

# TRAFFICKING AND EXPLOITATION

## STRATEGY – FIRST ANNUAL PROGRESS REPORT

“ I have learnt something during the time I was with you. It is to ask for help, don't hide anymore, speak even if I don't speak English that much. Being listened to is important.”

“ They made me feel that I was not alone, and I had someone who I can speak to for help and support. I want to say thank you for all your help and support. Please continue to help people like me.”

“ I feel better after speaking to you. I can breathe a sigh of relief now. I have been waiting for someone to listen to me so I could explain with an interpreter and today I could do that.”



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Included throughout this progress report are illustrative examples of collaborative work in Scotland to address human trafficking and its impacts, as well as quotations from survivors of trafficking which have been provided via Migrant Help, Trafficking Awareness Raising Alliance (TARA) and the Scottish Guardianship Service.

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# FOREWORD

## CABINET SECRETARY FOR JUSTICE



**Michael Matheson**  
Cabinet Secretary  
for Justice

Scotland's first Trafficking and Exploitation Strategy was published in May 2017, setting out an ambitious blueprint for moving towards a Scotland free of human trafficking. This followed the Human Trafficking and Exploitation (Scotland) Act 2015, which introduced new offences and powers to detect and tackle trafficking.

The process of developing the Strategy was one of close partnership working and this approach has continued during the first year of implementation. Each action area identified in the Strategy, as well as the child trafficking strand, is being driven forward by a multi-agency implementation group. There is a wide range of bodies within Scotland and beyond who recognise our collective responsibility to work together to address this terrible crime and support its victims.

A strong focus on victims remains central to this work. Consultation with survivors informed development of the Strategy, and through Trafficking Awareness Raising Alliance (TARA) and Migrant Help we continue to listen to the voices of victims, ensure they get the support they need and work to reduce the risk of re-victimisation.

The goals of the Strategy are a mix of shorter and longer term aims, and meaningful change can only be achieved through a process of continuous improvement. We must learn from the progress we have made and be open to new ideas and the experiences of others. This first annual progress report is an important part of this approach, providing a narrative of what has been achieved during the last year as well as concrete measures of what has changed, and setting out some key priorities for the coming year. Within three years of publishing the Strategy we are required to review it and if necessary publish a revised and updated strategy.

I am pleased at the significant progress that has been made in implementing the Strategy, set out in detail in this report, and I am grateful to all partners who have contributed to this work. Together, we are improving support to victims, strengthening the disruption of trafficking activity and addressing the conditions that foster trafficking and exploitation.

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# SECTION 1

## INTRODUCTION

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The crimes of human trafficking and exploitation are human rights abuses which have long-lasting and profoundly damaging effects on victims. These are often hidden crimes which can be difficult to unearth and complex to investigate and prosecute. Trafficking and exploitation are widespread across the world and also take place within local communities across Scotland. They are highly profitable criminal activities which fund sophisticated organised crime networks.

The Scottish Government is clear that the existence of human trafficking and exploitation in Scotland – or anywhere – is unacceptable and cannot be ignored. The Trafficking and Exploitation Strategy, published in May 2017, sets out a clear vision: to work with partners to eliminate human trafficking and exploitation.

This first annual progress report sets out activity that has been undertaken since then to work towards this goal.

### Background

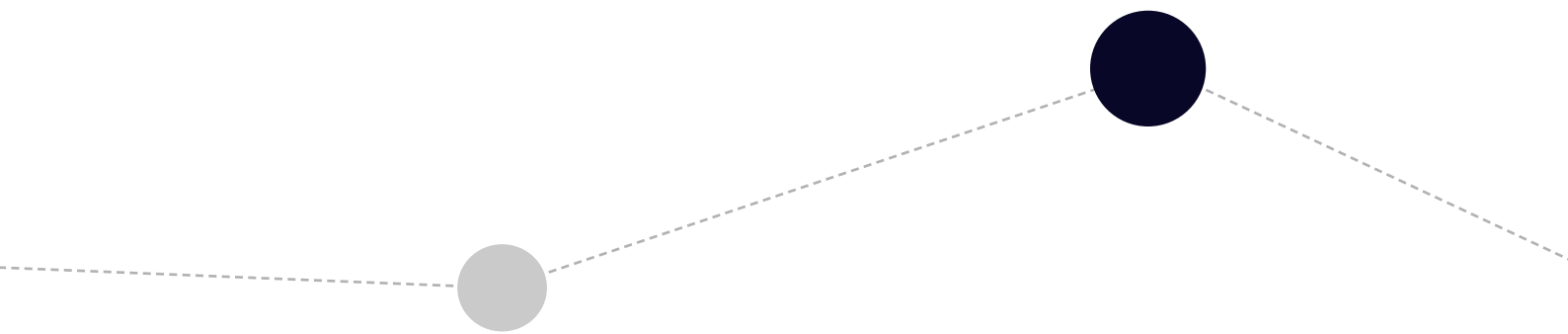
The **Human Trafficking and Exploitation (Scotland) Act 2015** (“the Act”) was passed unanimously by the Scottish Parliament on 1 October 2015. This followed extensive work between the Scottish Government, partners and stakeholders, including the Scottish Parliament’s Cross Party Group on Human Trafficking.

The Act sets out two new offences:

- Human trafficking is defined in section 1 of the Act as the recruitment, transportation or transfer, harbouring or receiving or exchange or transfer of control of another person for the purposes of exploiting them. The arrangement and facilitation of these actions also constitutes an offence. This offence does not always require coercive means such as threats or intimidation to be present and it is irrelevant whether the victim ‘consented’ to any part of the action. It also does not require the victim to have been moved.
- Slavery, servitude and forced or compulsory labour is defined in section 4 of the Act. A person commits this offence when they hold another person in slavery or servitude. A person also commits this offence when they know or ought to know that they are requiring another person to perform forced or compulsory labour.

The Act also introduces new court orders to disrupt activity related to trafficking and exploitation:

- A Trafficking and Exploitation Prevention Order (TEPO) restricts and disrupts the activities of convicted traffickers, and is available either when the court disposes of a case or on application of the chief constable. The court can impose a TEPO when disposing of a case, either on its own motion or following an application by the prosecutor.

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- A Trafficking and Exploitation Risk Order (TERO) has similar effect, and is applied for by the chief constable where someone poses a risk in relation to trafficking and exploitation. It does not require a conviction for a trafficking offence in order to be granted.

In addition, the Act provides a range of improved protections for victims, including a statutory duty on Scottish Ministers to provide support and assistance to victims. It also requires the Lord Advocate to issue instructions regarding the presumption against prosecution of persons who are the victims of trafficking, slavery, servitude or forced or compulsory labour and who have committed offences as a consequence thereof.

The Act requires the Scottish Government to prepare and publish a **Trafficking and Exploitation Strategy** (“the Strategy”) and to review, and if necessary revise, the Strategy within three years of publication.

The Strategy was developed through a process of co-production: extensive consultation with partners, stakeholder organisations and the general public was undertaken, including formal written consultation and engagement events across the country. A series of focus groups were held with survivors of human trafficking to ensure that their voices were reflected, and that they had an opportunity to influence the policies in the Strategy.

The Strategy was published on 30 May 2017, setting out three key action areas in which progress needed to be made:

- Identify victims and support them to safety and recovery;
- Identify perpetrators and disrupt their activity; and
- Address the conditions, both local and global, that foster trafficking and exploitation.

The Strategy also identified a fourth key area of work around child victims of trafficking and exploitation.

The final section of the Strategy provided a range of measures against which progress could be measured, and undertook that progress would be reported on an annual basis, placing these measures in a narrative context and reflecting the voices of victims.

Three principles underpinned the development of the Strategy, and these have also been central to the implementation process:

- Focus on victims;
- Partnership working; and
- Continuous improvement.

**“ Thanks for supporting me through the appeal, it really helped me”**

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## Implementation structures

The oversight structures that were established for the development of the Strategy have continued in place, with a shift in remit to managing implementation and working towards achieving the outcomes set out in the Strategy.

The **Strategic Oversight Group** is chaired by the Cabinet Secretary for Justice, and includes the Minister for Childcare and Early Years, the Lord Advocate and senior representation from a range of key partners. This group normally meets on an annual basis.

The **Strategy Implementation Group** is chaired by Scottish Government officials with representation from key partners, including the chairs of the three Action Area Implementation Groups and the Child Trafficking Strategy Group. This group meets on a biannual basis, or more frequently if required.

**“ I felt good when I came to TARA. It helped me get a routine and deal with anxiety.”**

For each of the three Action Areas, an **Implementation Group** takes responsibility for driving forward actions and meeting the outcomes set out in the Strategy. A Child Trafficking Strategy Group has been established on a similar basis. Each of these groups maintains an Action Plan which sets out the details of what the Scottish Government and partners are doing to drive improvement. More detail on the Implementation Groups can be found in later sections of this progress report.

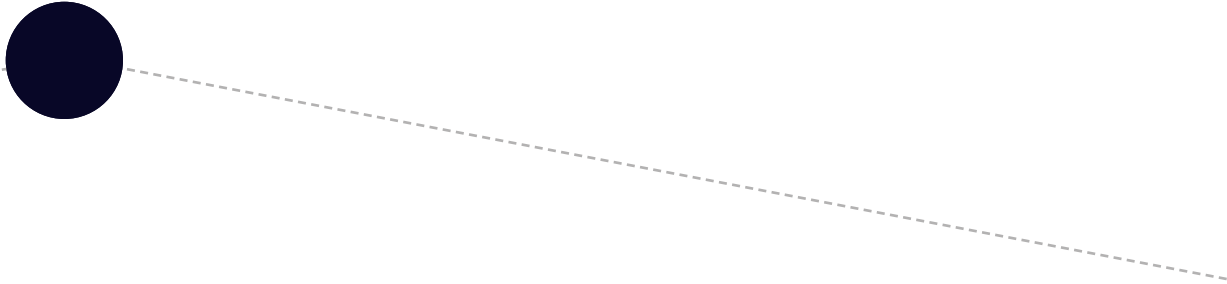
## Measures of progress

The final section of this progress report provides the latest available figures for the measures set out in the Strategy.

One clear message that emerges from these figures is the increasing number of referrals through the National Referral Mechanism (NRM). This reflects potential victims of trafficking and exploitation who have been identified in Scotland and have entered the NRM process. Adults must give informed consent to enter this process; consent is not required where the potential victim is under 18.

In 2017, a total of 207 NRM referrals were received from Scotland. This is a 38% increase on the previous year. Numbers of referrals have been generally increasing in recent years, but this substantial jump in 2017 exceeds previous increases. A large proportion of the increase relates to male victims of labour exploitation.

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These figures represent potential victims being identified, removed from exploitative situations and referred to appropriate support and recovery. The increase suggests that we are getting better at recognising potential signs of activity, sharing concerns, and responding appropriately to meet the needs of victims.

The development and publication of the Strategy generated public interest in the issue of human trafficking, and since then significant work has been done to raise public awareness and encourage people to report concerns. This is described in more detail later in this report. The increase in NRM referrals is evidence that this awareness raising work is having a real impact in helping get people out of trafficking and into appropriate support.

A public awareness survey was undertaken in spring 2017, and repeated in spring 2018, to measure the impact of awareness raising activity. The findings suggest that awareness had improved in relation to trafficking in Scotland and elsewhere in the world, but awareness of trafficking in local communities in Scotland remained low. The survey also showed that more people said they would report concerns to police, and that one in four respondents recognised imagery from the Scottish Government marketing campaign of autumn 2017. Further detail on the findings can be found in section 6.

The measures also provide evidence that police and prosecutors are making use of the new powers in the Act, including convictions in terms of section 4 and the imposition of Trafficking and Exploitation Prevention Orders in terms of section 17 of the Act.

Overall, the measures show positive progress, but there is further work needed to fully report on these measures. Engagement with the corporate sector is underway and is described in the section on Action Area 3, but it is not yet possible to report meaningfully on the number of organisations that have action plans that contribute to the aims of the Strategy. This will be a focus of work during the next year.

### **Looking forward**

Each of the following sections sets out key next steps to move forward with implementation of the Strategy, towards the goal of eliminating human trafficking.

The Act is now fully implemented, with the exception of two substantial provisions: the duty to notify and provide information about victims (section 38) and establishing independent child trafficking guardians (section 11). These will both be key areas for development over the next year.

A further annual progress report will be published one year after this publication, and in the year after that, a review of the Strategy will be undertaken, as set out in the Act.

**“ In my overall experience, I am very pleased with the service and I appreciated the support, which was very good.”**



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# SECTION 2

## ACTION AREA 1 – IDENTIFY VICTIMS AND SUPPORT THEM TO SAFETY AND RECOVERY

### Implementation structures

Action Area 1 focusses on the victims and survivors of trafficking and exploitation. Key issues for this group include public and professional awareness, effective support for victims and empowering victims to seek the support they need.

The Action Area 1 Implementation Group met for the first time on 14 June 2017 and meets on a quarterly basis. The group is chaired by the Convention of Scottish Local Authorities (COSLA).

Membership of the group includes:

- COSLA
- The Scottish Government (human trafficking policy, homelessness policy)
- TARA (Trafficking Awareness Raising Alliance)
- Migrant Help
- Independent Anti-Slavery Commissioner's office
- NHS Health Scotland
- Scottish Business Resilience Centre
- Police Scotland
- Crown Office and Procurator Fiscal Service (COPFS)
- Scottish Community Safety Network
- The Anchor
- JustRight Scotland
- Scottish Guardianship Service

### Key outcome: people who encounter victims understand signs, what to do and have access to specialist advice and support


Victims of trafficking and exploitation may have few opportunities to interact with professional support services, so it is important that anyone who could come into contact with victims knows how to recognise the potential signs of trafficking, and is able to respond appropriately.

One important element is public awareness, and there has been significant work to raise public awareness of the fact that human trafficking is happening in Scotland, and how to access more information and report any concerns. This activity is covered in detail under the Action Area 3 key outcome, “people know about the extent of trafficking in Scotland,” as well as the text box describing the 2017 marketing campaign on page 27.

The group has also been looking at what guidance and training, pathways and processes are currently in place in the public sector in Scotland. Police Scotland, with input from a range of partners, has developed an **e-learning resource**: a short training module which can be used in a range of situations but is specifically designed for public sector professionals who may come into contact with trafficking victims but do not work with them on a regular basis. The aim of this interactive e-learning module is to improve understanding of what human trafficking is, give advice on how to recognise the signs that someone may have been trafficked, and provide routes for finding out more and reporting issues to the appropriate authorities. The module has now been



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published on DVD, through funding from the Scottish Government, and will be distributed for public sector organisations to place on their own intranet pages. It will also be hosted online for access free of charge.

The group has also developed a learning resource for use by community groups. There is widespread interest in the issue of human trafficking, meaning that community groups are often keen to learn more. It is important that the messages being spread within these groups is accurate and consistent, so the group has designed a **standard awareness raising presentation**, which covers the extent of trafficking in Scotland, the impact of trafficking on its victims, and how to find out more or report concerns. This presentation also provides links to other materials produced by other groups such as Stronger Together, Hope for Justice and Gangmasters and Labour Abuse Authority, including powerful short films which are available online<sup>1</sup>.

#### **Multi-Agency Working: Police & TARA: Aberdeenshire**

Engagement by police and TARA with Aberdeenshire Council during February 2018 has heightened the awareness of partners locally, in terms of the requirements to identify instances of Human Trafficking and provide support to victims. This interaction resulted in front page local press coverage of the efforts being directed at tackling Human Trafficking (Press and Journal, 20 February 2018), which in turn has increased public awareness of the issues. The article referred to the safeguarding of a victim and appearance at court of two males, as a result of a police investigation in Elgin.

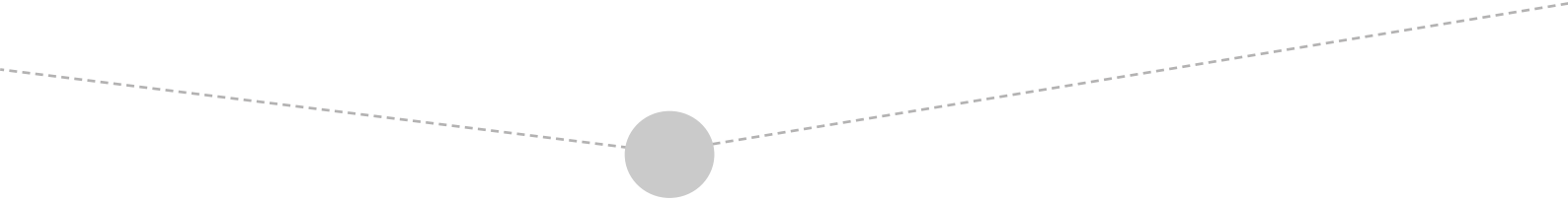
This presentation was based on on-going awareness raising work undertaken by members of the implementation group, including Scottish Government, TARA, Migrant Help and Police Scotland, in a range of contexts and to diverse audiences.

**“ Sometimes I’m up, sometimes I feel down. There are good days, but there are some bad days too. I have learnt something during the time I was with you. It is to ask for help, don’t hide anymore, speak even if I don’t speak English that much.”**

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1 GLAA “Horse Trading” video: <http://www.glaa.gov.uk/who-we-are/modern-slavery/>  
Modern Slavery Helpline: <https://www.modernslaveryhelpline.org/scotland>  
Stronger Together videos: [https://www.youtube.com/channel/UC7z0kzb6LqE1qEwmF7r\\_3gw](https://www.youtube.com/channel/UC7z0kzb6LqE1qEwmF7r_3gw)  
Hope for Justice: <http://hopeforjustice.org/church-partnerships/#resources-for-our-partners>  
Independent Anti-Slavery Commissioner: <http://www.antislaverycommissioner.co.uk/>  
More links for legislation and guidance: <http://www.gov.scot/Topics/Justice/policies/reducing-crime/human-trafficking/Furtherreading>

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A range of **materials** have been produced to help raise awareness. A leaflet produced by Police Scotland, “Human trafficking: reading the signs,” has been printed in a range of languages and distributed widely. The leaflets are available to download on the Scottish Government website<sup>2</sup>. This gives information on how to identify that someone may have been trafficked, and where to report concerns. A series of posters using imagery from the marketing campaign have also been printed and shared with partners. A Scotland-specific web-page for the Modern Slavery Helpline website, operated by Unseen, also gives information on potential signs of trafficking<sup>3</sup>.

Individual organisations have developed guidance and processes for identifying and addressing human trafficking and members of the implementation group have supported this where required. For example, NHS Greater Glasgow and Clyde produced trafficking guidance for health workers making use of materials related to the Strategy.

**“ I’m very lucky to know Migrant Help. In here, everyone is friendly and full of enthusiasm. I am very happy in here. You always encourage and help.”**

The Scottish Government commissioned NHS Education for Scotland (NES) to deliver a **National Trauma Training Framework** to improve outcomes for people in Scotland affected by child abuse and trauma over the period 2016-2019. The overarching goal of the framework is to support the strategic planning and delivery of training for those who have contact with people affected by trauma across all parts of the Scottish workforce. The Framework is designed to support the recognition of learning and development needs in the workforce and support trainers and managers in meeting them. It details the knowledge and skills necessary to ensure that people affected by trauma can access services that understand and can respond to their needs.

During the first phase of the development of the Framework (2016/17) NES consulted widely. On 25th May 2017 ‘Transforming Psychological Trauma: A Skills and Knowledge Framework for The Scottish Workforce’ was launched by the Minister for Mental Health. The Framework is expected to continue to develop iteratively as an online resource. A National Training Plan is being developed over the next two years (2017-2019) and a plan for implementation is being developed. The NHS Education Scotland website<sup>4</sup> has a webpage dedicated to the Framework and outlines the aims and intentions of the project as well as timescales for completion.

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2 <https://beta.gov.scot/publications/human-trafficking-resources/>

3 [www.modernslaveryhelpline.org/scotland](http://www.modernslaveryhelpline.org/scotland)

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4 <http://www.nes.scot.nhs.uk/education-and-training/by-discipline/psychology/multiprofessional-psychology/national-trauma-training-framework.aspx>



The Scottish Government are working with justice and child protection organisations to improve the process and quality of **Joint Investigative Interviews (JIIs)**. These interviews are jointly conducted by trained police and social workers for the purposes of obtaining a child's account of events which require investigation where there are welfare concerns; JIIs would therefore often be carried out with child victims of trafficking.

Work by the key partners will implement the recommendations from the Scottish Courts and Tribunal Service's Evidence and Procedure Review – JII Project Report<sup>5</sup>. This includes developing statutory guidance for JIIs, and reviewing the training, technology and facilities available.

The Crown Office and Procurator Fiscal Service (COPFS) continues to apply the **Lord Advocate's guidelines** to ensure that victims of trafficking, slavery, servitude or forced or compulsory labour are not prosecuted in relation to offences committed as a consequence thereof. For example, in November 2017 the lead prosecutor directed that proceedings against a young Chinese man, who had been accused of fraud, should be discontinued on the basis that he was a credible victim of human trafficking who had been compelled to commit the alleged offences as a direct result of trafficking.

Between 1 May 2017 and 30 April 2018, twelve cases (involving fifteen accused persons) have been reported to the lead prosecutor for consideration of taking no proceedings or discontinuing proceedings on the basis of the Lord Advocate's instructions:

- In six cases (involving eight accused persons) proceedings have been raised or have been continued i.e. the Lord Advocate's instructions were applied but the test was not met.
- In two cases (involving two accused persons) no action or no further action was taken on the basis that the Lord Advocate's instructions were applied and the test was met.
- In four cases (involving five accused persons) enquiries are on-going to enable a decision to be taken.

Also in November 2017, the Appeal Court repelled a challenge to the compatibility of the Scottish approach to non-prosecution of victims with the EU Directive, confirming that the use of the Lord Advocate's Guidelines was in accordance with the provisions of the Directive; there was no need for a statutory defence.

**Key outcome: coherent person/child centred support process that enables victims to recover and build resilience**

Survivors of human trafficking may be subject to physical, psychological and social impacts which can have long-term consequences. It is vital that they get effective specialist support. The Act provides for a statutory period of support for victims going through the National Referral

<sup>5</sup> Scottish Courts and Tribunals Service (2017) – Evidence and Procedure Review – Joint Investigative Interviews Workstream: Project Report. <http://www.scotcourts.gov.uk/docs/default-source/aboutscs/reports-and-data/reports-data/evidence-and-procedure-review.docx?sfvrsn=4>.

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Mechanism (NRM), and this is in line with international obligations under Article 10 of the Council of Europe Convention on Action against Trafficking in Human Beings.

This **statutory period of support** for adult victims came into force on 1 April 2018, with the period set at 90 days – a doubling of the existing minimum period. At the same time, support for victims of the offence under section 4 of the Act (slavery, servitude and forced or compulsory labour) was also placed on a statutory footing. These changes were agreed unanimously in Parliament and were welcomed by victim support organisations and by the Independent Anti-Slavery Commissioner.

The Scottish Government continues to provide funding to **TARA and Migrant Help** to support adult trafficking victims across Scotland. TARA specifically supports female victims of trafficking for commercial sexual exploitation, reflecting the particular impacts on this group of survivors and upholding the gender equality obligations under the Council of Europe Convention Article 17. Migrant Help supports all other adult trafficking victims. Funding has been significantly increased for the financial year 2018/19: a 39% increase for TARA to £439,921 for the year, and a 27% increase for Migrant Help to £590,159 for the year. This increase reflects the growing number of referrals through the NRM, and also the increases in the minimum period of support and the provision for victims of slavery, servitude and forced or compulsory labour. The Scottish Government has also committed to a three-year funding agreement with both bodies to provide stability and assurance.

### **Supporting and listening to survivors**

TARA is funded by the Scottish Government to provide support to adult survivors of trafficking for commercial sexual exploitation; Migrant Help is funded to support all other adult victims. As well as providing this direct support, both organisations have a key role in reflecting the voices and experiences of victims in policy development and awareness raising.

The provision of support is based on an individual needs assessment, with a strong focus on listening to and acting on the views of service users. Every time a survivor leaves direct support, they are offered an exit interview to reflect on their experiences, ensure they are ready to move on to other forms of support, and gather learning to improve future provision.

Extracts from these interviews are included as quotations throughout this progress report.

Both Migrant Help and TARA take a victim-centred approach where provision is based on an assessment of individual need, and is sensitive to age, gender and culture. Both organisations provide a range of care and support for survivors.

The Act sets out that support and assistance may be provided in connection with (but is not limited to) the following:

- Accommodation;
- Day to day living;
- Medical advice and treatment;
- Language translation and interpretation;
- Counselling;
- Legal advice;
- Information about other services available to the adult; and
- If it is in their best interests, repatriation.



Given the nature of human trafficking and exploitation, no single agency can meet all the needs of all victims. Migrant Help and TARA work in partnership with other agencies such as local authorities, Police Scotland and other third sector organisations in delivering the required support. This includes assisting and advocating for victims to access services provided by others to meet their needs.

Migrant Help and TARA have agreed that during 2018/19 they will undertake a self-evaluation process supported by Evaluation Support Scotland and with a focus on the experiences of trafficking survivors, to provide additional assurance that they are being effectively and appropriately supported.

The Scottish Government also funds psychological trauma care for trafficking victims through the NHS Greater Glasgow and Clyde service **The Anchor**. This includes psychological assessment, the formulation of care plans and psychological therapy as required to enable the provision of a matched care model for adult victims. The Scottish Government have agreed to increase funding for The Anchor for 2018/19 by 65% to £115,000 to reflect the increasing number of referrals to the service and to assist with childcare costs. Regular consultation and training provided to TARA and Migrant Help helps to ensure that the response to victims of trafficking is trauma informed and recovery focused. Provision of psychological reports informs the NRM process and psychological advice, training and consultation is given to agencies working with victims of trafficking.


All trafficking cases where the victim is under the age of 18 are treated as **child trafficking**, and victim support is provided through child protection processes by local authorities. This is described in more detail in the section on child trafficking.

The Scottish Guardianship Service has secured, through Aberlour, a funding award of £150,000 over three years from Comic Relief as an additional resource to support unaccompanied asylum seeking children and child victims of trafficking. The Anchor is a partner in the project and the Scottish Guardianship Service will be linking in with the NES and National Trauma Training framework to improve outcomes for children affected by abuse and trauma.

Both Migrant Help and TARA work with NGOs across Europe to provide continued support and **transitional integration** for those clients who wish to return home. This helps to ensure survivors are supported on their return and reduces their risk of being re-trafficked. In April 2018, TARA undertook a visit to Romania with Police Scotland to strengthen these links.

The Scottish Government continues to work with the UK Government on their proposals for **reform of the NRM process**, to ensure that what is developed meets the needs of victims in Scotland, integrates appropriately with Scottish services and organisations, and reflects the distinct legislative context in Scotland.

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**“ I am very happy because you helped me a lot. I did not have any money, you give me money and give me clothes and food as well. Thank you very much for supporting me.”**

**Key outcome: victims are aware of support and trust it enough to ask for help**

Victims of trafficking may be reluctant to access support because their experiences have made them distrust the police and other services. They may well have previously been approached by people offering to help, only to be exploited further. This is a challenge for all agencies responsible for advocating and organising support for survivors, including Migrant Help, TARA, social workers and the independent advocates in the Scottish Guardianship Service. It is also a wider issue because it can prevent victims from seeking help to escape from exploitation.

The 2017 marketing campaign, while aimed at the wider Scottish population, was also developed with a view to getting messages across to victims. The campaign materials were produced in consultation with trafficking victims, to help make the messages accessible to those at risk of trafficking. Posters using the campaign imagery and leaflets on how to report concerns or access support have been printed and shared in a range of languages, including Vietnamese, Romanian, Lithuanian, Polish and Bulgarian. These are languages often used by trafficking victims and the posters bear the clear message, “people should not be bought and sold.”

All TARA and Migrant Help service users are offered an **exit interview** before leaving support, and quotes from these interviews are included throughout this progress report. This provides assurance that the client is ready to move on to other support provision, and is also an opportunity to reflect on their experiences and how the process might be made more accessible and less intimidating. Migrant Help and TARA act on these interviews and share learning with partners as appropriate.





Police Scotland continue to support persons who may be at risk of harm through commercial sexual exploitation and human trafficking. **Support Health and Wellbeing (SHaW)** visits deliver a multi-agency response to individuals involved in prostitution, as an alternative to immediate enforcement. They are on-going in Aberdeen and Edinburgh with a view to rolling them out further through partnership with Safeguarding Communities, Reducing Offending (SACRO).

This multi-agency approach is designed to deliver a victim-centred response as an alternative to immediate enforcement, and will be undertaken by Police Scotland and the most appropriate partner within Divisions, at addresses where persons involved in prostitution are believed to be operating. These visits allow Police Scotland and their partners to assess vulnerability, and provide advice about available interventions and support services.

A robust partnership has been built between Police Scotland's E Division and the Edinburgh Women's Clinic, ensuring that the implementation of SHaW has delivered positive outcomes since commencing in 2015. An evaluation has now been completed by Specialist Crime Division Public Protection Support, and has been uploaded onto the Police Scotland prostitution mini-site. It is envisaged that this document will be refreshed as SHaW visits develop, and will be used as a reference for other territorial divisions, to assist in local implementation across Scotland.

### **Looking forward**

The e-learning resource and standard awareness raising presentation have been developed but there is more to be done in distributing these and making them available through a range of routes. There is also potential for training activity to support the rollout.

The Implementation Group will consider establishing regional learning events and networks to help with the sharing of good practice and joint working.

The group will also consider developing communication channels to help raise awareness and trust amongst victims to help them come forward and seek support.



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### **Victim's perspective – TARA service user**

My name is Sara, I am 24 years old and I have a daughter who is two years old. I was born in Albania and I lived there until January 2015. A good friend of mine said he could find me a job as a waitress in Italy. I moved to Italy in January 2015. When I arrived there things were not as he had promised me. We were met by two of his friends and I was immediately forced into prostitution. In March 2015 I was put into a truck and taken to London. When I was in London I realised I was pregnant by the beginning of April 2015, however the prostitution continued until August 2015. I managed to escape and had help from someone who also helped when my baby was born, I stayed with them until August 2016.

The gang who trafficked me found where I was living and I had to leave with my baby immediately. I left for Victoria station and I asked the person at the information desk where I could go to get far away from London and who would be able to help me. He suggested I get the bus to Glasgow and go to the Refugee Council. When I arrived in Glasgow I found the Scottish Refugee Council and explained everything to them. They sent me to Migrant Help who then sent me to TARA, here I found people with warm hearts.

At TARA I met ladies who helped me with money, clothes for me and my baby and they also put me into accommodation. They arranged for me to see a psychologist at the Anchor Trauma Service, I still go there and receive help. TARA also arranged for a nurse to visit me, on a weekly basis to help with my mental health. TARA aided me to meet with my Solicitor, she helped me to present my asylum case.

My NRM decisions from the authorities were positive, however at first the Home Office refused my asylum claim because they said I could get support in my home country of Albania. My solicitor had prepared everything for the appeal hearing. TARA met with me the day before the hearing and explained the appeal procedure. They came with me on the day but the Home Office withdrew their previous decision and I was advised that I will be notified of the new decision.

Around three weeks after the hearing date my solicitor called me to tell me that the Home Office had given a positive decision and had granted me leave to remain for 5 years for myself and my daughter. That moment when she told me the good news I was thinking that my daughter would continue going to nursery and she would be safe at all times. As I suffer from depression I can continue to take her to nursery where she will be well looked after. I feel that she will be safe here now due to the decision of the Home Office and the fact they have given protection to the both of us.

After my decision TARA called me and helped me book an appointment to see the Scottish Refugee Council to sort out housing and other things that I require to do. My daughter will continue attending nursery and I will continue seeing my psychologist. Everyone has plans in their lives and my plans now are to continue seeing the psychologist to enable me to feel better and when I am well enough my plan is to look for a job.

TARA has supported and helped me access English classes which I attended on a Tuesday for many months. While attending classes TARA organised care for my baby. This has improved my communication skills and social skills. TARA helped with items for my home with a television, cot, toys, clothes and a pram for my daughter. My life is changing day by day, and all the supports that I have mentioned is coming from TARA.

Without TARA, I know that I would not have been strong enough to care and look after my daughter and fight for asylum for us both. I want to say from the bottom of my soul a huge thank you to TARA for all the care and support they have shown to me and my daughter.

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# SECTION 3

## ACTION AREA 2 – IDENTIFY PERPETRATORS AND DISRUPT THEIR ACTIVITY

### Implementation structures

Action Area 2 focusses on the identification of perpetrators of human trafficking and exploitation with the intention of disrupting their criminal activity. The key areas for this workstream are to contribute to the successful development of a duty to notify process for public bodies, the development of local, national and international intelligence sharing and utilising all available powers at the disposal of prosecuting authorities to bring offenders to justice.

The implementation group for Action Area 2 met for the first time on 22 June 2017. It meets on a quarterly basis and is chaired by Police Scotland.

The group membership includes representatives from:

- Police Scotland
- National Crime Agency (NCA)
- Home Office Immigration and Enforcement
- Border Force
- The Scottish Government
- Social Work
- Trafficking Awareness Raising Alliance (TARA)
- Migrant Help
- Marine Scotland
- HMRC
- Crown Office and Procurator Fiscal Service (COPFS)
- British Transport Police
- Gangmasters and Labour Abuse Authority (GLAA)

### Key outcome: Public bodies and others report concerns appropriately

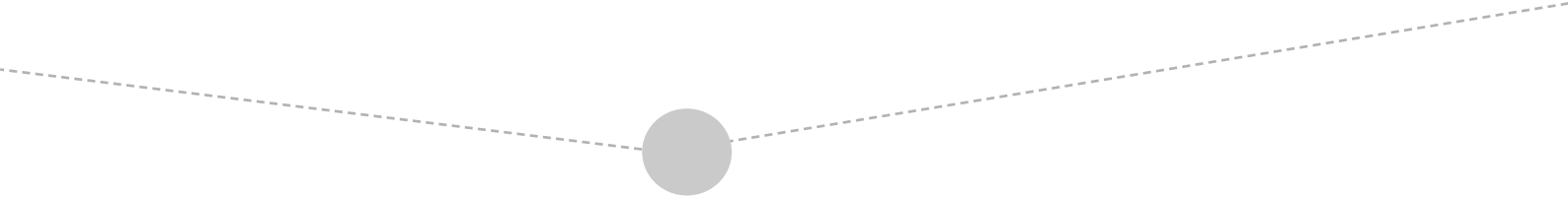
Because of the hidden nature of human trafficking activity, it can be difficult to get an accurate picture of where it is happening. It is vital that relevant information is shared with Police Scotland to allow them to investigate potential criminal activity and allocate resources appropriately.

Section 38 of the Human Trafficking and Exploitation (Scotland) Act 2015 places a duty on Scottish public authorities to notify the chief constable of Police Scotland about a person who is, or appears to be, a victim of an offence under the Act. Notifications must not contain any information which could identify individuals unless consent has been given to do so.

The **duty to notify** provision in the Act has not yet been commenced. A local trial implementation of duty to notify processes with City of Edinburgh Council and Police Scotland began on 5 February 2018.

City of Edinburgh Council has undertaken substantial training and awareness raising activity with staff in a range of contexts, and has established a small coordination team for routing duty to notify referrals to the police. Police Scotland has developed an online portal for these referrals. Monthly meetings between the Scottish Government, Police Scotland and City of Edinburgh Council are held to monitor progress. After the first three months of the trial implementation, a decision was made to extend the trial to provide a more robust evidence base before national implementation of the duty. The Scottish Government is also working with the Home

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Office on its development of a joint digital platform for the National Referral Mechanism and duty to notify.

Police Scotland has taken steps, through publication of appropriate memoranda, to reinforce its commitment to protecting individuals exposed to the greatest threat, risk and harm, which includes potential victims of trafficking. Improved recording procedures have been implemented to ensure adherence to the Scottish Crime Recording Standards and recommendations from the Independent Anti-Slavery Commissioner. The National Referral Mechanism process has been highlighted to frontline officers to ensure indicators of trafficking are captured.

The **National Human Trafficking Unit (NHTU) analyst** is involved in the production of the Human Trafficking Threat Desk monthly threat assessment, which reviews all human trafficking relevant intelligence and identifies significant and emerging threats impacting on Scotland. The threat desk is a multi-agency approach to safeguarding vulnerable people through continuous gathering, assessment and development of intelligence on human trafficking. The report covers both victim and perpetrator aspects, includes police and partner responses to the threat from trafficking and exploitation and drives monthly meetings attended by all partners. The report is disseminated to other departments, agencies, and organisations including the Joint Slavery and Trafficking Assessment Centre (JSTAC) for input to UK-wide intelligence products.

The NHTU analyst also provides input to the annual Scottish Multi-Agency Strategic Threat Assessment (SMASTA), which provides a strategic review of serious organised crime, terrorism, significant vulnerabilities and emerging threats facing police and partners in the coming year. The report identifies strategic priorities to inform the decision making of the Scottish Multi-Agency Collaborative Coordination Group. The analyst also contributes to problem profiles and briefing papers as a subject matter expert.

#### **Multi-Agency Working: Police and Immigration Enforcement: Central Scotland**

After several intelligence reports had been received of trafficked males working at a local Chinese restaurant in the Falkirk area, police and colleagues from the Home Office Immigration Enforcement carried out a joint visit. The result of this visit led to some minor immigration offences being detected but more importantly one young male was traced who has since disclosed that he is a victim of human trafficking offences. He is now under the National Referral Mechanism and has been rehoused to a safe location pending further inquiries.

The young person has been receiving support from the Scottish Guardianship Service. The young person disclosed later that he had been exploited in a cannabis farm and the guardian was able to support the young person to share this information with the police, social work and his legal representative and the Home Office. The Scottish Guardianship Service have played a crucial role in supporting the young person to establish a life in Scotland, supporting him to access appropriate housing, education and health whilst working closely with Social Work and other agencies.



## **Key outcome: Intelligence is shared so that local areas and/or other countries are aware of patterns**

Police Scotland continues to work closely with partners within Scotland, across the UK and internationally, to share intelligence and coordinate work to tackle human trafficking.

### **Operation Synopsis – Day of action – 9 February 2017**

Investigation involving Police Scotland, the Metropolitan Police and the Slovakian Police. The operation relates to the trafficking of a number of Slovakian females aged approximately 18-25 years of age, who have been trafficked from Slovakia to the UK for the purposes of sham marriages.

Between 9 and 13 February 2017, all agencies carried out enforcement operations to trace and arrest suspects in Scotland and Slovakia.

The Glasgow aspect of the operation took place on Thursday 9 February 2017, four addresses were searched, four Slovakian nationals and one Nepalese male were detained. Home Office Immigration Enforcement, Slovakian police officers and the Europol mobile office supported the operation. The arrested persons appeared at Glasgow Sheriff Court on 10 February 2017, charged with offences under Asylum and Immigration Act and Organised Crime.

On 13 February 2017, four further males were arrested in Slovakia and have since appeared in court there in relation to Human Trafficking offences.

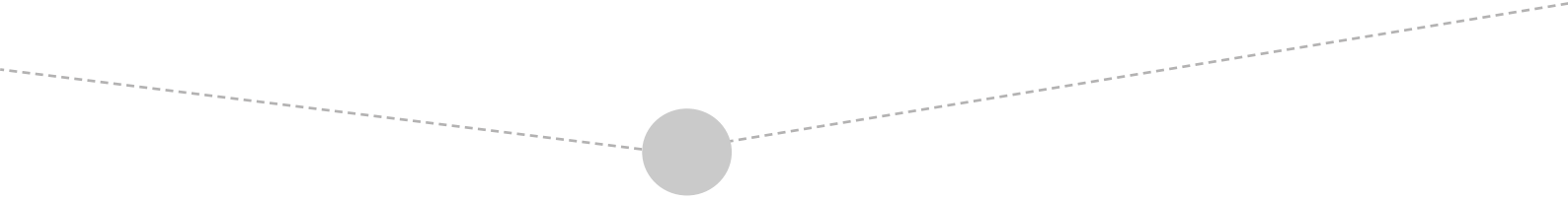
**Joint investigations** are ongoing with Romanian police in respect of investigating individuals involved in the trafficking of females for the purpose of commercial sexual exploitation. Joint days of action have taken place to execute warrants, disrupt illegal activities and support victims to safety with the assistance of TARA.

Scottish officers have travelled to The Hague, Netherlands, to liaise with European law enforcement partners and prosecutors and operational meetings have been conducted with Romanian police officers and prosecutors at the Scottish Crime Campus, to discuss ongoing operations and build upon existing relationships. During the course of these enquires, Romanian police officers seconded to Police Scotland have been utilised, and continue to offer valuable support.

Police Scotland has established arrangements to ensure relevant information is shared with law enforcement agencies throughout Europe through **Europol**. This process allows Police Scotland to also receive relevant intelligence, which is assessed and acted on where appropriate.

**Romanian officers seconded to Police Scotland** have been a valuable asset and have been deployed to assist with Human Trafficking and Exploitation investigations. They have also assisted Scottish police officers and Border Force officers at Glasgow Airport with days of action, assisting with the monitoring of passengers entering the country from Romania. They have assisted in intelligence development operations and acted as a single point of contact between Police Scotland and Romanian police during joint police inquiries in both Romania and Scotland. Police Scotland have also undertaken a joint visit to Romania with TARA to improve international cooperation on returning victims and working to prevent re-trafficking.

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**“ I am really happy with Guardianship because they explained everything to me. Thank you so much for all your help you have given me. I appreciate it so much.”**

Since April 2017, **Border Force's Operation Outrun** at Glasgow Airport has seen a specially trained team seek to identify potential victims entering Scotland, particularly women travelling from Romania at risk of commercial sexual exploitation. Working closely with Police Scotland, TARA and Unseen, Border Force have so far interviewed 290 potential victims, who have been offered support. Of these, 165 have been returned to their home country.

During 2017, the Modern Slavery Helpline, operated by Unseen, provided 49 referrals to Police Scotland and 10 referrals to local authorities regarding human trafficking and exploitation cases.

**Project Aidant** is the NCA-led initiative to intensify law enforcement activity and intelligence gathering around key aspects of human trafficking.

#### **Operation Acervose - Monday 15 May 2017**

A further multi-agency action day to raise awareness of human trafficking and to identify and recover potential trafficking victims was conducted. Around 500 officers including 50 from partner agencies visited 80 premises and locations in all 13 geographical divisions of Scotland including fisheries, car washes and nail bars. This formed part of a National Crime Agency coordinated, on-going response to the threat of modern slavery and human trafficking across the UK. During the multi-agency operation a child aged 15, who displayed indicators of trafficking, was found working in a nail bar. Police Scotland officers were supported by colleagues from HM Revenue and Customs, Immigration Enforcement, British Transport Police and the Gangmasters and Labour Abuse Authority.

During 2017, intelligence-led operations have been conducted throughout local divisions, focusing on labour exploitation, sexual exploitation, child trafficking, domestic servitude, illegal border activity, and Romanian and Vietnamese traffickers. Nail bars, restaurants and other businesses identified as potentially linked to human trafficking and exploitation were targeted to establish any areas of concern and identify any criminality.



### **Operation Heathyard - West Lothian 2 December 2016**

Led by officers in West Lothian and supported by partners including West Lothian Council, National Crime Agency and Greater Manchester Police. The operation involved males from Slovenia being trafficked for the purposes of labour exploitation and forced criminality. Four Slovenian nationals were arrested at addresses in Livingston, Bathgate and Salford and were charged with human trafficking offences. A reception centre was established by the National Human Trafficking Unit, Migrant Help and NCA Victim Team.

During this time, a number of offences were identified, including criminal offences in respect of drugs, sexual exploitation and brothel keeping. Monies gained through criminality and recovered from evidential searches were seized under the Proceeds of Crime Act.

During this period of action, Police Scotland worked with TARA and Migrant Help to ensure that victims of trafficking and exploitation were supported and the investigations were victim focused.

Project Aidant continues to operate on a quarterly basis in each of the divisions within Police Scotland, with intelligence-led operations taking place to tackle those involved in human trafficking and exploitation.

The NHTU engage with the **JSTAC** on a regular basis, by providing the Human Trafficking Threat Desk monthly threat assessment to the JSTAC officer assigned to Scotland. Sharing the intelligence assessments allows for enquiries to be raised and discussed between the JSTAC

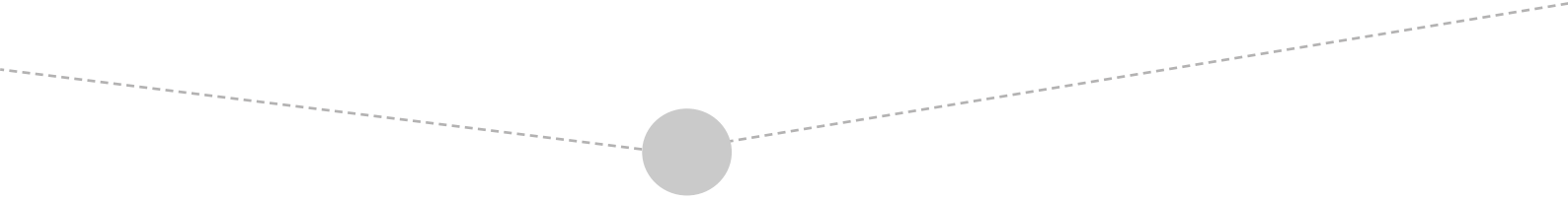
and NHTU analysts, and more significantly, ensures that the UK national picture of the threat from trafficking includes what is being experienced in, and is most relevant to, Scotland. Reports produced by JSTAC are disseminated to the NHTU analyst and human trafficking officers in Police Scotland, which allows knowledge to be shared, and ensures assessments and experiences of other force areas are considered in the analysis and research of trafficking in Scotland.

Data on serious organised crime groups involved in human trafficking and exploitation is also shared on a monthly basis with analysts in the Insight analytical team of the Modern Slavery Police Transformation Unit (MSPTU). This team are also involved in the production of reports and assessments, which provide valuable background, and up to date information on human trafficking activity.

The Insight team produce pre- and post-briefings on the NCA's Project Aidant activity, where specific aspects or types of human trafficking become a national focus of police intelligence development and disruption activity during specific weeks, usually each quarter. The NHTU analyst is the single point of contact for the Insight team, providing input to their pre-briefing reports. In March 2018, the MSPTU held their first National Analyst conference in Birmingham, which was attended by three analysts from Police Scotland. Subjects covered included analysis from successful prosecutions, victim psychology and working with partner agencies.



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### **Key outcome: Police, prosecutors and courts use all powers and take robust action as appropriate**

As set out in the introduction of this progress report, the Act establishes two new offences: human trafficking and slavery, servitude and forced or compulsory labour. The Act also makes provision for two new court orders to disrupt activity related to trafficking and exploitation: **Trafficking and Exploitation Prevention Orders (TEPOs) and Trafficking and Exploitation Risk Orders (TEROs)**.

On 15 March 2018, two men were sentenced to ten years and seven years imprisonment respectively. Amongst other charges, both were convicted of a contravention of section 4(1) of the Human Trafficking and Exploitation (Scotland) Act 2015 (slavery, servitude and forced or compulsory labour). This prosecution, conducted by the national lead prosecutor for human trafficking, resulted in the **first convictions** under the 2015 Act since it came into force.

Both men were also made subject to Trafficking and Exploitation Prevention Orders. Again, these are the first orders of their kind to be imposed in Scotland since they came into force on 30 June 2017. The terms of the order mean that, for five years after the men are released from prison, both will be restricted in whom they can employ and the property they can use, and they must notify police of any travel plans outwith Scotland. They are also restricted in the number of communications devices they may own.

Police Scotland works closely with partners on individual cases. For example, a teenage boy (aged approximately 15/16) was found lying unresponsive in a large town centre within the central belt of Scotland by members of the public. Police attended, and he was taken to receive medical attention. He disclosed at that time he had been trafficked from South East Asia. When fit to be discharged, he was accommodated at a safe location whilst a police and social work inquiry took place. Although the inquiry has ultimately led to no charges, a joint police, social work and NHS approach has ensured that this young man remains safe, well and thriving. He was revisited by police and is settled and looking to make a life for himself in this country.

Human trafficking concerns continue to be received by Police Scotland via the normal communications channels. Police Scotland's **national process for recording of human trafficking crimes** has now been fully embedded across the country, and they continue to monitor compliance and raise awareness, to ensure consistency of practice.

As described in section 2, tailored training has been developed in conjunction with the Scottish Government, and is being delivered to key stakeholders, nationally and locally, along with advice from the National Human Trafficking Unit. This aims to increase awareness amongst local police officers, social workers and criminal justice workers in relation to human trafficking issues.





As part of the Strategy implementation, Police Scotland working groups were established to create a learning environment to ensure local policing is supported, best practice shared, and a long-term strategy is implemented to the benefit of vulnerable individuals and communities. This has proved to be valuable in supporting policing divisions and partners in raising awareness on processes and procedures for investigating incidents of human trafficking.

Police Scotland's **policy for protection of individuals and communities** from threat, risk and harm in relation to human trafficking, is in place. It provides national guidance on investigating those who abuse, exploit or coerce the investigation and disruption of organised criminal activity, and support or creation of effective partnerships to help minimise or eliminate harm.

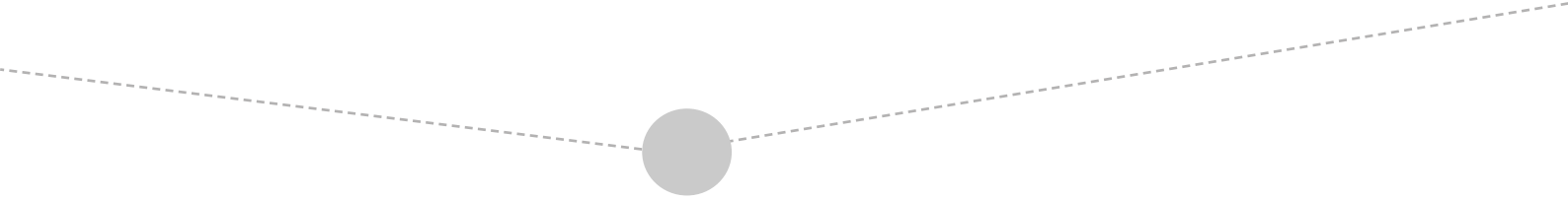
A **Memorandum of Understanding** was established between Police Scotland and Unseen, who operate the 24-hour UK-wide Modern Slavery Helpline. This agreement ensures appropriate sharing of information to enable provision of support to victims of human trafficking, at a time when they need it most. A Memorandum of Understanding is also being developed between Police Scotland and GLAA.

#### **Multi-Agency Working: Police, Modern Slavery Helpline and Social Work**

The Modern Slavery Helpline team received a call into their contact centre to state that a female possibly under 18 was being sexually exploited in a flat in a Scottish city and there were concerns about her. As per protocol arrangements with the Modern Slavery Helpline, operated by Unseen, they contacted Police Scotland who were able to task this out to the division and identify the block of flats and thereafter the flat position with some good investigative police work. Police attended and rescued an 18-year old female in a flat who was being sexually exploited; she provided a statement to the police. She was also caring for a five-year old child on behalf of the traffickers who subsequently arrived at the flat a short time later and were arrested.

Due to the initial work by the Modern Slavery Helpline, operated by Unseen, identifying the immediate threat, risk and harm, and excellent investigations by the police, two arrests were made for Human Trafficking offences. Care packages were provided to the 18-year old female victim by TARA and local services provided by social work provided a care package to the child. A great example of multi-agency partnership working that ultimately supported two victims out of an exploitative situation.

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Police Scotland's current **Standard Operating Procedure** (SOP) has been reviewed, and additional information identified to be included within the SOP, such as information on Trafficking Exploitation Prevention Orders/Trafficking Exploitation Risk Orders, the use of these orders, and the best practice on how to apply for them. Also included will be information in respect of section 12 of the Act (age assessment) and the process that should be adopted by local authorities. The SOP has been disseminated for consultation and approval of changes, prior to being published. The Human Trafficking Toolkit is also under review, and changes will be made to reflect the best way to tackle human trafficking investigations. A new, simplified, Police Scotland intranet page is being considered, to allow police officers to extract useful information in respect of human trafficking.

A four-day **Human Trafficking Investigators Course** took place at the Scottish Police College in March 2018. This was the first time that a bespoke human trafficking investigators course had been delivered to police in Scotland. The course was delivered by two police officers from the College of Policing (England), supported by Scottish facilitators. The course was beneficial to the 17 officers who attended, who will now be able to cascade the knowledge and learning from the course to other officers. A further course is scheduled to take place in October, and officers from the National Human Trafficking Unit, assisted by the Scottish Police College, will deliver this training to other investigators.

COPFS has appointed a **National Lead Prosecutor for Human Trafficking**, who has oversight of all decisions relating to the prosecution of alleged traffickers and the non-prosecution of alleged victims of human trafficking. This oversight ensures that there is consistency and expertise in the decision making process. COPFS has also appointed local lead prosecutors for human trafficking based in various geographical locations throughout Scotland, all of whom take a lead role in improving knowledge and practice of these types of offences. These leads work closely with Police Scotland's National Human Trafficking Unit and the Divisional Human Trafficking Champions.

COPFS has taken steps, and continues to take steps, to promote awareness and knowledge on the part of its staff. On 23 June 2017, the Solicitor General delivered a video message to COPFS staff highlighting the growing problems of human trafficking and modern slavery and urging staff to be aware of the signs of these offences, both at work and in their personal lives. This video was publicised to COPFS staff again on Anti-Slavery Day 2017. Training is delivered to staff on human trafficking offences as part of the COPFS Sexual Offences Awareness course.

COPFS also continues to cooperate with counterparts from other jurisdictions. Within the UK, that takes place within the context of a communiqué, signed in 2014 by the former Lord Advocate and the Directors of Public Prosecution for England, Wales and Northern Ireland, and commitments agreed between the three prosecution services in 2016.



## Looking Forward

Police Scotland will continue to work with partners through the Action Area 2 group and other routes on operations to identify and tackle trafficking and exploitation. This will include future Operation Aidant intensification periods.

The direct sharing of intelligence with HMRC is being developed, and will allow Police Scotland to receive intelligence where there may have been gaps in the past.

Police Scotland will continue to work alongside COPFS to maximise all available opportunities to utilise the use of TEPOs and TEROs to restrict and disrupt the criminal activity of convicted traffickers and those that are suspected of being involved in this criminal activity. Close working relationships between Police Scotland's NHTU, Serious Crime Prevention Order Unit and COPFS will continue and develop to ensure that the legislation is used effectively to achieve successful outcomes. The application and monitoring of orders falls under the remit of the Police Scotland Serious Crime Prevention Order Unit who regularly engage with COPFS on potential Prevention Orders.

COPFS intends to create an e-learning package which will draw together all of the existing guidance relating to human trafficking and modern slavery.

In June 2018 COPFS officials will meet with officials from police forces and prosecution services from England, Wales & Northern Ireland to share experience and best practice in order to improve and refine the criminal justice response to human trafficking and modern slavery.

**“ The information given to me was well explained. They do their maximum. I have nothing to criticise. Concerned about the person. English lessons. A good beginning in integration.”**

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# SECTION 4

## ACTION AREA 3 – ADDRESS THE CONDITIONS THAT FOSTER TRAFFICKING AND EXPLOITATION

### Implementation structures

Action Area 3 focusses on addressing the conditions that allow trafficking to take place. Key issues for this group include public awareness of trafficking, the role of businesses and other communities in preventing trafficking, and addressing the wider conditions, including poverty and inequality, which make trafficking possible and profitable.

The Action Area 3 Implementation Group met for the first time on 15 August 2017 and meets on a quarterly basis. The group is chaired by the Scottish Government.

Membership of the group includes:

- The Scottish Government (human trafficking policy, procurement policy, homelessness policy, organised crime policy, equality policy)
- Police Scotland
- Gangmasters and Labour Abuse Authority (GLAA)
- Independent Anti-Slavery Commissioner's office
- Renfrewshire Council
- Stirling University Centre for Child Wellbeing and Protection
- Brightwork Recruitment
- Hope for Justice
- International Justice Mission

### Key outcome: people know about the extent of trafficking in Scotland


A fundamental challenge in addressing trafficking in Scotland is identifying where it is taking place. Trafficking can be a hidden crime, with perpetrators going to great lengths to keep it so. Victims of trafficking can only get the support they need if they come to the attention of those who are able to help them. The public have an important role in recognising the potential signs of trafficking and reporting any concerns appropriately, in order to help bring agents of trafficking to justice and get support to those who have been exploited.

In March 2017, during the development of the Trafficking and Exploitation Strategy, a **public survey** was conducted, with face-to-face interviews conducted in homes with 1,025 adults across Scotland. The survey asked a range of questions relating to public perceptions of what human trafficking is, whether it takes place in Scotland, and what people would do if they had a concern.

A key finding of this research was that while 63% of Scottish adults believe human trafficking is an issue to a great extent in the rest of the world (outside Europe), and 30% believe it is so in the UK, only 14% would say this of Scotland. Just 5% would say this of their local area.

Yet the evidence shows that human trafficking is taking place in local communities across Scotland.

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A significant amount of activity has been undertaken by the Scottish Government and its partners over the last year with the aim of strengthening public awareness of what trafficking is, that it is happening in communities in Scotland and how to report any concerns.

The Scottish Government undertook a marketing campaign between August and October 2017. This included working with STV to produce a hard-hitting 60 second film which was screened during advert breaks over the course of the campaign. It also featured a series of six digital adverts which highlighted particular contexts where the public might encounter trafficking.

**“ If guardianship is here you are happy with them because they are really helpful. If you are stressed about your case they give you some advice to make you happy.”**

#### **Human trafficking marketing campaign**

The Scottish Government funded a national awareness raising campaign which ran between August and October 2017. The key messages of the campaign were:

- Human trafficking is happening in Scotland
- You should report any concerns to the Modern Slavery Helpline, operated by Unseen.

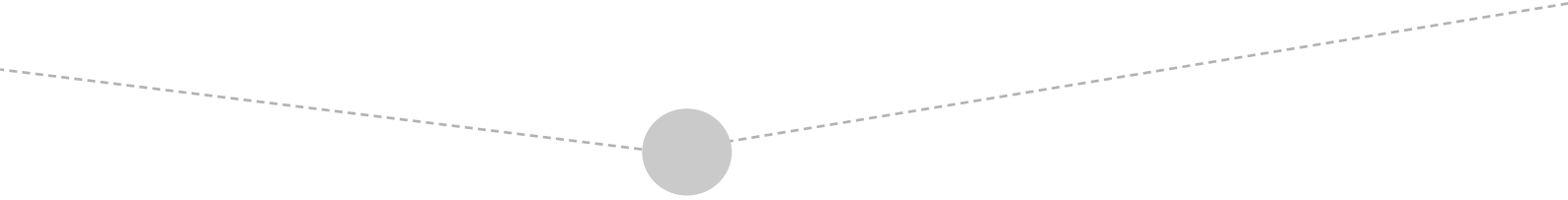
The campaign included a 60-second film featuring Bronagh Andrew, Operations Manager of TARA, which was produced with and screened on STV during advert breaks, including during peak viewing times.

The campaign also included digital adverts placed on Facebook and other websites, with versions designed to capture attention on a mobile screen. These highlighted some of the key industries that can be affected: construction, takeaways, nail bars, and hand car washes.

The two-pronged approach was designed to reach a diverse audience, so that the message could be seen by all sectors of the Scottish public. Analysis showed that the television advert reached over two million people in Scotland, and the digital adverts also reached at least two million people.

The adverts directed people to the Modern Slavery Helpline, to learn more or report concerns, and both the helpline itself and the online portal saw significant increases in contacts during the campaign: from about 2 potential victims identified in Scotland per week up to about 10 per week during the campaign. Over weekends or time periods when the film was playing on television, multiple callers from Scotland specifically mentioned that they heard about the helpline from an advert/film on television.

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All marketing campaign materials directed people to the UK-wide **Modern Slavery Helpline** (08000 121 700) for more information, or to report any concerns. A specific web-page giving information relevant to Scotland was developed for the Modern Slavery Helpline website and the digital adverts linked directly to this, providing an online route for reporting concerns.

**Modern Slavery Helpline, operated by Unseen**

The UK-wide Modern Slavery Helpline, is a 24-hour confidential free phone service for accessing advice and reporting concerns about human trafficking and exploitation across the whole of the UK. It is operated by the charity Unseen, with support from a range of partners including BT and Salesforce.

Through the Helpline potential victims, members of the public, businesses and statutory agencies can speak to fully trained call handlers to get information, advice and support, and report concerns about possible trafficking and exploitation.

The Modern Slavery Helpline website<sup>6</sup> also provides information and an online route for reporting concerns. This includes a page for Scotland-specific information. A new Modern Slavery Helpline smartphone app will be launched in the near future.

Police Scotland has developed a Memorandum of Understanding with the Modern Slavery Helpline, to assist in sharing information through Helpline referrals.

During the marketing campaign a significant increase was seen in the number of people from Scotland accessing the Modern Slavery Helpline, operated by Unseen, both through phone calls and web referrals. The number of potential victims identified went from about 2 per week before the campaign to around 10 per week during the campaign. This was a very positive result. However, after the end of the campaign, Scottish referrals through the Modern Slavery Helpline tailed off again.

In order to maintain momentum and help keep the key messages of the campaign – that trafficking is happening in Scotland and that members of the public should report any concerns appropriately – in the public eye, the Scottish Government established a **joint communications** group. This group includes Police Scotland, TARA, and Migrant Help. The aim of the group is to share upcoming opportunities and coordinate communications activity. Key successes for the group so far have included media coverage of increased funding to TARA and Migrant Help and the 90 day statutory support period, of the first convictions under the 2015 Act and the first use of Trafficking and Exploitation Prevention Orders, and of the increase in NRM referrals in Scotland for 2017.

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<sup>6</sup> [www.modernslaveryhelpline.org/scotland](http://www.modernslaveryhelpline.org/scotland)





The Scottish Government has worked with key partners to support research on trafficking in Scotland and the rest of the UK, including the Independent Anti-Slavery Commissioner's report *Combating Modern Slavery Experienced by Vietnamese Nationals En Route to, and within, the UK*, and the UK Government publication *A Typology of Modern Slavery Offences in the UK*. A sub-group of the Action Area 3 Implementation Group has been established to consider what further research may be needed in Scotland.

Other activity to raise public awareness in Scotland has included: the joint Scottish launch of the Independent Anti-Slavery Commissioner's 2017 Annual Report on Anti-Slavery Day (18 October), support for the UN House human trafficking conference on 23 March 2018, and a range of other engagements and presentations with different groups in Scotland.

One potential impact of activity to raise awareness during and following the Strategy's launch can be seen in the significant increase in Scottish referrals to the National Referral Mechanism (see section 6). In 2017, 207 potential victims were identified and entered the NRM process, a 38% increase on the previous year. This suggests that we are getting better at noticing and reporting potential signs of trafficking, and helping to ensure trafficking victims are directed towards the help that they need.

A **follow-up public survey**<sup>7</sup> of 1,008 adults was undertaken in March 2018, asking the same questions as the previous survey, with some additional questions on media and marketing. This showed increases in awareness of trafficking taking place around the world and in Scotland, but no improvement in awareness of trafficking in local communities. There was a significant shift in what people said they would do if they suspected trafficking was taking place – more people said they would contact the police and fewer said they would talk to family or friends. One in four respondents said they had seen materials from the Scottish Government marketing campaign. Overall, these are positive results in terms of the key messages of awareness raising activity. However, there is clearly more work needed to raise awareness of trafficking in local communities. Further detail on the findings can be found in section 6.

**Key outcome: people and businesses are aware of how what they do and buy can contribute to this crime**

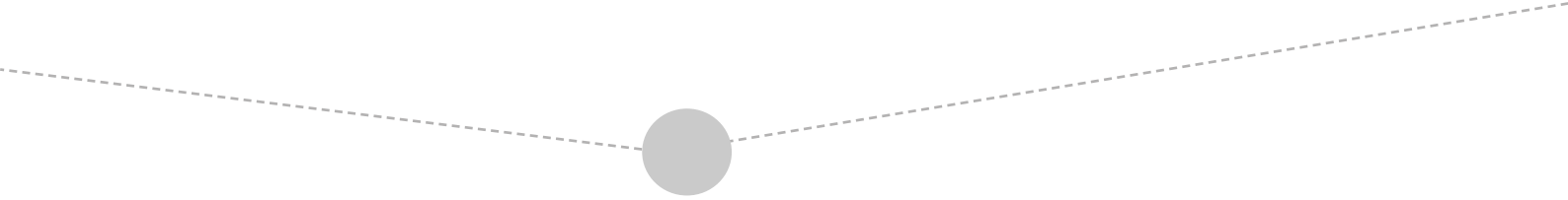
Human trafficking is a highly profitable criminal activity. The International Labour Organization has estimated that annual profits from the trafficking of human beings generates \$150 billion around the world<sup>8</sup>. The corporate sector has an important role to play in tackling and preventing this crime and through the Strategy we aim to help businesses fulfil their legal and ethical obligations.

<sup>7</sup> <https://beta.gov.scot/news/heightened-awareness-of-trafficking/>

<sup>8</sup> Profits and Poverty: The Economics of Forced Labour: [http://www.ilo.org/global/publications/ilo-bookstore/order-online/books/WCMS\\_243391/lang-en/index.htm](http://www.ilo.org/global/publications/ilo-bookstore/order-online/books/WCMS_243391/lang-en/index.htm)



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We have engaged directly with a number of key businesses that volunteered to take an active role in Scotland's work on human trafficking. We have met with **HSBC** to discuss the role of the financial sector in identifying suspicious financial activity, and with Police Scotland helped deliver joint training to key HSBC staff on human trafficking. We have also worked closely with **The Co-op**, including delivering an awareness session for their Scotland suppliers forum.

#### **HSBC Risk and Compliance Centre**

In 2015, HSBC chose Edinburgh as the location for establishing a new UK centre for its Risk and Compliance teams in Edinburgh. Over the last year, HSBC has expanded its presence in Scotland, including significant development of the Edinburgh risk centre of excellence.

In that building, fifty per cent of the employees are directly involved in anti-money laundering activity designed to prevent the financial crimes that underpin human trafficking as well as arms trafficking and drug dealing. It is a hive of technological and human intelligence.

Alison McGregor, chief executive of HSBC in Scotland, is a prominent supporter of efforts to tackle human trafficking in Scotland and internationally, and HSBC is a member of the Scottish Government's corporate group supporting Strategy implementation.

In November 2017, the Scottish Government held a **corporate engagement event**, bringing together representatives of a select group of business interests in relevant sectors, including large organisations and representative bodies covering smaller businesses. This event included input from Police Scotland, Gangmasters and Labour Abuse Authority, Border Force, Migrant

Help, International Justice Mission, Brodies Solicitors and Staffline. The event was well received and helped make further links in the corporate sector.

Following on from the corporate engagement event, we have established a **Corporate Group**, to sit alongside the other implementation groups and take responsibility for moving forward specific elements of the Strategy. This group met for the first time on 27 March 2018, and will meet on a quarterly basis. The group includes membership from:

- HSBC
- The Co-op
- Multiplex
- SSE
- Brightworks Recruitment
- British Association of Beauty Therapy and Cosmetology (BABTAC)
- Petrol Retailers Association
- Edinburgh Airport
- Scottish Trades Union Congress
- Scottish Business Resilience Centre
- Brodies Solicitors
- Hope for Justice
- Stronger Together
- International Justice Mission

The group has established sub-groups to look specifically at training and guidance for businesses, at Slavery and Human Trafficking Statements, and at spreading awareness and good practice.



### **Bright Future programme**

The Co-op Bright Future programme offers the opportunity of a four week paid work placement leading to a non-competitive interview for a job in their food business to those who have been rescued from human trafficking. In February 2018, this programme was extended to Scotland, through a partnership with Migrant Help.

Frank (not his real name) was unemployed and living in Romania with his wife and young family. He was contacted by a childhood friend in November 2014, who put him in touch with a male who offered him employment and accommodation in the UK. Frank was happy to accept this opportunity as he needed work to support his family. About two weeks later he was sent a ticket for a flight to Glasgow and met at the airport by a male who took him to an address. Frank was told that it would cost him £75 per week for the bed space. Within weeks of arriving in the UK, Frank was forced, under the threat of violence to him and his family, to open bank accounts for a group to use. After this experience he tried to get out of the group's control without success, so he decided to sell all his belongings in order to fund a deposit for a flat of his own with a reputable landlord. He changed his telephone number several times so the group could not contact him.

Frank contacted the police and agreed to enter the National Referral Mechanism. Migrant Help provided him with practical, emotional and moral support, as well as financial support as he struggled to take care of his family and had recently lost a job. Migrant Help informed Frank about an opportunity to join the Bright Future programme, and Frank volunteered to be the first participant in Scotland.

After completing the Bright Future placement, Frank was given an opportunity of non-competitive interview and secured his employment. He is happy with his job as it is very convenient for him. It is close to where he lives and flexible shift patterns allow him to spend time with his young family.

Businesses in Scotland must be clear that they are not profiting from trafficking, either knowingly or unknowingly. Larger companies may not be directly employing trafficked people, but it is possible that through contractors, sub-contractors, or agencies supplying labour, they may be making use of trafficked labour. Under Section 54 of the Modern Slavery Act 2015, all businesses in the UK (including Scotland) with a turnover of £36 million or more have to make available on a public platform a **Slavery and Human Trafficking Statement**. This can include detail on policies, training and due diligence, as well as setting out structure and supply chains and highlighting where there is a risk of human trafficking taking place. While many businesses in Scotland are fulfilling this obligation, not all are. Transparency in supply chains has been a key focus of engagement with business so far, and helping to highlight the legal requirement, and encouraging the publication of meaningful Slavery and Human Trafficking Statements, will remain a key focus for the Corporate Group.

It is also important that the public sector works to eliminate human trafficking in its supply chains. We have been working to spread awareness of human trafficking in **public procurement**. In October 2017, the Scottish Government and Stronger Together delivered an awareness raising session on human trafficking and transparency in supply chains at Procurex, the national annual procurement conference. More recently the Action Area 3 Implementation Group helped update the national sustainable procurement tool, to ensure that it takes account of human trafficking considerations. The tool will be shared with the Corporate Group.

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### **Key outcome: people at most risk get help to increase their resilience against trafficking**

As well as the wider awareness raising work, it is important to ensure that communities and sectors which are particularly at risk of trafficking are aware that they have a right not to be exploited or abused, and that they can access support and help to escape risky situations. This will include work to address the wider social factors that can enable and foster trafficking, including poverty, inequality and homelessness.

The 2017 **marketing campaign** was national in scope and was targeted to reach all sectors of the Scottish population, including those at risk of trafficking. The campaign materials were produced in consultation with trafficking victims, to ensure they reflected their voices and to help make the messages accessible to those at risk of trafficking. In addition, posters using the campaign imagery and leaflets on how to report concerns or access support have been printed in a range of languages, including Vietnamese, Romanian, Lithuanian, Polish and Bulgarian. These have been shared and distributed with the aim of raising awareness in affected communities.

**“ Thank you so much for your help. Staff working here are nice and helpful. They helped me to start a normal life.”**

Victims of human trafficking are at significant risk of homelessness. Similarly, people who are homeless are potentially vulnerable to exploitation through promises of accommodation or employment. The Scottish Government has established the **Homelessness and Rough Sleeping** Action Group which has four main areas for action:

- How to minimise rough sleeping for winter 2017/18;
- How to eradicate rough sleeping;
- How to transform temporary accommodation; and
- How to end homelessness.

The group has met since October 2017 and has provided recommendations to the Scottish Government on the first two issues which have been accepted by the Scottish Government in principle. Some of the recommendations apply to people without recourse to public funds who, along with people at risk of sleeping rough, may be vulnerable to being exploited or abused.

Refugees and asylum seekers are at risk of victimisation by traffickers. The second New Scots **refugee integration** strategy was published in January 2018. It is led by a partnership between the Scottish Government, COSLA and the Scottish Refugee Council and involves a wide range of partners across different sectors. The Strategy was informed by an engagement process involving over 2,000 people, including over 700 refugees and asylum seekers.



The New Scots vision is for a welcoming Scotland where refugees and asylum seekers are able to rebuild their lives from the day they arrive, and the Strategy sees integration as a long-term, two-way process, involving positive change in both individuals and host communities, leading to cohesive, diverse communities. It recognises that refugees and asylum seekers may have been trafficked on their journey to Scotland and can be vulnerable to exploitation by traffickers and others as they seek safety.

Violence against women and gender inequality make women vulnerable to trafficking and exploitation. Equally Safe, Scotland's strategy for preventing **violence against women and girls**, continues to be implemented. In November 2017, the Scottish Government and COSLA published a delivery plan containing 118 commitments across four priority areas. The Strategy and Delivery Plan focuses efforts on prevention, building the capability and capacity of services to respond effectively and ensuring an effective Justice response to supporting victims and tackling perpetrators. There is increased focus on commercial sexual exploitation, with a commitment to establish a multi-agency working group and look at improvements to services in this area.

Poverty is a key route cause of trafficking. Work continues to address **child poverty** in Scotland. On 29 March 2018, the Scottish Government published Every Child, Every Chance: The Tackling Child Poverty Delivery Plan 2018-22. This is the first of three delivery plans which will be published by the Scottish Government in order to meet the ambitious targets set out in the Child

Poverty (Scotland) Act 2017. The Plan sets out a range of actions aimed at meeting the targets by increasing family incomes and reducing household costs. Key commitments include:

- An additional £12 million for parental employment support, helping parents to enter and progress in work; alongside launching Fair Start Scotland, the new devolved employment service;
- A new guaranteed minimum amount for School Clothing Grant, providing more money for school uniforms and sports kits;
- £1 million investment to provide help for children experiencing food insecurity during the school holidays;
- A commitment to introducing a new income supplement for low income families, and introducing the new Best Start Grant from summer 2019;
- Investing £2 million to expand the Children's Neighbourhoods Scotland programme to improve a range of outcomes for children; and
- A new £7.5 million innovation fund with the Hunter Foundation.

The **17 UN Global Goals**<sup>9</sup> (also known as the Sustainable Development Goals) were formally agreed by the UN at the Sustainable Development Summit in New York in September 2015, and came into effect in January 2016. Target 8.7 is to "Take immediate and effective measures to eradicate forced labour, end modern

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<sup>9</sup> [www.globalgoals.org](http://www.globalgoals.org)

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slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour”. Global Goal 16 is to “Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels”.

The First Minister committed Scotland to the Global Goals in July 2015. An internal mapping exercise was carried out, aligning the Global Goals with the National Performance Framework and Scotland’s National Action Plan (SNAP) on Human Rights. Many of the Goals align with work already underway internationally through the International Development Fund and Climate Justice Fund, and domestically, to tackle poverty and inequality, through Scotland’s National Performance Framework and SNAP. The Global Goals are being implemented in Scotland via the mechanism of the National Performance Framework. The Scottish Government has recently completed extensive public engagement exercises on the National Outcomes, the content of which will be used to shape the refreshed National Outcomes. In August 2017, the Minister for Public Health and Sport endorsed the Pontifical Academy of Sciences Statement on eliminating **trafficking for organ donation**, and following this awareness raising activity was undertaken with nephrologists and transplant surgeons to help prevent Scotland being targeted for this type of trafficking.

## Looking forward

Now that the Corporate Group has been established, it will take an active role in moving towards the outcomes in the Strategy, with a particular focus on:

- Analysis of Slavery and Human Trafficking Statements published by Scottish businesses and how we can improve uptake and quality;
- Joining up existing research activity in Scotland;
- Pulling together the training and guidance currently available to businesses and considering whether there is a need for standard guidance or a Code of Practice for businesses; and
- Building on existing networks and finding new ways to share good practice and increase awareness in the corporate sector.

Public awareness raising activity will continue, with the joint communications group coordinating opportunities and approaches. A key focus will be on Anti-Slavery Day, 18 October 2018, with a series of events planned in the run up to this.

**“ TARA service was great and provided me with safety tools, helped my health and gave me hope”**

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# SECTION 5

## CHILD TRAFFICKING

### Implementation structures

Section 4 of the Trafficking and Exploitation Strategy brings together the specific elements of the three action areas which relate to children who are, or may be, victims of human trafficking and exploitation. For the purposes of the Human Trafficking and Exploitation (Scotland) Act 2015, a child is defined as a person under 18 years of age.

The Child Trafficking Strategy Group meets on a quarterly basis. The group is chaired by the Scottish Government. There is cross-membership between the Child Trafficking Strategy Group and the three Action Area Implementation Groups, to help coordinate and share information.

Membership of the group includes:

- The Scottish Government (child protection policy, looked after children policy, human trafficking policy)
- End Child Prostitution and Trafficking (ECPAT)
- United Nations Children’s Fund (UNICEF)
- Police Scotland
- NHS Greater Glasgow and Clyde (NHS GGC)
- Home Office
- Crown Office and Procurator Fiscal Service (COPFS)
- Scottish Children’s Reporter Administration (SCRA)
- JustRight Scotland
- Barnardo’s
- The Scottish Guardianship Service (Aberlour and Scottish Refugee Council)
- Office of the Children’s Commissioner
- Stirling University Centre for Child Wellbeing and Protection
- Child Protection Committees Scotland
- Convention of Scottish Local Authorities (COSLA)
- City of Edinburgh Council
- Glasgow City Council



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## Action Area 1: identify victims and support them to safety and recovery

The impact of trafficking and exploitation can be devastating for any victim, but the effect on child victims, who will normally be more vulnerable to coercion and abuse than adults, can be even greater.

A child victim of human trafficking or exploitation is a victim of child abuse. Potential victims of trafficking under the age of 18 will automatically be entered into the National Referral Mechanism process – consent is not required – and support will be provided by local authorities through child protection processes.

International evidence<sup>10</sup> confirms the likelihood that an unaccompanied child in Europe will have been exploited or trafficked at some stage from point of forced displacement in the migratory journeys or once in Europe or the UK.

Scotland has led the way in the UK in having, since 2010, **specialist independent advocates for unaccompanied children**, almost all of whom have sought and many have received international protection, and around 40% have been recognised as having survived trafficking or exploitation. The Scottish Guardianship Service comprises child-centred professionals with

a distinctive skillset and knowledge base at the intersection of asylum, trafficking and social welfare, which enables guardians to complement but be independent of the lead local authority social worker to help this very vulnerable group of children and young people.

### ‘Thriving not just surviving: Supporting Recovery of young male survivors of child trafficking’

The Scottish Guardianship Service was successful in receiving funding from Comic Relief to support this project to help improve the mental health of unaccompanied asylum seeking and trafficked young men. The grant is for £149,910 over 36 months. The project will be working in partnership with NHS Greater Glasgow and Clyde service ‘The Anchor’ psychological trauma service for trafficking victims who will provide support and guidance in developing resilience building groups.

The project will provide early intervention for young men who are experiencing mental health challenges, with the aim of reducing the severity of their condition and increasing their ability to manage their condition. The groups will aim to strengthen mental health through building resilience to help them confront and cope with life’s challenges, and to maintain their wellbeing in the face of adversity.


This programme will help young men to learn more about the body and mind and how trauma, childhood adversity, grief and loss can have an impact on their wellbeing. The young men will be supported to create a personalised self-management plan including themes like building social capital, participating in activities that promote wellbeing, and developing coping strategies.

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<sup>10</sup> [Emergency within an emergency \(2017\)](#) – Harvard University; [Harrowing journeys \(2017\)](#) – Unicef and IOM; [Study on high-risk groups of trafficking in human beings \(2015\)](#) – EC (Migration and Home Affairs) – esp.2.2.3 (p42) and 4.2.3-4.2.4 (pp72-73); [EC Communication on protection of children in migration \(2017\)](#) – esp., section 3 (pp6-8); [Children in crisis: unaccompanied children in Europe \(2016\)](#) – esp., para. 200>; and [Lanzarote Committee \(2017\)](#) – Council of Europe – esp., I.4 (pp12-15)



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The service helps them to access the assistance they need, when they need it, and to make informed decisions about their future. On referral, the young person is appointed a guardian, who provides a point of contact and continuity of support as they progress through the asylum and immigration system. The Scottish Guardianship Service is funded by the Scottish Government and managed and delivered by the Scottish Refugee Council and Aberlour Child Care Trust.

In 2017, 63 children were considered by the National Referral Mechanism process as having been trafficked. This was an increase from 47 in 2016. Vietnam continues to be the country where the highest number of victims (38) originate from. More child victims were males (39) than females (24) with 28 males having been subject to labour exploitation. More females (8) continue to be subject to sexual exploitation than males (2). There are also 12 children for whom the type of exploitation they were subject to is unknown.

The Scottish Government has revised the **indicators of concern** for child protection registration to separate out exploitation including trafficking. The most recent child protection figures for 2016/2017 show a rise in the number of child sexual exploitation concerns (from 12 to 52), although the number of child trafficking concerns remain much lower and so are not reported individually.


Section 12 of the Trafficking and Exploitation (Scotland) Act 2015 was implemented in January 2018. This requires that where the age of a victim of human trafficking is uncertain, but there are reasonable grounds to believe they are under 18 years of age, the relevant authorities must presume the victim is a child for the purpose of receiving immediate age-appropriate support and services until their age is formally established. Following extensive development and consultation, the Scottish Government in March 2018 published **revised age assessment guidance** to reflect the new requirements. The revised guidance also includes a specific appendix to support taking a trauma-informed approach to age assessment.

**Child Protection Committees (CPCs)** play a crucial role in coordinating and improving child protection provision across Scotland, and have been closely involved in implementing the Strategy. During 2017, CPCs across Scotland undertook a self-assessment exercise supported by the Centre for Excellence for Looked After Children in Scotland (CELCIS), in relation to the relevant actions for CPCs within the Strategy. This work is being used to support CPCs as they continue to implement the Strategy.

The Scottish Government continues to take forward the **Child Protection Improvement Programme**, of which child trafficking is a specific work stream.

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**“ Thank you so much for everything you did to help me with my case.”**

A **joint learning session** was facilitated for the national Child Trafficking and Child Sexual Exploitation Groups in January 2018. Attended by the Minister for Childcare and Early Years, the session was designed to ensure appropriate linking up regarding joint issues such as understanding trauma, internet safety and use of data.

The Scottish Government has funded a joint police and social work project to develop a revised model for undertaking child protection **joint investigative interviews**. This revised model takes account of best evidence as well as ensuring that any new model would be victim centred and trauma informed. This is described in more detail in section 3.

COPFS continues to apply the Lord Advocate’s Guidelines regarding the presumption against prosecution of persons who are the victims of trafficking, slavery, servitude or forced or compulsory labour and who have committed offences as a consequence thereof. The Lord Advocate’s Guidelines contain a specific, less onerous presumption against the prosecution of children who are the victims of human trafficking and commit offences as a consequence thereof.

## **Action Area 2: identify perpetrators and disrupt their activity**

The second annual report showing progress against the actions in the **National Action Plan to Prevent and Tackle Child Sexual Exploitation** was published in April 2018. Progress includes activity at a national and local level to raise awareness of child sexual exploitation, encourage reporting and share best practice.

In May 2017, The National Child Sexual Exploitation Group ran a series of **workshops** to encourage Child Protection Committees to share key learning in relation to local area approaches to the care and protection of young people experiencing or at risk of sexual abuse or exploitation.

A **Partners Intelligence Toolkit** has been designed to better harness the intelligence held by colleagues across different agencies that can be used to build perpetrator profiles and assist Police Scotland in effectively deploying resources. This work began in relation to child sexual exploitation, gathering intelligence such as car registrations, addresses, names and locations. The toolkit was piloted in Glasgow and is now being rolled out to Dundee and Aberdeen.



### **Action Area 3: address the conditions that foster trafficking and exploitation**

The Scottish Government has commissioned research into the routes into trafficking for children. The Centre for Child Wellbeing and Protection and Scottish Centre for Crime and Justice Research (both based at the University of Stirling) are jointly taking forward the research. It is anticipated that the research will:

- provide a comprehensive understanding of how many children and young people have been identified as trafficked across Scotland; and
- establish routes to trafficking (geographically, demographically and socially).

#### **Looking forward**

The Scottish Government is considering re-establishing a short life working group to oversee delivery of the actions within the **National Action Plan on Internet Safety for Children and Young People**.

The Child Trafficking Strategy Group will consider whether there is a need for **training to support the updated age assessment guidance**.

Section 11 of the Act, when implemented, makes provision for an **independent child trafficking guardian** to be appointed to assist, support and represent a child where there are reasonable grounds to believe that a child is, or may be, a victim of human trafficking or is vulnerable to becoming a victim of human trafficking, and no person in the UK has parental rights or responsibilities in relation to the child.

A consultation to clarify the detailed roles and responsibilities and consider how it will work alongside existing statutory provision will be undertaken this year. The current timeframe of autumn 2018 reflects the need to consider on-going policy developments on wider issues, which need to be reflected to ensure Scotland is providing the best possible support for unaccompanied asylum seeking children. In the meantime, the Scottish Guardianship Service will continue to provide additional support to unaccompanied children, including those who may be victims of trafficking, as described earlier in this section.

The UK Government's proposals for reforming the National Referral Mechanism refer specifically to making the process more **child-centred**. The Child Trafficking Strategy Group will engage with the Home Office to ensure this approach extends to Scotland.

# SECTION 6

## MEASURES OF PROGRESS

Measure	Definition	2017/18 data																																				
<b>Identify victims and support them to safety and recovery</b>																																						
Number of potential victims identified	All victims (adults and children) who enter the NRM and (in due course) those identified through the 'duty to notify' process	<p>Full 2017 annual report is published by the National Crime Agency, with a breakdown of referrals from Scotland (published March 2018);</p> <p><a href="http://www.nationalcrimeagency.gov.uk/publications/national-referral-mechanism-statistics/2017-nrm-statistics/884-nrm-annual-report-2017">http://www.nationalcrimeagency.gov.uk/publications/national-referral-mechanism-statistics/2017-nrm-statistics/884-nrm-annual-report-2017</a></p> <p>Key figures for Scotland 2017:</p> <p>Total referrals: 207 (38% increase on 2016)</p> <table border="1"> <thead> <tr> <th>Type</th> <th>Male adult</th> <th>Female adult</th> <th>Male minor</th> <th>Female minor</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Domestic servitude</td> <td>1</td> <td>4</td> <td>1</td> <td>3</td> <td><b>9</b></td> </tr> <tr> <td>Labour exploitation</td> <td>77</td> <td>13</td> <td>28</td> <td>9</td> <td><b>127</b></td> </tr> <tr> <td>Sexual exploitation</td> <td>2</td> <td>43</td> <td>2</td> <td>8</td> <td><b>55</b></td> </tr> <tr> <td>Unknown</td> <td>1</td> <td>3</td> <td>8</td> <td>4</td> <td><b>16</b></td> </tr> <tr> <td><b>Total</b></td> <td><b>81</b></td> <td><b>63</b></td> <td><b>39</b></td> <td><b>24</b></td> <td><b>207</b></td> </tr> </tbody> </table> <p>The largest increase is in adult male victims of labour exploitation, which increased by 47% from 2016.</p> <p>The most common nationality of victims was Vietnamese (89) and Chinese (32). The most common European nationality was Romanian (10), which increased significantly from 3 in 2016.</p>	Type	Male adult	Female adult	Male minor	Female minor	Total	Domestic servitude	1	4	1	3	<b>9</b>	Labour exploitation	77	13	28	9	<b>127</b>	Sexual exploitation	2	43	2	8	<b>55</b>	Unknown	1	3	8	4	<b>16</b>	<b>Total</b>	<b>81</b>	<b>63</b>	<b>39</b>	<b>24</b>	<b>207</b>
Type	Male adult	Female adult	Male minor	Female minor	Total																																	
Domestic servitude	1	4	1	3	<b>9</b>																																	
Labour exploitation	77	13	28	9	<b>127</b>																																	
Sexual exploitation	2	43	2	8	<b>55</b>																																	
Unknown	1	3	8	4	<b>16</b>																																	
<b>Total</b>	<b>81</b>	<b>63</b>	<b>39</b>	<b>24</b>	<b>207</b>																																	

Measure	Definition	2017/18 data
Number of adult victims provided with support	Reports from the support provider	<p><b>TARA supported 69 women over the course of 2017/18. TARA provided 18 women with crisis accommodation and supported 9 repatriations in the period.</b></p> <p>On the 01.02.18 TARA had:</p> <p>38 open cases</p> <p>5 cases where a positive conclusive grounds decision (CG) has been made</p> <p>7 cases where negative CG has been made</p> <ul style="list-style-type: none"> <li>• 1 negative CG – where immigration tribunal upheld trafficking aspect of case.</li> <li>• 3 negative CGs – support continues to be provided due to complex needs (terminal illness diagnosed, mental health, complex immigration/NRM case).</li> <li>• 3 negative CGs – cases to be closed in next two weeks.</li> </ul> <p>4 cases where a negative CG has been made but reconsideration requested or being actively considered by legal representative</p> <p>22 cases with outstanding CGs and ongoing support needs.</p> <p>The average length of time current cases have been in receipt of support is 13 months.</p> <p><b>Migrant Help supported 167 cases in 2017/2018 including 116 referrals to the NRM.</b></p> <p>6 cases where a positive CG was made  8 cases where a negative CG was made  18 cases where a negative reasonable grounds decision (RG) was made  9 cases where clients decided to leave Scotland  6 cases where the NRMs were withdrawn  4 cases where clients absconded  2 cases where clients repatriated  45 cases where the CG is outstanding and support level is low (long-term cases)  69 cases where the CG is outstanding and support level is high</p> <p>The average length of time current cases have been in receipt of support is 13 months.</p> <p>Migrant Help also entered into a new partnership with Bright Work recruitment which provided potential employment opportunities for trafficking survivors.</p>

Measure	Definition	2017/18 data
Number of trafficked or exploited children supported through the child protection system	This will be based on the returns already provided to the Scottish Government by local authorities	<p>The most recent figures published in March 2018 are for 2016/2017. The number for the new child trafficking indicator category is low and so this is grouped within the “Other Concerns” category in the publication. However, there was a rise in recording in the new category of child sexual exploitation from 12 to 52 (although we do not know whether there was any link to trafficking necessarily). This was matched by a decrease in recording under the wider child exploitation category.</p> <p>We would note that this figure only relates to those children whose names were subsequently placed on the child protection register – it is possible that more children and young people were considered within child protection processes, but were not subsequently registered. This could be for a number of reasons. However we do note that registration most commonly takes place where there are thought to be continuing risks – if action has been taken to remove the child or young person from the situation, registration would not always be necessary.</p>
Number of children who are allocated an independent child trafficking guardian (ICTG)	Number of children who receive the support of an ICTG	<p>A public consultation on ICTGs is planned for autumn 2018.</p> <p>In the meantime, Scotland provides additional support for those children who have been trafficked, and for whom no-one in the UK holds parental responsibilities, through the Scottish Guardianship Service:</p> <ul style="list-style-type: none"> <li>• 60 new referrals in 2017 calendar year.</li> <li>• As at 16/04/2018: 148 young people being supported through the Scottish Guardianship Service – to date referrals have been received from 24 out of the 32 local authorities.</li> <li>• 25 new referrals between 01/01/2018 and 16/04/2018.</li> </ul>
<b>Identify perpetrators and disrupt their activity</b>		
Number of individuals convicted for the offences	Persons convicted in that year under section 1 and section 4 of the Act and also under earlier legislation (section 22 of the the Criminal Justice (Scotland) Act 2003, section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004 and section 47 of the Criminal Justice Licensing (Scotland) Act 2010	<p>2 individuals convicted – verdict date 14/02/2018:</p> <p>1 individual convicted of one charge in contravention of section 4(1) of the Human Trafficking and Exploitation (Scotland) Act 2015 and 1 charge in contravention of the Criminal Justice &amp; Licensing (Scotland) Act 2010 47(1)(A)</p> <p>1 individual convicted of one charge in contravention of section 4(1) of the Human Trafficking and Exploitation (Scotland) Act 2015</p>



Measure	Definition	2017/18 data
Number of individuals convicted of offences with a human trafficking background	Convictions using the aggravations set out in sections 5, 6 and 7 of the Act in that year	Nil
Number of orders made under Part 4 of the Act	Orders made in that year using the powers in Part 4 of the Act	Two Trafficking and Exploitation Prevention Orders imposed on 15 March 2018 relating to the above case

### Address the conditions that foster trafficking and exploitations

Public awareness of the issue of human trafficking and exploitation	<p>Questions in face-to-face survey conducted annually</p> <p>The research was conducted using a face-to-face, in-home, CAPI Omnibus survey - the Scottish Opinion Survey (SOS) - as the method for data collection. Two waves of research have now been conducted:</p> <ul style="list-style-type: none"> <li>Wave 1 (2017): A sample of 1,025 adults aged 16+ was interviewed across Scotland between 1 and 26 March 2017.</li> <li>Wave 2 (2018): A sample of 1,008 adults aged 16+ was interviewed across Scotland between 28 February and 2 April 2018.</li> </ul>	<p>Percentage of respondents stating that Human Trafficking is a problem 'to a great extent' in each area:</p> <table border="1" data-bbox="622 784 1252 1041"> <thead> <tr> <th></th> <th>2017 %</th> <th>2018 %</th> </tr> </thead> <tbody> <tr> <td>Europe</td> <td>53</td> <td>59</td> </tr> <tr> <td>Rest of the world (Europe)</td> <td>63</td> <td>69</td> </tr> <tr> <td>The UK</td> <td>30</td> <td>34</td> </tr> <tr> <td>Scotland</td> <td>14</td> <td>16</td> </tr> <tr> <td>Your local area of Scotland</td> <td>5</td> <td>4</td> </tr> </tbody> </table> <p>This suggests that awareness of human trafficking has increased at all levels except within local communities, so there is clearly more to be done to strengthen these messages.</p> <p>When asked what they would do if they suspected someone had been trafficked or exploited, 87% of respondents said they would report it to the police, a significant increase from 80% the previous year, and the proportion who said they would tell friends or family went down significantly from 16% to 12%. This is a positive shift in awareness that concerns should be reported.</p> <p>The 2018 survey asked whether respondents had seen or heard media activity relating to trafficking, and 40% said they had, with the most common sources being TV programmes and news. When shown images from the Scottish Government awareness raising campaign, 25% of adults in Scotland claimed to have seen the advertising.</p> <p>The full report on the 2018 survey can be found at: <a href="https://beta.gov.scot/news/heightened-awareness-of-trafficking/">https://beta.gov.scot/news/heightened-awareness-of-trafficking/</a></p>		2017 %	2018 %	Europe	53	59	Rest of the world (Europe)	63	69	The UK	30	34	Scotland	14	16	Your local area of Scotland	5	4
	2017 %	2018 %																		
Europe	53	59																		
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The UK	30	34																		
Scotland	14	16																		
Your local area of Scotland	5	4																		

Measure	Definition	2017/18 data
<b>Infrastructure and partnership working</b>		
Numbers of statutory bodies that have specific referral mechanisms for human trafficking and exploitation within their organisation and using them	Self-reporting through the Strategy Implementation Group	Specific figures are not currently available. Police Scotland, Local Authorities and NHS boards have processes and training in place, and the Action Area 1 Implementation Group has been working to improve quality and consistency of these messages.
Number of organisations (statutory and nonstatutory) within Scotland that have action plans or similar that contribute to delivering the overall aims of the Strategy	Self-reporting through the Stakeholder Forum arrangement	This data is not currently available. The corporate implementation group has recently been established and will look at what measures can be used to ensure wider delivery of meaningful Slavery and Human Trafficking Statements and appropriate policies, procedures and training.



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