

Scottish Parliament Cross Party Group on Human Trafficking

Meeting of the 25th of October 2017

Attendance List

Kirsty Thomson, JustRight Scotland
Paul Rigby, University of Stirling
Belinda McEwan, Scottish Government
Alexandra Devoy, Scottish Government
Anncriis Roberts, Scottish Government

Christina McKelvie MSP
Ash Denham MSP
DSU Stuart Houston, Police Scotland
Jim Laird, Inverclyde Council
Jillian McBride, British Red Cross
Carol Roxburgh, Soroptimist International
Scotland South
Joanna Harlos, UN House
Jane Stewart, Edinburgh City Council
Noah Meixler (Intern for Michael Matheson
MSP)
Raza Mohammad (MSP Intern)
Sophia Buchanan
Lydia Hoffman
Megan Farr, Children & Young People's
Commissioner Scotland
Nicola Weir, Thorntons Law LLP
John Merralls, Migrant Help UK
Jill Sutherland, Clan Childlaw (Secretary)
Sheila Murie, Glasgow City Council
Carol Ford, Acts Anti Human Trafficking Group
Rebecca Erskine, World Mission Council,
Church of Scotland
Siobhan Murphy, Legal Services Agency
Gordon Macdonald, Care for Scotland

Apologies

Clare Haughey MSP
Kate Forbes MSP
Jenny Marra MSP
Alexa Anderson (Individual)
Neil Cowan, British Red Cross
Andrew Bevan, International Justice Mission
Lydia House, Zero Tolerance
Rebecca Wallace, Robert Gordon University
Anna Donald, Scottish Government
Louise Johnson, Scottish Women's Aid
Margaret Mowat, Soroptimist International
Scotland South
Janice Wilson, Soroptimist International
Scotland North
Kathy Betteridge, Salvation Army
Laura Wood, Glasgow Anti Slavery Group
Pam Cairns
Moira McKinnon, Glasgow City Council
Acc Johnson, Police Scotland
Billie Wealleans

Minutes of Meeting

1. Meeting was opened.
2. Minutes of 8th of March 2017 were adopted
3. AGM office bearers were elected:

Co-Convener: Christina McKelvie, Scottish National Party MSP & Ash Denham, Scottish National Party MSP

Deputy Convener: Jenny Marra, Scottish Labour MSP
4. Scottish Government Human Trafficking Strategy Update
 - a. Anncris Roberts (Human Trafficking Directorate)
 - Scottish Government Strategy Published on the 30th of May 2017 with collaboration and insight brought from organisations such as Tara and Migrant help who have facilitated discussion with victims.
 - The Strategy is a living document and will be renewed every 3 years. The strategy progress will be reviewed and will continue to reflect experiences.
 - Stakeholder Forum in June – overall aims of the strategy were implemented and allocated.
 - Awareness raising campaign took place from March this year and from 29th of August 2017 a theme has been launched to raise awareness that human trafficking is taking place in Scotland using an STV film and digital aids. There have been “mock-ups” in car wash and nail bar.
 - Informally feedback has been very good shown from statistics of the modern slavery helpline.
 - Stakeholders were thanked for their involvement in the campaign and the challenge in momentum was noted.
 - Explaining s9 sets out the support for victims of human trafficking and the consultation for s10 closes on the 30th of October relating to s4 offence of slavery.
 - b. Alexandra Devoy (Children and Families Directorate)
 - S11 child trafficking and Scottish Guardianship Service consistent use on guardianship for children.
 - Consultation is at the end of this month, results of which will be completed at the end of January.
 - Responses – procurement of new service next spring.
 - Updating age reflection guidance – the case law has advanced – take presumption of age forward in relation to unaccompanied children.

- There are strategy specific actions for children and the Scottish Government are working with CPC Scotland for specific training.
- Glasgow and Edinburgh Local Authorities are heavily involved in the development of Age Assessment, particular in Stirling and South Lanarkshire.
- The deliberate multi agency group needs to continue.
- Questions were raised about looked after children and the availability of s25 support and references were made to the local authority in Kent and London where thousands of children have been given reception facilities and have been given support but due to the pressure of numbers this has driven a National Transfer Scheme.
- The National Transfer Scheme should have been in April 2017 but there has been a delay due to lack of Parliamentary time.
- There has been a commitment to pursue this, but the intention still has to go through the first and second hurdle, so it is likely not to go through the first hurdle until next year.
- The Scottish Government continue to be in contact with the UK Government.
- It was stated that the Home Office Guidelines in relation to Local authorities only reflect what is happening in England.
- Kevin Hyland OBE is driving work on missing children and unaccompanied asylum-seeking children separated from their family and is fostering consultations in relation to this. Kevin Hyland is looking at Vietnam which focuses the International reach.
- DCU Stuart Houston, Police Scotland advised that they look at car washes and nail bars on a regular basis and have multi agency meetings with NCA and Border Force. COSLA have been approached regarding nail bars and issues of due diligence and public health.
- The Scottish Government officials discussed the issue of jurisdiction and that the whole exercise to tackle human trafficking and exploitation does not stop at the border.
- It was stated that a small piece of research to examine the roots will go out to tender before the end of the year.

5. View from Europe

a. Kirsty Thomson, JustRight Scotland

- Attended events in Europe with Paul Rigby regarding Gender and Equality perspective within Human Trafficking.
- Attended Consultation on Anti-Trafficking Directive and Victim Directive, what recommendations were made to member States and gave the perspective of Scotland and best practices.
- Report has been published with recommendations with agreed points;
 - o Recognition of Human Trafficking is becoming more complex, how do we identify it and how do we look at it.

- Human Trafficking is seen through immigration rather than a Human Rights, Gender or Child Rights Issue.
 - Scotland seen as a model of good practice with rights based approach centred on equality issues.
 - Human Trafficking seen in a lot of countries as an Immigration issue and Scotland is ahead in this regard.
 - The biggest issue is the need for genuine collaboration between Governments and NGOs and the different approaches and interests. There is a need to formalise partnership structures and approaches in relation to institutional memory.
 - People don't understand and are put off by the complexity of the law, it acts as a barrier.
 - The training of lawyers and judiciary is poor in most countries.
 - The identification of child sensitive and support structure wrap around specialist services and in equalities and child protection.
 - How do people access justice when in rural areas or when they are disempowered – what methods are employed.
 - There is a need to start to document and instil what is trauma and what is a human right based approach, how does it work in practice.
- Expert drafters were present, the criminal justice directive requires to be supplemented with a victim directive.
 - In relation to Brexit, how will cooperation be maintained? Europol, good practice, EU institute would visit Scotland but for Brexit.
 - How to work with Refugee Crisis, regardless of Brexit, how do we work together

b. Dr Paul Rigby – University of Stirling

- Present at child trafficking and strategy group in Iceland for unaccompanied minors.
- Discussion in UK and Scotland, numbers in the UK and Scotland are tiny in relation to rest of Europe.
- Children in Calais are not intending to come to the UK some are bypassing Calais to go to Nordic countries but this will change.
- Identified the role of Guardians in Scotland and that this is being played out across Europe. The practice is not clear cut but Europe is dealing with the same issues as in Scotland.
- There are 5 issues with access to guardians for victims of human trafficking or all unaccompanied children:
 - No solution meeting Human Rights Directive or EU Directives
 - The role of the Guardian is different in each country.

- Some roles in Germany are roles which Social Work carry out in Scotland.
 - Who monitors guardians? How would that be managed?
 - Use of Interpreters – how qualified? How is this accessed?
 - Non- prosecution principle
- Numbers have come up a lot, a Greek organisation registered 8,0000 unaccompanied children which shows 200/300 is not a vast number.
 - Countries were shocked at the low numbers in Scotland.
 - Working with Terre des Hommes who explain log jams at borders.
 - Agencies in the EU countries are struggling with numbers.
 - There are no research studies on people going missing or becoming vulnerable to trafficking.
 - Working with young people about needs not whether trafficked or not.
 - Project will be published this month (October/November 2017)
 - The context was given in the rest of Europe.
 - Event in Glasgow next month where different countries will come to Scotland.
 - EU keeping immigration to a minimum at EU borders not individual countries.
 - Clear across Europe – Guardians are committed to support children and young people.
 - How to support, what are their needs - require more explanation rather than focusing on the label of human trafficking. All other needs are being ignored.
 - Difference in services across Europe – what we have in Scotland is vastly different circumstances.

6. Questions:

Q: Issue of safe routes: Huge pressure applying to Hungary under European nations – Kids stopped at border and disappearing – stringent measures – safe routes all been blocked.

A: Paul Rigby: Working in Hungary when border wrecked - made assumptions in safe route to Europe – concern of Terre des Hommes - disappearing through other routes.

Q: Christina McKelvie MSP: When children arrive in the UK are we clear of the routes, are children going to end up in the UK disappearing when we don't have vast numbers arriving.

A: Alexandra Devoy: Children do arrive in Scotland and access asylum route.

Q: Jim Laird: Countries before that never had problems – destination problems – more and more – cross borders and finding somewhere else to go. Pay and conditions are so poor for NGOs and people charities in Romania.

A: Paul Rigby: Guardians volunteer in some countries.

Q: Christina McKelvie MSP: How is that regulated?

Q: Megan Farr: Picked up press coverage – good news from borders – young women refused entry to UK, definitely adults? How do we know they don't have false documents, we are possibly not joining the dots that they might not be who they say they are?

A: Paul Rigby: In Glasgow and East Midlands - turning people away when don't know where they are, they are then at risk of being re-trafficked.

A: DSU Stuart Houston: In Glasgow checks are done, people arrive with no welfare to look after themselves and are returned to Romania – no cases of children being returned – strong link with Romanian Police – Europol feature in operations.

Q: Gordon Macdonald: Whether there should be different system of support for s4 victims or whether treated as trafficking victims or whether separate?

Q: Joanna Harlos: Involvement of private sector – overall strategy?

A: Anncriis Roberts: Trying to engage financial institutions as they have an important role to play.

Q: Carol Ford: Representing Scotland ahead – human rights response – can't help but think don't have to support, how to support survivors after, maybe question of government initiative a way to take in move as systems to develop.

A: Belinda McEwan: In addition to transfer scheme – spontaneous representation – slow and steady, know from media different continuing areas from Scotland – wider looked after children. Issue not new refugee crisis – better awareness Glasgow, talking about decades. Bill in Human Trafficking – 12 months. EU network ombudsman or children meeting in November happy to report back.

7. Meeting closed.