

## **Wednesday 20<sup>th</sup> August – CPG on Human Trafficking & AGM**

Wednesday 20th August, 5.30-7pm

The Scottish Parliament, Committee Room 2

### **Agenda:**

1. Adopt minutes from 4th June 2014
2. AGM and related business
3. Feedback on the public consultation process for the Human Trafficking (Scotland) Bill
4. Human Trafficking (Scotland) Bill, Summit Progress Group meeting on 8 July – facilitated discussion surrounding the content of the document
5. AoB

Please note, the meeting did not follow the order of the agenda.

<b>Present</b>	<b>Organisation</b>
Jenny Marra (Co-Convener)	MSP
Christina McKelvie (Co-Convener)	MSP
Roderick Campbell	MSP
Malcolm Chisholm	MSP
Andy Bevan (Secretary)	International Justice Mission UK
Jim Laird	Independent consultant on Human Trafficking
Steven MacDonald	Association of Licenced Adult Entertainment Venues Scotland
Tony Cochrane	Association of Licenced Adult Entertainment Venues Scotland
Janet Hood	Janet Hood Consulting
Michelle Morrison	Adult Licence Entertainment
Mei-Ling McNamara	Independent Journalist/Film Maker
Janneke Lewis	Nordic Model Campaign
Iain Whyte	Anti Slavery International
Nick Hobbs	SCRA
Joanna Radkowska	Migrant Help
Rebecca Marek	Scottish Youth Parliament
Paul Rigby	University of Stirling
Billie Wealeans	Soroptimist International, Scotland
Ruth Weston	Edinburgh CC Children's Social Work Services
Kris Millar	Edinburgh CC Children's Social Work Services
Euan Fraser	Stop The Traffik
Helen Martin	STUC
Eva Kestner	Scottish Parliament, Office of Rhoda Grant MSP
Lorraine Cook	COSLA
Emma Grindulis	Together (Scottish Alliance for Children's Rights)
Euan Page	EHRC
Louise Johnson	Scottish Women's Aid
Neil McCulloch	Scot-Pep

Hazel Watson	ACTS
Ann Fehilly	Community Safety Glasgow
Mark Cooper	NSPCC
Nadia Maloney	Unchained
Gordon MacDonald	Care for Scotland
Steven Malloch	Individual
Amy-Louise Pollack	Individual
Alice Musamba Purves	Individual
Marion Donaldson	Individual
Jennifer Wilkins	Individual
Denise Wilkins	Individual
Alice Williamson	Individual

### **Apologies**

Clare Adamson	MSP
Rhoda Grant	MSP
Sean Bell	Edinburgh City Council
Suzy Docherty	Edinburgh City Council
Janice Wilson	Soroptimist International, Scotland
Bronagh Andrew	TARA
Heather Simpson	Abolition Scotland
Maureen Wylie	WithScotland
Kathy Betteridge	Salvation Army
Rebecca Wallace	Robert Gordon University
Margaret Mowat	Soroptimist International, Scotland
Kirsty Thomson	Legal Service Agency
Graham O'Neill	Scottish Refugee Council
John Merralls	Migrant Help
Charlie Ager	Individual

### **Agenda item 2 - AGM**

Janet Hood (“JH”) proposes Jenny Marra MSP (“JM”) to continue as co-convener  
 Seconded by all present – no objections

Roderick Campbell MSP (“RC”) proposes Christina McKelvie MSP (“CM”) to continue as co-convener  
 Seconded by all present – no objections

Iain Whyte (“IW”) proposes Andy Bevan (“AB”) to continue as secretary  
 Seconded by all present – no objections

### **Agenda item 1 – Approval of the minutes from the meeting on Wednesday 4<sup>th</sup> June 2014.**

Neil McCulloch (“NM”) suggested two amendments based on grammar. On the basis of these being amended, he proposed the minutes be adopted

Billie Wealeans (“BW”) – Seconded the proposal

Minutes adopted.

### **Agenda item 4 - Human Trafficking (Scotland) Bill, Summit Progress Group meeting on 8 July – facilitated discussion surrounding the content of the document produced**

The document was circulated to members prior to the meeting and JM opened the floor for discussion and questions.

## **Discussion surrounding the possibility of a second public consultation:**

Question:

NM - Am I right in saying from this that the Scottish Gov does not intend to have another public consultation on the proposed bill?

Response:

JM mentioned that the public consultation has already taken place – Therefore, the SG is not obliged to consult again.

CM is not entirely sure of the SG's intentions

RC said that the SG would have to explain why there is no consultation

JM asked the group if there was a will to have another consultation?

JH put forward that it was imperative that we have a second consultation. The Law Society of Scotland would advocate for this too.

JM underlined that consultation before the bill is published is a requirement, but that this has already been done.

CM briefly mentioned the stage of parliamentary scrutiny – [three stages](#). Jenny's bill was very comprehensive – do we really need another consultation?

Jim Laird ("JL") mentioned that stage two of the process must allow for discussion, but not necessarily another consultation.

JM affirmed that all stages of the parliamentary process allow for dialogue.

Nick Hobbs ("NH") stated that he has a general view that there should be a consultation on a drafted bill. Policy consultation is fine but transferring that to legislation is another thing – this can be difficult. The Children's Hearing Bill is an example of a consulted bit of legislation.

Gordon MacDonald ("GM") stated that stage 2 can't be rushed. However, if the SG takes the teeth out of the bill, there will be a need for time. Personal preference is not to have another consultation. Do we have enough time in the parliamentary timetable?

JM confirmed that this is a decision for the SG.

CM states that the Government working group is probably the best way to represent the views of the group regarding this. Is there is a member here?

Helen Martin ("HM") is a member of the group. She stated that there was concern within the group regarding not having a consultation on the SG bill. It is hoped that there will be opportunities for wider stakeholder engagement.

JM attempted to clarify what had just been said.

HM responded – the group was split. The children's commission was concerned that voices weren't being heard and there was general uncertainty within the group as to what is going to happen to the bill.

CM suggested that the Bill Team might be willing to come in for a conversation on the bill - maybe a future topic for the CPG?

JL stated that ideally, folks would like an opportunity to consult. The main concern is the length of time this process takes. Personally, he thinks that stage 2 is the opportunity for this discussion and we don't need another public consultation.

Steve Malloch (“SM”) stated that he has read international legislation on Human Trafficking widely and has found that the devil is in the detail... Great damage can be done through small errors in the drafting of legislation. Therefore he firmly recommends further consultation.

JM sums up by saying that it is ultimately a decision for the Scottish Gov whether to have another consultation.

**Actions:**

- **Christina McKelvie** is going to check in with the Minister and the Bill Team and report back to the group.
- **Christina McKelvie** is to invite the Bill Team to share with the group at our next meeting on Wednesday 3<sup>rd</sup> December 2014
- **Helen Martin** is going to report back to the working group on the discussion that was had during the CPG.

NM mentioned that the 119 substantive consultation response should be considered rather than the 51,000

JM affirms that the SG has all of these responses and the public has access to them online too.

**Discussion surrounding the role of the Human Trafficking Summit Group and the issue of supply chains:**

JM asked HM to provide a brief summary of what the group has done

HM shared the following:

- The group met in June for the first time in a year
- Pulling together different working groups that have been working since the summit last year
- Some groups were far on and some hadn’t progressed that far
- We are now clear about how the groups should move forward
- The SG will propose the bill and there will then be stakeholder discussion
- The group collectively applaud the provisions for victims
- Are there gaps in the bill?
  - Supply chains?
  - What is the strategy of moving forward? Still uncertain

IW asked clarification on the point regarding supply chains (*see above, merely that this is a gap in the bill*). He also referred to the UN Gift Box Campaign during the Commonwealth Games.

JH reiterated the point of needing to consult on the text of the legislation. Fitting the bill in to the Parliamentary diary should not be the priority - Clarity should.

BW asked what is the value of raising supply chains in a Scottish parliamentary bill as supply chains come under reserved matters for Westminster

JM affirmed that publicising supply chains is within the competencies of devolution.

BW suggested that certain Company Law provisions are reserved and some not.

JM underlined that all proposals within the proposed bill were within the competency of the Scottish Parliament – this was checked.

Euan Fraser (“EF”) stated that the purpose of the UN Gift Box Campaign was to get the issue of supply chains onto the agenda of the SG.

**Agenda point 3** - Feedback on the public consultation process for the Human Trafficking (Scotland) Bill

JM reported back to the group:

- Response to the consultation
  - 119 substantive responses
  - 51,000 plus endorsements
- The vast majority of response agreed with the proposals – 95% of individuals/organizations - This was perhaps because of the prior consultation and drafting of Graham O'Neill

JM opened the floor

NM mentioned that Scot-Pep were broadly in agreement with the bill. Their main interest was on the nuances contained within the resultant. They were glad to see that the bill did not focus on demand. Unrelated to the consultation, he also demonstrated concern around the CPG's focus on sex trafficking.

GM highlighted the one sided nature of one of the summaries contained in the consultation and mentioned that he would of liked to have seen the issue of demand included within the proposal.

JM acknowledged this point but affirmed that the Nordic model was not contained in the proposal.

JM highlighted that the need for a victim's commissioner came up a number of times

JL acknowledged that time spent with victims influenced the pathway for the bill but was disappointed that case studies were not included.

AB responded to NW's comment about the direction of the group. Through referring to the topics that have been covered in the last year alone, AB attempted conveyed that the group was not focused solely on sex trafficking.

**Action:**

- **AB invited all members to send ideas for what they wanting the group to cover during their meetings – please do so by the end of Sept 2014.**

EF referred back to the SG summit group document and asked whether there is a concern that the SG will move away from the victim-centric approach? After all, this is why there was such widespread positivity reflected in the public consultation.

JM confirmed that the SG is obliged by parliamentary rules to 'gift affect' to the details of the bill.

JL stated that Kenny MacAskill has publically communicated his intention and willingness to uphold the victim centric approach

CM affirmed this.

JM asked CM to reflect that to Kenny

**Action:**

- **Christina McKelvie is to report back to Kenny MacAskill on the widespread support from the CPG on Human Trafficking for the victim-centric approach contained within the bill.**

JH shared briefly about a toolkit for licensed adult entertainment venues considering victims of human trafficking.

JM requested that the representatives share the toolkit with the SG and COSLA

**Action:**

- **Janet Hood, Steven MacDonald and Tony Cochrane are to ensure that the SG and COSLA are aware of and have access to this document.**

**Action:**

- **Christina McKelvie** is to ask the SG what the timescale for the bill is likely to be and feedback to the group once she becomes aware.

**Agenda point 5** – Any other business

NM has requested that AB cc everyone on the CPG list when sending out emails to the group, thus ensuring transparency and accessibility. There were no objections to this.

**Action:**

- **Andy Bevan** is to begin sending out CPG email with all member cc'd. He will start doing this after notifying those that were not at the meeting of this and getting their approval.

CM applauded the excellent work that Soroptimist International, Scotland, are doing through their Purple Teardrop Campaign.

AB reminded the group of the need to RSVP for CPG meetings – this is not only a parliamentary requirement, it also aids practicalities such as printing and room booking.

**Action:**

- AB reminds **all members** to RSVP for future CPG meeting

SM raised the point of sharing documents and links between group members. He suggested sending out a monthly email with documents, attachments and links related to human trafficking. This idea was floated to the group and all agreed on the basis that a disclaimer is included stating that this information does not reflect the views of the group as a whole.

**Action:**

- AB has requested that **all members** send any relevant documents, attachments and links to him in the first instance and these can be included in a monthly email to all members at the end of each month.
- **Andy Bevan** will begin sending out a monthly email to members of the CPG on Human Trafficking at the end of Sept 2014

**Next Meeting – Wednesday 3<sup>rd</sup> December 2014 at 5.30-7pm**