

Cross-Party Group on Human Trafficking

6.00 pm, Tuesday, 29 October 2024

Minute

Present

MSPs

Bill Kidd MSP

Rhoda Grant MSP

Invited guests

Nina Munson (The University of Edinburgh)

Non-MSP Group Members

Ann Hayne (NHS Lanarkshire)

Alison Raybould (Salvation Army)

Bea Hart-Brown (UNHS)

Bronagh Andrew (TARA)

Carola Eyber (Scottish Gov)

Ella Higgins (UNHS)

Emily McLean (Scottish Gov)

Gari Donn (UNHS)

Iiris Aliska (UNHS)

Janet Warren

Janice Wilson

Joy Gillespie

Karen Murdarasi

Karlee Kelly (UNHS)

Magnus Storvik (UNHS)

Pat Black (UNHS)

Paul Rigby (University of Stirling)

Rihanna K.

Sally Filia (Filia)

Steve Rawbone
Stuart Grant (Rhoda Grant MSP Office)

Apologies

Gordon Smith (Scottish Government)
Rebecca Wallace (Robert Gordon University)

Welcome and apologies

Rhoda highlights apologies.
Recommendations for appointing a new secretariat.

Rhoda assumes UNHS is still able to serve as the secretariat.
Best wishes to both Iiris and Ella, who are moving on to other things.

Adopt Minutes of the previous meeting 07.05.2024

Accepted.

Election of the Office Bearers

Convenor

- Rhoda Grant MSP proposes Bill Kidd MSP as a co-convenor and Bill Kidd MSP proposes Rhoda Grant MSP as a co-convenor.

Secretariat

- Rhoda Grant MSP nominated UN House Scotland, Bill Kidd MSP seconds.
- UN House Scotland is accepted as secretariat.
 - Current: Iiris Aliska and Ella Higgings, under the guidance of Gari Donn
 - New: Magnus Storvik, Bea-Hart Brown, Nina Munson, Karlee Kelly

Setting Dates for Next Year's Meetings

- February 4th **or** 11th
 - Decides on the February 4, 2025
- May 6th **or** 13th
 - Decides on May 6, 2025, pencilled in May 13, 2025

- September 9th **or** 16th
 - Decides on September 9, 2025
- November 11th **or** 18th (AGM)
 - Decides on November 11, 2025

Presentation

Implementation of Trauma Informed Care for Indigenous Victims of Human Trafficking

Background:

- Discusses specifics on the trafficking of Indigenous peoples within the United States, including the treatment of women and federal, state, and tribal law over Indigenous land.
- Highlights Indigenous women in the United States face some of the highest human trafficking.
- Focused on a trauma-informed care approach throughout the research, which can be defined as:
 - Victim centred approach.
 - An approach that recognises historical oppression, traditions, and culture to provide support.
 - This form of care is dependent on patience, collaboration, and trust.

Research

- The purpose of the research was to identify barriers to providing trauma-informed care that can be implemented by various providers to support the Indigenous populations effectively
- Stakeholder Perspective: Law Enforcement
 - Law enforcement is often the first and frequent contact for human trafficking.
 - Shift the focus of trafficking to support and social services for victims, rather than jail time.
 - Law enforcement advocates reiterate the importance of trauma-informed practices, especially for Indigenous populations, due to their tumultuous history with law enforcement.
 - Her discussion with law enforcement underlined the issues of ensuring the practices addressed de-escalation tactics while avoiding retraumatisation
- Stakeholder Perspective: Care Providers
 - Act as identifiers for human trafficking cases at both hospitals, primary care clinics, and more.
 - They are often the first to document human trafficking.

- To build a relationship with trust, providers must implement trauma-informed practices.
- Community programs are essential to prevent being trafficked.
 - Including nutrition, employment, healthcare, financial stability, and physical and emotional support.
- Stakeholder Perspective: Researchers
 - Lack of data for Indigenous communities to receive proper recognition and support for the issues at hand.
 - There is a need for providers to recognise trauma-informed care as a hands-on approach.

Findings

1. Lack of funding for trauma-informed care.
 2. The location of reservations in the US tends to be rural and have reduced access to resources.
 3. Divide between Indigenous populations and law enforcement agencies
- TIC protocols need to be individualised for various agencies through training and implementation expectations .

Mid-Presentation Questions

Question (Bill Kidd MSP): Are the jurisdictions looking primarily at those who are living the life of a human trafficked person or are they also cracking down on those who are performing the criminal side of trafficking by forcing people into it?

Answer (Nina Munson): The main issue they found was jurisdiction discrepancies. Depending on your state, you are either a Public Law 280 (PL280) state or a non-Public Law 280 state. This means the state oversees the tribal affairs in Public Law 280 states, whereas tribal affairs in non-Public Law 280 states are overseen by the federal government. The difficulty in prosecuting crimes on reservations is that trials will often not be held on the reservation as the victim is not affiliated with said reservation. The trial is then held at a state, federal, or local court, and therefore, issues arise with not having a jury of one's peers. Jurys may not understand and adequately affiliate with issues on reservations. There are also issues of racism.

Question (Rhoda Grant MSP): If it is not indigenous people trafficking indigenous people, is it people from outside coming in to exploit indigenous people? Does this make people especially vulnerable and easy to exploit on a reservation? Do people feel they will be judged if they are in fact exploited?

Answer (Nina Munson): There are different accounts of who is exploiting who. There is a disproportionate number of traffickers who are not associated with the reservations, according to federal government statistics. A lot of trafficking is around a boom town (one with a flux of coal and oil). Therefore, we see many men travelling to areas near reservations. There are not proper resources within these communities, and these populations are not regulated by law enforcement and healthcare. As a result, we see many men turning towards different crimes which may involve trafficking Indigenous women. This also results in casinos being a hotbed for human trafficking. There is also a fetish around minority women, making them more vulnerable to human trafficking. As a result, there tend to be many reservations near human trafficking hotspots and routes.

Relevance for Scotland

- Trafficking within Scotland is identified by the National Referral Mechanism (NRM).
- Over 4500 victims of human trafficking were identified throughout the UK between January and March of 2024.
 - Of these victims, the most common nationalities were 24% UK, 17% Albanian, and 11% Vietnamese.
- Since minority populations are at significant risk of being trafficked, care practices should uniquely reflect the trauma-informed care and the unique needs of each group.
- Greater cooperation needs to be established to tackle these issues and best support individuals.

After Presentation Questions

Question (Iiris Aliska): Do the practices of recovering and identifying survivors of human trafficking go against practices of Indigenous communities?

Answer (Nina Munson): When I started working with community programs, I found something very interesting. There is a practice where you do not say a deceased person's name after they passed away Indigenous tribes. This can interfere with their ability to enter the afterlife. In judicial proceedings of those who have been killed, their name is usually said many times and is not considerate of practices of Indigenous communities. Knowing the nuances of these communities can mitigate harm when you are within the judicial centre. Actively putting an effort into recognizing practices can mitigate harm greatly.

Question (Iiris Aliska): In what ways have these things been incorporated into trauma-informed responses?

Answer (Nina Munson): I did not see much acknowledgement of these issues. The MMIW (Missing Murdered Indigenous Women), now referred to as the MMIP (Missing Murdered Indigenous People), really just started getting media attention in 2015. Since then, there has been a greater focus on finding missing individuals, supporting the process of finding missing individuals, and preventing this. Often, individuals will be missing for over 30 years, and there is no push to search for them. I collaborated with an MMIP coordinator, and they spoke about practices being implemented in the community. Many of the practices mentioned she had never considered through an academic lens. For example, one of the practices was to go out to the communities and teach the children who were a part of the tribes their parents' legal names, as many call their parents by a nickname. If something happens to a child and they need to find their parents through the police, knowing their legal name is often necessary to avoid further separation.

Question (Bill Kidd MSP): When you are talking about large numbers of Vietnamese and Albanian people who are human trafficked, are they already living in Scotland or are they being smuggled into the country? Is this Indigenous criminality taking place in Scotland that is exploiting people in other countries?

Answer (Nina Munson): There are many people seeking refuge in the UK from Albania. There is a growing discussion on if they qualify as asylum seekers, as most immigration is for economic reasons. These people are known to wait to gain employment when they do not have documentation, and therefore, their risk of being trafficked is increased. If someone is promised a job in the UK, they may not speak the language and would not understand the cultural norms; therefore, they are stuck within the trafficking system. They are also at significant risk of being trafficked due to cultural and gender norms. Going through the NRM takes a lot of evidence of being trafficked, which can be very difficult. In England and Wales, if people are being trafficked, they have 45 days to receive healthcare and any type of legal assistance before they are returned to their home country. However, Scotland has 90 days to receive healthcare and legal aid. From what I have seen, in most of the proceedings, if the victim is not in the country legally, they will be returned to their home country. Therefore, within the days they can receive care, implementing trauma-informed care is vitally necessary.

Question (Bronagh Andrew): Is there a different approach to policing men paying for sex and their use of online websites?

Answer (Nina Munson): There are instances when police officers have been found paying for sex or using online websites. Researchers are currently investigating hotspots. Hot

spots are typically any large gathering of unaccompanied men and usually drinking, such as the Superbowl.

In regards to the policing of purchasing sex, you are required to go to “John School.” This is where an individual goes to school, where they can learn the issues with purchasing sex and why this can be harmful to the seller. This rhetoric can shift to why people are purchasing sex from participants, especially those that are non-consensual.

Question (Rhoda Grant MSP): How can we gather evidence for prosecutions to happen closer to home for victims? Often, they want to go home after they have been trafficked and be in a safe place. How can we support this?

Answer (Nina Munson): Often, traffickers are close members of the community or family members. This can be difficult for victims wanting to testify and to be involved in the prosecution process. There are offers in countries like Denmark where survivors can gain asylum and citizenship in return for their cooperation in the judicial process to put away sex traffickers. We need to create a judicial process where people do not feel like their agency is removed and feel they are a part of the decision-making process. Removing the stigma of being a victim can be a step in the right direction. For example, instead of using the term victim, we have started to use the term survivor.

Any Other Items of Business

- Bill Kidd MSP is wondering if we have ever invited legal speakers to discuss what has been done to end human trafficking and if that could be possible to arrange in the future.
- Rhoda Grant MSP, highlights that police have presented this issue before, and maybe she and Bill could chat after the meeting about ideas on who might be good to speak to regarding this issue.
- Nina Munson highlights that she has spoken to local police, and there is a growing investment in trauma-informed practices specifically concerning human trafficking.
- Ann Hayne from NHS Lanarkshire highlights that she has previously been involved in training police on trauma-informed practices. She discusses her experience with trauma-informed practices embedded into police officer training programs. She recommends asking Caroline Bruce, who leads the justice trauma process for Ness, Scotland.
- Bronagh Andrew proposes we have a future meeting that highlights where Scotland is exactly on this issue. She suggests we could look at Anchor Service (a psychological survivor service) and other organisations that are currently working

with survivors. She lets Rhoda Grant MSP know she is happy to discuss this further at a later time. There are challenges around implementing trauma-informed care in a meaningful way. We could examine these gaps at future meetings.

- Rhoda Grant MSP highlights a chat with Bronagh Andrew would be a great opportunity that could inform meetings moving forward. Nothing is stopping the CPG from writing reports and doing research to do something more formally to address human trafficking. Rhoda Grant MSP recommends skipping the November 27, 2024, meeting and instead making the next meeting date on February 4, 2025. This would give Bronagh, Ann, Joyce, and others some time to chat with Rhoda Grant MSP, and the secretariat on how to pull together the next meeting in February and what to discuss for future meetings.
- Joy Gillespie highlights in the chat that “SOHTIS would be happy to collaborate. I was thinking the same as Bronagh.”
- Rhoda Grant MSP proposes that Bronagh Andrew present at the scheduled February 4, 2025 meeting. She thanks Nina Munson for her presentation and closes out the meeting.

Date of the Next Meeting

- February 4, 2025 6PM