



The Anti Trafficking  
Monitoring Group

# All Change

## Preventing Trafficking in the UK

Devolved Policies

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# **The Anti Trafficking Monitoring Group**

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# Devolved policies

## Introduction

The Anti-Trafficking Monitoring Group's (ATMG) research found that some preventative activities have been implemented across the UK and identified some areas of good practice, in particular at regional and local levels. Good examples were, however, somewhat obscured by the overall lack of a comprehensive prevention strategy. Consequently, prevention seems to be the weakest of the "three P's" - prevention - protection – prosecution - used to frame anti-trafficking work. There appears to be three main reasons for this: a limited understanding of the concept of prevention in the context of trafficking in human beings, the absence of a coherent prevention strategy, and the fragmented coordination of anti-trafficking efforts overall.

## Background

In 2010, the ATMG published the report: *Wrong Kind of Victim? One year on: an analysis of UK measures to protect trafficked persons*.<sup>1</sup> The report was the first comprehensive examination of the UK's compliance with its obligations under the Council of Europe Convention on Action against Trafficking in Human Beings<sup>2</sup> (hereafter 'the Convention'), which came into force in the UK in 2009. The ATMG has set out to publish subsequent thematic reports assessing selected aspects of anti-trafficking efforts covered by the Convention.

The 2010 report identified that in the UK "there has been little to no meaningful engagement in the area of prevention".<sup>3</sup> Trafficking prevention is known internationally to be one of the three pillars of anti-trafficking work - the "three P's", as described above. As such, it should be considered of equal importance to the latter two "P's". To this end, the Convention makes trafficking prevention one of its core purposes,<sup>4</sup> setting it as an essential component of any effective anti-trafficking strategy.<sup>5</sup> The importance of prevention, in addition to other actions like victim protection or the prosecution of traffickers, has also been recognised in the new EU Directive on trafficking.<sup>6</sup>

Prevention measures target the problem of trafficking at source and therefore complement other efforts such as victim assistance or criminal justice initiatives. Where prevention is not an integral part of anti-trafficking strategies, the ATMG argues that the Government's response focuses on the short-term consequences of trafficking, rather than addressing the underlying causes and reducing the number of victims. An approach that sees prevention as an add-on, or treats it as an afterthought, is therefore more costly in the long term, both in terms of demand on public finances and in human misery. The ATMG recognises the significance of prevention to combating trafficking. Consequently, this report focuses on ascertaining to what extent the UK Government is fulfilling its obligations under the Convention in respect of prevention.

## Convention obligations on trafficking prevention

Chapter II of the Convention requires States Parties to take a holistic approach to prevention by implementing measures to address the underlying and structural causes of trafficking (through social and economic initiatives);<sup>7</sup> increasing awareness of and education about trafficking;<sup>8</sup> engaging, to a limited extent, transport operators and commercial carriers in anti-trafficking efforts;<sup>9</sup> facilitating legal migration (in particular through providing information on legal migration routes);<sup>10</sup> addressing the demand which encourages exploitation that leads to trafficking;<sup>11</sup> and by strengthening national

<sup>1</sup> The Anti-Trafficking Monitoring Group, *Wrong kind of victim? One year on: an analysis of UK measures to protect trafficked persons* (2010).

<sup>2</sup> Council of Europe Convention on Action against Trafficking in Human Beings and its Explanatory Report, Council of Europe Treaty Series No. 197, 2005.

<sup>3</sup> The Anti-Trafficking Monitoring Group, *supra* note 1, p.6.

<sup>4</sup> European Convention, *supra* note 2, Article 1(a).

<sup>5</sup> Explanatory Report to the European Convention, *supra* note 2, para. 4.

<sup>6</sup> EU Directive 2011/36/EU on Preventing and Combating Trafficking in Human Beings and Protecting its Victims, Article 18.

<sup>7</sup> European Convention, *supra* note 2. Article 5.2.

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*, Article 7.3.

<sup>10</sup> *Ibid.*, Article 5.4.

<sup>11</sup> *Ibid.*, Article 6.

coordination.<sup>12</sup> Article 5.5 requires States Parties to “take specific measures to reduce children’s vulnerability to trafficking notably by creating a protective environment for them.” Recognising that it is essential to understand a problem in order to be able to prevent it effectively, Article 5.2 also requires States to conduct research into trafficking and to collect and analyse trafficking-related information. In the prevention of re-trafficking, Article 16.5 of the Convention (within Chapter III: “Measures to protect and promote the rights of victims, guaranteeing gender equality”) acknowledges the link between the repatriation of trafficked persons and a risk of re-trafficking, and emphasises that “[repatriation] programmes aim at avoiding re-victimisation”.<sup>13</sup>

### **Why prevention?**

Preventing trafficking is one of the core purposes of the Convention,<sup>14</sup> and an essential component of any effective anti-trafficking strategy.<sup>15</sup> Without targeted measures to prevent the problem at source, any efforts (whether in the form of victim assistance or criminal justice initiatives) respond to its symptoms in the short-term, rather than addressing underlying causes and reducing the number of victims. To date, most anti-trafficking efforts worldwide have been channelled through a criminal justice approach. However, as noted by a former advisor on trafficking to the United Nations Office of the High Commissioner for Human Rights, “Notwithstanding the hundreds of millions of dollars already invested in the criminal justice response to the problem, we have yet to see an appreciable reduction in the absolute numbers of people trafficked worldwide.”<sup>16</sup> Prevention measures may require considerable financial investment to be effective. But as a 2004 USAID-commissioned assessment of best practices to combat trafficking in Asia found, “strategic interventions with a preventive focus are most cost-effective in the long run.”<sup>17</sup>

### **What is prevention?**

Trafficking is a complex problem, caused by a combination of any number of economic, social, psychological, cultural and political factors. Each of these factors needs to be acknowledged and considered when developing prevention strategies. For any prevention strategy to be successful, it needs to address a broad range of issues: from the individual empowerment of those vulnerable to trafficking and exploitation, to international political or economic relationships which create the social and economic conditions that fuel the problem.

Trafficking prevention broadly takes two forms: reducing potential victims’ vulnerability by addressing the factors that make them susceptible to trafficking, and increasing risks for potential traffickers. Every measure to protect trafficked persons or prosecute traffickers will have some preventative effect, be it the deterrent effect of a successful prosecution or high sentence on traffickers, or reducing a trafficked person’s vulnerability to further exploitation or re-trafficking through assistance. However, these measures themselves need to be complemented by other prevention-specific activities if they are to deliver a holistic anti-trafficking response.

A comprehensive prevention strategy must incorporate three levels of prevention: primary, secondary and tertiary.<sup>18</sup> Primary prevention seeks to prevent the problem from ever occurring and targets general populations, including those not determined to be at-risk. Primary prevention interventions may take the form of widespread education campaigns about human trafficking and related exploitation, the inclusion of education on human rights in national school curricula, or general poverty reduction and anti-discrimination work. Secondary level prevention targets high-risk groups, and includes tailored socio-economic initiatives such as programmes to encourage vulnerable young people to remain in education, information campaigns for migrants on safe migration or their rights in destination countries and skills training for employment. Finally, tertiary prevention aims to contain the problem once it has

<sup>12</sup> *Ibid.*, Article 5.1.

<sup>13</sup> *Ibid.*, Article 16.5.

<sup>14</sup> *Ibid.*, Article 1(a). Also, Article 18 of the EU Directive further strengthens provisions for prevention in the areas of demand, training and awareness-raising.

<sup>15</sup> *Explanatory Report to the European Convention*, *supra* note 40, para. 4.

<sup>16</sup> Chuang, *supra* note 61, p.138.

<sup>17</sup> Gupta, R. et al. *Trafficking in the ANE Region: Problem Analysis and Proposed Framework for USAID Response* (Washington: Development Alternatives, Inc., 2004), p.16.

<sup>18</sup> Skrivanova, K., *UKHTC Prevention strategy, Elaborated by Anti-Slavery International*. Paper presented to the Home Office (2007) Unpublished, Anti-Slavery International.

occurred, by protecting victims from further harm, i.e. it specifically aims to prevent re-trafficking. As such, tertiary prevention interventions overlap with protection measures, and their success is dependent, primarily, on the accurate identification of victims of trafficking.

Within each of these three levels, specific activities may be short-term (e.g. training border officials or health professionals in how to recognise and respond to the signs of trafficking), medium-term (empowerment programmes for young girls to counter the effects of gender discrimination or sexual violence), or long-term (interventions to address entrenched gender discrimination or wealth disparity). Nevertheless, all three levels of prevention must be addressed. In order to achieve this, specific prevention measures need to be implemented at various points in both source and destination countries: amongst the general population, within targeted sectors of society and labour markets, and at domestic and international policy level.

### **Understanding the links**

Understanding how the different strands of anti-trafficking work (prevention, protection and prosecution) are inter-dependent and inter-connected in complementing and reinforcing one another is essential to ensuring that anti-trafficking interventions are sustainable and successful. When one strand is favoured over another, or receives more attention, the ability to take an effective holistic approach is weakened. The intrinsic link between protecting victims and successful prosecution is increasingly acknowledged and has been incorporated into the Government's anti-trafficking strategy. The preventative effect (through deterrence and awareness-raising) of successful prosecutions both in the UK and in source countries is equally understood, particularly amongst law enforcement agencies. However, the link between protection - in particular, the protection of trafficked and potentially trafficked persons' human rights - and prevention, appears to be less understood or acted upon. Holistic support and assistance, and empowerment of trafficked persons reduces their vulnerability and prevents further exploitation and re-trafficking.

To date prevention has been interpreted narrowly, and the links between prevention and the other strands of anti-trafficking work have not been recognised. Consequently, opportunities are being missed to integrate anti-trafficking concerns and programming into other areas of work, such as international development, enforcement and human rights protection, poverty reduction, social inclusion and anti-discrimination strategies. Recognising the multiple sectors across which trafficking cuts, and integrating anti-trafficking efforts into existing strategies, presents a real opportunity for the future. Using existing structures to address the various socio-economic factors that contribute to trafficking would have a wider reach and longer-term impact, proving more effective and resource efficient, whilst promoting a more holistic approach. Recognising the shared aims of anti-trafficking and other policy areas would also lead to more considered discussions of the implications and consequences of different activities and would reduce the risk of contradictory government policies.

### **Devolved responsibilities to prevent trafficking**

Human trafficking is a multi-faceted issue and for prevention measures to be effective they must cut across several different areas of work. However, several participants interviewed for this report's research stated that the UK Government understands trafficking chiefly as an illegal immigration issue and secondly as an issue of organised crime, and this has limited its understanding of prevention. This in turn has led to a lack of clarity concerning the devolved administrations' responsibilities for preventing trafficking, i.e. if the belief held is that prevention is mainly about border controls and inhibiting illegal migration, action to prevent trafficking need not go further than this.

The Convention requires States Parties to adopt a holistic approach to preventing trafficking. This can only be achieved through a mixture of international, national, regional and local policies and measures. A core aspect of a holistic approach to preventing trafficking is strong coordination of all the statutory and non-statutory bodies with a role to play in combating trafficking. While national coordination is essential in the form of guidance and allocating responsibilities, local coordination implementation is better able to respond to local or regional contexts and can often be more efficient and effective. The Convention also requires States Parties to conduct research and collect, analyse and share information on trafficking, in order that the problem is understood and that prevention efforts are targeted and based

on evidence. Awareness of trafficking must be raised amongst people who may be vulnerable to it; this is not only intended for vulnerable people in developing countries, but also needs to be targeted at adults and children within the UK who are vulnerable to exploitation and internal trafficking. Equally, the social and economic conditions which create those vulnerabilities must be addressed. Professionals, frontline workers and members of the public who are most likely to encounter trafficking must be educated to ensure that it is identified as early as possible and victims are protected from further harm. Finally, specific measures to discourage demand for all forms of exploitation that contribute to trafficking must be introduced. Such measures should take into account local markets and contexts in order to be effective, and should include research, information campaigns and education programmes specifically for children.

When understood in this manner, it is clear that the devolved administrations bear responsibility for many aspects of work essential to the prevention of trafficking and that they are often better placed than central government to develop targeted measures. Furthermore, devolved administrations can use their position to influence the UK Government on reserved matters which nevertheless impact on their jurisdiction. This would include immigration policy, foreign aid priorities and, where relevant, policing priorities. This report summarises what measures each of the UK's devolved administrations have implemented to prevent trafficking.

### **Northern Ireland**

Of those matters that relate to human trafficking, the Northern Ireland Executive is responsible for economic and social issues, health, education, social services, public safety and other policing and justice matters. The Department of Justice leads the Northern Ireland Assembly's response to the trafficking of adults; the Department for Health, Social Services and Public Safety, leads its response to child trafficking. It is clear that considerable efforts have been made by the Department of Justice to respond to trafficking in its jurisdiction, and the practitioners interviewed for this research recognised the political will to tackle the problem. However, there appears to be very little coordination with civil society, which limits the impact of measures that have been introduced.

The Department of Justice leads the Organised Crime Task Force (OCTF) and the Organised Crime Strategy Group, both of which include human trafficking in their remit. The OCTF's Immigration and Human Trafficking sub-group is chaired by a police officer and is the main coordination body for anti-trafficking efforts in Northern Ireland. It comprises the Police Service of Northern Ireland (PSNI), the UKBA, the Public Prosecution Service, the Department for Employment and Learning and representatives from the Republic of Ireland's police force. It is overseen by the Organised Crime Strategy Group.

While the Immigration and Human Trafficking sub-group is recognised as coordinating law enforcement and statutory responses well, the group does not include any NGO or civil society representation. The two main organisations which provide accommodation and support to trafficked persons in Northern Ireland, Women's Aid and Migrant Help, sit on a Social Care group which is convened by the Department of Justice. This group has been described as operational, as its primary purpose is to oversee the delivery of the day-to-day functioning of the government-funded victim care package contract. There is no other arrangement for the coordination of civil society actors, a role that interviewed practitioners consider to be severely lacking in Northern Ireland. Equally, while the Minister is represented on the Inter-Departmental Ministerial Group in Westminster, agencies responding to trafficking on the ground in Northern Ireland only feel linked in to anti-trafficking efforts in the rest of the UK through civil society connections and networks. In addition, it has been reported that the Human Trafficking Foundation has visited Northern Ireland with a view to establishing an all party working group on human trafficking in Northern Ireland, much like the All-Party Parliamentary Group for Human Trafficking in Westminster.

The PSNI is responsible for collecting data on trafficking in Northern Ireland and agencies are encouraged to refer all cases of suspected trafficking to the police. Several participants interviewed were concerned that the only information on trafficking collected in Northern Ireland is based on cases referred to the police. Furthermore, it does not provide an avenue for collecting information on related issues which might add to an overall understanding of trafficking in the region (see chapter 2). NRM

statistics published by the UKHTC were not considered to be helpful to agencies working in Northern Ireland as it has not been possible to obtain any statistics from the UKHTC in relation to Northern Ireland-specific referrals. Practitioners would welcome further disaggregation of data by region, to allow for a more in-depth analysis of trends and greater understanding of the extent and nature of the problem in Northern Ireland.

Over the past few years, several pieces of research have been conducted on trafficking and related exploitation in Northern Ireland. In 2009, the Northern Ireland Human Rights Commission commissioned a study into the nature and extent of human trafficking.<sup>19</sup> The Department for Employment and Learning has conducted research into the make-up, impact and experiences of migrant workers in Northern Ireland.<sup>20</sup> The Department for Justice publishes an annual *Threat Assessment* on organised crime issues, which includes the most recent information on human trafficking.<sup>21</sup> In addition, in June 2011, the Joseph Rowntree Foundation published a study looking into the extent of forced labour in migrant communities in Northern Ireland, carried out by the Institute for Conflict Research in partnership with NGOs.<sup>22</sup>

The Department of Justice published a report in 2011 in relation to sexual exploitation in Northern Ireland, part of which dealt with the subject of human trafficking.<sup>23</sup> A subsequent conference held at Stormont including a cross-section of statutory and non-statutory bodies met to discuss this, and in particular how best to tackle demand for sexual services. The Department of Justice has since hosted meetings with the Police Service of Northern Ireland and the Belfast Health and Social Care Trust on this topic and is now developing a programme of action, building on the findings of the research paper and the outcome of the conference.

Practitioners' main concerns regarding the current levels of research were the difficulties in ensuring that recommendations are acted upon and to the extent to which they were incorporated into preventative work. In this regard, there was a level of frustration at the lack of oversight of anti-trafficking efforts in Northern Ireland, to ensure research is being addressed in a holistic way.

The *Blue Blindfold* campaign ran twice in Northern Ireland and was coordinated to run at the same time as in the Republic of Ireland, to raise awareness of human trafficking among the general public. Northern Ireland is the only jurisdiction to evaluate the impact of the campaign, and it found that 35% of adults and 50% of the population aged between 16 and 34 had seen or heard the campaign.<sup>24</sup> However, some practitioners questioned whether awareness of human trafficking was that widespread in Northern Ireland, and many stated that more needs to be carried out to raise awareness of trafficking for non-sexual exploitation. Most efforts to raise awareness and educate at-risk groups are done through NGOs, generally through community groups, although the Department of Justice is looking to introduce the UKHTC's *My Dangerous Loverboy* campaign materials to raise awareness of trafficking amongst young people. Additionally, the Department for Employment and Learning convenes a migrant workers thematic sub-group which works to increase awareness of employment rights among migrant workers in Northern Ireland. The Department also runs the Employment Agency Inspectorate which has made strong efforts to reach migrant workers and inform them of their rights and the inspectorate's existence. The Law Centre Northern Ireland has also developed considerable resources to inform migrants and other vulnerable workers of their employment rights.

<sup>19</sup> Martynowicz, A., et al., 'The Nature and Extent of Human Trafficking in Northern Ireland: A scoping study (2009), Belfast: Northern Ireland Human Rights Commission and Equality Commission for Northern Ireland. Available at: [www.equalityni.org/archive/pdf/ECNIHRCTraffickingReport.pdf](http://www.equalityni.org/archive/pdf/ECNIHRCTraffickingReport.pdf) [last accessed 3 March 2012].

<sup>20</sup> Bell, J., et al., 'A Report on the Experiences of Migrant Workers In Northern Ireland' (December 2009). Available at: [www.delni.gov.uk/a\\_report\\_on\\_the\\_experiences\\_of\\_migrant\\_workers\\_in\\_northern\\_ireland.pdf](http://www.delni.gov.uk/a_report_on_the_experiences_of_migrant_workers_in_northern_ireland.pdf) [last accessed 13 January 2012].

<sup>21</sup> Organised Crime Task Force, The Northern Ireland Organised Crime Strategy: January 2012 – March 2014' (June 2011). Available at: [www.dojni.gov.uk/index/media-centre/northern-ireland-organised-crime-strategy-.pdf](http://www.dojni.gov.uk/index/media-centre/northern-ireland-organised-crime-strategy-.pdf) [last accessed 13 January 2012].

<sup>22</sup> Allamby, L., et al, 'Forced Labour in Northern Ireland: Exploiting Vulnerability' (June 2011). Available at: [www.conflictresearch.org.uk/Resources/Documents/Jarman-Forced%20Labour%20report%202655.pdf](http://www.conflictresearch.org.uk/Resources/Documents/Jarman-Forced%20Labour%20report%202655.pdf) [last accessed 13 January 2012].

<sup>23</sup> Ford, D., *Research paper investigating the issues for women in Northern Ireland involved in prostitution and exploring best practice elsewhere*. Department of Justice Northern Ireland (2011).

<sup>24</sup> Organised Crime Task Force, *2011 Annual Report and Threat Assessment: Organised Crime in Northern Ireland*, (2011), p.34.

Efforts have been made to train professionals, particularly law enforcement officials, across Northern Ireland, and guidance, which was jointly developed by PSNI and DHSSPS, has been issued to healthcare professionals. However, each Department is responsible for their own training, with no one agency responsible for ensuring that training is reaching all the right people. The PPS has also developed guidance for prosecutors on human trafficking, which will be put out for public consultation in early 2012. Practitioners stated that very little training was available and often it depended upon one person taking an interest and seeking out training for themselves.

Trafficking is yet to be integrated into existing social and economic initiatives aimed at tackling poverty reduction, social exclusion or discrimination. Little information is known about internal trafficking within Northern Ireland nor whether Northern Irish adults or children are trafficked within the rest of the UK or internationally. As such, no social or economic initiatives specifically targeted at populations vulnerable to exploitation and trafficking have been introduced. The Human Rights Commission for Northern Ireland has developed a range of interactive tools for teaching children about human rights and related issues; they are not included as a mandatory part of the curriculum.

In Northern Ireland, where organised crime is recognised as a serious problem,<sup>25</sup> the OCTF is looking to launch the campaign, *Changing the Mindset*. The campaign is not specific to human trafficking, but it will be included as one manifestation of organised crime. The campaign is aimed at raising greater awareness amongst the public of the impact of organised crime, including human trafficking, and at influencing behaviour which condones or perpetuates it. The Department for Justice intends for this campaign to address the links between market demand for cheap labour and consumer demand for cheap produce, which is bridged by inherent exploitative labour. In order to ensure that the campaign is as effective as possible, it will include consultations on where best to target campaign material and research on best practices for challenging demand. The ATMG welcomes this campaign as a positive development and encourages the UK Government and other devolved administrations to monitor its impact. The ATMG calls on Northern Ireland's Department of Justice to independently monitor and evaluate this campaign so that lessons for future demand-side interventions can be learned.

Several respondents in Northern Ireland highlighted the challenge the Irish land border presents with regard to human trafficking, as this may make the trafficking of people between the jurisdictions fairly easy. Very little is known about what role the lack of a border plays. Strong efforts have been made by the OCTF, the Public Prosecution Service and the Department of Justice to coordinate anti-trafficking training and other activities along the border, although several practitioners think more work needs to be done to ensure trafficking is identified there. The Department of Justice in Northern Ireland has been more proactive in promoting the *Visitor or Victim* campaign: the OCTF ran it in airports, ports and train stations in October 2010.

#### ***Specific recommendations to the Northern Ireland Assembly***

- Appoint an independent regional Anti-Trafficking Commissioner (or a Rapporteur) on trafficking to maintain oversight of the Northern Irish response to trafficking, ensure all obligations are being met and ensure anti-trafficking efforts are comprehensive and integrated with other policy areas.
- Improve coordination of specific measures to prevent trafficking, such as research, awareness-raising and training efforts to ensure gaps are addressed.
- Involve NGOs and civil society in anti-trafficking coordination groups and in the strategic development of anti-trafficking work.
- Regularly monitor and evaluate the impact of future campaigns, such as *Changing the Mindset*, including from a human rights perspective.
- Introduce education on the causes and consequences of human trafficking as mandatory in primary and secondary-level education.

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<sup>25</sup> Ibid.

## **Scotland**

The Scottish Government is responsible for all regional policies relating to health, education, justice, social issues business and industry.

Coordination of anti-trafficking efforts in Scotland remains partial. There are strong multi-agency groups in the West of Scotland, which includes a sub-group on child trafficking led by the Glasgow City Council Child Protection Committee. Another group is chaired by Strathclyde Police's Vice and Anti-Trafficking Unit and focuses on the trafficking of adults. This in turn has three working groups: victim care, prevention, and research and intelligence. Some participants were unclear as to the continuing remit of this latter group. The Equality and Human Rights Commission in Scotland established an Advisory Group for their *Inquiry into Human Trafficking in Scotland*, which brought together Scotland's Commissioner for Children and Young People, the Scottish Refugee Council, UKBA, SCDEA, UKHTC, TARA, the GLA, Migrant Help, the Scottish Government, the Association of Directors of Social Work, the Convention of Scottish Local Authorities (CoSLA), Amnesty International (Scotland), and the Legal Services Agency.

The Scottish Government convenes a victim care group, whose focus could be described as operational as its remit is limited to discussing the delivery of the government-funded victim care package, though its effectiveness has been called into question as the last time it was convened was May 2011. The Scottish Crime and Drug Enforcement Agency (SCDEA) coordinates Scotland's law enforcement response to trafficking. Participants in Scotland stated that, despite the various groups and political support for the issue, there is little coordination of overall anti-trafficking efforts and a lack of overall direction from the Scottish Government on the issue. Scotland is represented on the IDMG, and TARA sits on several of the Home Office and UKHTC stakeholder groups, but it was stated that this was on TARA's initiative rather than as part of a strategic approach. Other Scottish participants stated that their links with anti-trafficking work in the rest of the UK were either through TARA or through other NGO networks and they were not represented or consulted in UK-wide strategic developments.

Research scoping the extent of trafficking in Scotland has been conducted by the Scottish Government,<sup>26</sup> the Scottish Parliament's Equal Opportunities Committee,<sup>27</sup> Scotland's Commissioner for Children and Young People<sup>28</sup> and the Equality and Human Rights Commission in Scotland.<sup>29</sup> Further research into different aspects of trafficking has been carried out by NGOs,<sup>30</sup> the Glasgow's Child Protection Committee, and the SCDEA publish an annual *Strategic Threat Assessment* on all areas of organised crime. Several participants stated that existing research has tended to focus on trafficking for sexual exploitation, while little is known about trafficking for other types of exploitation in Scotland. The Equality and Human Rights Commission's recently-published *Inquiry into Human Trafficking in Scotland* found evidence that people are trafficked to and within Scotland for the purposes of sexual exploitation, forced labour including domestic servitude, and for forced criminal activity.<sup>31</sup> Furthermore, the *Inquiry* found evidence of trafficking-related exploitation throughout Scotland, in cities, towns and rural areas.<sup>32</sup> The research calls on the Scottish Government to develop its own comprehensive anti-trafficking strategy and to demonstrate leadership in devolved policy areas. The ATMG supports this recommendation.<sup>33</sup> The Equality and Human Rights Commission's *Inquiry* also recommends the UKHTC publishes regional NRM statistical data as standard practice.<sup>34</sup>

The majority of participants interviewed expressed frustration at the lack of useful information available on trafficking in Scotland, both within Scotland and on a UK-wide level. There is no coordination of trafficking data within Scotland, and the lack of regional disaggregation in the statistics published by the

<sup>26</sup> Lebov, K., *Human Trafficking in Scotland 2007/08*, Scottish Government Social Research (2009).

<sup>27</sup> Scottish Parliament Equal Opportunities Committee Report: *Inquiry into Migration and Trafficking*, 5<sup>th</sup> Report (2010).

<sup>28</sup> Wallace, R., et al., *Scotland: A safe place for child traffickers?* (Scotland's Commissioner for Children and Young People (2011).

<sup>29</sup> Equality and Human Rights Commission Scotland, *Inquiry into Human Trafficking in Scotland: Report of the Equality and Human Rights Commission* (Glasgow, 2011), p.49.

<sup>30</sup> Organised Crime Task Force, 2011 Annual Report and Threat Assessment: Organised Crime in Northern Ireland, (2011), p.34.

<sup>31</sup> Equality and Human Rights Commission Scotland, *Inquiry into Human Trafficking in Scotland: Report of the Equality and Human Rights Commission* (Glasgow, 2011), p.36.

<sup>32</sup> *Ibid.*, p.48.

<sup>33</sup> *Ibid.*, p.25.

<sup>34</sup> *Ibid.*, p.56.

UKHTC makes them of little use to practitioners' work. The SCDEA has made efforts to address this problem and has been in discussion with the UKHTC about the lack of disaggregation, though concerns remain among some participants that given the SCDEA's remit, such discussions would not provide an avenue for general collation and analysis of trafficking-related information.

There has been no coordination of training on trafficking across Scotland. Different agencies are responsible for training their own staff. TARA, Migrant Help and the Glasgow Child Protection Committee provide on-going training, and awareness-raising and work to identify and plug training gaps. Additionally, the Scottish Government has funded various seminars on human trafficking for frontline staff. Police officers in Scotland have also received training on human trafficking, delivered through the SCDEA, while guidance to prosecutors has been developed and issued through the procurator Fiscal Service. NHS Scotland has produced internal guidance on commercial sexual exploitation and is currently developing guidance on other forms of exploitation. However, several participants stated that the level of awareness of trafficking amongst the public and frontline workers was low, particularly in the remoter parts of the country. The Equality and Human Rights Commission in Scotland recently called on the Scottish Government to make further efforts to raise awareness of human trafficking amongst both the general public and frontline workers in Scotland.<sup>35</sup>

Trafficking is included in the Scottish Government's strategy for combating violence against women. However, no efforts have been made to integrate measures to prevent trafficking into existing poverty reduction or social inclusion initiatives. Through its International Development Fund, the Scottish Government funds work addressing vulnerability and inequality in Malawi, which will increase the recipients' resilience to trafficking. Tearfund Scotland, which receives Scottish Government funding, works with communities in the north of Malawi on issues such as child labour and early marriage, providing training on child rights and the importance of education. The Scottish Government also funds work strengthening access to justice in Malawi, through the Active Learning Centre at the University of Glasgow. Such initiatives are positive and should be incorporated into the Scottish Government's overall anti-trafficking strategy.

Efforts to discourage demand in Scotland have focused on trafficking for sexual exploitation. *End Prostitution Now*, a campaign aimed at challenging demand for prostitution and criminalising the purchase of sex in Scotland, and in turn tackling trafficking, was developed and led by Glasgow City Council.<sup>36</sup> A Private Members Bill to criminalise the purchase, advertisement and facilitation of prostitution introduced in the Scottish Parliament in November 2010 failed to get majority backing and the Criminalisation of the Purchase and Sale of Sex (Scotland) Bill was put out for further consultation. A report on the consultation published in March found the Bill to have majority support amongst public agencies in Scotland.<sup>37</sup> The campaign brought together service providers, women's rights organisations and Parliamentarians, and received majority support amongst the public for legislation to criminalise the purchase of off-street sexual services.

Several school resources have been developed by NGOs to teach children about healthy relationships and the impact of domestic and sexual violence. Glasgow City Council also funds Barnardos Scotland to deliver programmes educating children about grooming and sexual exploitation in five additional schools in the city each year. However, it is not mandatory within the curriculum to ensure that all children receive education about human rights and the impact of inequality, discrimination and exploitation.

### ***Specific recommendations to the Scottish Government***

- Appoint an independent regional Anti-Trafficking Commissioner (or a Rapporteur) to maintain oversight of Scotland's anti-trafficking response. The Commissioner would have the duty to ensure that all responsibilities under the Convention are being met, to ensure a comprehensive anti-trafficking response, and to ensure that all anti-trafficking measures promote gender equality and the human rights of all trafficked persons and those vulnerable to trafficking.

<sup>35</sup> *Ibid.*, p.25.

<sup>36</sup> The Prostitution (Public Places) (Scotland) Act 2007 effectively already makes it an offence to pay for sex in a public place.

<sup>37</sup> Scottish Parliament, *Criminalisation of the Purchase and Sale of Sex (Scotland) Bill: Summary of Consultation Responses*, March 2011. Available at: [www.scottish.parliament.uk/parliamentarybusiness/Bills/25043.aspx](http://www.scottish.parliament.uk/parliamentarybusiness/Bills/25043.aspx) [last accessed 24 November 2011].

- Improve coordination of anti-trafficking work across Scotland, and specifically in relation to data collection and training of professionals.
- Integrate anti-trafficking aims into complementary policy areas to increase the reach of anti-trafficking efforts and ensure long-term impact.
- Introduce measures to address demand for other forms of trafficking, initially by commissioning research to better understand the role demand plays in Scotland.
- Introduce education on the causes and consequences of human trafficking as mandatory in primary and secondary-level education.

## **Wales**

With regard to matters relating to human trafficking, the Welsh Government is responsible for education, health and social care, business and economy and social justice.

The previous two years have seen a significant increase in anti-trafficking activity in Wales. In 2009, the Gwent multi-agency anti-trafficking group was set up by Gwent police in an effort to coordinate local responses and share information. The group brings together all the relevant government and non-governmental agencies in the area with a role to play in tackling trafficking. The group includes police, the UKBA, NGOs, health services and education representatives. The group has proved successful in coordinating activities, strengthening relationships, developing and delivering awareness-raising sessions through their networks to frontline workers and sharing information, and work to identify and close training gaps. In addition, the UKHTC has worked with the South Wales police force to build its capacity in investigating trafficking in collaboration with the Welsh Human Trafficking Coordinator (below). A Cross-Party Group on Human Trafficking has also been established in the Welsh Government. This is chaired by Joyce Watson, a Welsh Government Assembly Member, and provides an opportunity for politicians to work together on the subject in collaboration with stakeholder organisations. The Group has successfully pushed forward work on the issue, for example, being instrumental in the creation of the Welsh Human Trafficking Coordinator's role.

In March 2010, the Welsh Government made funding available for a Welsh Human Trafficking Coordinator, tasked with mapping and coordinating all anti-trafficking efforts across Wales, and strengthening their links with the rest of the UK. This is the only post dedicated to coordinating anti-trafficking activity in any of the UK administrations and was highlighted as a positive step by all participants interviewed for this research. As the Coordinator is responsible to Gwent police, there are some concerns that the position is not independent, which may limit its scope to coordinate statutory activity. It is important that the effectiveness of the role is monitored to ensure that all the relevant statutory and non-statutory organisations are brought together in an effective way.

Research on human trafficking in Wales has been conducted,<sup>38</sup> though to date it has focused solely on trafficking for sexual exploitation. Following research published by the Welsh Government's Cross-Party Group on Human Trafficking, Joyce Watson developed an online resource to act as a central point for the sharing of information on trafficking in Wales, including relevant reports, news articles, and links to anti-trafficking organisations and services.<sup>39</sup>

Trafficking is included in the Welsh integrated violence against women strategy, although no measures to prevent trafficking are integrated into other areas of work such as social justice and equality. Joyce Watson's 2010 report on human trafficking in Wales, *Knowing No Boundaries*, found evidence that one Welsh local authority includes education on the nature and effects of human trafficking in its curriculum for thirteen-year-olds.<sup>40</sup> The Welsh Government has committed to including education about violence against women in school-years education, though education on broader human rights principles and the consequences of discrimination, inequality and exploitation are not currently mandatory in the curriculum.

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<sup>38</sup> Community and Adult Services Committee, *The Trafficking of Adults for the Purpose of Sexual Exploitation* (County Council of the City and County of Cardiff, December 2010), and Watson, J., *Knowing no boundaries: Local solutions to an international crime. Trafficking of women and children in Wales 2010* (National Assembly for Wales: 2010).

<sup>39</sup> See [www.humantraffickinginwales.co.uk](http://www.humantraffickinginwales.co.uk) [last accessed 3 March 2012].

<sup>40</sup> Watson, *supra* note 20, p.9.

***Specific recommendations to the Welsh Government***

- Appoint an independent regional Anti-Trafficking Commissioner (or a Rapporteur) to maintain oversight of Wales' anti-trafficking response.
- Evaluate the impact of the Human Trafficking Coordinator role in improving coordination of Welsh anti-trafficking efforts of data collection, awareness-raising and training professionals. Particular attention must be paid to how well the Coordinator has managed to coordinate the non-governmental response as well as that of governmental agencies.
- Ensure anti-trafficking aims are integrated into complementary policy areas, such as social exclusion and poverty reduction.
- Conduct research on trafficking for purposes other than sexual exploitation in Wales and respond appropriately.
- Introduce mandatory education on the causes and consequences of human trafficking in primary and secondary-level education.

# The Anti Trafficking Monitoring Group

The Anti-Trafficking Monitoring Group was established in May 2009 and operates according to a human rights-based approach to protect the well-being and best interests of trafficked persons.

This report presents the results of research undertaken to examine to what extent the UK Government is fulfilling its obligations under the Council of Europe Convention on Action against Trafficking in Human Beings in respect of prevention.

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The views expressed herein are those of The Anti-Trafficking Monitoring Group and in no way reflect the opinion of the funders.

The Anti-Trafficking Monitoring Group comprises:

Amnesty International UK

Anti-Slavery International

BAWSO

Bristol Counter-Trafficking Coalition

ECPAT UK

Helen Bamber Foundation

Kalayaan

POPPY Project (of Eaves Housing)

TARA (of Glasgow Community and Safety Services)

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