Child Rights and Wellbeing Impact Assessment for Scotland's Trafficking and Exploitation Strategy (2025)

July 2025

Scottish Government
Riaghaltas na h-Alba

Disclaimer

This document is a point in time assessment of the likely effects of the above-named proposal on the rights and wellbeing of children and young people. This impact assessment should be read in conjunction with other impact assessments prepared for this proposal.

Scottish Government acknowledge the importance of monitoring and evaluating the impact of strategic decisions and legislation on children's rights and wellbeing. Any information gathered during implementation of the legislation or strategic decision to which the impact assessment relates, will be used to inform future determinations of impact. Any new strategic decision or new legislation (including amending legislation) would be subject to a new CRWIA in line with the legislative requirements.

Child Rights and Wellbeing Impact Assessment Template

1. Brief Summary

Type of proposal:

- Decision of a strategic nature relating to the rights and wellbeing of children

Name the proposal, and describe its overall aims and intended purpose.

Trafficking and Exploitation Strategy refresh

The Scottish Government's Trafficking and Exploitation Strategy ("the Strategy") was published in 2017, following the Scottish Parliament's unanimous approval of the Human Trafficking and Exploitation (Scotland) Act 2015. Following the second review of the Strategy that took place between October 2022 and March 2023, stakeholders collectively agreed that a refresh should be prioritised to reflect the evolving landscape and ongoing efforts to combat human trafficking and exploitation.

The refreshed Strategy will take a public health (PH) approach. The decision to adopt a PH approach is based on increasing support in trafficking and exploitation academic literature and stakeholder feedback highlighting the need to prioritise prevention and strengthen data and evidence collection.

A PH approach enables policymakers and practitioners to apply a prevention-focused lens, tailoring actions depending on the stage or phase where trafficking is identified, disrupted, and victims are supported. The overarching purpose of the updated Strategy is to prevent trafficking and exploitation of both adults and children by providing a clear, data-driven framework —shaped by survivor voices—, through which anti-trafficking interventions will be delivered. Even though the previous Strategy put great emphasis on prevention with a standalone Action Area to progress work, the PH approach will transform the refreshed Strategy in a way that a prevention focus would underpin all main outcomes (please see main outcomes below).

Adopting a PH approach to the Strategy would also ensure that all of the actions specifically aimed at protecting and supporting adult victims would also apply to child victims. However, the refreshed Strategy recognises that experiences of trafficking and exploitation differ depending on whether a person is a child or an adult—both in terms of the types of exploitation they may face and the support services required to assist them. The Delivery Plan, which will accompany the updated Strategy, will set out how actions under primary, secondary and tertiary prevention strands will enhance current frameworks and processes that seek to address child trafficking.

The Delivery Plan will also incorporate ongoing policy development work on child criminal exploitation (CCE) and child sexual exploitation (CSE), which is progressing alongside the Strategy refresh. This will provide a more focused and all-encompassing framework for addressing child trafficking and exploitation in collaboration with partners, which did not exist before.

The refreshed Strategy has four long-term outcomes:

1. Child and adult victims are identified, protected and supported to safety and long-term recovery
2. Perpetrators are identified, their activities are disrupted, and they are prosecuted
3. Improved use of data, evidence and research informs strategy implementation
4. Conditions that expose children, adults and communities in Scotland to increased risks of trafficking and re-trafficking are addressed

Start date of proposal's development: 24/10/2025

Start date of CRWIA process: 24/01/2025

2. With reference given to the requirements of the UNCRC (Incorporation) (Scotland) Act 2024 (Annex 1), which aspects of the proposal are relevant to/impact upon children's rights?

In terms of the UNCRC articles, the impact of the Strategy is either positive or neutral. No negative impacts have been identified. A PH approach to trafficking and exploitation aligns with many UNCRC articles, especially with regard to protection and social support.

Articles related to the best interest of the child (Article 3), survival and development of a child (Article 6), respecting the view of children (Article 12), protection from violence and abuse (Article 19), refugee children (Article 22), child labour (Article 32), drug abuse (Article 33), trafficking (Article 35), sexual (Article 34) and any other forms of exploitation (Article 36), recovery from trauma and reintegration (Article 39) and, Juvenile Justice (Article 40) are likely to be directly impacted.

Best interest of the child (Article 3) and survival and development of the child (Article 6): Children are increasingly identified as being trafficked and exploited in Scotland, which has profound consequences on their physical and mental health. Experiencing this form of child abuse can severely impact a child's development and limit their opportunities. Additionally, the heightened violence associated with certain types of exploitation, such as Child Criminal Exploitation, also poses a threat to their safety. It is the best interest of all children to be protected from exploitation. The refreshed strategy aims to strengthen prevention efforts while also promoting best practices for practitioners in supporting victims once they are identified.

Respecting the view of children (Article 12): As discussed in section 3 of this CRWIA on pages 6-7, the Scottish Government is working with organisations that have strong, trusted relationships with children and young people, whether through their work supporting child victims or through projects focused on child trafficking and exploitation. These stakeholders, through their published reports and direct engagement with the Scottish Government and others, represent the voices of the children they support. The updated Strategy also emphasises the importance of integrating lived experience into services, ensuring best practices that help to prevent re-trafficking and minimise harm through trauma-informed support.

Protection from violence and abuse (Article 19), child labour (Article 32), drug abuse (Article 33), trafficking (Article 35), sexual (Article 34) and any other

forms of exploitation (Article 36): The core purpose of the Strategy is to tackle the various forms of human trafficking and exploitation in Scotland. By strengthening its focus on prevention and updating its key outcomes, to reflect developments in areas such as child criminal exploitation, it aims to have a positive impact on children.

Refugee children (Article 22): Refugee children have unique vulnerabilities and are often deliberately targeted by exploiters. A national Trafficking Strategy that takes a PH approach aligns with the UNCRC's commitment to protecting their rights and well-being. This includes ensuring the continued delivery of the statutory Independent Child Trafficking Guardian service and guaranteeing refugee children equal access to essential support services, regardless of their status

Recovery from trauma and reintegration (Article 39): A national trafficking strategy aligns with Article 39 of the UNCRC, which focuses on the recovery and reintegration of child victims of abuse, exploitation, and trafficking. By adopting a PH approach, the strategy prioritises early identification, prevention, and holistic support for victims. It recognises that effective recovery requires cross-sector collaboration, ensuring a comprehensive, coordinated response to meet the diverse needs of child victims.

Juvenile justice (Article 40): Taking a PH approach to the refreshed Trafficking Strategy ensures that children in conflict with the law are treated fairly. By prioritising prevention, it helps reduce the criminalisation of child victims, particularly those who are involved in criminal activities due to exploitation. The Strategy also encourages a focus on support over punishment, ensuring that children receive an appropriate youth justice response. To inform this approach, the Strategy has been developed in collaboration with key partners such as Police Scotland, the Crown Office and Procurator Fiscal, and the Scottish Children's Reporter Administration.

3. Please provide a summary of the evidence gathered which will be used to inform your decision-making and the content of the proposal

Evidence from:

- existing research/reports/policy expertise

  Evidence Reviews by Scottish Government Justice and Analytical Services (JAS)
  The Scottish Government's Justice Analytical Services undertook a literature review in 2024 on preventative approaches to human trafficking and exploitation both within the United Kingdom and internationally. The aim of the review was to produce an evidence paper to investigate what is currently understood about prevention strategies and interventions aimed at addressing human trafficking and exploitation of adults and children in the UK, and if there are any known interventions or strategies found to be effective against preventing human trafficking. Alongside the main report, a series of papers have also been produced supporting the report that examined the available research and evidence related to the labour, sexual and criminal exploitation of adults and children.

The literature review highlighted the advantages of a PH approach to addressing human trafficking and exploitation and that this approach offers a collaborative, multi-agency framework for activity that priorities prevention and is data led.

The main report and associated papers on specific types of exploitation will be published alongside the updated Strategy.

CCE and CSE focused research
There have been several pieces of research published in recent years focusing on CSE and CCE in the UK. A Scotland-specific Scoping Review of CCE commissioned by the Scottish Government, Action for Children and Children and Young People's Centre for Justice (CYCJ) in May 2023; the report *Invisible Children: Understanding the risk of the cost-of living crisis and school holidays on child sexual and criminal exploitation* by Barnardo's in July 2023; the *Jay Review of Criminally Exploited Children* by AfC in March 2024; AfC's follow up report on the Jay Review *I don't want to go down that road* in October 2024, and; a Child Sexual Abuse and Exploitation analysis report in November 204 that was also commissioned by the Scottish Government and published by Centre for Excellence for Children's Care and Protection (CELCIS).

The reports put forward numerous recommendations, including those related to CCE and CSE. They all stressed the need to allocate resources more effectively by strengthening the use of existing legislation to enhance deterrence and prosecution rates for perpetrators. Key priorities included better data recording and information-sharing practices, training and awareness programs for professionals (incorporating lived experience to create trauma-informed services), educating the public, and significantly improving early recognition and intervention practices. This final point was strongly underlined throughout engagements between the Scottish Government and external stakeholders, and is also highlighted by evidence from children and young people in the literature:

> "I didn't know what was happening until it was too late. I thought I could handle it myself. I couldn't tell anyone what was happening, or I'd get locked up. The fear, the power, the money, getting caught, getting my family caught or being seen as a snake."[1]

- consultation/feedback from stakeholders

Engagement with stakeholders on the updating of the Strategy
The Scottish Government held stakeholder events in December 2023 and December 2024. The former's aim was to hear from key partners to identify priorities for refreshing the strategy while the latter focused on the proposed PH approach to the Strategy. These events were attended by representatives

[1] Action for Children (2024), "I don't want to go down that road" – The harms inflicted on criminally exploited children, pp. 5

from local authorities, Police Scotland, COPFS, SCRA, BTP, SPS, NHS Scotland, Home Office, HMRC, Social Work Scotland, and key third sector partners like Barnardo's Scotland, CYCJ and Justice and Care. In addition to these in-person events, targeted engagement with key organisations was also held in between the two events in the second half of 2024.
The key themes identified by stakeholders during the December 2023 session included enhanced collaboration among partners, improved data and information-sharing practices, and the importance of training for practitioners and awareness raising. There was also consensus among partners that the updated Strategy should put more emphasis on implementation of actions, and, agreement that child trafficking and exploitation related issues should link across all outcomes. Stakeholders provided feedback that they were supportive of the PH approach, as well as the proposed development of a corresponding delivery plan to accompany the Strategy.

In the first half of 2024, a series of workshops were organised with policy teams across the Scottish Government. These workshops focused on identifying priority areas where stronger connections could be made between human trafficking and exploitation policies and other relevant policy areas, as well as cross-cutting strategies and frameworks.

Engagement with stakeholders on CCE and CSE
Throughout the summer and autumn of 2024 the Scottish Government engaged stakeholders on the recommendations put forward by the Jay Review of Criminally Exploited Children, which were also used to inform the Serious Organised Crime Taskforce's (SOCT) priorities. Partners reaffirmed the points raised in the research (referenced on page XX of this CRWIA) and the key themes identified in previous engagements on the Strategy refresh.

The Scottish Government established a National Child Sexual Abuse and Exploitation Strategic Group with key stakeholders to increase cross-sectoral coordination and capability to address the risks and harms of Child Sexual Abuse and Exploitation (CSAE) in Scotland by scrutinising existing and emerging evidence and practice to inform, prioritise and agree actions. The group has met five times since November 2024, and aims to meet quarterly. Similar to the refreshed Trafficking and Exploitation Strategy, the group agreed that a public health approach should be taken for CSAE. Associated actions will be informed by local practices, data, and evidence to inform potential actions.

- consultation/feedback directly from children and young people

  While we did not engage directly with children and young people during the development of the refreshed Strategy, many of our partners (e.g. Scottish Refugee Council, CYCJ, Barnardo's Scotland or AfC) do, and have already developed strong and trusted relationships with children and young people through their work supporting child victims, or on child trafficking and exploitation related projects. The research outlined in the previous section on page 5 by some of these organisations were informed by their direct

engagement with child victims and survivors. We also work with Guardianship Scotland, the statutory Independent Child Trafficking Guardian service funded by the Scottish Government which provides Guardians to all unaccompanied children arriving in Scotland who are, or may be, a victim of, or are vulnerable to becoming a victim of, human trafficking. Therefore, it is our view that these organisations are currently best positioned to represent the views of children and young people.

This approach is in line with the Scottish Government's Children and Young People Participation Framework that strongly advocates about the importance of considering existing evidence, and that we need to be respectful of any previous engagement with children and young people that have already been shared with us before seeking new conversations with them. This is especially important to consider when the children and young people in question are survivors of child abuse. Barnardo's Scotland, with whom we regularly engage with in relation to the Strategy and related policy work, is one of the few appointed contractors by the Scottish Government through the Children and Young People Participation Framework.

4. Further to the evidence described at '3' have you identified any 'gaps' in evidence which may prevent determination of impact? If yes, please provide an explanation of how they will be addressed

No

5. Analysis of Evidence

Adopting a PH approach to addressing human trafficking and exploitation offers several advantages. It is both child-centred and rights-based, aligning with the GIRFEC approach in Scotland. Like GIRFEC, which ensures that all children receive early support to prevent issues from escalating into situations requiring urgent child protection measures, the PH approach focuses on preventing harm and promoting overall child welfare.

Furthermore, it prioritises a prevention- and solution-oriented approach that analyses and addresses the contextual factors, structures, and pathways leading to exploitation, with the goal of disrupting this. This includes focusing on the existing conditions and social structures that increase the risks of trafficking and re-trafficking, both locally, nationally and globally.

Prevention is already a significant feature of the previous Strategy but remains an area that requires further attention. Improving early and effective intervention practices would arguably have the greatest impact in preventing children from being exploited. The evidence shows that once children become victims of trafficking and exploitation, even when identified, recovery from trauma and successful reintegration can be particularly challenging.

As mentioned in question two, the updated Strategy also advocates the integration of lived experience into services to prevent re-trafficking and reduce harm by providing

trauma- and survivor- informed long-term support. In addition, taking robust and swift action against all perpetrators —whether individuals, businesses or organised crime groups — is essential to safeguarding children, adults, and communities from the harm caused by trafficking and exploitation. The identification and prosecution of those involved in serious organised crime continues to be an essential part of the Strategy.

The Strategy puts great emphasis on improving awareness training for professionals on child trafficking and exploitation across all its outcomes—an area where stakeholders stressed further considerations are needed.

Both the literature reviews and research, along with input from partners, acknowledge that any meaningful progress will require improved data recording and information-sharing practices. This is essential for ensuring the Strategy's success, and is one of its key outcomes.

6. What changes (if any) have been made to the proposal as a result of this assessment?

N/A

Conclusion

7. As a result of the evidence gathered and analysed against all UNCRC requirements, what is the potential overall impact of this proposal on children's rights?

Applicable answer(s): positive

8. If you have identified a positive impact on children's rights, please describe below how the proposal will protect, respect, and fulfil children's rights in Scotland.

See answer to Question 2 on pages 3-4.

9. If a negative impact has been identified please describe it below. Is there a risk this could potentially amount to an incompatibility?

N/A

10. As a result of the evidence gathered and analysed against all wellbeing indicators (Annex 2), will the proposal contribute to the wellbeing of children and young people in Scotland? (Guidance Section 2.3.2, pages 20-22).

- Safe: Yes
- Healthy: Yes
- Nurtured: Yes
- Respected: Yes

- Responsible: Yes
- Included: Yes

The Getting it right for every child (GIRFEC) continuum articulates the importance of GIRFEC in protecting children and making sure that all children receive the right help at the right time. The refresh of the Strategy is aimed at enhancing the measures of tackling human trafficking an exploitation in Scotland. It is taking into account developments in this area since the last strategy was published to improve the collective response of practitioners on the field.

11. How will you communicate to children and young people the impact that the proposal will have on their rights?

We intend to continue working with stakeholders who engage with children and young people as part of their core function. We work closely with these partners and have involved them in the development of the update to the Strategy.

A completed CRWIA will be checked for accessibility and published online so those wishing to access it can do so.

Post Assessment Review and sign-off

12. Planning for the review of impact on children's rights and wellbeing

The CRWIA will be reviewed when the Strategy is next updated.

13. Sign off

Policy Lead Signature & Date of Sign Off: Sian Morland 02/04/2025

Deputy Director Signature & Date of Sign Off: Brian Taylor 09/05/2025

Date CRWIA team first contacted: 14/02/2025

Linked Publications

Scotland's Trafficking and Exploitation Strategy 2025

Equality Impact Assessment for Scotland's Trafficking and Exploitation Strategy 2025

Partial Business and Regulatory Impact Assessment for Scotland's Trafficking and Exploitation Strategy 2025

Fairer Scotland Duty Assessment for Scotland's Trafficking and Exploitation Strategy 2025

© Crown copyright 2025

OGL

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit **nationalarchives.gov.uk/doc/open-government-licence/version/3** or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: **psi@nationalarchives.gsi.gov.uk**.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at **www.gov.scot**

Any enquiries regarding this publication should be sent to us at

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-83691-906-3 (web only)

Published by The Scottish Government, July 2025

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS1625294 (07/25)

w w w . g o v . s c o t