

# Trafficking and Exploitation

## Strategy – Third Annual Progress Report and Strategy Review

“ Sometimes it is the small things. I love the way they smile at TARA. When you are used to angry people, that is special.”

“ Migrant Help is my second home. I come to the office & I feel warmth from all the staff. The staff are like family members.”

“ I was always looking over my shoulder all the time, worried that they could be anyone / anywhere. Now I know what to do. I know who to tell. I know what to look out for and I know how to stop it.”



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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 and The Anchor Service.

Laid before the Scottish Parliament by the Scottish Ministers under section 36(5)(d)(ii) of the Human Trafficking and Exploitation (Scotland) Act 2015.

May 2020 SG/2020/84.

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# Foreword

## Cabinet Secretary for Justice



**Humza Yousaf MSP**  
Cabinet Secretary  
for Justice

In 2015, the Human Trafficking and Exploitation (Scotland) Act was unanimously passed by the Scottish Parliament. The Act strengthened support for victims and provided new instruments to police and prosecutors to disrupt and bring to justice those responsible. In addition, the Act required Scottish Ministers to develop and publish a trafficking and exploitation strategy and review that strategy within three years of publication.

Scotland's first Trafficking and Exploitation Strategy was published in 2017. The Strategy was developed in genuine partnership and identified a number of short and longer term aims to tackle this horrific crime and support victims. The publication of the third annual progress report and review of the Strategy is an important juncture, not just for the Scottish Government, but for all partners who have worked collectively across the Action Areas and Child Trafficking Strategy Group.

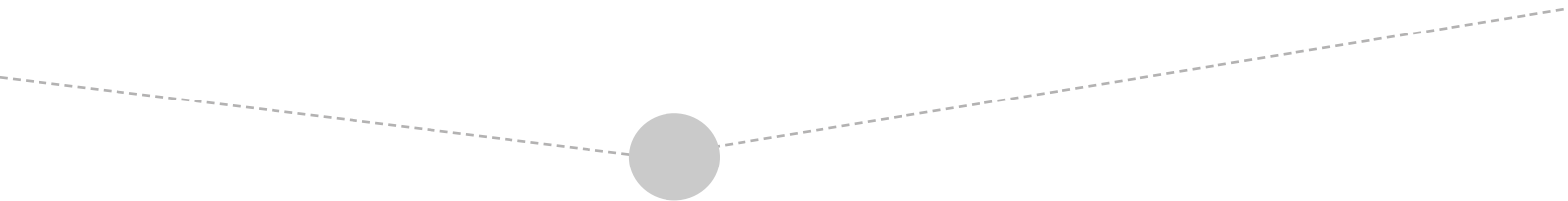
However, I want to acknowledge the impact the COVID-19 pandemic has inflicted on the final months of the review period. While a vast amount of engagement had taken place prior to the pandemic, key victim engagement sessions had to be postponed in order to ensure the safety of participants, in line with public health advice. The Scottish Government has significantly restructured and re-prioritised to respond effectively to the COVID-19 emergency, and this has also impacted on the resources available to develop the report and on the level of scrutiny that we have been able to afford to key partners – many of whom have also been rightly focusing their efforts on the frontline response to the pandemic.

The difficulties of the last few months do not, however, take away from the many achievements over the preceding three years. Extending support to victims of trafficking and exploitation for up to 90 days was a major step forward in the care and protection available in Scotland. Likewise, the use of Trafficking and Exploitation Prevention Orders (TEPOs) ensures those convicted of trafficking offences will have strict conditions attached to their lives beyond their immediate sentence. For children, revised age assessment practice guidance was published in 2018, and training is currently being taken forward to support implementation of the guidance. In partnership with Action Area 3 and the Corporate Group, in October 2018 we published guidance for businesses on how to mitigate the risks of trafficking and exploitation within their own operations and supply chains. The Convention of Scottish Local Authorities (COSLA), a key Strategy implementation partner, have published guidance for local authorities and led by NHS Health Scotland, guidance for health workers on the signs of trafficking and what actions to take was published in October 2019.

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# Foreword

## Cabinet Secretary for Justice



Each year since 2013, the number of trafficking victims identified in Scotland has increased. In 2018, 228 potential victims of trafficking and exploitation were identified rising to 512 in the year to 31 December 2019 – an increase of 125%. Greater understanding and awareness of trafficking is supporting increased levels of identification which is in part a result of work by the Scottish Government and partners to implement the Strategy.

To support the increasing number of referrals, I have approved business plans from TARA and Migrant Help which will expand the accommodation available to both providers and ensure survivors are provided with high quality support services despite the increase in demand.

We have undertaken an extensive programme of engagement to review the Strategy and further detail on this can be found within the report. I am pleased that this was largely completed before the impact of COVID-19, since collaboration and joint working has been at the heart of development and implementation of the Strategy.

It is clear from the many discussions, surveys and events we have held that although improvements and refinements could be made to aspects, the Strategy remains fit for purpose and provides an effective framework for continuing to improve in the short term.

However, I want to set out a commitment now that we will work with all partners and other interests to develop and publish a revised and updated Strategy. The final section of this report sets out some of the areas where the Strategy may be amended. Under normal circumstances I would set a timescale for this work but given the uncertainty of the current situation that could constrain an effective process.

Tackling human trafficking and exploitation remains a key priority for the Scottish Government and I would like to place on record my continued thanks to all those involved in developing and implementing the Strategy. The Strategy is making a real and continued difference to victims and survivors while identifying and disrupting those who seek to profit from the trafficking and exploitation of human beings.

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# Introduction



The Human Trafficking and Exploitation (Scotland) Act 2015<sup>1</sup> (“the Act”) introduced new offences, gave police and prosecutors additional powers to tackle traffickers, raised the maximum penalty for trafficking to life imprisonment, and placed support for victims on a statutory basis. It also required that Scottish Ministers develop and publish a Trafficking and Exploitation Strategy<sup>2</sup> (“the Strategy”), and this was done in May 2017.

Under Section 36 of the Act, Scottish Ministers must also review the Strategy within three years of its publication and following that review must publish a report on the review, “including in particular Ministers’ assessment of the extent to which the Strategy has been complied with,” and “may revise the Strategy.”

This is the report of the first statutory review of the Strategy. However, on publication of the Strategy, the Scottish Government undertook to publish annual progress reports on implementation of the Strategy. One element of this report is a progress report on the third year of implementation, and therefore in order to get a full picture of the work done by the Scottish Government and its partners to implement the Strategy, this publication should be considered alongside the first<sup>3</sup> and second<sup>4</sup> progress reports.

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1 <http://www.legislation.gov.uk/asp/2015/12/contents/enacted>

2 <https://www.gov.scot/publications/trafficking-exploitation-strategy/>

3 <https://www.gov.scot/publications/human-trafficking-exploitation-strategy-first-annual-progress-report/>

4 <https://www.gov.scot/publications/trafficking-exploitation-strategy-second-annual-progress-report/>

In order to assess the extent to which the Strategy has been complied with, this report includes a section (headed Delivering the Strategy) which sets out what has been done against each of the specific undertakings in the Strategy. These were grouped as short term, medium term and longer term actions, and it is important to note that the long term vision set out in the Strategy – to eliminate human trafficking and exploitation – remains as relevant now as it was in 2017. While significant progress has been made, much more still needs to be done before this goal is attained.

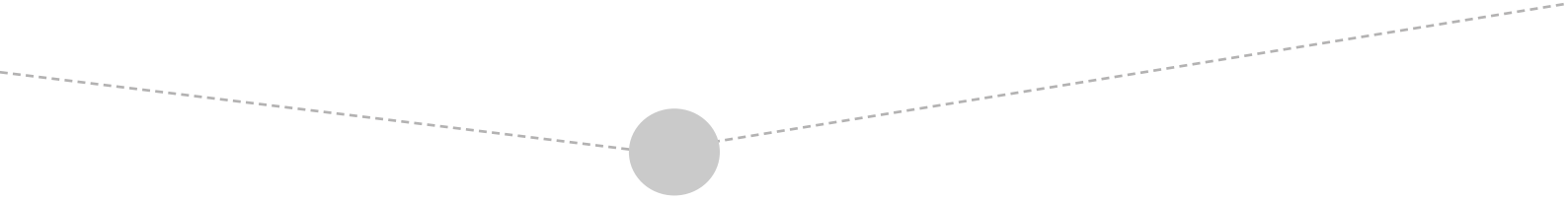
## The Strategy

The Strategy was developed through a process of co-production. Extensive consultation with partners, stakeholder organisations and the general public was undertaken, including a 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.

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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.

## **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 bi-annual basis, or more frequently if required.

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 was established on a similar basis. The Implementation Groups meet quarterly.

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# Section 1

## Action Area 1 – Identify victims and support them to safety and recovery

### Implementation Structures

Action Area 1 focuses on the victims and survivors of trafficking and exploitation. Victims of trafficking and exploitation are often amongst the most vulnerable and abused members of our society. They can be the victim of multiple crimes and suffer from trauma. Victims of trafficking come from all demographics: young and old, male and female, child and adult, UK or other nationals, from all parts of the world and are identified in **all areas** of Scotland.

Action Area 1 brings together key stakeholders involved in providing support and assistance to victims of trafficking. The group is focused on public and professional awareness, effective support provision for victims and empowering victims to seek support and assistance.

Action Area 1 is chaired by the Convention of Scottish Local Authorities (COSLA) and meets on a quarterly basis.

Membership of the group includes:


- COSLA
- 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
- NHS Greater Glasgow and Clyde (The Anchor)
- JustRight Scotland
- Scottish Guardianship Service
- Survivors of Human Trafficking in Scotland (SOHTIS)

### Looking back

The second annual progress report highlighted a number of issues that Action Area 1 would consider during 2019/20:

- Explore with partners the lack of referrals to the National Referral Mechanism (NRM) of UK nationals.
- Developing regional partnerships, engaging with the public, third and private sectors and considering where existing structures can be used to deliver this model.
- Maintain close engagement with relevant partners in relation to reforms of the NRM. Consideration will be given to the benefits of detailed training for First Responders in Scotland covering the NRM reforms.
- Police Scotland and TARA will develop joint training to First Responders in Scotland, including those working in Criminal Justice Social Work. Police Scotland will also work with TARA to develop a Memorandum of Understanding regarding roles and responsibilities of each agency when engaging with potential victims of trafficking.



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- Longer-term outcomes for survivors of trafficking and exploitation will be explored.
  - A focus will remain on improving awareness of support amongst victims to encourage them to come forward and seek help.

Further detail on these areas can be found within this chapter.

“ If I was told I was being taken for sex, of course I would NOT have gone.”

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

Victims of human trafficking and exploitation can often be less likely than other parts of society to engage with public and other services – sometimes through a fear of authority based on experiences in other countries or through controlling behaviours exhibited by perpetrators. It is vital that professionals who may come into contact with a victim are able to recognise a range of possible trafficking indicators and understands how to approach the situation and respond appropriately.

Professionals who may come into contact with victims offer an opportunity to spot trafficking indicators and take appropriate action to safeguard the individual. Significant progress has been achieved over the past year in providing clear guidance

to public sector staff in local authorities and the NHS. On Anti-Slavery Day 2019, **COSLA published guidance<sup>5</sup>** for frontline local authority staff and managers about how to deal with human trafficking and exploitation in their local authority area. The guidance seeks to support local authorities in developing good practice to identify, refer and support victims and to disrupt and deter criminal activities. The guidance includes information for staff on spotting the signs of trafficking through to strategic planning and opportunities for partnership working.

Human trafficking occurs across Scotland. Cases have been reported in all of Scotland's 32 local authorities, although some areas see only a few cases. Developing regional partnerships would lead to a more efficient deployment of resources and expertise, as well as dovetailing more effectively with other areas of public provision to support vulnerable groups and tackle criminal enterprises. Changes to the structure of Action Area 2 are set out on page 18. However, both Police Scotland and COSLA are keen to explore how the creation of three tactical groups can assist, alongside COSLA's guidance to local authorities, in the **development of regional partnerships**. Consideration will also be given to how regional partnerships interact with other geographical networks looking at other issues.

As a consequence of the health risks associated with human trafficking and exploitation, healthcare staff are in a unique

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5 <http://www.migrationscotland.org.uk/uploads/COSLA%20Human%20Trafficking%20Guidance%20-%20October%202019%20%281%29.pdf>





position to access individuals who may otherwise attempt to avoid services. On Anti-Slavery Day, **guidance<sup>6</sup> to support healthcare workers** in recognising and responding appropriately to victims of human trafficking and exploitation was published. The guidance sets out how to spot the signs of trafficking, the steps to take and procedures to follow if concerns are present, how to access further support and information on the NRM process.

Alongside the guidance documents published over the last year, training opportunities have been developed through TARA's dedicated training officer. TARA has provided bespoke awareness sessions for a diverse range of frontline services, ranging from short awareness raising inputs at team meetings, inputs/workshops at conferences through to full day training events.

**Full day multi-agency awareness raising sessions** have also been designed and delivered in partnership with the Scottish Guardianship Service and JustRight Scotland. Sessions have taken place across Scotland, including in Aberdeen, Dundee, Edinburgh, Glasgow, Kirkcaldy, Orkney and the Scottish Borders. The training has focused on what frontline workers need to know and includes specific sections on trafficking and exploitation indicators, the NRM, a focus on the gendered nature of exploitation, the impact on survivors, how services can best respond and reinforced the importance of taking a trauma informed approach. Approximately 750 professionals from

a wide range of agencies have attended awareness raising sessions.

Hope for Justice have continued to deliver awareness raising sessions around Scotland over the past year with wide engagement across the third sector and in local authorities – approximately 100 organisations have been represented at the training sessions.

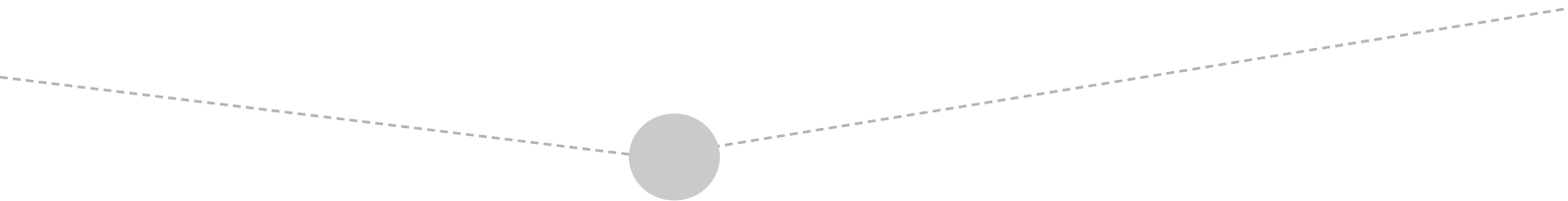
The Anchor has delivered a number of teaching and training sessions, including Trauma Enhanced Level training for TARA staff. **The Anchor** also organised a three day workshop on **Narrative Exposure Therapy** which is an evidenced based treatment for Post-Traumatic Stress Disorder in cases with multiple traumas. Current research shows that this intervention is effective for victims of trafficking. The Anchor also hosted the UK Psychological Trauma Society Annual Conference in Glasgow in March 2020. As part of the conference, The Anchor delivered a workshop on promoting psychological recovery for victims of trafficking.

The Scottish Government and other partners including Police Scotland and COSLA have continued to engage with the Home Office on reforms to the NRM. During the last year, the digital NRM system went live for all First Responders and more recently a digital casework system has been introduced.

To support the roll-out of the online referral system, a number of partners have participated in a working group to **develop a toolkit** for use by NRM First Responders in Scotland. The creation of the toolkit is intended to improve the quality and relevance of information

6 <https://www.gov.scot/publications/human-trafficking-exploitation-health-workers-need-know/>

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collected within the NRM template and develop understanding of the process by First Responders (many of whom may be unfamiliar with trafficking and exploitation cases). The toolkit will also allow improved victim engagement and information gathering from Potential Victims of Trafficking (PVoT). This should improve the information provided to law enforcement authorities who will then conduct an investigation into the circumstances of the case. The working group met in February and March 2020. The toolkit will be an easy-to-use piece of supplementary guidance alongside more formal resources. We continue to engage with the Home Office to ensure that the NRM works for Scotland and reflects our distinct systems and legislation.

In the second annual progress report, it was noted that, in contrast with other parts of the UK, referrals of UK nationals to the NRM from Scotland were disproportionately low. During the course of 2019, the number of UK nationals referred to the NRM from Scotland has increased, however these numbers are still very small compared to those being identified in other parts of the UK. A number of reasons have been considered for this disparity and while some may in part explain the variation, the group is clear that further work is required on this issue.

The Lord Advocate has issued instructions to prosecutors detailing the test for prosecution that is applied to potential victims of human trafficking or exploitation who are reported to COPFS as accused persons.

Those instructions are complemented by a clearly defined structure to ensure consistency and expertise in decision making. When prosecutors suspect that an accused person may be a victim of trafficking or exploitation they are instructed to submit a report to the National Lead Prosecutor for Human Trafficking and Exploitation. Those reports address whether the test in the Lord Advocate's instructions is met and what further steps are appropriate in light of that conclusion. The number of reports submitted to the National Lead Prosecutor has risen year on year since the implementation of the Human Trafficking and Exploitation (Scotland) Act 2015.

The National Lead Prosecutor, a highly experienced High Court prosecutor, carefully considers the facts and circumstances of each individual case and makes the final decision on whether the test in the Lord Advocate's instructions has been satisfied. In cases in which the test is satisfied, the National Lead Prosecutor directs that 'No Action' or 'No Further Action' be taken by prosecutors. If the National Lead Prosecutor considers that further information is required before making a final decision, she may direct that the accused person be liberated from custody, if he or she is remanded, pending the outcome of further inquiries.

Between 1 March 2019 and 31 March 2020:

- 17 cases have been reported to the national lead prosecutor for human trafficking for consideration of taking no action or discontinuing proceedings on the



basis of the Lord Advocate's Instructions;

- In 1 case, no action or no further action was taken on the basis that the test within the Lord Advocate's Instructions was met.

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

Following identification, it is vital that victims of human trafficking and exploitation are able to access specialist support in order to begin recovery from the physical, psychological and social impacts that they may have suffered. A Memorandum of Understanding (MoU) has been drafted between TARA and Police Scotland, setting out the roles and responsibilities of each agency when engaging with potential victims of trafficking. Work is ongoing towards completion.

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 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 both organisations in financial year 2020/21: a 26% increase for TARA to £581,252 and a 40% increase for Migrant Help to £922,065. This increase reflects the considerable rise in the number of individuals entering the NRM process who are being supported in Scotland. Referrals

increased by 125% between 2018 and 2019 (from 228 in 2018 to 512 in 2019) and this has necessitated a need for increased accommodation capacity and staffing resource to maintain specialist support.

#### **TARA Service user consultation**

As part of the ongoing commitment to ensure that the lived experience and voices of survivors of human trafficking and exploitation being supported in Scotland are heard, the Scottish Government provided specific funding to TARA to facilitate a service user consultation on three key issues:

- The trafficking process and women's needs before, during and after being trafficked;
- Access to services, knowledge and impact of TARA's services; and
- Input by survivors of trafficking into local and national government strategies and action plans.

To encourage the sharing of views, the session was independently facilitated. Nine women supported by TARA agreed to participate, bringing experience of many common forms of exploitation associated with human trafficking, including commercial sexual exploitation, being used as drug mules, forced labour, and domestic servitude.

Only three of the women taking part understood what 'trafficking' was prior to being trafficked and did not think it would happen to them. None of the women realised they were being trafficked at the start of the process. All women stated that they had been 'tricked' into their situation - sometimes by people they trusted such as family relations or friends. A number of women highlighted 'a women's place' and other issues including:

- the pressure to provide for others
- desperation to leave their country of origin
- high levels of poverty, inequality and violence

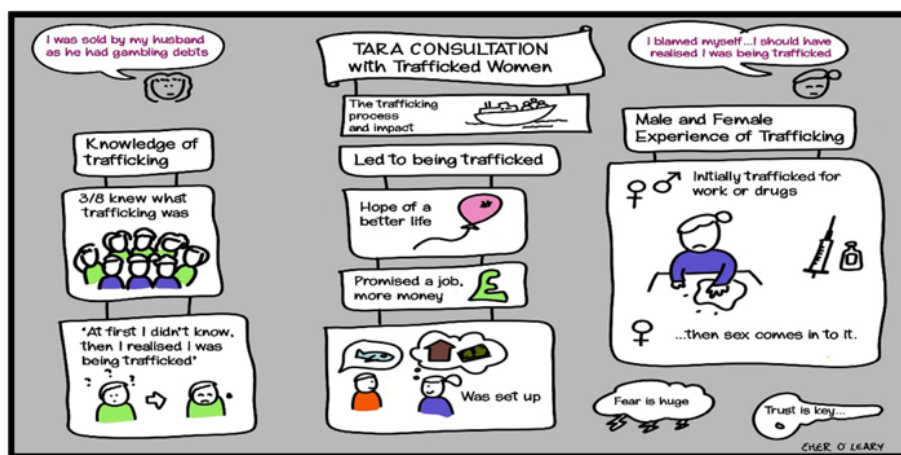
These factors were key in being taken "advantage of" by people they trusted or knew. Once they realised what was happening to them, all women felt they were unable to do anything about it. The majority of women came to Scotland via London. During a discussion about how anti-trafficking information could be made accessible to women earlier, one woman noted that she had not been left alone at any point in her journey so it would have been impossible to access this.

A number of women had engaged with other services before being referred to TARA and noted the stress of having to recount their experiences. All women stated that the information they were given from other agencies about TARA was limited but the message was consistent in that TARA would help them. In terms of the practical support provided by TARA, women positively highlighted somewhere safe to stay, financial assistance, advocacy and access to other services. All women agreed that the feeling of safety created by TARA was vital for their engagement and this enabled a sense of understanding, trust and support which allowed women to be open and honest about their emotional and practical needs. All participants said they would recommend TARA to others.

All women felt they should have a say in policy, strategy and action planning at both local and national levels, noting that they have personal experience of the trafficking process which can help influence actions. When asked what they would need to help them provide input, they suggested English classes, support to attend a meeting/discussion and raised concerns about protection from traffickers. Based on their experiences from other countries, some women also associated police with government and noted concerns around trust of public agencies. When asked what could be done to stop/reduce trafficking, responses concentrated on prevention, the criminal justice response and training and awareness.

As part of their person-centred support process, TARA have begun issuing **Recovery Books** to all newly referred women, with a particular focus on those entering into TARA accommodation. The book explains in more detail the role of TARA, their expectations of women (including accommodation 'rules'), paperwork for future recovery plans and reviews, individual safety plans, individual key contacts and useful items such as a 'money explainer', maps, puzzles and mindfulness 'colouring' pictures.

“ TARA took us to the Safari Park. It was a lovely time to just be a normal person and to feel part of something. When you have had our life that is very, very important. You may not understand this”





TARA staff and clients have found this helpful in providing women with reassurance at their first meeting with TARA, especially when they are available in the woman's language (available in English, Romanian, Vietnamese, Albanian and Mandarin, for other languages TARA translate as required). The books support women to better understand the role of TARA and others.

Through experience, TARA have observed that many women are unable to fully understand their legal rights in the early stages as they are focused on their basic needs such as safe accommodation, financial support, health, NRM/immigration concerns and their safety needs, including from perpetrators. Women may also be unable to read in their own language so TARA ensures regular verbal explanations and reinforcement of rights alongside individual recovery plans throughout the period of support, which has proven to be essential.

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 chapter on child trafficking.

Migrant Help, in partnership with West of Scotland Regional Equality Council (WSREC), operated **a garden project** over 8 weeks during the summer of 2019. The project involved clients immersing themselves in weeding, composting, and planting the garden with plants for decoration as well as for food. Each session was attended by 8-12 clients, and sessions were received very well. The clients especially enjoyed learning

the English words for some basic vegetables and being outside in a safe environment was also beneficial. Those who attended all expressed disappointment that the sessions did not continue for longer and Migrant Help are exploring the possibility of running the project again during 2020.

### **Migrant Help and Brightwork Recruitment**

**Migrant Help** have been working collaboratively with **Brightwork Recruitment**, who place value on helping vulnerable individuals into work.

Ben (not his real name), an EU citizen, was living with his wife and young family in an EU country. A contact put Ben in touch with someone who offered him employment and accommodation in the UK. This seemed like the perfect opportunity for Ben to gain employment and support his family, and so he made his way here. Once here, an unknown male escorted him to an address in Glasgow. Before long, Ben was being forced under threat of violence to open bank accounts for use by a criminal gang.

He was ordered to travel to various cities around the UK and open bank accounts on behalf of the gang. Eventually, Ben managed to escape the situation. He sold what belongings he had and changed his phone number several times in order to avoid being tracked by the gang. Ben was eventually able to complete a National Referral Mechanism application with police and he entered the support services of Migrant Help.

As well as providing Ben with the emotional, practical and financial support needed for him to start rebuilding his life, Migrant Help linked Ben with Brightwork Recruitment and assisted Ben in finding a job working in a local supermarket. Ben completed a 16 week trial, didn't miss a single day of work and was soon given extra hours due to his competence. Ben



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was subsequently made a full-time member of staff at the supermarket.

However, Ben struggled to open a bank account as he had fraud markers, immigration status tests and financial crime alerts registered against him. There were also active accounts, in his name, being used for criminal purposes. **HSBC**, partnering with Migrant Help, offered to place him in their Survivor Bank pilot. This was a new and pioneering initiative designed to help victims of human trafficking by allowing them to open a bank account despite markers against their name (the pilot has now been more extensively rolled out by HSBC).

Ben was delighted at the support he received through the Survivor Bank pilot, and he was able to open a bank account. He stated: 'The difference this is going to make to me and my family is huge. I have waited a good few years for this to happen and was at the point of thinking we would never have a UK bank account after what had happened to me'.

JustRight Scotland is working with Non-Governmental Organisations in Ireland, Germany, Italy, Spain and the European Network of Migrant Women on a project called ASSIST: Gender Specific Legal Assistance and Integration Support for Third Country National Female Victims of Trafficking for Sexual Exploitation<sup>7</sup>.

This project allows JustRight Scotland to focus on the **long term integration needs** of trafficked women recovering from sexual exploitation as well as **empowering survivors** to play a **leadership and mentoring role** in the response to human trafficking at an operational, strategic and

policy level in Scotland. Through the ASSIST Project, and with the support of the Scottish Government, JustRight Scotland has been able to:

- Provide free weekly confidential legal surgeries for female survivors of trafficking for sexual exploitation at the offices of TARA, complementing funding provided for these surgeries by the Scottish Government. The surgeries offer women, at all stages of their recovery, an opportunity to meet with a female specialist lawyer for advice on a broad range of issues;
- Provide free legal representation on legal issues related to a woman's integration needs in areas such as citizenship, identification issues, family reunion and compensation where legal aid is not available;
- Created a group of women survivors of sexual exploitation to contribute to policy and research work:
  - This group has contributed to the ongoing review of Scotland's human trafficking strategy;
  - They have met with the Cabinet Secretary for Justice in Scotland about this funding and project: and
  - They have also contributed to a recent Scottish Government written consultation response on the new 'duty to notify' the police about trafficking concerns, as well as a government information leaflet on compensation.
- Commenced a process of developing a peer to peer resource and network for female survivors of sexual exploitation.

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<sup>7</sup> <https://www.justrightscotland.org.uk/our-work/trafficking-and-exploitation/>



Future plans include the design and dissemination of information material by survivors for survivors as well as events to promote the role of survivors in our anti-trafficking responses.

This project completes at the end of 2020. The ultimate aim is to ensure that we continue to respond to longer term integration needs of survivors of human trafficking as well as ensuring that the experience and voices of survivors continue to shape future responses to trafficking in Scotland.

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

As outlined during the TARA service user consultation, victims of trafficking may be distrustful of authorities as a consequence of previous experiences in other countries where engaging with police has led to further exploitation rather than protection. This is challenging as these feelings can impede victims from seeking help to escape their situation.

In the second annual progress report it was noted that the Scottish Government had agreed to provide funding to TARA to ensure the **legal advice clinic**, run in partnership with JustRight Scotland, could continue during 2019/20. This has enabled early and effective legal intervention for women early on in their recovery, allows a wider range of legal advice to be accessed beyond immigration including applying for Criminal Injuries Compensation and can ensure that women are able to access long term advice when they are no longer in receipt of specialised support.

Between July 2019 and March 2020, 30 women were referred to the legal advice surgery. Advice was provided on a wide range of issues, using interpreting services as required, including the NRM, Immigration, Criminal Injuries Compensation, Family Reunion, Domestic Abuse, social media abuse, housing, criminal justice process as a victim and witness, repatriation and human trafficking and criminal exploitation.

**TARA and JustRight Scotland legal surgery**

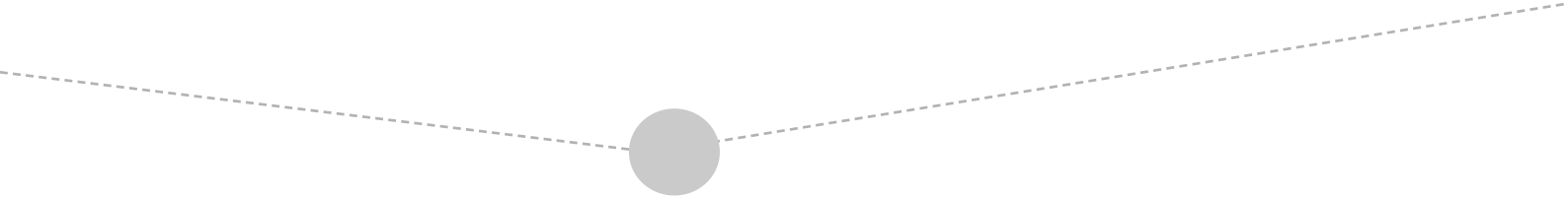
M was referred to the TARA Service in the summer of 2017 by her MSP. As a historical survivor of trafficking for child sexual exploitation (CSE) she had presented to the constituency office with complex immigration and housing issues. TARA provided short term advocacy with social work services, referred her to The Anchor service and helped her to access legal advice.

M was granted leave to remain, and her eviction from social housing was prevented. M attended The Anchor and was able to resume her college course. TARA closed M's case in the winter of 2017. In August this year, M contacted TARA seeking some advice as an abusive ex-partner had been trying to contact her, re-establish contact with children and she wanted to move house to get away from him. As she was not at immediate risk from the ex-partner, TARA arranged for her to access legal advice at the drop-in the following week.

M was provided with legal advice on her housing situation, contact with children and family law. In addition she was referred on to the Scottish Women's Rights Centre by JustRight Scotland who are continuing to provide support. M found the legal advice very helpful and reassuring and understood that she had protections that meant she did not have to leave her home, her employment and unsettle her children.



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TARA were pleased that M had felt able to get in touch with the service asking for assistance and that, in partnership with JustRight Scotland, were able to provide quick access to legal advice that left M feeling much safer.

Migrant Help have also continued working in partnership with Jain, Neil and Ruddy Solicitors (Glasgow), to offer a **legal drop-in clinic for service users**. The clinic offers clients free legal advice, specially tailored to their needs, including advice on human trafficking and the NRM, the asylum system, preparing for asylum screening interviews, and other information as required. Between April 2019 and March 2020, 64 clients accessed legal advice at the fortnightly clinic.

In partnership with JustRight Scotland, Migrant Help are also offering a new legal clinic to clients, providing service users with advice about criminal injuries compensation and assistance with immigration issues. The clinic has run monthly in January and February 2020 and has been fully subscribed on both occasions.

The charity **SOHTIS** is committed to ensuring the recovery and long term wellbeing of survivors of human trafficking in Scotland. SOHTIS work collaboratively to support survivors to rebuild their lives, minimise the risk of re-trafficking, empower their integration into society and celebrate their contribution to Scotland's future. English speakers who are not UK nationals are amongst the groups at highest risk of trafficking therefore identifying effective ways to raise awareness amongst them is a priority in reducing risk and identifying exploitation. The English for Speakers of

Other Languages (ESOL) teacher often is the single regular contact with this cohort, having up to six hours a week engagement with learners. They therefore have the unique ability to develop trusting relationships and mutual respect allowing them to identify specific vulnerabilities around exploitation and supporting their learners to build resilience and increase confidence. As a result, ethnic minority groups can be empowered to recognise trafficking, reject it in all its forms and seek help when needed. A study has highlighted that ESOL classes can be vital to trafficked victims gaining confidence and independence, developing social networks and moving towards mainstream education and employment. SOHTIS launched the **first human trafficking ESOL resource in Scotland** at the Annual Conference of the National Association for Teaching English and other Community Languages to Adults (NATECLA) in November 2019. This is the first in a series of resources and is available to download free from their website<sup>8</sup>. Following positive feedback and demand from across the UK, SOHTIS will be working with a focus group of learners and practitioners to develop further lesson plans and resources.

Challenges remain in ensuring that victims of trafficking are **aware of the support** available to them in Scotland. The Anchor Service asked for feedback on a number of issues from trafficking survivors currently receiving psychological support. This indicated that awareness of support services was relatively low – particularly before

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8 <https://sohtis.org/esol-resources/>

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survivors were brought to safety. Limited awareness of specialist support services within other agencies was also noted by those participating in TARA's service user consultation and is an issue that Action Area 1 will consider moving forward.

SOHTIS have developed '**Project Light**', a new strategic and operational approach to identifying victims of trafficking in Scotland. Beginning in Edinburgh and scaling to other parts of the country, Project Light will work alongside frontline service providers who engage with groups at risk of trafficking. Providing 'on the ground' practical support, Project Light aims to build knowledge and confidence in spotting the signs of trafficking. The Project anticipates an increase in the identification and recovery of potential victims and will provide advocacy to ensure they receive the support they need.

“ I appreciate all the help & support that has been given by MH. I don't know what I would have done without this support. Thank you very much.”

Encouraging victims and others to spot the signs of human trafficking and setting out clearly what support can be accessed is a key focus of Action Area 1. A Scottish Government media campaign is planned for later this year and more information can be found on page 31.

## Looking Forward

Referrals to the NRM have been rising in Scotland. Further work is needed to understand what is driving these increases in different sectors: more effective policy; increased awareness; increases in victim numbers or other reasons. Furthermore, work is required to ensure our collective understanding of which demographic groups need increased attention. Greater understanding of the data available and the internal and external factors driving any trends will be a key focus moving forward.

Develop guidance into tangible widespread and embedded local practice. Important steps have been taken to develop guidance, through COSLA and the NHS, to develop systems and support frontline staff and managers. The next phase of work will require driving that process forward into tangible and effective steps in local areas that chime with the needs and practices of frontline staff.

Develop awareness of support services amongst victims and also within professional settings.

Develop further policy interventions at local and national level that can strengthen the fight against trafficking and support victims, including in response to the COVID-19 pandemic and the UK's decision to leave the European Union.

Consider how survivor engagement can be maintained and strengthened to facilitate direct contributions to local and national policy and decision making.

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## Section 2

# Action Area 2 – Identify perpetrators and disrupt their activity

### Implementation Structures

Action Area 2 focuses on the identification of perpetrators of human trafficking and exploitation with the intention of disrupting their criminal activity. Key areas for this work stream are to contribute to the successful development of a duty to notify process for public bodies, sharing intelligence locally and globally so that others are aware of patterns and trends in Scotland, and using all powers available under the Act to disrupt and detect trafficking activity.

The implementation group for Action Area 2 meets on a quarterly basis and is chaired by Police Scotland. Group membership includes representatives from:

- Scottish Government (human trafficking policy, organised crime policy and Marine Scotland)
- Police Scotland
- Scottish Prison Service (SPS)
- National Crime Agency (NCA)
- Home Office Immigration Enforcement (HOIE)
- UK Border Force
- Glasgow City Council Health and Social Care Partnership
- Trafficking Awareness Raising Alliance (TARA)
- Migrant Help
- Her Majesty's Revenue and Customs (HMRC)
- Crown Office & Procurator Fiscal Service (COPFS)

- British Transport Police (BTP)
- Gangmasters and Labour Abuse Authority (GLAA)
- Convention of Scottish Local Authorities (COSLA)

Working in partnership, the group directs action to ensure a consistency of approach across Scotland for enforcement agencies, third sector bodies and support organisations to ensure the strategic aims of Action Area 2 are met.

In early 2020 a decision was taken by Police Scotland to split the group to deliver separate work streams focused on strategic and tactical issues. These tactical groups will be based within the three Police Scotland command areas and will tackle local issues whilst contributing to the development of regional partnerships.

The regional tactical groups will be made up of local statutory agencies and third sector partners who, along with representatives from local policing, will carry out operational work highlighted by the aforementioned strategic group to achieve the Action Area 2 objectives.

### Looking back

Action Area 2 has made considerable progress in meeting the outcomes identified in the 2017 Trafficking and Exploitation Strategy. The second annual progress report identified five areas of work that Action Area 2 would take forward during 2019/20:

- The Scottish Government will take forward work in respect of data collection.



- Police Scotland will enhance awareness amongst its officers and those involved in tackling criminal gangs to highlight the potential links between ‘county lines’ and human trafficking and exploitation and the legislation available to prosecute offenders.
- Police Scotland will continue to identify ways in which to improve and develop their relationship and working arrangements with foreign law enforcement partners and continue to seek out potential opportunities for secondment of foreign officers to assist and enhance their ability to effectively investigate human trafficking and exploitation throughout Scotland.
- Police Scotland’s National Human Trafficking Unit (NHTU) will continue to enhance working relationships with current partners whilst developing new collaborative and partnership working with public bodies and private business.
- Police Scotland will take forward development and roll-out of an Inter-Agency Referral Discussion (IRD) approach to address reports of human trafficking.

Further information on each strand of work can be found in this section.

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

Section 38<sup>9</sup> of the Human Trafficking and Exploitation (Scotland) Act 2015 places a duty on specified Scottish public authorities to notify the Chief Constable of Police

Scotland of a person who appears to be the victim of human trafficking or of slavery, servitude and forced or compulsory labour. A **public consultation**<sup>10</sup> opened on 16 June and closed on 6 September 2019. Overall there was strong support for the Scottish Government’s proposals within the consultation. The consultation analysis report was published on 30 April 2020<sup>11</sup>.

During the consultation period Police Scotland participated in a series of consultation events raising awareness of Duty to Notify in conjunction with the Scottish Government and partners. The trial implementations of the duty with the City of Edinburgh Council, the GLAA and Border Force continued last year and ended in September 2019. There were a total of **54 referrals received**, all from Border Force. This provided a number of learning points which will be used in conjunction with the public consultation to help inform the implementation of the duty.

The heads of the prosecuting authorities throughout the UK are committed to improving collaboration and sharing best practice. On 26 September 2019, in furtherance of the commitments signed by the Lord Advocate and the other heads of the UK prosecuting authorities in 2016, the **Lord Advocate hosted delegations** of prosecutors and police officers from Scotland, Northern Ireland, England and

9 <http://www.legislation.gov.uk/asp/2015/12/section/38/enacted>

10 <https://consult.gov.scot/justice/duty-to-notify-and-provide-information/>

11 <https://www.gov.scot/publications/consultation-report-section-38-human-trafficking-exploitation-scotland-act-2015-duty-notify-provide-information-victims/>

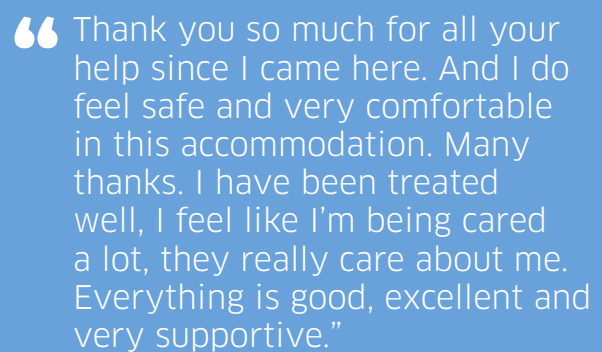
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Wales. The delegates explored a variety of subjects including:

- trends in detection and prosecution of human trafficking and exploitation offences;
- experiences of ‘victimless prosecutions’;
- the operation of the statutory defences which exist in England, Wales and Northern Ireland and the challenges that prosecutors in England and Wales have encountered as a consequence; and
- a discussion about the admissibility of expert evidence on the subject of whether an accused person is a victim of trafficking or exploitation.

COPFS has maintained its internal structure of local lead human trafficking prosecutors. The list of prosecutors has been refreshed throughout the year and a description of the roles and responsibilities of the lead prosecutors is available to COPFS colleagues.

COPFS have **updated guidance for prosecutors** to highlight the offences most commonly associated with trafficking and exploitation. In May 2019, to supplement the e-learning package published in 2018/19, face-to-face training was provided to the local lead prosecutors at the Scottish Prosecution College. This highlighted the availability of section 5 of the Act relating to aggravations and instances when it could be applied.



“ Thank you so much for all your help since I came here. And I do feel safe and very comfortable in this accommodation. Many thanks. I have been treated well, I feel like I’m being cared a lot, they really care about me. Everything is good, excellent and very supportive.”

In October 2019, Police Scotland took part in an event organised by the Judicial Institute of Scotland to increase awareness in preparation for presiding over human trafficking cases.

Extensive human trafficking training has been carried out among operational police officers, staff and partner agencies to improve awareness and detection of human trafficking offences. This includes a week-long ‘classroom based’ national **Human Trafficking Investigators Course**, delivered at the Scottish Police College and inputs to the Multi-Agency (Police Scotland, Scottish Fire and Rescue Service and the Scottish Ambulance Service) Joint On Scene Command Programme. In addition, over 12,700 Police Scotland officers have completed online human trafficking training.

The **National Human Trafficking Unit** has delivered more than 60 awareness raising presentations on request to organisations including:





- Scottish Fire and Rescue Service
- Scottish Universities
- NHS
- Local Authorities
- Retail Sector
- Religious Institutions
- Eurojust
- Europol
- Child Protection and Care services

During 2018/2019, the number of human trafficking crimes recorded by Police Scotland increased by 85.5% compared to 2017/18. Awareness raising has contributed to the significant rise in the number of human trafficking and exploitation incidents reported, recorded, investigated and prosecuted.

In September 2019, Police Scotland hosted a **National Human Trafficking conference** at the Scottish Police College with over 200 delegates. The conference focused on the investigation and prosecution of human trafficking offences and the keynote speech was delivered by the **Independent Anti-Slavery Commissioner, Dame Sara Thornton**. Other speakers included the Cabinet Secretary for Justice and representatives from the NCA, TARA, Migrant Help, COPFS, Europol, Police Scotland and Consortium of Anti-trafficking Research in Scotland (CATRiS).

The event brought together human trafficking practitioners, enforcement officers, third sector partners, criminal justice partners, international law

enforcement and human trafficking researchers from all over the UK to share learning experiences. This included organisational learning from human trafficking investigations and victim engagement.

The second annual progress report advised that the Serious Organised Crime (SOC) Taskforce had developed an online training resource for local authority enforcement officers. This resource covered a number of scenarios including highlighting some of the situations in which human trafficking and exploitation may be present and how staff can report their concerns. The resource was published in October 2019 and is publicly available<sup>12</sup>.

Police Scotland have developed a **Business Exploitation Document** to highlight a range of sectors in which organised crime groups may invest and exploit. The document contains a section on human trafficking and is aimed at professionals who procure goods and services. It offers a range of advice on what can be done to reduce the risk from serious organised crime and where further advice can be obtained.

Dundee City Council and East Lothian Council have incorporated nail bars into their public entertainment licensing regime. This means that nail bars cannot operate without a licence. The SOC Taskforce will work with other local authorities through the Society of Local Authority Lawyers and Administrators in Scotland (SOLAR), the Society of Local Authority Chief Executives

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<sup>12</sup> <https://socaware.scot/enforcement/>

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and Senior Managers (SOLACE) and COSLA to encourage wider adoption of this policy.

Police Scotland have carried out a number of awareness raising sessions for officers and communities on 'County Lines' (the movement of drugs from cities to urban and rural locations using vulnerable persons) and the exploitation of vulnerable people, highlighting the signs to look out for. The **SOC Taskforce** also hosted a child criminal exploitation conference in November 2019 which included sessions on human trafficking and 'County Lines'. More information on the conference can be found on page 43.

Work between Police Scotland and the Scottish Landlord Association is ongoing to raise awareness amongst private landlords of the use of privately rented property for the purposes of human trafficking and prostitution.

Police Scotland work with partners to support those who are most vulnerable to ensure the correct level of support is provided to every victim of trafficking. To meet this commitment, they have directed that an **IRD** must take place between relevant partners including police, local authority social work and health representatives (where appropriate) to ensure that victims needs are assessed and appropriate support measures are put in place. This commitment is documented in Police Scotland's new **Human Trafficking Standard Operating Procedure (SOP)** and will be included in Child and Adult Protection SOPs.

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

Operation Encounter is the national process whereby all human trafficking intelligence is gathered and assessed by the National Human Trafficking Threat Desk, based within the National Intelligence Bureau at the Scottish Crime Campus. They produce intelligence products which support operational enforcement teams to effectively target those involved in human trafficking and provide support to the victims.

Police Scotland have committed to encouraging investigating officers to consider all safety measures available to them and make an application to the relevant court for Trafficking and Exploitation Risk and Prevention Orders (TERO / TEPO) where the circumstances allow. Police Scotland have, in conjunction with the Scottish Government and the COPFS, developed **guidance and an online process** which officers can utilise to make TERO and TEPO applications. This will improve consistency and has increased the number of applications being considered. In early 2020, a number of applications are in progress.

Action Area 2 have detected emerging threats and identified crime trends for human trafficking and exploitation using the following methods:

- National Referral Mechanism (NRM)
- Creation of the National Human Trafficking Threat Desk





- Introduction of specific contact, command and control (STORM) codes for emergency and non-emergency calls to Police Scotland
- Calls to the Modern Slavery helpline
- Participation with, and analysis from the Modern Slavery Police Transformation Unit

In November 2019, Police Scotland introduced a **new human trafficking call type** to its call recording system. This has allowed more accurate recording of, and distinguishing between, initial human trafficking and immigration type incidents. There is also a recognition that victims of human trafficking often initially present as immigration cases and do not recognise or disclose their exploitation until a later date. Immigration calls to Police Scotland are closely scrutinised for this reason. Calls to Police Scotland relating to immigration rose from 371 in 2018 to 493 in 2019 - a 33% increase. Early trends in 2020 show continued significant increases in immigration and human trafficking calls.

Action Area 2 joint operations along with Border Force and other partners have included three NCA led intensification periods (Operation Aidant) during 2019 which focused on:

- sexual exploitation including adult services websites and child sexual exploitation;
- sex trafficking; and
- criminal exploitation.

Five further joint operations are planned for 2020 focusing on:

- adult services websites;
- labour exploitation;
- child trafficking;
- sexual exploitation; and
- criminal finances.

An additional **Operation Aidant** intensification period was held in January and February 2020 in direct response to the tragic loss of 39 Vietnamese nationals in Grays, Essex in 2019. This consisted of two weeks of disruption action specifically targeted at road hauliers. This enforcement action aimed to detect criminal activity and raise awareness among those who were knowingly or unknowingly facilitating human trafficking. In Scotland there was activity at ports and borders in the south west.

**Operation Relbia** took place in November 2019 and was a joint multi-agency initiative led by Border Force at Glasgow Airport. This month-long intensification period aimed to enhance and develop experience in identifying and disrupting perpetrators and traffickers and formulate a robust multi-agency approach to enable increased intelligence gathering, leading to improved outcomes such as prosecution and perpetrator removal. Some of the highlights included:

- involving and organising multiple partners to buy-in and participate in a large operation. This was achieved successfully and flagged some important lessons with

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regards to the set up on the ground which will assist in any similar operations going forward;

- the value of involving so many partners and creating a common focus on human trafficking can't be underestimated in terms of raising awareness and increasing the commitment to identifying and addressing these issues; and
- a number of intelligence streams have emerged which may lead to additional interventions. The feedback from all agencies involved was positive.

“ These people are clever, they watch you all the time and they never leave you alone. They are listening to what you say to official people.”

A number of human trafficking investigations have been carried out by International **Joint Investigation Teams (JITs)**. Romanian law enforcement officers were seconded to Police Scotland in 2019 and also worked in conjunction with the Police Service of Northern Ireland (PSNI) to tackle trafficking for sexual exploitation and sham marriages. These secondments will continue in 2020.

There are a number of ongoing joint investigations between Police Scotland and international law enforcement agencies. A significant conviction was secured in respect

of a joint Police Scotland and Slovakian police investigation and further information is available on page 26. Police Scotland will continue to work with international partners, seeking opportunities to share knowledge and promote effective working relationships.

The considerable increase in NRM referrals from Scotland (see page 11) has been particularly prominent for Vietnamese nationals. This has proven challenging and planning is well underway to have **Vietnamese law enforcement officers** seconded to Police Scotland within the next 12 months. They will work in collaboration with the NCA and Border Force and will assist greatly in engaging with Vietnamese victims and building a picture of their journey to and within the UK.

In response to the significant increase in Vietnamese victims of trafficking referred to the NRM, Police Scotland has created a dedicated team under **Operation Filibeg**. The scope of this team is to build a comprehensive intelligence picture of the experience of trafficking victims and the networks of criminals who exploit them. The team will work with national and international law enforcement agencies, local authorities, third sector partners and victims themselves to improve understanding of this complex issue and to direct Police Scotland's efforts to bring those involved in human trafficking and exploitation to justice.

The **GLAA** have continued to provide a number of awareness raising and training sessions to frontline staff throughout



Scotland. This has been done both individually and in conjunction with Police Scotland and Migrant Help. GLAA have delivered a number of sessions to local authority staff including those in Inverclyde, Glasgow City and Fife. GLAA have also delivered sessions to the Scottish Fire and Rescue Service and to the Angus Growers Forum.

GLAA have been involved in a number of investigations alongside Police Scotland including a large operation in Fife where over 100 staff from various agencies were deployed, ensuring the welfare of workers was the primary objective.

GLAA are working with a number of partners to both re-establish working relationships and create new opportunities for joint working and intelligence sharing and this is something which will continue over the next year and beyond.

Since April 2016, **HMRC** have visited 779 businesses within Scotland where they have suspected illegal working. Since May 2018, HMRC have met 232 inbound flights between Glasgow and Edinburgh airports, interacting with 1,318 individuals.

HMRC find that there is a tax compliance issue in about 80% of the businesses it visits:

- In some instances – particularly where the business has just started and the owner is inexperienced – HMRC provide assistance to the owner so as to ensure future compliance;
- Where the business has failed to register with HMRC – i.e. is a ‘ghost’ – HMRC refer

it to their Hidden Economy Team;

- Where there are National Minimum Wage issues, HMRC refer to that team;
- Where there is evidence of tax evasion but the amounts at risk are modest, HMRC refer to their Individuals & Small Business Compliance teams; and
- Where the amounts at risk may be significant or the owner operates a number of businesses or there is suspicion that the business is fronting or has links to organised criminal activity, HMRC retain these cases for investigation.

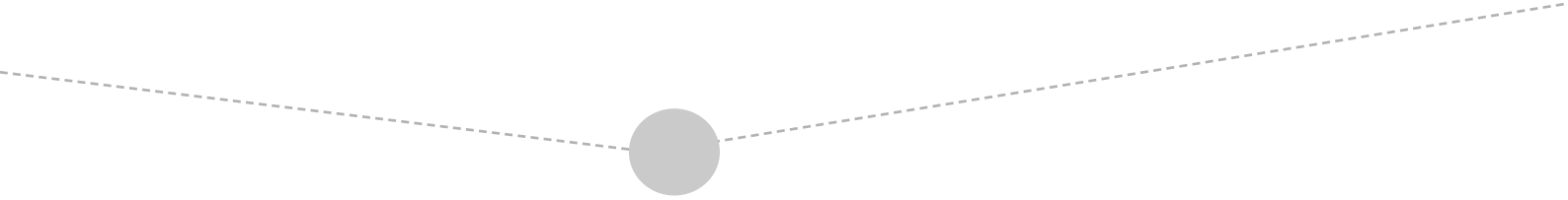
Around 70% of cases where HMRC find compliance issues will be subject to some form of review which may result in enforcement action. Visits are planned using a risk based approach and represent disruptive activity themselves.

“ Psychological support is fundamental to being able to use other support and recover.”

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

Since the introduction of the Human Trafficking & Exploitation (Scotland) Act 2015, over a thousand human trafficking related crimes have been recorded for investigation under the Scottish Crime Recording Standards with 46 cases reported to the COPFS for consideration of prosecution. There is a significant difference

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between these numbers as a reported case may often include a number of crimes, the human trafficking crime heading covers a wide range of different offences which, after investigation, may be changed to reflect the circumstances of the case.

### Operation Synopsis

Operation Synopsis was a Police Scotland led investigation, which commenced in September 2014. The operation was a joint investigation with the Metropolitan Police Service and Slovakian Police. The investigation related to the trafficking of a number of Slovakian females aged approximately 18-25 years of age, who were trafficked from Slovakia to the UK for the purposes of sham marriages.

A number of the trafficked females had also been sexually exploited as prostitutes. Fourteen potential victims of trafficking (PVoT) were identified and supported as a result of the operation. The females recruited were generally vulnerable individuals from impoverished backgrounds; they had poor levels of education and were tricked into coming to the UK with the promise of legitimate employment or some form of financial reward.

The females were trafficked by bus from the south east of Slovakia through Europe to seaports in the south of England before onward travel to Glasgow. The main principle was assisted by a number of Slovakian nationals, both in Slovakia and Glasgow, many of whom were direct or extended family members. The majority of PVoTs resided briefly with the main principle or his family members prior to being sold.

A fee of anywhere from £3000 to £8000 was paid to the traffickers for each female exploited. Following the 'marriage', the females were expected to reside with the purchaser or they would be re-trafficked or forced into prostitution.

In October 2019, four members of the crime group were convicted of a number of offences and sentenced to a total of 36 years in prison. Trafficking and Exploitation Prevention Orders were also obtained in respect of all accused.

On 7 November 2019 at **Edinburgh High Court**, a Romanian male was found guilty of human trafficking by exploiting the labour of five persons in an agricultural setting. The victims were made to carry out heavy manual labour for very little pay while the accused deducted large amounts of money from their wages in payment for their sub-standard living accommodation. The court imposed a TEPO on top of a non-custodial sentence to prevent further offending and protect potential victims. This brought the total number of TEPOs granted to eight.

Between January and March 2020, 12 cases involving 24 persons have been reported to the COPFS in connection with human trafficking. A number of victims including UK nationals have been identified and safeguarded as a result of these arrests.

Between implementation of the Human Trafficking & Exploitation (Scotland) Act 2015 and 31 March 2020, COPFS has received 46 cases from Police Scotland which have included charges in terms of the Human Trafficking and Exploitation (Scotland) Act 2015.

- In 21 of those 46 cases, prosecutors have taken action in relation to charges in terms of the 2015 Act.
- In 4 of those 21 cases, 5 individuals have been convicted of charges in terms of the 2015 Act.



- In 5 of those 21 cases, the accused person was acquitted of a charge in terms of the 2015 Act. (In 3 of these cases the accused person was convicted of another charge).
- In 3 of those 21 cases, no further action was taken in relation to charges in terms of the 2015 Act.
- In 9 of those 21 cases, proceedings are ongoing in relation to charges in terms of the 2015 Act.
- In 9 of those 46 cases, no action was taken in relation to charges in terms of the 2015 Act but action was taken in relation to other charges.
- In 10 of those 46 cases, a decision on whether to take action in respect of all charges is being considered.
- In 6 of those 46 cases, prosecutors decided to take no action in respect of all charges at the outset.

COPFS has continued to centrally monitor cases, which involve offences that, on conviction, trigger the power of the Courts to impose TEPOs. In total, nine people have been convicted of relevant offences in terms of the Human Trafficking and Exploitation (Scotland) Act 2015 since TEPOs came into effect. Of those individuals, eight have been made subject to TEPOs.

### **Looking Forward**

The increasing numbers of victims being trafficked to, and exploited within, Scotland continued in 2019. The number of reports to the COPFS and TEPO applications are also on the rise while TEROs are being considered as part of disruption tactics. Current

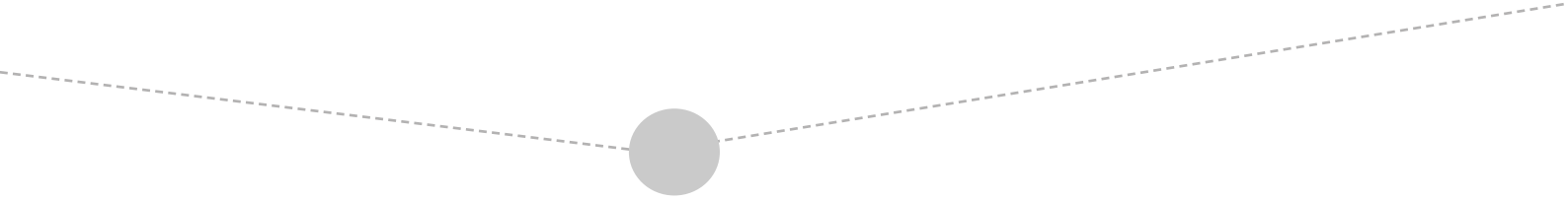
intelligence and crime trends also suggest there is no evidence that the increase in trafficking activity will decrease in the short or medium term. This increase along with the lessons learned from the previous three years have informed and transformed the efforts of the Action Area 2 Group and has resulted in Police Scotland proposing a restructure of the National Human Trafficking Unit, including a significant uplift in numbers of officers, to transform its investigative capabilities. This will continue to be supported by a network of specialist human trafficking Divisional investigators and provision of awareness and specialist training to practitioners. This model will put Scotland at the forefront of human trafficking and exploitation investigation in the UK.

Police Scotland will strengthen its working relationships and alliances with other UK law enforcement agencies including the COPFS, Modern Slavery Units in other police forces and the Crown Prosecution Service through continued participation in the UK Prosecutors' Strategic Group to ensure a joined up approach throughout the UK.

The UK's decision to leave the European Union may have a significant impact on the number of persons being trafficked to and exploited in Scotland. This is set against a background of major increases in the numbers of persons being entered into the NRM process. Continued collaboration with local, national and international partners, including Romanian and Vietnamese law enforcement agencies aids understanding as to why Scotland is an attractive destination and how such criminal activities can



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be disrupted. Romanian Officers have been seconded to Police Scotland and embedded within the International Unit to assist with investigations including human trafficking and exploitation and to improve international working relations. The secondments are for a fixed period and agreement has been reached for this arrangement to continue for the foreseeable future.

Awareness raising of the criminal exploitation of vulnerable UK victims of human trafficking is ongoing. Work to increase opportunities around “County Lines” continues with a focus on the application of human trafficking offences in charges against perpetrators. Scotland is known to be an importer of “County Lines” activity with no known exporter drug networks.

Action Area 2 will tackle the issue of national and international labour exploitation, an area of criminality which often happens in remote and ‘out of sight’ locations such as offshore, farm and manufacturing settings. Regional human trafficking leads will be appointed with the remit of determining the extent of such exploitation and developing strategies to effectively tackle this including collaborative working with HMRC, Border Force and the GLAA.

The UK Modern Slavery Operational Prevention Group brings together operational partners from across government to seek opportunities to collaborate on action to prevent modern slavery in the UK, and to share intelligence and expertise to support one another in this

work. ‘Preventing modern slavery’ involves work to prevent both victims and offenders from becoming involved in modern slavery, early interventions and managing the consequences of exploitation. Action Area 2 partners will contribute to the Group.

The CATRiS are a coordination unit for academic research on trafficking, including human trafficking in Scotland. The consortium was created in 2018 with a view to becoming a repository of knowledge in this field and to link up researchers previously working in silos to share research topics and results. The aim of the consortium is to reduce duplication of effort and ensure previously unpublished work is available to others working in the field. CATRiS are in the early stages of preparing funding bids for their work and Police Scotland will look for opportunities to collaborate and engage where possible. Further information on CATRiS is available on page 31.

Police Scotland launched a successful marketing campaign in October 2018 to coincide with Anti-Slavery Day which highlighted trafficking for sexual exploitation. This included posters, press release and a social media campaign. Planning is underway for Police Scotland’s second national marketing campaign to be run in 2020/2021 and this will align with the proposed Scottish Government campaign later this year.

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## Section 3

# Action Area 3 – Address the conditions that foster trafficking and exploitation

### Implementation Structures

Action Area 3 focuses 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 meets on a quarterly basis. The group is chaired by the Scottish Government.

Membership of the group includes:

- 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 (IJM)

### Looking back

The second annual progress report identified five different strands of work that Action Area 3 would continue to deliver and take forward during 2019/20, further detail of which can be found in this chapter. These were:

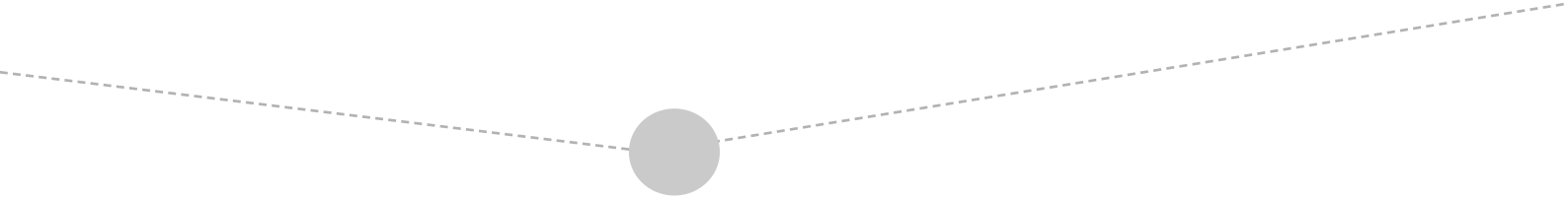
- Public awareness raising activity will continue, including work with partners to co-ordinate opportunities and approaches. A key focus will be on Anti-Trafficking Day, 18 October 2019.
- The Scottish Government will give further consideration to the latest TNS Survey results and use the findings to shape our messaging in the coming year.
- The Action Area 3 Implementation Group will develop existing links with the Consortium of Anti-Trafficking Researchers in Scotland (CATRiS) to ensure that research can benefit policy and practice in Scotland.
- The Corporate Group will consider next steps on business engagement in order to mitigate the risks of trafficking and exploitation within operations.
- The Scottish Government will consider the publication of a Slavery and Human Trafficking Statement.

### 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 traffickers to justice and get support to those who have been exploited.



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The Scottish Government commissioned a fourth annual **public awareness study** in early 2020 to build on evidence from previous years on whether awareness is improving and what aspects continue to prove challenging. As in previous years, this was planned as a series of around 1000 face-to-face surveys with a sample weighted to match population profiles of the Scottish population.

However, only one of the four waves of face-to-face surveys had been completed this year when these had to be stopped due to the COVID-19 restrictions. In the circumstances, a decision was made to restart the survey using **online methodology** (1,006 adults, during the first week of April). 317 face-to-face interviews had already been completed and the results of these surveys have been incorporated into the report as a separate dataset.

The face-to-face dataset is limited by its small sample size and lack of population weighting. However, it provides a better comparator with previous years because of the consistent methodology, and the findings are generally in line with previous surveys. The results of the online survey cannot be directly compared with previous years' surveys.

It continues to be true that respondents see human trafficking as less of an issue closer to home. In the latest survey, 41% of online and 60% of face-to-face respondents viewed human trafficking as an issue 'to a great extent' in Europe but this reduces to 14% (online) and 13% (face-to-face) of respondents who believe it is an issue 'to a great extent' in Scotland.

This year, there was a noticeable increase in respondents who think that human trafficking is an issue 'to a great extent' in their local area of Scotland – rising from 4% in 2019 to 8% in 2020 in the online survey. While this increase cannot be directly compared due to the change in methodology, greater awareness of issues in the local area is positive.

When respondents were asked what they would do if they suspected someone had been trafficked and was being exploited, 86% of the online respondents said they would report concerns to police, which is an increase of 3% on the results in 2019. Again, this is a positive indicator.

More detail on the findings of the surveys can be found in the report which is available online<sup>13</sup>.

The move to an online survey for 2020 was an unplanned response to the COVID-19 pandemic, but it has provided a helpful comparison in methodologies, which will be considered in planning any future surveys.

The Scottish Government promotes the UK-wide **Modern Slavery Helpline** (08000 121 700) in marketing materials and communications activity, encouraging members of the public to report any concerns they may have through the phone line, website or app.

The helpline has published quarterly reports covering 2019, though their annual report was not yet available at the time of writing

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13 <https://www.gov.scot/publications/trafficking-and-exploitation-strategy-review-public-awareness-survey-analysis/>



this report. These reports show that the total number of referrals to the helpline from Scotland increased slightly – from 180 in 2018 to 190 in 2019 – and that the route for reporting had shifted significantly towards **online rather than the phone line** – 37% of 2019 referrals were online or app-based compared with only 21% in 2018. This demonstrates the importance of offering online referral routes to the public, which is a specific commitment in the Strategy.

“ If he [the buyer] doesn't kill me, the man [trafficker] will. You just have to do it. Who would know if I was dead?”

The Scottish Government had planned a **marketing campaign** to raise public awareness of human trafficking, following on from the successful campaign in autumn 2017. This was to include digital, tv and press adverts, and new materials were developed, focusing specifically on raising understanding of how to spot the signs of trafficking. The campaign was planned to launch in May 2020, but given the impact of the COVID-19 pandemic, the decision was made to push this back to later in 2020 when it may have greater impact.

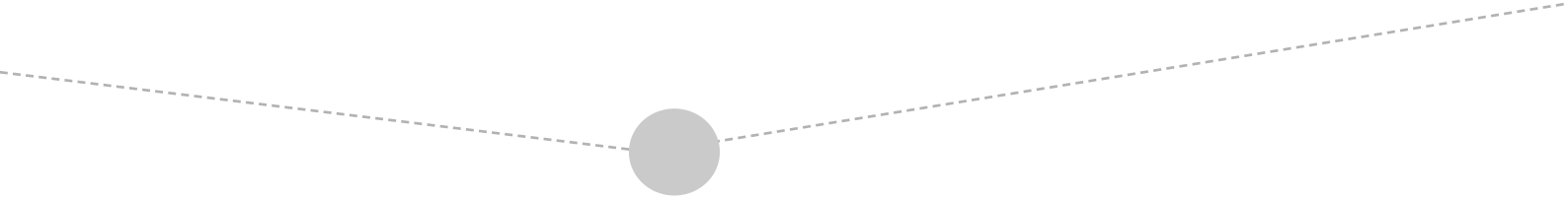
The Scottish Government and partners have continued to make use of opportunities for news coverage of human trafficking issues, including the launch in June 2019 of the Duty to Notify consultation and in October

of the NHS and Convention of Scottish Local Authorities (COSLA) human trafficking guidance documents. In March 2020, the **joint communications planning group** was reformed to improve coordination and effectiveness of messaging. This group includes Police Scotland, Trafficking Awareness Raising Alliance (TARA), Migrant Help, Crown Office and Procurator Fiscal Service (COPFS) and others.

The **Consortium of Anti-Trafficking Researchers in Scotland (CATRiS)**, is now entering its second year of operation and sits at the nexus between researchers at Scottish Higher Education institutions, the Scottish Government, Police Scotland and the third sector in Scotland. CATRiS is exploring its potential to develop into a full research hub for Scotland, or to remain as a liaison and collaboration service helping to form partnerships between independent researchers throughout the Higher Education sector in Scotland.

Scotland boasts a significant number of committed and knowledgeable researchers, policymakers and practitioners in this and related areas, and the benefits of building partnerships between these different sets, with a shared focus, cannot be ignored. Researchers in Scotland, although often not focusing directly on anti-trafficking issues, nevertheless span areas of research that explore the drivers of trafficking, and the potential responses to it. There is a need for knowledge gaps to be identified, possible research work to be explored and authors brought together to share ideas, collaborate, and feed evidence forward to those stakeholders that are providing a direct

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policy or practitioner response in the area of anti-trafficking.

Funding is being actively pursued, with CATRiS looking to potentially operate on five platforms:

- Stewardship: providing a central repository of information;
- Teaching and Research: anti-trafficking information in the curriculum of universities across Scotland;
- Raising Awareness: throughout student and staff communities in universities;
- Civic Leadership; supplying data and evidence to inform policy development in government; and
- Information Sharing: with enforcement and charity agencies working on the frontline of trafficking.

During October 2019, the Rah Rah Community Theatre Company again brought its production of 'My Mind Is Free' to Scotland to mark Anti-Slavery Day. The production tells the interlinked stories of four people trafficked to and within the UK and their horrifying experiences. Through funding from the Scottish Government in partnership with Migrant Help, ACTS (Action of Churches Together Scotland), Foundation Scotland and the Souter Charitable Trust, nine performances were delivered across the country in venues ranging from secondary schools to the Scottish Parliament.

The compelling depiction of trafficking and exploitation through the production is a powerful tool in raising awareness of this issue with multiple segments of society.

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

Businesses have a key role in identifying, tackling and preventing human trafficking. The Scottish Government established a **Corporate Group** to engage business interests and support implementation of the Strategy in 2017. Plans to expand and relaunch the Corporate Group in 2020 have had to be delayed as a result of the COVID-19 pandemic but will be picked up later in the year.

Following the independent review of the UK's Modern Slavery Act 2015, the Home Office held a public consultation in July-September 2019 around reforms to the obligation on businesses to produce and publish **Slavery and Human Trafficking Statements**. The Scottish Government supported this process, including hosting a joint session with the Home Office and Scottish stakeholders to ensure their views were captured. The reforms which were consulted on include more specific requirements around what statements should contain, introduction of some degree of enforcement, and an extension of the obligation to public sector bodies that meet the budget threshold.

**Public procurement** is also crucial. Buyers across the public sector in Scotland are being encouraged to consider human trafficking and exploitation systematically alongside other socio-economic and environmental factors through use of the national sustainable procurement tools and supporting guidance<sup>14</sup>.

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14 <https://www.gov.scot/collections/sustainable-procurement-guidance/>



The tools and guidance have been designed to help public bodies comply with policy and legislation, including how to take an ethical approach in their procurement activity. To promote a range of measures in place aimed at helping to reduce the risk of human trafficking and exploitation in the performance of public contracts, a Scottish Procurement Policy Note\_(SPPN 3/2020)<sup>15</sup> was published in February 2020.

Tools and resources that were developed primarily for public sector use can also be useful to the private sector, and this was a key learning point from a Chartered Institute of Procurement and Supply (CIPS) East of Scotland event in February 2020, delivered jointly with the Scottish Government.

The key aims of civic licensing are the preservation of public safety and the prevention of crime. The legislative framework for a discretionary civic licensing regime for sexual entertainment venues (SEVs) has been in place in Scotland since late April 2019. The Scottish Government has also published guidance to assist local authorities in relation to their licensing of SEVs. Local authorities are best placed to reflect the views of the communities they serve, and the discretionary licensing regime for SEVs allows them to consider local circumstances in setting the number – which can be zero – of SEVs permitted to operate within their area, and thereafter to exercise appropriate control and regulation of these venues. Where a local authority decides

to licence SEVs, licensing conditions and enforcement will help to protect the safety and wellbeing of performers, customers and the wider public; and will also help to reduce the risk of criminality such as prostitution. This means that local communities benefit from a safer, regulated environment.

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

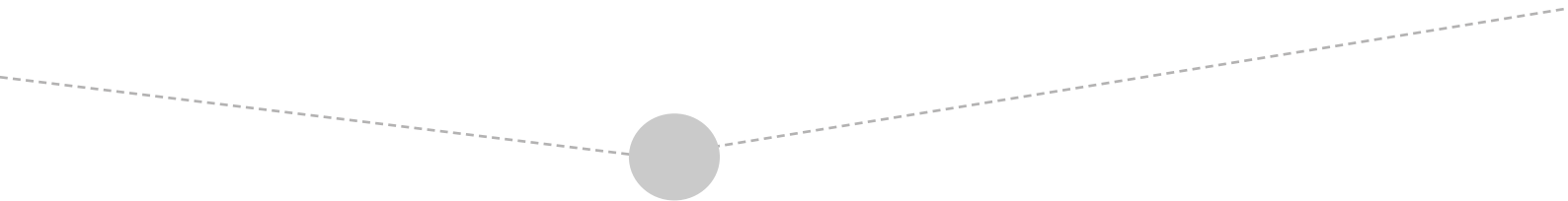
The UK's exit from the European Union, associated ending of free movement and the UK Government's proposals for the Future Border and Immigration System will have a disproportionate effect on Scotland, which has benefitted from welcoming high levels of EU citizens to live, work and study.

The agricultural and soft fruits sectors will be particularly affected given average lower salaries and the lack of formal educational requirements associated with these roles. As a result, there is likely to be an increased reliance on short-term working visa schemes to fill labour shortages and a need to ensure workers participating in these schemes are safe and supported.

The Scottish Government has agreed funding of £48,000 to Focus on Labour Exploitation (FLEX) over 2019/20 and 2020/21 **towards an anti-trafficking and exploitation project** aimed at workers participating in the UK Government's Seasonal Agricultural Workers Pilot Scheme (SWPS). The SWPS was launched in spring 2019 to allow 2,500 non-EU workers to come to the UK to work in edible horticulture (fruit and vegetables) for a six month period.

<sup>15</sup> <https://www.gov.scot/publications/reducing-the-risk-of-human-trafficking-and-exploitation-in-the-performance-of-public-contracts-sppn-3-2020/>

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FLEX will partner with Fife Migrants Forum to develop:

- **Information tools** for workers to understand their labour rights and entitlements and to document their hours, conditions and treatment at work;
- **Direct outreach** with workers to collect on-going information about conditions and link the workers to available support services;
- **Ongoing engagement and information sharing** with a range of stakeholders including the Scottish Government Human Trafficking Team, Agricultural Wages Board and the GLAA; and
- **Documentation** of the key risks and vulnerabilities to human trafficking and exploitation, and proposing concrete strategies to prevent labour exploitation for future workers coming to the UK.

The COVID-19 pandemic will impact on the seasonal workers scheme, but FLEX have developed a restructured approach which maintains the quality and value of the project.

### **Child Poverty**

Delivering reductions in child poverty remains a key priority for Scottish Ministers, in line with the ambitious targets committed within the Child Poverty (Scotland) Act 2017. In 2018/19, it was estimated that the Scottish Government invested over £1.4 billion in funding to support low income households, £527 million of which was targeted directly at children in low income families. The Scottish Budget 2020/21 outlined that expected investment in the coming year would be of at least that level.

Scottish Ministers published their first annual report on progress in June 2019<sup>16</sup>. This outlined that 48 of the 58 actions committed in the Tackling Child Poverty Delivery Plan (2018-22), are either in progress or delivered. Key progress includes:

- Introducing the new game-changing **Scottish Child Payment**, worth £10 a week per child to low-income families with a child under six, by the end of this year – significantly ahead of the timetable set out in the Delivery Plan.
- Increasing the School Clothing Grant, from the start of the 2018/19 academic year, to a new minimum of £100 per eligible child, in partnership with local authorities, benefitting 120,000 children each year.
- Using our new social security powers to put money directly in the pockets of those who need it, including £12.4 million for the Best Start Grant, across the three payments, which can provide a two child family with financial support of £1,900 in their children’s early years, as well as an £8 million investment in 2019/20 for Best Start Foods so families on low incomes can purchase additional healthy and nutritious foods for young children.
- Investing £3.3 million in The Money Talk Team service which has helped 7,223 low income households share over £13 million – averaging £1,800 each – through increased benefit uptake and savings on essential services.

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16 <https://www.gov.scot/publications/tackling-child-poverty-delivery-plan-first-year-progress-report-2018-19/>





Scottish Ministers will continue to report annually on progress made in relation to both the targets set and delivery of actions committed.

### **Refugees, asylum seekers and migrants**

As detailed in the second annual progress report, the second New Scots<sup>17</sup> 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 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. The Year 1 progress report<sup>18</sup> was published in April 2019, setting out a summary of the first year of implementation.

COSLA, jointly with the Scottish Government, published guidance<sup>19</sup> in February 2019 to assist Scottish local authorities in meeting their statutory duties to support migrants and asylum seekers who have no recourse to public funds and are vulnerable to exploitation and trafficking. It provides information for people working in all sectors, who need to establish support options and entitlement to services, and highlights specific considerations for working with children and young people, adults with disabilities, and survivors of trafficking or domestic abuse that may require a targeted response.

### **Homelessness**

We are committed to preventing and ending homelessness and rough sleeping in Scotland. We are doing this through our Ending Homelessness Together Action Plan<sup>20</sup>, which sets out how we are acting together across public services to implement shared solutions to these challenging issues. This is backed by our £50 million Ending Homelessness Together Fund, which aims to transform homelessness services.

Given the crucial role of getting people into settled housing as quickly as possible, £32.5 million has been invested in ending homelessness through the delivery of Rapid Rehousing and Housing First in partnership with local authorities. The progress report<sup>21</sup>,

17 <https://www.gov.scot/publications/new-scots-refugee-integration-strategy-2018-2022/>

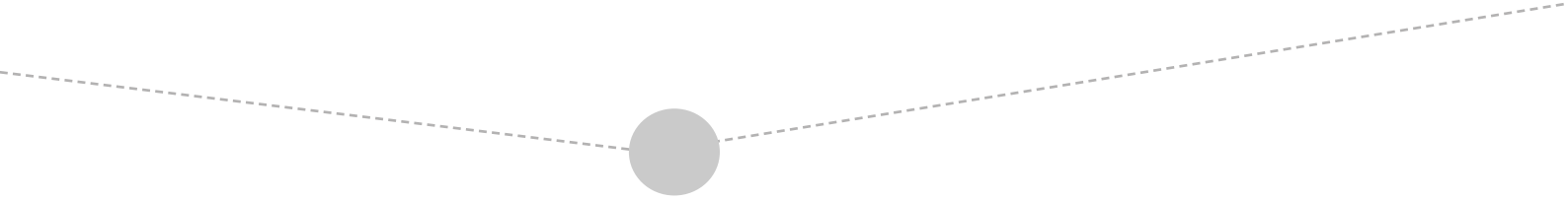
18 <https://www.gov.scot/publications/new-scots-refugee-integration-strategy-year-one-progress-report/pages/10/>

19 <http://www.migrationscotland.org.uk/uploads/Migrants%20Rights%20and%20Entitlements%20Guidance.pdf>

20 <https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2018/11/ending-homelessness-together-high-level-action-plan/documents/00543359-pdf/00543359-pdf/govscot%3Adocument/00543359.pdf>

21 <https://www.gov.scot/publications/ending-homelessness-together-action-plan-annual-report-parliament/>

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published on 14 January 2020, showed that 39 out of 49 measures had been progressed in the first year of the Ending Homelessness Together Action Plan, with the remainder to be progressed during 2020.

The work on meeting the measures contained in the action plan helped contribute towards a rapid and co-ordinated response to the COVID-19 pandemic to support homeless people in Scotland. Since 23 March, we have provided around £700,000 to third sector organisations to enable them to acquire emergency hotel accommodation for people experiencing, or at risk of experiencing homelessness such as rough sleepers and people with no recourse to public funds.

We have introduced emergency legislation to increase the eviction notice period, depending on the grounds used, for up to six months for private and social tenants. This will protect private and social tenants from eviction and provide security to households facing financial hardship in the coming months. Rapid rehousing and Housing First will be at the centre of our COVID-19 recovery strategy.

### **Violence against women and girls**


Violence against women and gender inequality make women vulnerable to trafficking and exploitation. The Scottish Government is committed to tackling violence against women and girls and is implementing **Equally Safe**, Scotland's strategy to prevent and ultimately eradicate this violence. In November 2017, the Scottish Government and COSLA published a delivery plan containing 118 commitments

across four priority areas to help prevent violence before it occurs, strengthen frontline services and hold perpetrators to account.

Following publication of the Delivery Plan, these work streams were disbanded and progress with the strategy is now driven forward through governance mechanisms. These include a Joint Strategic Board which is chaired at Minister and Spokesperson level, and a Joint Delivery Group to ensure that each action is being delivered and multi-agency working is embedded both nationally and locally.

As part of the ongoing implementation of National Outcome 4 of Equally Safe, which commits to action so that 'men desist from all forms of violence against women and girls, and perpetrators of such violence receive a robust and effective response,' the event "Purchasing Power – Men Who Buy Sex" was held on 3 March 2020. This was organised by a partnership between Glasgow City Council Women's Services, NHS Health Scotland and the Women's Support Project it. The conference explored the links between commercial sexual exploitation and other forms of violence against women and highlighted efforts to tackle this nationally and internationally. The event was opened by Ash Denham, MSP, Minister for Community Safety.





“Trafficked women are the ones with the experience, we know what we have been through and how it all works.”

### Sustainable Development Goals (SDG)

Scotland's **National Performance Framework**<sup>22</sup> (NPF) integrates the 17 SDGs alongside the 11 National Outcomes and is an important part of Scotland's localisation of the SDG agenda. The NPF provides a platform for collaboration based on delivering the National Outcomes and the SDGs. Action is required on both the Outcomes and SDGs simultaneously. The main mechanisms by which the UN nations are expected to report on their performance towards the SDGs are “Voluntary National Reviews” (VNR).

The UK Government VNR<sup>23</sup>, with contributions from the Scottish Government and the other devolved administrations was published in June 2019 and presented to the UN by the UK Government Secretary of State for International Development in July 2019. The Scottish Supplementary Review, developed collaboratively with COSLA and the SDG Network Scotland will be published in spring 2020.

Scotland's Wellbeing - Delivering the National Outcomes<sup>24</sup> was published in May 2019. This report shows how Scotland has changed and how Scotland is placed, one year on from the publication of the refreshed NPF. The report brings together existing data and analysis on key issues, trends and features which the evidence suggests are important to consider when making decisions on policy, services and spending.

### International action

One element of the prevention focus of Action Area 3 is considering the international aspects of trafficking. By improving links and taking early action it is possible to address trafficking before victims reach Scotland, and improved provision for the return of survivors can prevent re-trafficking.

Police Scotland has continued to strengthen its **international approach** to trafficking despite the challenges of Brexit, including through secondment of Romanian officers and work towards the secondment of Vietnamese officers. More detail on this can be found in the Action Area 2 section.

22 <https://nationalperformance.gov.scot/>

23 <https://www.gov.uk/government/publications/uks-voluntary-national-review-of-the-sustainable-development-goals>

24 [https://nationalperformance.gov.scot/sites/default/files/documents/NPF\\_Scotland%27s\\_Wellbeing\\_May2019.pdf](https://nationalperformance.gov.scot/sites/default/files/documents/NPF_Scotland%27s_Wellbeing_May2019.pdf)

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## International roundtable

In November 2019, the Cabinet Secretary for Justice chaired a roundtable discussion attended by the Minister for Europe, Migration and International Development, Non-Governmental Organisations (NGOs) and other key stakeholders involved in **international work related to human trafficking**. The meeting was a very useful step in considering what more the Scottish Government could do internationally. A number of points were also raised around the lack of empirical data, how best to share knowledge and research publicly and work with regulatory bodies to explore opportunities to utilise existing licensing powers to tackle exploitation in small businesses.

## Looking Forward

Although significant progress has been made in engaging with businesses in Scotland, raising awareness and increasing compliance with the Modern Slavery Act 2015, there is an opportunity to build on this by building partnerships with key Scottish business leaders, including through strengthening and relaunching the Corporate Group.

Following the Home Office's consultation on strengthening TISC requirements, the Scottish Government will work with partners to ensure effective implementation in Scotland.

The group will build on the work already done to raise public awareness, including consideration of how awareness raising activity can make the greatest impact on stopping trafficking and helping victims.

The group will consider further opportunities to target support and interventions towards those at most risk of trafficking.

On research, CATRiS at the University of St Andrews has made a good start towards drawing together existing research activity related to trafficking. The group will work with CATRiS to make more effective use of research and consider where further research may be required.

The international roundtable meeting hosted by the Cabinet Secretary for Justice has identified where some further work can be done towards strengthening international links and considering in-country work to prevent trafficking.

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## Section 4

# 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 co-ordinate and share information.

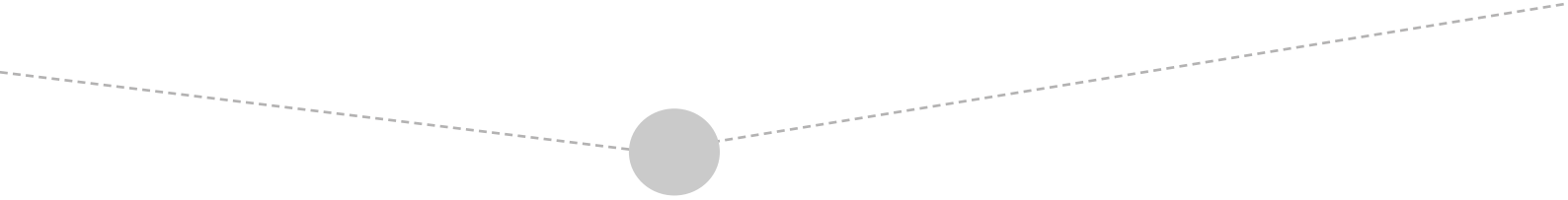
Membership of the group includes:

- Barnardo's
- Child Protection Committees Scotland
- City of Edinburgh Council
- Convention of Scottish Local Authorities (COSLA)
- Crown Office and Procurator Fiscal Service (COPFS)
- Every Child Protected Against Trafficking (ECPAT)
- Glasgow City Council (Glasgow City Health and Social Care Partnership)
- Home Office
- JustRight Scotland
- NHS Greater Glasgow and Clyde (NHS GGC)
- Police Scotland
- Scottish Children's Reporter Administration (SCRA)
- Scottish Government (child protection policy, human trafficking policy)
- Scottish Guardianship Service (Aberlour and Scottish Refugee Council)
- University of Stirling Centre for Child Wellbeing and Protection

### Looking Back

The second annual progress report identified a number of areas of work that the Child Trafficking Strategy Group (CTSG) would continue to deliver and take forward. This included:

- The Scottish Government would run a public consultation on Independent Child Trafficking Guardians to inform the development of the roles and responsibilities of this service and start the procurement process to implement the new statutory service.
- The Child Trafficking Strategy Group would consider how best to take forward the recommendations from the research on child trafficking by the University of Stirling to get a better understanding of the routes into trafficking for children in Scotland.
- Police Scotland would work on expanding the Partners Intelligence Toolkit (previously known as External Partners Portal for Intelligence Collection) and operate a trial.

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- The Scottish Government would continue to work with the Home Office on the proposals for National Referral Mechanism reform, to ensure a child-centred approach is considered.
  - The Scottish Guardianship Service would take forward a Befriending Service for unaccompanied children and young people.
  - The Scottish Government would reinstate a stakeholder reference group to oversee delivery of the remaining actions of the National Action Plan on Internet Safety for Children and Young People.
  - To further strengthen children's rights in Scotland, the Scottish Government would take forward work to incorporate the principles of the United Nations Convention on the Rights of the Child (UNCRC) into domestic law.

In this chapter, an update will be provided on how the above actions and the other work streams of the Child Trafficking Strategy Group have been taken forward in the last year to meet the outcomes of the three other Action Areas.

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

A consultation<sup>25</sup> seeking views on the role, functions and responsibilities of an **Independent Child Trafficking Guardian (ICTG)** was launched in August 2019 and ran for a period of 12 weeks. The consultation was split into two themes with part one considering the technical aspects of the role of the Guardian as set out in Section 11(7) of the Human Trafficking and Exploitation (Scotland) Act 2015 and part two considering the broader functions of the guardian's role. The responses to the consultation<sup>26</sup> were published in December 2019 and analysis of the responses were published in May 2020<sup>27</sup>.

We will draft a specification and invitation to tender informed by the consultation responses during summer 2020 and will invite applications from interested parties to manage the service. It is anticipated that the new service will be implemented in 2021.

As detailed in Section 1, the Scottish Guardianship Service, JustRight Scotland and TARA have **co-delivered training** across Scotland, raising awareness of human trafficking and exploitation to frontline public sector staff in Glasgow, Edinburgh, the Borders and Aberdeen. The training included practical information on the Lord Advocate's instructions to key frontline

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25 <https://www.gov.scot/publications/implementation-section-11-human-trafficking-exploitation-scotland-act-2015-independent-child-trafficking-guardians/>

26 [https://consult.gov.scot/looked-after-children-unit/independent-child-trafficking-guardians/consultation/published\\_select\\_respondent](https://consult.gov.scot/looked-after-children-unit/independent-child-trafficking-guardians/consultation/published_select_respondent)

27 <https://www.gov.scot/publications/independent-child-trafficking-guardians-consultation-analysis-report/>



services working with child victims of trafficking and children involved in offending behaviour.

The Scottish Government has been working with COSLA and JustRight Scotland to deliver **training to support the implementation of the updated age assessment: practice guidance**<sup>28</sup>.

The training is split over two days with the first day focusing on the legal aspects of age assessments, and the second day (which follows one week after the legal training) focusing on the practical implementation of the updated age assessment guidance from a social work perspective. The training sessions are targeted at frontline practitioners and first-line managers who will be conducting the age assessments. The first session took place in March 2020 and the remaining sessions will be delivered online over the coming months.

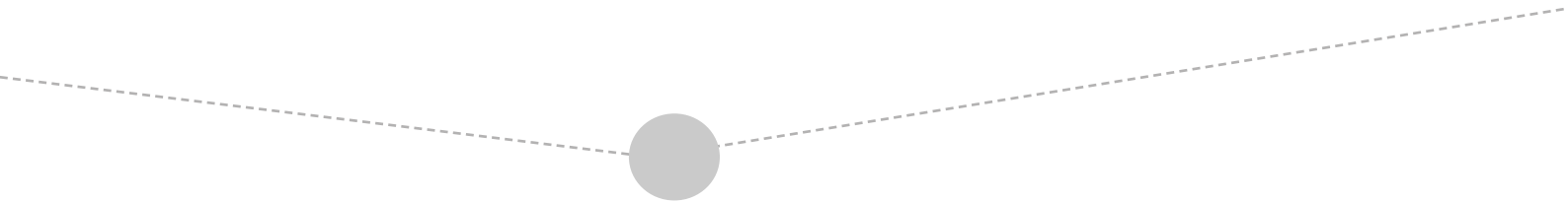
The Scottish Government, alongside key stakeholders, has been working with the Home Office on their proposals for making the **National Referral Mechanism (NRM)** more child-friendly. The Home Office attended the Child Trafficking Strategy Group meeting in October 2019 and led a session on their proposals for child-friendly NRM reforms. The Scottish Government is continuing to work with the Home Office to develop their proposals. As mentioned in the Action Area 1 chapter, work is ongoing to develop a toolkit which will assist those completing NRM referrals for children and adults.

To help ensure a child-centred approach is taken with child victims of trafficking, the Scottish Guardianship Service has been working with legal representatives and other partners to **improve the quality of asylum and trafficking statements** made by young people. The Scottish Guardianship Service has also been working with the Home Office to encourage a more sensitive and trauma-informed approach to dealing with cases where a child has been a victim of trafficking. The Guardianship Service has supported the Home Office to move interviews to a familiar and safe environment in the Guardianship office where there is a separate breakout space, access to refreshments, a bright friendly interview room and no security measures to go through. The interviews are now more focused and shorter, with questions limited to areas that require more clarity, to avoid the child having to retell their story.

JustRight Scotland, in collaboration with the Scottish Guardianship Service, have been co-delivering a **child-centred legal service**. Between September 2017 and September 2019 the collaboration assisted **59** children from **16** local authorities with **120** legal matters, ranging from claims for international protection to Judicial Reviews in the Court of Session. An important development has been both the increase in children receiving the service but also the wider geographical reach across Scotland.

28 <https://www.gov.scot/publications/age-assessment-practice-guidance-scotland-good-practice-guidance-support-social/>

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Last year, the Scottish Guardianship Service, in partnership with NHS Greater Glasgow and Clyde's Glasgow Psychological Trauma Service, The Anchor, were funded by Comic Relief for the next three years to deliver **resilience building groups**. This mental health project is called the Allies and the aim of the groups is to provide early intervention support for asylum seeking and trafficked young men. Over the course of 2019, three groups were successfully run. The groups aim to strengthen mental health through building resilience to help young men confront and cope with life's challenges; and to maintain their wellbeing in the face of adversity.

Further to this, the Scottish Guardianship Service launched a **befriending service** for separated and trafficked children, to help mitigate the loneliness, isolation and unfamiliarity that many children who have been victims of trafficking experience. The service matches unaccompanied children and young people individually with a trained volunteer Befriender. The Befriender's role is to help the young person build a positive trusting relationship; and support them to integrate and feel part of their local communities. Over the last year, **38** matches were made between young people and Befrienders.

The Scottish Government continues to take forward work on the incorporation of the **UNCRC**. A consultation<sup>29</sup> on how best to incorporate the UNCRC into domestic law was held from May to September 2019. Following the consultation, the Deputy First Minister made a statement to Parliament announcing that the Scottish Government will take a maximalist approach to incorporation of the UNCRC. The consultation analysis report<sup>30</sup> was published in November 2019. A Bill will be introduced later this year to make provisions for the incorporation of the UNCRC into Scottish domestic law.

“ On the plane I was never left alone even if I went to the toilet.”

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29 <https://www.gov.scot/publications/childrens-rights-consultation-incorporating-uncrc-rights-child-domestic-law-scotland/>

30 <https://www.gov.scot/publications/uncrc-consultation-analysis-report/>





## Action Area 2: Identify perpetrators and disrupt their activity

The Evaluation Report<sup>31</sup> for the **National Child Sexual Exploitation & Child Trafficking Workshops**, which took place between January and March 2019, was published in summer 2019. The workshops were jointly delivered by members of the National Child Sexual Exploitation and Child Trafficking Strategy Groups with the aim of ensuring that connections were being made between child sexual exploitation (CSE) and child trafficking. The evaluation highlighted gaps in practitioners' knowledge on the links between CSE and child trafficking. The Child Trafficking Strategy Group is considering how to address these gaps and further training will be delivered later this year.

Police Scotland are continuing to develop the **Partners Intelligence Toolkit**, previously known as External Partners Portal for Intelligence Collection, which is a secure and confidential electronic system that enables key partners to share important information they receive during the course of their work. The first pilot commenced in February 2020 in Highlands and Islands; and a second pilot area has been identified in Aberdeen with plans for the pilot to commence in summer this year.

To help improve child protection processes, Police Scotland published a **Standard Operating Procedure for Inter Agency Referral Discussions** in September 2019 and have been continuing to work in partnership with Social Work Scotland to develop the new **Joint Investigative Interview (JII) Training**.

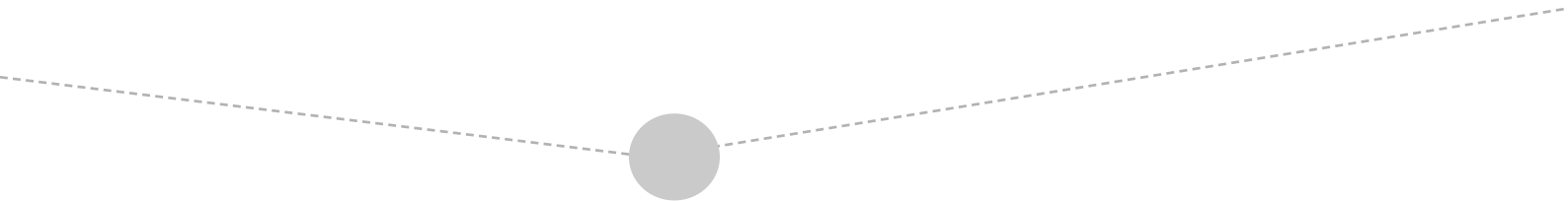
The Divert Strand of Scotland's Serious Organised Crime Strategy aims to prevent exploitation of children and young people by serious organised crime and provide opportunities to divert them from such involvement. This year, to raise awareness and re-frame thinking around child criminal exploitation, the Divert Theme developed and delivered a **Child Criminal Exploitation and Serious Organised Crime Conference**. This took place on 28 November 2019 in Glasgow. Further details on the conference including the programme and presentation slides can be accessed on the website of the Centre for Youth and Criminal Justice<sup>32</sup>.

A report highlighting the work delivered over the last four years by the National Action Plan to **Prevent and Tackle Child Sexual Exploitation** is due to be published this year. The Action Plan brought together a range of organisations, professionals and invested parties, in taking forward an ambitious set of actions to improve the child protection landscape and create a hostile place for perpetrators of child sexual exploitation.

31 [https://www.celcis.org/files/7815/7961/8814/Regional\\_Workshops\\_Evaluation\\_Report\\_2019.pdf](https://www.celcis.org/files/7815/7961/8814/Regional_Workshops_Evaluation_Report_2019.pdf)

32 <https://www.cycj.org.uk/resource/child-criminal-exploitation-and-serious-and-organised-crime-conference/>.

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The National Action Plan on **Internet Safety for Children and Young People** brings together the wealth of work delivered through Education Scotland, Police Scotland and stakeholders funded through the Scottish Government's Cyber Resilience Learning and Skills Action Plan, Scotland's Digital Strategy and Scotland's Serious Organised Crime Strategy, to ensure that children and young people are supported to be resilient and confident in the digital world.

Although online safety legislation remains reserved to the UK Government, the Scottish Government continues to participate as a member of the UK Council for Internet Safety (UKCIS) Executive Board; and to engage in UK-wide discussions with social media companies and technology firms, focusing on their responsibilities to society and improving online safety. As a member of UKCIS, the Scottish Government also continues to work with the UK Government in its development of its proposals for the regulation of online services provided in the UK, to tackle online harms.

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

Since January 2020, JustRight Scotland has been collating **data on child victims of trafficking**, for the UK-wide Anti-Trafficking Monitoring Group, to increase the understanding of trafficking across the UK and identify key issues and gaps which require legal intervention.

The **research on child trafficking**, as mentioned in the second annual progress report, has taken longer to finalise than expected and we will be publishing the final report in summer 2020. The Scottish Government commissioned the University of Stirling to undertake the research to get a better understanding of the routes into trafficking for children in Scotland. In general, the research found that the Scottish response to child trafficking has been positive in its focus on the child protection aspects of identification and support, although there remain areas for development in this respect. Further to this the research identified areas of work to improve support for child victims of trafficking and highlighted problems with current practice in Scotland.



## Looking forward

The Child Trafficking Strategy Group acknowledges that more work is required to address barriers to unaccompanied and trafficked children accessing good quality interpretation services, legal advice and further education, and these will be considered going forward. In addition, to address the increase in trafficking of children who are UK nationals and are victims of Child Criminal Exploitation, it is acknowledged that enhanced engagement is needed with Scotland's Serious Organised Crime Strategy.

The Child Trafficking Strategy Group will also consider the recommendations from the research commissioned by the Scottish Government on the routes into trafficking for children; as well as taking forward workshops to raise awareness on trafficking and exploitation with practitioners, once public health guidance allows. The Scottish Government will also continue to work with COSLA and JustRight Scotland to deliver training on the implementation of the revised age assessment guidance.

Work will continue in the delivery of Scotland's National Action Plan on Internet Safety for Children and Young People with a particular focus on deterring perpetrators from committing abuse online. This includes engagement with the UK Government on the development of a range of legislative and non-legislative measures to tackle online harms, as well as participation as an executive board member of the UK

Council for Internet Safety and its respective subgroups, to engage in UK-wide discussions with social media companies and technology firms, focusing on their responsibilities to society and improving online safety.

We will continue to take action to tackle Child Sexual Exploitation in Scotland through Scottish Government funding to the third sector, to ensure that more children and young people at risk of or affected by sexual exploitation and other forms of sexual abuse are identified early and receive appropriate support. Action to tackle child sexual exploitation will also continue through various other work streams including the Equally Safe strategy, the revised Serious Organised Crime Strategy, the National Missing Persons Framework for Scotland, the Race Equality Action Plan, the National Sexual Violence Prevention Programme, Education Scotland Safeguarding Programmes, and the work of Scotland's Chief Medical Officer's Taskforce for the improvement of services for adults and children who have experienced rape and sexual assault.

The Scottish Government will be taking forward the tender and procurement of the new Independent Child Trafficking Guardians service, with the aim for the new service to be implemented in 2021. The Scottish Government will also continue to incorporate the UNCRC into domestic law.

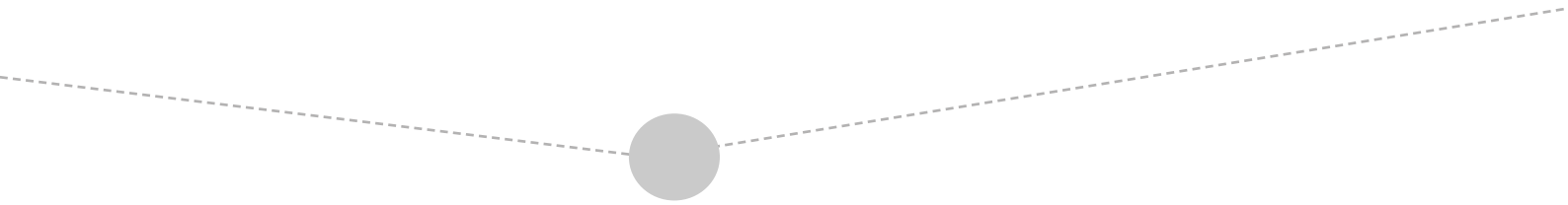
## Section 5

### Measures of progress

Measure	Definition	2019/20 data																																																								
<b>Identify victims and support them to safety and recovery</b>																																																										
Number of potential victims identified	All victims (adults and children) who entered the NRM and (in due course) those identified through the 'duty to notify' process	<p>The full 2019 NRM annual report was published by the Home Office Single Competent Authority in April 2020, including a breakdown of referrals from Scotland:</p> <p><a href="https://www.gov.uk/government/statistics/national-referral-mechanism-statistics-uk-end-of-year-summary-2019">https://www.gov.uk/government/statistics/national-referral-mechanism-statistics-uk-end-of-year-summary-2019</a></p> <p>Key figures for Scotland in 2019:</p> <p>Total referrals: 512 (124.6% increase on 2018)</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>Male age not recorded</th> <th>Female age not recorded</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Domestic servitude</td> <td>4</td> <td>7</td> <td>4</td> <td>4</td> <td>0</td> <td>3</td> <td><b>22</b></td> </tr> <tr> <td>Labour exploitation</td> <td>194</td> <td>23</td> <td>67</td> <td>13</td> <td>6</td> <td>2</td> <td><b>305</b></td> </tr> <tr> <td>Sexual exploitation</td> <td>4</td> <td>77</td> <td>6</td> <td>22</td> <td>0</td> <td>4</td> <td><b>113</b></td> </tr> <tr> <td>Criminal Exploitation</td> <td>10</td> <td>3</td> <td>14</td> <td>2</td> <td>2</td> <td>1</td> <td><b>32</b></td> </tr> <tr> <td>Unknown</td> <td>6</td> <td>10</td> <td>21</td> <td>3</td> <td>0</td> <td>0</td> <td><b>40</b></td> </tr> <tr> <td><b>Total</b></td> <td><b>218</b></td> <td><b>120</b></td> <td><b>112</b></td> <td><b>44</b></td> <td><b>8</b></td> <td><b>10</b></td> <td><b>512</b></td> </tr> </tbody> </table> <p>60% of all cases reported to the National Referral Mechanism in 2019 from Scotland related to labour exploitation.</p> <p>The most common nationality of victims was Vietnamese (214) and Chinese (66).</p>	Type	Male adult	Female adult	Male minor	Female minor	Male age not recorded	Female age not recorded	Total	Domestic servitude	4	7	4	4	0	3	<b>22</b>	Labour exploitation	194	23	67	13	6	2	<b>305</b>	Sexual exploitation	4	77	6	22	0	4	<b>113</b>	Criminal Exploitation	10	3	14	2	2	1	<b>32</b>	Unknown	6	10	21	3	0	0	<b>40</b>	<b>Total</b>	<b>218</b>	<b>120</b>	<b>112</b>	<b>44</b>	<b>8</b>	<b>10</b>	<b>512</b>
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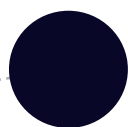


Measure	Definition	2019/20 data
Number of adult victims provided with support	Reports from the support provider	<p><b>TARA supported 114 women over the course of 2019/2020. Of those supported 59 were 'newly identified' during the year. 30 women were provided with crisis accommodation by TARA and they supported 3 repatriations where women asked for their assistance to do so.</b></p> <p>On the 31 March 2020 TARA had:</p> <ul style="list-style-type: none"> <li>• 42 open cases;</li> <li>• all had been referred to the NRM and granted a positive Reasonable Grounds (RG) decision;</li> <li>• 2 have received positive Conclusive Grounds (CG) decisions but still require ongoing support; and</li> <li>• 40 Conclusive Grounds (CG) decisions are 'outstanding'.</li> </ul> <p>For the 42 open cases the average length of support is 8 months. Length of support ranges from 16 months to 1 month and the average reflects the particularly high referrals numbers in Q2 and Q3 of 2019/20.</p> <p><b>Migrant Help supported 379 clients in 2019/20 including 291 new clients.</b></p> <ul style="list-style-type: none"> <li>• 29 cases where a positive CG was made</li> <li>• 25 cases where a negative CG was made, plus 1 where a negative CG was appealed but failed</li> <li>• 34 cases where a negative RG was made</li> <li>• 6 cases where the client decided to leave Scotland</li> <li>• 6 cases where the client absconded</li> <li>• 10 cases where was client was repatriated</li> <li>• 86 cases where the CG is outstanding and support level is low</li> <li>• 46 cases where the CG is outstanding and the support level is high</li> </ul> <p>The average length of support in 2019/20 was 138 days.</p>



Measure	Definition	2019/20 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	In March 2020, the <a href="#">Children's Social Work Statistics for 2018/19</a> were published. The publication outlines the latest data on children and young people who are looked after, on the child protection register and in secure care in Scotland. The number of children and young people who have been recorded as victims of trafficking is grouped within the category "Other Concerns" in the publication.
Number of children who are allocated an independent child trafficking guardian (ICTG)	Number of children who receive the support of an ICTG	<p>The Scottish Guardianship Service provides additional support for children and young people who have been trafficked, and for whom no-one in the UK holds parental responsibilities.</p> <p>From 1 September 2010 until 31 March 2020 the service has supported 634 children and young people. Between 1 April 2019 until 31 March 2020, 166 children and young people were referred to the service for support.</p>





Measure	Definition	2019/20 data
<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 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	Between 1 April 2019 and 31 March 2020, 5 persons were convicted under the offences listed.
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	Between 1 April 2019 and 31 March 2020, 5 persons were made subject to Trafficking and Exploitation Prevention Orders in terms of Part 4 of the Human Trafficking and Exploitation (Scotland) Act 2015.

## Address the conditions that foster trafficking and exploitation

Public awareness of the issue of human trafficking and exploitation

Questions in public survey conducted annually

The research in the first four waves was conducted using a face-to-face, in-home, CAPI Omnibus survey - the Scottish Opinion Survey (SOS) - as the method for data collection. Five waves of research have now been conducted:

- Wave 1 (2017): A sample of 1,025 adults aged 16+ was interviewed across Scotland between 1 and 26 March 2017.

Percentage of respondents stating that Human Trafficking is a problem 'to a great extent' in each area:

	2017 %	2018 %	2019 %	2020 F2F %	2020 Online %
Europe	53	59	58	60	41
Rest of the world (not including Europe)	63	69	67	72	60
The UK	30	34	30	35	23
Scotland	14	16	13	13	14
Your local area of Scotland	5	4	5	4	8

Only one of the four waves of face-to-face surveys had been completed this year when these had to be stopped due to COVID-19 restrictions. In the circumstances, a decision was made to restart the survey using online methodology (1,006 adults, during the first week of April). 317 face-to-face interviews had already been completed and the results of these surveys have been incorporated into the report as a separate dataset. The face-to-face dataset is limited by its small sample size and lack of population weighting. However, it provides a better comparator with previous years because of the consistent methodology, and the findings are generally in line with previous surveys. The results of the online survey cannot be directly compared with previous years' surveys.



**Address the conditions that foster trafficking and exploitation**

- Wave 2 (2018): A sample of 1,008 adults aged 16+ was interviewed across Scotland between 28 February and 2 April 2018
- Wave 3 (2019): A sample of 1,082 adults aged 16+ was interviewed across Scotland between 20 February and 20 March 2019.

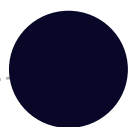
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**Address the conditions that foster trafficking and exploitation**

- |  |  |  |
|--|--|--|
|  | <ul style="list-style-type: none"><li>• Wave 4 (2020): A sample of 317 adults aged 16+ was interviewed between 4 and 10 March 2020</li><li>• Wave 5 (2020): A sample of 1,006 adults interviewed online between 2 and 6 April 2020</li></ul> |  |
|--|--|--|



Measure	Definition	2019/20 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	<p>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.</p> <p>The public consultation in respect of the duty launched on 16 June 2019 and closed on 6 September 2019.</p> <p>The analysis report for the public consultation on section 38 of the Human Trafficking and Exploitation (Scotland) Act 2015: Duty to notify and provide information about victims, was published on 30 April 2020. The report can be accessed at the link below:  <a href="https://www.gov.scot/isbn/9781839606908/">https://www.gov.scot/isbn/9781839606908/</a></p>
Number of organisations (statutory and non-statutory) 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	<p>Slavery and Human Trafficking Guidance for Businesses was published by the Scottish Government in October 2018 in order to help organisations identify and prevent human trafficking and exploitation across their operations.</p> <p>Following the independent review of the UK's Modern Slavery Act 2015, the Home Office held a public consultation in July-September 2019 around reforms to the obligation on businesses to produce and publish <b>Slavery and Human Trafficking Statements</b>. The Scottish Government supported this process, including hosting a joint session with the Home Office and Scottish stakeholders to ensure their views were captured.</p>

# Delivering the Strategy

In Section 3 of the Strategy (Vision, Action Areas and making progress towards our outcomes), specific actions are set out under the headings “In the short term,” “In the medium term,” and “In the longer term.”

This section summarises progress against each of these actions.

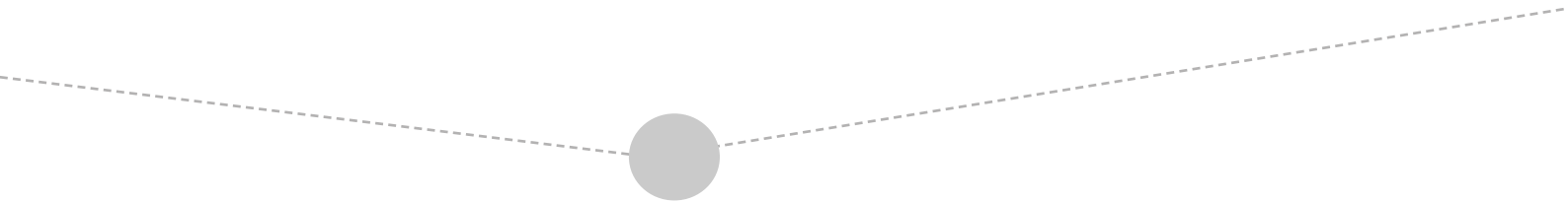
## Action Area 1

What do we need to improve?	Progress to date
<p>We want people who encounter victims to understand the signs, know what to do and have access to specialist advice and support. Victims have told us that first encounters are crucial and can help or hinder their movement towards recovery.</p>	<ul style="list-style-type: none"> <li>• Creation of Police Scotland e-learning DVD for public sector organisations.</li> <li>• Standard awareness raising presentation for community groups and anyone with an interest available online.</li> <li>• NHS guidance for health workers has been published.</li> <li>• Local Authority guidance has been published by COSLA.</li> <li>• Appointment of a training officer within TARA.</li> <li>• Updated Glasgow City Council guidance for child trafficking survivors.</li> </ul>
<p>We need to make clear that support is available through a number of organisations for all adult victims of trafficking recovered in Scotland.</p>	<ul style="list-style-type: none"> <li>• Grant funding arrangements in place with TARA and Migrant Help to provide support to all adults of trafficking recovered in Scotland, including substantial increases in 2019/20 and 2020/21.</li> <li>• TARA and Migrant Help have legal drop-in clinics available for survivors to receive a range of early legal advice/interventions.</li> <li>• NHS Greater Glasgow and Clyde are grant funded to provide a psychological trauma service to human trafficking and exploitation survivors.</li> <li>• A range of materials have been published, including Police Scotland’s “Human Trafficking: Reading the Signs” in a variety of languages and includes contact details for TARA and Migrant Help.</li> <li>• Publication of COSLA guidance on No Recourse to Public Funds includes a section specifically relating to victims of human trafficking and exploitation.</li> <li>• JustRight Scotland have appointed a human trafficking lawyer to complement existing team and meet demand.</li> <li>• TARA-led multi-agency awareness raising sessions delivered across Scotland involving Scottish Guardianship Service and JustRight Scotland.</li> </ul>





<p>We need to raise awareness amongst both the public and professionals about the existence of trafficking and exploitation in Scotland.</p>	<ul style="list-style-type: none"><li>• Scottish Government media campaign delivered in 2017 and another planned for later in 2020.</li><li>• Programme of Rah Rah theatre performances in October 2018 and 2019.</li><li>• Child Protection Committee events across Scotland.</li><li>• Police Scotland marketing campaign in 2018.</li><li>• Public Survey results in 2019 and 2020 supports need to raise awareness of human trafficking and exploitation in Scotland.</li></ul>
<p>We need to ensure the victim identification processes in the NRM are fit for purpose and are understood and trusted by victims and others. We want victims to be aware of the support available and trust it enough to ask for help.</p>	<ul style="list-style-type: none"><li>• We have continued to work with UK Government on the reform of the NRM to ensure it meets Scotland's needs.</li><li>• Development of an NRM/First Responder toolkit is ongoing.</li></ul>
<p>We want training to be mainstreamed within services, with appropriate, fit for purpose training available.</p>	<ul style="list-style-type: none"><li>• Police Scotland online training has been undertaken by over 12,000 officers, a network of Human Trafficking Champions operates throughout the organisation, the Human Trafficking Standard Operating Procedure and internal guidance have been updated, and a bespoke training course for human trafficking investigators has also been developed and delivered.</li><li>• COPFS have appointed a National Lead Prosecutor for human trafficking and local leads across country. Training packages for staff includes video from Solicitor General and human trafficking training within the sexual offences awareness raising course.</li><li>• Local Authority/Third Sector training by Hope for Justice across Scotland with more than 100 organisations represented.</li><li>• TARA-led multi-agency awareness raising sessions delivered across Scotland involving Scottish Guardianship Service and JustRight Scotland.</li></ul>

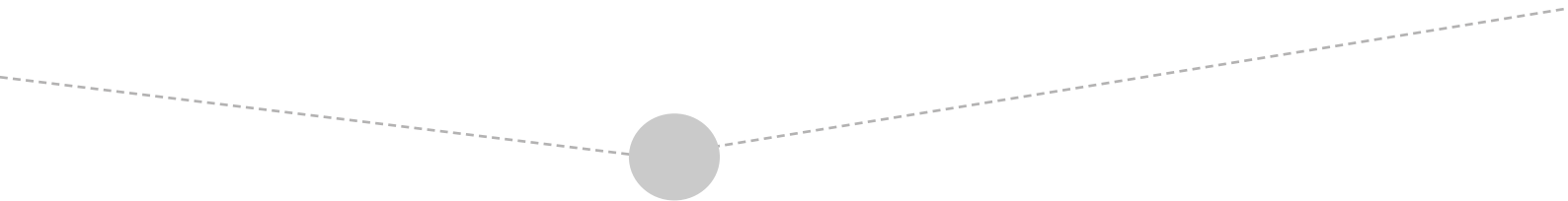


<p>We need coherent and tailored support processes which recognise the trauma that victims have experienced, to facilitate victims' recovery, and build victims' resilience to reduce the likelihood of re-trafficking.</p>	<ul style="list-style-type: none"> <li>• Support provision for victims placed on a statutory footing from 1 April 2018, relevant period for support set at 90 days or until a Conclusive Grounds (CG) decision is determined, whichever comes first.</li> <li>• Grant funding arrangements in place with TARA and Migrant Help to provide support to victims.</li> <li>• NHS Greater Glasgow and Clyde also funded to provide psychological trauma service to victims.</li> <li>• Aberlour Comic Relief Project to improve outcomes for children affected by abuse and trauma.</li> </ul>
<p>We need to consider and clarify what the identification and support processes for the victims of slavery, servitude and forced or compulsory labour should be.</p>	<ul style="list-style-type: none"> <li>• Identification and support processes aligned with that for victims of human trafficking from 1 April 2018.</li> </ul>

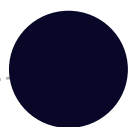
Short Term Actions	Progress to Date
<p>The Scottish Government and partners will raise awareness amongst the general public about human trafficking and exploitation by means of a publicity campaign. Victims will be involved in the development of this campaign.</p>	<ul style="list-style-type: none"> <li>• Scottish Government media campaign in 2017 and public surveys since 2017 have highlighted increasing awareness of human trafficking as a result of campaign.</li> <li>• Police Scotland's marketing campaign in 2018 hit over 2.5 million viewers across social media platforms.</li> <li>• Annual public survey results have been published and have informed media and awareness raising activity.</li> <li>• The 2020 public survey has been impacted by the COVID-19 pandemic but has been completed with a revised methodology.</li> <li>• A Scottish Government media campaign planned for May 2020 has had to be postponed due to COVID-19 but will run later in 2020.</li> </ul>



<p>The Scottish Government will work with partners to consider how members of the public can report their suspicions in a straightforward way.</p>	<ul style="list-style-type: none"> <li>• All Scottish Government media campaign materials have directed the public to report concerns to the Modern Slavery Helpline. This led to a spike in calls to the Helpline during the 2017 campaign. A similar spike in calls was evident around the Police Scotland campaign in 2018.</li> <li>• The Modern Slavery Helpline website includes a webpage giving specific information relevant to Scotland and digital adverts linked directly to this.</li> <li>• The Modern Slavery Helpline website also allows for online referrals, and they have released a smartphone app.</li> <li>• Crimestoppers also provide a route for anonymous reporting.</li> </ul>
<p>Members of the Strategy Implementation Group will lead a short-term project to develop an agreed set of materials that could be used by organisations to raise awareness amongst their workforce about human trafficking and exploitation.</p>	<ul style="list-style-type: none"> <li>• A standard awareness raising presentation was developed and placed on the COSLA Migration Scotland website for free download.</li> <li>• The presentation has been regularly updated.</li> <li>• Police Scotland have also worked with partners to develop an e-learning DVD for professionals, which has been widely distributed.</li> </ul>
<p>Members of the Strategy Implementation Group will facilitate work to create processes/pathways aligned around victims' needs with clear referral mechanisms and pathways developed within each public sector organisation.</p>	<ul style="list-style-type: none"> <li>• Broad awareness of referral pathways exist through awareness raising activities.</li> <li>• New human trafficking guidance for local authority and NHS workers has been published.</li> <li>• Further work is needed to define referral mechanisms and pathways across public sector.</li> </ul>
<p>The Scottish Government and partners will work with non-public-sector organisations to alert them to the likelihood that they may encounter victims in the course of their work.</p>	<ul style="list-style-type: none"> <li>• Action Area 3 and the Corporate Group have led on engagement with non-public-sector bodies, including food and drink industry awareness raising events in Glasgow and Elgin during 2018.</li> <li>• Human trafficking guidance for businesses in Scotland has been published.</li> </ul>



<p>The Scottish Government will publicise the support available during the relevant support period through different organisations to all victims of human trafficking recovered in Scotland and entered into the NRM process.</p>	<ul style="list-style-type: none"> <li>• TARA and Migrant Help grant conditions set out the support available during the relevant period and this is made clear to any victims recovered and who agree to enter into the NRM.</li> <li>• This is also highlighted in training materials and during awareness raising sessions.</li> </ul>
<p>The Scottish Government will continue to work with the Home Office on the review of the NRM process (including as that affects children) and will consider the review recommendations when published.</p>	<ul style="list-style-type: none"> <li>• The Scottish Government supports the stated goals of NRM reform: faster decision making, improved identification of victims and a more child friendly process.</li> <li>• We continue to engage with the UK Government to ensure reforms lead to an NRM which works for Scotland and reflects our distinct systems and legislation.</li> <li>• The Scottish Government has hosted engagement sessions for Scottish first responders and other stakeholders to feed in their views to the Home Office.</li> </ul>
<p>First Responders who make referrals to the NRM will establish systems to ensure that victims are fully aware of the process and its implications.</p>	<ul style="list-style-type: none"> <li>• This is set out clearly by TARA, Police Scotland and Migrant Help in discussion with victims when seeking consent.</li> <li>• A small sub-group of Action Area 1 are developing a First Responder toolkit to improve the quality of referrals submitted into the NRM.</li> </ul>
<p>The Scottish Government and NHS Greater Glasgow and Clyde will, through The Anchor Service, continue to offer specialist psychological assessment, formulation and therapy as appropriate (and referral to other mental health services if indicated) to all adult victims of human trafficking recovered in Scotland.</p>	<ul style="list-style-type: none"> <li>• Scottish Government have grant funded The Anchor to provide a national psychological service for victims of human trafficking, increasing funding in response to increased number of referrals.</li> <li>• Grant arrangements continue in 2020/21.</li> </ul>



<p>The Scottish Government will continue to develop and refine arrangements for support services that are victim-centred and sensitive to age, gender and culture.</p>	<ul style="list-style-type: none"> <li>• During 2018/19, TARA and Migrant Help undertook a self-evaluation process supported by Evaluation Support Scotland with a focus on the experiences of trafficking survivors to provide additional assurance that they are being effectively and appropriately supported. Key outcomes were identified for each organisation.</li> <li>• TARA Recovery Books for survivors are now in operation.</li> <li>• TARA organised an independently facilitated service user consultation for clients to feedback on their experiences of support.</li> <li>• Migrant Help translate case management and client information paperwork to common languages to improve survivors' access to information, understanding of their rights and feelings of independence.</li> </ul>
<p>The Scottish Government will consider how victims of slavery, servitude and forced or compulsory labour should be identified and supported.</p>	<ul style="list-style-type: none"> <li>• From 1 April 2018, victims of slavery, servitude and forced or compulsory labour receive identical statutory support to victims of human trafficking.</li> </ul>
<p>Local public protection committees and partnerships, including those for adult and child protection and violence against women, should also ensure that their policies, training and practice meet current need with regard to human trafficking and exploitation.</p>	<ul style="list-style-type: none"> <li>• Police Scotland's decision to create tactical groups in the three command areas alongside COSLA's human trafficking guidance for local authorities will provide a basis for the development of local partnerships.</li> <li>• Further work is needed to ensure effective local partnership working.</li> </ul>
<p>Support agencies will take an active role in making victims aware and supporting them to claim compensation, where appropriate.</p>	<ul style="list-style-type: none"> <li>• Both Migrant Help and TARA provide drop-in legal clinics to support clients in a range of legal matters, including access to compensation.</li> </ul>
<p>The Scottish Government will set up a network to provide the opportunity for local specialists to share learning and best practice.</p>	<ul style="list-style-type: none"> <li>• Police Scotland's decision to create tactical groups across Scotland alongside COSLA's human trafficking guidance for local authorities will provide a basis for the development of local partnerships.</li> </ul>
<p>The Scottish Government will continue to work closely as appropriate with the Independent Anti-Slavery Commissioner on issues that will help to identify victims and support them to safety and recovery.</p>	<ul style="list-style-type: none"> <li>• The office of the IASC are members of the Action Area 1 group and the IASC has undertaken a number of engagements in Scotland since taking up post in May 2019.</li> </ul>



Medium Term Actions	Progress to Date
<p>Organisations who may encounter victims in the course of their work will establish clear referral mechanisms within their organisation for victims and incidents of human trafficking and exploitation.</p>	<ul style="list-style-type: none"> <li>• Guidance for local authorities has been published by COSLA.</li> <li>• Guidance for health workers has been published by the Scottish Government and NHS Health Scotland.</li> <li>• Progress has been made towards implementing the duty to notify including pilots with Edinburgh City Council, Border Force and GLAA. A public consultation ran from 16 June to 6 September 2019, the analysis of which has now been published.</li> </ul>
<p>Local partnerships will be established or built on to help support victims' longer term and wider needs.</p>	<ul style="list-style-type: none"> <li>• Police Scotland's decision to create tactical groups across Scotland alongside COSLA's human trafficking guidance for local authorities will provide a basis for the development of local partnerships.</li> <li>• Further work is needed to strengthen local partnerships.</li> </ul>
<p>The Strategy Implementation Group and others will create information sharing pathways and protocols that respect victims' interests and safety.</p>	<ul style="list-style-type: none"> <li>• The Strategy Implementation Group and Action Area 1 supported the development of NHS and local authority guidance.</li> </ul>
<p>Organisations should offer appropriate and proportionate training to staff who are likely to encounter victims in the course of their work.</p>	<ul style="list-style-type: none"> <li>• Police Scotland online training has been undertaken by over 12,000 officers and a 4 day investigators course has also been delivered.</li> <li>• COPFS have appointed a National Lead Prosecutor for human trafficking, with local leads across the country. Training packages for staff includes a video from the Solicitor General and human trafficking training within the sexual offences awareness raising course.</li> <li>• Hope for Justice have delivered local authority/ Third Sector training in locations across Scotland with more than 100 organisations represented.</li> <li>• TARA-led multi-agency awareness raising sessions delivered across Scotland involving Scottish Guardianship Service and JustRight Scotland.</li> </ul>





<p>Organisations should carry out appropriate, regular awareness raising for staff who may encounter victims in the course of their work.</p>	<ul style="list-style-type: none"> <li>• TARA-led multi-agency awareness raising sessions delivered across Scotland involving Scottish Guardianship Service and JustRight Scotland.</li> <li>• Hope for Justice have delivered local authority/ Third Sector training in locations across Scotland with more than 100 organisations represented.</li> </ul>
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<p><b>Long Term Actions</b></p>	<p><b>Progress to Date</b></p>
<p>The Scottish Government and other relevant statutory and support organisations will work to develop effective partnerships across the UK and in other countries to continue support to adult victims returning home.</p>	<ul style="list-style-type: none"> <li>• TARA and Police Scotland visited Romania in April 2018, leading to improved outcomes for clients being repatriated. Direct communication between victims and practitioners in their home country was enabled which has allowed links to be developed before their return.</li> <li>• Police Scotland participated in a delegation which visited Vietnam in December 2018 and plans are in place for the secondment of Vietnamese officers.</li> <li>• Police Scotland and COPFS benefit from good working relationships with counterparts across Europe through Europol and Eurojust and are working to maintain these so far as possible following the UK's departure from the European Union.</li> <li>• COPFS continuing engagement with counterparts in England, Wales and Northern Ireland.</li> <li>• UK-wide bodies including Border Force and GLAA work alongside Scottish bodies to co-ordinate and deliver services in Scotland.</li> </ul>
<p>The Scottish Government will work with others to create effective communication channels so that victims know where to find help and support. They will ensure that victims' views are reflected to ensure that communications aimed at potential victims are accessible and reduce fear.</p>	<ul style="list-style-type: none"> <li>• Public awareness raising activity has included producing and distributing resources in the native languages of common source countries.</li> <li>• The Scottish Government has recently agreed funding for a pilot project to provide targeted outreach and information tools to seasonal workers.</li> <li>• SOHTIS have developed a resource for ESOL teachers and a project working alongside frontline service providers who engage with groups at risk of trafficking.</li> </ul>

## Action Area 2

What do we need to improve?	Comments
<p>We need to develop systems to support the duty to notify the police under section 38 of the Act while protecting victims' privacy and safety.</p>	<ul style="list-style-type: none"> <li>• Pilots with City of Edinburgh Council, Border Force and GLAA tested systems and processes between February 2018 and September 2019. A public consultation ran from 16 June to 6 September 2019, the analysis of which has now been published.</li> <li>• Migrant Help and TARA worked with the Scottish Government to develop a victim/survivor questionnaire to gain their feedback on Scottish Government plans. Migrant Help interviewed 31 clients and provided translations so that these could be included as part of the DTN consultation.</li> </ul>
<p>We want to consider how local authorities and others can use the powers already available to them - for example environmental health, licensing of houses of multiple occupation (HMOs) - to identify perpetrators and disrupt their activity.</p>	<ul style="list-style-type: none"> <li>• COSLA play a key role in implementing the Strategy and work with local authorities to improve action on human trafficking.</li> <li>• This includes the development and publication of new human trafficking guidance for local authority workers in October 2019.</li> <li>• Dundee City and East Lothian Councils have revised the scope of the Public Entertainment Licensing (PEL) regime to include nail bars. This means that any nail bar will need a PEL in order to operate within the Council boundaries.</li> <li>• Lothian and Borders Division have brought together a range of local partners to address particular cases under investigation including the Scottish Fire and Rescue Service (SFRS), Trading Standards, Midlothian Council and the Scottish Environmental Protection Agency.</li> <li>• Royal Environmental Health Institute Scotland CPD events offered training for professional bodies.</li> </ul>



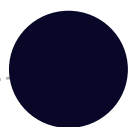
<p>We must improve how data is collected and analysed so that we can identify trends, inform services and develop tailored plans to tackle trafficking and exploitation.</p>	<ul style="list-style-type: none"> <li>• The implementation of duty to notify will play a key role in strengthening data collection.</li> <li>• Police Scotland are considering a restructure of the National Human Trafficking Unit to provide it with an investigative and analytical capability in addition to the strategic co-ordination role that it currently delivers.</li> <li>• Other Police Scotland activity in this area has included Operation Encounter (relating to the National Human Trafficking Threat Desk) and the creation of the Code 17 Storm Marker for human trafficking calls to 101 in 2019.</li> </ul>
<p>We want intelligence to be shared between local partners in Scotland and with other countries where appropriate, so that patterns of trafficking can be identified and appropriate solutions put in place.</p>	<ul style="list-style-type: none"> <li>• Police Scotland is trialling a new partners intelligence portal in North Region.</li> <li>• Police Scotland will continue to benefit significantly from Europol membership until end of 2020 and are working to mitigate the impact of Brexit after this.</li> <li>• Rail networks can facilitate trafficking both within Scotland and cross border. BTP are working with Police Scotland to raise awareness of rail links particularly where tickets are located when someone presents or during house searches relating to trafficking or County Lines. The data that can be pulled from tickets can identify travel routes, payment methods and ultimately those responsible for facilitation.</li> <li>• Migrant Help have been assisting Police Scotland by providing information and data on Vietnamese clients, and have facilitated clients being re-interviewed for intelligence gathering purposes.</li> </ul>
<p>Police Scotland, prosecutors and the courts will, where appropriate, make full use of the orders and powers available to them to disrupt activity and seize assets wherever trafficking or exploitation occurs.</p>	<ul style="list-style-type: none"> <li>• Police Scotland have developed and circulated new guidance for officers.</li> <li>• COPFS and Police Scotland are working to identify how increased use could be made of the confiscation of property powers under the Human Trafficking and Exploitation (Scotland) Act 2015.</li> </ul>

We will consider whether awareness raising is needed for those who work in the criminal justice system and, if so, how that can be provided.

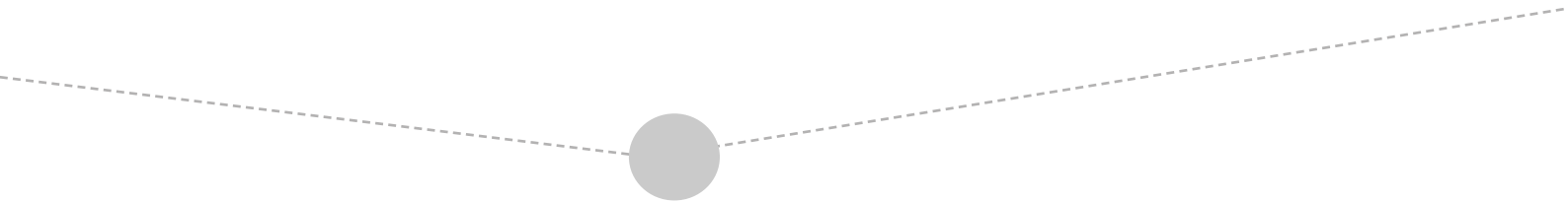
- Police Scotland have developed and rolled out e-learning on human trafficking to over 12,000 officers.
- COPFS has delivered training for Fiscal Deputes.
- Police Scotland NHTU presented at an event hosted by the Judicial Institute.
- Scottish Government officials presented at a meeting of Edinburgh Criminal Justice Social Workers.
- British Transport Police have undertaken human trafficking training appropriate to Scotland.
- In September, Migrant Help presented at the National Human Trafficking Conference at the Scottish Police College, raising awareness of how Migrant Help supports potential victims of human trafficking. The presentations also covered how to identify indicators of human trafficking.

We want successful actions to be publicised, to send the message that Scotland is a country that is hostile to human trafficking and exploitation.

- The Scottish Government human trafficking newsletter is issued on a bi-annual basis, highlighting good practice and positive action.
- Police Scotland NHTU run an annual conference on human trafficking, highlighting successful operations.
- The multi-agency communications group provides a forum for joint planning of messaging and making the most of opportunities to publicise anti-trafficking activity.

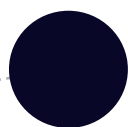


Short Term Actions	Progress to Date
<p>The Scottish Government will take forward work in relation to the duty to notify, ensuring those with a duty are clear on what they have to do. We will ensure that process protects victims' human rights and that the information gained is helpful in breaking the cycle of trafficking and exploitation.</p>	<ul style="list-style-type: none"> <li>• Public consultation on duty to notify opened on 16 June 2019 and ran until 6 September.</li> <li>• The responses and an analysis have now been published online. These show strong support for proposals in consultation paper.</li> <li>• The Scottish Government will work with partners to implement the duty but timescales have been impacted by COVID-19.</li> </ul>
<p>The Scottish Government will work with agencies not directly covered by the duty to notify (including UK-wide agencies ) to ensure that full use is made of their knowledge and expertise.</p>	<ul style="list-style-type: none"> <li>• The proposed approach to duty to notify is to develop non-statutory agreements with relevant bodies that cannot be named in the duty.</li> <li>• This approach was piloted with Border Force and GLAA.</li> <li>• Responses to the consultation showed support for this approach.</li> </ul>
<p>Police Scotland and COPFS will apply for the new court orders available (Trafficking and Exploitation Prevention Orders (TEPO) and Trafficking and Exploitation Risk Orders (TERO)) where appropriate to disrupt trafficking and exploitation.</p>	<ul style="list-style-type: none"> <li>• New guidance for Police Scotland officers in respect of TEPOs and TEROs has been developed.</li> <li>• Annual progress reports provide updates on the number of TEPOs and TEROs that have been granted.</li> </ul>
<p>The Scottish Government will seek to facilitate accurate collection and sharing of data that can inform the development of local services and processes.</p>	<ul style="list-style-type: none"> <li>• The duty to notify also places a duty on Police Scotland to share information with other bodies, and processes for this will be developed as part of implementation.</li> </ul>



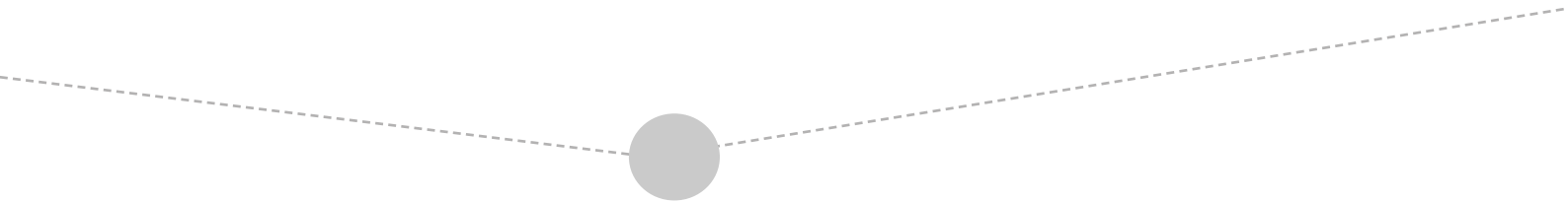
<p>Police Scotland will appropriately record and investigate all reports of trafficking or exploitation as a crime.</p>	<ul style="list-style-type: none"> <li>• Police Scotland NHTU monitor compliance to ensure that crime reports are recorded. Local crime managers comply with Scottish Crime Recording Standards and all human trafficking crimes are recorded. Intelligence is also recorded as appropriate.</li> <li>• Police Scotland has introduced a new human trafficking call type to its call recording system.</li> <li>• Police Scotland has participated in UK-wide Operation Aidant activity and information sharing following on from these operations.</li> <li>• Police Scotland has developed a memorandum of understanding with the Modern Slavery Helpline.</li> </ul>
<p>Appropriate awareness raising will be considered for those who work in the criminal justice system, so that they have the knowledge of this kind of offending. COPFS will continue to assess and develop the role of the specialist human trafficking prosecutors as appropriate.</p>	<ul style="list-style-type: none"> <li>• Police Scotland has produced internal and external training material. With assistance of the Scottish Government this training material is being distributed to external partners to raise awareness.</li> <li>• NHTU continue to provide one to one training to external agencies.</li> <li>• Moodle training developed and in place for police officers. External partners (social work/ National Health Service/Scottish Fire and Rescue Service/Scottish Ambulance Service) have been provided with copies of external training material. Network of champions established throughout Police Scotland and HT champions established with COPFS in respect of HT cases reported to them.</li> <li>• Police Scotland Standard Operating Procedure and Internal Guidance has been updated.</li> <li>• Police Scotland run a four day investigators course.</li> <li>• Training to COPFS staff during sexual offences awareness raising course.</li> </ul>



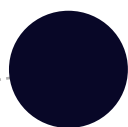


<p>The Scottish Government and partners will work together to ensure that convictions and victims' experiences are publicised in Scotland, the UK and beyond, while ensuring that this publicity does not compromise the safety of victims or their families.</p>	<ul style="list-style-type: none"> <li>• Bi-annual Scottish Government human trafficking newsletters pick this up.</li> <li>• The Annual Strategy Progress Reports provide case studies and reflect the voices of victims and survivors.</li> <li>• Arrests and convictions related to human trafficking continue to be promoted through usual media outlets to raise awareness and increase confidence in reporting amongst public.</li> <li>• The joint communications group provides a forum for coordination of messages.</li> </ul>
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Medium Term Actions	Progress to Date
<p>Police Scotland and COPFS, where it is appropriate and possible, will ensure that an application for a JIT is submitted to Eurojust. Successful operations to apprehend perpetrators in and with other countries will mean an effective use of resources, as well as improved learning and co-operation across countries. This will also contribute to a more robust picture of trafficking in Scotland.</p>	<ul style="list-style-type: none"> <li>• Police Scotland work closely with European partners and directly support Slovakian, Romanian and PSNI police forces, through formal JIT processes.</li> <li>• Police Scotland's engagement with Europol allows high quality intelligence sharing through SIENA.</li> <li>• Police Scotland have a team looking to mitigate the impact of Brexit on European investigations.</li> <li>• Following the successful secondment of Romanian officers, secondment of Vietnamese officers has been agreed but delayed due to COVID-19.</li> </ul>
<p>The Scottish Government will set up a group to review how data is collected by different agencies, to ensure that data collected is useful and coherent, and to create a comprehensive picture of data collection with regard to human trafficking and exploitation in Scotland.</p>	<ul style="list-style-type: none"> <li>• A human trafficking analyst, in collaboration with NHTU officers, set up a new recording system for enquiries and referrals ensuring statistical data and intelligence is both accurate and accessible for reporting and analysis. The analyst produces a bi-monthly threat assessment reviewing intelligence, responses and results in relation to potential human trafficking and exploitation in Scotland. This also informs the annual multi-agency strategic assessment and is shared with the Joint Slavery and Trafficking Analysis Centre (JSTAC).</li> </ul>

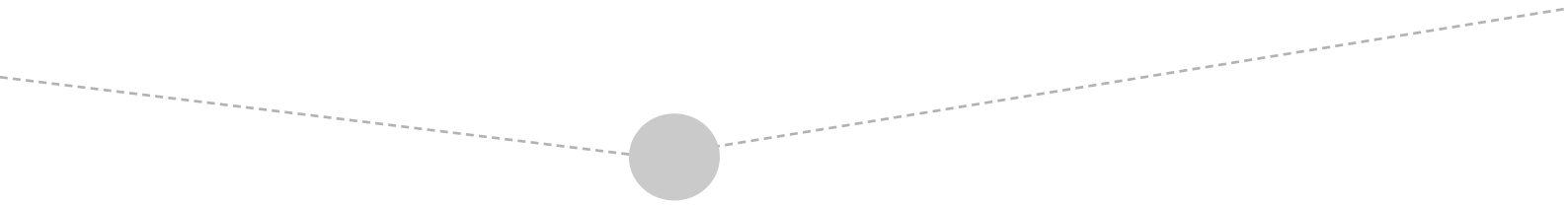


Long Term Actions	Progress to Date
Police Scotland and COPFS will develop closer working relationships with organisations in source/transit countries, where appropriate.	<ul style="list-style-type: none"><li>• Romanian officers seconded to Police Scotland.</li><li>• Trip to Romania in April 2018 for TARA and Police Scotland.</li><li>• Police Scotland visit to Vietnam as part of wider delegation visit in 2018.</li><li>• Romanian officers assisted Border Force at Glasgow Airport during days of action.</li><li>• Border Force Operation Outrun - a joint operation using profiling to identify Eastern European females vulnerable to sexual exploitation at Glasgow Airport.</li><li>• The Cabinet Secretary for Justice chaired an international round table with NGOs in November 2019 to explore longer term steps on international action.</li></ul>
The Scottish Government will aim to ensure that the benefits of cross-border co-operation between criminal justice agencies within the EU and beyond are maintained as set out in Scotland's Place in Europe.	<ul style="list-style-type: none"><li>• This is a key focus for Police Scotland, COPFS and the Scottish Government in managing the impact of Brexit in particular.</li></ul>

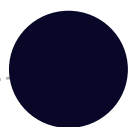


### Action Area 3

What do we need to improve?	Comments
We need to tackle the causes of poverty and inequality, including gender inequality, in Scotland to address the vulnerability of people to being trafficked and exploited.	<ul style="list-style-type: none"><li>• A gender pay gap action plan was published in March 2019.</li><li>• Wider work under the Fairer Scotland Action Plan to address poverty has included the launch of a new Financial Health Check service, delivered by the Citizen's Advice network, and introduction of the Fairer Scotland Duty on public bodies.</li></ul>
We want people to know about the extent of trafficking and exploitation and its impact in Scotland.	<ul style="list-style-type: none"><li>• Public survey results each year show increasing awareness of trafficking but most people still do not realise its extent in local communities in Scotland.</li><li>• A Scottish Government marketing campaign in 2017 had a key message that human trafficking is happening in Scotland, and had significant impact and reach.</li><li>• A further campaign planned for 2020 has been pushed back because of the COVID-19 pandemic.</li><li>• Police Scotland and other partners have delivered their own awareness raising campaigns.</li><li>• A joint communications planning group has been established to co-ordinate approaches.</li></ul>
We want to inform the public, encouraging them to question and reject the exploitation of other human beings.	<ul style="list-style-type: none"><li>• Public survey results have shown increases in the number of respondents saying that they would report concerns about trafficking to the police.</li><li>• Awareness raising activity has included a call to action to report concerns through the Modern Slavery Helpline, resulting in increased calls from Scotland.</li></ul>



<p>We want the public to be aware that what they buy and from whom they buy it could contribute to this crime.</p>	<ul style="list-style-type: none"> <li>• Guidance for Businesses in Scotland launched on 18 October 2018.</li> <li>• Direct contact with high profile Scottish firms that had not published a Modern Slavery Statement has increased compliance.</li> <li>• A question about consumer awareness and responsibility was added to the annual public survey in 2019, and responses suggest that people think this is important but lack information about how to make informed purchasing decisions.</li> </ul>
<p>We want individuals or communities assessed as being at risk of trafficking or exploitation to get help to increase their resilience.</p>	<ul style="list-style-type: none"> <li>• The Scottish Government has recently agreed funding for a pilot project to provide targeted outreach and information tools to seasonal workers.</li> <li>• The Serious Organised Crime Taskforce has taken forward work within at risk communities.</li> </ul>
<p>We want to consider how tailored prevention efforts could be used with communities assessed as being at risk of human trafficking.</p>	<ul style="list-style-type: none"> <li>• As above.</li> </ul>
<p>We want victims to get support and understanding from the wider community</p>	<ul style="list-style-type: none"> <li>• Awareness raising activity has highlighted the impact on victims, and survivor engagement has been a key element of Strategy development and implementation.</li> </ul>
<p>We want to work across the Scottish Government to seek to ensure that other strategies and initiatives take account of human trafficking and exploitation.</p>	<p>Links have been made to other Scottish Government policy areas including:</p> <ul style="list-style-type: none"> <li>• New Scots Strategy.</li> <li>• Equally Safe.</li> <li>• Serious and Organised Crime.</li> <li>• Homelessness.</li> <li>• Procurement.</li> <li>• Social Security .</li> <li>• Fair Work.</li> </ul>



Short Term Actions	Progress to Date
<p>The Scottish Government will take forward the key actions in the Fairer Scotland Action Plan.</p>	<ul style="list-style-type: none"> <li>• Significant progress has been made, and is set out in detail in annual progress reports on the Fairer Scotland Action Plan.</li> </ul>
<p>The Scottish Government will consult on a Delivery Plan for Equally Safe with work streams focusing on Primary Prevention, Capacity and Capability, Justice and Accountability.</p>	<ul style="list-style-type: none"> <li>• Significant progress has been made and is set out in detail in annual update reports on the Equally Safe Delivery Plan.</li> </ul>
<p>The Serious Organised Crime Strategy will address issues such as trafficking and exploitation that blight communities by working with schools, the third sector and other partners to raise awareness of the links with serious organised crime. Key partners on the Serious Organised Crime Taskforce such as Police Scotland will also work collaboratively and share information that will help detect, prosecute and disrupt those seeking to benefit from human trafficking and exploitation.</p>	<ul style="list-style-type: none"> <li>• Action on trafficking is an important element of the work of the Serious Organised Crime Taskforce.</li> <li>• Significant progress has been made in implementing the Serious Organised Crime Strategy, which is set out in detail in annual progress reports.</li> </ul>
<p>The Scottish Government will support UK-wide activity around the “transparency in supply chains” (TISC) duty and will develop specific guidance for businesses in Scotland around trafficking and exploitation and other human rights issues in their supply chains.</p>	<ul style="list-style-type: none"> <li>• A corporate group was established to draw in and empower business partners to play a role.</li> <li>• Human trafficking guidance for Businesses in Scotland was developed with the corporate group and launched on 18 October 2018.</li> <li>• The Cabinet Secretary for Justice wrote to eight high profile companies operating in Scotland that did not have a Trafficking and Slavery Statement. This led to improved compliance.</li> <li>• The national sustainable procurement tools and guidance have been revised and enhanced to cover human trafficking.</li> <li>• Engagement and awareness raising with business stakeholders has been taken forward by the corporate group.</li> <li>• The Scottish Government and partners have worked with the Home Office on compliance with the Modern Slavery Act 2015, and on the consultation on reforming the provisions around TISC.</li> </ul>

<p>The Scottish Government will raise awareness to ensure that human trafficking and exploitation is reflected appropriately in policies and guidance</p>	<ul style="list-style-type: none"> <li>• The second New Scots refugee integration strategy was published in January 2018.</li> <li>• On 26 April 2019 a new non-mandatory civic licensing regime for sexual entertainment venues (SEV) came into force.</li> <li>• Dundee City and East Lothian Councils have revised the scope of the Public Entertainment Licensing (PEL) regime to include nail bars. This means that any nail bar will need a PEL in order to operate within the Council boundaries.</li> <li>• COSLA and NHS human trafficking guidance developed and launched.</li> </ul>
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Medium Term Actions	Progress to Date
<p>The Scottish Government will consider what action is needed to ascertain how trafficking and exploitation affects Scotland to contribute to a greater understanding of its impact on Scottish society.</p>	<ul style="list-style-type: none"> <li>• Annual public awareness surveys have been carried out in 2017, 2018, 2019, and 2020.</li> <li>• The National Referral Mechanism statistics are published on a quarterly basis.</li> </ul>
<p>The Scottish Government and partners will develop an awareness raising programme around proactive steps the public can take to help eradicate trafficking and exploitation, encouraging them to think about how what they buy and who they buy it from could contribute to this crime.</p>	<ul style="list-style-type: none"> <li>• Scottish Government marketing campaign in 2017 People Should Not Be Bought and Sold.</li> <li>• Police Scotland marketing campaign in 2018 In Plain Sight.</li> <li>• Evidence from annual surveys suggests purchasing power could be a useful theme for future awareness raising activity.</li> </ul>
<p>The Scottish Government will identify ways for the public to report trafficking and exploitation and highlight where it may be happening, empowering them to report their suspicions.</p>	<ul style="list-style-type: none"> <li>• The Modern Slavery Helpline number is promoted in marketing and social media from Scottish Government.</li> <li>• The helpline offers online support through its website as well as phone referrals, and has also launched a smartphone app.</li> <li>• Crimestoppers provide an anonymous route to report concerns.</li> </ul>





<p>The Scottish Government will consider how to research, identify and build partnerships with communities assessed as being at risk of trafficking and exploitation, such as the homelessness sector and to develop targeted prevention initiatives.</p>	<ul style="list-style-type: none"> <li>• CATRiS at St Andrews University has made good progress in joining together existing research activity relevant to trafficking.</li> <li>• Further work can be done to engage and raise awareness with the homelessness sector and other at-risk communities.</li> </ul>
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Long Term Actions	Progress to Date
<p>The Scottish Government will work with the UK's Independent Anti-Slavery Commissioner and others on work in source/transit countries, to improve partnership working and the capacity to break the cycle of trafficking and exploitation. We will also work with others to tackle poverty in source countries.</p>	<ul style="list-style-type: none"> <li>• The Scottish Government developed good relationships with the former and current IASC, including membership of the Strategic Oversight Group.</li> <li>• The TARA and Police Scotland trip to Romania led to improved relationships and processes for returning victims.</li> <li>• Police Scotland has developed its relationship with Vietnamese authorities, including a visit to Vietnam.</li> <li>• Secondment of Romanian officers to Police Scotland has been a success and plans are in place for secondment of Vietnamese officers.</li> </ul>
<p>The Scottish Government will build on existing work to assess how conditions that foster trafficking and exploitation can be addressed, to improve partnership working and the capacity to break the cycle of trafficking and exploitation.</p>	<ul style="list-style-type: none"> <li>• In November 2019, the Cabinet Secretary for Justice chaired a roundtable discussion with the Minister for Europe, Migration and International Development, Non-Governmental Organisations (NGOs) and other key stakeholders involved in international work related to human trafficking. This identified where further work could be of value in this area.</li> </ul>

## Child Trafficking

What do we need to improve?	Comments
<p>We want members of the public, as well as parents and those working with young people, to understand the risks and be able to identify where trafficking and exploitation of children might be happening in all its forms and the action to take. This includes highlighting the links with CSE and missing children. Work already being undertaken in relation to CSE will support this.</p>	<ul style="list-style-type: none"> <li>• A Scottish Government media campaign took place in 2017 to raise awareness about human trafficking in Scotland.</li> <li>• A national media campaign planned for May 2020 has had to be postponed due to COVID-19 but will run later in 2020.</li> <li>• Workshops were jointly delivered between January and March 2019 by members of the National Child Sexual Exploitation and Child Trafficking Strategy Groups. The workshops targeted practitioners to raise awareness about the connections between child sexual exploitation (CSE) and child trafficking.</li> <li>• The Evaluation Report<sup>33</sup> for the National Child Sexual Exploitation &amp; Child Trafficking Workshops was published in summer 2019.</li> <li>• Following the workshops, the Child Trafficking Strategy Group is developing a further set of workshops. Dates for these workshops are currently on hold due to the COVID-19 pandemic. Workshops will be taken forward when it is safe to do so.</li> <li>• A conference on Child Criminal Exploitation and Serious Organised Crime was held in November 2019 to raise awareness and re-frame the narrative around children involved in serious organised crime as victims of exploitation.</li> </ul>

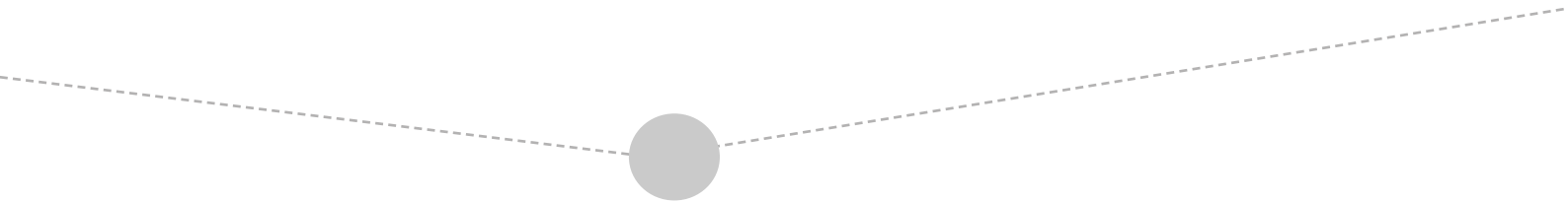
33 [https://www.celcis.org/files/7815/7961/8814/Regional\\_Workshops\\_Evaluation\\_Report\\_2019.pdf](https://www.celcis.org/files/7815/7961/8814/Regional_Workshops_Evaluation_Report_2019.pdf)



We need to better understand the routes into trafficking and exploitation situations for children and to use data more effectively to inform strategic and individual planning for child victims.

- Research on child trafficking by the University of Stirling, which was commissioned by the Scottish Government to improve understanding of the routes into trafficking for children in Scotland, will be published in summer 2020.
- The Child Trafficking Strategy Group will assess how to take the recommendations from the research forward.
- Police Scotland plan to conduct a problem profile to increase the intelligence picture in Scotland which will include child trafficking and criminal exploitation.
- Since January 2020, JustRight Scotland has been collating data on child victims of trafficking for the UK Anti-Trafficking Monitoring Group, to increase understanding about trafficking across the UK and identify key issues and gaps which require legal intervention.

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Where young people are victims of crime, including trafficking or exploitation, there is a need to ensure that a child-centred, wellbeing approach is taken to their needs, in line with GIRFEC approach. It is also important to identify and assess the circumstances impacting on the child. A child who is involved in some offending behaviour, for example, may themselves be a victim. The introduction of the presumption against prosecution as per the Lord Advocate's instructions will further strengthen this position.

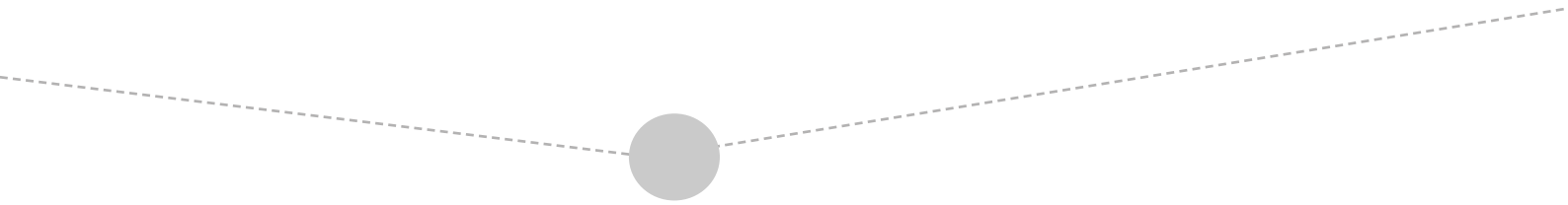
- The Scottish Government has been revising the National Child Protection Guidance, including the section on supporting victims of child trafficking and exploitation. A public consultation on the guidance is currently on hold due to the COVID-19 pandemic.
- Police Scotland published a Standard Operating Procedure for Inter-Agency Referral Discussions (IRDs) in September 2019 and have been continuing to work in partnership with Social Work Scotland to develop the new Joint Investigative Interview (JII) Training. Work is ongoing to ensure the journey from IRD through to JII is streamlined.
- JustRight Scotland, through training delivered in collaboration with TARA and Scottish Guardianship Service, has raised awareness and provided practical information on the Lord Advocate's instructions among key frontline services working with child victims of trafficking and children involved in offending behaviour.
- Between September 2017 and December 2019, JustRight Scotland delivered training sessions across Scotland which focused on age assessment and the rights and entitlements of care leavers.
- COPFS continues to apply the Lord Advocate's 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 Lord Advocate's instructions 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.



<p>Children who have been trafficked or exploited are likely traumatised by their experience. Whilst many NHS Boards have already put a lot of effort into reducing waiting times for access to psychological therapies and to Child and Adolescent Mental Health Services (CAMHS), we need to continue to ensure that children have access to appropriate mental health services necessary to support recovery.</p>	<ul style="list-style-type: none"><li>• NHS Education for Scotland launched their National Trauma Training Framework<sup>34</sup> and work continues to improve access to child and adolescent mental health services through the Mental Health Strategy 2017-2027<sup>35</sup>.</li><li>• Last year, the Scottish Guardianship Service (SGS), in partnership with NHS Greater Glasgow and Clyde's Glasgow Psychological Trauma Service, The Anchor, were funded by Comic Relief for the next 3 years to deliver resilience building groups. This mental health project is called Allies and the aim is to provide early intervention support for asylum seeking and trafficked young men.</li></ul>
<p>In supporting recovery, we need to continue to be sensitive to the potential impact of other processes such as the National Referral Mechanism, immigration processes and the criminal injuries compensation system.</p>	<ul style="list-style-type: none"><li>• The Scottish Government, alongside key stakeholders, has been working with the Home Office on their proposals for making the National Referral Mechanism (NRM) more child-friendly.</li><li>• JustRight Scotland, in collaboration with the Scottish Guardianship Service, have been co-delivering a child-centred legal service for child victims of trafficking across 16 local authorities.</li><li>• The CTSG acknowledged that more advice and information should be made available about criminal injuries compensation to ensure victims are aware that they may be eligible for compensation.</li></ul>

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

35 <https://www.gov.scot/publications/mental-health-strategy-2017-2027/>



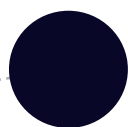
<p>UK statistical information highlights the provision of inappropriate care placements for child victims can increase the risk of children going missing and becoming subject to further trafficking and exploitation. Whilst prevalence is lower in Scotland than in England, we need to minimise the risks of further exploitation.</p>	<ul style="list-style-type: none"> <li>• Work continues to help prevent people from going missing and to ensure people get the best possible support through the National Missing Persons Framework<sup>36</sup> for Scotland which was launched in May 2017.</li> <li>• Return discussion training has been delivered across Scotland and further e-learning training will be established in 2020.</li> </ul>
<p>For unaccompanied child victims, we need to develop formal arrangements to enable Independent Child Trafficking Guardians to be appointed to assist, support and represent an eligible child in accordance with section 11 of the Act. Those arrangements will clarify their role and responsibilities and we will need to set out how the roles will complement existing local authority provision and contribute to outcomes for children.</p>	<ul style="list-style-type: none"> <li>• A consultation seeking views on the role, functions and responsibilities of an Independent Child Trafficking Guardian (ICTG) was launched in August 2019 and the responses to the consultation were published in December 2019.</li> <li>• The analysis of the responses was published in May 2020<sup>37</sup>; the next steps will be drafting regulations and starting the procurement process for the new ICTG service.</li> </ul>
<p>We need to ensure that any relevant existing guidance reflects the presumption of age provision in section 12 of the Human Trafficking and Exploitation Act ( 2015).</p>	<ul style="list-style-type: none"> <li>• An Age Assessment Working Group was set up by the CTSG to revise the age assessment guidance.</li> <li>• The Age assessment: practice guidance<sup>38</sup> was published in March 2018.</li> <li>• The Scottish Government has been working with COSLA and JustRight Scotland to deliver training to support the implementation of the updated age assessment practice guidance for first-line managers. The first training took place in March and then remotely in April 2020.</li> </ul>

36 <https://www.gov.scot/publications/national-missing-persons-framework-scotland/>

37 <https://www.gov.scot/publications/independent-child-trafficking-guardians-consultation-analysis-report/>

38 <https://www.gov.scot/publications/age-assessment-practice-guidance-scotland-good-practice-guidance-support-social/>

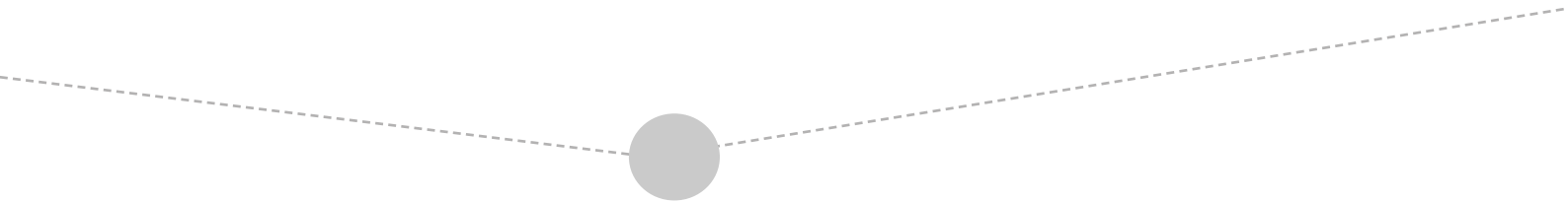




Short Term Actions	Progress to Date
<p>The Scottish Government will continue to take forward the Child Protection Improvement Programme (CPIP) announced in February 2016, of which addressing child trafficking is a key work stream.</p>	<ul style="list-style-type: none"> <li>• Age-assessment guidance has been revised.</li> <li>• Stakeholder forum on NRM reform held in August 2018.</li> <li>• Research on routes into child trafficking was commissioned.</li> <li>• Other CPIP actions continuing to be taken forward. Regular updates on CPIP are published on the CPIP Blog<sup>39</sup>.</li> </ul>
<p>Local Child Protection Committees (CPCs) should ensure that there is robust partnership working in place to address child trafficking and exploitation. This should be underpinned by specific and appropriate arrangements on child trafficking and exploitation through guidance, protocols or procedures, which are known and implemented by relevant services. This should include having in place appropriate strategic and practice linkages between child and adult services for older children and arrangements for the provision of advocacy.</p>	<ul style="list-style-type: none"> <li>• Electronic surveys were completed by CPCs in summer 2017 and the findings were presented to CTSG in October 2017 and CPC Scotland in December 2017.</li> <li>• A new survey was circulated to CPCs on Child Sexual Exploitation<sup>40</sup>, which closed July 2019.</li> </ul>
<p>Local services working directly with children should have in place appropriate processes regarding the use of interpreters to support practice in relation to children where English is not their first language.</p>	<ul style="list-style-type: none"> <li>• CTSG members have discussed issues around interpreters and the impact these issues have on the child or young person such as re-traumatisation and safeguarding.</li> <li>• The CTSG acknowledge clear guidance and training for professionals about working with interpreters is required.</li> <li>• Voice Over (Social Enterprise interpreting organisation) are running an introduction to Community Interpreting Course in September 2020 at Glasgow Clyde College.</li> <li>• The Law Society of Scotland's Immigration &amp; Asylum Sub-Committee is preparing a practice note on this issue.</li> </ul>

39 [https://blogs.gov.scot/child-protection-improvement-programme/?\\_ga=2.158491130.1149455805.1530610014-1897818022.1528112209](https://blogs.gov.scot/child-protection-improvement-programme/?_ga=2.158491130.1149455805.1530610014-1897818022.1528112209)

40 <https://www.celcis.org/knowledge-bank/search-bank/survey-child-protection-committees-2019/>



<p>The Scottish Government, in consultation with stakeholders will bring forward guidance on the use of Sections 22 and 25 of the Children (Scotland) Act 1995 regarding the provision of support to children. (Section 25 - provision of accommodation and Section 22 - promotion of welfare of children in need)</p>	<ul style="list-style-type: none"> <li>• The Scottish Government is currently revising the National Guidance for Child Protection which will include guidance for practitioners on the use of Sections 22 and 25 of the Children (Scotland) Act 1995<sup>41</sup>.</li> <li>• Following publication of the revised National Guidance for Child Protection, consideration will be given on whether further guidance/practice notes are required on the use of Section 22 and 25 of the Children (Scotland) Act 1995.</li> </ul>
<p>In implementing the updated national action plan to prevent and tackle child sexual exploitation, we will ensure that Scotland is a hostile place for perpetrators and facilitators of CSE. This will be achieved through a variety of actions; to ensure perpetrators are identified early, held to account through the criminal justice system and by encouraging victims to report. This includes improving consistency in local problem profiling in order to build a national profile of CSE across Scotland.</p>	<ul style="list-style-type: none"> <li>• Delivery report of the 2016 updated National Action Plan to Prevent and Tackle Child Sexual Exploitation<sup>42</sup> is to be published summer 2020.</li> <li>• Ongoing work on child sexual abuse and exploitation data to encompass a revised approach, using existing data sources to better understand prevalence, scale and nature of child abuse. Ongoing work to include partnerships with CELCIS, the centre of expertise on child sexual abuse and the Office of National Statistics.</li> </ul>
<p>To strengthen the multi-agency response to prevention, disruption and detection of perpetrators across Scotland, Police Scotland are currently piloting a child sexual exploitation and abuse intelligence sharing toolkit, which will formalise information collection sharing arrangements between the police, other law enforcement agencies, statutory agencies (including social work, education, housing, health and licensing), community groups, voluntary sector services and the business community (including hotels, taxi companies, food outlets, off licenses and hostels). The toolkit will be evaluated ahead of a national roll-out.</p>	<ul style="list-style-type: none"> <li>• The first pilot for the Partners Intelligence Toolkit (previously known as External Partners Portal for Intelligence Collection) commenced in February 2020 in Highlands and Islands and the pilot is subject to review.</li> <li>• A second pilot area has been identified for the Partners Intelligence Toolkit in Aberdeen with plans for the pilot to commence this year.</li> </ul>

41 <http://www.legislation.gov.uk/ukpga/1995/36/contents>

42 <https://www.gov.scot/publications/national-action-plan-prevent-tackle-child-sexual-exploitation-progress-report-9781788517010/>



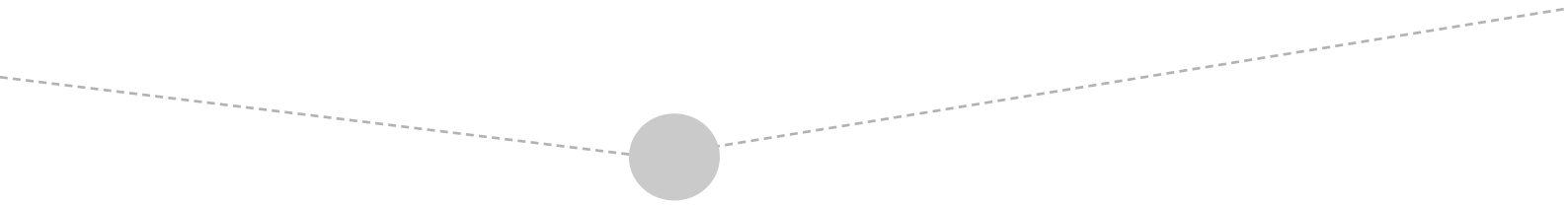
The Scottish Government will continue to support NHS Boards to meet their access targets for specialist child and adolescent mental health services with a programme of improvement.

- Work continues to improve access to child and adolescent mental health services through the Mental Health Strategy 2017-2027<sup>43</sup>.
- NHS Education for Scotland launched their National Trauma Training Framework<sup>44</sup> which includes resources for practitioners. As part of this, a video was released on the impact of trauma on children and young people, and the approaches professionals can take to support them<sup>45</sup>.
- Last year, SGS in partnership with NHS Greater Glasgow and Clyde's Glasgow Psychological Trauma Service, The Anchor, were funded by Comic Relief for the next 3 years to deliver resilience building groups. This mental health project is called the Allies and the aim of the groups is to provide early intervention support for asylum seeking and trafficked young men. SGS link progress and findings of the project into the National Mental Health Task Force.
- SGS continues to support young people to navigate both statutory and non-statutory mental health services brokering relationships of trust between young people and mental health providers.

43 <https://www.gov.scot/publications/mental-health-strategy-2017-2027/>

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

45 <https://vimeo.com/380024673>



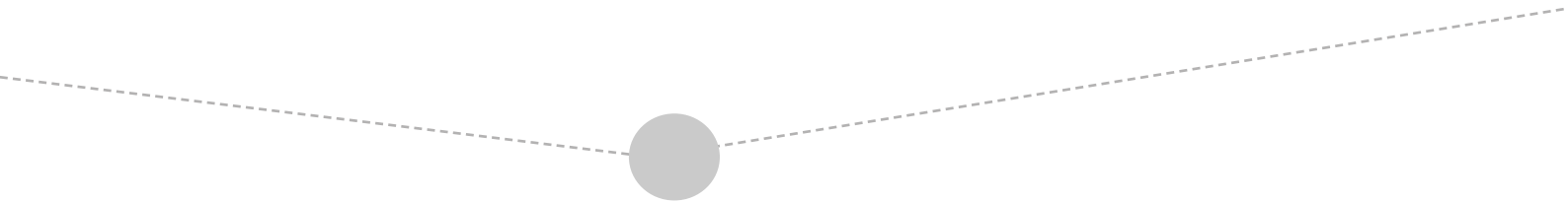
<p>For unaccompanied children, who do not have someone with parental rights and responsibilities for them in the UK, the Scottish Government will consult with partners on introducing formal arrangements that will meet the duties in section 11 of the Act. Once that section is fully in force, Ministers will be under duty to make arrangements to enable a guardian to be appointed to children who have been trafficked, and relevant authorities will be under a duty to refer these children to this service. We will work together with partners in developing how this will be implemented.</p>	<ul style="list-style-type: none"> <li>• A consultation seeking views on the role, functions and responsibilities of an Independent Child Trafficking Guardian (ICTG) was launched in August 2019 and the responses to the consultation were published in December 2019.</li> <li>• The analysis of the responses was published in May 2020; the next steps will be drafting regulations and starting the procurement process for the new ICTG service.</li> </ul>
<p>The Scottish Government will work with partners to update the 2012 Age Assessment Guidance to reflect the provisions of section 12 of the Act and consider the need for any other revisions.</p>	<ul style="list-style-type: none"> <li>• An Age Assessment Working Group was set up by the CTSG to revise the age assessment guidance.</li> <li>• The Age assessment: practice guidance was published in March 2018.</li> <li>• Scottish Government has been working with COSLA and JustRight Scotland to deliver training to support the implementation of the updated age assessment practice guidance for first-line managers. The first training took place in March and April 2020.</li> </ul>
<p>The Scottish Government is taking forward a refreshed Child Internet Safety Action Plan. Whilst the Plan is wider in its scope than child trafficking, it will recognise the role that social media and online activity can play in the trafficking and exploitation of children.</p>	<ul style="list-style-type: none"> <li>• Progress report of National Action Plan on Internet Safety for Children and Young People<sup>46</sup> will be published in summer 2020.</li> <li>• The Scottish Government will continue to engage with UKCIS and subgroups on improving the online safety landscape in Scotland.</li> <li>• Engagement will continue with UK Government in development of legislative and non-legislative measures to tackle online harms and regulation of online services provided in the UK.</li> </ul>

46 <https://www.gov.scot/publications/national-action-plan-internet-safety-children-young-people/>



<p>The Scottish Government will commission a piece of research that will work with frontline workers and services to identify the presence of young people who have been trafficked and to establish their routes to arrival. Through this we can then make an evidence-based decision with our partners on whether any other action (such as the development of guidance) is needed to protect and safeguard, and, where possible, to prevent any such activity taking place.</p>	<ul style="list-style-type: none"><li>• The research on child trafficking by the University of Stirling, which was commissioned by the Scottish Government to improve understanding of the routes into trafficking for children in Scotland, will be published in summer 2020.</li><li>• The CTSG will need to consider the recommendations from the research.</li></ul>
<p>Child and Adult Protection Committees should consider how best to collaborate to share learning and best practice in relation to addressing child trafficking and exploitation victims, particularly in relation to children transitioning to adult support services, where human trafficking issues may contribute to them being an adult at risk of harm.</p>	<ul style="list-style-type: none"><li>• The University of Stirling undertook research to explore the capacity, experience and understanding of local authorities to provide a support system for unaccompanied children. The findings highlighted inconsistency of practice across Scotland and the final report <i>Responding to Unaccompanied Minors in Scotland: Policy and Local Authority Perspectives</i><sup>47</sup> was published in October 2018.</li><li>• Child and Adult Protection Committees continue to ensure that relevant and up-to-date guidance and protocols are in place for children and young people who have been victims of trafficking and exploitation.</li><li>• CTSG acknowledges further work is required for children who are transitioning to adult support services for victims of trafficking.</li></ul>

47 <https://www.stir.ac.uk/research/hub/publication/1029734>



Medium Term Actions	Progress to Date
<p>The Scottish Government will work to ensure that local authorities across Scotland continue to provide care to a consistently high standard and, in terms of a child's entitlement to continuing care introduced by the Children and Young People (Scotland) Act 2014, both in short term and when they leave care.</p>	<ul style="list-style-type: none"> <li>• The Independent Care Review<sup>48</sup> published its final report and conclusions on 5 February 2020. The Review provides recommendations and highlights issues around the care and after care of unaccompanied asylum seeking children.</li> </ul>
<p>Child and Adult Protection Committees should consider how partners can best work together to identify and meet training needs.</p>	<ul style="list-style-type: none"> <li>• Child Protection Committees are multi-agency partnerships and as such will ensure that actions to meet training needs are taken on a collaborative basis. This includes links with adult protection and adult services and across public protection.</li> <li>• The Child Trafficking Strategy Group is currently developing a further set of workshops on child trafficking and sexual exploitation. The dates for these workshops are currently on hold due to the COVID-19 pandemic. Workshops will commence once social distancing rules have been eased.</li> </ul>
<p>The Scottish Government, through the Child Protection Improvement Programme will support Child Protection Committees to identify and make better use of data for strategic and individual planning.</p>	<ul style="list-style-type: none"> <li>• A Minimum Dataset for Child Protection Committees has been developed.</li> <li>• The Minimum Dataset is a 'package' of data collation, presentation, analysis, reporting and scrutiny supports. The package will deliver robust data sets to support child protection improvement, local planning and service development, and expanded analytical capacity.</li> </ul>
<p>Child Protection Committees should have in place appropriate mechanisms for the monitoring of effectiveness of guidance, protocols or procedures in place to address child trafficking and exploitation.</p>	<ul style="list-style-type: none"> <li>• The function of CPCs is to ensure that relevant and up-to-date guidance and protocols are in place. Select CPCs have been doing work on raising awareness through guidance and training.</li> </ul>

48 <https://www.carereview.scot/destination/independent-care-review-reports/>





The Scottish Government, linking to the national Mental Health Strategy, will consider how (with partners) we can best maximise the current children’s mental health provision and work together to better support recovery in the long-term.

- Work continues to improve access to child and adolescent mental health services through the Mental Health Strategy 2017-2027<sup>49</sup>.
- NHS Education for Scotland launched their National Trauma Training Framework<sup>50</sup> which includes resources for practitioners.
- Last year, SGS, in partnership with NHS Greater Glasgow and Clyde’s Glasgow Psychological Trauma Service, The Anchor, were funded by Comic Relief for the next 3 years to deliver resilience building groups. This mental health project is called the Allies and the aim of the groups is to provide early intervention support for asylum seeking and trafficked young men.
- SGS link progress and findings of the project into the National Mental Health Task Force.
- SGS launched a befriending service for victims of child trafficking.
- SGS continues to support young people to navigate both statutory and non-statutory mental health services brokering relationships of trust between young people and mental health providers.

**Long Term Actions**

The Scottish Government recognises that a sustained and collaborative effort is necessary and will continue to take a joined-up approach with partners to support victim recovery, assist with reintegration and continue to address conditions that foster child trafficking and exploitation.

**Progress to Date**

The annual progress reports provide a summary of all work taken forward in the first three years of the Trafficking and Exploitation Strategy.

49 <https://www.gov.scot/publications/mental-health-strategy-2017-2027/>

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

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# Strategy review process and responses

## Review process

Section 36(4) of the Human Trafficking and Exploitation (Scotland) Act 2015 states: “Before preparing or reviewing the strategy, the Scottish Ministers must consult such persons as they consider likely to have an interest in the strategy.”

Over a period of six months the Scottish Government has undertaken an extensive programme of engagement to seek the views of a wide range of stakeholders on how effective implementation of the Strategy has been and whether changes are needed either to the Strategy itself or to the approach to implementation.

The engagement process was formally launched on 18 October 2019, Anti-Trafficking Day, with a full-day **Stakeholder Forum**. The event opened with a keynote speech from Ash Denham MSP, Minister for Community Safety. As well as hearing updates on implementation and external perspectives on the victim support and enforcement side, attendees were asked to participate in four roundtable discussion sessions, focused on child trafficking and each of the three Action Areas in the Strategy. At each session, they were asked to consider three questions:

- What had been done well in implementing the Strategy?
- What more should have been done?
- How should the outcomes and approach in the Strategy change?

A full report of the 18 October 2019 Stakeholder Forum discussions is available online<sup>51</sup>.

A detailed **online survey**, open to all with an interest, was available between 18 October and 31 December 2019, and received 246 responses. More detail on the survey is included in the section below, and a full analysis report of the survey is available online<sup>52</sup>.

A meeting of the **Strategic Oversight Group** was held on 5 November to discuss the first stages of the review and agree an approach going forward.

A further full-day session was held on 6 December, this time for members of the three **Action Area groups** and the Child Trafficking Strategy Group, inviting them to reflect on what progress has been made in implementing the Strategy, what changes might be needed in a new Strategy, and any changes the Scottish Government and partners should make in a collective approach on human trafficking. A report on discussions at the 6 December joint Action Area group session is available online<sup>53</sup>.

The Scottish Government has also undertaken detailed **one-to-one** meetings with key partners including the Independent Anti-Slavery Commissioner, Trafficking Awareness Raising

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51 <https://www.gov.scot/publications/trafficking-and-exploitation-strategy-review-anti-slavery-day-stakeholder-forum-18-october-2019/>

52 <https://www.gov.scot/publications/trafficking-and-exploitation-strategy-review-online-survey-analysis/>

53 <https://www.gov.scot/publications/trafficking-and-exploitation-strategy-review-all-action-areas-combined-meeting-6-december-2019/>

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Alliance (TARA) and Migrant Help, Police Scotland, the Lord Advocate, and the Minister for Children and Young People.

The review has also been informed by engagement with victims and survivors. The Cabinet Secretary for Justice had a private meeting with a small group of survivors at Parliament to discuss their experiences and what action or intervention might have made a difference for them. Further engagement with victims and survivors had been planned, including a visit by the Cabinet Secretary to The Anchor psychological trauma service and engagement through Aberlour and the Scottish Guardianship Service to capture the views of child victims. Unfortunately, these plans had to be cancelled following the outbreak of the COVID-19 pandemic, in line with public health advice and to protect the health and wellbeing of participants.

### Online survey

The survey was split into two sections. The first contained general questions about the approach to trafficking and exploitation in Scotland which were intended for all respondents. The second section contained more detailed questions likely to be of more interest to those working in areas related to trafficking, or who have a strong interest in the Trafficking and Exploitation Strategy. However all questions were open to all and all were optional.

246 responses were received, ranging from key partners closely involved in delivering the Strategy to anonymous individuals.

The analysis distinguishes between responses from individuals (whether anonymous or not) and those that self-identified as coming from a member of a group or organisation.

65 of the responses came from groups, and this included local government, NHS, Police Scotland, other areas in the Scottish Government, universities and NGOs.

181 of the responses came from individuals, and 95% of these were anonymous.

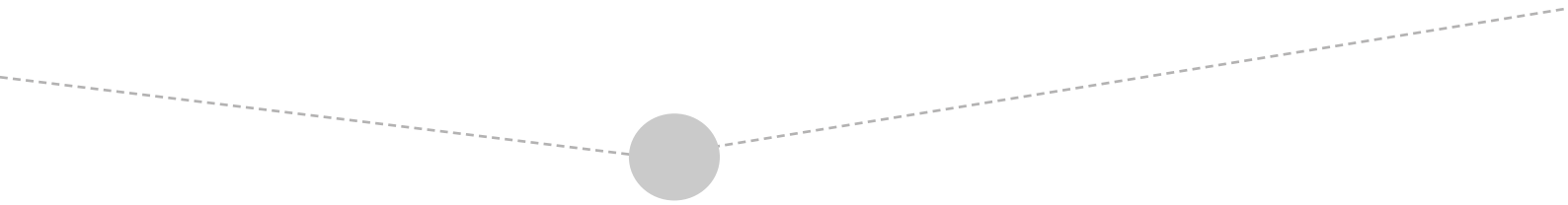
### Survey responses

Most respondents were aware of the Trafficking and Exploitation Strategy (particularly those from groups or organisations), and just over half felt that specific changes in Scotland or beyond should be reflected in a **new Strategy** (notably increasing numbers of victims being identified and the impact of Brexit).

There seemed to be significant uncertainty around **terminology** like modern slavery and human trafficking and exploitation, but generally people agreed that a wide range of bodies should be working together to tackle these issues.

In general respondents agreed with the **vision** of the Strategy – though some felt that “eliminating” human trafficking was an unrealistic goal – and with the high level aims of the three Action Areas, though with some suggestions for amendments. In particular there were suggestions that “disrupt[ing]” the activity of perpetrators under Action Area 2 is not strong enough, and that Action Area 3 could better reflect

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the range of prevention work that is needed. Child trafficking was identified as an area that is as important as the three Action Areas.

On the nine general **outcomes** set out under the Action Areas, there was majority agreement for each one, though for several there were suggestions for how they could be amended. Some of the wording of these outcomes was confusing or ambiguous to some respondents, and two of the outcomes might put the onus too much on victims rather than on support services (“Victims are aware of support and trust it enough to ask for help” and “People at most risk get help to increase their resilience against trafficking”). There were questions about whether those outcomes that refer to awareness should go further and refer to people acting on that awareness.

In respect of **child trafficking**, respondents were clear that this should be a strong focus for activity under the Strategy and that it requires a distinct approach. However, views were mixed on whether this would be best done by making it a fourth Action Area or by retaining the current structure.

On **reporting** of implementation, most respondents felt this should continue to be annual.

When asked about **equality** and barriers to support, respondents were broadly evenly split on whether the current approach in the Strategy did enough to address particular impacts on female victims, and on other minority groups. The most common barriers identified were language and cultural issues.

### **Stakeholder Forum (18 October 2019) discussion key themes**

The full report of the 18 October Stakeholder Forum is available online<sup>54</sup>. Below is a summary of key discussion points.

- Several areas were highlighted as areas where good progress had been made, but there remained more to do to build on this and increase consistency across the country. This included: raising public awareness, partnership working, information sharing, training, involving the voice of victims and survivors, embedding Slavery and Human Trafficking Statements.
- On training, in-person is better than e-learning, the third sector was highlighted particularly as needing training, and there were several calls for better training for those using the NRM process.
- An increased focus on longer term outcomes is needed, but this is challenging to achieve.
- On the outcomes in the Strategy, these need to be clear, dynamic and achievable, and could be improved in some instances, but there are risks to changing the goals at this stage when a lot of activity is just getting going.
- Child trafficking could potentially be better integrated with the Action Areas in the Strategy.
- Resources and capacity were raised in a number of contexts, particularly in the context of increasing referrals.

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<sup>54</sup> <https://www.gov.scot/publications/trafficking-and-exploitation-strategy-review-anti-slavery-day-stakeholder-forum-18-october-2019/>



- More work is needed on child criminal exploitation, including the practice sometimes called county lines, and as part of this links to the drugs strategy and a public health approach should be strengthened.
- More focus on UK victims and internal trafficking is needed.
- There should be work in schools and universities to build awareness and understanding.
- More engagement could be undertaken with faith groups, homelessness support.
- Access to and training for interpreters is a key issue, use of telephone interpreting is unhelpful, and training on how to work with interpreters would be helpful.
- Psychological support is readily available to adult but not child victims.
- There were calls for a stronger gendered approach to sexual exploitation and links to gender-based violence and inequality – but also an acknowledgement that most victims identified are now adult males and more work could be needed in this area.
- The experiences of victims in court was highlighted, with more support needed around giving evidence, and also better coordination and planning around the risks of victims being unable to give evidence. There was a call for more consideration of victimless prosecutions.
- There was scepticism that new offences had led to significantly more prosecutions, and calls for more work to embed and promote use of TEPOs and TEROs.

- There should be analysis and reporting on the implementation and impact of duty to notify.
- More should be done to explore international links.
- We should look to attack the economic drivers of trafficking and consider the demand that leads to it, including prostitution and cheap goods.
- Public awareness activity would benefit from further use of specific case studies including locally relevant cases, and involving local authorities.
- There is scope for closer involvement of COPFS, both in terms of joint work operationally, and involvement at these sorts of events.

### **Joint Action Area group session (6 December 2019) key themes**

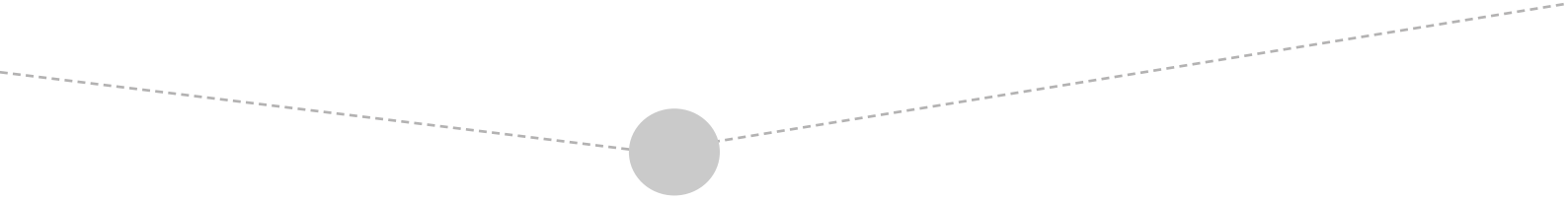
The full report on the Joint Action Area group session is available online<sup>55</sup> but some key points from discussions for each Action Area are set out briefly below.

Action Area 1 (Identify victims and support them to safety and recovery):

- Structure, membership & purpose of the group were broadly right, but meetings should be more directive and action-focused, and shortlife taskforces should be established to drive forward specific projects.

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<sup>55</sup> <https://www.gov.scot/publications/trafficking-and-exploitation-strategy-review-all-action-areas-combined-meeting-6-december-2019/>

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- There has been some good activity on training and awareness raising for professionals but awareness is still too low and the approach to training should be more strategic.
  - There are groups of victims who are potentially being overlooked or not identified, particularly UK nationals, and more could be done to address risks to the homeless population.
  - More could be done to make use of the voice and experiences of trafficking survivors, though this should only be done where it is in their best interests.
  - Reporting on the Strategy may be too numbers-focused and lengthy: there needs to be consideration of what and who the annual progress reports are for.
  - There should be a greater focus on medium to long term outcomes for victims.
  - Fundamental changes to the Strategy would not be helpful but tweaking it to better reflect impacts on women and children could be a good idea.

#### Action Area 2 (Identify perpetrators and disrupt their activity):

- The current structure and membership of the Action Area 2 group is quite broad and the focus on operational issues can leave less time for strategic work. This could be reconsidered.
- The system seems not to be effectively identifying UK victims of trafficking in Scotland.

- The way annual reports present measures of progress does not effectively reflect the work being done and its positive impact.
- It would be helpful to explore how a stronger approach to trafficking as serious organised crime could improve disruption.
- Feeding in the views of victims and survivors in a sensitive manner is crucial.
- Action Area 2 should co-ordinate with the Child Trafficking Strategy Group on specific work on child criminal exploitation.

#### Action Area 3 (Address the conditions that foster trafficking and exploitation):

- The high level goals and outcomes are broadly right – changing at this stage could risk losing focus.
- Lots of work has been done on the first two outcomes, but the third (people at most risk get help to increase their resilience against trafficking) is difficult.
- Some felt the current approach to annual reports is too detailed and not worth the work involved; others felt it was important to be capturing and reporting on the range of work being done.
- The current measures reported on don't always make it clear what the benefits are – we should think about how to capture less tangible outcomes.
- The Corporate Group needs to be reinvigorated/relaunched, with stronger links to high profile businesses, named champions and sponsors.





- The Action Area 3 group needs to be more task and target focused, initiating short life working groups on specific projects, working across Action Area groups where this makes sense. The business guidance was a good example of this approach.
- There was consensus that work was required to help tackle barriers to access good quality interpretation services, legal advice and further education.
- There was discussion around the child trafficking strand potentially being broadened to include other forms of exploitation (such as child criminal exploitation or child sexual exploitation) but it was agreed that any change would need to ensure that trafficking was not lost in the wider work.

#### Child Trafficking Strategy Group:

- There were varying views on whether the Child Trafficking Strategy Group should remain as it is or become a separate Action Area.
- There was agreement that there needs to be a greater focus on how issues relating to children and young people are being shared and considered across the other Action Areas.
- The Child Trafficking Strategy Group needs to increase focus on deliverable actions and use the meeting space to drive these forward rather than as a forum for updates.
- Awareness raising has been positive but concern remains around who is being missed out. A greater focus on UK nationals is required and more detailed assessment of trends in NRM data.
- A general theme of the discussion was the need to look at the continuity of support as child victims transition into adulthood and the long term recovery of (child) victims.
- There was agreement that wider work was required to prevent re-trafficking and reduce the risk of re-trafficking for young people.



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# Review conclusions and next steps

The review sought to answer three key questions:

- To what extent has the Strategy been implemented and complied with?
- Should a new Strategy be published?
- If so, what changes are needed in a new Strategy?

The main conclusions of the review are set out here for each of these questions. However, behind these high level conclusions there is a wealth of inputs and suggestions which each Action Area and the Child Trafficking Strategy Group is using to reform and improve their approach and activities.

## **To what extent has the Strategy been implemented and complied with?**

As set out in the section of this report “Delivering the Strategy”, and in each of the three annual progress reports, there has been a huge amount of work in Scotland since the publication of the Strategy to improve support for victims, tackle perpetrators and address the causes of trafficking.

Meaningful progress has been made towards each of the key outcomes in the Strategy, and the specific short, medium and longer term actions have generally been either completed or moved forward. Where this has not been possible, plans have been put in place to make progress in the next phase of Strategy implementation.

Some of the work has been done by the Scottish Government directly, some has been done by partners on their own initiative, and some has been the result of collaborative working. A key learning point from the review is that each of the three Action Area groups, and the Child Trafficking Strategy Group, could improve joint working to drive forward cross-cutting projects.

It is clear that partners and stakeholders are committed to tackling human trafficking, and to using the Strategy as a framework for this. Section 37 of the Human Trafficking and Exploitation (Scotland) Act 2015 allows Ministers, by regulations, to specify which Scottish public authorities should be subject to a duty to cooperate on the Strategy. Regulations will be developed in due course, but the lack of a statutory duty has clearly been no barrier to bodies engaging with and helping to deliver the Strategy.

There is clearly more work to be done, and there are areas where progress has been slower than had been hoped. The duty to notify has proved more complex to implement meaningfully than expected, but is now in a position to move forward following public consultation; targeted measures for those at risk of trafficking could be more strategic and joined-up; and while numbers of referrals have increased dramatically, there can be no doubt that we are still some way from identifying and addressing all the trafficking and exploitation taking place in Scotland.



However, the vision of the Strategy – to eliminate human trafficking and exploitation – was never a three-year goal. It is clear that the Strategy has been largely complied with, both by the Scottish Government and its partners. The review process has been valuable in identifying where further work is most needed, and how the collective approach can be improved.

### **Should a new Strategy be published?**

A clear consensus emerged from all forms of engagement that the Strategy in its current form provides a broadly effective framework for delivering and coordinating action on trafficking in Scotland, and that fundamentally redesigning it would be unhelpful at this stage.

However, there were a number of areas where improvements could be made, which are set out below.

**This review concludes that while the Strategy is fit for purpose in the short term, a revised Strategy should be developed and published when possible.**

### **What changes are needed in a new Strategy?**

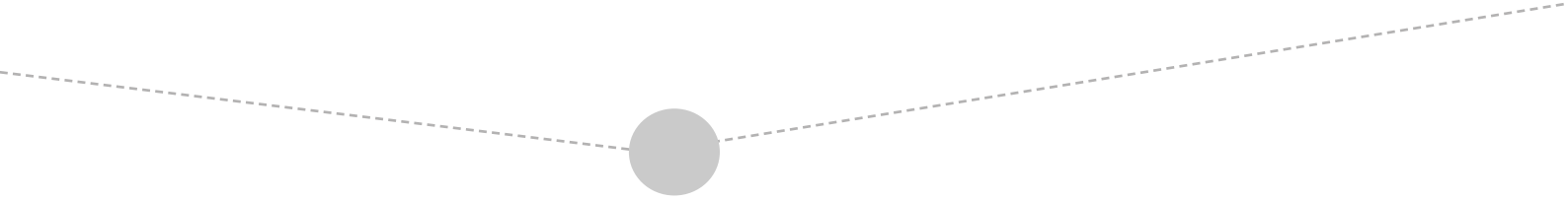
One key theme that emerged from the review is the need to consider **gendered** aspects of human trafficking and exploitation. While the majority of NRM referrals from Scotland are for suspected labour exploitation of men and boys, the vast majority of victims of trafficking for sexual exploitation are women and girls, and the impact on them can be particularly devastating. Several respondents during the review emphasised the need for

the Strategy to do more to reflect this. However, others raised concerns about taking a strictly typological approach, given that many victims suffer multiple forms of exploitation. This warrants further consideration.

The chapter on **child trafficking** in the Strategy makes clear that this is a key priority for joint work. Some have argued that this would be more effective if child trafficking were made into a fourth Action Area with equal status to the other three. In practice, the implementation approach for child trafficking has been very similar to the three Action Areas, except that instead of working towards delivering three key outcomes, this has been structured around the three Action Areas themselves (supporting victims, tackling perpetrators, and addressing the causes). The Scottish Government is currently reviewing the Child Trafficking Strategy Group and will consider this as part of that work.

One specific aspect of child trafficking that emerged consistently during the review was **child criminal exploitation**, including the practice sometimes known as County Lines. This is related to the wider issue of low numbers of UK victims being referred to the NRM from Scotland, compared with England and Wales. The Child Trafficking Strategy Group will work with Police Scotland and Action Area Two to see how this can be addressed.

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The work to support victims has up until now been primarily focused on meeting their immediate needs, in line with statutory requirements. More work is now needed to consider **longer term outcomes** for survivors of trafficking and exploitation, and the Strategy should set out goals in this area.

The COVID-19 pandemic and anticipated economic impact will have a major impact on human trafficking and exploitation work in Scotland. The revised strategy will be informed by emerging evidence and will respond to any specific needs identified.

While the current annual reporting cycle remains appropriate, the specific **measures** set out in the Strategy are not always meaningful or representative of the progress that has been made, and could be reconsidered.

More work could be undertaken in schools and universities to build awareness and understanding, and links to related policy areas including Serious Organised Crime, prostitution, child sexual and criminal exploitation, and homelessness could be strengthened.

These are the main areas that will be considered in developing an updated Strategy; however a much wider range of subjects have been raised during the course of the review, and will be considered in detail by the three Action Area groups and the Child Trafficking Strategy Group, to improve joint working to tackle trafficking and exploitation in Scotland.



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