

Cross-Party Group on Human Trafficking

21 November 2023 6.00 pm

Minute

Present

MSPs

Bill Kidd MSP
Jeremy Balfour MSP
Paul O'Kane MSP
Rhoda Grant MSP
Sarah Boyack MSP

Invited guests

Siobhan Brown MSP

Non-MSP Group Members

Alanya Smith
Agnes Tolmie
Chris Murray
Ella Higgins
Emily McClean
Erin Keddie
Gari Donn
Gemma Corbett
Gordon Smith
Isaac Hulse
Michael Gough
Pat Black
Sheila Traschler
Stuart Grant
Susan McKellar

Apologies

Adopt Minutes of the previous meeting

Accepted.

Electing Office Bearers

Convenor

- Jeremy Balfour MSP nominated Rhoda Grant MSP, Bill Kidd MSP seconded.
- Rhoda Grant MSP nominated Bill Kidd MSP as co-convenor, Bill Kidd MSP Jeremy Balfour MSP seconded.

Secretariat

- Rhoda Grant MSP nominated UN House Scotland, Bill Kidd MSP seconded.
- UN House Scotland is accepted as secretariat.

Presentation

Conversation with Ms. Siobhan Brown MSP, the Minister for Victims and Community Safety.

Welcome - Ms Siobhan Brown

- Ms Brown thanked Ms Grant and Mr Kidd for holding the event and to all attendees for joining.
- Thanks was given to UN House for the work involved in hosting the initial roundtable and the maintenance of the Human Trafficking Cross Party Group. Ms Brown has responded to the recommendations generated in the initial Ukraine roundtable event in a twelve-page letter, with these being key to this presentation. This document has been circulated.
- Ms Brown explains the presentation will involve a reflection on the work which continues to be carried out by the Scottish Government and its partners to mitigate the challenges and the risks in supporting the safety and well-being of vulnerable people, and to touch on some of these mitigations whilst covering some of the wider work being undertaken by the Scottish Government and partners under the trafficking and exploitation strategy.

War In Ukraine

- Following Russia's invasion, Scotland has welcomed a considerable number of displaced people from Ukraine
- The Scottish Government is working alongside Police Scotland, local authorities, third sector partners and others to develop a range of measures to ensure safety and stability for those displaced by the illegal war in Ukraine.
- Ensuring safety is of paramount importance in the Warm Scots welcome program, both within the initial stages and when moving to longer term support and integration.
- The trafficking and exploitation strategy Ukraine subgroup met regularly in 2022. The group has provided a platform for sharing professional knowledge and expertise on tackling human trafficking and modern slavery between partners.
- Public Protection Guidance has been developed for practitioners who are involved in safeguarding vulnerable groups.
- Included in the guidance is a checklist which outlines the considerations for vulnerable groups including the UN vulnerability criteria.
- This guidance is regularly updated, and was most recently updated earlier this month.
- Scotland is the only part of the UK which has provided specific additional support to unaccompanied young children through the development of the Ukraine Children and Host Family Service.
- As unaccompanied young people are in Scotland without their legal guardian, this additional provision provides a much needed safety net for a particularly vulnerable cohort.
- It's important to listen to the voices of displaced people, who are the best able to inform our policies. Displaced people experience severe trauma, and recognising this is crucial in mitigating the risks around increased vulnerability, with additional funding and tailored resources enhancing the support that is already provided by the national trauma transformation programme

Moving Forward

- The Warm Scot Future policy paper will guide transition from an emergency response to a long term holistic approach that supports the integration of displaced people from Ukraine
- This paper has been developed in partnership and is aligned with the New Scots approach, ensuring that lived experience is at the heart of the approach of improving support for those who have experienced exploitation, which is also key to the development of frameworks to challenge the demand for prostitution.
- This has been informed by lived experience research, and the framework will be published in the new year, forming part of the wider approach in tackling wider commercial sexual exploitation.

Scotland-based Referral Systems for Victims of Human Trafficking

- Ms Brown reflected on the recommendation for a Scotland-based referral mechanism for potential victims of human trafficking.
- This system has been seriously considered by the Scottish Government. In a Scottish end-to-end system, the UK Government would still be able to remove individuals from Scotland without the Scottish Government having the opportunity to intervene.
- The provisions that are contained within the Illegal Migration Act also provide significant powers to the Secretary of State; the Act could be amended to prevent Scottish Ministers from providing support to victims of trafficking who are within the scope of duty to remove.
- Whilst it is acknowledged and there is continued pressure on the UK Government to speed up the decision making timeframes within the national referral mechanism, there are not currently plans to implement a standalone Scottish system at this particular time.

Illegal Migration Act

- The Scottish Government's stance has clearly stated their disapproval of the UK Government's stance, stating it extremely damaging both to victims of human trafficking and exploitation, as well as the Scottish Government's ability to disrupt the perpetrators.
- The act will prevent potential victims who have been deemed as entering the UK illegally from gaining Scottish Government funded support.
- The Scottish Government welcomed the ruling from the Supreme Court which stated that sending people to Rwanda would be unlawful.
- On the 22nd June Scottish Ministers hosted a summit to share stakeholder and Government assessments of the impacts of this act in Scotland and to identify and discuss the options available to us as a collective to mitigate where possible its harmful impacts.

Scotland's Commitment to Supporting Victims

- The commitment of the Scottish Government to provide support for potential victims of human trafficking residing in Scotland is illustrated through the funding allocated to the six key organisations supporting victims of trafficking in their recovery journey. This amounted to a total of £9m from 2022-2025.
- Ms Brown is committed the Scottish Government to undertake a refresh of Scotland's trafficking and exploitation strategy, and following an extensive review of the existing strategy in late 2022 and early 2023, the Scottish Government published a report confirming their intention to work with partners and, crucially, survivors in order to refresh their framework to tackle human trafficking.
- Ms Brown said that doing so will ensure effects of changing domestic trends and the impact of international events such as the illegal invasion of Ukraine will be taken into account.

Conclusion

- Rhoda Grant suggested arranging correspondence between the CPG and Ms Brown during the Trafficking and Exploitation Strategy refresh, which Ms Brown agreed to.
- Ms Brown thanked the group for their invitation to speak and encouraged attendees to contact her and her team if they have any questions following the event.

Post Presentation Questions

Question 1 (Rhoda Grant MSP): Query about the existence of a potential mitigation action plan to the Illegal Migration Act, and if there is any progress related to this.

Answer (Michael Gough): The action plan will not be a written plan to share and publish, but instead a wider policy drive across the Government as a long-term change moving forward. They have evaluated a Scottish end-to-end system, however, they are keeping a pattern of engagement regarding this as a key priority.

Answer (Gordon Smith): Echoes the comments made, and reflects on the Supreme Court's statements on Rwanda; the Scottish Government is working to mitigate any potential legislative or legal developments which might arise.

Question 2 (Chris Murray): Is the new strategy being made taking into account the pressures on local governments and authorities?

Also reflected on the NRM and that a Scottish specific version could not be established at this time, but highlighted the ongoing pilot in Glasgow regarding devolution of NRM decisions for child trafficking and has found it to be very successful, and asked if this has been taken into account.

Answer (Siobhan Brown MSP): Regarding costs, they appreciate that these are financially challenging times and are waiting to hear the decisions made on the Scottish budget.

Answer (Michael Gough): The Home Office pilot scheme has been a success and reduced waiting times. The key difference between the proposed Scottish end-to-end system and the pilot is the pilot is Home Office based, which means they are involved in the process and decision-making. Therefore, there are not devolved interventions which, if they wished to, the Home Office could overturn. The Home Office supports the pilot devolving some decision making, but not the proposed devolved end-to-end referral mechanism framework.

Question 3: (Rhoda Grant MSP): Supplementary to the previous question, is the pilot something the Scottish Government think the Home Office is going to roll out? One of the big problems is the waiting times related to asylum processing, and this arguably speeds it up - is a streamlined UK wide system being discussed?

Answer (Gordon Smith): Scottish Ministers have been writing to Home Office Ministers about this issue, recommending greater staff resources and decision making times. The Scottish pilot has proven to decrease waiting times and this will be again highlighted in further correspondence.

Question 4 (Agnes Tolmie): Requested further clarification on the pilot scheme, and what numbers have illustrated a positive outcome in tackling child trafficking in Glasgow?

Answer (Gordon Smith): No numbers to hand, but some notable positive outcomes have been the speed of decision making, where children are not waiting under long referral periods and support can be provided efficiently. The scheme has also improved knowledge around trafficking in the Glasgow area around the improvement of anti-trafficking systems. Children in dangerous environments and exploitative systems are being identified faster and being removed more efficiently.

Question 5 (Rhoda Grant MSP): The Ukrainian roundtable event spoke to a range of people and organisations. At that time it was hoped that the war would be over quickly, therefore housing Ukrainian refugees would be a short-term response. She asked if refugees are returning to Ukraine or settling in Scotland and finding permanent residence due to the conflict continuing?

Answer (Siobhan Brown MSP): It is still considered too dangerous to return to Ukraine, and she has not heard of any families returning as of yet in her own constituency.

Answer (Michael Gough): We can liaise with individuals who are leading on the Ukraine Resettlement Schemes to clarify what proportion of Ukrainian refugees have sought to permanently live in Scotland. This will be researched and included in the response to the CPG group.

Date of Next Meeting

Meetings will continue on Tuesday evenings in 2024, and dates will be brought forward by UN House Scotland soon to confirm the scheduled meetings for the 2024 year.