



## **Unravelling the nets: An examination of the seafarer visa policies and their impact on migrant fishers in the UK**

### **About Us**

Focus on Labour Exploitation (FLEX) is a research and policy organisation working towards an end to labour exploitation. FLEX seeks to achieve this vision through the prevention of labour abuses, protection of the rights of those affected by or at risk of exploitation and by promoting best practice responses to labour exploitation through research and evidence-based advocacy.

### **1. Introduction**

The UK fishing industry may soon face a major labour shortage. Fishing roles were not included in the Migration Advisory Committee's recommended Temporary Shortage List (TSL), and the government has said that the Immigration Salary List (ISL) will be abolished in 2026. Without these routes, there will be no work visa pathway for the UK to recruit migrant fishers other than the Skilled Worker route which will require at least degree level of skills and a high level of English language. This will push more workers onto the insecure Code 7 route.

Workers on Code 7 face serious legal and safety risks: when operating outside UK Territorial Waters (UKTW), it is unclear which laws protect them, but working inside UKTW puts them in breach of immigration rules and at risk of removal. This ambiguity also raises concerns about whether their labour rights will be protected under the upcoming Fair Work Agency.

A proposed solution is a dedicated Fishing Worker Visa, which would formally recognise fishers as workers and reduce reliance on insecure routes. To be effective, such a visa would need safeguards—like the ability to change employers, renewal options, and sector-wide sponsorship—to reduce vulnerability to exploitation and align with the government's commitments to fair work and improved labour standards in the fishing sector.

### **2. The fishing sector**

Fishing is recognised as risky, dangerous and difficult work. The remote and isolated locations of fishing vessels where fishers are living and working for significant periods of time exacerbates power differences between fishers and skippers. This is amplified by a lack of proactive regulatory monitoring of work conditions and made more challenging by complex immigration rules and jurisdictional issues. This combination has created a perfect storm for migrant fishers' employment rights including structural conditions conducive

to exploitation. There is evidence of cases of underpayment, excessive working hours, restricted freedom of movement and, in some instances, forced labour.<sup>1</sup>

The UK's fishing industry has become increasingly reliant on migrant fishers who travel to the UK from as far afield as the Philippines and spend lengthy periods living and working on fishing vessels. The ability of migrant fishers to access employment rights in the UK and to challenge poor conditions of employment is entwined with the complex legal and immigration frameworks which govern their entry and employment and compounded by the need to pay off migration debts and support family members.

Although individual migrant fishers may have little say on the immigration pathway they take, as they are reliant on the vessel they are travelling to, to verify their employment on that vessel, their immigration status can dramatically affect their options to challenge underpayment, or exploitation or to access redress, or result in them being criminalised for working outside of the terms of their immigration status. As the UK's 2025 White Paper on Immigration is implemented, restricting work routes to the UK, migrant fishers are likely to be pushed further into the murky waters of immigration loopholes which expose them to exploitation.

### 3. Immigration status - loophole or worker status?

Migrant fishers entering the UK generally do so either on Code 7 Contract Seaman Leave,<sup>2</sup> or the skilled worker visa. These forms of leave exist for very different purposes with only the Skilled Worker visa permitting work within UK waters. However there has been misuse of Code 7 leave which leaves migrant fishers invisible and exposed to exploitation and in breach of the immigration rules if they work inside UK waters. In contrast, while entering on a Skilled Worker visa doesn't automatically address the issues with labour market conditions which exist in fishing it does mean that workers on this visa have options to report exploitation without fear that the first response will be immigration removal and have important options such as to find work on a different vessel and switch immigration sponsor.

### 4. What is Code 7?

Contract Seaman Leave, or Code 7, is granted to migrant fishers arriving in the UK as passengers on a ship or plane with the intention of joining the crew of a particular fishing vessel. According to Home Office guidance, this leave allows temporary entry, with conditions, for seamen to join a vessel operating outside the UK or to transfer to another vessel in the UK. The leave is valid only until the specified ship departs, usually within seven days. This type of leave does not permit the individual to work or reside in the UK. There is no publicly available data on grants of Code 7 leave, however in a survey conducted in 2023, Seafish<sup>3</sup> found that 30% of UK fishing crew were "operating via a transit visa" (Contract Seaman Leave).

### 5. How the misuse of Code 7 can drive exploitation

Despite the lack of data recent evidence does show that Contract Seaman Leave is being misused to employ migrant fishers on vessels operating within UK Territorial Waters (UKTW).<sup>4</sup>

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1 Jessica Sparks and Mi Zhou, [Lost in Transit: Philippines Migrant Fishers in the United Kingdom Fishing Industry](#) (International Labour Organization, 2025).

2 The definitions presented in this summary are taken from UK Government guidance and international instruments. Some terms, such as "Contract Seaman Leave" use masculine, rather than gender neutral language. In this summary, the terms apply to all individuals.

3 Arina Motova-Surmava, [Access to Labour in Fishing Sector 2023: Online Survey Findings](#) (Seafish, 2023).

4 International Transport Workers' Federation, [A One Way Ticket to Labour Exploitation: How Transit Visa Loopholes Are Being Used to Exploit Migrant Fishers on UK Fishing Vessels](#) (ITF Global, 2022); Jessica Sparks, [Letting Exploitation off the Hook? Evidencing Labour Abuses in UK Fishing](#) (University of Nottingham Rights Lab, 2022); Sparks and Zhou, [Lost in Transit](#).

Employers have taken advantage of gaps and ambiguities in immigration and maritime law to hire fishers on Code 7 instead of proper UK work visas, leaving workers exposed for working in breach of the immigration rules.

This misuse of Code 7, combined with a lack of proactive labour market enforcement means that migrant fishers often face exploitative conditions and have no accessible grievance mechanisms, effective avenues for redress or options to move into decent fishing work. Instead, migrant fishers' irregular immigration status creates a tool for their exploitation as they are made fearful of contact with the authorities, increasing dependency on their employer and an inability to challenge wage theft or other abuses for fear of losing everything.

To address misuse of this route, the UK government introduced legislation in 2022 confirming that foreign nationals working within UKTW require permission to do so. Section 43 of the Nationality and Borders Act 2022 defines offshore workers as foreign nationals who arrive in UK waters for the purposes of working in those waters, and are only considered to "enter" the UK once they start work. It is specifically work which is not permitted on Code 7. As a result, the UKVI caseworker guidance for seamen arriving in the UK was also amended in June 2024. Previously, crew arriving as passengers could be granted Contract Seaman Leave if they were under contract on a ship, provided the vessel did not intend to operate 'wholly or largely' in UKTW. The Home Office has since removed the wording 'wholly and largely' from the guidance, such that only crew arriving as passengers departing on vessels 'not intending to operate in UK waters' can now be granted the Contract Seaman Leave.

UK flagged vessel owners claiming that they are using Code 7 to hire migrant workers within the rules because they are only fishing outside of twelve nautical miles (so are outside of UK territorial waters) is inadequate. Migrant fishers themselves will not have a say in where the boat fishes, yet on Code 7 their immigration status means that if they are instructed to fish on the wrong side of UK territorial waters they are breaking the law. Moreover, migrant fishers are undeniably performing work while in the UK by carrying out duties such as cleaning the boat, unloading catch, and mending nets portside. This leaves them in a pernicious position compounding their dependence on the vessel owner and fearful of the authorities. This driving of workers into irregularity creates a context where non-compliance with employment as well as immigration rules, and undermines the UK's aim to improve conditions for workers particularly in high risk sectors.

In contrast migrant fishers who enter on the Skilled Worker visa have permission to work in the UK. This is an important baseline from which to access employment rights or redress. However, meeting the Skilled Worker visa requirements is challenging for many migrant fishers. Changes to the immigration rules made in July 2025 require meeting the higher of either a salary threshold of £41,700 a year, or the occupation's going rate, a high level of English language proficiency (B1 level, rising to B2 for new applicants from January 2026), a job offer from a licensed sponsor and roles to require a skill level of RQF 6 (degree level). The exception is if roles are included on the Immigration Salary List (ISL) which means a visa can be granted with lower thresholds (or the future Temporary Shortage List (TSL)). It is through inclusion on the Immigration Salary List (ISL) which makes the Skilled Worker visa route accessible to migrant fishers in practice.

Despite UK government being clear that migrant workers cannot fish in UK waters unless they have a Skilled Worker visa, under current plans this will not be an option for any migrant fisher whose role does not require a graduate level skill, pay at least £41,700 a year and meet the English language threshold once the 2025 Immigration White paper is implemented. While fishing currently appears on the Immigration Salary List, government has said that this list will be abolished at the end of December 2026. A Temporary Shortage List will be created, with recommendations for occupation to be included on the list provided to government by July 2026 by the Migration Advisory Committee (MAC) following a 12 month review. The MAC have explained that they interpreted their commission from the Home Secretary to review the Temporary Shortage List, as

being to focus on the occupations (and sectors) involved in building critical infrastructure.<sup>5</sup> Resultingly, fishing is not included on the interim list which is expected to be shortened before the list is finalised in July 2026.

The expected absence of immigration routes for migrant fishers to work in UK Territorial Waters from December 2026, combined with the reliance of the UK's fishing industry on migrant workers does not bode well for labour standards in fishing. Concerns about the misuse of Code 7 are ongoing. Without an accessible work visa route for migrant fishers this misuse will only increase. Learning from sectors such as Health and Social Care, the horticultural Seasonal Worker Scheme and the Overseas Domestic Worker visa show us that visa design is central to labour standards and levels of exploitation. With the future Fair Work Agency dependent on reports from workers the UK needs to ensure that migrant workers have options to report exploitation and exercise the rights, including those to be enacted in the forthcoming Employment Rights Act. This is why the UK needs a Fishing Work Visa centred on the rights of migrant fishers as workers.

## 6. How to unravel the net

To make entry routes into the UK fishing industry safer and fairer for migrant fishers, and to address the issues identified in this briefing and the wider report on which it is based,<sup>6</sup> the following recommendations should be considered.

1. Establish a Fishing Worker Visa. This would formally recognise fishers as workers and help end the misuse and overreliance on a route that puts workers at high risk of labour exploitation. It is important that any new visa must contain options (such as switching employers, and opportunity to renew the visa) to ensure all workers on the visa can access rights in practice and challenge exploitation. This is key to the government's commitment to make work pay for all workers and ensure the provisions in the government's flagship Employment Rights Bill apply to all workers.
2. Alongside creating a Fishing Worker Visa, introduce a bridging visa similar to Australia's 'Workplace Justice visa,' enabling migrant fishers with restricted immigration status who have been exploited to take claims against employers without losing their immigration status or permission to work.
3. Conduct a formal review of the use of the Contract Seaman Leave (Code 7 leave) which includes the collection and publication of statistics on the use of this leave.
4. Ensure labour market enforcement in UK fishing and that labour market enforcement is applied on all UK-flagged vessels.
5. Ensure that the Fair Work Agency is accessible to migrant fishers in practice and provided with robust enforcement powers which enable them to protect and support fishers.

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5 Migration Advisory Committee, '[Letter to the Home Secretary on the Temporary Shortage List: Stage 1 Report](#)', 9 October 2025.

6 Focus on Labour Exploitation (FLEX), '[Unravelling the Nets: An Examination of the Seafarer Visa Policies and Their Impact on Migrant Fishers in the UK](#)' (2025).