

Equality of Opportunity Committee

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Background paper for the Committee's proposed inquiry into issues affecting migrant workers

Purpose

1. To discuss the background paper for the Committee's proposed inquiry into issues affecting migrant workers.

Background

2. Members of the Equality of Opportunity Committee have indicated that they wish to consider the possibility of conducting a scrutiny inquiry focussing on the experiences of migrant workers in Wales

3. The background paper at Annex 1 provides information about migrant workers in Wales, in particular, those from the eight Central and Eastern European accession countries. It also highlights key issues affecting migrant workers, their families and the communities in which they settle including employment conditions, access to public services and social inclusion.

Action

4. Members are invited to consider and agree the focus for the inquiry.

Committee Service

September 2007

Equality of Opportunity Committee

Migrant Workers in Wales - Background Paper

Members of the Equality of Opportunity Committee have indicated that they wish to consider the possibility of conducting a scrutiny inquiry focussing on the experiences of migrant workers in Wales. This paper provides information about migrant workers in Wales, in particular, those from the eight Central and Eastern European accession countries. It also highlights key issues affecting migrant workers, their families and the communities in which they settle including employment conditions, access to public services and social inclusion. The paper goes on to outline actions which are being taken, or have been taken in the past by the Welsh Assembly Government and finally indicates the scope for law making in relation to migrant workers under the *Government of Wales Act 2006*.

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1. Background

Members of the Equality of Opportunity Committee have indicated that they wish to consider the possibility of conducting a scrutiny inquiry focussing on the experiences of migrant workers in Wales. They have expressed a number of specific concerns including:

- Anecdotal reports of employers discouraging migrant workers from learning English or Welsh and from joining Trade Unions
- Anecdotal reports of migrant workers living in poor conditions
- The lack of integration between migrants and others within communities in some areas
- The impact of negative reports about the 'costs' associated with economic migration to Wales

Members also stated that they wished to highlight the economic and social contribution made by migrant workers and examples of social inclusion and cohesion in areas where migrant workers have settled. The examples cited by Members referred predominantly to European workers from the eight Central and Eastern European accession countries (known as the A8) – Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia.

2. Summary of key points

- There are no official figures indicating the total number of migrant workers in Wales or the UK
- There were **17,020** National Insurance Number registrations in Wales in **2006-07** and **6,780** of these (**40%**) were from **Polish people**
- Much of the currently available statistical information and research studies focus on European workers from the eight Central and Eastern European accession countries (known as the A8) – Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia.
- Evidence suggests that A8 migrant workers account for a higher proportion of the working population in West Wales and Wrexham and the North Wales coast
- There is evidence to suggest that many 'new' migrants are **well educated** and in **low paid work**
- A number of research studies have concluded that migration provides a **boost to the economy**, although this is a **controversial** issue
- The Gangmasters Licensing Authority (GLA) was established in 2005 to curb the exploitation of migrant workers in the agriculture, horticulture, forestry, shellfish gathering and associated processing and packaging industries. The GLA, in revoking licences from some companies, provide evidence of **on-going exploitation**.
- Evidence suggests that key issues for migrant workers include:
 - Access to English and Welsh **language provision**
 - Access to **public services** such as housing and health
 - The importance of **social integration**

3. Migrant workers in Wales – key statistics

It is not possible to provide precise figures on the number of migrant workers in Wales because the various data sources define the term 'migrant' differently and as a result the data sources may have different numbers of migrants for the same time period.

3.1 National Insurance Number Allocations

The Department for Work and Pensions (DWP) published the latest statistics for 2006-07 on National Insurance Number Allocations to Overseas Nationals entering the UK in July 2007¹. The data cover overseas nationals allocated a National Insurance Number (NINo) on the National Insurance Recording System (NIRS) and includes benefit/tax credit recipients as well as workers. It is important to note that there is no requirement to 'de-register' a NINo where a person leaves the country. The statistics² indicate that:

- There were **17,020** NINo registrations in Wales in **2006-07** compared to **16,440** in **2005-06**, an increase of 4%
- **6,780** of these (**40%**) were from **Polish people**
- **8,990 (53%)** registrations came from people from **A8 countries**
- After Poland, the next highest countries for registrations were **India** with **1,400** and **China** with **500**
- The local authority areas in Wales with the highest number of registrations in 2006-07 were: **Cardiff (4,440), Swansea (1,470), Newport (1,410), Carmarthenshire (1,200) and Wrexham (1,180)**

The DWP NINo statistics indicate that there are migrant workers based in Wales from all over the world. However, people from A8 countries represent a significant and growing proportion of migrant workers in Wales and much of the statistical information focuses on this group, as do many recent research studies, some of the key findings of which are outlined in the next section.

3.2 The Home Office Worker Registration Scheme

The Home Office **Worker Registration Scheme³ (WRS)** provides a further source of statistical information. The enlargement of the European Union in May 2004 extended the mobility and freedoms of European workers from the eight Central and Eastern European accession countries (the A8). People from these countries who intend to work in the UK for at least a month must register with the WRS within 30 days of starting work. Information is sought on migrants' nationality, age, gender, place of residence, whether they have dependents, the name and location of their employer, their sector of employment, occupation, the hours they work and the rate of pay. Once workers have been legally employed in the UK for 12 months without a break they will have full rights of free movement and will no longer need to register on the WRS, although there is no requirement to deregister. The WRS, then, provides data which is likely to be of interest to the Committee, but it focuses on A8

¹ You can access reports and detailed tables on the DWP website: http://www.dwp.gov.uk/asd/asd1/niall/nino_allocation.asp

² Figures are rounded to the nearest 10.

³ Further information is available on the Home Office website:

http://www.workingintheuk.gov.uk/working_in_the_uk/en/homepage/schemes_and_programmes/worker_registration.html

migrant workers only and does not provide information about those who have been working for more than 12 months without a break or those who have returned to their country of origin.

Details of Worker Registration Scheme initial approvals for A8 migrant workers by local authorities in Wales is provided in table form in Annex A.

3.3 Welsh Assembly Government Statistical Article on Migrant Workers in Wales

In June 2007, the Welsh Assembly Government produced a statistical article on migrant workers in Wales⁴. The publication uses both WRS and NINO applications to outline the trend in the migrant worker numbers. The article outlines the number of migrants in Wales, by local authority, and their country of origin. Key findings from the publication show that:

- Between May 2004 and March 2007, **16,200 workers** registered on the WRS in Wales
- Just **four local authorities** account for **over half of the applications to the WRS** in Wales (Carmarthenshire, Newport, Wrexham and Cardiff).
- **Two thirds** of applications to the WRS in Wales during that period have been from **Poland**

3.4 Wales Rural Observatory scoping paper on A8 migrant workers in rural Wales

In July 2006 the Wales Rural Observatory (WRO) produced a scoping study on A8 migrant workers in rural Wales⁵. The study presents evidence which indicates that:

- **West Wales** (which incorporates the unitary authority areas of Pembrokeshire, Carmarthenshire and Ceredigion) is one of eleven DWP districts in the UK where **more than 1.5% of the working age population were A8 nationals**.
- **Wrexham and the North Wales Coast** has between **0.75% and 1.0%** of Central and Eastern European workers within its working age population.

The findings also show that A8 migrant workers account for a greater proportion of the working population in rural areas of Wales than urban and valley regions.

4. Migrant workers – key issues

4.1. Characteristics of migrant workers

A *Proposed Code of Practice on the Employment of Migrant Workers and provision of services in Wales*⁶ which was presented by the then Minister to the Social Justice and Regeneration Committee in July 2006 states that:

⁴ Welsh Assembly Government *Statistics on Migrant Workers in Wales*. June 2007.

<http://new.wales.gov.uk/docrepos/40382/40382313/statistics/economy/sa11a.pdf?lang=en>

⁵ Wales Rural Observatory *Scoping study on Eastern and Central European migrant workers in rural Wales* July 2006:

http://www.walesruralobservatory.org.uk/reports/english/S1_scoping%20migrants.pdf

⁶ You can access the draft documents on the National Assembly for Wales website:

<http://www.assemblywales.org/6b73315884dc11e7ee8aaec0d4ef6600.pdf>

"most migrant workers are single men aged 18 to 34, earning between £4.50 and £5.99 an hour. The majority are in low-skilled manual trades with the largest group described are "process operatives" or factory workers. Other most common jobs include packers, cleaners, those working in catering, warehouse operatives and farm workers".

An article in the Bank of England's Quarterly Bulletin Q4 2006 supports this position:

"Although the data show that 'new' immigrants are overrepresented in low-paid jobs, they appear, on average, to be relatively well-educated. So they may move into better paid jobs over time, or leave to return to their homeland. On the other hand, a new wave of immigrants may replace the current inflow"⁷.

4.2. Economic impact of migrant workers

A number of recent research studies have concluded that migration **does not** increase rates of unemployment, does not drain public services and does not adversely affect the UK economy but rather that the flow of migrant workers into the UK has **boosted economic growth** and helped control inflation.

A paper recently produced by the TUC concludes that:

"the overall economic impact of immigration is limited but positive. Migrant workers contribute more in taxes than they receive in services, and migration probably leads to slightly higher levels of employment and wages for native workers.....(E)vidence offered here makes it clear that there is no generalised, negative impact across the whole or large parts of the economy from immigration"⁸.

These conclusions are generally supported by a number of other studies including those undertaken by the Department of Work and Pensions, the Bank of England, the National Institute of Economic and Social Research, Pricewaterhousecoopers and the House of Lords EU Committee⁹.

However, a study published by Migrationwatch UK in January 2007 suggests that the economic benefit of migrant workers to the 'native population of the UK' is marginal at around 4p per week with the main beneficiaries being "immigrants themselves who are able to send home about £10 million a day, not the host nation"¹⁰.

Reporting on the results of a survey of officers working in local authorities in rural Wales which formed part of their *Scoping study on Eastern and Central European migrant workers in rural Wales*, the Welsh Rural Observatory state that:

"The contribution of migrant workers to the economy in Wales was seen to be largely positive. The dominant view was that, given the relatively low rates of unemployment in the area and that migrants

⁷ Saleheen, J and Shadforth, C. *The economic characteristics of immigrants and their impact on supply*. In Bank of England Quarterly 2006 Q4, page 383: <http://www.bankofengland.co.uk/publications/quarterlybulletin/qb060401.pdf>

⁸ TUC *The Economics of migration: managing the impacts* June 2007, page 5

⁹ See section 6 of this paper for references and links

¹⁰ See Migrationwatch UK press release – 3 January 2007 *Immigration Benefit 'Equivalent to a Mars bar a Month'*: <http://www.migrationwatchuk.org/pressreleases/pressreleases.asp?dt=01-January-2007>

were doing 'hard-to- fill' jobs, overseas workers were crucial to the viability of certain businesses and sectors in rural Wales and beneficial to the economy as a whole"¹¹.

Some respondents did suggest that migrants' high rates of productivity may have discouraged employers from employing local people in some cases¹².

4.3. *Exploitation of migrant workers by employers*

To support the *Gangmaster (Licensing) Act 2004*¹³, the Gangmasters Licensing Authority (GLA)¹⁴ was established in April 2005 by the *Gangmasters (Licensing) Authority Regulations 2005*¹⁵ to curb the exploitation of workers in the agriculture, horticulture, forestry, shellfish gathering and associated processing and packaging industries. Under the Act it is illegal to supply workers to these sectors without a GLA license. Where the GLA detect evidence of exploitation of migrant workers, they will revoke the License from a company¹⁶, for example, a license was recently revoked from a company in Cornwall after an investigation found a significant threat to the health and welfare of 40 Bulgarian workers. Commenting on the case, Paul Whitehouse, Chair of the GLA stated:

"It is unacceptable that the workers were left to scavenge the fields for food as they had not been paid for 35 days. It was only through the intervention of the GLA that the workers finally got their money."¹⁷

Annex B provides links to a selection of news reports detailing abuse of migrant workers in the UK.

4.4 *Language, education and access to information and services*

The Welsh Rural Observatory claim that migrants who are unable to speak English or Welsh face significant barriers in relation to employment, accessing services and integration within the community. Their report publishes the following quote from the North Wales Race Equality Network:

"Improving the language is key to everything. Those who can speak good English know how to get advice, they know the conditions of their work and they know what to tell to the unemployment agency"¹⁸.

The WRO report provides many examples of good practice but some respondents had the impression that some employers and employment agencies were reluctant to co-operate in improving workers' language skill, for example, by advertising courses¹⁹.

The Welsh Consumer Council paper on *Migrant workers and access to public services* also states that "the biggest barrier to services for migrant workers relates to language" and claims that nearly three-quarters of migrants interviewed wanted more information on public services in their own language²⁰.

¹¹ Para 9, Welsh Rural Observatory *Scoping study on Eastern and Central European migrant workers in rural Wales 2006*

¹² Ibid

¹³ *Gangmaster (Licensing) Act 2004* <http://www.opsi.gov.uk/ACTS/acts2004/20040011.htm>

¹⁴ For more information about the Gangmasters Licensing Authority is available on their website at: <http://www.gla.gov.uk/>

¹⁵ *Gangmasters (Licensing) Authority Regulations 2005*: <http://www.opsi.gov.uk/si/si2005/draft/20051762.htm>

¹⁶ For examples see GLA press releases: <http://www.gla.gov.uk/index.asp?id=1012780>

¹⁷ See GLA press release: http://www.gla.gov.uk/embedded_object.asp?id=1013222

¹⁸ Page 11, Welsh Rural Observatory *Scoping study on Eastern and Central European migrant workers in rural Wales 2006*

¹⁹ Ibid, page 11

²⁰ Page 8, Thomas, R. *Migrant workers and access to public services*. 2007 Welsh Consumer Council

4.5. Housing

The WRO report identified a number of housing issues that have arisen since the influx of migrant workers²¹, including:

- Poor housing conditions – overcrowding is considered to be widespread in properties that housed migrant workers with anecdotal evidence which told of several people living within a single room, people sleeping on floors and beds being shared according to shift patterns.
- Tied housing – migrants whose housing is tied to their jobs are particularly vulnerable since rent and travel costs are deducted from their wages, with the worker left with very little money. Also, should a worker lose their job they become homeless, turning to local authorities for emergency accommodation.
- Provision of affordable rented housing – in the private sector, people were being 'outbid' by migrant workers who 'squeezed' more people into each house to maximise profits. Evidence from Pembrokeshire suggests that there is a direct correlation between the increase in migrant workers and a greater demand for social housing for 'locals' who have been issued with Notices to Quit from their landlords.

4.6. Health

The WRO report²² states that issues relating to the delivery of health services to migrant workers are similar to those faced in other sectors and include:

- A lack of knowledge of the UK health system
- No access to patients' previous health records
- Language as a barrier

4.7 Social networks

Evidence submitted to the WRO²³ suggests that there was little interaction between migrant workers and local residents, with notable divides leading to "flash points of hostility." It was recognised that it is important to improve the knowledge of residents about migrant workers to increase community cohesion. Several authorities had produced, or were in the process of producing, 'myth buster' documents that sought to provide answers to commonly asked questions about economic migrants. Others were working with equality officers and community cohesion officers to overcome tensions.

The Welsh Consumer Council report²⁴ provides a number of examples forums and networks which support and promote social cohesion, for example, some local authorities run multi agency forums that comprise of statutory, public, private and voluntary organisations which examine migrant worker issues, their access to services and ways in which they can be helped to integrate into the wider community.

²¹ Page 10 and following, Welsh Rural Observatory *Scoping study on Eastern and Central European migrant workers in rural Wales* 2006

²² *Ibid*, page 12 and following

²³ *Ibid*, page 13

²⁴ Page 34, Thomas, R. *Migrant workers and access to public services*. 2007 Welsh Consumer Council

The Welsh Assembly Government has agreed to undertake a **research project** in 3 Local Authorities to produce better estimates of numbers of migrants, their existing and likely demands on service provision, and any barriers to them accessing provision. A further aim is to develop methods that can be applied in other Local Authorities.

5.5 Assembly Government funding of the Polish Welsh Mutual Association

The **Polish Welsh Mutual Association** (PWMA) was founded with the aim of providing support and practical assistance to the increasing Polish community in Llanelli and district. The PWMA will receive Welsh Assembly Government funding of £120,865 over the next 3 years for the creation of two Advice Worker Posts who will assist in supplying support and advice to migrant workers in the area.

5.6. New Communities at the Welsh Local Government Association

New Communities is a new role within the Welsh Local Government Association (WLGA) and is jointly funded with the Welsh Assembly Government. The primary role for this post is to keep up-to-date with new developments, monitor, co-ordinate and disseminate research and information relating to the arrival of new communities (e.g. migrant workers, asylum seekers and refugees) in Wales and support and facilitate the development of policy as appropriate.

5.7 NPHS needs assessment on the health of migrant workers

The Vulnerable Adults Team of the National Public Health Service for Wales aims to develop good practice guidance to ensure that the health care of selected minority groups such as migrant workers is adequately provided. One of its Key Objectives for 2006-07 involved the carrying out of a needs assessment on the health of migrant workers.

5.8. Both the Wales Rural Observatory and Welsh Consumer Council claim that more work needs to be done on a national level to address the needs of migrant workers. The WCC claim that:

“there is an urgent need for more central guidance and support and for a more cohesive national approach to commonly recurring issues. That is the challenge for Wales, to learn from locally developed examples and apply them on a national level”²⁹.

The WRO suggests that an integrated strategic approach is needed:

“Meeting the needs of migrant workers involves fostering an approach which transects sectors, organisations and departmental remits. It is vital that support to this group of residents adopts an integrated strategy that addresses issues and objectives through a range of stakeholders. Furthermore, the scales at which policies and programmes operate are multi-level, thus there is a need to co-ordinate different levels of governance”³⁰.

6. Scope for law making

²⁹ Page 2 Welsh Consumer Council Migrant workers and access to public services. 2007.

³⁰ Page 15 Welsh Rural Observatory *Scoping study on Eastern and Central European migrant workers in rural Wales* 2006.

There are no Fields under Schedule 7 (*Acts of the Assembly*) of the *Government of Wales Act 2006*³¹ which refer to immigration or employment matters and, therefore, measure-making powers could not be sought in these areas. However, there would be scope to make provision for migrant workers in measures under Education and Training (Field 5), Health and Health Services (Field 9), Housing (Field 11), Social Welfare (Field 15) and possibly some others.

7. Useful sources of information

Thomas, R. *Migrant workers and access to public services*. 2007 Welsh Consumer Council
http://www.wales-consumer.org.uk/research_policy/pdf/WCC52_Migrant_workers_and_access_to_public_services.pdf

Welsh Rural Observatory *Scoping study on Eastern and Central European migrant workers in rural Wales* 2006:

http://www.walesruralobservatory.org.uk/reports/english/S1_scoping%20migrants.pdf

Welsh Affairs Committee *Globalisation and its impact on Wales*

<http://www.publications.parliament.uk/pa/cm/cmwelaf.htm#reports>

Saleheen, J and Shadforth, C. *The economic characteristics of immigrants and their impact on supply*. In Bank of England Quarterly 2006 Q4:

<http://www.bankofengland.co.uk/publications/quarterlybulletin/qb060401.pdf>

TUC *The Economics of migration: managing the impacts* June 2007:

<http://www.tuc.org.uk/extras/migration.pdf>

McKay, S., Craw, M. and Chopra, D. *Migrant workers in England and Wales: An assessment of migrant worker health and safety risks*. 2006 Health and Safety Executive

<http://www.hse.gov.uk/research/rrhtm/rr502.htm>

Anderson, B., Clark, N. and Parutis, V. *New EU Members: Migrant Workers' Challenges and Opportunities to UK Trades Unions: a Polish and Lithuanian Case Study* September 2007:

<http://www.tuc.org.uk/extras/migrantchallenges.pdf>

Gilpin, N., Henty, M. *et al.*, *The impact of free movement of workers from Central and Eastern Europe on the UK labour market*, Department for Work and Pensions, Working Paper No 29, 2006

<http://www.workandpensions.gov.uk/asd/asd5/wp29.pdf>

Blanchflower, D. , Saleheen, J. and Shadforth, C. *The Impact of the Recent Migration from Eastern Europe on the UK Economy*, Report prepared for the Bank of England, January 2007

<http://www.bankofengland.co.uk/publications/speeches/2007/speech297.pdf>

³¹ *Government of Wales Act 2005*: <http://www.opsi.gov.uk/ACTS/acts2006/20060032.htm>



Barrell, R., John FitzGerald, J. and Riley, R. *EU enlargement and migration: Assessing the macroeconomic impacts* National Institute of Economic and Social Research, London and Economic and Social Research Institute, Dublin, NIESR Discussion Paper No. 292, March 2007

<http://www.niesr.ac.uk/pubs/DPS/dp292.pdf>

PricewaterhouseCoopers, *The economic impact of increased net migration to the UK*, UK Economic Outlook, March 2007

http://www.pwc.com/uk/eng/ins-sol/publ/ukoutlook/pwc_ukeo-section5-march07.pdf

European Union Committee, *The Further Enlargement of the EU: threat or opportunity?*, November 2006, 1 HL 273, 2005-06,

<http://www.publications.parliament.uk/pa/ld200506/ldselect/ldeucom/273/273.pdf>



A Worker Registration Scheme initial approvals for A8 migrant workers by Local Authority in Wales (a)

Area	Period							Cumulative Total
	May 2004 - Dec 2005	2006 - Quarter 1	2006 - Quarter 2	2006 - Quarter 3	2006 - Quarter 4	2006 Total	2007 - Quarter 1	
Isle of Anglesey	55	10	5	10	10	35	10	100
Gwynedd	270	30	65	70	40	205	20	495
Conwy	275	35	30	65	65	195	45	515
Denbighshire	150	40	55	55	40	190	40	375
Flintshire	440	125	95	165	180	565	150	1,160
Wrexham	915	295	295	355	335	1,280	370	2,565
Powys	250	75	45	50	75	245	40	540
Ceredigion	135	35	20	35	40	130	25	285
Pembrokeshire	245	40	70	80	60	250	55	550
Carmarthenshire	1,260	300	280	310	190	1,080	295	2,635
Swansea	235	40	40	95	75	250	70	555
Neath Port Talbot	70	10	20	30	10	70	20	160
Bridgend	240	55	50	100	95	300	50	595
The Vale of Glamorgan	100	20	15	25	25	85	25	205
Cardiff	775	215	145	205	275	840	235	1,855
Rhondda, Cynon, Taff	115	30	40	25	75	170	20	310
Merthyr Tydfil	5	15	60	65	95	235	90	330
Caerphilly	70	35	10	20	20	85	20	175
Blaenau Gwent	5	5	5	10	45	65	20	90
Torfaen	30	10	5	10	20	45	15	90
Monmouthshire	130	25	15	30	25	95	10	235
Newport	1,460	230	145	245	190	810	145	2,405
Wales	7,230	1,675	1,515	2,060	1,970	7,220	1,770	16,220

Source : Home Office Worker Registration Scheme

(a) Distribution is based on the location of the employer

B Selection of news reports detailing abuse of migrant workers

- 14/08/2007 [Banned firm's workers 'scavenged' for food](#) BBC
- 15/08/2007 [A foreign worker's lot: a squalid caravan to sleep in, scraps to eat and £102 a month](#) The Guardian
- 14/06/2007 [MPs aim to curb gangmasters in the construction industry; \[Final Edition\]](#) The Herald, Glasgow
- 26/04/2007 [Probe into claims firm exploited migrants](#) Hull Daily Mail
- 04/04/2007 [Migrant workers' employers targeted](#) The Press and Journal, Aberdeen
- 13/03/2007 [Gangmaster raids expose illegal working conditions ; HOME; \[4TH Edition\]](#) The Independent
- 10/03/2007 [Gangmaster's licence revoked; \[LONDON 1ST EDITION\]](#) Financial Times
- 05/02/2007 [Tighter law fails to rein in rogue gangmasters; \[LONDON 1ST EDITION\]](#) Financial Times
- 24/01/2007 [Society: Outsider dealing: Migrant workers are vital to rural communities, but a report reveals that exploitation by employers isn't their only problem. Peter Hetherington on a crisis for local services](#) The Guardian.
- 27/12/2006 [Why do we punish the victims of slavery? ; EDITORIAL & OPINION; \[1ST Edition\]](#) The Independent. London
- 05/10/2006 [Rogue masters checks urged; \[01A Edition\]](#) Journal. Newcastle-upon-Tyne
- 11/08/2006 [Immigration is now making the rich richer and the poor poorer: Equal rights for all workers and a proper inspectorate would make exploitation of migrants much more difficult –](#) The Guardian
- 26/10/2005 [Migrant workers exploited 'across Wales'](#) Western Mail