through. I'm also on the board of TAMPEP which is a EU wide network particularly for migrant sex workers. As SWARM, we work with migrant sex workers but its not migrant specific, whereas TAMPEP is migrant specific. So before getting into what we do at SWARM, I wanted to give some background information to the legislation and laws in the UK surrounding sex work and prostitution.

So sex for money and prostitution is essentially legal in the UK with the exception of Northern Ireland. So you can trade sex for money legally. However outdoor solicitation, putting a card up in a phone box, and particularly working in a brothel is illegal, or managing a brothel is illegal. It's important to note that brothel-keeping can be defined as two workers working together for safety. So let's say my friend and I, we want to work together just to have somebody to call on, just to feel safe, that's considered a brothel we can be charged as brothel keepers. So the only way to work legally as a sex worker in the UK is to work alone indoors by yourself. Which is obviously incredibly dangerous. So its estimated by NSWP (Network of Sex Work Projects) that 70% of sex workers in Britain are migrants, and out of that most migrant sex workers either work outdoors or in a brothel, which means that they are working in some illegal capacity.

So because of the way migrant workers tend to lack certain facilities such as accommodation which is quite hard in Britain, also language differences, cultural differences, it just makes it a lot easier to work in a brothel even if somebody else is managing it, it's easier to give someone else a portion of your money and work for that, or have a friend or have some sort of community rather than work alone in this different country.

So we established that working legally as a sex worker is already hard, but for migrant sex workers there is an added layer of labour laws and restrictions. So even if you come to the UK and you have the right to work, that doesn't mean you have the right to necessarily be a sex worker. If you come on a tourist visa, and you overstay, obviously you don't have that right to work. There are a number of legal stipulations that make it a lot harder for migrant

sex workers, especially if they are asylum seekers or undocumented, you add another layer of illegal activity, that they are forced to participate in.

So where does SWARM fit into this? So we organise for a lot of different causes and with a lot of different methods within the UK. So for some more background information- Ireland and Northern Ireland as well as many countries around Europe and the world have adopted something called the Nordic model. This is where they criminalise sex buyers and pimps very, very heavily. On the surface level it sounds great, but actually it's very, very detrimental to particularly migrant sex workers. This model came along in the late 1990s in Sweden because they saw an uptake of migrant sex workers, particularly Black West African and Eastern European sex workers working on the streets in Sweden. To get rid of them, they proposed 'let's criminalise the clients', so if you have less clientele, men who are willing to buy sex from you, you have less money, you also take more risk, and this puts them in an even more vulnerable position. Countries like Sweden that have adopted this have actually deported more sex workers *after* this law came around - and they say its for rescue but we know in actuality it's a way to ethnically cleanse, really, migrant sex workers from working there.

Particularly I wanted to note in France, there was a recent demonstration going on with [STRASS \(Syndicat du TRAvail Sexuel\)](#), a migrant sex worker collective/organisation, and this is on the back of the tenth sex worker murdered in France over the past twelve months, and France has the Nordic model, which is what I was just discussing. Out of these ten workers that have been murdered in the past twelve months, three have been Chinese. Roses (Les Roses D'Acier/铿锵玫瑰), a Chinese French sex worker rights movement have been campaigning a lot around this, and there have been quite a lot from South America as well, trans women, mostly migrants are really facing the brunt of this legislation. So with SWARM we advocate for full decriminalisation obviously, but we also keep in mind that there are other nuances and other issues that are going to impact sex workers that are migrants that aren't just based off of prostitution laws. So something more recently that also happened was in Ireland, where they have the Nordic model, they had two Romanian sex workers just last year who were charged with brothel keeping. Again, they were working together for safety, but they were charged as if they were traffickers or pimps, and one was pregnant, they were put into jail. I can't recall whether they were deported or whether they willingly went back to Romania, but it's quite a sad story because it's obvious that the people they are going after are the most vulnerable migrants that they say they are protecting, but they're

not. So SWARM raised thousands of pounds to give to them, to help them with their new life. It was originally for a legal defence fund at the beginning but they went back, so...

Something else that SWARM has campaigned around is that in 2016, there were these raids in Soho. These raids particularly impacted East Asian sex worker community working at massage parlours. Something notable about these raids was that the police invited the press. They marched these sex workers out in their underwear on the streets of Soho, they robbed them of the wages that they earned that day and they claimed that it was for rescue.

But seeing that more sex workers from these sex workers in these raids were deported than traffickers were penalised, shows that it was an immigration raid from the start. SWARM and the English Collective of Prostitutes really tried to get press around this so that we could raise the awareness about what's happening because the press and the mainstream people were just told that they were being taken for safeguarding or something but really they were just taken to Yarl's Wood. So obviously they don't care what happens to sex workers.

What I want to end this note on, that was kind of brought up before in the earlier panel, is that I hope we can understand that we live in a dichotomy of choice vs force, not only when it comes to migrants, but when it comes to sex workers as well. That's not how labour works, that's not how anything in life works, most things are in this grey area in between. And to move past that we need to stop patronising and infantilising particularly migrant women as if they have no agency over their own lives, but also to amplify their voices and find out what they need the most. So thank you very much, and I'm excited to hear from everybody else.

Kay: Thank you so much. Especially the point you made at the end, and how the state couches certain policies in the language of rescue, care or protection, but actually whether that's migrant sex workers or migrant workers in general, those supposedly protective policies are harmful and rooted in deportation and detention and further violence. So thank you. Next up we have Marigold Belquen from Voice of Domestic Workers (VDW), which is a self-help grass-roots organisation made up of multi-national migrant Domestic Workers in the UK that aims to improve their own living and working conditions. Mary will speak about some of the issues facing domestic workers in the UK, how visa and immigration policies make it difficult for domestic workers in the UK, and about how VDW navigates anti-trafficking policies.

Marigold: Thank you, my name is Marigold, I am the spokesperson for VDW self-help group run by immigrant domestic workers campaigning for our rights in the UK. VDW was

established in March 2008, it is already 11 years old. We provide IT computer classes, English classes and skills training like first aid training and livelihood. The immigrant domestic workers who come to UNITE (the union) every Sunday where we hold our activities to learn there are those who need help and support, many will contact us through calls and Facebook, and we go wherever they work and rescue them from abusive employers. We shelter them temporarily, they find us through word of mouth, social media, and we give cards with messages 'we are here to help translate in different languages'. VDW is able to help them in many ways, like shelter, providing food, travel allowance, to find their job, get new passport, educate them, but not on their visa status.

In 2012 the government removed all the rights of immigrant domestic workers including the right to change employers, renew visa, right to settlement, and right to citizenship. However through lobbying and campaigning, during the Modern Slavery act in 2015, the Modern Slavery we managed to restore the right to change employer but not allowing domestic workers to renew the visa, that made us all undocumented. All domestic workers in the UK since 2012, with the absence of right to renew visa, the only option before their visa expiry is to apply in the National Referral Mechanism, a mechanism that assessed domestic workers and helped identify if they are potential victims of modern slavery or trafficking. If a domestic worker applies before visa expiry passes, she can keep her right to work and continue her leave to remain until a conclusive decision. If a domestic worker applies after her visa expires, she loses her right to work.

For me, I'm one example of a worker with no right to work. It was 2013 when I escaped from my abusive employer, they brought me here, I thought I only worked for them, but I worked for three families, I had no proper accommodation, I slept on a cold floor in a basement with all the ironing and washing and everything. Sometimes they didn't feed me, I needed to steal food from them, they didn't pay all my salary, I started working at 6am in the morning until 3 o'clock in the morning. For me it was too much, I left because I couldn't bear the way they treated me. When I escaped, I thought it was going to be easy for me, but I was put in a vulnerable position. I became undocumented, and then I was subjected to bullying, harassment, exploitation because of my immigration status. This was always the barrier and hindrance, they used this to threaten me because of my immigration status. After that, it was 2018 when immigration enforcement came to our house. They brought me to Beckett House. When the immigration officer spoke to me and he told me the reason that they knew, I said 'am I a criminal, that you should detain me? Did I commit any crime?' I told them: 'is it a crime to run away from your abusive employer who exploited you, who treated you like a slave?' and then the immigration enforcer didn't talk and this is when he started asking

questions about what happened to me. And I told the immigration enforcer, this is really what happened to me. I was exploited by my employer. I was asked 'do you want to go through the national referral mechanism' and I said to her 'do I have any choice?' If I don't go to the national referral mechanism you're going to deport or detain me. Even though I don't like the idea of going to the national referral mechanism, I accept it, because I have seen my fellow domestic workers undergo stress, mentally, emotionally, so I don't want to experience the same. Now I live in uncertainty whatever the decision, because you know they don't allow me to work and at the same time they let me live on £35 a week with £5 a day, how can you live like that? All I want is to work and feed my family at home, until now I was waiting for the final decision what really happened to me. Currently I am reporting to the Home Office every two weeks with no idea when the conclusive grand decision will be given. Will I give it a positive or a negative?

But I continue to help my fellow domestic workers to share my story. Others can be aware and help the VDW to campaign for the right to change employers and citizenship. We are launching our campaign in April at the House of Commons, with Jess Phillips. We want to be recognised as workers and not as trafficking victims. It is important also that we are campaigning to rectify the ILO convention 189: decent work for domestic workers. We continue to be visible in society so everybody values our work. Without domestic workers, how could others do their work? Domestic work is work. Domestic workers are workers. Decent work begins at home, thank you.

Kay: Thank you so much for sharing. The next speaker is Maritza, who is the chair of the University of London branch of the IWGB (Independent Workers Union of Great Britain).

The IWGB has its roots in representing precarious migrant workers and is fighting and winning rights for outsourced workers and workers in the gig economy. We are going to hear from Maritza about how outsourced migrant workers are organising, the particular issues that migrant workers face, and how immigration policy affects migrant worker organisation.

Note: Maritza's presentation is in Spanish, and this is the transcript of the interpreters translation.

Maritza: Thank you everyone. I am Maritza, chair of the UoL branch of the IWGB. In our branch of the union we have almost 700 workers.

I started off working as a cleaner, that was an area of work in which I experienced a lot of abuse, intimidation and bullying in the workplace. I saw that many of my colleagues had the same experience. These were the many reasons that I got involved in the union and started organising. I worked cleaning halls of residences in University of London Universities. The company we worked for didn't pay us for three months, they also exploited the workers, especially pregnant women who they would make work in shocking conditions and use chemicals that could have been harmful to their babies.

After three months with no pay, we decided to organise an unofficial strike, which was an incredibly risky measure, considering the consequences that could have followed. As it happened, we were able to get the company to pay for those three months. After the initial unofficial strike back in 2001, we realised that our salary was actually very low, it was £6.15 per hour, so we started to organise and protest in order to be paid the London Living Wage which at the time was £7.50. We actually managed to increase the pay to £8.80 per hour.

After the initial victory we realised the power of organising, so we started to speak to our colleagues and recruit people and started to unionise. That was the start of the Tres Cosas ('three things') campaign. We were fighting for holiday, pensions and sick pay. So then with another round of strikes and protests, we were then able to win these concessions from the University, and these were of course things that the direct employees of the university already enjoyed. So we were then able to win another big victory after the initial campaign.

It was a very symbolic victory for workers who before had been practically invisible. They had been scared, intimidated, they'd been working with these really shocking exploitative conditions while their colleagues who were directly employed by the University had all kinds of benefits that they didn't have. The fact that we were able to get hundreds of workers out on strike was the beginning of a big realisation for lots of us that we have the power to fight back.

After the initial victories we started organising in other areas, we started pushing for more salary increases, and most importantly we started the 'In House' campaign to end outsourcing completely and to demand that the Universities give outsourced workers the same terms and conditions or to bring them in house and employ them directly. We know that these third party companies are incredibly exploitative even when they change companies, it doesn't matter which company, they're all just as bad as each other, and so the important thing is direct employment.

With the end outsourcing campaign, there were some victories like Senate House library, and off the back of that we recently started a campaign at UCL to bring cleaners, porters and security staff in house. So far we've had two strikes, one in October-November and one in December. So far with the strikes which were huge, we've been able to win some concessions like some salary increases and sick pay from June. This again is a massive symbolic victory for workers who have been invisible for the majority of their careers, certainly for their time in London, now have Union support and feel much more empowered to carry on fighting for direct employment.

The UCL campaign is ongoing, we will continue fighting until all workers are employed directly, because as we've said these workers are the ones who suffer the most in terms of pay, benefits, workplace harassment, discrimination based on lack of English language skills.

So thank you very much for having me today, it's been a pleasure to speak to you, and thank you to all the fellow speakers.

Kay: Thank you everyone (sorry I forgot to introduce Kieran the translator, you did a great job)! So we've got about ten minutes, I wanted to ask a few questions then we can open it up. I wanted to ask you, Maritza, it's really inspiring to hear about the campaigns you've been running, because the other two speakers have spoken a lot about intimidation based on migration status, whether it's been difficult to organise undocumented workers, and whether you face any intimidation from employers on that basis?

Maritza: So as was said before, undocumented workers have found it difficult to organise because they are facing discrimination on all fronts, we have workers from Latin America, from Africa, from the Caribbean, and so there's all kinds of discrimination at play. That also means they have very little confidence to organise which means that they tolerate abusive managers, all kinds of other workplace abuses, I think it's their immigration status which is the root of the lack of confidence that prevents them from organising themselves. And so I guess that's now immigration status plays into my experience of organising.

Kay: This is a question more for Amina and Mary, what came out of both of your talks was this idea of 'rescue', denying agency of workers, and your work being recognised as work. I was wondering, because rescue which comes from the state is violent and harmful to migrant workers, but Mary you did talk about how maybe there's a different kind of rescue in

the way that VDW operates, and obviously there are people who need to leave their work sometimes, and what's a good way of thinking about rescue or aid?

Mary: Most of our domestic workers need rescue because some of them find us on Facebook or word of mouth so we rescue them and need them to take a lot of patience. Because it's not just one day 'oh I want to run away from my employer' -no. Sometimes we need three days to have to monitor how she's going to run away from her employers. Sometimes the only [reason we can] access her is that she stole the employer's Wifi password from the employer because how can she contact without the number? So sometimes this lady wanted to run away, we managed to 'can you tell us where you are'? At night she threw out the garbage, and we put a SIM card beside the garbage, so that we can reach her, because sometimes if she goes out then she's not connected to the Wifi. That's one example of how we help them.

Amina: I think it's interesting you ask about rescue, because within sex work or prostitution, we call the anti-trafficking organisations which dub themselves as the 'rescue industry'. The problem with that is that they often don't provide work or any solution as to how a migrant, who sometimes is undocumented, or might be an asylum seeker, or might have limited labour rights, is going to make enough money to send back to their family home, to find housing in Britain, specifically London, sometimes to pay back smugglers. This isn't thought about. It's often done from an emotional basis which is understandable but if somebody says they want to leave sex work or prostitution I think that we should help them but I also think that as a society and as organisations that care about human rights we should make these avenues where migrant women are going to face racism, are going to face issues with language, can realistically make enough money to leave easily. I also think that we should rely on sources inside of communities that certain migrants might come from. I think when we have the trafficked narrative we also sort of frame people within that community also as perpetrators of trafficking you know, whether they be brown, black or Asian men or women, we frame them as the person doing the harm and as these white organisations coming in to save them, but I think in actuality we should work with communities that people are involved with to understand culture and language nuances, to be able to help them gain employment that they'd like to gain if they'd like to leave sex work.

Audience: This one is for Marigold. I was wondering if ever there was any legal intervention for the people that are holding domestic workers against their will? I know the 2015 Modern Slavery act has kind of changed that but I understand there are also limitations.

Marigold: Yes, with the new system, it was 2015 when the Modern Slavery Act, when the government was the one who asked James Ewins to take the review on domestic workers, and the government at the time promised [to take on] whatever recommendations of James Ewins on that review, about how domestic workers are tied to their employers, and once you are tied to an employer you cannot change employer. That's after 2012. But the government didn't fulfil their promise, they just let it go. So until that time, domestic workers put in a vulnerable position, immigration status has always been the barrier. We have this member, she's already undocumented, her employer didn't pay for her one month's salary. When she reported this to the police, the police called the Home Office and then the Home Office instead of helping the lady, they detained her. So they are put in such a vulnerable position that they cannot do anything. So sometimes of course we would help them step up like finding them the solicitor, helping us to do the anti-labour exploitation unit was the one who intervened doing these things.

Audience: I was just wondering if, as non-migrant workers, there are specific things we can do in solidarity with migrant workers?

Maritza: So we've had a lot of student support ever since we started our campaign, especially the most recent ones. That obviously helps an incredible amount with helping these workers feel visible and like they have the power to fight back, so the more of that the better. In my experience of organising, that's been one of the most important ways people can show solidarity. Also to recognise and acknowledge workplace abuse, harassment, wherever it exists. So to that end we've got a presence on social media, lots of events you can come along to, protests and strikes, and you can contact us through those social media pages, through university groups that we've got as well. Any kind of involvement like that would be much appreciated.

Amina: At the moment, a few things I can think of: SWARM is having a phone drive, we're collecting used cell phones or phones you don't need anymore to give to sex workers who are more marginalised or more vulnerable if they can't afford a second cell phone, so if you want to donate, if you have a phone lying around, you can contact us. We're also involved with the sex worker strike which is March 8th, part of the wider women's strike, so if you're at the women's strike you can go and show solidarity with that movement.

Audience: With these experiences of intimidation and discrimination and how that ties into insecure immigration status and the workers not speaking the language, I'm wondering what are the ways of - or in your experience, what have been the ways of empowering those who

don't speak English as well to resist in their workplace, and whether there's something that could possibly be done on the employers side to alleviate the situation a bit?

Maritza: Companies definitely should offer linguistic support, they should provide translators etc., but unsurprisingly they haven't, because in terms of exploitation, the language barrier is helpful for them. It takes advantage of workers who arrive with little to no knowledge of English, makes them sign things they don't understand, but it's important to note that there are also Spanish speaking managers and employers of these companies who also are the ones bullying and exploiting their colleagues, so it's a really complicated issue. With the union we've organised language classes, so we're doing everything we can to try and get over this language barrier, but as you can imagine it's one of the biggest obstacles we're facing and the companies don't really have any incentive to make it easier for their workers while they continue with these exploitative practices.

Amina: In the past we've worked with unions like United Voices of the World, to try and give more rights to workers who work in legal spaces, such as strip clubs, but also we've tried to do English lessons in the past, which I think we're starting up again, as well as know your rights flyers in a variety of languages. But I think to be honest it's quite hard to organise because, besides language differences, if you're a migrant sex worker you're not necessarily going to identify with being a sex worker. That's a very academic term, you're probably going to be in the country, want to make as much money as you can and then leave, you're not necessarily going to identify with the sex worker rights movement. So we find that sometimes communities tend to be inclusive maybe for good reason, but I think all we can do is keep trying, know your rights flyers. A brothel manager is not going to really care or want their workers to know their rights. So again, this is something that is difficult but I think it's important we try to be as inclusive as possible.

Marigold: Well for us the domestic workers, we educate them in terms of whatever your legal status you are undocumented or you are legal in this country, the thing is when you negotiate with your employer about bank holidays, hours, how long you work, if its per hour or a weekly, we educate them on this because it's really important that they don't abuse them. So we need to empower these domestic workers by doing this. We offer English classes for the domestic workers, so that sometimes when they negotiate with their employer they know how to stand and become the voice of their own rights.

Kieran (interpreter): I just realised I haven't actually given the names of our social media pages so if you search IWGB, there are pages for the UCL campaign and centralised IWGB page as well, so just bear that in mind.

Kay: Thank you so much.

Tessa: Thank you so much for listening and to our wonderful speakers Maritza, Amina and Marigold for joining us. We'd like to take this opportunity to encourage listeners who are able to donate to one or all of the following Covid-19 hardship funds for the groups represented in this podcast, which are:

SWARM (Sex Worker Advocacy and Resistance Movement):

<https://www.swarmcollective.org/donate>

IWGB (Independent Workers of Great Britain): <https://www.crowdjustice.com/case/sick-pay-for-all-workers/>

VODW (Voice of Domestic Workers):

<https://www.thevoiceofdomesticworkers.com/post/covid-19-emergency-response-fund>

We've put the link to these fundraising campaigns in the show notes. These groups have been hit particularly hard by the crisis, so if you're unable to donate, you could still support them by sharing with people who can.

Thank you to Chad and Rosa at [Rainbow Collective](#) for recording the event, and the [Outside Project](#) for hosting us.