

**CPG on Human Trafficking 24th of
February 2016**

5.30 – 7pm at the Scottish Parliament

Participants

Anncris Roberts (Scottish Government)
Christopher Duncan (Scottish
Government)
Alexandra Devoy (Scottish Government)
Klara Skrivankova (Anti Slavery
International)

Attendees

Christina McKelvie MSP
Jean Urquhart MSP
Jenny Marra MSP
Rhoda Grant MSP
Alexa Anderson
Bronagh Andrew (Tara)
Catriona MacSween (Scottish
Guardianship Service)
Elaine Ferrie (Scotland North Soroptimists)
Fiona Black (UN House)
Gordon MacDonald (CARE)
Hazel Watson (Action Together Churches
in Scotland)
Iain Whyte
Jane Stewart
Janice Wilson (Soroptimist International
Crieff)
Joanna Radkowska (Migrant Help UK)
Katarina Tomolova (University of
Edinburgh)
Kathy Betteridge (Salvation Army)
Katie Lang (Soroptimist International)
Lisa Gamble (Barnardos)
Megan Fair (Children and Young People's
Commissioner Scotland)
Mei – Ling McNamara

Paul Rigby (University of Stirling)
Pam Cairns (Soroptimist International)
Sarah Crawford (Legal Services Agency)
Sheri Johngrass

Apologies

Roderick Campbell MSP
Billie Wealleans (Soroptimist
International)
Andy Bevan (International Justice Mission
UK)
Euan Page (Equality Human Rights
Commission)
Fiona MacLeod
John Merralls (Migrant Help UK)
Kirsty Thomson (Legal Services Agency)
Louise Johnson (Scottish Women's Aid)
Nadia Maloney (Unchained)
Neil Whettam (East Lothian Council)
Rebecca Wallace (Aberdeen's Robert
Gordon University)
Sean Bell
Tam Baillie ((Children and Young People's
Commissioner Scotland)

Agenda:

1. Open
2. Anncris Roberts and Christopher Duncan, Human Trafficking Team and Alexandra Devoy, Care and Protection, the Scottish Government
 - Update on the Scottish Government stakeholder forum
 - Q & A
3. Klara Skrivankova, Head of Europe Programme Anti-Slavery International
 - Presentation
 - Q & A
4. AoB
5. Close

Agenda item 1

Jenny Marra MSP (JM) opened the meeting.

JM advised meeting is the last before Scottish Parliament dissolution of the CPG on the 23rd of March prior to election on the 5th of May 2016.

JM stated Cross Party Group will require to be reconstituted should parties wish.

Actions:

1. Parties to inform Jill Sutherland (JS) of interest to reform CPG post election.
2. JS to take reconstitution forward with standard clerks.

Agenda item 2

Anncris Roberts (AR) Human Trafficking Team at the Scottish Government (SG) introduced Alexandra Devoy (AD) Families team at SG and working with Scottish Guardianship Service and Christopher Duncan (CD), Human Trafficking Team SG.

AR:

- Stated the SG are developing a unified strategy for adults and children, but with a recognition that there will be issues specific to trafficking of children.
- Explained structures, Strategic Oversight Group, Strategy Implementation Group - paper detailing membership and role of groups provided for issue.
- Confirmed strategy intends to be practical, effective and work for people.
- Informed 80 attendees at stakeholder forum of 27nd of January 2016
- Stated insightful input, agreements and draft themes arose from stakeholder forum.
- Explained implementation group to use information to take forward strategy. Advised Implementation Group has met 2-3 times.
- Confirmed the strategy vision is to eliminate human trafficking and all forms of exploitation.
- Clarified broad themes are to identify and support victims; identify, prosecute and punish perpetrators; create a society that is hostile to human trafficking; and partnership working
- Noted broad themes are to be broken down to achieve goals.
- Confirmed voices of victims are to be central to strategy. Informing next Implementation group meeting is on victims voices on 9th of March 2016

- Explained current developments require to be built on.
- Informing next Stakeholder Forum is the 3rd of June 2016. Any members wishing to attend to contact human.trafficking@gov.scot.

JM commending themes are the same as the themes of legislation and encouraging Scottish Government work with implementation group to develop strategy.

Q & A

Jean Urquhart MSP (JU) requesting timescale and how to bring victims voices to the centre of strategy. JU requested how many victims are involved.

- AR provided strategy to be published in spring 2017.
- AR advised intention to work with those who work with victims to gain information on victims voices, what works well and what can be improved.
- AD providing would like children's voices to be heard but establishing how to proceed.

BA stating trafficked women are the experts and they want the strategy to reflect their experiences.

- AR confirming there will be a public consultation.

JM providing the SG strategy was a main part of the bill and obligation of SG to lay anti slavery strategy every 3 years.

JM stating SG strategy will be brought back to Parliament for Scrutiny and requesting timescale for consultation.

- AR providing working back from Spring 2017, consultation likely to be autumn 2016
- AR stating willingness to engage before consultation.

Actions:

1. Please inform JS if you wish to be added to SG stakeholder forum list.
2. SG to return to provide update on strategy prior to Consultation in autumn 2016.
3. AR to provide JS with report on implementation group and themes.
4. JS to distribute themes of SG strategy to group with implementation group report.

Agenda Item 3

Klara Skrivankova (KS) (Anti-Slavery International) provided an overview of the work of Anti Slavery International to eradicate slavery.

- Noted that modern slavery does not respect borders and border issues allow for impunity of traffickers.
- Stated need to take stock of developments since new laws.
- Questioned whether new laws will work.
- Raised potential and negative impact of Immigration Bill 2015 which will force undocumented people to go further underground.

- Questioned what real impact of Immigration Bill and stated difficulty in protecting victims who are reluctant to come forward.
- Noted issues around definitions and the interpretation of trafficking.
- Commended defence in Scotland Act is superior to Modern Slavery Act which provides an additional definition of immigration rather than solely exploitation.
- Explained there are 3 interdependent elements:
 - Victim Protection:
 - Commended new opportunities around victim protection.
 - Recommended that all victims of modern slavery be provided. with victim support and not just victims of human trafficking.
 - Forced Labour in Supply Chains:
 - Advised lack of knowledge of what forced labour is.
 - Noted s39 of Scotland Act provides offence by corporate bodies translated from EU Directive.
 - Explained if company negligently overlooks forced labour they can be brought to Justice.
 - Interested in dialogue in Scottish supply chains particularly fishing industry.
 - Questioned how we can assist by ensuring understanding of what modern slavery is and how to protect victims.
 - Highlighted legislation is in place to alert authorities however businesses are unprepared.
 - Noted Problem of supply chain is in the UK and not further afield.
 - Stated businesses are looking to Government for guidance.
 - Trafficking for forced criminality:
 - Explained victims of forced criminality are overlooked, their voices are not reflected anywhere and generally they are prosecuted.
 - Noted they are victims of organised criminal Gangs.
 - Stated there is legislation and policy to stop these actions but neither have come into any affect.
 - Explained individual cases may be helped however once resolved the damage has been done.
 - Requested parliamentarians remember this group when scrutinising Government.
- Suggested report on legislation and to advise how UK is doing and discuss compliance.
- Stated looking this year to impact of pregnancy and parenthood of victims as higher vulnerability.
- Noted this group of victims are overlooked and not viewed as a vulnerable group but should be recognised as having particular needs.
- Noted importance of work element if trafficked and importance of providing child with case.
- Stated officers have been assigned to play with children where victims have to give testimony in front of children.
- Noted if trafficked because of worked, very important. Important to provide child case. Officers assigned to play with children or where victims have to give testimony in front of children.
- Commended practice by Tara and advised Scottish Government to provide a new box which required victim to state whether pregnant or whether they have a child.

- Requested Scottish Government to take this group into account.
- Explained Anti Slavery International partners all over Europe and abroad engaging with business and supply chains.

JM thanked all stakeholders for their involvement in the Human Trafficking Group and existing meeting. Christina McKelvie MSP (CM) thanking Jenny and continuing meeting as chair.

CM thanked KS for analysis and stating protection for children was pushed forward by Group. CM stating strategy needs to be spot on. CM noted Kirsty Thompson encouraged Lord Advocate to change direction on where not to prosecute victims and this was passed to Crown Office and Procurator Fiscal Service (COPFS)

Q&A

Mei-Ling McNamara (MLMN) thanked KS for aspect on Children. MLMN stated four Bangladeshi men were provided no compensation when their trafficker was sentenced to three years imprisonment for forced criminality and debt bondage. MLMN questioning what is available to victims when the debt remains and compensation is not provided.

- KS advised that the situation is a classic scenario of contradiction and pushes people even when they are out of a position of explanation.
- KS stated no easy answer. If debt remains victims have to find a way to pay it.
- KS explained ensure appropriate temporary residence permit is in place to allow debt to be paid back.
- KS informed that victims are pushed to apply for asylum as it is the only option for stability but is a poor practice.
- KS noted victims have to be prepared to seek adequate assistance.

MLMN stated the victims of the noted case were forced to testify in front of their trafficker and questioned what measures are in place for witness protection and support.

- KS advised witness protection and support measures are in the Law and problem is not in the provision but victims not knowing to ask for them.
- KS explained victims can request anonymity which courts usually allow if it is explained why it is important.
- KS noted that victims psychological impact is huge and prosecutors should provide support.
- BF stated all victims are to be provided with witness and victim support under [Victims and Witnesses \(Scotland\) Act 2014](#) and referred to new developments in 2015.
- Sarah Crawford (SC) referred to criminal injury compensation and noting time limits.
- CM requested details to raise with Lord Advocate.

Paul Rigby (PR) noted concern that language rests on national referral mechanism and what Scotland can change to move away from national referral mechanism.

- KS noted that NRM has failed and Home Office are piloting a new format in two areas.
- KS explained pilot is positive but not in long run as public authorities need to find resources and civil society need to volunteer significant time.

- KS noted that there is a huge contrast for how cases are understood and only basic training is given on extremely complex cases.
- KS stated multi element is good but not sustainable.
- KS advised no other country has implemented a directive so bureaucratically and modelled on Asylum system but new models are not different however UKVI may not play central role.
- KS recommended victim friendly approach
- BA advised of clause in Scotland Act for future practice.
- CMS stated there has been a positive development that children shouldn't be criminalised for forced activity and Police lodge NRMs however problems remain in England.

Action

- CM to take forward possibility of NRM development in Immigration Bill
- JS to send link to report of the [Anti Trafficking Monitoring Group "Time to Deliver, Considering pregnancy and parenthood in the UK's response to human Trafficking" February 2016.](#)

Agenda item 4

Katarina MacDonald Tomolova (KMT) advised of PhD at the University of Edinburgh on support provided to victims of trafficking in the UK and in Scotland. KMT stated examining question of what constitutes a good outcome in terms of victims of trafficking and how to design support mechanisms to achieve this. KMT discussed interviews depend on access and whether victims and support framework matches communities understanding of organisation. KMT stated need to translate outcome of legal policy and question what would be useful.

- CM noted exciting area and noted reluctance to speak for victims but need to give victims a voice.
- BA happy to discuss.

Agenda item 5

CM closed the meeting.