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**Human Trafficking:
Conceptualising definitions,
responses and ‘what needs to
be done’?**

2012-13

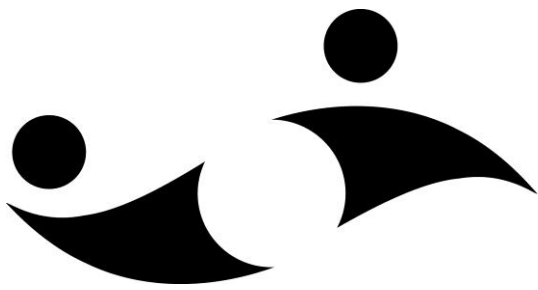
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Main objectives and context

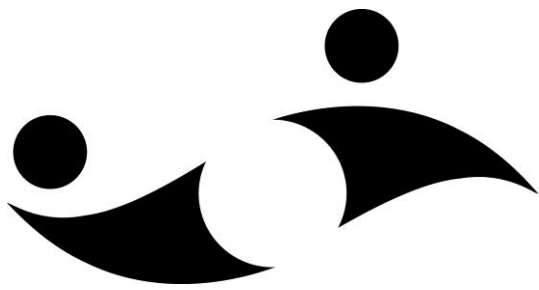
Trafficking in human beings is a worldwide phenomenon requiring an urgent and effective response. Nevertheless it remains a controversial subject, underpinned by the absence of accurate data on its extent and nature. Identification of trafficking victims is increasing across the UK¹; with Scotland required to meet UK-wide and international legislative obligations, most notably from the 6 April 2013 under the terms of the EU Directive.² The growing international and national response to trafficking has resulted in the introduction of procedures and processes aimed at identifying and responding to the needs of victims, and measures intended to tackle the movement and exploitation of people.

Despite these measures there has been little opportunity for reflection in the development of policies and practices; for the collation and application of empirical evidence; or for experts from academia, policy, and practice to reflect upon current practice and how best to take this forward. In particular, opportunities to determine theoretical imperatives underpinning definitions, estimates and responses have been limited. Aspirations to prioritise a human rights model within a wider discourse of 'vulnerable people' on the move through global migration patterns has frequently been overtaken by law enforcement and border control priorities.

To date, internationally three priorities have tended to dominate international responses to trafficking: law and order; migration; and public morality. Statutory and governmental responses have accordingly been directed towards: crime prevention, law enforcement and prosecution; tightening of border controls and restrictions on visa regulations; often resulting in the criminalisation of victims. Non-governmental organisations, by contrast, have consistently called for the prioritisation of a human-rights focused approach, where trafficking is equated with a fundamental violation of human rights. One of the key challenges for developing responses is the extent to which agencies have competing priorities, thereby posing significant challenges for the development of coherent interdisciplinary work in framing responses to victims.

¹ Terminology used within the trafficking discourse is controversial – none more so than that of the term victim or survivor. Throughout the programme both terms were used by participants and this is reflected in this report. Where possible the term victim is used at the point of possible identification, or before, where exploitation may be continuing and individuals remain victimised. Survivor is utilised where it is most likely the person has exited the trafficking networks and is able to engage effectively with protection and support services.

² EU Directive 2011/36/EU 'on Preventing and Combating Trafficking in Human Beings and Protecting its Victims' <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:101:0001:0011:EN:PDF>



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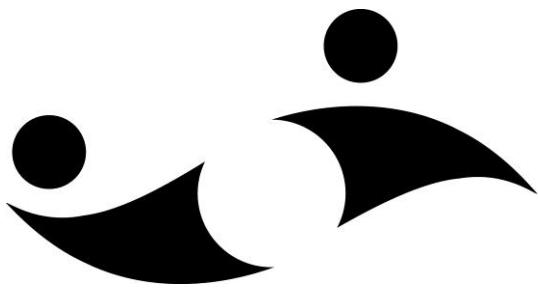
The importance of interdisciplinary participation was crucial for this programme and its overarching aim was to provide an opportunity for participants to 'step outside' their organisational priorities and into a space, both actual and conceptual, from which innovative and creative solutions could emerge. The programme also set out to provide an opportunity for senior researchers and academics to work alongside early career researchers setting out to conduct research in this highly contested area.

Format and structure

The programme took the form of three two-day events involving a combination of paper presentations and group discussion. While the focus of each event was, to some extent, identified in advance, the programme content was sufficiently flexible to allow the topics to emerge and presentations were used as a way of stimulating wider discussions.

The seminars aimed to provide a unique opportunity to develop interdisciplinary collaboration in a space conducive to reflection and deliberation by, firstly, considering the theoretical and conceptual understandings of the issues, followed by examination of appropriate responses and support programmes, consideration of relevant methodological and political issues, and a concluding session which considered 'where do we go from here?' in Scotland within the wider global context.

The programme team (see Annex 1) consisted of academics from across Scotland, alongside experts working directly in this area within Scotland and the wider UK context. Participants with relevant expertise from across Europe and the UK were invited to participate in the seminars, ensuring the involvement of individuals with substantial experience of direct service-delivery; policy development and research (see Annex 2). Briefing papers were produced for each seminar and circulated in advance to promote discussion and debate. The number of participants attending each seminar was limited to encourage dialogue and debate in an environment that was conducive to discussion. Formal presentations provided opportunities to share international knowledge and learning, and to support the interplay theoretical analysis with practical interventions (see Annex 3). The relationship between policy and practice was a recurring theme throughout the programme. Debates were held under Chatham House rules to allow individuals to speak freely, with comments unattributed in written summaries. The seminars were well attended by front line professionals, policy makers, academics and researchers. However representatives from the key UK agencies (UKHTC; UKBA; Salvation Army; Migrant Help) responsible for delivering a co-ordinated strategic response were unable to attend.



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Knowledge and understanding resulting from the programme

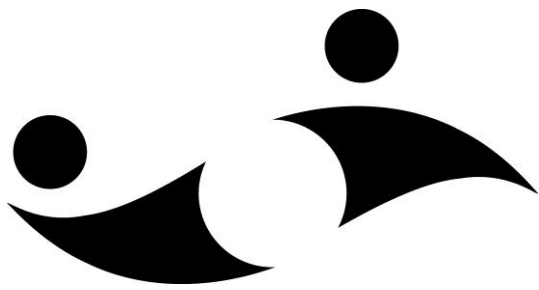
An overall objective of the series was to highlight and discuss the socio-economic and political context of trafficking, in addition to the practical issues of prosecution; identification and intervention that have dominated the UK discourse to date. Emergent themes discussed throughout the programme considered the tasks associated with responding to trafficking in Scotland within a European and global context. This challenge is often overlooked by a practice and political response that focuses on the presenting issues ('symptoms') rather than taking a broader overview of the movement of people in a globalised world, largely driven by a capitalist economic model and founded on systems of exploitation; arguably the root cause of trafficking in human beings.

It is apparent that present disparate local and international responses are not linked together via an overarching 'strategic' approach. It is also widely acknowledged that often highly politicised responses, and/or inaction, are a result of the disparate types of exploitation and varying levels of global inequality and discrimination that persist across the globe; accompanied in the western world by concerns about migration across borders. Additionally, coherent responses are undermined by the absence of a clear evidence base on the nature and extent of trafficking, and any coherent conceptual and theoretical understanding of the issues. These issues were highlighted throughout the programme and the areas which formed the basis of debate included the following:

1. Concepts and definitions

Despite some concerns about its limitations and focus on organised crime and cross border trafficking, it is now widely acknowledged that the internationally accepted definition of trafficking in humans is that provided by the 'Palermo Protocol'. Participants were informed that its drafting was fragmented by political tensions, resulting in a compromised document that for some people remains confusing and unclear. This, it was suggested, has led to a focus upon criminal justice responses driven by legislation, rather than a predominant human rights focus; resulting in limited impact in terms of recovery and rehabilitation for victims. The strategic Scottish response to date, informed by the Equality and Human Rights Commission (EHRC) and parliamentary inquiries, has indeed focused upon new legislation and the prosecution of traffickers.

In recognition of the complexities surrounding these issues, and national and local responses, many participants referred to the 'glass walls' surrounding the issue of trafficking, reflecting the different priorities of all services involved, and influencing responses which tend to reflect these different priorities. Multi-agency responses (from international legal issues through to national policy and front line practice) are key to any hope of success in addressing trafficking. In reality, collaborative responses are compromised by agency priorities and the politicisation of trafficking. Within Scotland (as in every other jurisdiction) there has to be a political will to address the issue,



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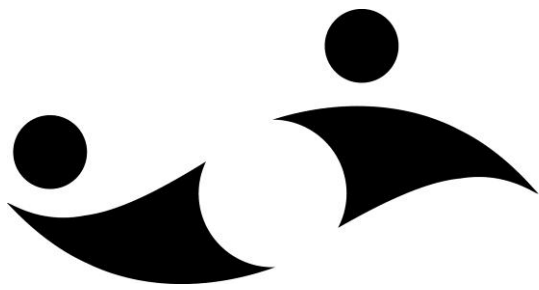
that is reflected in a national strategic approach supported by resources, as well as laws, to tackle trafficking, and a clear understanding of trafficking from ‘bottom up’ and ‘top down’. This overarching multi-agency and multi-level response is not yet apparent in Scotland and maintaining a consistent understanding of trafficking is often difficult because of the various agencies involved in addressing the issue, their priorities and responses, and the heterogeneous nature of the exploitation and types of victimisation.

In depth experience, or knowledge of trafficking as it manifests itself in Scotland, is limited to relatively few individuals and agencies and there has been little attempt to consider its impact nationally and globally in terms of wider inequalities and injustice. In addition to the somewhat confused definition of trafficking in humans, there was acknowledgement about the perhaps even less defined concepts of ‘exploitation’, in meeting the terms of the European Union (EU) Directive and providing effective responses. While trafficking is ‘defined’ in the Convention and Directive, the term ‘exploitation’ is used liberally without any clear definition. Although there are apparently clear examples of this e.g. sexual, labour, domestic servitude – it cannot be considered a straightforward exercise to identify some behaviours and exploitation as being trafficking and others not. However, it was highlighted throughout the programme that maintaining a broad definition of ‘exploitation’, served to ensure that the scope of included behaviours was not too narrow.

Our discussions indicated that definitions and concepts of trafficking remain one of the biggest stumbling blocks to addressing the issue of trafficking. There is widespread consensus that, until there are clear and unambiguous agreements around definitions and concepts, identification and responses to trafficking victims will remain problematic and will potentially undermine an effective and coherent national approach.

2. Legal responses

Much debate remains about the use of the legal system in preparing the ground for successful interventions. Not least because of the fact that different parts of the international legislation are enacted differently in different jurisdictions. The complicated nature of the European legal system in this area, which includes both Council of Europe and European Union legal instruments, has resulted in some confusion as to their implementation in the UK. This is magnified when one considers the competencies of a devolved Scotland. European law is frequently mediated through the UK legal system, especially in relation to asylum and immigration issues. Responsibility for ensuring compliance with the different legal instruments – particularly in respect of victim services - further complicates implementation in Scotland. European legal instruments can often appear ‘woolly’ as they are frequently products of intergovernmental compromise. Case law is often relied upon to clarify definitions and examples in different jurisdictions. Consequently, the use of legislation to inform practice guidelines and procedures can lead to unclear processes in practice, especially when concepts of ‘appropriate’ or ‘minimum’ levels of subsistence are not clearly defined.



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The global connectedness evident in patterns of trafficking and victimisation was broadly accepted by programme participants. While there was some agreement that addressing trafficking requires specific legislation in each country to comply with international directives, there was little consensus about the extent to which national/local law should differ to take account of regional variations. While it may be possible to replicate models of intervention from country to country, comparative research should consider the extent to which the experiences of victims in Scotland reflect those of victims in other countries. In this respect there was considerable concern that conceptual and theoretical underpinnings (e.g. globalisation; local and international conflict; inequality of women) require societal changes that cannot be addressed by legislation alone, or merely at the point of service provision. This highlighted different views among participants as to whether legislation can drive behavioural changes; or whether any change requires broader global changes in theory and practice, from which legislation can emerge.

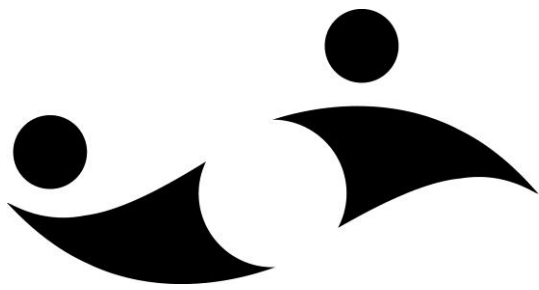
The challenges for legal approaches in response to trafficking in humans are also located in this broader conceptualisation of trafficking, especially in relation to issues regarding global connectedness and neo-liberal assumptions in post-conflict reconstruction. Concerns were voiced throughout the programme that in the attempt to respond to and address issues of human trafficking the role of local and cross border conflict is often overlooked, especially in relation to international organisations' (particularly the International Monetary Fund and World Bank) impact on states in transition.

A pressing issue for all programme participants remains the criminalisation of victims, most noticeable for participants in terms of convictions for 'prostitution-related' offences, cannabis cultivation and immigration offences. It is likely there have been more convictions of victims than traffickers in the UK, although few, if any statistics would highlight this as it would require that victims were identified at the time, or after prosecution. Recurring discussions among programme participants concerned the background to this situation; the way in which exploitation is defined and how victims are perceived within the criminal justice system. Particular attention was given to possible ways of preventing prosecutions for (forced) cannabis cultivation by victims of trafficking. Further consideration was given to situations where victims of human trafficking become perpetrators, in order to pay debts or through other forms of coercion. The role of the justice system in these situations was questioned.

3. Responses and interventions

In Scotland to date much of the positive practice highlighted over the seminar series has developed from front line expertise, albeit in some cases with Government funding. The Scottish Summit to discuss trafficking has been a refreshing development north of the border. It was welcomed as a positive initiative to address the legislative and strategic Scottish response, and take forward the national strategic recommendations contained in the Equalities and Human Rights Commission (EHRC) report.

However, it was also noted the summit was by invitation only, privileging certain voices; and that by focusing on the recommendations of the EHRC, which are mainly located around a



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strategic/legal response, the expertise that had developed at the front line was missing and largely overlooked. The voices and experience of front line professionals informing developments in Scotland is largely missing. Although there is now some move to involve them in the debate by inclusion in various working groups, tension was acknowledged in relation to Summit responses and its 'top down' approach. The inclusion of experienced front line professionals cannot be ignored. There are a small number of practitioners and policy makers in Scotland who have substantial experience of working with victims and developing local, evidence based responses. Further areas of discussion and debate in relation to responses and interventions included:

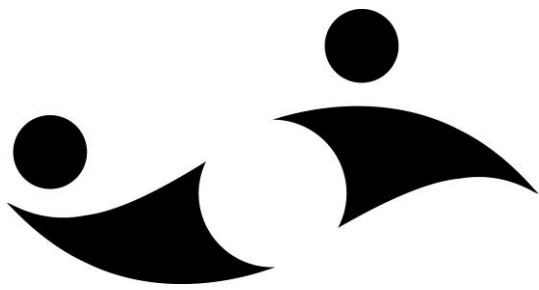
- Working across sectors – intersectionality and 'joined up' work;
- Multi-agency responses which can address the individual needs and circumstances of victims;
- Specialist versus mainstream services;
- Appropriateness and adequacy of the National Referral Mechanism (NRM).

4. Academic critique, evidence, research and theoretical analysis

Knowledge of, and responses to, human trafficking are developing continually. As a result, processes, policies and practices are being refined and amended on an on-going basis. However, there are few comprehensive, long-term evaluations of existing practice on which to base a comparative analysis of 'good' practice. Neither has there been a comprehensive conceptual and theoretical analysis of the social and economic developments and conditions that perpetuate exploitation through trafficking, both in Scotland and internationally. The programme provided participants with an opportunity to consider:

- Challenges in obtaining accurate and effective evaluation and evidence;
- Structural inequality in a globalised world;
- Discourses of 'victimhood' – depictions of 'deserving' and 'undeserving' victims.

A recurring question throughout the seminar series focused on the potential for conceptualising trafficking in a way that can better inform legislation and interventions. The highly politicised nature of the debate (be that immigration; women's rights; the need for cheap labour) often polarises responses as different interest groups vie for different action to be taken. Crucially, attempts to analyse and implement significant social change in source, transit and destination countries can bring reformers into conflict with vested (political and economic) interests. Where the 'consequences' of exploitation benefit powerful groups, challenging the status quo can be substantial and overwhelming. Indeed, trafficking in its various manifestations is upheld by both 'criminal' and 'legitimate' business interests; with overlaps between semi-legal and criminal economies.



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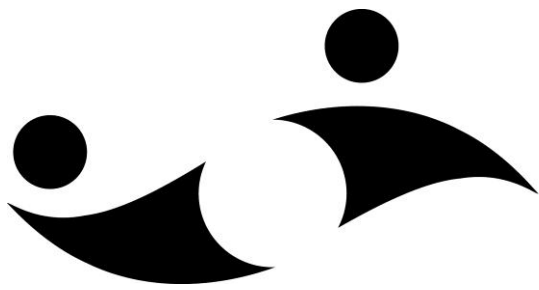
Taking into account all these factors, one of the key benefits of this SUII programme, has been to address the largely absent academic input to trafficking policy and practice responses, and to begin to develop a 'comprehensive' understanding of trafficking. While this is not a uniquely Scottish issue, local and national policy has developed in an information and evidence vacuum and to date there has been limited critique of any of the 'best practice' models. This academic and research vacuum contributes to the challenges of ensuring appropriate service provision for victims of human trafficking; challenges which arise from the current absence of a clear evidence base, and a gap in the contextualisation of trafficking in the broader social, economic and political climate. The programme clearly identified the need for, and importance of, independent academic critique.

Key Recommendations

The three seminars highlighted the challenges of securing multi-agency, national and international agreement on definitions of trafficking, 'effective' practice and 'appropriate' responses to the victims/survivors of trafficking in humans. There is no doubt trafficking is a highly politicised arena with a flimsy evidence-base on which to base good practice, and fragmented responses to this complex issue. Piecemeal and partial state responses to the globalised nature of trafficking in humans have undermined and hindered critical dialogue and theoretical analysis of its wider meaning and consequences.

While non-governmental organisations (NGOs) in Scotland have consistently attempted to recognise human trafficking as a violation of human rights, and to emphasise the support and protection of victims, this has been hindered by the wider attention to strategies and systems. Interestingly, state enforcement of law is often enacted by passing the responsibility for protecting and supporting victims/survivors to NGOs, in practice prioritising short-term responses. This is characterised by shifts away from movements aimed at achieving social change towards 'projects'; both depoliticising the anti-trafficking movement while also limiting responses to short-term projects. Competition for funding is subsequently underscored by the disparity between projects that have short-term welfarist objectives, and those which have long-term politically informed goals (such as the abolitionist movement). For many involved in developing responses within 'projects', it is often difficult to stand back far enough to see the bigger picture.

Political will in tackling human trafficking in the first instance has to address compliance and ratification of international law, which then has to be translated into national laws. Political and strategic power is required for national laws to be translated into front line practice and to actually protect victims. However, there is much prevarication in utilising the knowledge and experience of front line professionals at the strategic level. This disparity between the role of the state and the subsequent operation of state institutions; and the difficulties facing front line organisations working in this contested area who attempt to do the best they can with often limited resources (the 'top-down' – 'grass roots' distinction), results in a reluctance to question



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existing practices or to raise challenging and politically controversial issues (for example global inequalities, migration/immigration, 'prostitution'/sex work, and/or labour exploitation).

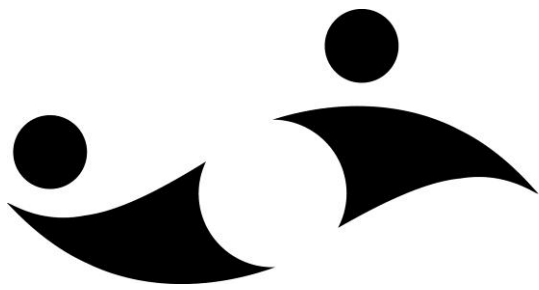
Scotland is not immune from any of the criticism and controversial issues that were discussed throughout the programme; but is also the home of innovative practice that is internationally recognised as good models of practice. While there are attempts to ensure that Scotland adopts the human rights, victim focused model, to do so requires a move away from law enforcement dominated processes. Continuing gaps within the Scottish model of victim support, surround issues of victim identification, awareness of human trafficking among front-line agencies (particularly those outside Glasgow), which impact on the extent to which dedicated services can support victims more broadly.

Current data collection for service provision adds little to this challenge; focusing on local practice, immediate responses and limited realities. This way of working allows small innovative pockets of practice to be highlighted, while wider systemic failures are overlooked or ignored. While there are calls for a coherent strategic response in Scotland, it is unlikely that this alone will be able to address the issues.

Perhaps, most importantly, current responses in Scotland do not have a clear evidence base, nor are they explicitly informed by the voices of victims, survivors and front line practitioners. Effective responses are likely to require more than service provisions; indeed a wider commitment to tackle human rights abuses, inequalities and exploitation within Scotland more generally would appear to be essential. Put another way, ending the traffic in humans will require the creation of a society that is based on principles of human rights and equality, realised through widespread social change.

Throughout the programme, there was little disagreement with any of the proposals/recommendations from Scottish or UK reports to date. However, the opportunities presented by the programme created a space to raise a number of critical issues:

- Strategic responses are important, but not sufficient when expertise on trafficking across Scotland presently rests with front line professionals;
- Criminal justice / legislative changes are important, but not sufficient in terms of addressing contextual issues and human rights responses;
- Increased awareness raising and training is important, but we need to question why this is happening now; the expertise of providers and what efforts are in place to keep up with the ever changing global context;
- Prevention as an intervention is important but it was questioned whether stricter border/immigration controls do more than move the issues elsewhere;
- The significance and role of Rapporteurs was considered – good, bad or indifferent?
- The current emphasis on numbers/estimates of trafficking in humans was noted; however there was agreement that this should not be the determining issue. One victim is enough



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to require action, but there was recognition that in the 'real world' political will is governed by the ability to affect change within available resources;

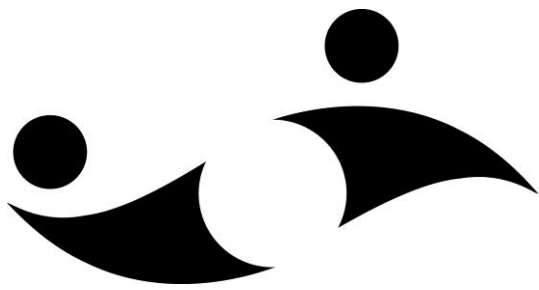
- Age assessments and the legal definition of children in Scotland is a key issue.

Key questions emerging from the series included:

- Does there have to be such a tension between 'top down' and 'grass roots' responses?
- Do concepts and definitions of trafficking/exploitation/abuse begin to unravel as the political process takes over?
- How do we translate serious violations of human rights into a serious crime?
- How do we define 'internal' human trafficking (i.e. trafficking within national borders)?
- Need for political will and effective leadership to make a difference. Similarly, original plans for the NRM were much wider than the system currently in place.
- Further challenges are posed by ambiguity in law and implementation. But to what extent will clarification of the law make any difference? Perhaps some, but implementation is crucial. Requires ownership to ensure strategic delivery and integrated approach from all relevant organisations and state institutions.
- Can there be an overarching conceptualisation of trafficking that can better inform legislation and interventions?
- Is it possible to address trafficking as a whole entity across the globe – or is the best approach to break down into constituent parts and hope that somewhere somebody joins the dots and evaluates and shares best practice?
- What can practitioners working with individual victims in Scotland contribute to the ending of structural inequalities across the globe?
- In terms of follow-up monitoring, if survivors leave the country (UK) there are rarely follow ups to ensure their safety or to identify best practice from their experiences.
- With regard to child victims of trafficking, practice and policy in Glasgow is almost compliant with EU directive, does this Scottish approach need to be shared more widely?
- In respect of responses for adults in Scotland there may be some way to go re supporting victims across all their needs, but there is expertise that requires building on e.g. TARA, where psychological support is embedded in the assessment and decision making process; a step up from what is available elsewhere in the UK.

There is little doubt that the issue of human trafficking is extremely complex and cannot be addressed by any one country, one organisation, one type of response, or even by one way of understanding.

It would be positive to conclude that Scotland can build an effective model to address trafficking, informed by an international, robust evidence base which could reduce human trafficking, aid the recovery of victims and begin to address some of the inequalities that underpin much of the trafficking of humans. Such an optimistic conclusion is, at the moment, far removed from the reality of a phenomenon that is only now beginning to be recognised in Scotland, and is rarely



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analysed in its international context. As elsewhere, political, organisational and individual disagreements and (mis)understanding compromise attempts at a coherent strategic and/or local response. Moreover, there has been little, or no, theoretical analysis of the issues and only limited attempts to contextualise trafficking in relation to the wider political and economic framework. However, programme participants evidenced a tremendous commitment to address trafficking, particularly from the human rights/equality perspective and to locate understanding and responses in a broader context, accompanied by a more radical critique, than has been evident to date.

Main outputs and impact

The programme achieved its objectives by creating a space for dialogue and debate that enhanced the experience of all participants and provided a safe environment for discussion. The programme was particularly successful in bringing together experienced and senior academics with early-career researchers and doctoral students.

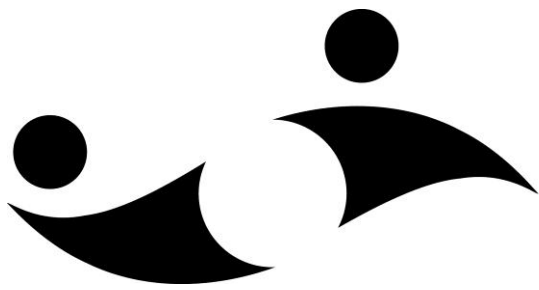
The programme resulted in an increased awareness of the impact of trafficking in Scotland, the need for a coherent response, and the importance of agencies ensuring their organisations were able to respond to the need of victims. For example, WithScotland (a participant organisation) have now begun to engage with the issue of human trafficking as a key area of collaboration with social work services across Scotland.

The programme resulted in a number of outputs including:

- Four briefing papers were produced and have been made available on participants' websites and used to inform on-going work in Scotland such as the Cross-Party Group on Trafficking hosted by the Scottish Parliament.
- The debates identified during the course of the programme have resulted in one, and potentially more, academic article/s which will be submitted to relevant academic journals, including the European Journal of Criminology, over the coming months.
- In addition to this report, an extended report has been produced for programme participants summarising the key content of the programme.

Follow-up activities

- A proposal is currently under development to produce an edited book based on presentations from the programme.
- To ensure the work initiated throughout the programme continues (particularly awareness raising and inter-agency networking) and is informed by academic input, the programme team are currently exploring funding opportunities to take forward work in this area.



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Annex 1

Programme Team

Dr Margaret Malloch, University of Stirling

Dr Paul Rigby, University of Edinburgh

Ms Bronagh Andrew, Glasgow Community and Safety Services (Trafficking Awareness Raising Alliance)

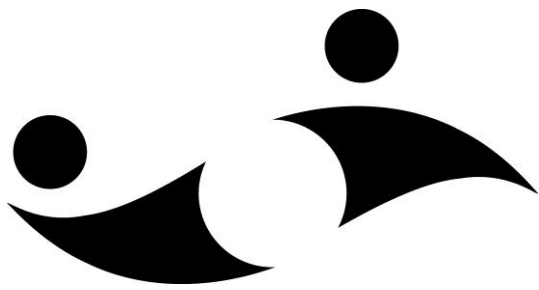
Dr Hazel Cameron, University of St Andrews

Ms Claire Cody, University of Highlands and Islands

Ms Elizabeth Sloan, Scottish Government, Child Protection (replaced by Ms Sarah Guy)

Ms Kirsty Thomson, Legal Services Agency

DS Robin Veitch, Scottish Crime and Drugs Enforcement Agency



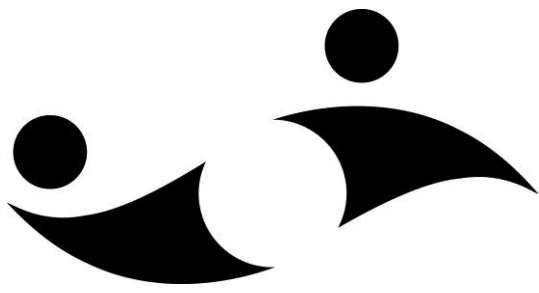
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Annex 2

Participants

Dr Lorena Arocha	University of Bedfordshire
Ms Karen Ciantar	Barnardos, Glasgow
Ms Lorraine Cook	COSLA, Scotland
Mr Chris Cooney	International Liaison Office, SCDEA
Mr Kip Gibbens	NSPCC CTAC/CEOPs, London
Ms Sarah Di Giglio	Save the Children, Italy
Dr Sharon Doherty	Compass Project, Glasgow
Ms Gunilla Ekberg	University of Glasgow
Ms Laura Graham	Social Work Services, Glasgow
Ms Mhoraig Green	COSLA, Scotland
Ms Ann Hamilton	Human Trafficking Foundation, Glasgow
Dr Niall Hamilton-Smith	University of Stirling
Dr Blanka Hancilova	Advice Research Capacity, Geneva
Ms Mandy John-Baptiste	NSPCC Child Trafficking Advice Centre, London
Mr Jim Laird	Independent Consultant, formerly Migrant Help
Dr Carolina Lasen Diaz	Council of Europe Secretariat, Strasbourg
Ms Karen MacMillan	Fife Domestic and Sexual Abuse Partnership
Ms Catriona MacSween	Aberlour Guardianship Project, Glasgow
Ms Jillian McBride	Aberlour Guardianship Project, Glasgow
Det Insp Sharon McCutcheon	Strathclyde Police, Vice and Trafficking Unit
Det Const Gillian McKee	Strathclyde Police, Vice and Trafficking Unit
Ms Moira McKinnon	Glasgow Social Work Services
Ms Jana Mikova	Crossroads Youth and Community Association
Mr Keith Moore Milne	Glasgow Roma Team
Mr Alastair Muir	Strathclyde Police
Dr Bill Munro	University of Stirling
Ms Sheila Murie	Glasgow Child Protection
Mr Graham O'Neill	Independent Consultant
Ms Liz Owens	Glasgow Child Protection
Mr Chris Perkins	Glasgow Asylum Team
Ms Ally Robb	East Ayrshire Council
Ms Alexandra Robinson	University of Edinburgh (PhD student)
Professor Vincenzo Ruggiero	Middlesex University,
Ms Elizabeth Smith	WithScotland, University of Stirling
Ms Claire Tudor	Scottish Refugee Council, Glasgow
Ms Jackie Turner	London Metropolitan University (PhD student)
Mr Tim Waldron	Love 146, London and World-wide
Professor Rebecca Wallace	Robert Gordon University, Aberdeen



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Ms Tara Warden

Dr Adam Weiss

Mr Stephen Whitelock

Dr Karen Wylie

Ms Maureen Wylie

Ms Katarina Zborovianova

University of Stirling (PhD student)

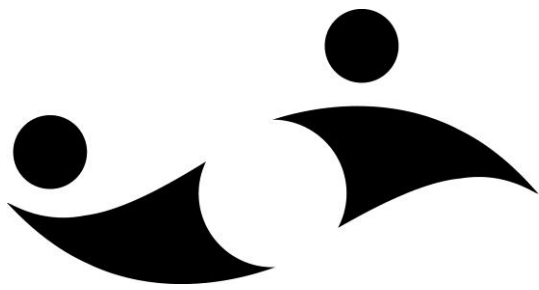
AIRE Centre, London

Serious Crime and Drug Enforcement Agency (SCDEA)

Robert Gordon University, Aberdeen

WithScotland, University of Stirling

Crossroads Youth and Community Association



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Annex 3

Presentations

Event One: Defining and conceptualising 'trafficking in humans'

The first event looked at the conceptual and definitional issues that affect understanding of, and responses to, human trafficking across the globe. In addition it considered the relationship between trafficking in humans and other associated issues e.g. 'organised crime', 'smuggling', 'migration', 'immigration' and 'child and adult protection'.

Kirsty Thomson (Brown & Co. Solicitors at Legal Services Agency Ltd) set the scene for the series and international delegates by highlighting some of the legal and conceptual issues to date in Scotland. This included the devolved legislation re criminal justice and child protection which results in different approaches, and the problems with the definition of a child (generally under 16 years old) in respect of service provision.

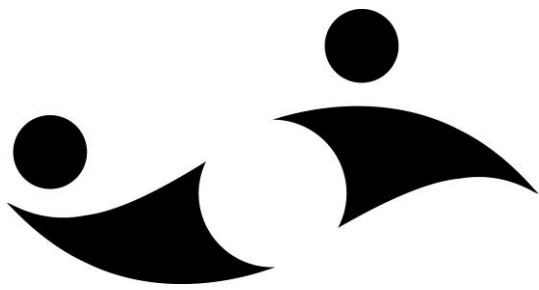
Sarah Di Giglio (Save the Children Italy) identified the challenge of identifying and protecting child trafficking victims in Italy. Sarah discussed some of the specific responses in respect of the issues faced in Italy, many of which are of direct relevance to Scotland.

Tara Warden (University of Stirling) discussed anti-trafficking initiatives in Guatemala in respect of the difficulties of adopting a human rights approach. Tara's presentation highlighted the international nature of trafficking, inasmuch as the issues faced by victims in Guatemala have direct relevance for victims in Scotland.

Robin Veitch (Scottish Crime and Drugs Enforcement Agency) presented what is known about organized crime in Scotland, its locations in relation to urban and rural areas and with international crime gangs, including the potential for present, or future, involvement in human trafficking.

Hazel Cameron (University of St Andrews) discussed the relationship between global conflict and organised criminality in Scotland, highlighting the importance of adopting a world view when considering explanations and responses to human trafficking, and other forms of international crime.

Jackie Turner (London Metropolitan University) presented initial findings of one of the first studies in the UK to take an in depth look at traffickers. Jackie's work investigated cross-border traffickers, highlighting the person profiles, ways of working and the kinship and diaspora connections.



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Lorena Arocha (University of Bedfordshire) examined the interaction between anti-trafficking policy and other related policy areas

Gunilla Ekberg (University of Glasgow) discussed prevention of trafficking in human beings with a focus on the demand: and the implementation of an international human rights standard.

Event Two - Models of Intervention: Developing a Human Rights Based Approach

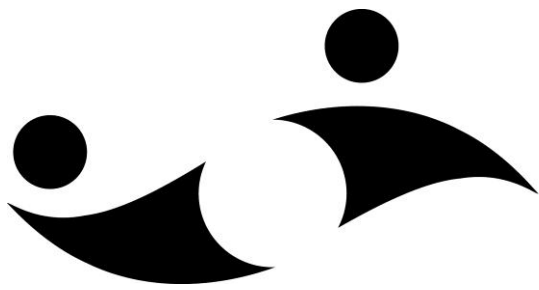
The second event focused on models of intervention and service provision and the development of a human-rights based approach to address the needs of victims of human trafficking. In particular, it considered the extent to which legislation can influence the 'effectiveness' of support to victims and ensure appropriate and effective models and interventions are accessible in terms of both the development of structured support systems for victims; and the prioritisation of preventative measures.

Blanka Hancilova (Advice Research Capacity) reported her experience working in trafficking policy and research, commenting on the challenges and limitations associated with trafficking related interventions to date. Despite over two decades of discussion and debate around international protocols the issue remains unclear, exploitation and trafficking are defined differently in different jurisdictions and agencies are still not working together.

Adam Weiss (AIRE centre London) discussed the implementation of international law into domestic legislation and the particular difficulties associated with the adoption of EU human trafficking law and conventions into the Scottish context when some of the areas of concern re trafficking are devolved and some reserved. Adam presented four models of how European Law may apply to victim protection and be implemented in Scotland, but acknowledged the difficulties of this in practice

Tim Waldron (Love 146) presented a round-up of the work of Love 146 in Eastern Europe in the area of primary prevention, drawing on the example of input in two countries, Moldova and Romania. Highlighted that existing prevention strategies are often sporadic and short term, with no impact measurement and wider conceptualisation. Involving young people as designers or advocates is central to Love 146 work so that 'stuff' is done with, not to or for, people.

Carolina Lasen Diaz (Council of Europe Secretariat) highlighted the work of the 15 independent evaluators from GRETA in monitoring the convention across Europe. In the first round of evaluation reports in 2011-2012 13 were published, with a further four to be published in 2013. Issues emerging include assistance should not be based on co-operation with investigations, more focus on male victims and particularly child victims and respecting the privacy of individuals.



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Ann Hamilton (Development Director – Human Trafficking Foundation) highlighted some of the challenges that have been evident in Scotland and UK response to trafficking. Not least, the absence of any co-ordinated government response - unlike responses to poverty / homelessness /

domestic violence etc. Despite a developing operational knowledge base and the Scottish summit people with most knowledge about the issues are often kept at arm's length strategically.

Graham O'Neill (Independent Consultant) shared his thoughts and experience of research and policy development over the last three years. He focused on the importance of a strategic and civic response to trafficking, one that acknowledges the effects of trafficking on its victims, but also recognising the wider societal influences.

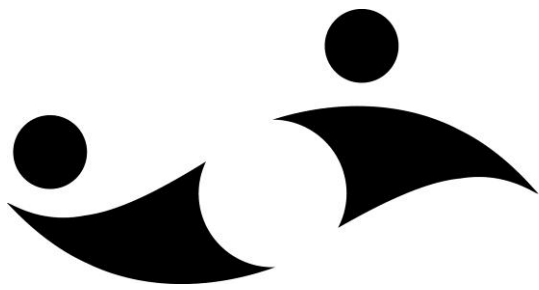
Moira McKinnon (Principal Officer Child Protection Glasgow City Council) tracked the history of the responses by Glasgow City Council to child trafficking, a response that has been supported by a robust evidence base that locates trafficking clearly within the child protection system. Despite good practice and policy models it was acknowledged that even after six years of work challenges remain in identification and keeping children and young people safe.

Clare Tudor (Scottish Refugee Council) reflected on the role of the Scottish Guardianship service in terms of the input for trafficked children – approximately a quarter of all young people referred to the Guardianship Service exhibit signs of trafficking. The service has provided a point of contact for agencies across Scotland, but has also identified challenges in protecting children, especially those accused of drug related crime.

Chris Cooney (International Liaison Officer, Scottish Crime and Drugs Enforcement Agency (SCDEA) discussed the role of SCDEA to divert, disrupt, deter and detect as part of its commitment to tackling international crime. Through Eurojust and Interpol international criminal gangs can be identified and disrupted via information and evidence sharing agreements.

Bronagh Andrew - TARA / Sharon Doherty Compass Project described the work of TARA in offering support to women who have been trafficked for sexual exploitation into Scotland. The Compass Project has been providing psychological support services to TARA clients, recognising the long term nature of much of this work to overcome the trauma associated with trafficking.

Jim Laird (Independent Consultant) - drawing on his experience of working closely with many agencies across Scotland, Jim described practice that has tended toward the bad and the ugly as services struggle to deal with the complexities of human trafficking. Good practice has coalesced around multi-agency working, but a strategic multi-agency response is still required to improve practice.



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Event Three – ‘Where do we go from here?’

Event three drew together the debate and focused on some possible ways forward in relation to addressing the issues in Scotland and linking into wider social and political discourses to locate trafficking, conceptually and practically, in its socio-political environment. The final day involved a wider group of participants, with participants from key agencies currently working in this area: including social workers and criminal justice professionals, to raise the broader issues discussed throughout the programme, alongside an examination of current and potential work that could be developed further in Scotland. Importantly, this final session prioritised the contribution that academic input, both theoretical and methodological, could make to current practice and future developments.

Claire Cody (University of Highlands and Islands) discussed the difficulties of the research / practice interface in evaluating the effectiveness of anti-trafficking work from the perspective of front line work in India and research consultancy work in Scotland.

Alexandra Robinson (University of Edinburgh) shared practice and research experiences of working on anti-trafficking initiatives in Nepal. The importance of clear data gathering and sharing was highlighted as an important first step in securing effective identification and intervention.

Jim Laird (Independent Consultant) looked at some of the developments that he believes are necessary to progress anti-trafficking work in Scotland work. Drawing on years of experience in the area of labour exploitation Jim highlighted those areas of work he has found to be positive and how other inputs can be improved.

Paul Rigby (University of Edinburgh) discussed the proposal for a revised model for a child’s national referral mechanism in Scotland, based on the practice model that has been in use in Glasgow since the introduction of the NRM in 2009. The proposed model locates decision making re child trafficking firmly within the present child protection system.

Vincenzo Ruggiero (University of Middlesex) presented a clear enunciation of the link between capitalism, cheap labour, profits and trafficking (especially for labour exploitation). These inevitable connections are linked to the economic necessities of ever growing profit margins for large and small corporations and individuals.

Gunilla Ekberg (University of Glasgow) traced the history and background of the development of international anti-slavery and trafficking legislation and guidelines in relation to the sexual exploitation of women and children. The present international protocols and legislative developments have their genesis in the movement to abolish sexual violence against women.