

Roundtable on Human Trafficking

21.02.2023 6.00 pm

Minute

Present

MSPs

Rhoda Grant MSP
Bill Kidd MSP
Ruth McGuire MSP

Speakers

Bronagh Andrews - TARA
Joy Gillespie - SOHTIS
Graham O'Neill - Scottish Refugee Council, Policy Manager
Anushya Kulupana - JustRight Scotland, Senior Associate
Dr. Paul Rigby - University of Stirling

Invitees

Dr. Kateryna Bucho - Ukraine Catholic University
Prof. Lena Dominelli - University of Stirling
Rowena Reed - Red Cross
Joanna Harlos - Human Trafficking Lead META
Jim Laird - Inverclyde Council

Non-MSP Attendees

Online

Lynn Hansen
Natalia Equihua
Nikki Culpin
Andrej Ninkovic
Rowan Simpson
Karen Swift
Liz Jamieson

Linda Thompson
Laura Nacyte
Karen Murdarasi
Jenifer McFarlane
Erin Hastings - Aberlour
Emilia Novillo
Eva Mozolowski
Brianna Fletcher
Annette Lobo
Alexandre Rennes-Andrassy

In person

Gemma Corbett
Jenny Olsen
Gari Donn
Iris Aliska
Ella Higgins
Hannah Yeager
Rowena Reed
Graham O'Neill
Clara Zhang
Deputy PS Steven Bertram

Observers

Paula Leon
Anna Ahlbäck
Joakim Edman
Erika Mäkipere
Aoife Fisher
Abhinav Jose
Justine Vonpierre
John Hawluriuk

Apologies

Alexa Anderson
Gordon Smith, Scottish Government Human Trafficking Team
Jacci Stoye
Katy Clark MSP
Sarah Boyack MSP
Siobhan Brown MSP
Siobhan Moyes

Roundtable on Mitigating the Risks of Human Trafficking Among Ukrainian Refugees - Finding Best Practice and Policy to Safeguard Refugees in Scotland.

Gari Donn

- UNHS Introduction - UNHS Introduction - UNHS is a civil society organisation working to deliver the mission, vision, values and goals of the United Nations at grassroots level in Scotland
- Goals of this roundtable for UNHS - work with presenters & the MSPs' offices to produce a report on human trafficking among Ukrainian refugees living in Scotland

Rhoda Grant, MSP

- Tribute to a year of the War in Ukraine
- Concerns about the potential human trafficking of Ukrainian refugees
- Goal of event is to discuss about how we can protect and take care of refugees
- Leading speakers at this event are:
 - Joy Gillespie, CEO of Survivors of Human Trafficking Scotland
 - Bronagh Andrews, Trafficking Awareness Raising Alliance
 - Graham O' Neill, Policy Manager, Scottish Refugee Council
 - Anushya Kulupana, JustRight, Senior Associate
 - Dr. Paul Rigby, University of Stirling

Joy Gillespie, CEO Survivors of Human Trafficking in Scotland

- Survivors of Human Trafficking in Scotland works for the prevention, identification, and recovery of potential victims in Scotland and also for the long term support of survivors.
- In terms of the Ukraine response, SOHTS has been involved in the Scottish Government safeguarding strategy & involved with colleagues in Edinburgh regarding the displacement of Ukrainians in Scotland
- Displaced Ukrainians fit almost all of the risky areas in terms of drivers of trafficking
- Once trafficking and exploitation happens, it is very difficult in Scotland to recover people, find them, and identify them
- Organisations need to shift from reception and accommodation to mitigation (?) and support to ensure the protection of people
- Concerns:
 - We don't know the specific number of people that have already arrived in Scotland

- There are about 14,000 people who have visas to come to Scotland and still haven't arrived yet
- Insecure accommodation is one of the risks and drivers of trafficking so there are concerns about that as well
- Another key concern is the lack of knowledge about human trafficking in general across leading response agencies and key stakeholders in Scotland
- The final concern is complacency, we ought to challenge ourselves around prevention
- Just before Joy came to there event, she had two potential referrals for Ukrainian nationals who look like they've been victims of trafficking and it really enforces the need to educate people and empower them to prevent this from happening

Bronagh Andrews, Trafficking Awareness Raising Association

Trafficking Awareness Raising Alliance (TARA) is funded by the Scottish government to provide specialist support for women trafficked for commercial sexual exploitation

- TARA provides confidential services to women by helping them access safe crisis accommodations and referring them to the national referral mechanism for legal advice
- Health services will support women if they choose to file a report with the police and will also provide ongoing support and advocacy (usually provides these services for 12 - 18 months)
- When the Ukraine War first started, TARA worked with JustRight Scotland to produce information leaflets for new arrivals in Scotland
- Also worked closely with Glasgow Violence Against Women Partnership and the WHO (?) to produce a briefing paper on why a gendered response was required in terms of Scotland's response to displaced people
- Areas of ongoing concern at TARA are:
 - The stress that women face when forced to flee conflict or abuse
 - Increased risk of sexual violence which leads to human trafficking
 - A fairly limited understanding of women's particular experiences from destination states, including Scotland, when anticipating what their needs might be when designing responses
 - General issues of poverty that women will face - which will be exacerbated by the cost of living crisis - and particularly those who are dispersed by Scotland's borders or at the end of their time with sponsors
 - There are also issues of technology, childcare, and lack of flexible employment that women will be facing, which leaves them vulnerable to recruitment into the sex industry and, therefore, to human traffickers
 - A survey of 1000 Ukrainian women, which was published at the end of January by the Office of Democratic Institutions and Human Rights, divulged key findings such as a general lack of information for women as 4 in 10 women were not aware of the risks of human trafficking and around half of the women surveyed felt that they were not sufficiently informed about their rights on their journeys

- The survey also found:
 - 1 in 2 lacked financial resources
 - 4 in 10 had no employment offers
 - 1 in 20 were asked to work in return for accommodation
 - 1 in 50 were asked for sexual favours
 - 1 in 100 received proposals to participate in the sex industry
 - 1 in 250 received proposals to participate in ?
- No trafficked Ukrainian women have been referred to TARA to date, there have been limited referrals into the national referral Mechanism for Ukrainians
- At the moment, it might be a bit early for women who have been or are still in trafficking situations to have reached the referral services in Scotland

Graham O'Neill, Policy Manager, Scottish Refugee Council

Worked on the Human and Trafficking and Exploitation Act, which is intended to help Scotland maximise its developed competencies in relation to human rights abuses

- It is a young piece of legislation that still needs to be safeguarded and expanded upon
- Scottish Refugee Council is a refugee rights agency that has been around for 30 years
 - Works with people who are seeking refugee protection and asylum in Scotland
 - Has mainly been based in Glasgow for the last 20 years
- Attempting to inform Ukrainian refugees of their rights to social security, housing, health services, etc.
- Trying to integrate Ukrainians within the New Scots Network to offer them a sense of community

Increasing concerns surrounding limited accommodation for refugees

- 23,000 people have arrived from Ukraine in the span of a year, compared to the 20,000 Syrians that arrived over a period of 5 years - this many people arriving in such a short amount of time will bring challenges.
- There are huge accommodation challenges across the board in the UK in terms of social housing and affordable housing for all groups as people living in poverty are often put into the worst accommodation and left there for a long time.
- It is crucial in the coming year in Scotland to ramp up the investment in housing as there are many Ukrainians (and other vulnerable communities) who are currently being placed in temporary accommodations
- Finding suitable accommodation for Ukrainian refugees remains a key challenge and will remain so in the coming months.

In partnership with the Aberlour Child Care Trust, Scottish Refugee Council are carrying out exploratory work to see if they can provide the Scottish Guardianship Service to vulnerable Ukrainian children and young people who may be victims of HT and exploitation.

- This involvement has also been aimed at enabling people to know and use their rights, especially in regards to accessing essential services.

The greatest structural risk to vulnerable groups is the UK's immigration legislation. The Nationality and Borders Act (2022) severs the UK state from its obligations under the Refugee Convention as the legislation will potentially require penalisation and the criminalisation of people seeking refuge.

- There is a need for a 'protect–don't penalise' mission, which would involve human rights-based identification and a human rights-based decision-making body. Overall, the 2022 legislation poses risks to the 2015 Act.
- Similarly, the 'small boats legislation' will bury the right to seek asylum for all people and take away the support that Ukrainian refugees and exploitation survivors may need in Scotland.
- Concerns that this may override the Scottish Government's Human Trafficking Exploitation Act and called on the Scottish Government to make their own human rights based identification and decision making body. Rather than working through the Home Office's National Referral Mechanism.
- The Human Trafficking and Exploitation (Scotland) Act 2015 is a way of maximalising the devolved competence of the Scottish Parliament. It is still a young piece of legislation and there is a need to safeguard and expand its scope.
- There are challenges likely to continue if progress is stalled, including: 1) Accommodation, which is a huge issue across the UK, especially for refugees. There is a need to increase investment in this regard. 2) Employment, this is where the Scottish guardianship services are really important; asylum-seeking children may have experience trafficked exploitation for labour.

Anushya Kulupana - JustRight, Senior Associate

JustRight Scotland provides legal advice, assistance and support for victims of HT through the anti-trafficking and exploitation centre as a human rights law charity.

- After the invasion of Ukraine, the Scottish Government funded the establishment of JustRight's Ukraine Advice Scotland line. This is still active and has provided legal information and advice for many Ukrainians on the process of coming to the UK and their time in the UK.

Key issues that would possibly be expected from an immigrant lawyer:

- The Ukrainian schemes only provide the right to be in the UK for three years and these do not contribute to any form of residency or erase any possible barriers to family reunification.
- Through the Scottish anti-trafficking and exploitation centre, casework has been carried out and is being used to support individuals currently working in the UK (particularly those through the Seasonal Worker Visa)
- Certain employers – especially on farms – have used the sponsorship scheme to bypass the seasonal worker visa, sponsor hundreds of people and amplify the risks of HT and exploitation since farms are isolated and separate and could sponsor hundreds of people as such.
- Discussions are ongoing with the Scottish Government in order to tackle this.

Dr. Paul Rigby - University of Stirling

- Vital to start the discussions early surrounding the dangers that unaccompanied children may face and be exposed to.
- Focus needs to be placed on the vulnerabilities that lead to exploitation - prevention is key. This is especially prominent with regard to children; prevention is preferred, we know the risks that unaccompanied children face.
- Gendered perspective of HT and exploitation needs to be magnified. Generally, it is the exploitation of women and of young people and children by men.
- This is particularly important within the context of Ukrainian refugees as many women and children have arrived – and may continue to arrive - in Scotland
- Moving forward, build on Scotland's strengths. Use past experiences, existing services in Scotland and the experts at the roundtable to continue to develop knowledge around HT and exploitation. For example, Scotland has a good reputation in response to children who have been exploited.
- This will reduce Scotland's reliance on the National Referral Mechanism.
- This is an important opportunity to focus on the specific potential for exploitation and prevent it before it starts.

Post-Presentation Questions

Rhoda Grant MSP

Opens the floor for questions and encourages digital participants to raise their virtual hands to signal they want to speak.

Joy Gillespie

Important to acknowledge the generosity of UK citizens volunteering to host Ukrainian people in their homes, although only a minority of people have arrived in Scotland through the homes for Ukraine scheme.

Scottish Government has attempted to mitigate some of the risks associated with the scheme, for example, the remote self-matching process seen on Facebook being tackled by providing safe temporary accommodation and connecting refugees with sponsors.

- The volume of people using this scheme in Scotland is expected to be between 18,000-19,000 arrivals within a short period of time, thus making it an ongoing challenge to ensure accommodation for everyone.
- A main risk for human trafficking of Ukrainian refugees is housing insecurity; for example, people using temporary accommodation may be unaware of their long-term options.

Jim Laird

Considering the challenges for local authorities and resettlement teams who have been supporting refugees within the Afghanistan resettlement scheme, the Syrian scheme and the vulnerable children's scheme:

- These teams are having a reduced opportunity to perform the resettlement and integration work they normally do as they're trying to accommodate large volumes of people.
- Mr Laird asks if this work will be done through the council, including matching people with registered social landlords and hosts. When hosting Ukrainians there are two checks which are required; a disclosure check and a property check. If a participant fails a disclosure check it's easy to refuse their offer, however, if a property check is failed then this power lies in the hands of local authorities.
- There are many challenges which can arise from hosting, for example, the breakdown of host relationships or disagreements between hosts and guests, which is a further issue created for local authorities and can contribute to homelessness rates if alternative available accommodation cannot be sourced.
- Disclosure checks aim to mitigate these risks, therefore additional checks through a social work information system are conducted to see if there have been any past issues.
- This protective effort is not conducted by every local authority, however, the present resettlement scheme is the first in the UK where no vulnerability criteria have been provided by the United Nations. Because of this large volumes of people can arrive without meeting a vulnerability criteria, as seen in other resettlement schemes.
- Mr Laird then recalls Joy's mention of the MS ambition ship in Glasgow and the key challenge there currently is in clearing the ship by the established deadline of the 24th of March, where people accommodated on the ship are currently subject to maritime law and not UK law and can therefore be physically removed if they remain on the ship after the deadline.
- Greater focus is needed to consider issues of human trafficking by local authorities.

Linda Thompson

- Ms Thompson agrees with Mr Laird and recognises that systemic pressure is being seen across charities and the public sector as the Home Office is acting in a unilateral and disrespectful way.
- This creates a fear that the volume of vulnerable people in Scotland is going to accelerate rapidly within the next 2-3 months. Currently, people are provided £1.30 each day and not allowed to work, isolated from broader communities and at risk of being exploited.
- Public bodies are having to tackle this issue and having a vulnerability criterion could aid in this, however, state insertion should be reconsidered to reduce the risk embedded into accommodation schemes which are exposing charities, public bodies and Ukrainian refugees to greater risk in the future.
- Greater consultation between the Scottish government and local authorities is needed to appropriately create accommodation, as illustrated in Inverness.

Bill Kidd MSP

- Mr Kidd enquires if there is a unit in Police Scotland who are supporting Ukrainian refugees prior to risks developing, as proactively approaching accommodation with the support of Police Scotland could alleviate anxiety surrounding human trafficking.

DCI Steve Bertram

- DCI Steve Bertram from Police Scotland's national human trafficking unit responds that a dedicated unit in the Scottish King campus is currently tackling all strands of human trafficking and considering how Ukrainian refugees can be supported.
- Each day the unit examines all referrals received by the NRM and the modern slavery helpline to mitigate risk and pursue people when necessary.

Linda Thompson

- Ms Thompson notes that the panel has considered the vulnerabilities of Ukrainian women to become involved in commercial sexual exploitation and how this vulnerability can be increased by factors of housing, finances and a lack of other options.
- Research commissioned by the Scottish government last year highlighted the lack of services available across Scotland to help female victims of commercial sex exploitation, thus Ms Thompson enquires about what action is being done to emphasise to Scottish men that exploiting women for their vulnerabilities is inappropriate.

Lena Dominelli

- Lena has been involved with Ukrainians through online methods since the 24th of January, per their request. One of the issues raised by them is of particular concern, that being sexual exploitation issues at train stations which are largely faced by women and children.
- Traffickers and offenders look for such individuals, especially those without families. Children are targeted; traffickers befriend them, groom them, and eventually exploit them for profit.
- There are also instances of such atrocities being stopped. For example, some social workers go to the stations to look for the signs of trafficking and intervene. This has led to a huge demand for training because there is a social worker shortage, including in Ukraine itself.
- When reconstruction happens and Putin's forces leave Ukraine, this topic could be returned to as a group. Lena is also part of an advisory group on Ukraine for Boswa (British Association of Social Workers) UK-wide. This group had a meeting in which they highlighted issues revolving around housing, mental health service needs, and safeguarding.
- One of the most significant criticisms of the Homes for Ukraine scheme is that there has been no safeguarding at either end of the spectrum, either for children and young people or the elderly, all of whom are subject to abuse of various forms. Lena and Kate are trying to put together a research proposal to collect this data.

Kateryna Bucho

- Kate is a displaced researcher herself. She described her and Lena's project as being focused on looking at Ukrainian refugees' identities in different European countries.
- Another vulnerability that Ukrainian people are suffering from is communism, being that it is a post-Soviet country, and as such Ukrainian people might not understand 'human rights' as they are understood in Europe.
- 'Human rights' are often discussed in Ukraine in terms of rights with corresponding duties—not necessarily through the framework of 'basic human rights'. The second vulnerability is that Ukrainians have to build trust in institutions.

Paul Rigby

- We are talking about Ukrainians today, but the group of focus has been Afghanians, Syrians, and Vietnamese in the past and the vulnerabilities tend to be the same for everyone.
- We should build on this knowledge in terms of helping this particular group of Ukrainians and then broaden it. It is important to recognise what the vulnerabilities are for most people and then use that expertise to build on it.

Anushya Kulupana

- It is important to focus on a proactive approach to building resources for everyone in Scotland in order to eventually reduce those vulnerabilities. Many people are vulnerable because of their circumstances and not because there is something intrinsic about them that makes them vulnerable.
- The lack of resources and training is what will continue to place individuals in a situation where they do not have other options. The choice becomes to either be in an exploitative situation or find themselves at the mercy of traffickers in another exploitative situation. It is important for people to know where they need to go when they need help.

Graham O' Neill

- First, there needs to be investment in the green communities. It is important to build trust within those communities and thus engender good community relations between different groups. Second, we need to focus on the preexisting expertise and good practice already in Scotland regarding our understanding of vulnerabilities, especially in terms of preventing them from taking root and pushing people into exploitative situations.
- Finally, the anti-trafficking task started in 2015 needs to be completed. We need to create our own end-to-end anti-trafficking system because UK immigration, asylum and trafficking legislation is becoming too severe and inaccessible.

- Good-decision making needs to be applied, and this comprises those closest to the survivor who know them best and can make decisions involving them with inside knowledge rather than from a distance.
- Online trafficking has become a huge issue for Ukrainian refugees, especially women. There has been a movement towards marketing the Ukraine war experience.
- It is important to remember that trafficking is driven by demand in part and we need to use this as an opportunity to reinforce the idea that purchasing sex from those in extremely vulnerable situations is not condoned in Scotland.
- We need to think about medium and longer term responses in terms of what we can do to manage vulnerabilities for individuals. We need to communicate to Ukrainian refugees that they have rights and entitlements in the UK, and that there are laws here to protect them and ensure that information is shared and services are statutory. In the third sector, we need to begin planning for the longer term, in regards to visas and topics in that vein.

Joy Gillespie

- Preventing and reducing is the key, as well as prevention by empowering Ukrainians. Once they have the message about their human rights, they can take that wherever they go.
- We need to spend resources on prevention in terms of housing and education because otherwise we will be having this same conversation in two or three years' time.

Gari Donn

We need to focus on the humanitarianism aspect of the Crisis and trafficking. If we hold onto that macro-level discussion, then the micro-level issues like the Nationality and Borders Act can be interrogated.