

# ILPA immigration update 66

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## Modern Slavery Bill

The Modern Slavery Bill has concluded in the House of Lords. The Bill will now return to the House of Commons in early March. Victim protection measures were strengthened in several key respects during this stage of the Bill's progress:

- **Domestic Workers:** An important vote was won on domestic overseas workers – the Lords voted in favour of an amendment to give these workers the right to change their employer. If this amendment stays part of the legislation, it would reverse a policy change in 2012, whereby these workers were tied to their employers, making it more difficult for them to escape situations of abuse. However the amendment still needs to be approved by the Commons to become part of law.
- **Legal Aid:** Baroness Helena Kennedy QC moved an amendment which sought to increase the scope of legal aid provision for victims of trafficking and slavery. This prompted a useful debate, in which the Government committed in Parliament to pilot the provision of legal aid at an earlier stage than currently.
- **Child trafficking advocates** – the Government were persuaded to make provision for legal powers for child trafficking advocates. This is something that has long been lobbied for by civil society organisations supporting child trafficking victims.

## Legal Aid case victory

The Legal Aid Agency's policy on exceptional case funding has been ruled unlawful by the Court of Appeal. In the same judgment, legal aid for family reunion cases was found not to be within the scope of the legal aid legislation. See further ILPA's Information Sheet: [Legal Aid 19 - Exceptional Funding Policy Ruled Unlawful](#). The cuts to legal aid in recent years have led to some misconceptions, for more information on this, see our Information Sheets [Legal Aid 21: Mythbusting](#) and [Legal Aid 20: Finding a Lawyer](#).

## New legislation on trafficking in N. Ireland

The Northern Ireland Assembly has passed the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015. Among the changes brought in were independent legal guardians for victims of trafficking.

### **New report on detention and a promised review**

The Home Secretary, Theresa May, has released a report into detention by the Tavistock Institute of Human Relations, one year after it was delivered to her. The report states the relationship between the Home Office and those advising detainees and campaigning on their behalf *“has all but broken down in some instances”* due to *“mutual antagonism and suspicion”*. It reports that detainees are at risk of deterioration in the system as a result.

The Home Secretary has responded by way of announcing an independent review into immigration detention. However the review will not look at whether there should be a time limit on detention (currently there is no limit) nor will it review the actual decision to detain people.

### **New policy for Syrians**

New policy guidance has been issued for Syrian cases and is available [here](#).

### **Immigration Act 2014**

The Immigration Act 2014 was brought into force on 2<sup>nd</sup> March and 6<sup>th</sup> April 2015. It removed rights of appeal other than on human rights and asylum grounds. Further information to follow. A Statement of Changes in Immigration Rules HC 1025 has also been laid before Parliament. This makes provision for an Administrative Review by the Home Office for those who have lost appeal rights and it also makes a wide range of changes to other rules including in particular the visitor rules.