

**COSLA and Human Trafficking Foundation
'Local Authorities' Role in Tackling Human Trafficking'**

15 August 2012, Edinburgh

Conference Report

1. Introduction and key aims of the conference

COSLA and the Human Trafficking Foundation (HTF) jointly hosted the conference 'Local Authorities' Role in Tackling Human Trafficking' on Wednesday 15th August at the COSLA Conference Centre, Edinburgh. The conference was part of COSLA Strategic Migration Partnership (CSMP)'s response to the growing body of evidence regarding human trafficking in Scotland – principally from the Equality and Human Rights Commission (EHRC) Inquiry into Human Trafficking in Scotland, the Scottish Parliament Equal Opportunities Committee Inquiry into migration and human trafficking and Scotland's Commissioner for Children and Young People (SCCYP) report on child trafficking in Scotland. The event provided an opportunity to explore the role local authorities can play in counteracting human trafficking and to showcase examples of good practice in terms of how local authorities have responded to human trafficking. The conference also provided CSMP with an opportunity to explore the best way to take forward our work on human trafficking.

The conference was aimed at a local authority audience and attendees were from social work, child protection, education, corporate policy, housing, community safety and violence against women, community care and equalities backgrounds. The conference was also open to external bodies and representatives from Scottish Government, National Records of Scotland (NRS), Scottish Crime and Drug Enforcement Agency (SCDEA), Scotland Office, UK Border Agency (UKBA), HM Revenue and Customs (HMRC), Scottish Community Safety Network (SCSN), Scottish Children's Reporter, Improvement Service, NHS and the voluntary sector were in attendance. Over 100 people attended on the day.

A key aim of the conference was to contribute to broadening the focus on human trafficking in Scotland from a victim support model to a more holistic approach which incorporates identifying victims, tackling the crime and awareness raising, as well as protecting and supporting victims. The conference aimed to invite speakers that could encapsulate all these aspects of tackling human trafficking. We invited the key organisations involved in counteracting human trafficking in Scotland to speak at the conference, this included Human Trafficking Foundation (HTF), UK Human Trafficking Centre (UKHTC), EHRC, SCDEA, Gangmasters Licensing Authority (GLA), UKBA, Migrant Help, Trafficking Awareness Raising Alliance (TARA) and NHS Health Scotland.

2. Welcome

Derek Mitchell, COSLA Strategic Migration Partnership (CSMP)

Derek welcomed everyone to the CSMP/HTF Human Trafficking Conference. Derek affirmed the long standing interest of COSLA and Scottish local government from 2007, when COSLA's political leadership committed all 32 local authorities to tackling the crime of human trafficking, to our present work. He emphasised how local authorities have the potential to play a wide role in terms of human trafficking. The most obvious is our responsibility towards child victims of human trafficking but local authorities can also play a role in professional and public awareness-raising and in working with law enforcement agencies, e.g. through information sharing.

3. Ann Hamilton, Human Trafficking Foundation (HTF)

Ann opened the conference with a concise definition of what human trafficking is, its means, why it occurs, the forms of exploitation, and its scale. Ann summarised the main findings that have come out of research and inquiries into human trafficking in Scotland, i.e. the need for a Scottish approach, the necessity for leadership by Scottish Government, the need for a multi-agency co-ordinated strategy and the need for professional and public awareness. The role for local authorities in human trafficking covers many areas i.e. child protection, vulnerable adult protection, regulation and licensing, community safety, violence against women, education and public awareness, and political leadership. Ann also acknowledged the challenges that we face in terms of ownership, competing demands, resources, the scale and nature of organisations, identification, and lack of leadership from Scottish Government.

4. Claudia Bennett, Equality and Human Rights Commission (EHRC)

Claudia spoke about the EHRC inquiry into human trafficking which was launched in February 2010 and was led by Baroness Helena Kennedy QC. The inquiry primarily focused on trafficking for the purpose of sexual exploitation but also included forced labour, domestic servitude and criminal exploitation. The inquiry centred on extensive and robust evidence and

generated 10 findings, each with corresponding recommendation in 10 areas: strategy, public and professional awareness, legislation, intelligence on human trafficking, prosecution of traffickers, asset recovery against trafficking and organised crime, regulation of legitimate sectors where traffickers operate, involvement of the private sector against human trafficking, independent system in decisions on and support for victims, and end-to-end service for victims from identification to recovery.

For the purpose of the conference Claudia focused on three findings and the ensuing recommendations. A key recommendation was around the need for comprehensive multi-agency strategy on human trafficking, led by the Scottish Government. This approach should involve relevant agencies, amongst them local authorities. Also, the finding recommends that the Scottish Government needs to demonstrate leadership in this area. The second set of recommendations focused on the need for more public and professional awareness-raising of human trafficking and its indicators in Scotland – Claudia talked about the role local authorities have to play in this. She also emphasised the need to move away from viewing trafficking as an immigration crime and victims as illegal immigrants. The third finding addressed the need for end to-end services for victims in Scotland and recommended that the Scottish Government should develop a Trafficking Care Standard. Claudia emphasised the need for training for professional awareness-raising and particularly the need for training in indicators for regulatory bodies, such as environmental health. She also mentioned the need for effective co-ordination with other agencies to support victims. This is one of the issues the Commission is looking at in their current follow-up work, aimed at promoting and measuring the impact of its inquiry report's ten recommendations. A one-year-on review on the impact of the Inquiry's ten recommendations is expected to be completed in spring 2013.

Claudia concluded that EHRC welcome the Scottish Government's announcement to host a summit on human trafficking which will look at the strategic direction of policy in this area. She ended by reiterating Baroness Kennedy's hopes that Scotland will pioneer a zero-tolerance approach to human trafficking.

5. David Dilnutt, UK Human Trafficking Centre (UKHTC)

David provided a hard-hitting presentation from UKHTC. He opened his speech with estimated numbers of trafficking cases worldwide: the UN estimate 2.5 – 4 million people trapped in modern day slavery, while the International Labour Organisation estimate 20.9 million and the estimated worth of this crime is \$32 billion. He identified the forms of trafficking seen in the UK i.e. sexual exploitation (adults and children), domestic servitude, organ/tissue harvesting, labour exploitation and criminal exploitation. David gave some sobering examples of trafficking. UKHTC activities cover the National Referral Mechanism (NRM) and victim care, they are tactical/operational advisors, gather and analyse intelligence relating to trafficking, and coordinate and liaise between UK law enforcement. David gave a snap shot of victim referrals in 2011 in the UK (946 referrals) and in Scotland (93 referrals).

Q&A

Speakers were asked to comment on Rhoda Grant MSP's private members bill on the criminalisation of buying sex and whether these measures, if passed, would help tackle human trafficking. David Dilnutt said that this was known as the Swedish model and while it may lead to a reduction in human trafficking for sexual exploitation there is no long-term evidence of the impact. Swedish supporters say criminalisation of the buying of sex does lessen the impact on victims. Ann Hamilton pointed out that Sweden had not seen an increase in human trafficking, unlike every other country in Europe. On the other hand, the Netherlands who regulate their sex industry now have more child prostitution and forced prostitution. She said that there was a need for an attitudinal change in relation to prostitution similar to the attitudinal changes achieved in relation to smoking, use of car seatbelts and domestic abuse.

The panel were then asked about the requirements on local authorities in terms of licencing premises where victims of trafficking may be forced to work. Ann Hamilton stressed the difficulties for local authorities in licencing adult entertainment premises in a way that prevents victims of human trafficking being employed there. She pointed out that lap dancing clubs are licenced as pubs and nightclubs and the 'entertainment' is seen as peripheral. Local authorities can have difficulty refusing a nightclub licence on the basis that the premises will host lap dancing etc, and in fact Glasgow City Council recently ended up in court after refusing a licence on this basis, in a case they subsequently lost. Ann said there was a need for Scottish Government to look at this and consider the powers local authorities have in this respect.

6. DCS Stephen Whitelock, Scottish Crime and Drug Enforcement Agency (SCDEA)

Stephen told the audience that they need to be strong managers and leaders and to work across organisations in order to effectively tackle human trafficking. He said it was important for organisations to work closely together so that no gaps are left for organised crime. He also urged local authorities to request a presentation from their local police on how they are working to tackle human trafficking in their area. Stephen's presentation clarified the importance of information sharing between agencies and organisations outside the police and emphasised how good information is critical to preventing human trafficking. Stephen described where their information comes from and how it is processed, what SCDEA do with the information and how the information and the source are evaluated. Stephen gave an example of the importance of the Scottish Intelligence Database (SID) for detecting crime across Scotland and mapping serious organised crime. In terms of information sharing SCDEA are looking at intelligence, non-personal information stats, trends, hot spots and personal data. They can get this information through Internet Service Providers, formal agreements and via the Police National Network and gsx.gov.uk.

7. Tom McCrossan, Gangmasters Licensing Authority (GLA)

Tom began his presentation by stressing that everyone present could make a difference towards tackling human trafficking if they applied themselves. He clarified that the role of the GLA is to detect and prevent exploitation of workers who may have been trafficked or subject to unnecessary restriction by labour providers. Tom covered Sussex Police's list of detailed indicators to identify people who have been trafficked for labour exploitation, which was published only the week before – they are deception, dependency, coercion, control and exploitation. Tom gave some sombre examples of some of the labour exploitation cases the GLA have worked on which involved extremely overcrowded and unsafe accommodation, dangerous transport, low rate of pay or no pay, intimidation and abuse. He also added some additional indicators the GLA had generated from their experience. The GLA are first responders under the National Referral Mechanism (NRM). The GLA have some excellent examples of partnership working, e.g. the Memorandum of Understanding (MOU) with the Association of Chief Police Officers in Scotland (ACPOS) and their multi-agency approach in Perthshire (including Perth & Kinross Council, Tayside Police, Tayside Fire & Rescue, UKHTC, HMRC, Health & Safety Executive and the Procurator Fiscal). This partnership work is being built on for example through the construction of an MOU with COSLA and an MOU with Fire and Rescue Services. Tom concluded with the way forward is through information sharing, working together and everyone taking responsibility to tackle human trafficking.

8. Trish McMonagle, UK Border Agency (UKBA)

Trish outlined the National referral Mechanism (NRM) process and clarified the standard of proof required in the NRM process for a conclusive decision. Trish explained how Competent Authorities make NRM decisions including credibility consideration in NRM decision making. This led to a description of what UKBA need in the referral mechanism and the evidence and level of detail that is that is required in referral forms. Trish emphasised that everyone has a responsibility to stop trafficking and must be proactive in identifying this crime. Trish concluded the presentation with links to UKBA guidance for frontline staff and competent authorities:

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/modernised/cross-cut/protecting-vulnerable/04-victimstrafficking?view=Binary>

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/asylumprocessguidance/specialcases/guidance/competent-guidance?view=Binary>

Q&A

Ann Hamilton (HTF) and Bronagh Andrew (TARA) reiterated that TARA, Migrant Help and the police are first responders for adults in Scotland and would complete the NRM form, while local authorities are first responders for children and young people under 18 years old in Scotland. Bronagh spoke about how interviews should be carried out with the greatest of sensitivity in order that they do not cause unnecessary harm to the victim and evidence is used to its maximum effectiveness.

9. Paul Rigby, Glasgow City Council

Glasgow has been at the forefront of addressing child trafficking in Scotland in terms of research into the issue and introducing effective guidelines and assessment procedures. Glasgow was involved in piloting the London Safeguarding Children Board (LSCB) Safeguarding Trafficked Children Toolkit and the toolkit was published in Feb 2011. The guidance can be found at: <http://www.londonscb.gov.uk/trafficking/>. Paul talked about Glasgow's journey since 2009 in terms of the LSCB pilot, Glasgow's Child Protection Committee guidelines 2011 and child trafficking assessments and the components of effective practice. Paul also emphasised the complexity of trafficking. In Glasgow some children/young people have settled in Glasgow and progress but 25% have indicators of continued exploitation (trafficking is not necessarily a process that ends when in contact with authorities). Paul also looked at the major challenges that we still face, such as the lack of an international and national conceptual framework that adequately informs local responses and the lack of a Scottish evidence base regarding child trafficking and effective responses. He questioned whether our Child Protection systems are equipped to deal with the internationalising of child protection and the issue of rehabilitation in terms of (re)integration or repatriation. He said that the way forward was through upskilling of all relevant staff through peer support, rather than through the development of specialist services.

Q&A

There was a question regarding the wider problem of internal trafficking of young people and whether had Glasgow experienced this. Paul replied yes and no. There have been no internal referrals in Glasgow. But even if there is a case of sexual exploitation, it may not be trafficking. This is on-going work and Glasgow is looking into this but it is a lot harder to get information on this. We just don't have the evidence in terms of the NRM and Child Protection. Trish McMonagle (UKBA) said there is a group starting to look into this and she will pass on their details.

There was a question regarding the situation in which people are being forced to work in cannabis farms but when this is uncovered the victims are treated as criminals. Paul said that they have come across cases of this and proceedings are halted once it has been recognised that this is a case of human trafficking. There are also cases of children in prison in England and the Crown Prosecution Service has provided guidance for prosecutors in this regard: http://www.cps.gov.uk/legal/h_to_k/human_trafficking_and_smuggling/

Paul was asked about the issue of traffickers being classed as relevant people and being involved in the child's hearing and if he was aware if there is guidance on this issue. Paul explained that trying to get 16-17 year olds into the children's hearing system is difficult. He was not aware of any guidance but agreed we need to be careful until we are sure the responsible adult is not the trafficker.

10. Jim Laird, Migrant Help

Migrant Help are funded by the Scottish Government to provide accommodation and support for victims of human trafficking. Their remit covers all of Scotland and they provide support for all victims of labour exploitation, domestic servitude and male sexual exploitation. Jim discussed the low referrals to Migrant Help by local authorities. In terms of referrals from local authorities they largely come from Glasgow and all from Social Work. Jim gave an example of a complex case of human trafficking Migrant Help had worked on which involved a family of three generations and the full investigation revealed labour exploitation, domestic servitude and sexual exploitation. There were also serious concerns around the care and welfare of the children. This case study emphasised the essential role of good partnership working with UKHTC, police and local authority services in terms of identifying and investigating human trafficking. Through Migrant Helps work they have identified that human trafficking is a significant problem in Govanhill. Jim provided useful guidance on the range of council staff that can be the first point of contact for victims of human trafficking, e.g. Licensing Officers, Health and Safety Inspectors, Environmental Health Officers, Housing Officers and Social Work staff. He also explained where local authority staff can find victims, e.g. massage parlours, on the streets, shops, restaurants, factories, private homes and local authority premises.

11. Bronagh Andrew, Trafficking Awareness Raising Alliance (TARA)

TARA provides support to women over 18 where there are concerns they have been trafficked for commercial sexual exploitation. Bronagh provided a case study which was not based on one victim but a combination of different cases. The case study emphasised the number of services that could have had the potential to identify this case of trafficking, e.g. the Council Noise Team, the Environmental Health Team and health professionals. Bronagh explained that this is not only an issue for foreign women; TARA has supported Scottish women too. Bronagh looked at the immediate needs of a victims and TARA's response. The role of the local authority was also covered, for example their identification role, access to supported accommodation, adult protection, child protection, support around pregnancy, the potential to assist with longer term appropriate accommodation and provision of welfare rights advice. TARA is currently negotiating crisis support with key local authorities. Glasgow Violence Against Women Partnership has produced a good practice guide on interpreting for women who have experienced gender based violence.

Like many of the speakers, Bronagh concluded that our strategic response needs to include multi-agency intelligence, information sharing, partnership protocols, and public and professional awareness-raising.

12. Sally Anderson, Dundee City Council

Sally gave an informative overview of how Dundee City Council carried out a professional and public awareness-raising campaign on human trafficking. The campaign was aimed at multi-

agency and single staff groups (health, social work, education, CPOs (Community Police Officers) and police, elected members and the general public. Road shows, CPD sessions and poster and postcards were used in the campaign and resources included exhibitions, interactive props and audio visual resources.

Q&A

Sally was asked about the outcome and feedback received from the campaign. Sally responded that they had received positive and useful feedback. At the Child Protection session 3 teachers had said that if they had this information they would have dealt with children missing from school differently. There have been representatives from neighbouring local authorities attending some of the sessions. There have been 2 child trafficking referrals from education of the back of the campaign.

13. Katie Cosgrove, NHS Health Scotland

Katie gave an overview of the NHS Health Scotland Guidance on human trafficking for frontline staff: http://www.sehd.scot.nhs.uk/mels/CEL2012_19.pdf. Katie described the important role that front-line health workers play in the initial identification of a victim of human trafficking. There were some stark statistics on the scale of sexual exploitation. The role of the health worker in identifying and responding to human trafficking was outlined as was the importance of a multi-agency approach. Again, information and intelligence sharing was one of the key roles health workers can undertake in terms of good multi-agency work.

14. Open floor discussion

There was a short panel discussion with Ann Hamilton (HTF), David Dilnutt (UKHTC), Trish McMonagle (UKBA), Stephen Whitelock (SCDEA), Derek Mitchell (CSMP) and Graham O'Neil (independent expert). David spoke about some alarming cases of human trafficking that have occurred on gypsy traveller sites and the identifying role that officers, such as environmental health, can play. Graham was previously a senior enforcement officer at the EHRC and he played a key role in their Inquiry into human trafficking in Scotland. Graham said that in his view human trafficking was demand-led and the result of a mass consumerist society. He said that the main finding that came out of all the work undertaken in the inquiry was that Scotland needs to have a comprehensive strategy to prevent and tackle human trafficking. He said that agencies alone would not be able to end human trafficking, and it needed the involvement of governments and parliaments. Graham emphasised that the Scottish Government will need to be more pro-active and take the lead on a Scottish strategy that will go beyond law enforcement and victim services.

15. Closing remarks

Derek Mitchell, CSMP

Derek thanked the speakers for their contributions and agreed with many of the speakers that an important component for tackling human trafficking is good partnership working. He also thanked Graham for his eloquent summary of how we need a Scottish strategy to tackle human trafficking which should be led by the Scottish Government. He emphasised COSLA's hopes that this will be the key part of the discussions at the Scottish Government human trafficking summit.

16. Key recommendations

There were a number of key recommendations generated by the presentations and discussion on the day. These recommendations will influence and help us take forward our work in this area.

Leadership and Strategy

It was clear from the day that there is no place for silo working if we want to effectively halt the crime of human trafficking. Many speakers stated that what is absolutely crucial is strong leadership in this area. COSLA has consistently stressed the need for the Scottish Government to lead a Scottish strategic coordination group on human trafficking, which should involve all the key agencies. We are not a lone voice in this request; Baroness Helena Kennedy's EHRC inquiry, the Scottish Parliament's Equal Opportunity Committee inquiry and the Scottish Children's Commissioner's report on child trafficking all provide solid evidence for the need for strategic coordination in Scotland. The case for strong leadership and the potential development of a Scottish strategic coordination group on human trafficking should be a primary theme at the Scottish Government's Human Trafficking summit.

Partnership working and information sharing

All of the speakers emphasised the necessity for all agencies to work together to combat trafficking. Some excellent examples of partnership working were highlighted during the day, e.g. the ACPOS and GLA MOU. However, it is also clear that we need to ensure that partnership working is standard practice and information sharing is embedded in all of our structures. Organisations involved in tackling crimes rely heavily on other agencies to share information, as was particularly clear in SCDEA's presentation.

A holistic approach to effectively tackle human trafficking

All organisations, including local authorities, need to take a holistic approach to effectively tackle human trafficking. In Scotland, the focus has been largely on supporting victims. However, it is clear from the discussion on the day that identifying victims, raising awareness, tackling the various potential crimes committed, and focusing on the perpetrators of these

crimes and the routes they use to bring victims into the country must be of equal importance and consideration.

Key role for regulatory and licensing bodies

Many of the speakers emphasised the importance of regulatory and licensing bodies being aware of their potential role in disrupting the crime of human trafficking and the importance of frontline staff being aware of the indicators of human trafficking. Local authority staff, such as Licensing Officers, Health and Safety Inspectors and Environmental Health Officers, can often be the first point of contact for victims of human trafficking. Traffickers operate in both illegal and legitimate markets and licensing practices can disrupt this crime. An obvious example is the licensing of lap dancing clubs; however, there are significant complications for councils using their licensing and regulatory powers in this way. This is an area of work that has been raised previously, e.g. the EHRC inquiry identified the role of regulatory bodies and partnership work between SCDEA and Local Licensing Boards has successfully disrupted some cases of serious organised crime.

Sharing responsibility

A clear message that came out from the speakers on the day was that everyone at the conference can make a difference in terms of tackling human trafficking. Every organisation needs to take responsibility for identifying and tackling human trafficking and it cannot be left to enforcement organisations only. It is down to many organisations to be proactive, to create or make stronger links with enforcement and support organisations, to be familiar with the indicators of human trafficking, to invest in awareness raising (public or professional), and to cascade and share learning within their organisation. This was also reflected in the conference evaluation forms in terms of a need for training. It would be useful for resources to be made available to all public agencies in Scotland to support this work in the form of training packs and awareness raising materials.

The majority of presentations and other useful resources can be found on the CSMP website at: <http://www.migrationscotland.org.uk/migration-info-centre/human-trafficking>.