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Convenor Stewart
Equalities, Human Rights and Civil Justice
Committee
T2.60
The Scottish Parliament
Edinburgh
EH99 1SP



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Dear Convener,

RE: 819.0423 FOLLOW-UP/OFFICIAL REPORT: Equalities, Human Rights and Civil Justice Committee – Tuesday 9 May

I write in response to your correspondence of 16 May 2023 in relation to the above session where I provided evidence on behalf of Police Scotland on Tuesday 9 May 2023 to the Equalities, Human Rights and Civil Justice Committee in relation to the matter of Asylum. Having reviewed the transcript I would provide the following by way of comment.

1. Role and function of National Human Trafficking Unit

The role of the National Human Trafficking Unit (NHTU) is to ensure a coordinated and effective response to HT incidents and reports across Scotland. The NHTU is based at the Scottish Crime Campus, Gartcosh and consists of a Coordination Unit and an Investigation Unit which works alongside an Intelligence Unit. The unit supports a network of divisional Human Trafficking Champions.

The team is headed by a Detective Superintendent who is supported by a Detective Chief Inspector, two Detective Inspectors, four Detective Sergeants and a team of Detective Constables, Civilian Staff and Justice and Care Victim Navigators.

NHTU functions include:

- Tactical advice and support to Senior Investigating Officers
- Conduct Human Trafficking Investigations as directed by Senior Management Teams
- Management of the National Referral Mechanism (NRM) in Scotland
- Engagement and information sharing with Scottish Government and national partner agencies
- National intelligence assessment and package development to the relevant Police Scotland Tasking and Coordination forum for allocation to operational investigation and enforcement teams
- Development of Human Trafficking policy and action plans for Police Scotland
- Scottish Government Human Trafficking Action Area 2 Strategic Lead
- Development and delivery of training materials for police officers, staff and partners.

2. Trafficking and Exploitation Strategy Area 3

With regards to the question in relation to the Prevention Strategy, Police Scotland work very closely with the Scottish Government's Trafficking and Exploitation Strategy Action Area 3 partners to tackle the conditions which foster Modern Slavery/Human Trafficking (MSHT) in Scotland. To this end, the NHTU have worked with partners such the Agricultural Wages Inspectors, Minimum Wages Team and the Scottish Business Resilience Centre (SBRC) to reach out to businesses and provide awareness raising to those who are vulnerable to employing exploited labour.

An example of this was a webinar conducted with businesses by NHTU and SBRC to target harden businesses during the particularly high risk period of the Covid-19 pandemic through Operation Perceptive (Police Scotland's response to trafficking and exploitation through the pandemic). Reporting by third sector partners and businesses has been encouraged, leading to a number of Modern Slavery Helpline Referrals and direct referrals to Police Scotland. This work was reported on in the 4th Annual Trafficking and Exploitation Strategy Review.

NHTU officers attended a Scotland Against Modern Slavery (SAMS), Moray Chamber of Commerce event in March 2023, to provide information to the business community in the North East of Scotland, an area of intense farming and food production activities. There have been a number of reports of labour exploitation in the North East and this event was aimed not only at the legal aspects of MSHT but also the reputational damage this can cause businesses.

NHTU have been working with Border Policing Command (BPC) colleagues to equip officers with information and guidance to assist with detecting the movement of potentially exploited persons and, in particular, women who may not be aware of the dangerous situation they are in. In addition, NHTU officers participate in joint days of action (Op Fawnlid) with BPC and also with Home Office Border Force (HOBF) Officers at airports with similar outcomes (Operation Limelight).

In relation to the length of time that cases take to come to court, it is recognised that longer criminal justice timescales reduce the likelihood of a victim's participation with the investigation. Victims may not have a right to work during this period and become desperate to support their families in their home countries leading to disengagement.

Repatriation is also recognised as a right of a victim of trafficking. This makes engagement more difficult and longer court waiting times encourages the victim to return prior to giving evidence. NHTU's embedded Justice and Care Victim Navigators have been working with very vulnerable exploited persons in Scotland including women in labour exploitation to allow support to engage with the criminal justice process.

Police Scotland have made use of Trafficking and Exploitation Prevention Orders (TEPO) and Trafficking and Exploitation Risk Orders (TERO) to prevent the risk of offending and reoffending. The first TERO was granted on 28 July 2022 at Dumfries Sherriff Court. The TERO was granted in relation a UK national suspected of labour exploitation of foreign national seamen in the fishing industry. Further TEROS have been issued or are under consideration by Crown Office Procurator Service (COPFS).

Police Scotland have also worked collaboratively with our partner agencies, with messaging campaigns designed to inform the public about identifying the signs of MSHT and how to report their concerns, either to the police directly or through the Modern Slavery and Exploitation Helpline. The NHTU are preparing a new media campaign, along with our key partners, directed at Romanian Nationals coming to Scotland, to provide them with information about their rights whilst in Scotland, to prevent them become victims of MSHT.

In relation to the percentage of successful prosecutions for MSHT, COPFS may be able to assist with an answer. Police Scotland will report matters to COPFS who may review and change the charges considered, Police Scotland cannot provide an answer to the percentage of successful prosecutions.

3. Home Office and Removal Papers

Police Scotland investigate claims of trafficking and exploitation against a victim of trafficking and support vulnerable victims, regardless of their immigration status. A Potential Victim of Trafficking's refugee or asylum status is not always communicated to Police Scotland by the Home Office when a National Referral Mechanism (NRM) is allocated. Immigration decisions are not a matter for Police Scotland.

I hope this response is beneficial to the Committee.
Yours sincerely

Claire Dobson
Superintendent