

COSLA STRATEGIC MIGRATION PARTNERSHIP

Human Trafficking

1. The issue of supporting victims of human trafficking has been amplified with the launch of Pentameter 2 and the welcome push by the Home Office to ratify the Council of Europe Convention Against Trafficking in Human Beings. CSMP is working with key stakeholders to develop a co-ordinated response to supporting victims of human trafficking across Scotland.

Background

2. CSMP took a paper through the COSLA political structures to Council Leaders in November 2006 in order to raise awareness about the problem of human trafficking and to explore potential responses. Leaders promised to support the counter-trafficking agenda at a local authority level and commit to the principles set out in the Council of Europe Convention against Trafficking in Human Beings, which called on heads of state to sign the Convention (which is a comprehensive treaty focused on the protection of victims of trafficking).
3. The UK Government agreed to sign the Convention on the 22nd of January 2007, the first international legal instrument that requires the countries that sign it to provide, at least, minimum standards of support and protection to victims of trafficking. The Convention will ensure that the victims of trafficking in the UK will automatically be granted refuge in the UK for a period of 30 days. The Convention also requires that the Government grant renewable residence permits to victims who are integral to an ongoing prosecution case or whose welfare needs requires them to remain in the UK.
4. ACPOS launched Pentameter 2 (UKP2) in October 2007, the main aim of the operation is to rescue victims of human trafficking and to actively target persons involved in the trafficking of human beings. With the recovery of victims in mind, it will be necessary that Scottish police forces and local authorities liaise to provide specialist care and protection of victims. A seminar on supporting victims of human trafficking was convened by ACPOS for all Scottish local authorities to attend in October. CSMP ensured representation from local authorities at the ACPOS seminar and gathered feedback from relevant local authorities after the event. The feedback identified that local authorities still have a number of concerns and queries regarding supporting human trafficking victims.

Key issues

5. *Identification and referral*

Correct identification and referral of victims to the appropriate support services lies at the heart of any system to protect trafficking victims. Victims who are not identified are often treated as illegal entrants and/or criminals and their subsequent treatment by the authorities can compound the trauma they have already suffered. Amnesty International UK (AIUK) recommends that the

Scottish Executive support the training of frontline workers in the identification and referral of victims and the sharing of best practice across Scotland.

6. *Support and accommodation*

The Convention requires member states to provide such measures as may be necessary "to assist victims in their physical, psychological and social recovery" and as a minimum these should include: appropriate and secure accommodation; psychological and material assistance; access to emergency medical treatment; information on rights; access to interpreter/ translation and legal advice and access to education for children. However, there has been no decision on how support issues will be dealt with, that is whether support will be local authorities or the Home Office's responsibility.

Currently there is one Home Office funded refuge for women who have been trafficked into sexual exploitation, which has 35 bed spaces. The Scottish Executive has funded two workers at the TARA Project, though the project has no funded accommodation, the provision of which has been met by the local authority in alliance with other agencies and on an ad hoc basis. There are no similar projects for children or adults who have been subjected to labour or domestic work exploitation.

There are great inconsistencies between local authority's responses to trafficking issues. A council has set out an anti-trafficking protocol in which they have committed themselves to accommodate trafficked victims through community care resources and S12 funding. Whereas, other councils have taken legal advice and decided that they cannot support trafficked victims. This emphasises the need for a co-ordinated approach to accommodation and support issues.

7. *30 day reflection period*

The Convention recommends that victims or potential victims of human trafficking should be allowed a 30 day reflection period to enable victims to physically and mentally recover from the influence of traffickers and to decide whether they wish to co-operate with the authorities or return home. AIUK calls for the UK Government to provide trafficking victims with a 3-month reflection period in line with the above recommendations, research and best practice. It must be recognised that the potential financial impact has increased with the introduction of a 30 day reflection period. Furthermore, these financial implications will become more pressing as more victims are recovered.

Current CSMP Work

8. Thus far our work has been symbolic rather than practical. Notwithstanding the work undertaken by Glasgow City Council and Edinburgh City Council, more needs to be done by local authorities on this issue. The key objectives CSMP wish to pursue regarding human trafficking are to:
 - Provide an opportunity to discuss a Scotland wide strategic focus and local operational issues;
 - Clarify local authorities responsibilities for adult and child trafficking victims (especially child protection and accommodation issues);
 - Create information sharing arrangements and impart best practice;
 - Scope and forecast the trafficking problem in each local authority;
 - To clarify funding mechanisms and responsibilities.
9. CSMP will work in partnership with the Scottish Government to take this issue forward. CSMP and the Scottish Government will host a meeting on human trafficking on 29th November with all local authorities with a port, ACPOS, BIA, UKHTC and relevant NGOs. The broader aim of the meeting is to provide a national picture of support services for victims of trafficking. The meeting will offer an opportunity to elicit information and explore each local authority's response to trafficking issues. The agenda will cover: police action against human trafficking; current provision for victims of

trafficking; clarification of local authority roles in relation to providing support to adult and child victims of trafficking; and funding and resourcing issues.

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