

Trafficking and Exploitation Strategy - Consultation

Responding to this Consultation

We are inviting responses to this consultation by [7 December 2016](#).

Please respond to this consultation using the Scottish Government's consultation platform, Citizen Space. You view and respond to this consultation online at <https://consult.scotland.gov.uk/human-trafficking-team/a-human-trafficking-and-exploitation-strategy/>

You can save and return to your responses while the consultation is still open. Please ensure that consultation responses are submitted before the closing date of [7 December 2016](#).

If you are unable to respond online, please complete the Respondent Information Form (see "Handling your Response" below) to:

[Human Trafficking Team](#)

[GWR](#)

[St Andrews House](#)

[Edinburgh EH1 3DG](#)

Handling your response

If you respond using Citizen Space (<http://consult.scotland.gov.uk/>), you will be directed to the Respondent Information Form. Please indicate how you wish your response to be handled and, in particular, whether you are happy for your response to be published.

If you are unable to respond via Citizen Space, please complete and return the Respondent Information Form attached included in this document. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

Next steps in the process

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material,

responses will be made available to the public at <http://consult.scotland.gov.uk>. If you use Citizen Space to respond, you will receive a copy of your response via email.

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us. Responses will be published where we have been given permission to do so.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them human.trafficking@gov.scot

Scottish Government consultation process

Consultation is an essential part of the policy-making process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work.

You can find all our consultations online: <http://consult.scotland.gov.uk>. Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.

Consultations may involve seeking views in a number of different ways, such as public meetings, focus groups, or other online methods such as Dialogue (<https://www.ideas.gov.scot>)

Responses will be analysed and used as part of the decision making process, along with a range of other available information and evidence. We will publish a report of this analysis for every consultation. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.



TRAFFICKING AND EXPLOITATION STRATEGY

RESPONDENT INFORMATION FORM

Please Note this form must be returned with your response.

Are you responding as an individual or an organisation?

- Individual
- Organisation

Full name or organisation's name

Phone number

Address

Postcode

Email

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
- Publish response only (anonymous)
- Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

No

TRAFFICKING AND EXPLOITATION STRATEGY – CONSULTATION

Introduction and background

In October 2015 the Scottish Parliament passed the Human Trafficking and Exploitation (Scotland) Act 2015, the first dedicated Scottish legislation on this issue. The Act created the offences of human trafficking and of slavery, servitude and forced or compulsory labour, with a maximum life sentence possible for those convicted of committing these crimes.

Human trafficking is about the illegal trade of human beings, both adults and children, for exploitation. Exploitation can take many forms. For example cannabis cultivation, work in the hospitality industries for little or no pay and in poor conditions, being forced to commit benefit fraud for others' gain, domestic servitude, commercial sexual exploitation, sham marriage and organ removal. These are only examples and there are many others that could be listed.

Slavery, servitude and forced or compulsory labour are defined in terms of Article 4 of the European Convention on Human Rights. Although no exchange of control over the individual takes place, the victims are still treated as the property of another, obliged to provide services through the use of coercion. The term covers all work or service which is exacted from any person under the threat of any penalty.

These offences happen in Scotland, within the UK and internationally and affect people from a range of nationalities and ethnic backgrounds.

Strategy

The Trafficking and Exploitation Strategy is a direct result of the 2015 Act, which requires Scottish Ministers to prepare such a Strategy. The Act requires that the Strategy sets out such actions, arrangements and outcomes that Ministers consider appropriate in relation to conduct which constitutes an offence under the Act.

The draft Strategy on which we are currently consulting seeks to bring together and build on all of the valuable work already undertaken by the Scottish Government and its partners in the public, private and third sectors, to provide coherent and effective support for victims and take action against perpetrators.

It sets out the approach that the Scottish Government and its partners, working with others in the UK and internationally, will take to address human trafficking and slavery, servitude and forced or compulsory labour.

The draft Strategy has been developed in partnership with stakeholders over the past months. Our shared vision is a straightforward (although not simple) one – to eliminate human trafficking and exploitation. The vision reflects the fact that, although the main focus and influence of this Strategy is within Scotland, it seeks to contribute to the effort to tackle human trafficking and exploitation across the UK and

beyond and we believe that the actions set out in the Strategy will help us to move towards fulfilment of that vision.

The draft Strategy cross-refers with other relevant strategy and policy documents, including, for example, Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls (2016); Scotland's National Action Plan to tackle Child Sexual Exploitation (2015); and Scotland's Serious and Organised Crime Strategy (2015).

Giving your views

The following questions are designed to find out your views on the Strategy and to offer the opportunity for you to highlight areas where it could be improved. You may find it useful to refer to Annex One in the Strategy document, which gives links to a number of other documents that provide the broader context for the Strategy.

In addition, we have produced a guide to the Human Trafficking and Exploitation (Scotland) Act 2015, which has been published alongside the draft Strategy for reference.

Our stakeholders have provided some case studies, which help to illustrate some aspects of human trafficking and exploitation as it manifests itself in Scotland today.

Following the close of the consultation, the responses will be analysed, considered and taken into account in developing the final version of the Strategy, which will be laid in Parliament by the end of May 2017.

2. **Section 3 (pages 11-24)** of the Strategy covers each Action Area and sets out

- what is already happening,
- what we need to improve and
- what actions we will take.

2.1 Action Area 1 (pages 13-16) deals with identifying victims and supporting them to safety and recovery. Do you think the particular actions listed on pages 15 and 16 will help in achieving this?

Yes/No (please highlight your answer)

Please expand on your response if you wish to.

Is there anything you would add to Action Area 1 on identifying victims and supporting them to safety and recovery?

2.2. Action Area 2 (pages 17-20) deals with identifying perpetrators and disrupting their activity. Do you think the particular actions listed on pages 19 and 20 will help in achieving this?

Yes/No (Please highlight your answer)

Please expand on your response if you wish to.

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Is there anything you would add to Action Area 2 on identifying perpetrators and disrupting their activity?

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2.3. Action Area 3 (pages 21-24) deals with addressing the conditions that foster trafficking and exploitation. Do you think the particular actions listed on page 24 will help in achieving this?

Yes/No (Please highlight your answer)

Please expand on your response if you wish to.

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Is there anything you would add to Action Area 3 on addressing the conditions that foster trafficking and exploitation?

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3. Section 4 of the Strategy (pages 25 to 30) deals specifically with children.

Do you think the particular actions listed will improve support for children in Scotland?

Yes/No (Please highlight your answer)

Please expand on your response if you wish to.

Is there anything you would add to this Section?

4. **Section 5** of the Strategy (pages 31-34) sets out the measures we plan to use to assess the progress that has been made with the Strategy.

Do you agree that these measures will be effective in measuring progress?

Yes/No (Please highlight your response)

Please expand on your response if you wish to.
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Are there any that you would add?

5. When we implement the Strategy we will want to do that by focusing on victims; by working in partnership; and by always looking to improve what we are doing. Pages 4-8 of the Strategy give more background information on this.

Do you have any views on the best way to implement the Strategy?

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GENERAL

6. Do you have any other comments you wish to make?

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Riaghaltas na h-Alba
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