

Cross-Party Group on Human Trafficking

6.00 pm, Tuesday, 4 February 2025

Minutes

Present MSPs

Bill Kidd MSP

Katy Clark MSP

Invited guests

Bronagh Andrew (TARA)

Joy Gillespie (SOHTIS)

Carola Eyber (Scottish Government)

Non-MSP Group Members

Alex Berryman

Alison Raybould (Salvation Army)

Anna Macleod

Azaria (UNHS)

Chris White (MSP Bill Kidd's office)

Euan Fraser (Hope for Justice)

Gari Donn (UNHS)

Gemma Corbett (MSP Rhoda Grant's office)

Iain Whyte (Iona Community)

Janet Warren

Janice Wilson

Karen Murdarasi (Restore Glasgow)

Karlee Kelly (UNHS)

Laura

Linda Thompson (Women's Support Project)

Magnus Storvik (UNHS)

Natasha

Nina Munson (UNHS)

Paul Rigby

Rebecca
Rosita Yordanova (UNHS)
Sheila Trachsler
Steve Rawbone
Susan McKellar

Apologies

Katey Tabner (COSLA)
Michael Veitch (CARE)
Rhoda Grant MSP
Russell Findlay MSP

Welcome and apologies

Bill highlights apologies.

Adopt Minutes of the previous meeting 29.10.2024

Accepted.

Presentation

Refresher Session: Human Trafficking and Its Operational/Policy Impact in Scotland – Bronagh Andrew (TARA) on ‘What is the National Referral Mechanism?’

NRM was first introduced in 2009 in the UK to make the UK compliant with the Council of Europe’s Convention on Action Against Trafficking in Human Beings.

- UK two-stage process to identify, offer support, protect victims and potential victims of human trafficking.
 - 1st stage – Reasonable Ground decision.
 - Affords access to a recovery period and entitlement to support services for potential victims.
 - 2nd stage – Conclusive Grounds Decision.
 - Recourse to public funds and support CIC applications for confirmed victims.

- Who can refer?
 - In Scotland, only recognised organisations can complete and submit NRM referrals on behalf of children and adults, such as:
 - Tara Service
 - Police Scotland
 - Migrant Help
 - Local authorities
 - Home Office – Immigration Enforcement, Border Force, UK Visas and Immigration, and the Gangmasters and Labour Abuse Authority.
- NRM Decision makers can sit with survivors of human trafficking and with adults with their consent to complete an online form.
 - For children, the consent of children isn't required for that form to be submitted, however good practice would be to ensure the child was involved but children don't need to provide their consent for that form to be submitted on their behalf.
- The form is completed online and sent to one of two decision-makers, known as competent authorities, who are responsible for those decisions.
 1. Enforcement Competent Authority – responsible for decisions involving potential victims who are considered foreign national offenders.
 2. Single Competent Authority – responsibility for all other cases such as UK nationals, children, adults with immigration status.
- Pilot sites across the UK are available for children where the decision making process is devolved to local multi-agency partnerships. e.g Glasgow City Council - Only Scottish pilot site to make NRM decisions on behalf of children.
- Thresholds Reasonable Grounds decision- the decision makers make the decision on the balance of probabilities. Evidence to support victims should be included to best help the victim receive support from the decision maker.
 - Conclusive Ground Decision- based on the balance of probabilities essentially means that based on the evidence available, modern slavery is more likely than not to have happened. Often requires a significant amount of information in the early stages of engagement.
- Reconsiderations
 - You can request a request for reconsideration to the Competent Authority within 30 days if a negative decision is issued.
 - Reconsider request can be considered on the following grounds:
 - Additional evidence to the case.
 - Concerns that the decision was not made in line with the Modern Slavery Guidance.
- This year, of 545 requests for Reconsideration, only 68% resulted in a positive decision from the reconsideration.

- Scottish Report
 - Survivors identified in Scotland are legally entitled to support as outline in the Human Trafficking and Exploitation (Scotland) Act 2015:
 - Accommodation
 - Day-to-day living
 - Medical advice and treatment
 - Language translation and interpretation
 - Counselling
 - Legal advice
 - Information about other services available to the adult.
 - Repatriation
- TARA Support
 - Funded by the Scottish government since 2005, they support women trafficked for commercial sexual exploitation. TARA works with women to meet their crisis and safety needs by offering support in order for women to feel safer in shorter and longer terms.
 - TARA helps women integrate into the community, increase their independence and try to help women understand better their legal rights and entitlements.
- Current Challenges
 - NRM- policy and operational changes are often made and implemented at short notice with very limited consultation from the Home Office Modern Slavery Unit.
 - NRM- timescales and deadlines (from decision-making to information and/or reconsideration requests) can be challenging for frontline services whose focus is to support individuals.

Presentation

Carola Eyber (Scottish Government) on 'The Scottish Government Refreshed Human Trafficking and Exploitation Strategy'

Trafficking and Exploitation Strategy published May 2017

- Three P's of Human Trafficking
 1. Protection – Identify victims and support them to safety and recovery.
 2. Prosecution – Identify perpetrators and disrupt their activity.
 3. prevention – Addressing the conditions that foster trafficking and exploitation.
- Action Areas- Strategy implementation

- Action area 1 – identify victims and support them to safety and recovery chaired by COSLA.
- Action area 2 – identify perpetrators and disrupt their activity - chaired by Police Scotland.
- Action area 3 – address conditions that foster trafficking and exploitation chaired by the Scottish Government.
- Action area 4 – child trafficking strategy group, chaired by Abelewa organisation
- Trafficking Strategy Refresh – reviewed every 3 years
 - Review of the 2017 Trafficking and Exploitation Strategy.
 - Online public survey (2 months in 2022).
 - Lived Experience (TARA Advisory Group) and LEAP (Lived Experience Advisory Panel).
- Different forms of evidence
 - Lived experience.
 - Stakeholders repeatedly repeated that prevention strategies could be strengthened with a larger focus on prevention.
 - Policy team reviews and internal engagement.
 - Justice analyst review focusing on prevention of Trafficking.
- Public Health approach The BETR prevention continuum
 - It is a new approach as not many countries around the world are taking a public health approach to trafficking. Liz Sutch and her colleagues at the University of Nottingham are leading in the public health research into trafficking and have developed a better prevention continuum.
 - Prevent Before and Early then Treat and prevent Re-trafficking - Preventing exploitation BEFORE it happens (Primary prevention).
- Intervening EARLY to prevent further harm.
- TREATING harms and preventing RE-TRAFFICKING.
 - This is being used to inform their strategies moving forward.
- This means
 - Understanding the problem at a population level rather than the individual level.
 - Looking at what is driving or causing the problem and framing it as part of a complex, multi-level, and interdependent system."
 - Collecting data and evidence of what is working and what happens.
 - Being prevention focussed.
- The components above have translated to a draft vision.Prevent human trafficking and exploitation in Scotland and respond effectively when it does occur.
 - Purpose- prevent trafficking and exploitation of adults and children by providing a clear framework informed by survivor voices and data through which the anti-trafficking interventions will be delivered.

- Principles that align with Scottish government strategies and approaches including the version for justice and are rooted in the Public Health Approach.
- Human rights-based.
- Gender-sensitive.
- Age sensitive - suggested by Stakeholder workshop.
- Multi-agency approach - already in place.
- Trauma-informed and culturally competent.
- Victim- survivor informed.
- Partnerships working at local, Scottish, UK, and international levels.
- Draft outcomes
 - Outcome 1: Child and adult victims are identified, protected, and supported to safety and long-term recovery (Protection).
 - Outcome 2: perpetrators are identified, their activities are disrupted, and they are prosecuted.
 - Outcome 3: improved use of data, evidence and research informs strategy implementation.
 - Outcome 4: conditions that expose children, adults and communities in Scotland to increased risks of trafficking and re-trafficking are addressed.
- Next Steps
 - Lived experience engagement.
 - Further stakeholder consultation.
 - Ministerial approval.
 - Finalization and publication April 2025.
 - Delivery Plan Workshops May 2025.
 - Monitoring and evaluation of Strategy Implementation.

Any Other Items of Business

- Bill Kidd MSP highlights his thanks to both presenters and everyone for attending the meeting.

Date of the Next Meeting

- May 6, 2025 6PM