

Equality and Human Rights Commission
Research report 82

Investigating the experiences of people trafficked into commercial sexual exploitation in Scotland

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- Trafficking Awareness Raising Alliance (TARA)
- Scottish Crime and Drug Enforcement Agency (SCDEA)
- Grampian Police
- Strathclyde Police
- UK Border Agency (UKBA)
- Legal Services Agency (LSA)
- Scottish Refugee Council (SRC)
- Edinburgh City Council
- International Organisation for Migration (IOM)

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Glossary of terms

Human Trafficking	According to the Council of Europe Convention on Action against Trafficking in Human Beings 2005 (the CoE Trafficking Convention) : ‘Trafficking in human beings shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power, or of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.’
Commercial Sexual Exploitation (CSE)	Glasgow Violence Against Women Partnership definition of CSE includes: <ul style="list-style-type: none"> • Prostitution – exchange of money, food, accommodation for sex • Pornography • Lap dancing • Stripping • Any activity which sexually objectifies and demeans women for payment
Debt Bondage	Debt bondage is defined by the Office of the United Nations High Commissioner for Human Rights as ‘the status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined.’
Internal Trafficking	Internal trafficking is normally distinguished from external trafficking whereby women are brought or move from abroad into the UK. However, internal trafficking can refer to the movement of these women within the UK after they have arrived in the country.

Violence Against Women	The Declaration on the Elimination of Violence Against Women, adopted by the United Nations General Assembly in 1993, defines violence against women as “any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life”.
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Abbreviations used in the report

ACPO	Association of Chief Police Officers
ATMG	Anti-Trafficking Monitoring Group
CSE	Commercial Sexual Exploitation
EHRC	Equality and Human Rights Commission
IOM	International Organisation for Migration
LSA	Legal Services Agency
NASS	National Asylum Seeker Service
NGO	Non-Governmental Organisation
NRM	National Referral Mechanism
SCDEA	Scottish Crime and Drug Enforcement Agency
SRC	Scottish Refugee Council
TARA	Trafficking Awareness Raising Alliance
UKBA	UK Border Agency
UKHTC	UK Human Trafficking Centre

Executive Summary

The Equality and Human Rights Commission (EHRC) commissioned London South Bank University to conduct research to examine the views and experiences of victims trafficked into commercial sexual exploitation (CSE) in Scotland. This research was part of the evidence-gathering activities to inform the EHRC's Inquiry into Human Trafficking in Scotland (report published in November 2011). The research was intended to ensure that the direct experiences and voices of victims and their needs were considered as a key input to the evidence gathered and findings of the Inquiry.

Aims and methods of the research

The research had two aims: to better understand the experiences of people who have been trafficked into CSE in Scotland; and to analyse the impact of the relevant policies and practices adopted by key agencies and service providers on victims of trafficking.

The research focused on adult women trafficked into CSE and involved in-depth interviews with ten victims of trafficking. Access to these women was facilitated by the Trafficking Awareness Raising Alliance (TARA). Written victim and witness statements provided to the police, solicitors or the UK Border Agency (UKBA) by fourteen women trafficked into CSE were also analysed. Finally, the research also involved semi-structured interviews with nine representatives from key agencies and service providers.

The small number of women involved in this research is a result of the short timeframe for completion of the research, significant ethical considerations in working with victims of trafficking and the practical issues involved in accessing women. While there are only a small number of interviews with victims, this research provides a new and useful insight into the experiences and needs of victims trafficked for the purposes of CSE in Scotland.

Responses to trafficking in Scotland

The nature and extent of prostitution varies across Scotland. As in other jurisdictions, there has been a growth in indoor prostitution in Scotland. The Scottish Government's approach has been to allow local authorities to determine how best to manage prostitution in their area, and this has led to local authorities adopting different strategies to deal with prostitution.

At present provision is most developed in Glasgow, with specialist services such as TARA and Routes Out, as well as other support services for women such as Rape Crisis, Women's Aid, SAY Women and supported accommodation providers. . There is not the same co-ordinated approach to trafficking for CSE in other parts of Scotland. The research highlighted concerns about the absence of a clear strategic direction or policy approach to indoor prostitution offered by the Scottish Government.

Experiences of trafficking

Available data suggests that women are trafficked from a number of countries, but mainly from Nigeria, China and Brazil. These women are exploited in indoor prostitution, and are frequently exploited in England and then flee to Scotland. There is, however, increasing evidence that women are being directly trafficked to and exploited in Scotland.

The majority of victims are unaware of the location of their exploitation. Many are drugged or disoriented by traffickers in order to prevent their escape. Often premises where women, particularly those from Africa and China, are frequently exploited within their own ethnic communities, are not advertised through the usual channels (for example, internet or newspapers). As a result, police can often be unaware of where women are being exploited.

Exploitation commonly occurs in privately owned flats, and most victims are kept indoors, supervised, and controlled (for example, passports are removed, they are told they will be arrested and deported or that they or their family will be killed). Often women are found to have been put under witchcraft oaths, are disoriented by traffickers, isolated from others, do not speak English or know little about the UK. Some are drugged to ensure compliance or as a palliative against the physical and emotional pain they endure during their exploitation.

This research found that women are often highly vulnerable as a result of a combination of circumstances, such as low levels of education, experiences of extreme poverty or childhood abuse or having experienced political, religious or tribal violence. Many have experienced violence and corruption at the hands of state officials such as the police and then seek out help from 'aunties' or 'uncles' (who may or may not be blood relatives) or other trusted members of the community. These people are part of a network who arrange false travel documents and a victim's passage to the UK, and play an active part in trafficking them into CSE. These women report being controlled using oaths or juju magic. Such mechanisms

of control make victims fearful and reluctant to come forward to services or support organisations for fear of breaking the oath.

In terms of women's encounters with purchasers, they are often subjected to violent sexual acts or encounters motivated by racist and highly sexualised cultural stereotypes. A number of victims report being popular due to their status as 'new' women. Both factors are strongly indicative of the demand for variety and 'new experiences' among sex purchasers.

This research found that patterns of trafficking, routes into Scotland, the levels of organisation and the nature and location of exploitation vary according to the country of origin of the victim. The vulnerability of those who are trafficked into CSE and the impact of trafficking of victims does, however, remain constant among all women.

Consequences of trafficking

Existing evidence has found that victims of trafficking experience a wide range of often concurrent physical and mental health symptoms after experiencing trafficking (Zimmerman et al 2006). The same is found in this research, with women reporting extreme levels of trauma, fear, anxiety and physical and mental health problems that impact on their memory and capacity to concentrate. They relive their experiences during their day to day lives and are seriously affected by shame. Many are unable to feel safe or trust people they meet for fear of being exploited or victimised again.

The impact and consequences for women experiencing trafficking in CSE has a range of implications for the delivery of services to victims, including how they can be supported to resettle in the community, on gathering evidence, on prosecuting traffickers and on the outcome of formal processes with the UKBA. Some of the implications for policy are considered in the conclusions to this research.

Identification and decision making

The research highlighted a number of problems with identifying victims of trafficking in Scotland. These are similar to those reported by the Anti-Trafficking Monitoring Group. Notably, frontline staff from all key agencies and services (police, local authorities, education and health) are not seen as being sufficiently skilled to effectively identify victims of trafficking. Many agency representatives were of the view that staff are not clear about what constitutes trafficking and perhaps understand trafficking according to stereotypes and myths, or confuse it with issues related to economic migration or illegal immigration.

Lack of experience with victims and lack of awareness of trafficking indicators means that frontline services may fail to identify potential victims and refer them for appropriate support at an early stage. Even those who are now experienced in working with victims of trafficking recognise the complex issues and difficulty faced in identification, particularly when skills, knowledge and understanding to correctly identify and respond to indications of trafficking are limited.

Further compounding these difficulties with identification is the victims' mistrust of authorities - particularly the police and enforcement agencies. This is partly a result of experiences and knowledge of corruption in these organisations in their home countries. Trust in others is then further damaged by their experiences of being trafficked. Moreover, victims are often uninformed about their migration status and their rights. This combination of factors, as well as the physical and mental health symptoms victims are likely to experience, contribute to a victim's inability or unwillingness to engage with relevant authorities and support agencies about their status as a victim of trafficking.

The official process of identification by UKBA was criticised by some agency representatives as being overly focussed on immigration, appearing to adopt a culture of disbelief and focussing centrally on the credibility of victims. Negative experiences reported by victims further substantiated this view.

There is significant existing evidence that both trafficking and CSE are hidden activities which flourish where indoor prostitution is accepted and facilitated. Evidence suggests that, in regions with a proactive approach to identifying victims and traffickers, there is an increasing number of victims being identified as more resource, skills and expertise develop. This is evident in Glasgow and also in the emerging good practice of Grampian Police.

Support for victims

Early access to quality victim support has been shown to have an impact on the decisions made by UKBA - providing information, advice and support to victims early enables disclosure and identification at the earliest possible point. Currently, victims are required to 'opt in' to victim support services. However, many are frightened or do not understand, and will choose not to have contact before they know what the service and its workers are like, and what benefits they may experience through contact with such a service.

In Glasgow, where many of these services developed, there is well established and co-ordinated provision and partnership working by providers such as the Legal

Services Agency, TARA and the Scottish Refugee Council. Victims were unanimously positive about their experiences with TARA. They particularly valued and benefited from the trusting relationships they developed with their support workers and the flexible and sensitive support that they have been provided with.

In the rest of the country there is little provision for women trafficked into CSE. This could partly be due to the low priority given to broader issues of prostitution and trafficking in these areas, and a lack of resources available to support such work.

Police responses to trafficking

Generally stakeholders felt that trafficking was not a sufficient priority at a national level. The police also struggled with issues connected to information and intelligence sharing, and with victim support services reluctant to share information without a victim's permission. This, in combination with a lack of information from the UK Human Trafficking Centre, meant that the police felt limited in their understanding of the issue and in creating good cases for prosecution.

Victims reported a lack of trust in both the police and in other authorities. Working with TARA staff increased their confidence and, generally, the majority of victims provided information to the police at some point. However, the police felt that this was often too late to provide a meaningful contribution to investigation and possible prosecution of traffickers. This issue requires prioritisation at a national strategic level in order to best balance the needs of victims with the need to prosecute and deter traffickers.

Investigation and prosecution

Interviews with agency representatives suggested that it was difficult to secure prosecutions without heavily relying on victims for information. There was also concern that Scottish legislation itself made gathering sufficient evidence more difficult. While reasons for the lack of prosecutions are not entirely clear from the data available to this study, there was a view among respondents that this was connected to the need for a stronger national response.

Conclusions and Implications

The resulting differences in policy and practice across Scotland pose a key challenge to providing a strategic national response to the issue of trafficking for the purposes of CSE. Respondents suggested that the Scottish Government take an active, strategic position to trafficking for CSE in order that national responses can be better co-ordinated and that resources to improve the identification and support of victims can be provided.

Respondents generally felt the issue of trafficking was not given sufficient priority at a national level to allow the development of expertise and co-ordination. It was felt that a national strategic inter-agency group should also be established with representatives from all key agencies and regions who could act both as strategic leaders and tactical advisors in relation to operational issues in their area.

Given the gap in knowledge, skills and expertise across Scotland, there is a need for further support to improve the identification of victims of trafficking. This might involve ongoing training and awareness-raising to ensure frontline services are clear about definitions of trafficking, the key indicators of trafficking, and the nature of this fast changing issue.

Although there were commonalities in relation to the vulnerabilities experienced by women, this does not suggest that a blanket approach to victim support is appropriate. Victims may have similar experiences but often in a different order, to a different extent and for different periods. As such, victim support needs to be holistic, grounded in recovery from trauma, aware of gender based violence and responsive to individual needs. It must also connect with other strategic issues and operate in partnership with other key agencies.

Respondents suggested the good practice in relation to victim support and partnership working in Glasgow should be supported and extended to other regions across Scotland.

A number of respondents suggested that, in order to increase the number of prosecutions for trafficking in Scotland, there is a need for a stronger national strategy on the issue, and greater co-ordination of efforts as well as improvements to information sharing processes.

1 Introduction

1.1 Aims of the research

The EHRC commissioned London South Bank University to conduct research to examine the views and experiences of victims trafficked into commercial sexual exploitation (CSE) in Scotland. The study has two fundamental aims: to better understand the experiences of people who have been trafficked into CSE in Scotland; and to analyse the impact of relevant policies and practices adopted by key agencies and service providers on victims of trafficking.

This research was part of the evidence gathering activities to inform the EHRC's Inquiry into Human Trafficking in Scotland. The study was intended to ensure that the direct experiences and voices of women trafficked into CSE and their needs were considered as a key input to the evidence gathered and findings of the Inquiry. This report presents the findings from this research study.

1.2 The Inquiry into Human Trafficking in Scotland

On the 12th February 2010, the EHRC provided official notice of its intention to conduct a national inquiry into Human Trafficking in Scotland under Section 16 of the Equality Act 2006. The Terms of Reference of the Inquiry state that the Inquiry aimed to:

- 1) Inquire into the extent and nature of human trafficking in relation to Scotland, focusing mainly but not exclusively on trafficking for the purpose of CSE.
- 2) Inquire into the causes of human trafficking relating to Scotland focusing especially on the role of demand for CSE.
- 3) Inquire into policy and practice in Scotland measured against anti-trafficking human rights standards especially in respect of: (i) the identification and treatment of trafficking victims in the asylum and immigration system; (ii) monitoring for, and the investigation and prosecution of, traffickers, especially for trafficking crime; and (iii) the extent and quality of statutory and specialist services and accommodation for victims.
- 4) Inquire into domestic and international good practice on the prevention and prohibition of human trafficking, the criminal prosecution of traffickers, and the protection of its victims.

The full findings and recommendations from the Commission's Inquiry were published in November 2011.

1.3 Challenges and issues of researching trafficking

The illicit and hidden nature of human trafficking means that research in this area faces a number of challenges. Establishing the nature and extent of trafficking has proven problematic (see p.22). Gaining access to victims and conducting research with vulnerable and traumatised populations also poses methodological and ethical issues. The suspected under-identification of victims also makes generalisation of the results of research to hidden populations somewhat difficult.

Accessing a sufficient number of victims is a key challenge for any trafficking study (see methodology). Access to victims can be limited by several key factors: the victim's current emotional state; their involvement in legal matters connected to their trafficking; and their desire to participate in in-depth interviews about their experiences. Access to victims is often only possible and appropriate through gatekeepers (such as TARA) who can screen participants for suitability, provide information about the research and offer post-interview support should it be necessary.

Another key concern and challenge is to ensure that victims are not further traumatised by their involvement in the research. To ensure that victims come to no further harm, only those victims identified as sufficiently stable to be interviewed should be invited to participate. This necessarily screens out a significant number of potential interviewees from the process. Researchers should also be aware that they might experience vicarious trauma through hearing in detail about the victim's experience or emotional state. To prevent this, interviews need to be spaced out and researchers provided with opportunities to debrief following each encounter. While possible for this research, this might pose a challenge for research conducted in other contexts.

1.4 Structure of the report

The report is structured as follows:

- Chapter 2 provides an outline of policy and legislation in relation to trafficking; the location and nature of sex markets and the current legal and policy framework operating in Scotland in relation to prostitution
- Chapter 3 provides an overview of the methodology used to gather the information within the report
- Chapter 4 provides an overview of responses to trafficking for CSE in Scotland and how they have developed

- Chapter 5 discusses victims' experiences of being trafficked for CSE
- Chapter 6 explores how victims are initially and formally identified
- Chapter 7 outlines the support available for victims of trafficking in Scotland
- Chapter 8 details police responses at both a national and local level
- Chapter 9 provides information about the investigation and prosecution of traffickers
- The conclusions and implications of this research are contained in chapter 10

2 Background

2.1 Policy and legislation

The UK ratified the *Council of Europe Convention on Action against Trafficking in Human Beings* (the Convention) in December 2008. According to the Convention, for an adult to be identified as having been trafficked three key elements must be present: firstly, their recruitment ('transportation, transfer, harbouring or receipt'); secondly, the use of abusive means of control in the process of recruitment; and thirdly, their subsequent exploitation or intent to exploit them through prostitution or sexual exploitation, forced labour or services, slavery or similar practices, servitude or the removal of organs. Whether an individual gives consent or not is irrelevant, as is the timeframe since the trafficking experience. The Convention considers children (under 18) as victims of child trafficking regardless of whether abusive means of control have been employed.

The Convention requires that States party to the Convention must take individual and collective action to criminalise trafficking, prosecute those responsible, and set minimum standards in relation to the assistance and protection measures which must be taken to protect and respect the rights of trafficked persons. The Convention requires that States ensure:

- national co-ordination of key agencies and organisations with a responsibility for preventing and combating human trafficking
- that a mechanism exists for the accurate identification of trafficked persons
- that those identified as having been trafficked are provided at least 30 days to recover and reflect
- that those provided the 30 day recovery and reflection period are offered assistance and protection and are not expelled from the country even if they have no legal right to be in that country
- that if a suspected victim is required to leave the country it is preferable that this should be 'voluntary' and that their return should have 'due regard' for their 'rights, safety and dignity'
- that trafficked persons have access to redress (including compensation)

Article 12.1 of the Convention states that each state party to the convention must ensure that persons reasonably believed to have been subjected to trafficking are provided with 'at least' the following:

- An adequate standard of living
- Appropriate and secure accommodation
- Access to emergency medical treatment
- Translation and interpretation services
- Counselling and information on their legal rights
- Legal assistance

The Convention also requires that repatriation and reintegration programmes be established by states identifying victims of trafficking. If rehabilitation is best undertaken in the UK then a victim is entitled to remain in the UK for this to occur. A victim might make an application for asylum under the Refugee or Person in Need of International Protection (Qualification) Regulations 2006. Refugee status confers the right to work, welfare, travel abroad, family reunion and fast-tracked naturalisation.

A victim may also apply for discretionary leave to remain. Discretionary leave lasts for no longer than three years but provides victims with the right to work and to access public funds. Victims may also apply for humanitarian protection if they face a real risk of suffering harm or re-trafficking on their return to their home country. Humanitarian or discretionary leave can be applied for even if there is no evidence or objective risk of re-trafficking, but if a victim is likely to have a better chance of psychological recovery or rehabilitation in the UK.

Where a victim wishes to return to their home country or another country where they have a right to remain, they may take part in the Assisted Voluntary Return Programme run by the International Organisation for Migration (IOM). Under this scheme, a tailored resettlement package is offered for victims dependent upon their needs¹.

Each state must also establish policies and programmes to prevent trafficking in human beings, adopting a human rights, gender focussed and non-discriminatory response. A balance should also be established between 'matters covering human rights and prosecution'.

In the UK, human trafficking legislation has not been incorporated directly into a single national law. Rather, existing legislation has been amended to ensure consistency between the UK law and the obligations under the Convention. In

¹ The study did not interview any victims of trafficking who had been repatriated.

Scotland, the devolved responsibility for justice, policing, victim care and social work services mean that laws and procedures vary between Scotland, and England & Wales.

In Scotland, the provisions relating to trafficking for prostitution or the production of obscene or indecent material are stipulated in section 22 of the Criminal Justice (Scotland) Act 2003. The Criminal Justice and Licensing (Scotland) Act 2010 amended the provisions in relation to trafficking offences within the 2003 Act and raised the age of entitlement for special measures applicable to child victims from 16 to 18 years. The Act also amended penalties for certain offences relating to prostitution and provides for closure of premises associated with or used for the commission of human exploitation.

The Cabinet Secretary for Justice is responsible for ensuring that Scotland is fully compliant with the provisions under the Convention. The Scottish Government is responsible for providing support to both adults and children identified as victims of trafficking and for the arrest and prosecution of traffickers.

The Anti-Trafficking Monitoring Group (ATMG) published a report in June 2010 titled 'Wrong Kind of Victim: One year on'. The report examined progress within the UK towards the protection of trafficked persons and found 'serious discrepancies between the provisions of the Convention and UK policy and practice' (ATMG report, 2010:19). It made a number of specific recommendations to the Scottish Government including:

- Establish an information sharing protocol across devolved and non-devolved agencies to collect and publish data on the extent of human trafficking in Scotland, the number of persons trafficked, the number of arrests, charges and prosecutions of traffickers
- Develop effective intelligence sharing protocols between local police forces, the Crown Office and Procurator Fiscal, the Scottish Crime and Drug Enforcement Agency and the Association of Chief Police Officers in Scotland to improve the chances of securing convictions of traffickers under human trafficking legislation in Scotland
- Establish a local multi-agency Scottish National Referral Mechanism (NRM) and local infrastructure in accordance with the Convention
- Publish guidance for all prosecutors in Scotland on the non-prosecution of trafficked persons who may have committed offences during their trafficking

- Ensure that safe accommodation, support and service provision are available for all trafficked persons in Scotland
- Ensure appropriate provision of certain services for trafficked persons across Scotland, such as interpreting and counselling services.

The findings of this research study both support and extend the various findings of the ATMG. While there are pockets of good practice developing in some areas, it remains the case that the UK is not yet fully meeting its obligations under the Convention. This is largely due to a misunderstanding of key provisions of the Convention, that only certain aspects of the Convention are acted upon and a lack of communication and co-ordination amongst key agencies. The result of these limitations is that present practices create a 'hierarchy' of victims, while prosecuting a relatively small number of traffickers.

2.2 Prostitution and Commercial Sexual Exploitation (CSE) in Scotland

Location and nature of sex markets

The main centres for the sex industry in Scotland are Edinburgh, Glasgow, Aberdeen, Dundee, Paisley, Stirling and Falkirk, although prostitution is also evident in more remote and rural areas of Scotland. As a representative from Scottish Crime and Drug Enforcement Agency (SCDEA) explained:

'You only have to look at the Daily Sport to see the adverts. The main areas are Edinburgh, Glasgow and Aberdeen but we've seen it in all areas. We've seen it in little towns in West Lothian and we've seen it in Falkirk... It's not restricted.'

There is also evidence that those providing sexual services move between locations either on their own or as part of an organised network (Matthews and Easton, 2012). There are, however, significant differences in the nature of the sex industry across Scotland and in approaches taken to regulate different forms of prostitution by the police and local authorities. These differences are outlined below. Scotland, like other European countries, has seen a general growth in indoor prostitution with women operating from flats and saunas and increasingly using mobile phones and the internet to advertise and make arrangements with those purchasing sexual services (Matthews, 2008).

Legal framework

Prostitution itself (the exchange of sexual services for money) is not illegal, but associated activities such as public solicitation, operating a brothel or other forms of pimping are illegal. Section 46 (1) of the Civic Government (Scotland) Act 1982 makes it an offence for a prostitute to loiter in a public place for the purposes of prostitution, to solicit in a public place or any other place that can be seen from a public place, and to importune any person in a public place. It is also illegal to operate a brothel. The statute specifies that this includes keeping, managing, acting or assisting in the management of a brothel and being the tenant, lessee, occupier or person in charge of any premises and knowingly allowing them to be used as a brothel. In October 2007, kerb crawling became illegal with the introduction of provisions in the Prostitution (Public Places) (Scotland) Act 2007. Recently there have been proposals to criminalise the purchasers of sexual services. In February 2010 a member's bill on the Criminalisation of the Purchase and Sale of Sex was proposed. The results of the public consultation showed that 64% were in favour of the proposals within the bill. It is expected that a legacy report on the Bill and the consultation process will be considered by the new justice Committee in due course.

Policy approach

There is somewhat of a divergence in policy approaches between the two major cities of Edinburgh and Glasgow. The City of Edinburgh Council has focussed on harm minimisation and experimentation with street prostitution 'tolerance zones', while indoor prostitution establishments such as saunas and massage parlours are licensed as entertainment establishments by the local authority.

In Glasgow, there has historically been a high level of street prostitution. However, the number of women involved in street prostitution has declined over the last decade (Matthews and Easton, 2012). Glasgow City Council's response in their policy statement is to tackle prostitution as a form of exploitation, a form of violence against women, and as damaging to gender equality - not a free exchange between consenting adults (Glasgow City Council 1999, updated 2010). It intends to challenge the 'normalisation' of prostitution and aspires to eradicate such forms of exploitation, whether street or indoor prostitution. There has been significant progress on this front with the development and growth of services to support women to exit prostitution and to prevent young women's involvement in future sexual exploitation, as well as a focus on the links between prostitution, trafficking and demand (Matthews and Easton, 2012). The key aims of this approach are to see

the criminalisation of demand for sexual services, that women are aided to exit prostitution and that prostitution be prevented from happening and from being tolerated as socially acceptable (Glasgow City Council, 2010).

2.3 Trafficking into Scotland - CSE

Nature and extent

Producing accurate estimates of the nature and extent of human trafficking has proven difficult. Official estimates of the numbers of people trafficked are highly speculative and vary considerably depending upon the source. Equally, broad estimates of the numbers of trafficked people have produced equivocal results and have been the subject of much policy and academic debate (Cusick et al, 2009).

The UK Human Trafficking Centre (UKHTC) reported that 527 potential victims of trafficking in the UK had been referred to the NRM between April and December 2009. By January 2010 the number had risen to 557 (ATMG report, 2010). The largest source countries were Nigeria, China, Vietnam and the UK. Of the 527 potential victims, 74% (389) were women or girls and 37% (195) had been referred as potentially trafficked for CSE. Data from the NRM is not however a true reflection of the number of victims or traffickers or indeed the extent of trafficking. Research by the ATMG for instance identified 130 individuals who had been seen by support organisations between April 2009 and April 2010 but who had not been referred to the system for a number of reasons (ATMG report, 2010).

On the other hand, research carried out by the Association of Chief Police Officers (ACPO) in England and Wales indicates that out of an estimated 30,000 women involved in off-street prostitution, 17,000 were migrant women, and of these 2,600 had been trafficked (Jackson et al 2010). A further 9,200 migrant women are described as being induced into prostitution through deception and other means in which traffickers play upon their vulnerability. Therefore, according to the ACPO report, only one third of the migrant women involved in off-street prostitution in England and Wales do not meet the 'trafficked' or 'vulnerable' thresholds. While ACPO estimated 2,600 people had been trafficked, the Home Office (2003) and Home Affairs Select Committee (2009) estimated 4,000 and 5,000 respectively. Such differences clearly demonstrate the difficulty in providing a clear estimate of the numbers of victims trafficked for the purposes of CSE.

In Scotland, a number of reports have been published on human trafficking. In 2008, the Scottish Government published the results of an investigation examining the extent of human trafficking in Scotland, finding evidence of 79 trafficked persons between April 2007 and March 2008, most of whom were adult women trafficked for the purposes of CSE. Links were also established between human trafficking and other types of organised crime including cannabis cultivation and money laundering (Lebov, 2009). Data produced by Strathclyde Police during the period between Operation Pentameter I and II² reported that from 56 premises visited, 59 presumed trafficked adults were found, and of these, 15 adult women were found to have been trafficked in Scotland (ATMG report, 2010). Under Pentameter II, 35 individuals were arrested in Scotland for human trafficking, although there were no prosecutions for this offence. Only 18 individuals were convicted but for prostitution or immigration, rather than trafficking, related offences (ATMG report, 2010).

² Pentameter I and II were proactive police operations involving all 55 police forces in the United Kingdom and co-operation across Europe with the aim of tackling sexual exploitation and sex trafficking. Pentameter I was undertaken between February and May 2006 and Pentameter II was undertaken between October 2007 and March 2008. In Scotland all eight police forces and the Scottish Crime and Drugs Enforcement Agency were involved.

Data collected by victim support services in Scotland

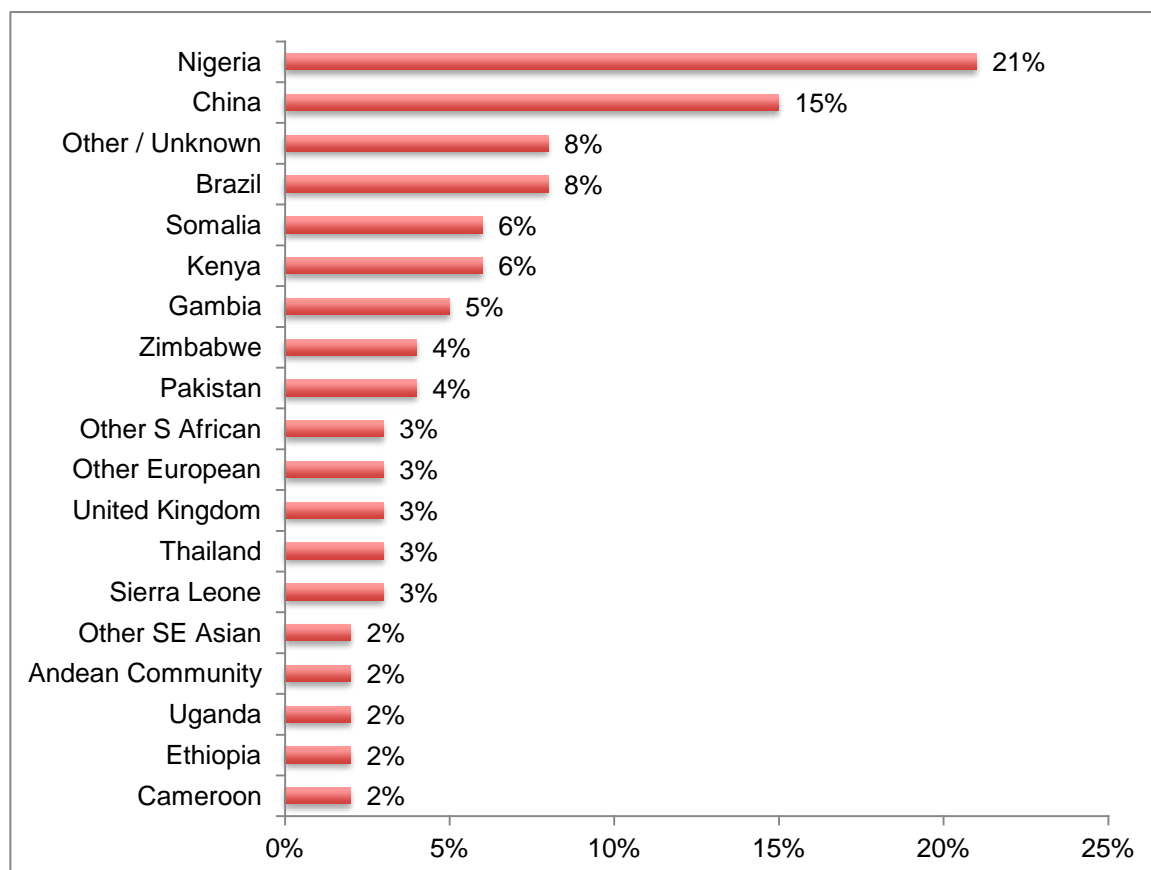
While not being able to provide exact details of the extent of trafficking in Scotland, data held by victim support services provides a useful insight into the numbers of victims accessing services. Data provided by TARA³ indicates that since 2005 the service has received a total of 166 referrals for support. The number of referrals peaked in 2009 and 2010, with 56 referrals received in each year. From 2008 to 2010 women referred to TARA have come from the following countries:

Albania	Ghana	Senegal
Angola	Ivory Coast	Sierra Leone
Bolivia	Kenya	Slovakia
Brazil	Malawi	Somalia
Cameroon	Malaya	South Africa
China	Namibia	South Korea
Colombia	Nigeria	Thailand
Cuba	Pakistan	Trinidad
Czech Republic	Peru	Uganda
Eritrea	Philippines	United Kingdom
Ethiopia	Portugal	Zimbabwe
Gambia	Romania	

³ For further information about TARA and LSA see Section 7.2

As Figure 1 shows, during this time the majority of referrals were made for women from Nigeria (29 women), China (21 women) and Brazil (11 women). A number of victims also came from Kenya (8 women), Somalia (8 women) and Gambia (7 women).

Figure 1: Referrals to TARA by country of origin⁴ during the period 2008-2010



Source: TARA

Caseload data provided by TARA also suggests that between summer 2010 and summer 2011, there was an increase in the proportion of victims who reported being brought directly to Scotland from an airport in the South East of England or being moved to Scotland gradually, being prostituted in transit.

Caseload data provided by the Legal Services Agency (LSA) for the period 1 April 2009 and 31 March 2011⁵ indicates that the service worked with 43 trafficked

⁴ Where only one victim came from a country these have been clustered into groups in order to prevent identification.

⁵ The data provided was manually collated from case files by lawyers at LSA specifically for the purposes of this research.

people. Of these, 38 (88%) were female and five were male. Thirty two (84%) of the 38 women were victims of CSE, with six victims experiencing other forms of exploitation including forced labour, sexual exploitation or domestic servitude. One woman had been the victim of both CSE and of forced labour. In 17 (45%) of the 38 cases, there was evidence that these women had either been exploited or that there was the intention to exploit them in Scotland.

Of the 32 women exploited for the purposes of CSE, 18 (56%) had been sexually exploited as children with 14 of the 18 stopping before they were adults, and four being exploited as both children and adults. In one further case, it was unclear as to whether the victim had been exploited as a child.

Of the 12 women who had not been exploited as children, there was evidence that six of these women had either been exploited or there was the intention to exploit them in Scotland. The remaining women were exploited in England and Italy and one in an unknown location.

A number of women were victims of internal trafficking - seven had been trafficked across UK borders, two were trafficked from England to Scotland and one was trafficked from Scotland to England. In some cases, there was also evidence that women had been moved by their traffickers across European borders or within England.

Data from victim support services provides a useful snapshot of the nature of trafficking cases presenting in Glasgow. However, there are a number of reasons and limitations which prevent generalisation from this data. Firstly, it is not clear how many victims are not being identified and recovered either in Glasgow or across Scotland. This means the nature of the 'population' of victims is unknown. In relation to data from LSA, it is important to recognise that LSA is one of many law firms operating within Scotland who may encounter and manage immigration cases involving victims of trafficking. While LSA have particular experience in identifying and working with victims trafficked for the purposes of CSE, and have developed close working relationships with TARA, the Scottish Refugee Council (SRC), the UK Border Agency (UKBA), the police and other victim support services, other firms may not have developed these relationships and expertise. The information and data provided from TARA and LSA is therefore likely to be significantly more detailed than that provided from other sources.

2.4 Summary

The nature and extent of prostitution varies across Scotland. As in other jurisdictions, there has been a growth in indoor prostitution across the country. The Scottish Government's approach has been to allow local authorities to determine how best to manage prostitution in their area, and this has led to local authorities adopting different strategies to deal with prostitution. Such differences in presentation and in policy pose a key challenge to providing a national response to the issue of trafficking for the purposes of CSE. The following sections of this report will address some of these issues in relation to the experiences of victims of trafficking.

3 Methodology

3.1 Aims and objectives

The research aimed to improve understanding of the experiences of people who have been trafficked into commercial sexual exploitation (CSE) in Scotland. It also aimed to analyse the impact of the relevant policies and practices adopted by key agencies and service providers on victims of trafficking. This included agencies working in asylum and immigration and law enforcement as well as a range of other service providers who work with victims of trafficking. The main objectives of this research were to:

1. Explore victims' experiences of exploitation, and trafficking.
2. Describe and analyse victims' experiences of being identified as a victim of trafficking, and the barriers they experience as part of the identification process.
3. Describe and analyse victims' experiences of support and assistance received from statutory and/or law enforcement agencies, and from NGO's in Scotland.
4. Identify, describe and analyse good and poor policies and practices on the part of organisations and agencies that work with victims of trafficking.
5. Describe, analyse and make recommendations as to what needs to change to lead to better identification and protection of victims, and access to victim care services. This may involve taking a critical approach to understandings and/or interpretations of trafficking and exploitation by a range of agencies.

3.2 Research strategy

The research adopted a multi-method approach drawing on three key methods: qualitative in-depth interviews with victims of trafficking; a review of a sample of formal victim statements; and qualitative in-depth interviews with representatives from key agencies and service providers. This approach was taken in order to overcome some of the challenges faced in relation to conducting trafficking research – particularly issues related to accessing a sufficient number of victims who were both able to and wanted to participate in the study.

3.3 Interviews with victims of trafficking

This study aimed to examine the experiences of adult victims trafficked for the purposes of CSE. This included the experiences of victims trafficked directly to and exploited within Scotland; those trafficked to other areas of the UK and exploited in both jurisdictions; and those trafficked to other areas of the UK who have not been

exploited in Scotland but who have fled to Scotland to seek support or to escape traffickers. Interviews with victims aimed to explore the following issues:

- The practices of exploitation and techniques of control employed by those in contact with victims
- The circumstances that led victims to be vulnerable to exploitation by traffickers
- The relationship between victims, traffickers and/or others involved in trafficking and exploitation
- Victims' understanding of their situation and ways of coping
- Victims' accounts of their routes out / escape from CSE;
- Wider knowledge that emerges from victim accounts on the destinations, movements and flows of victims in and through Scotland, and on trends and patterns of trafficking for CSE in Scotland

The women involved in the research were all in contact with TARA. Each was carefully selected by their support worker to ensure they would not be harmed through their participation. The support worker discussed the nature of the research with each woman and of our desire to examine their victim statement and/or substantive asylum interview. The questions asked of victims of trafficking were agreed in advance by the EHRC and feedback was sought from practitioners working with victims of trafficking⁶ to ensure their suitability. Each of the interviews was digitally recorded and fully transcribed. Victims were given access to an interpreter to ensure they fully understood the nature of the research and each of the questions being asked, as well as their right to refuse to be involved. Throughout the study, researchers paid particular attention to issues of confidentiality and anonymity. Clear protocols were created to ensure researchers responded appropriately when a breach of confidentiality was required⁷.

Sample description

Of TARA's caseload of 35 women, 26 women were asked to participate in the study. Of these, 16 refused and ten women were interviewed. The interviewees ranged in age from 21 to 33 years of age. Eight of the women were in their 20s - four were aged 21. Most of the interviewees came from Africa (9) including women from Nigeria, Gambia, Uganda, Kenya and Somalia. One woman came from South America. Six women reported that their parents and other family members had been

⁶ Research instruments are attached in Appendix 1.

⁷ For example, in instances where there is significant concern about harm to the participant or a child protection issue arises.

murdered, kidnapped or had died by natural causes prior to their being trafficked and another was told that her parents had both died after she had been sent to the UK. Four were trafficked directly to Scotland while six were trafficked to England (mainly London, although one woman was also trafficked to a city in NE England.) Of the six trafficked to England, two were also exploited in Scotland. The remaining four women fled to Glasgow to escape their traffickers or to seek asylum⁸. Three of the women reported being involved in prostitution prior to being trafficked – one was prostituted as a child to support her family, one was prostituted by a drug gang and the other entered prostitution as a result of her poverty.

3.4 Review of victim and witness statements

Copies of written victim and witness statements were sought in order to prevent women needing to discuss in detail the circumstances of their trafficking. Victim statements are detailed documents which are prepared as part of a woman's claim for asylum, and these were used to complement the information gathered through in-depth interviews. TARA also sent letters to other women on their caseload to request access to additional victim statements for this part of the research. A total of ten victim statements / substantive interviews were obtained, one for each of the women interviewed. Grampian Police provided a further four anonymised statements relating to victims recovered in Aberdeen. Access to victim statements was limited. It was difficult to obtain informed consent from victims, or access was not appropriate as cases were currently involved in legal processing. Victim and witness statements also proved time consuming to collect as they were not stored in a central location, but rather with the agency or organisation where they were taken.

3.5 Interviews with agencies and service providers

In order to gather a broad perspective about the experience of victims of trafficking for CSE, nine interviews were conducted with representatives from: TARA, the Scottish Crime and Drug Enforcement agency (SCDEA), Grampian and Strathclyde Police, the UK Border Agency, (UKBA) the Legal Services Agency (LSA), the Scottish Refugee Council, (SRC), City of Edinburgh Council and the International Organisation for Migration (IOM). The interview questions were approved by the

⁸ An additional four statements were provided by Grampian Police. Three of these individuals were victims of human trafficking for the purposes of commercial sexual exploitation and one was a suspect accused of trafficking offences. Of the three victims, one was born and exploited in Scotland, one was trafficked directly to Scotland and exploited in Scotland and the other was trafficked to London and moved to Scotland but exploited in both locations.

EHRC prior to interviews being conducted⁹. Each of the interviews with agency representatives was then digitally recorded and fully transcribed. During the interviews, respondents expressed concern that sharing particular information, such as difficulties faced with other agencies, might damage relationships and be detrimental to progress in future. Key respondents were therefore permitted to review and comment on draft versions of the report to ensure they were satisfied with the context within which their comments had been used.

3.6 Summary

The study is limited by the small sample size which was the result of a number of barriers faced in accessing victims, victim statements and supporting data. In future, a longer timeframe for research of this nature would allow improved access and a wider sample of data to be included for analysis. While based on a small sample, the data gathered during the study provides a useful basis for a qualitative understanding of the types of needs of victims of trafficking for the purposes of CSE and the identification of areas where policy and practice can be concentrated in future. This research supplements other evidence gathered for the Inquiry, and has informed the findings of the Inquiry by providing practical examples and direct experiences of victims currently involved with key agencies and services in Scotland.

⁹ Research instruments are attached in Appendix 1.

4 Overview of the development of responses to trafficking for CSE across Scotland

Over the past decade, responses to victims of trafficking for the purposes of sexual exploitation have developed significantly. This section seeks to outline the development of these responses, to summarise current practice and to identify areas for improvement. Key areas of current practice are then explored in more detail in the following chapters.

4.1 Dispersal of asylum seekers to Glasgow

At present, there are significant differences across Scotland in relation to how victims of trafficking for the purposes of CSE are identified and referred on for support. It is argued by many participants in this study that these differences are partly the consequence of the policies related to asylum seeker dispersal.

In 1999, the Asylum and Immigration Act introduced centralised procedures for the reception and accommodation of asylum seekers pending their claim for asylum in the UK. Prior to this, asylum seekers were permitted to live where they wanted, usually, where they had access to social networks and communities. The Act withdrew asylum seekers completely from all benefit entitlements and charged the newly created National Asylum Seeker Service with the mandatory dispersal of all asylum seekers, away from the south-east of England where housing was limited, to areas in the Midlands, the North of England and to Glasgow. This new approach had many far-reaching impacts and was subject to sustained criticism. For instance, problems were identified with relocating asylum seekers to areas where they had no cultural networks or culturally specific support services, such as translation. It was also argued that this approach left many vulnerable to racism, harassment and stereotyping as they were often relocated to the poorest and most marginalised communities (Anie et al, 2005).

4.2 Development and centralisation of key services

Key services connected to asylum and immigration issues are predominantly centralised in Glasgow. For example, the UKBA reporting centres, public enquiry offices, casework and enforcement offices are all based in the city while only a small group of enforcement officers are based in Edinburgh. A small number of officers also operate at the ports in Aberdeen. However, UKBA ports operate independently to the rest of UKBA and arrangements are currently underway to improve these links.

Under the dispersal arrangements, Glasgow City Council, YMCA and the SRC were contracted to provide support and accommodation for asylum seekers dispersed to Glasgow, although this recently changed with the allocation of all accommodation provision to YPeople (YMCA) in late 2010.

Interviewees from TARA, LSA and the SRC agreed that both the large population of dispersed asylum seekers accommodated in the city and the location of the UKBA in Glasgow inevitably led to a heightened awareness about the complex needs of female asylum seekers.

Following work undertaken by Strathclyde Police and Glasgow City Council on the issue of indoor prostitution, an inter-agency working group¹⁰ was established to explore the issue of trafficking in relation to prostitution. The group aimed to share information and intelligence and to develop a multi-agency response¹¹. In 2004, the Scottish Government's Violence Against Women fund allocated funding for a Development Officer post to look into the issue of trafficking in Glasgow. A senior representative from TARA reported that the presence of this post 'triggered things in people, got them thinking, identifying potential issues but there was no central body, so people were not sure what to do at that time.'

In 2005, further funding was provided by the European Social Fund for the integration of asylum seekers and victims of trafficking. This funded a full time support worker post, and for the service to provide training for English as a second language, outreach activity, drop-in support (provided through existing services) and to encourage women to self disclose. These developments in Glasgow meant the issue of trafficking received a higher profile and in that year nine referrals were received from immigration solicitors and the SRC.

Developing Inter-Agency Co-operation

This approach took time to develop and involved a process of learning about how best to deal with victims while also working in partnership with other agencies such as the police. As a senior representative from TARA explained:

¹⁰ This included members from Glasgow City Council (such as Regeneration and Criminal Justice Social Work), Strathclyde Police, NHS Greater Glasgow, UKBA, the Scottish Executive, SRC, Women's Voluntary Sector Network, and the Glasgow Asylum Support Service.

¹¹ This group met for the last time in 2009. In 2010 Strathclyde Police reconvened the group which now operates under an amended terms of reference.

'In early Summer 2005, we got our first referral from the police – two Lithuanian women. This was a huge learning curve for us and the police. These women eventually went missing. They were identified as part of a missing person's investigation... the police referred them to us as on the grounds that they were foreign nationals involved in prostitution and they didn't know what to do with them. It wasn't suspected that they had been trafficked. We accommodated them together in a hotel room. Didn't take their mobiles off them. Didn't interview them separately...the Albanian 'boyfriends' were calling them from the detention centre, so we couldn't have a discussion with them...One of the young women was more open than the other and [a worker] got her alone and she disclosed that he had paid £3,000 for her but was better than her last boyfriend because he didn't beat her...They disappeared from the hotel overnight after about two weeks at the hotel... There was no risk assessment done. We now have new policies in place - they would always be seen alone, in separate hotels. We would try to get their mobile phones and involve the police... The women will build trust over time. In that first case, the younger woman began to engage towards the end...'

Other services supporting victims reported similar experiences of developing awareness, increased funding, improved identification and growing onward referrals. For example, the interviewee from the SRC explained:

'I have worked there for eight years and when we first started we weren't particularly aware of the issues surrounding trafficking but we were aware that sometimes people would present with stories out of the ordinary. Over time, Glasgow services have evolved; it has made our work a lot easier because there are specific services we can link women into, like TARA being the principal one. So a lot of our role is identification and then referring on to specialist services.'

The fact that dispersed asylum seekers were already in contact with key services in relation to issues of immigration and accommodation, and that some had made disclosures about trafficking, may explain why initially a greater number of cases were identified where victims had been exploited in England rather than Scotland.

Identifying Victims

A number of factors are likely to have contributed to the increasing identification of victims who were not part of the asylum process and who may have been directly

trafficked to and exploited in Scotland. These include: the development of highly skilled services; the provision of resources to support victims of trafficking for CSE and women involved in prostitution; and the upskilling of generic women's services to support women asylum seekers. It is difficult to clearly interpret data that suggests there has been a shift in patterns of trafficking and exploitation over the last decade as this may be an artefact of changes in the level of skills, awareness and resources dedicated to the issue. As previously discussed, Glasgow has also adopted a strong violence against women policy approach and an identifiable stance and strategy about its aims to eliminate CSE in any form. This approach has facilitated the development of effective service provision for victims as significant expertise already exists within the city in relation to supporting women to exit prostitution. These factors may assist in explaining why there may appear to be a concentration of victims presenting and being identified in Glasgow. As two police officers interviewed as part of the research explained:

'The more you look, the more you find. It is a big, big subject.' (Senior Police Officer)

'In terms of what you uncover, you uncover what you want in terms of the resources you throw at it. With prostitution being underground, the only bit you see is the bit that is overground. There is so much more of it underneath. It is just the tip of the iceberg.' (Senior Police Officer)

Other agency representatives felt that perhaps Glasgow's reputation as a provider of support had also attracted victims of trafficking to the area or indeed, that traffickers had begun sending victims who were no longer 'viable' to Glasgow for support and resettlement. While this may occur in some instances, it is unlikely that this fully explains the significant changes in the number and nature of victims identified using proactive practices such as those currently in operation in Glasgow.

National services and provision are somewhat centralised in Glasgow. Over the last decade strong partnerships and relationships have developed between the police, victims support services, UKBA and other service providers. This, in combination with a clear policy focus on prostitution and finite resources, has meant that agencies are stretched dealing with the growing number of trafficking victims in Glasgow alone. While there has been a rapid development and co-ordination of services in Glasgow, there is also evidence of good practice emerging independently in other

areas, for example, the work undertaken by Grampian Police in Aberdeen (see 6.4 for further information).

4.3 National strategic approaches to trafficking for CSE

While there has been a significant amount of work undertaken in relation to trafficking in Glasgow, and to a lesser extent in some other cities, a co-ordinated national response has been slower to develop. As part of a review of organised crime, the SCDEA created a specialist Human Trafficking Co-ordinator role. This resource forms part of the Scottish Intelligence Co-ordination Unit and is supported by a Police Officer and data analyst. The key functions of this resource are to gather intelligence, provide practical advice and assistance, act as a point of contact and raise awareness of the issue of trafficking across Scotland. While this resource was generally welcomed, agency representatives from Glasgow were uncertain about the levels of knowledge and capacity within the resource.

In 2010, after criticism by the Scottish Parliament's Equal Opportunity Committee of the lack of leadership at a national level, the Scottish Government convened the Victim Services Operational Group (of which many of the participants in the research were members). The group was created to ensure a consistent response to victims of trafficking recovered across Scotland. However, a number of respondents felt this group was only in its infancy and that it wasn't offering sufficient leadership and strategic direction from a national perspective. As one representative explained:

'I refuse to believe there is not trafficking in Aberdeen with the oil industry, not forced labour in the agricultural areas and that kind of thing. We have well established contacts with agencies in Glasgow because of the asylum experience. I've raised this with the Scottish Government, that they can't allow UKBA to lead on trafficking in Scotland. That's their [the Scottish Government's] role. They've got an inter-agency working group, the Scottish Victim Service Operational Group, but I don't feel that they are doing enough, because I can deal with the contacts I've got here but I don't have any national remit. That concerns me. I'm trying to work with some of the enforcement stuff and make more contact with the other areas who might have leads but we don't have the bodies there.' (Senior representative, UKBA)

There was a widely held view among interviewees that Scotland lacked a strong strategic approach to tackling trafficking for the purposes of CSE. A senior police officer from Strathclyde Police, for instance, remarked that while Strathclyde Police

provided information and guidance to the Scottish Government, they received little information or guidance about how to deal with the issue of human trafficking for the purposes of CSE:

'We feed into the Sexual Offences Law Team at the Scottish Government. They take an interest in off-street prostitution and human trafficking. They are really supportive and take what we say as gospel and we are quite open with them but they don't help us in any way. They don't provide any guidance. It would be nice to have the Scottish Government telling us what they would like the Police to do but it's the other way around. They want us to tell them what we want.' (Senior police officer)

Some argued that this had stemmed from the Scottish Government's lack of a co-ordinated, national response to *all* forms of prostitution, rather than just a focus on disorder related to street prostitution. For instance, as a senior representative from SCDEA noted:

'There's no strategy on prostitution in Scotland. It tends to be that unless it is a nuisance, the police don't get phone calls about it. If we are not contacted about it, we don't go looking for them [prostitutes] all over the place.'

Others, including a senior police officer from Grampian Police noted that while there was a national focus on and concern about issues such as drug trafficking, human trafficking and prostitution were not currently issues of high priority. As the officer explained:

'We've only scratched the surface. Who knows how many people are being exploited. Nobody is looking at it from a higher level. In terms of drug trafficking there will be a plan in Scotland. In terms of prostitution and trafficking, there is a big gap there.'

Some felt that this may be due to the limited information available about the nature and extent of human trafficking and indoor prostitution, and that an increased focus on such issues may improve understanding of how these issues should be prioritised. Indeed, several police officers made comparisons with past responses to domestic abuse and drug trafficking - areas where initially little was known about the nature and extent of these issues but where awareness and resourcing has significantly developed.

4.4 Summary

Responses to victims of trafficking for CSE have developed significantly over the last decade with the focus of provision and expertise developing in and around Glasgow. At present, provision is most developed in Glasgow using both specialist services such as TARA and Routes Out and generic services such as Women's Aid, SAY Women, supported accommodation providers and Rape Crisis. There is not the same co-ordinated approach in other parts of the country. TARA has received some additional funding to respond to victims across Scotland and to assist with capacity building, and this will be a key task of staff over the next couple of years.

The lack of strategic direction from the Scottish Government, with no clear policy approach to indoor prostitution, has not helped this situation. Representatives also noted the potential relationship between demand for prostitution and the trafficking of victims. However, this was also not an area of strategic policy making. While a Victim Services Operational Group had been convened, it was strongly felt by respondents that this group was not providing the leadership and direction required. As documented elsewhere in this report, it was noted by representatives that a number of factors were connected with improved identification and provision, that is, attention to the indoor sex industry and growing awareness of the needs of female refugees and asylum seekers. Issues related to identification of and provision for victims of trafficking are discussed further in the following sections of the report.

5 Victims' experiences of trafficking

5.1 Trafficking into commercial sexual exploitation (CSE)

Patterns and common factors

Establishing patterns in the trafficking of victims into CSE is difficult due to the underground nature of both trafficking and of prostitution. Several respondents commented on the difficulty in establishing patterns when victims have arrived from a wide range of countries and by a diversity of routes. A senior representative from the SRC explained:

'Well, it's hard to generalise. I think over time we've seen different patterns, the most predominant pattern of people presenting to us (as I say we don't have a complete overview of trafficking in the same way that TARA do because we only see women who's immigration status is unsecure) we've seen a real preponderance of women from English speaking African countries who have maybe entered the UK illegally, countries such as Nigeria, Kenya, Gambia, those are the three where we have had noticeable presentations from. They have been brought to the country typically by a woman or man they have met who helped them to leave their own country and come to the UK, sometimes by a partner, it's so complex. They have entered illegally. They've been kept here. They've been kept in conditions of usually, to my understanding, in private properties like flats, kept there, not allowed to leave, forced. Usually how they will express to us to what's happened is the person that brought them or the person they were passed to has forced them to sleep with men. We don't necessarily get the full disclosure but it's not always clear if money has exchanged hands. How they express themselves is that they were forced to have sex with different people and at some point have managed to escape the situation. Now, some women we see, they've only been kept in that situation for a relatively short amount of time. Other women have been for potentially longer periods and have ended up conceiving and have come to us when they are pregnant, have had their children threatened as a means to control them and keep them in the situation. They come to us very fearful, typically their presentation will be a very fearful presentation and someone who has been in the country for a significant period without seeming to have had contact with immigration.'

TARA staff have identified a number of common factors between women which may lead to their vulnerability to trafficking and argue that these may be experienced

separately or concurrently. These factors include civil instability, targeted for CSE in refugee camps, childhood abuse, orphaned, familial abuse, fleeing a forced marriage, fleeing female genital mutilation, involvement in prostitution prior to trafficking, fleeing state persecution, and having no formal education. Interviews with women and statements from victims of trafficking (accessed through TARA) indicated that women in this study had experienced a number and combination of these factors.

The women interviewed reported a number of cultural factors as being involved in the circumstances of their trafficking. For example, a number of women reported that culturally they were not to ask questions of their superiors. As one woman, who was trafficked with a group of young women for the supposed purpose of continuing her education, reported:

‘I was trafficked by my uncle. He arranged everything with my parents and there’s one thing in [county of origin], whatever your parents say goes. Even if they say you are going somewhere tomorrow, you don’t ask why.’ (Interview 7, 26 years old)

Traffickers and mechanisms of deception

Several women reported the involvement of ‘aunties’ and ‘uncles’ who were not related but who were considered superiors and who were trusted often because women had family difficulties and lack of other alternatives. As one woman explained:

‘A friend introduced me to a woman. She was the one that brought me. She told me she was taking me to a place where I could work and support myself and my child, so I did not know that she wanted to bring me here for prostitution until I got here... She just changed because she had been so nice. She just changed and tell me to do something that I am not willing to do.’ (Interview 4, 28 years)

These recruiters usually initially appeared helpful, caring and concerned and as offering women a way out of their desperate circumstances by finding them work abroad. Instead they took their existing identification or falsified documents, trafficked them to the UK, locked them in a private residence often without a view of the outside world, brought men to have sex with them and were frequently violent or threatening in order to maintain control over them. Many of these women reported

that they had also been the subject of a curse, oath or spell which if broken would mean serious consequences for them or their families. As one woman explained:

'I had to take an Oath, I was given this mark on my hand. I was told that this mark if you tell anyone what has transpired you are going to die. They gave me a razor blade to eat, they took my armpit hair, they removed my nails from my toes and my fingers...they removed the hair on my body, they tied it up and put it in this shrine, then they tear my body and told me that if I tell anyone...you will just die...when I saw the shrine, it was so big, I was so scared...I know that this has had a very bad effect on me, I live in fear...I think that if anything is happening I am going to die,' (Interview 2, 21 years)

Frequently women trafficked from Africa would describe the key people involved in their trafficking as very 'big' (powerful) people who had connections with corrupt officials (such as the police) or who were well respected within tribal communities. In some cases, a high level of organisation involved in the trafficking of victims was apparent. In others, opportunistic individuals took advantage of vulnerable people and exploited them when they were most in need.

Where organisation was involved, it took a number of forms. Firstly, several women from a range of countries were provided with false travel documents and coaching about how to enter the country without suspicion. Usually women did not have possession of these documents. Rather these were held by the 'trafficker' or another contact who was transporting them across borders. In one case, a woman reported that a legitimate passport had been obtained for her but that she had never seen this documentation. Indeed, inaccuracies in this document had become part of the reason that her claim for asylum had been denied. Another victim explained that her traffickers had contacts within airports with whom they could arrange specific times to travel, and that she had remained in a third country until an appropriate time to move through the airport had been arranged. One woman from Latin America described strong connections between her traffickers and those who dealt and trafficked drugs; but that she had never seen or known about the most powerful people within these organisations. She reported that her trafficking had arisen as a consequence of a need to make money to support drug trafficking organisations in her home country.

In other instances, women were trafficked by people who regularly moved between the country of origin and the UK where they stayed and supervised the victim in

private premises, often arranging access to sex purchasers. A woman trafficked from South East Asia on the other hand reported in her police statement that she had been transported, met at the airport, moved, supervised and had phone contact with a number of separate individuals. In her case, she was at liberty to move around but was required to pay back significant amounts of money in debt bondage.

Aside from being deceived about the nature of what they would be involved in after being brought to the UK, women were frequently deceived by their traffickers so that they weren't aware of the illegality of their arrival in the UK, where they had arrived or where they had been exploited. In one case TARA staff reported that a woman was even unaware she was in the UK, having been told by her traffickers that they had taken her to Canada. Another woman was instructed by her trafficker to tell customs officials that she was coming to England to further her education. However, on her arrival she was secreted in a brothel with other women and not allowed to leave.

Interviews with agency representatives revealed further information about the experiences of victims. In particular, interviews with senior police officers revealed the involvement of local Scottish men in organised CSE and internal trafficking of women between areas in Scotland.

Location of exploitation

Victims trafficked for the purposes of CSE are generally exploited in indoor prostitution. TARA staff report that, since its inception, none of their cases has been exploited in on-street prostitution. Each of the victims interviewed and those for whom victim statements had been provided were exploited within private residences, flats or brothels. A number were unable to identify the geographic location of their exploitation. Both TARA and the police confirmed that this was not uncommon, particularly for victims from China and Africa who it was thought were frequently exploited within their own ethnic communities without the need for external advertising.

The women interviewed reported that they had been exploited at a range of indoor locations. Several had been taken to private residences where they had been locked in a room or cubicle and forced to have sex with men brought to them. As one woman explained:

'I was kept in a room with my daughter. The door to my room was always locked and I was not allowed out. There was a room attached to my bedroom with a toilet and a shower. [Trafficker] said that I should look smart as it is money I have to make. There were soaps and deodorant and things like that in the bathroom part. When men came [trafficker] would unlock the door and take my daughter away from the room, she would also tell me to get myself ready. ...When the men came in the room they would tell me what they wanted. I just did it because I had to...While I was with these men I could hear my daughter crying in the other room. It was terrible. When the men were finished they would use the bathroom and then leave. I never saw any money.' (Victim Statement 4)

Others were involved in organised brothels with other women and in one case where women circulated between venues on a regular basis. Another woman reported being taken to a private residence and then being transported as an 'escort' to visit purchasers in hotels, clubs and other venues. Two women reported that they had been trafficked to and sexually exploited in other countries before their arrival in the UK.

While some understandings of trafficking consider trafficking to have only occurred if national borders have been crossed, a number of victims recently identified have been British citizens. For example, in both Glasgow and Aberdeen there have been recent cases where women from the UK have been exploited in both Scotland and in Northern Ireland.

Experiences of exploitation

The women interviewed reported having highly traumatic experiences during their sexual exploitation. Women reported being repeatedly raped, having no choice about who they had sex with or the number of men they saw, having sex with up to fifteen different men a day, being beaten and violently sexually assaulted, having no control over contraception or sex acts, being drugged or told to drink alcohol, being exploited while pregnant and being forced to watch pornography. One woman explained how she had been visited repeatedly by different men when she first arrived at the brothel. She explained that this was because she was both 'new' and of a culture which was thought to be highly sexual and therefore attractive to sex purchasers, who as a result treated her roughly. She explained that in order to continue earning money, she had been given drugs and alcohol so that she was compliant and wouldn't feel any pain. As she said:

'It's so painful, they were so rough they didn't even care...they just wanted the satisfaction, at the end they will pay the money to the Madame and you will not be given anything, you don't even know how much is being paid, I don't even know now...I seen more than 10 men a day, that's even Friday, Saturday and Sunday...because I was new everyone wanted to have me....people sat waiting for me....when I finished with one they say go and have this liquid, wash up...my body would be so pain...they don't even care if you feel the pain or not as long as you give them the satisfaction and they pay the money. If you don't give them the satisfaction, they complain to the Madame, they beat you...'
(Interview 2, 21 years)

5.2 Consequences of trafficking and CSE for victims

Research has found that victims of trafficking experience a wide range of often concurrent physical and mental health symptoms following experiences of trafficking. Over half of a sample of 297 women and adolescents (56%) had experienced symptoms of post traumatic stress disorder immediately after their recovery (Zimmerman et al, 2006). The types of physical symptoms experienced by victims in this study ranged from:

- neurological complaints (eg. difficulty remembering, headaches and dizzy spells)
- fatigue and weight loss, gastrointestinal problems (eg. pain, upset stomach, vomiting)
- sexual and reproductive health issues (eg. pain, discharge, bleeding, infections)
- cardiovascular and musculoskeletal issues (eg. difficulty breathing, chest pain, fractures, sprains, joint pain)
- problems with vision, ear or eye pain, colds, flu and other infections
- skin problems such as itching, rashes and sores

Mental health symptoms such as depression, anxiety and hostility were also frequently reported. These included : feeling worthless and hopeless; feeling suicidal or lonely; feeling terror, panic and fear; having urges to hurt, beat or injure someone, or to smash or break things; having frequent arguments, becoming annoyed or having uncontrollable outbursts of temper (Zimmerman et al, 2006). These symptoms frequently diminished over time, although victims were often left with lasting effects of their experiences.

The women interviewed for this study were no different, and experienced a wide range of these symptoms in their day to day lives. Many reported that, while these symptoms had diminished, a number of longer lasting effects were apparent and significantly impacted their lives. They reported that these symptoms were often exacerbated by the stress of being re-interviewed by new people, having asylum claims rejected or encountering difficulties in their lives in general.

Several of the women interviewed reported having difficulty disclosing the events surrounding their trafficking and CSE. Each of the women felt unable to forget their traumatic experiences. As two women explained:

'I've lived a very rough life. While I've been a mother I've tried to put it behind me but its like everything keeps coming back. For a very long time I tried not to think about it but now I think about it more or less every day...Sometimes the way I think is I can't eat, I can't sleep. You think about it all the time.' (Interview 8, 33 years old)

'...no matter how you try and move on that thing, or no matter how much I try to blank it out its always going to be there, the stigma is always going to be in my head and the fact that before [my support worker] told me to come and see you, she said you would look at my case, I was like 'what, why does she have to look at my case' it makes me feel like now the whole world is going to know about stuff that's happened to me...' (Interview 9, 21 years old)

A number of women reported intense feelings of shame, suicidal thoughts, feeling isolated, a fear of the outside world, problems sleeping, loss of appetite, flashbacks, not being able to make any life plans, difficulties concentrating and struggling to cope with children. Many women were unable to feel safe in their day to day lives or to trust people they met on the streets for fear that they would be exploited or victimised again. As one woman explained:

'I always think that people will be there to use you in a different way...very hard to trust people...as soon as I get a little trust for people they do me harm....sometimes I want to keep things to myself and keep myself to myself because people always end up messing me up and I feel bad and it makes me feel that I don't want to trust anyone...no matter how much I try I can't trust... I start running sometimes, I feel very scared, I can't trust anyone...sometimes it

makes me look stupid...I don't care anymore now...I don't know why I run, my heart starts beating fast and I don't know why it happens to me, if someone comes behind me without me knowing I get scared, I just get scared over nothing...' (Interview 6, 29 years)

Women also reported problems in relationships with sexual partners, flatmates or with others they developed contact with in the community. For example, one woman explained her distress at not being able to form serious, intimate relationships due to her ongoing responses to her trauma. She said:

'It is very bad, they are tormenting me, I feel that if I had not lived that life...I've tried to rub away that episode in my life but it keep coming, each night, each day, I've tried to live a good life but I carry that with me...I cannot enter any relationship, it's very difficult, the moment I remember any episode of it I scream and push the person away.' (Interview 2, 21 years)

Another reported similar behaviour as a result of flashbacks. She said:

'I was hurting people because I was scared of who was in the house with me...then I would get this flashback, I wouldn't see you, I would only see these people and I would start fighting back. I hurt my housemate, the person I used to stay in the house with. She said that I beat her up but I don't have the recollection that I did. If she said that I beat her up I am not going to say I did not do it. If she says I did it, I did it. I don't have that recollection that I did it.' (Interview 5, 30 years).

Aside from these severe traumatic responses of women victims, several also reported that their wider relationships had been affected by their lack of trust and inability to discuss past experiences. For some women, relationships with others meant that at some point they would need to explain their circumstances (which was difficult in itself) but also that they would never be viewed as 'normal' once this information was shared. As a result, they felt that any of their future relationships would be tarnished by the stigma and shame of having been trafficked and commercially sexually exploited. For instance, one woman reported how she had avoided going to the cinema with a befriender for fear they would ask questions. As she explained:

'There were times when they offered me a friend who I could go out with, like cinema and bla, bla, bla but I didn't feel like that one. I always feel you'll get to the stage where you'll start asking me questions. So I was avoiding that.'
(Interview 9, 21years)

For many of the interviewees, the weekly women's group provided by TARA staff offered them companionship and respite from feeling guarded about who they were and what they had experienced. Similarly, many of the women reported that their only trusting relationship was with their TARA keyworker.

Perhaps most distressing were the interviews with three women who felt that they would rather take their own life than continue with the stress, anxiety and shame that were the result of their being trafficked and continuing investigations into their status as victims. One woman explained that sometimes she felt the only way she could protect her son was to kill herself in order to prevent him being returned to her home country. During the interview, she explained that her son regularly saw her in a state of distress and that she seriously thought about suicide as the only alternative to her situation. She said:

'Why would I come up with this story if I know it's not true?... Each time I keep telling myself just kill yourself and end it, so that you will be free from all this trouble, but I keep saying my son, each time I am crying he come to me Mummy are you okay, are you alright, don't worry, don't worry, it's going to be fine, two year plus. I don't know if he knows what is happening but that boy keep telling me don't worry, don't worry, Mummy it's going to be fine. So each time I think about that...I withdraw. The strong feelings kill yourself, kill yourself, kill yourself, but my son say's don't worry, don't worry Mummy, it's going to be fine, so if I look at him...he's too young to be without a Mum. If the Home Office push me further I can't hesitate doing that to myself coz I believe that is the only way out, I want that boy to grow up here, I don't want them to take him to [country of origin], I don't want him to be on the street, I don't want him to grow up on the street, I want him to live in UK. So, in order for that to happen I'd rather die for him to remain here coz I believe the Home Office cannot take a dead body to [country of origin], they only take a living then my son will grow up here and be safe.' (Interview 2, 21 years)

Such serious emotional impacts of trafficking for the purposes of CSE have obvious implications in relation to the delivery of services to victims, on how victims can be

supported to resettle into the community, on gathering evidence and prosecuting traffickers, and on the outcome of processes with the Borders Agency.

5.3 Routes out

The ten women interviewed had fled their trafficking situation via a number of routes, usually by running away, accepting help from a sex purchaser or through intervention by the police. The following extracts from the victim statements of two women explain how, although terrified and without any idea of where they were or what they would do next, they took opportunities to escape when they arose:

‘It just became too much for me. I started praying all the time. After some time in this place, I escaped, but it was not like I made a decision to try and escape. It was impossible to leave the house but one time [her female trafficker] was going away for a few days or so. She was travelling to London. She said to me straight away that I could not leave the house. She said that she had people watching me. She said that she had people everywhere. All she would do was to make one telephone call to the house, if nobody answered then she would know... All of this time I was looking out the window. I was thinking to myself who could be watching me. Who would be watching if I just took a step outside the house. If I left the house. I was so scared when I was doing this. I cannot even remember leaving. I was so terrified... Before coming to Glasgow, some of the girls in the house [in city in North East England] said that if any girl even managed to escape they must go to the Refugee Council and that they would help. This is what I did.’ (Victim Statement 1, trafficked as a child by a male and female Nigerian to NE England and internally trafficked to Glasgow. Sexually exploited in both locations.)

‘I was going to the toilet and I saw that the door to the flat was completely open. This had never happened before. I was terrified that the men had set a trap for me to see what I would do so I just went to the toilet. When I came out I saw the door was still open. I was very scared but somehow I took a chance and ran out of the door. I came to the landing and saw three doors. The first two I tried were shut fast. I thought about returning to the flat but the third door opened when I pushed it. I went through this door and there were stairs. I ran down many flights of stairs. I ran out of the block of flats.’ (Victim Statement 2, trafficked by a trusted community member after witnessing the killing of her parents and grandparents by the police. Exploited only in Scotland.)

This woman immediately sought help from two women in a Glasgow street. One refused to help her and another took her by bus to the Scottish Refugee Council (SRC).

Other women reported receiving assistance to escape from men who purchased sex. One victim had repeatedly asked for help from sex purchasers, but despite explaining her situation, was not provided with any assistance. Only when a regular customer asked her why she was crying did she explain and he offered her help. She said:

‘...but whenever he would come he would find I’m upset, I’m not happy and he would ask me why I was not happy in the job I was doing and I told him, because he tried and he wanted to know why I am doing that job if I am not happy with it and I explained to him what happened, how I found myself there and the problems and how I ended up with [her trafficker] and he felt sorry for me and told me he would try to help.’ (Interview 3, 21 years)

As a regular purchaser, this man negotiated with the trafficker to take the woman to his house. The next day he dropped her off in the vicinity of the SRC and gave her a small amount of money. Another woman explained a similar situation, where she had become highly distressed in front of a regular customer and told him about her situation. Again, being trusted by the trafficker she was allowed to leave with this man. He then took her and her young child to the train station, bought her a train ticket, gave her £10 and told her to get off at the last stop [Glasgow]. She also then made contact with the SRC.

Other victims reported similar experiences. However, women also reported further victimisation as a result of their attempting to seek help. One woman, for instance, reported that she had been raped by a purchaser after telling him she had been trafficked. In another case a purchaser had helped a woman to escape only to sexually exploit her himself. This woman only escaped from this experience after she informed him she was pregnant and he disappeared. The same day, she resorted to begging in order to make enough money to get as far away from London as possible. She arrived in Glasgow and was directed to the SRC by a woman in the street.

Other victims were freed from their traffickers by other means. For example, one victim reported being recovered from a Glasgow brothel by the police. Another woman who had experienced sustained abuse and captivity over almost a decade,

reported that she was found unconscious by the police and taken to hospital, but was unaware of how this had happened.

While representatives from key agencies provided similar accounts of women's descriptions of their escape from their traffickers, there was a perception among those representatives that there may be further explanations as to why victims were allowed to 'escape'. As a senior representative from the SRC explained:

'Again what we are told, and it's not necessarily the full narrative, is that women would usually term it that they've managed to escape, either a locked door has been left open one day or perhaps a punter has helped them to escape, those are the two classic ways a woman would express it. Our feeling is sometimes, particularly when women present who are pregnant or unwell is that 'escape' in inverted comma's has been allowed to happen by a trafficker possibly because the woman is no longer economically viable. If she's pregnant/unwell even the most unscrupulous trafficker will realise that's a lot harder to keep hidden. I think, again, the woman's perception of how she has escaped the situation is different from what the reality has been but how do you get to the back of that, I don't know, but that has sometimes been our perception.'

5.4 Summary

Interviews with victims and examination of victim statements indicate that there is incredibly diverse patterns of trafficking – the routes, profile of traffickers, and the nature and location of the exploitation. What remains consistent, however, are the vulnerabilities that victims face prior to being trafficked, and the impacts that trafficking and CSE have on victims. There is also an identifiable relationship between the exploitation of victims of trafficking and the location of this exploitation within the indoor sex industry. This raises important issues about the need to tackle the demand for prostitution that drives and sustains trafficking.

6 Identification and decision-making

6.1 Encountering and preliminary identification of potential victims

In Scotland, as in other jurisdictions, a potential victim of trafficking for the purposes of CSE may be encountered through a number of channels. Key services and agencies may come into contact with potential victims of trafficking at a variety of points. The UKBA may identify potential victims of trafficking during the asylum process. Voluntary sector organisations (such as LSA or SRC), solicitors or social workers may also encounter victims through the course of their work. The Police may encounter victims during the course of investigating premises connected to indoor prostitution or other organised crime. Victims may also be encountered in detention centres, often late in the asylum process or after an asylum claim has been rejected. In some cases, victims may also report directly to the police or support services. However, the experience of agency representatives suggests reporting to the police is less common than identification through other means.

The frequency and manner in which victims are encountered and initially identified varies across Scotland. In Glasgow for instance, following preliminary identification, victims are referred for immediate support from TARA. TARA will then undertake need and risk assessments and may act as ‘first responders’ (referrers) in to the National Referral Mechanism (NRM - the process established to identify victims of trafficking). If victims agree to this process their claim is then considered by ‘Competent Authorities (UKBA / UKHTC staff). Victims for whom immigration is not an issue, or those who chose not to be referred, remain supported by TARA staff if appropriate. In other areas of the country where support services are less developed, victims are often referred directly to UKHTC or UKBA where other victim support services may be identified to provide initial support. All victims of trafficking for CSE should then be referred to TARA for specialist support.

6.2 Formal process of identification as a victim of trafficking

While the *Council of Europe Convention on Action against Trafficking in Human Beings* (the Convention) does not create a standard approach to the identification of victims of trafficking, it requires that a mechanism be put in place, that competent personnel are available and that no person shall be removed from that country until the identification process has been completed. The Convention also requires that different statutory bodies co-operate in this process and with victim support organisations.

It is the role of 'first responders' to draw on indicators to identify potential victims of trafficking. They are expected to obtain enough information about a presumed trafficked person in order to make a referral to a 'competent authority' - either the UKBA or the UK Human Trafficking Centre (UKHTC) - within a couple of days. This referral must convince a competent authority that there are 'reasonable grounds' to believe that the person has been trafficked. Where the competent authority has decided that there are 'reasonable grounds' for believing the individual is a victim of trafficking, they will be permitted to remain for a 45 day reflection and recovery period. The competent authority should make such decisions within five days and victims granted a 'reasonable grounds' decision must be authorised to stay in the country using a renewable residence permit until a decision is made about their status.

The next stage is a conclusive decision which, if positive, may result in a one year renewable temporary residence permit being issued. One reason for this may be continued co-operation with a criminal investigation. The granting of this permit does not create a right to long-term or permanent residence in the UK. If negative, the victim will not be entitled to any rights granted to trafficking victims. There is no appeal process, although additional information may be considered after decisions have been made. There are also serious reservations about the NRM process implemented in the UK, as the Anti-Trafficking Monitoring Group (ATMG) note:

'The system appears to be relying excessively on the discretion of officials who receive minimal training, to staff a mechanism supported by flawed legal guidance relating to who should be identified as victims of trafficking, and without a formal appeals process.' (ATMG report, 2010).

6.3 Process of identification in Scotland

A number of services and agencies can act as 'first responders' when a potential victim of trafficking is identified. These include TARA, each of the Police Forces, UKBA, and Migrant Helpline (in the case of trafficking of males or females for domestic servitude or forced labour) amongst others. Where appropriate, and agreed by the victim, a referral is made into the NRM for the competent authority (usually the UKBA) to make a 'reasonable grounds' decision. Variations in the knowledge, experience and organisational culture of each of the first responders are likely to create vastly different processes of referral and possibly different outcomes for victims.

6.4 Barriers to identification

Findings from the Anti-Trafficking Monitoring Group (ATMG)

The report of the ATMG found several problems with the formal identification process (ATMG report, 2010). For example, victims of trafficking may provide incomplete, misleading or inaccurate information about their experiences, particularly in the initial stages. This is largely due to pressure exerted by traffickers, as the result of fear and mistrust of authorities, or as a consequence of a psychological response to trauma. The use of prescribed indicators may exacerbate this problem as victims may not be able to or be prepared to discuss what has happened to them immediately after their recovery. Notably, victims may be further traumatised if they do so outside a safe and trusting relationship. Formal indicators are also limited by the training staff have received in how to use them and then how to respond appropriately if a potential victim is identified.

The key obstacles to identification were identified by the ATMG to be:

- failure to apply the definition of trafficking correctly
- failure to understand what constitutes trafficking
- lack of familiarity with techniques to identify trafficked persons
- lack of training
- insufficient co-ordination between agencies
- management issues including conflicting priorities, loss of expertise with staff turnover, and a lack of information being cascaded to frontline officers

Generally, many of the failures to correctly identify victims stemmed from a lack of understanding, prejudice and a disbelief either of direct disclosures or that particular practices constitute trafficking. The consequences of these failures are that there is an overwhelming disproportionality within the formal identification process. The ATMG for instance reported that it was significantly more likely for victims from the UK and the EU and male victims to receive a positive decision (ATMG, 2010).

Barriers identified from the research

Interviews with agency representatives suggested that there were problems across Scotland with the accurate preliminary identification of victims of trafficking, and that these problems were often similar to those listed within the ATMG report. Those interviewed felt that preliminary identification of potential victims by practitioners in frontline roles (e.g. police, local authority, immigration solicitors, social workers,

education, and health) is limited as there is a lack of awareness about the key indicators and a lack of knowledge and experience about the complexities of victims' responses. There was also concern that in general, practitioners' understanding of trafficking is often grounded in stereotypes and myths or confused with economic migration or illegal immigration.

A Senior Police Officer in Grampian Police, for example, highlighted the difficulty faced by many police officers in clearly identifying victims. He said:

'She knew she was coming to work in the sex industry. That's where people find a grey area, where people think she knew she was coming to work in the sex industry so she isn't trafficked, but she is. She is put into a place where she is a prisoner until she starts earning enough money for her to make any money. She was at liberty to go about her business but of course she has just arrived in Aberdeen, she doesn't know anyone, she's a young girl, not street wise, not a lot of English. What are her options?... '

This was echoed by the senior representative from the Scottish Crime and Drug Enforcement Agency (SCDEA) who suggested, with growing awareness of the issues, the frequency of identification of victims could be improved across Scottish Police Forces:

'I think we still have a lot of awareness-raising to do, I don't think that every single police officer knows what trafficking is and what to do with it.'

'I do think it is like domestic abuse and you only have to look now at the amount of training we have in relation to that, the amount of awareness. What we can categorically say is that there have been cases of trafficking in Scotland...In the 60s we didn't have drug squads, now we have more than we know how to deal with. If you don't go looking for it you don't find a problem.'

'People are getting muddled up thinking it is an immigration issue, its not. It is about people. Just because you are trafficked doesn't mean you are an illegal immigrant. It is not an immigration crime. How can it be an immigration crime if for example you are a Romanian or a Polish person? The case down South that was recently published - it was British Nationals.'

There is also some evidence that defence solicitors may not be aware of the issues surrounding human trafficking, particularly the policy of non-criminalisation of victims. The representative from the Legal Services Agency (LSA) reported that in many of the cases referred to them, the original solicitor has mishandled the case and had not effectively identified all the issues. As the representative explained, this poses a significant risk for victims in that it potentially disadvantages them in legal processes designed to protect them, and may in fact result in their revictimisation either at the hands of their trafficker or another exploiter:

‘For someone who has been through that type of exploitation regardless of where it is, if they don’t go through the proper support and they are not properly identified, then that puts them at risk of further exploitation, at risk of being returned to that trafficker.’

Lack of experience with victims and lack of awareness of trafficking indicators mean frontline services may fail to identify potential victims and refer them for appropriate support at an early stage. However, even the most experienced practitioners recognised the difficulty faced in identification, particularly when experience of trafficking and related issues was limited. As a senior representative from TARA explained:

‘Before TARA, I worked with Routes Out [prostitution exiting support project] from its beginnings in 2000. I didn’t identify any trafficked women at the time but with hindsight and what I learned, there was a young Albanian woman who had definitely been trafficked. She hadn’t identified as being trafficked and I didn’t know how to recognise the indicators at that time.’

Such gaps in knowledge and expertise highlight the need for further training and practice/skills development of frontline staff, and ensuring the role of experts in providing training and awareness raising activities. This has been one of TARA’s aims. However, their role in supporting an increasing number of victims has meant that priority has been given to victim care. Gaps such as these suggest the need for strategic co-ordination and leadership at a national level, as well as closer partnership working in areas outside Glasgow.

The work of Grampian Police, documented in the following case study, illustrates how local initiatives can drive forward improvements in preliminary and formal identification of victims.

6.5 Aberdeen Case Study

<p>Background</p>	<p>Aberdeen is Scotland’s third largest city and is at the centre of Europe’s oil industry. Aberdeen has a profitable indoor sex industry where historically men working in the oil industry and others travelling to Aberdeen have been able to purchase sex. Until recently, the police knew little about the indoor sex industry, as limited resources had been dedicated to the issue and the policing focus had been on street prostitution.</p> <p>In 2009, a dedicated officer was attached to this work which allowed a closer examination of the nature and extent of the indoor sex industry and the victimisation of women involved in indoor prostitution. The results of this work found that sex is for sale from hotels, serviced and leased apartments, and occasionally private properties across the city. There is an identifiable market for both female and transgender prostitution and advertising also indicates the movement of people selling sex from other areas into Aberdeen for short periods of time. The women involved are from all nationalities with predominantly Brazilian, Thai and Eastern European women being regularly encountered. Indoor prostitution is a profitable activity in Aberdeen, with flats able to be leased for £500 a month, while those selling sex can make up to £500 a day. In Aberdeen, unlike nearby Edinburgh, there has been no licensing of saunas and massage parlours by the local authority.</p>
<p>Dealing with trafficking in the sex industry</p>	<p>The allocation of dedicated resources to the issue has allowed Grampian Police to begin developing the local expertise to identify and manage trafficking cases. At the time of the study, the unit had already identified several victims and possible perpetrators operating in the city. As the Inspector reported, the identification of victims is highly dependent on the priority given to the issue among key agencies, in this case the police. He said:</p> <p>‘I think it is definitely a growth industry. In the current climate I think it will increasingly become a problem. It all depends on what the police are able and willing to throw at this. I personally don’t think it is treated with the level of importance it merits at</p>

	the moment to be a priority.’ (Inspector, Grampian Police)
Identifying victims	<p>A key barrier to the levels of identification of victims of trafficking in his view was the lack of knowledge about the issue and the level of understanding held about what constitutes a trafficking offence. He explained:</p> <p>‘In terms of ‘trafficked’ there is a problem with workforce knowledge of what this actually means. People seem to think that there is this victim who is imprisoned and bound. As soon as the woman has been debt bonded or exploited into doing something she didn't intend to, to me that is a trafficked woman. Now I personally think we have probably got more of these ‘victims’ out there than we currently are aware of.’</p> <p>(Inspector, Grampian Police)</p> <p>When asked if anyone had ever come to the police or a statutory agency to report their trafficking experiences in Aberdeen, the inspector replied:</p> <p>‘No that has never happened. My perception is there is a lot of fear and scepticism of the police. At the end of the day the women think, I am doing something illegal so why would the police look sympathetically.’</p>
Implications	<p>Evidence from Grampian Police investigations has shown that there is involvement of both trafficked and non-trafficked migrant women in indoor prostitution. However, without a clear understanding of the issues surrounding trafficking and a will to investigate what is happening within the indoor sex industry, many of these cases may go unnoticed. The work of this Inspector and PC in Aberdeen has shown how some attention to the indoor sex industry and some knowledge of what is involved in trafficking victims into CSE are crucial in identifying victims and in obtaining the appropriate evidence to begin to make prosecutions.</p>

6.6 Formal identification as a victim by the UK Border Agency

Once a potential victim has been identified by a first responder, the competent authority - the UK Border Agency (UKBA) or the UK Human Trafficking Centre (UKHTC) - has the responsibility for making a formal identification. This is a two

stage process with the initial reasonable grounds decision being made rapidly and a conclusive decision being made following a period of reflection and recovery. Both stages of the process involve interviews with the UKBA, with the latter a much more lengthy process as the burden of proof requires a decision to be made 'beyond reasonable doubt'.

Where the potential victim has immigration issues, a small team of around six specially trained members of the Asylum Team in Scotland makes these decisions. The representative from UKBA explained that this team has a comparatively high rate of granting positive decisions and that these decisions are regularly audited for quality, routinely coming in the top three teams in the UK. It was also noted that it had been a challenge to ensure sufficient resources for the team, whose first priority is their asylum caseloads. One dedicated trafficking specialist post has been created but the representative felt that in order to improve work across Scotland another full time member of staff is required.

A number of respondents expressed concern about how decisions were made within UKBA. These related to the time taken to make decisions, the nature of the challenges to victims' experiences, the concern about victim 'credibility' (particularly following late disclosure), and the culture of disbelief that they felt existed among those dealing with asylum claims. Such problems, however, are not unique to Scotland. Indeed, similar views have been expressed across the UK (ATMG report, 2010). The representative from UKBA reported that ongoing training and guidance for the team in relation to such matters is being provided.

Despite these negative views, there was recognition that a number of good practices were developing through partnership working in Glasgow. Examples of these include inviting victim support services along to the interview and gathering key information from practitioners, police and victim support services to prevent the need to conduct multiple interviews. The location of a number of key services in Glasgow was thought to contribute significantly to such good practice.

When asked about their experiences of the identification process and their contact with the UKBA, victims predominantly reported negative views. These centred around the nature of the process – the lengthy delays, the anxiety of waiting for a decision and remaining in 'limbo' until such decisions were made, fear of being returned, and having to routinely report with their children. As the following two women explained:

'Oh god, it's terrible. Sometimes you feel like jumping out of the window. If it wasn't for my son I would just end [begins crying]...There's no future for us, even because of my son I would think about killing myself. I would be able to kill myself but I can't do this to my son. He has his own life to lead. It's just too much...even to eat. You can't eat sometimes. You want to eat, I can't eat. You can't sleep in the night. Sometimes when the door knocks you are afraid. When a letter comes for you I don't want to open it. It's just too much. It's terrible the experience with the Home Office is terrible. I'm always afraid. You don't know what will happen.' (Interview 8, 33 years)

'I hate it but I have no choice, whenever I am going to the UKBA I always think of negative things coz you never know what's going to happen to you at the UKBA. The last time I went I heard people complaining that there was a guy who was detained, I said what if I get detained? Why should they detain me coz I didn't do anything wrong, I'm not involved in any crime or anything. My case is totally different. Nobody likes to get involved with the UKBA but if you've got no choice, you've got no choice.' (Interview 2, 21 years)

6.7 Women's views of their identification as victims of trafficking for CSE

All of the women interviewed expressed how difficult their identification as victims of trafficking had been, and how the language used to discuss their 'status' had a lasting impact on their self-esteem and well-being. Some of the comments made by victims about these labels included:

'Horrible. I even hate the word prostitution now. I don't want to talk about it sometimes. It's a really horrible thing to do to someone, forcing the person to sleep with you, but if you have no choice, you have no choice. Sometimes I don't want to talk about it because it puts me down [makes her feel ashamed and depressed].' (Interview 7, 26 years old)

'I hate it because I when I say it, it is lies and advantage being taken because they say they are going to do this, but they know this is not exactly the same. I really, really hate that word because it makes me go back, I didn't use to know, but now it has been used to me very many times...it makes me feel a lot of bitterness because if it wasn't for that maybe I would be a different person, maybe I would not be having what I have today but I would be having my confidence, I would still be whole, I would still have my family around me, I

would not be feeling what I feel, I would not be going through this.’ (Interview 6, 29 years old)

‘I’ve never told anyone I don’t know like strangers, but all people I think they would be different with you because I go places and hear them talking about prostitution and they talk about it in bad way, but they don’t know. I hate that word, prostitute, because I’m scared people might call me that and that maybe those are people that knew when I was there...I think if people knew they would take it in a bad way but unless maybe someone has gone through that people would take you in a bad way like a dirty person...’ (Interview 6, 29 years old)

Such quotes illustrate the long lasting stigma and emotional impact that women experience, and reinforce the need for sensitivity when engaging with victims to ensure their ongoing emotional well-being.

6.8 Summary

While UKBA and UKHTC have responsibility for the formal identification of victims of trafficking, preliminary identification and referral of potential victims to ‘first responders’ can happen through a wide variety of mechanisms. There was concern that many individuals, agencies and services that could come into initial contact with victims were not clear about the definition of trafficking or the potential indicators. For this reason it was felt there was potentially an under-identification of victims across the country. The experience of Grampian Police highlights how improved awareness and a dedicated strategy and resources can improve the rate of identification of victims. Accurate identification of victims is important in order that victims are appropriately supported, that a more accurate picture of trafficking is gathered, that the necessary resources are directed to the issue, and that policies about both trafficking and prostitution are informed by victims’ experiences.

7 Support for victims of trafficking

7.1 Provision for victims of trafficking under the convention

Article 12 of the *Convention on Action against Trafficking in Human Beings* (the Convention) requires that support must be provided to those who may be potential victims of trafficking. Under the Convention, assistance must be given including minimum standards of living, access to emergency medical treatment, translation and interpreting services (if required), counselling, information on legal rights and services, assistance in criminal proceedings against offenders, and access to education for children. In order to be provided with this support a person must be accepted on 'reasonable grounds' as a potential victim of trafficking.

Article 12.5 emphasises co-operation with NGOs and other organisations engaged in providing support and assistance to victims, and Article 12.6 states that such assistance is not conditional on his or her willingness to act as a witness in criminal proceedings. Under the Convention, services supporting victims must be provided on a consensual and informed basis, taking due account of the needs of vulnerable people. One senior representative of the Scottish Refugee Council (SRC) indicated that the formal support (physical, accommodation and financial) provided for those claiming asylum or entering the National Referral Mechanism (NRM), was not sufficiently responsive to the needs of victims.

7.2 Victim Support Services

Trafficking Awareness Raising Alliance (TARA)

TARA is the only service in Scotland funded to provide support for adult women (over 18) who have been trafficked into the UK for the purpose of CSE. TARA has provided short, medium and long term direct support for female victims since it was established in April 2005, and has been registered as first responders within the NRM since April 2009.

TARA currently provides long term support for 40 women using a victim focussed model of provision based on Judith Herman's Trauma Model (Herman, 1997). Each woman is assigned a case worker who assists them to access a range of services in the community, while also providing intensive, personalised one-to-one support. The services women are supported to access are based on needs and may include advocacy, housing, healthcare, GPs, sexual health clinics, counselling, childcare,

education, employment placements, befrienders and legal advice. TARA also runs a weekly support group for women victims of CSE.

As the service is based within Glasgow Community and Safety Services, TARA has well established links with provision for women exiting prostitution as well as a range of strategic and interagency groups dealing with issues such as violence against women.

TARA has developed a number of information sharing arrangements with key partners in order to reduce the need for women to be interviewed repeatedly. Another aspect of TARA's provision is to raise awareness among other agencies across Scotland about issues connected to trafficking, and about how to best support victims.

The women interviewed valued a number of aspects of the provision and support available through TARA. Women cited a range of individualised provision which had met their needs and made a difference to their lives. For example, one woman was provided with a mobile phone and credit in order to facilitate contact with her support worker. Another was pleased to have been given a Christmas gift. Women also reported being grateful to have been visited in hospital, to have someone come along to meetings with UKBA or the police, to have help liaising with housing providers about maintenance issues, to have been provided with food vouchers or simply for having someone available when they most needed support. A number of women pointed out that TARA were able to *'get the right people if they can't do something themselves'*.

As the following interview extracts highlight, perhaps most important for many of the women was someone who understood, someone to listen, someone that they trusted:

'Yes my life has changed because I have people like TARA. To have somebody to speak for me when I have no voice. If somebody tries to do something bad to me I can run to TARA who will look at what has happened and say I have to contact these people. My life has changed. I've made friends too. I'm not on the streets and my baby, especially my baby is safe. A big change and I am happy with what I have.' (Interview 1, 21 years old)

'The only person I like, who I can tell things to, who I feel happy with and I can talk to her and I can write to her is [her support worker at TARA]. I feel she has been of great help to me. I didn't like her at first and she knows that I didn't know what kind of person she is. I didn't know if she was going to push me and for a long time we had problems because I never used to talk to her. I just used to look at her until I came to know who she was. Not in bad way I just don't like trusting people, I didn't know why she was coming and trying to be friendly but now I know her motives, I can do anything she tells me to do because she has never misled me and I feel comfortable around her... All I needed was someone to talk to, someone who I could confide in and someone who would understand me and not push me. Someone who could assure me that I was safe and I would be okay. And not just saying it, but I could see that's exactly what she did... Sometimes if I can't say something she talks on my behalf, sometimes I don't want people to think I am being so special I always tell her to say it on my behalf and she does it... I can't complain about anything, I appreciate everything they do for me... they buy things for me and don't ask me for anything...I like that anything I tell her she keeps it confident[ial]...I'm happy about anything...even when I couldn't sleep in the house, I come here (TARA) and I sleep comfortably...I slept here many times, I used to come here every day and I would sleep during the day because I could not sleep... even when she goes away [on holiday] she has to send me a text...I didn't know that anyone would ever be concerned about me, or worry about me, or even think good things about me.' (Interview 6, 29 years)

The model of provision at TARA is widely recognised as an example of good practice for victims of CSE. While TARA has a national remit, referrals are predominantly made from the Strathclyde area. As the service has been faced with a growing number of referrals with limited resources, it has been less able to deliver across the country. TARA staff have therefore faced the difficult decision of needing to prioritise current clients over national awareness raising activity which might also encourage referrals from outside the city. Interviews with key agency representatives in Glasgow suggested that levels of referrals from outside the city may also be affected by the service's current lack of capacity to deliver an ad-hoc out of hours service to immediately collect victims from police custody¹².

¹² While currently the service is not able to deliver this type of support, this matter is being addressed.

The TARA representative also suggested that not all police refer women to TARA, but it was not clear why this might be. It was suggested it might be that the victim needs to be moved from Scotland for their own safety or that the police had a preference for highly secure accommodation to prevent victims fleeing. However, this would not be in line with a human rights approach or obligations under the European Convention on trafficking. The limited number of referrals to TARA from outside Glasgow requires further investigation. Currently referrals to TARA operate on an opt-in basis, and it was argued by a TARA practitioner that an opt-out basis might encourage higher referrals. This might be of particular benefit in areas less familiar with the nature of the service and the provision available.

Legal Services Agency (LSA)

LSA are a national provider of legal support with offices in Glasgow, Edinburgh and Greenock. LSA specialise in meeting the unmet legal needs of disadvantaged groups, providing support around housing, asylum, mental health and social welfare. LSA provide legal support and other services for women and children who have been trafficked through their specialist Women and Children's Department. All clients are seen by a female solicitor or caseworker and, where possible, a female interpreter. LSA have a close working relationship with TARA staff and there is a significant overlap in the cases dealt with by both services and the approach to supporting victims.

This victim focussed approach has had positive results, especially when LSA are involved with a case from an early stage. For example, data between 1 April 2009 and 31 March 2011 indicates that all 11 adult cases, where LSA were involved at the start or very early in the case¹³, returned positive decisions where clients were recognised as victims of trafficking. This contrasts significantly with cases where LSA had not been involved, as none of these seven cases were granted a positive decision¹⁴. This finding suggests that the involvement of experienced legal professionals and appropriate victim support may influence the way in which decisions are made by the UKBA. As the senior representative from LSA explained, a victim's credibility is key to how such decisions are made, and those who do not present key elements of information early in the decision making process are viewed as less credible than those who do. Support from LSA and TARA appears to enable women to disclose early by providing information and support for victims from the

¹³ A further case had been granted indefinite leave to remain under the UKBA case resolution exercise, and three more were awaiting final decisions.

¹⁴ Although two were given indefinite leave to remain.

outset. Cases dealt with by LSA where other solicitors had been dealing with immigration matters but who had failed to identify the client as a victim of trafficking, were likely to have less success.

Scottish Refugee Council (SRC)

The SRC are an independent charity funded by the UKBA, Scottish Government, Comic Relief and the Big Lottery. The service is based in Glasgow and provides information, advice and support to people seeking asylum in Scotland. The SRC plays an important role in the identification and referral of victims of trafficking and has close working relationships with both TARA and LSA. They are the single highest referral point to TARA, referring around two victims per month to the service. As the representative from SCR reported, the service faces difficulties meeting the holistic needs of victims of trafficking for the purposes of CSE due to the high volume of cases seen in their office (70-100 cases a day). A close partnership with TARA is, in their view, important in ensuring that the needs of victims are met appropriately. A number of the women interviewed had been in contact with the SRC.

Other

A number of other organisations work with victims of trafficking in Scotland. For example, victims had been provided with a range of support from the Red Cross, YMCA and Migrant Helpline. Representatives from key agencies were generally positive about the additional support made available by other services, but there were some concerns that Migrant Helpline were disconnected from inter agency work. As the senior representative from SRC explained:

‘They’re [Migrant Helpline]...not linked in with various networks we all sit on, we don’t know them by face or name, it’s never going to be as effective.’

Victims had also often been in contact with solicitors providing immigration advice. However, it was noted that often, there was limited experience around specific issues in relation to trafficking which, as outlined above, may have implications on decisions further along in the process. As the senior representative from LSA explained, there was evidence that many defence solicitors were unaware of the issues surrounding human trafficking - for example, that the Convention provides guidance about the non-criminalisation of victims, about what constitutes trafficking or where to obtain support for victims. In many cases, victims of trafficking referred to LSA for support had already had involvement with other solicitors who were less able

to identify and manage disclosures, and that this might have an impact when later negotiating with the UKBA.

7.3 Victim Support Case Study

The following case study illustrates a typical example of what support women receive and need when they have been recovered and identifying as a victim of trafficking. Please note this is not a real life story but is based on various victims' experiences in order to safeguard women's anonymity.

Week 1	<p>Day One - The SRC referred Carole, a 21 year old Nigerian woman who presented at their offices at 9am in distress. The SRC staff had concerns that she may have been trafficked for commercial sexual exploitation. A support worker from TARA, Jenny, arranged to meet Carole at their offices at 11am. On arrival Jenny introduced herself to Carole and briefly explained about the project, how it is funded and what support may be available. Jenny explained the confidentiality policy and advised the woman that if she was uncomfortable answering any question to let her know.</p> <p>Using TARA's initial assessment form as a guide, Jenny began to ask some questions to enable the process of identification and risk assessment to begin. Carole disclosed that she had been brought to the UK 6 months previously on the understanding that she would be given work as a hairdresser. Both of her parents were dead and an 'Aunty' had offered her help to go abroad. Carole stated that she did not know where 'abroad' was but that she understood it to be outside of Nigeria. Her Aunty arranged all of her travel and documentation and flew with her directly to London.</p> <p>Two days after arrival, her Aunty told Carole that she was expected to have sex with men in order to pay her back and that was her 'job' now. Carole initially refused, but had taken part in a ritual oath in Nigeria just prior to traveling, which her Aunty reminded her about. Her Aunty also slapped her face and threatened to beat her if she did not comply.</p>
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Not long afterwards Carole was moved to another brothel and was introduced to a man who then moved her around the country before she was brought to Glasgow three weeks ago. There were other women in this flat all of whom had had a similar experience to Carole. A 'regular' asked Carole why she was upset one night and when she told him her story, he helped her to escape. He allowed her to stay in his home then dropped her off at 8am at the SRC Offices.

Carole was wearing the clothing she left the brothel in and had no other belongings. She did not understand what it meant to claim asylum and was very frightened and confused. As Carole had disclosed about the other women Jenny advised that the police would need to be informed and arranged for Carole to be seen at Archway (SARC) where she would meet with the police. During this process, Carole found out she was pregnant. A sessional member of staff, Frances, accompanied Carole and waited with her while she was seen by medical staff and the police. Accommodation was arranged for her in a hotel and an appointment made with an immigration solicitor the following morning. Jenny had agreed that in this instance Strathclyde Police would act as First Responder and submit an application to the NRM.

Carole was exhausted that evening and Frances ensured she was fed and escorted her to her hotel. Clean clothes and toiletries were provided and it was arranged for Jenny to meet Carole at the hotel the following morning. A basic safety plan was agreed and Frances and Jenny ensured that Carole knew to contact the police if she felt threatened by anyone. The numbers for the Samaritans and Breathing Space, a mental health telephone support service, were also provided given her distressed state.

	<p>Day Two - Jenny accompanied Carole to see the solicitor who provided her with immigration advice. Carole decided that she wished to claim asylum. TARA arranged for her to be seen at the SRC and accompanied her while she made her claim. Carole was then accommodated in the National Asylum Support Service (NASS) induction accommodation which is staffed 24 hours.</p>
	<p>Day Three - Jenny spoke with Carole about her emotional wellbeing, where she described symptoms of trauma she attributed to breaking the ritual oath. Jenny then arranged an appointment with a GP and looked at various Cognitive Behavioural Therapy methods to help her manage flashbacks, nightmares, hyper vigilance, anger and aural hallucinations.</p>
	<p>Day Four – Jenny arranged for Frances to spend some time with Carole while she made contact with the police, with UKBA to agree that she could accompany Carole to her interviews, with the Competent Authority to ensure that the NRM had arrived and to update the solicitor. Later that afternoon Jenny met with Carole to update the risk assessment and to begin to collate her account in more detail. Jenny also provided emotional support and began work with Carole to reframe her experiences, as Carole felt guilty, ashamed and blamed herself. Jenny began to discuss counseling with Carole and to explain to her the various supports available, their purpose and benefits.</p>
Week 2	<p>Day Five – Jenny met again with Carole to help her understand the letter received from the UKBA inviting her to a screening interview and to see how she was feeling.</p>
	<p>Days Six and Seven – Frances and another member of staff spent time with Carole, taking her food shopping, to the cinema and spending time with her in her flat to ensure she did not feel isolated and lonely.</p>

The following week daily contact was maintained with Carole whilst Jenny continued to assess her needs. Information and support was provided to Carole whilst she navigated the asylum process and began to feel safe. Jenny accompanied Carole to appointments with her Solicitor, UKBA, and GP.

During the GP appointment, Jenny requested a referral to the COMPAS team¹⁵ for psychological support as she was concerned about the symptoms of trauma Carole was disclosing. This was followed up with a phone call to COMPAS to advise them of the forthcoming referral and to advise them of her concerns.

The advocacy process with NASS was then started to ensure that Carole was accommodated appropriately and Jenny continually updated the risk assessment and safety plan as she found out more. It was expected that Carole would be moved out of the induction accommodation and into a flat somewhere in the city. Jenny was concerned that she may have to share or that she may be accommodated in an area close to where she was exploited so she began to negotiate the type of flat and area where Carole would be re-housed with NASS. A care plan was commenced and agreed jointly with Carole and Jenny, both of whom had tasks assigned to help achieve the initial goals set. This would be regularly reviewed over the coming weeks.

Jenny supported Carole with follow-up meetings with the police and began to collate additional information to share with the Competent Authority as a positive Reasonable Grounds decision is issued. Jenny began to help Carole find out about ESOL classes and college courses and linked her into the YWCA. Jenny referred her to the TARA women's group and supported her to access this in the first instance.

In the weeks that followed, Jenny continued to maintain regular contact with Carole but gradually began to decrease the daily face-to-face contact. Jenny maintained contact with all other

¹⁵ COMPAS is a specialist service that provides therapeutic interventions to asylum seekers and refugees.

	<p>agencies involved and continued to advocate on Carole's behalf. Carole's progress and well-being is continually monitored and Jenny routinely reads correspondence that Carole receives in order to ensure she attends appointments. Gradually Carole begins to feel safer.</p>
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7.4 Accommodation

Provision of accommodation for victims of trafficking

It is a requirement under the Convention on Action against Trafficking in Human Beings that suspected victims of trafficking are provided with an adequate standard of living and appropriate and secure accommodation. In the short term, victims of trafficking are provided with temporary accommodation where they are recovered. The nature of this temporary accommodation can vary depending upon the organisation with responsibility for the victim and the local provision available.

In the longer term, the Home Office provides victims with immigration related issues accommodation while their conclusive ground decisions and claims for asylum or other status are processed. Under the Government's dispersal programme, accommodation for asylum seekers was contracted mainly from private landlords and some local authorities. Until last year, Glasgow City Council and YMCA Glasgow were the major providers of accommodation for both local and dispersed asylum seekers in Scotland. From November 2010, the UKBA contracted Y People (formerly YMCA Glasgow) only to provide this accommodation.

Views of accommodation provided to victims

Among the agency representatives interviewed, there were a range of views about the nature and suitability of different types of immediate and short-term accommodation. In some instances, victims of trafficking had been housed in secure accommodation with 24 hour surveillance and support staff (such as that provided by the Salvation Army in the north of England). In other cases, victims had been housed in other accommodation with much lower levels of security, such as hotels. One representative working for a victim support service felt that the police had a preference for housing women in secure accommodation. This was less for the women's own safety, as generally with good support they posed a low flight risk, and more so they could maximise the possibility that the victim provided intelligence and

acted as a witness. This was viewed as a somewhat problematic strategy as highly secure accommodation may replicate some of the conditions of a woman's captivity (as one woman below explains).

In the longer term, stable and safe accommodation is considered an important aspect in support of a victim's safety, recovery, participation in UKBA processes, and involvement in evidence gathering for potential prosecutions. Women reported being housed by Glasgow City Council, Housing Associations, YMCA and in hostel accommodation. The variable nature of the accommodation provided was noted by several interviewees. A senior representative from the SRC said:

'Some of the accommodation providers within Glasgow are better than others and some are worse, and if you end up with one of the ones which aren't very good you're likely to have all sorts of problems with accommodation that can really tip people over the edge. That's a flippant way to say it but that can really push, if you are in a state of recovery and you are also trying to rebuild your life and you don't have heating for five days in the winter, it can really play upon you.'

While generally grateful that they had been accommodated, particularly if they had experienced periods of street homelessness or had young children, several of the women also noted routine problems with the housing that they were provided with. As one woman explained:

'It's OK. Except they gave this agency [to do repairs]. I just feel like laughing at times. You have all these problems, you have this agency. I have this key to charge the electric so I have to call them all the time. There's no light in the house. Sometimes I call them and they don't come and the house will be in darkness. You have a small problem and you have to keep calling them. They won't come. I have a candle pack in the house, so I have candles.' (Interview 8, 33 years)

Other victims reported having similar problems with support and repairs. For example, one woman described her experience of repeatedly trying to remove mould from the walls of her flat to prevent her son's asthma worsening:

'It's not okay because each time I keep seeing mould all over the wall...and it's not good for my son who has asthma...the housing people say when I

have been granted (asylum) then I can choose where I live...I wash and wash the wall, the paint off the wall will be falling, so I have call them to come and do it.' (Interview 2, 21 years)

Another woman explained how she had been left in a flat with numerous relatively minor maintenance issues and little support from the housing provider in this regard. For this woman however, these cumulative maintenance issues were less of a problem than the fact that she and her newborn baby had been without heating for much of the winter. As she explained:

'...the only place I'm not happy with is that flat because the heaters keep going off. Right now I am in that house with no heaters on and when I phone them they say "We will get back to you". I said "Look if I was alone in that house I wouldn't complain but I've got a baby who is just 13 weeks and this is the fourth time the heaters are not working"'. (Interview 7, 26 years)

In some instances, victims reported that they did not receive any response from their housing provider until their support worker made contact and advocated on their behalf.

Apart from practical maintenance issues faced in some of the properties in which victims were accommodated, some of the women interviewed also felt that the accommodation provided did not meet their needs for a number of reasons. For one woman who had been locked in a windowless room by her trafficker, her current housing arrangements in a hostel reminded her of her past experiences and lack of freedom. She explained:

'It's a nice place, there are people around, the only thing I've found hard living in a hostel is that they've got rules I need to follow and its challenging me psychologically and it reminds me of my past. Like I can't sit on here I can't sit on there. I can't sit at home and think I'm happy, I am free. No. So hostel life is...I feel I still don't have the freedom I want.' (Interview 3, 21 years)

Another woman reported that she had been accommodated on the 25th floor of a high rise block of flats but that the lift only went to the 24th floor. She explained that this would not have been a problem except for the fact that she had recently given birth by caesarean section and was required to carry both her baby and the pram up the extra flight of stairs on her own. She said:

'If I carry the pram up I couldn't carry him. I have to sit down for 10-15 minutes because I can feel the pains in there [points to abdomen].' (Interview 7, 21 years)

Some women reported feeling uncomfortable about being housed with other asylum seekers. As one explained:

'It's high rise. I'm tired of living in high rise. It's packed full of drunks and the rest of them... Me, although I'm black, I don't like mingling with black people too much. They're just a recipe for disaster. They just want to know your business, talk about you. You think that maybe you've found a friend in some person but meanwhile they're just the devil's shadow. I've heard of other people's cases and situations and how their so-called friends have gone and talked about them, now they're the talk of the town. It's just the whole place anyway it's asylum, asylum, asylum. I just didn't want to be there at all. Especially with a baby.' (Interview 9, 21 years)

Often those provided with National Asylum Seeker Service accommodation were anxious about what would happen to them if their asylum claim was refused, being fearful that they would be expelled immediately from their accommodation with nowhere else to go. Several reported witnessing others expelled from their accommodation under these circumstances. For women with experiences of homelessness and young children this was a particularly distressing thought and one that contributed to their ongoing worry about their circumstances. Some women also reported concerns about the changes that they would experience as a result of the handover of accommodation from Glasgow City Council to the YMCA.

Although none of those interviewed reported experiencing harassment or victimisation in their accommodation, research has shown that asylum seekers often have such experiences in accommodation provided to them by the Home Office (Morris, 2007).

7.5 Summary

The Convention requires that minimum standards of support should be provided to potential victims of trafficking, independent of their willingness to participate in criminal justice proceedings. Formal assistance may be given once a 'reasonable

grounds' decision is granted although such formal support was not considered to be sufficiently responsive to the needs of victims. There is a range of victim support services, which are viewed highly by both practitioners and victims, who provide support for victims at the earliest possible stage and independent of whether they choose to be referred to the NRM or competent authority. In Glasgow, where many of these services developed, there is good provision and partnership working by providers such as LSA, TARA and SRC. Good victim support has been shown to have an impact on the decisions made by UKBA by providing information, advice and support to victims early to enable disclosure and identification at the earliest possible point. However, there are limits to provision elsewhere in the country and out of hours which require attention. At present, referral to TARA operates on an opt-in basis. It was argued that all victims should be referred for support on an opt-out basis instead.

8 Police responses to trafficking for CSE

8.1 National police response

As discussed elsewhere in this report, the representative from the Scottish Crime and Drug Enforcement Agency (SCDEA) suggested that prostitution and trafficking had not been sufficiently prioritised in Scotland. This was considered to influence how effectively work in relation to trafficking could be undertaken. While intelligence about human trafficking is currently shared between forces on the Scottish Intelligence Database, and funding is provided by each of the regional forces for the Human Trafficking Co-ordinator role, key policing priorities were set locally by individual Chief Constables. This meant that links between forces at a national level were not well established. Some interviewees advocated for a dedicated national task force in order to develop expertise and co-ordination in relation to trafficking:

‘I would have a trafficking unit across Scotland. I would have a dedicated unit. It would take money and I haven’t a clue how much money. It doesn’t matter where you are from as long as they are a dedicated national unit. We need to have intelligence coming in. If you had a trafficking unit, they would have more experience and that would be all they were looking for and looking at so they would get more experience.’ (Interviewee, SCDEA)

A senior police officer suggested that a task force should be similar to that created in relation to domestic abuse and should be made up of six to eight dedicated officers, rather than reallocated mainstream resources. In the officer’s view a dedicated task force would benefit policing for the following reasons:

‘Just the skills you could build up knowing how to work with the borders agency, understanding the reasons people don’t engage, understanding body language, recognising indicators.’ (Senior police officer)

In the officer’s opinion, having a dedicated approach would allow the police to develop experience and consistency as well as supporting UK wide and international efforts in relation to trafficking. The officer argued that, without dedicated resources, the response to trafficking is isolated, reactive and always under pressure from other competing priorities.

A number of representatives from a range of organisations reported problems with information sharing in relation to trafficking. The first issue was the quality and level of information by the NRM to the police. As one senior police officer explained:

‘Police struggle with a lack of info from the UKBA. They get very sanitised versions of information from the forms. They have interviews, issues are emerging but we don’t get to hear about it. To me that is wrong. They are a law enforcement agency, there’s been an allegation of a crime, it doesn’t matter whether in this country or not, we’ve got channels to pass that information on via Interpol. They should pass that information on to us. We just get a spreadsheet, reference number, when the referral was made, who made the referral, the country of origin, the form of exploitation.’

This problem was echoed by the UKBA representative who said:

‘The police were doing their own research on trafficking and contacted us for information. I said no problem. I just have to run it past my policy group if I’m going to publish stats. I was told by them that it had to come from UKHTC because they are the formal statisticians. UKHTC refused to disclose it to the police. I don’t understand why. What is the point of the national referral mechanism? Isn’t it about sharing intelligence, trying to disrupt traffickers, being proactive as well as reactive? It just goes to show the misunderstanding at a higher level. They are operating under agreements between agencies, information sharing agreements that were established ten years ago and are not catering for what we are now dealing with.’

It was also noted that information sharing between the police and UKBA was complicated by the need to have individual sharing arrangements with each of the eight regional Police Forces. Problems with information sharing of this sort were also identified in the ATMG report (ATMG, 2010).

Concerns were also raised about the sharing of information on an individual case by case level. While Strathclyde Police complained that little information was provided to them by the UKBA, they also felt that information about individual victims was not forthcoming from TARA. TARA on the other hand felt that their primary concern was the protection of the confidentiality of the individual victim, something that participants in the study also valued. It was TARA’s view that victims must have complete control over the dissemination of their personal information as they are

best able to judge the risks that sharing particular information might pose. The police argued, however, that TARA did not have access to other intelligence and links that may exist between particular cases. An arrangement has now been made to provide anonymised information on each case referred to TARA. As a senior police officer explained:

‘Somebody can be supported by a partner agency but they can walk out the door the next day. We wouldn’t know about it and then we don’t know what’s happened to them. We can’t piece the two bits together. Maybe the agencies are leaving them even more vulnerable. If the police were brought in, we would be able to do a far more informed risk assessment. We have far more information.’

Although there are significant differences of opinion about information sharing, there is a considerable amount of co-operation and good will between Strathclyde Police and TARA. While such issues have to a certain extent been resolved, the main issue remaining is about how to share intelligence about the victim’s personal details without their permission. The police have faced similar issues in relation to victims of sexual assault, and in this case the use of sexual assault referral centres and third party reporting was of benefit. While problems such as these have initially been identified in Glasgow, there are implications for the way in which intelligence is gathered and managed on a national level.

The creation by the SCDEA of the human trafficking resource was considered a positive step forward in creating a more co-ordinated national response to trafficking. However, it was felt by a number of respondents that the lines of accountability between each of the 8 police force areas and the Scottish Government needed to be clarified, and that all victims should be referred to TARA for expert support. It was also suggested that a more senior level role would be likely to ensure an appropriate strategic response to the issues raised by human trafficking for the purposes of CSE¹⁶.

8.2 Local police response

Over the last five years a strong local partnership has developed between the police, UKBA and victim support services in Glasgow and a small but dedicated

¹⁶ This role has since been taken on by the Serious Organised Crime Agency through the UKHTC in order to improve the profile and importance given to the issue and facilitate work being undertaken across the UK.

Anti-trafficking Co-ordination Unit has been created within Strathclyde Police. However, despite a significant amount of collaboration on the part of these organisations, interviews with agency representatives indicated that there were a range of issues which remained to be resolved.

It was apparent during the interviews that the police and victim support services operate with different aims, objectives and understandings about trafficking for CSE. This is one of the fundamental challenges to improving responses for victims. Staff from victim support services, who are very experienced at reading expressions and responding accordingly, felt that the police were unable to deal sensitively with survivors of significant trauma. If victims detect a lack of trust or cynicism then the relationship between the agency and the victim is damaged. This was felt to be particularly important in relation to a victim's unwillingness to tell the truth and how the police may respond in such instances, and suggested that this was the reason that victims should be supported by TARA staff first and encouraged to talk to the police as part of this process. A senior representative in Tara explained:

'We have knowledge and expertise. We can judge whether there are issues relating to trafficking. We have a better understanding of what those issues might be. Once a woman has been caught in one lie, in the eyes of the police the rest of her story is shot to pieces, instead of being open minded about why she might have told that lie. We have a better understanding.'

Another key issue was the ability of the police to identify and deal with issues related to trafficking. While the skills for frontline police staff in being able to identify victims of trafficking have been discussed elsewhere in this report, it was also recognised that police other than those in specialist roles, may also not be well equipped to deal with the complexities that can be created when trafficking cases are identified. One senior police officer, for instance, reported feeling concerned about this when matters involving trafficking were handed over to the Criminal Investigation Division (CID). This suggests that, while expertise in understanding and identifying victims of trafficking may be developed within some sections of the police service generally, there is a limited understanding of these issues and how they may either affect or be affected by other policing activities.

Another senior police officer reported that the other key issue in the policing of trafficking is the complexity of issues involved, and the lack of dedicated resources to deal with these in short timeframes:

'The problem is resources. It is the timescales, the logistical nightmares. It is like setting off a grenade, you've got all these fragments and you are trying to gather them up.'

As the Officer explained, when a victim of trafficking is identified, the police have a number of responsibilities. For instance, they must prevent the victim absconding in order to both ensure their protection and their access to appropriate services while also securing any available intelligence that might contribute to prosecutions. It is also the responsibility of the police to arrange interpreters and secure and safe accommodation for victims while they are referred into appropriate victims support.

8.3 Victims experience and views of police

A number of the victims interviewed reported having highly negative and damaging experiences of the police in the country from which they had been trafficked. One woman reported that it was routine for the police to rape women from a particular ethnic group and that she had witnessed the persecution and murder of her family by the police. Another had observed corrupt officials during her trafficking experience. No doubt, experiences such as these lead many women to be distrustful of the police and other authority figures. Victims working with TARA staff are encouraged to provide information to the police when they feel ready and able to do so. Victims are supported in this process by their TARA support worker and report that this is a positive experience. A number of women have also received support from the police in relation to threats from their traffickers for which they were grateful.

8.4 Summary

Generally, respondents felt that trafficking was not of sufficient priority at a national level. Senior police officers felt that a national task force should be created which would allow the development of a focused approach, and create internal expertise and UK and international links. The police also struggled with issues connected to information and intelligence sharing, with victim support services reluctant to share information without a victims' permission. This, in combination with a lack of information from the UKHTC, meant that the police felt limited in their understanding of the issue and of creating good cases for prosecution. Victims reported a lack of trust in both the police and in other authorities. However, working with TARA staff increased their confidence, and generally the majority of victims provided information to the police at some point, but this was often too late to provide a meaningful contribution to police intelligence. This issue requires further attention in order to best balance the needs of victims with the need to prosecute and deter traffickers.

9 Investigation and prosecution of traffickers

9.1 Obtaining Evidence

A number of representatives from key agencies and service providers noted that Scotland had not been successful in securing a human trafficking conviction. Interviews with practitioners indicated that there were a number of problems obtaining sufficient evidence to obtain successful prosecutions. Central to this was the need to rely on victims for information, and the tension that existed in providing appropriate victim care while also being able to gather intelligence for prosecutions. As has been discussed, there are a number of reasons for a victim's reluctance to talk to the police, and there are often limits to the information that victims who have experienced severe trauma can reasonably be expected to provide (Zimmerman et al, 2006). As one woman explained, her reluctance to provide evidence was related to her fear (and past experience) that her mother would be subject to reprisals from the organisation of traffickers that she had escaped. She said:

[Support worker] was upset with me two months ago. She said "Why you say everything to your solicitor now and you couldn't say it before to the police and everything?" I said "I couldn't". So sometimes they don't understand. Sometimes they not understand why I can't say it straight away to the police. I don't think I am lying. I was just thinking about my mum and my family so I just try to keep my mum safe. When I came to the UK I used to try and send her to a safe place and say "Mum, go far away" but they [her traffickers] found her. They find everything. They have people to work everywhere.' (Interview 10, 25 years).

Victims are actively encouraged by TARA staff to have contact with the police in relation to their experiences. It is reported that approximately 70% of the TARA caseload eventually has contact with the police. On the other hand, this involvement was often viewed by the police as occurring too late to be successful¹⁷.

Others argued that there were fundamental problems with the Scottish legislation, particularly in relation to requiring proof that prostitution had occurred. This meant relying on the testimony of sex purchasers, who may be reluctant to provide this type of information for fear that they would be punished, or if a case went to court that

¹⁷ For example, the destruction of CCTV evidence within particular timeframes.

they would be identified and perhaps targeted by traffickers. Interviews with victims also indicated that they are often not witness to the exchange of money that might assist in proving prostitution. As a senior police officer explained:

‘The legislation is not good. The English legislation where you have trafficking is any offence under the Sexual Offences Act – that’s much better than we have here. Trafficking for the purposes of prostitution. It makes it more difficult because you have got to prove prostitution. It’s not helping. To do that you need financial evidence or a punter saying this is what happened. The new criminalisation of buying sex would be a nightmare for us because people aren’t going to incriminate themselves.’

Another senior police officer also noted the challenges faced by the police in undertaking prosecutions with victims exploited in other areas, who have been dispersed to Glasgow.

9.2 Strategic ‘buy-in’ among prosecutors

In the opinion of one senior police officer, there was a view that the Crown Office and Procurator Fiscal Service was not willing to take any risks in relation to prosecutions, and that as a result, the existing legislation was not being tested and further utilised. The Officer explained, for instance, how in one case the prosecution had changed a potential trafficking charge to one of running a brothel or committing fraud. There was a concern among respondents that the lack of prosecutions meant that Scotland was viewed by traffickers and exploiters as a low risk destination where it was possible to make large profits. There was also concern that, without successful prosecutions, victims may be more reluctant to go through the difficult process of providing evidence, due to the limited chances of success. Again, it was felt by respondents that a stronger national strategy and policy in relation to trafficking was required.

9.3 Summary

Interviews with agency representatives suggested that gathering sufficient evidence for prosecutions was proving difficult due to the need to rely on victims for information. There was also concern that the Scottish legislation itself made gathering sufficient evidence more difficult. While reasons for the lack of prosecutions are not entirely clear from the data available to this study, there was a view among respondents that this was again connected to the need for a stronger national strategy.

10 Conclusions and implications

There is currently a divergence of policy approaches in relation to indoor prostitution in Scotland. This is partly the result of the Scottish Government's recent focus on street prostitution and of the increased autonomy provided to local authorities in Scotland about policy issues, such as indoor prostitution and the demand for commercial sex. While there is debate about the nature and extent of indoor prostitution and the relationship between indoor prostitution and trafficking, data from TARA indicates that all of the victims recovered since the inception of the project have been exploited in indoor locations. This suggests the need for the Scottish Government to revisit these policies in order to make a commitment to tackling the issue of trafficking for the purposes of CSE.

Caseload data from TARA indicates that referrals for support in relation to trafficking for the purposes of CSE are received from a wide range of countries - mainly from Nigeria and China – although a small number of UK nationals and male to female transgender victims have also been recovered. TARA received approximately 56 referrals over the last 12 months, a rate that has steadily been growing since the service began. While initially this problem related to dispersed asylum seekers, over the last year there has been an increase in victims reporting that they have been brought directly to Scotland from an airport in the South East of England. This either suggests changes in patterns of trafficking or much more likely an improvement in the identification of victims. Similarly, nearly half of all adult victims of CSE dealt with by LSA over the past two years had been exploited or there was intention to exploit the victim in Scotland and over half had been exploited as adults. Evidence from both organisations suggests that victims are trafficked from areas inside and outside the EU and that some victims are trafficked first to the EU and then to the UK. There was also evidence of internal trafficking between Scotland and England in both directions.

The initial responses to trafficking in Scotland emerged from the need to respond to the needs of dispersed asylum seekers who were frequently showing signs of having been trafficked. Raids on indoor prostitution venues also resulted in the recovery of a number of victims of trafficking. Glasgow has a co-ordinated, partnership approach to dealing with issues connected to violence against women and is where the Scottish Office of UK Border Agency and the Scottish Refugee Council are located. It is this combination of identified needs and available resources which has allowed the development of a centralised and joined up response to victims and which has raised

awareness and attracted further resources to the issue of trafficking. Such factors have increasingly meant that Glasgow has developed national expertise in this area.

National responses on the other hand have been slower to develop. This has perhaps been hindered by the division and debate that exists over the most effective strategies to deal with indoor prostitution. However, as victims of sex trafficking seem to be exploited in indoor prostitution, predominantly in flats, this suggests that the Scottish Government should be more proactive in making policy in this area. While a small number of national interventions have developed, much of the co-ordinated work in the past has been led by agencies in Glasgow. The Scottish Government and others view Glasgow to have significant experience in this area; however, agency representatives in Glasgow felt it was no longer sufficient to be without a national, co-ordinated strategic response. Furthermore, several respondents felt that it was the role of the Scottish Government to lead on policies and guidance about the indoor sex industry.

Victims exploited in the sex industry were from a range of countries and reported a wide range of routes into and out of their exploitation. There were key patterns in relation to the vulnerabilities of victims and the consequences experienced as a result of their exploitation. But this does not mean that a blanket approach to victim support is sufficient. Victims experienced a range of similar responses but in different orders, to different extents and for different periods.

Victim support must therefore be holistic, grounded in recovery from trauma, aware of gender based violence and responsive to individual need. The work of TARA staff provides a positive example for Scotland in relation to victim support. Its relationships with other services in Glasgow are also to be commended. TARA also provides a valuable source of knowledge to others in working with victims of trafficking. However, its finite resources and growing caseload mean it is currently unable to provide an effective out of hours support that seems to be preferred by the police or indeed to respond easily to cases outside Glasgow. Although TARA does provide support for victims outside Glasgow, there is limited demand. This is perhaps more connected to a lack of knowledge about the service among potential referrers but is more likely to do with lower levels of identification outside the Strathclyde area.

A number of those interviewed identified several barriers to the identification of victims of trafficking. Central to these were: a lack of awareness of trafficking indicators; misunderstandings about what constitutes trafficking; a lack of dedicated

resources and expertise; an ambivalent policy about indoor prostitution; a lack of awareness of the potential needs of victims and the impacts of trauma on memory and trust; a lack of understanding of the mechanisms of coercion and control which can be exerted on victims and of the fear and mistrust of authorities that many victims experience; and finally, confusion between issues of immigration and asylum with trafficking. These barriers were similar to those identified by Anti-Trafficking Monitoring Group in their report 'Wrong Kind of Victim?' (ATMG, 2010). There was evidence of improved outcomes for victims when support and information was provided early, and a suggestion by participants that referrals for such support should therefore operate on an 'opt out' basis rather than the current 'opt in' arrangement.

Accurate victim identification is important to ensure victims are provided appropriate support, that a more accurate picture of trafficking is available, that the necessary resources are directed to the issue and that policies about both trafficking and prostitution are informed by victim's experiences. There were particular concerns among respondents that frontline staff from organisations including the police, health and social care, and education had insufficient awareness to act as preliminary points of identification.

Some of those interviewed were critical of the formal process of identification used by UKBA as it was overly focussed on immigration issues, appeared to adopt a culture of disbelief, often failed to adhere to key timeframes, and focussed on the credibility of victims, challenging them for late disclosure and inconsistencies. Similar criticisms were also made in the report of the ATMG (2010).

To improve both preliminary and formal identification requires issues of trafficking to be prioritised and for resources for training and awareness-raising to be made available. The work of Grampian Police in Aberdeen suggests that taking a proactive approach and targeting resources to indoor prostitution and trafficking can increase the identification and referral of victims. An increase in the rates of identification is likely to require further consideration of how to provide Convention-compliant victim support and resources for effective police and prosecution responses.

Generally, respondents felt that at a national level trafficking was not of sufficient priority for the development of expertise and national co-ordination. Two police officers felt that a national task force should be created which would allow the development of a focused approach and create internal expertise, and UK and

international links. There is strong local partnership working between the police and other agencies in Glasgow. However, a number of difficulties, generally focussed on information sharing, still emerged, as the priority for victim support services was to only share information with the victims' express permission (unless there was a statutory requirement to do otherwise). This, in combination with a lack of information from the UKHTC, meant that the police felt limited in their understanding of the nature and extent of trafficking for CSE and in their capacity to create good cases for prosecution. There was also evidence that staff at all levels of the police require further knowledge and understanding about issues connected with trafficking and CSE in order that responses at all levels of the organisation are appropriate.

Victims reported a lack of trust in both the police and in other authorities. Working with TARA staff, however, increased their confidence and generally the majority of victims provided information to the police at some point. The police however, felt that this was often too late to provide a meaningful contribution to a more detailed investigation and possible prosecution of traffickers. This issue requires further attention in order to best balance the needs of victims with the need to prosecute and deter traffickers. It is suggested that this issue is prioritised at a national strategic level.

Interviews with agency representatives suggested that gathering sufficient evidence for prosecutions was proving difficult due to the need to rely on victims for information. There was also concern that the Scottish legislation itself made gathering sufficient evidence more difficult. While reasons for the lack of prosecutions are not entirely clear from the data available, there was a view among respondents that this was again connected to the need for a stronger national strategy and greater co-ordination of efforts as well as improvements to information sharing processes.

Appendix 1 Research Instruments

Investigating the experiences of people trafficked into commercial sexual exploitation in Scotland

Information for participants and practitioners

About the research

London South Bank University have been asked by the Equality and Human Rights Commission (EHRC) to investigate the experiences of people trafficked into commercial sexual exploitation in Scotland. The findings of the research will be published as a report and will contribute to the EHRC's wider enquiry into [insert enquiry title].

Overall, the research aims to:

- Identify the circumstances and contexts in which people come to be exploited by traffickers;
- Explore how people understand and manage their situation (including how they feel about the use of particular labels and how these have had an impact on their experiences);
- Look at how people have exited / recovered from experiences;
- Examine the relationship between victims, traffickers and others involved in trafficking for the purposes of CSE;
- Examine the methods adopted by traffickers to co-erce, exploit and control victims;
- Identify the movements and flows of victims in and through Scotland.

What would we like to know?

We would like to work with you to understand your experiences and opinions. Rather than ask you to discuss your trafficking experience in detail, we would like to access the information you have already provided in a formal witness statement.

If you are interested you can also participate in a confidential in-depth interview with an experienced woman researcher which focuses on your experiences of services **after** your recovery; your views about labels such as 'trafficked' and 'commercial sexual exploitation' and how these labels have created or removed barriers to support; how you perceive policy discussions about these issues; how you view people who have purchased sex; and what you think could be done to prevent people being trafficked and improve services for people in similar circumstances.

What taking part in an interview involves

If you would like to be involved in the interview you will be interviewed in a safe place at a support service where you already have a worker. The interview will probably take less than an hour and if you like you can bring someone along for support. The information we gather in the interview will not be used to punish anyone. It will be used to gather information to improve processes, policy and provision for people with experiences similar to yours. We would like to record the interview just so we can listen again to it at another time to be clear about your experiences and possibly use your words to best explain how you feel. We would make sure you aren't able to be identified by doing this and we will talk to you more about this at the time of the interview. You don't have to agree to being recorded in order to take part.

How we will work with you?

Your involvement in this research is entirely voluntary. We do not want your involvement to cause you any unnecessary distress and therefore agree to adhere to the following guidelines:

- Anything you say to us during the research will be completely anonymous (you will not be able to be identified and your name will not be attached to any of your information).
- We will make sure you cannot be identified in any way by your involvement.
- Nothing you say personally will be shown to the police, UKBA, TARA or any other person or organisation. The only exception would be if we thought you or someone else was at immediate risk of harm, although we would discuss this with you before we shared any information with anyone else.
- The information you give us will only be used for the research and will not be used to punish anyone.
- You can stop the interview at any time, you don't have to answer a question if you don't want to and you can ask to have the recording device turned off at any time.
- You can ask us any questions at any time but we are not trained to offer you counselling. If you would like any help we will need to find someone suitable to offer you help. This will probably be someone who works at TARA.

Who are we?

Helen Easton has been a Senior Research Fellow at London South Bank University since 2005. She is currently involved in projects in Glasgow, Belfast and London which are working with women who have been trafficked, who are involved in prostitution or who have committed offences. She is committed to improving the

services and support available for women. Helen is part of the Crime Reduction and Community Safety Research Group at London South Bank University who undertake research which aims to influence policy and practice. The unit has extensive experience conducting research with people from a range of backgrounds including people from minority ethnic groups, asylum seekers, migrants, alcohol and drug users, people with mental health issues, adult and young offenders, members of the community, and victims of crime. Helen will be in regular contact with [researcher] to ensure that the research is conducted appropriately and will be responsible for writing up the findings of the research.

If you would like to talk to Helen about anything related to this project she can be contacted at:

Helen Easton
Senior Research Fellow
Crime Reduction & Community Safety Research Group
Faculty of Arts and Human Sciences
London South Bank University
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T: 0207 815 5880
M: 07973 777 180

Consent

In order to take part in the research conducted by London South Bank University it is essential that you have full understanding of the information on the attached sheet. You will be given a copy of this information and an opportunity to ask questions to clarify any queries you may have. Please read the following information carefully.

Consent to access victim statement

I..... have been invited by London South Bank University to take part in a research project investigating the experiences of people trafficked into commercial sexual exploitation in Scotland. I have been given copies of the research aims and objectives and the policies governing how my information will be kept and used. By signing below I give consent for London South Bank University to obtain a copy of the victim statement made by me for [insert purpose].

Research participant print name:	Researcher print name:
Signed:	Signed:
Date:	Date:

Consent to involvement in an in-depth interview

By signing below I agree to take part in a confidential, in-depth interview with an experienced female researcher and that I have had confidentiality issues explained to me and I understand the reasons for this. I also understand that I may withdraw my permission to take part in this research at any time without any consequences.

Research participant print name:	Researcher print name:
Signed:	Signed:
Date:	Date:

Consent to share information

Although every effort will be made to prevent any disclosures of information, I understand that if there was an immediate risk of serious harm to me or someone else, it might be necessary to share information with a specified support worker. In these circumstances, with my permission, information can be shared with the people named below. I also understand that in serious circumstances when there is a risk of serious harm to myself or others, that information obtained during this research might be shared about me without my consent to the relevant authorities.

Name	Role/Agency
Research participant print name:	Researcher print name:
Signed:	Signed:
Date:	Date:

Research investigating the experiences of people trafficked into commercial sexual exploitation in Scotland

Service user interview

Interview Date	
Name	
Support Agency	
Support Worker	
Interviewer	
Interview No	

Just to remind you, I work for London South Bank University. We have been commissioned to investigate the experiences of people trafficked into commercial sexual exploitation in Scotland. We would like to ask you about your experience of services and your views about how people in your situation should best be supported. I would like to record the interview so that I can listen to your comments again and maybe use some of them in a report. You will not be able to be identified through your involvement and the information you provide will not be shown to anyone – not even your support worker. Is that OK? Do you have any questions before we start?

Background

- How old were you on your last birthday?
- What nationality are you?
- What is your ethnicity?
- Where are you currently living? (area) Who do you live with? What type of accommodation is it? (Rented privately, from the council, supported housing etc?)
- How safe do you feel in your area? In your current housing arrangements?
- Are you single? Married? In a relationship?
- Do you have any educational or professional qualifications? Where did you get these?
- Do you have any children? How many? What are their ages? Where do they live?

- Do you currently use alcohol or drugs? If so, can you tell me about when you started? How much do you use? If you use drugs what drugs do you use? Do you think your drug / alcohol use is problematic?

Introduction

- In your own words, how would you describe the recent events which have led to your being in Scotland?
- Before you were brought to Scotland had you moved from your family home? If so, what were the circumstances of that move?
- Are you originally from a city, suburban or rural area?
- What was your area like?
- What was your childhood like? Did you live with your parents, grandparents, other relatives or friends?
- What was your education like? Did you achieve any qualifications? What were they?
- How are women treated in your culture?
- How have you coped and managed through these experiences?

Victim's needs

- What help have you needed? [*Health, safety, financial assistance, language, with children, accommodation, legal assistance? etc*]
- What particular things have you needed support with?
- What support have you received?
- What services and agencies have you had contact with to arrange this support? Eg. TARA, LSA, UKBA, Police, Housing, Health etc
- What support has not been available for you? What barriers have you faced in obtaining support? How could these be overcome?
- If you have children, what have you needed in relation to them?

Victim's views of definitions

- Do you consider yourself to have been 'trafficked'? involved in 'Commercial Sexual Exploitation'? A 'migrant'? 'Vulnerable'? A 'victim'? An 'asylum seeker'?
- How do you feel about these terms?
- How has the use of these terms had an impact on how you or other's view your situation? How do you feel about that?

- How do you feel about people who purchase sex? Who are they? What were your experiences of them? Do you think they deliberately sought out vulnerable or foreign people?
- How do you feel about people who traffic people for commercial sexual exploitation?
- Do you know anything about who those people are?
- Do they have connections in other areas or in relation to other crimes?

If in contact with TARA

- How did you come into contact with TARA?
- What information was given to you about TARA before you came here?
- Who gave you that information?
- Did you understand the information you were being given? Why / why not?
- Did you receive any explanation of the information? If so from whom?
- What was your understanding of TARA at that stage?
- Did you have any questions about it? If so can you remember what they were?
- How accurate do you think that information was?
- What else would you have liked to know?
- What support has TARA provided to you?
- How have you found that support?
- What else could TARA do to help you?
- What has been the best experience? The worst? Why?
- What barriers have you faced in relation to accessing other support through TARA?
- What could be done to overcome those barriers?

Immigration and UKBA

- What is your current status in this country? Are you waiting on the results of an application? How long did the process take / been going on?
- What advice have you been given regarding your immigration / asylum status? Who gave it to you? How helpful was this advice?
- What support were you provided in making an application? Who helped you?
- Please tell me about your experiences in relation to your attempts to claim asylum / refugee status. What was the process you went through?
- What was your experience of being interviewed by the UKBA like?
- What positive experiences did you have? What negative experiences did you have?

- How long has your application taken? What support did you have through this process? How much did you understand about what was happening? Did you feel listened to? Did you feel you were taken seriously?
- What are the consequences of this for you?
- Are you currently reporting to the UKBA? What arrangements are in place? What is the process for reporting? Where do you go? What is this like for you?
- What are the consequences of this for you?

Housing

- How did you come to have your current housing arrangements?
- What other housing arrangements have you had? After fleeing? While you were claiming asylum / refugee status? Since having your claim accepted / rejected?
- How satisfied are you with your current housing arrangements?
- What do you like? What do you dislike?
- What support was offered to you in relation to finding a safe place to live?
- How have you found that support?
- What else could have been done to help you?

Police

- How did you come into contact with the Police?
- What support did they provide you?
- How have you found that support?
- What else could they have done to help you?
- What has been your best experience of the police? The worst? Why?

Supporting victims (other support services)

- What other support has been available to you?
- How did you come into contact with that support?
- What were your experiences?
- What was your best experience of this support / agency? Why?
- What was the worst? Why?
- What else could have been done?
- What barriers did you face in accessing support or having your needs met by this agency? What could be done to prevent this happening in future?
- What support do you think is a priority for other people in similar circumstances to yours?

Preventing trafficking and commercial sexual exploitation

- In your view, what could be done to prevent trafficking and commercial sexual exploitation in the future?
- What could be done in the country you came from? Moved through?
- What could have been done for you?
- How could this be done?

Future needs

- How long has it been since your trafficking experience?
- How has your life changed since this time?
- What factors do you think have made the biggest difference for you?
- What plans do you have for yourself for the future? (use visual mapping if appropriate)
- Bearing in mind the support you have accessed so far, what further support do you think you might need or want in the future to meet those goals?
- What might other people in your situation need?

Conclusion

- Do you have any other comments to make?
- Would you like to ask any questions about the research?

Thank you for your involvement in this research.

If you would like to discuss this topic guide or have any comments do not hesitate to contact **Helen Easton** at London South Bank University. Tel: 0207 815 5880; Mobile 07973 777180.

Investigating the experiences of people trafficked into commercial sexual exploitation in Scotland

Thank you for your recent involvement in an interview as part of the study commissioned by the Equality and Human Rights Commission (EHRC). I am extremely grateful for your participation and your contribution will assist in ensuring better support for women with similar experiences to yours.

As part of your involvement in the research, we asked your permission to obtain a copy of your victim statement, but in your case a victim statement was not available. We would like to ask your permission instead to obtain a copy of your substantive interview. As with all other aspects of the research, this document will remain anonymous and confidential and will not be made available to anyone else.

Consent to access substantive interview

I have participated in an interview with London South Bank University and provided consent to obtain a copy of my victim statement. As I don't have a victim statement, I hereby give my consent for London South Bank University to obtain a copy of my substantive interview. I understand that the university will keep and use this document as explained during the initial interview.

Research participant print name:	TARA representative print name:
Signed:	Signed:
Date:	Date:

Research investigating the experiences of people trafficked into commercial sexual exploitation in Scotland

Key Stakeholder Interview Topic Guide

Interview Date	
Name	
Agency	
Job Title	
Responsibilities	
Interviewer	
Interview No	

Just to remind you, I work for London South Bank University. We have been commissioned to investigate the experiences of people trafficked into commercial sexual exploitation in Scotland. Because of your role in relation to this issue we would like to ask you a few questions. I would like to record the interview so that I can listen to your comments again and maybe use some of them in a report. Is that OK? Do you have any questions before we start?

Your Role

- What is your role in relation to women trafficked into CSE?
- How long have you been working in this role? With this group of people?
- What do you know about local CSE markets? (indoor prostitution and demand)
- What are your key responsibilities?
- How often do you have contact with victims of trafficking?
- How are they referred to your organisation? At what point are victims referred to your organisation?
- What operating guidelines, policies and practices are adhered to in relation to your work?
- How is your work funded?
- Who are you accountable to?
- What are the key challenges you face in your work?

Patterns of trafficking

- What are the key experiences of the victims with whom you come into contact?
[explore pathways into trafficking, experiences of trafficking, experiences of being processed as a 'trafficked woman']
- Where have they been trafficked from?
- How were they trafficked?
- What levels of coercion, control etc have they been subjected to?
- Who has been involved in their control?
- What methods have been used?
- Has there been any internal trafficking within Scotland, across UK borders?
- Have they been involved in CSE prior to their trafficking experience?
- What relationships do victims have with traffickers and others involved?
- What are the circumstances and contexts within which vulnerable people come to be exploited?
- Have there been changes in patterns of trafficking or CSE? *[Over what timeframe? What examples can be provided?]*
- What do you think might be the cause of this?
- How do victims exit CSE / escape from traffickers?
- How does this differ for women where services have been involved and who leave without support?

Victim's needs

- What underlying needs do victims experience?
- How do these needs vary depending upon key factors eg. age, gender, ethnicity, trafficking experience, personal history, exit route etc?
- How do these needs impact on the support provided to victims?
- Are there particular groups of victims that require greater / less support?
- What key barriers are faced in supporting victims? How could these be overcome?
- How do victims define themselves? – trafficked, migrants, asylum seekers etc
- Does a victim's self definition change over time?
- How do victims define their experiences of CSE?
- How do victims understand their experience and manage their situation?

Supporting victims

- What support is available to victims in Glasgow? In Scotland?
- What are the strengths and weaknesses of the current approach?

- What gaps exist in provision in Glasgow? In Scotland more generally?
- What barriers have been experienced in developing support for victims of trafficking? What could be learnt from these experiences?
- What could be done to improve the provision?
- How do you think victims experience the support services they receive?
- What do you think they appreciate most? Struggle with most?
- How could work to support victims be developed in the future?

Strategic Partnerships and Partnership Working

- What strategic partnerships and multi-agency arrangements are in place for working with victims?
- What external agencies and services do you have close relationships with?
- Which relationships need developing? Why? What benefits would there be in developing these relationships?
- What partnerships operate beyond Glasgow?

Good practice

- What strengths and good practice can be observed in working with people trafficked for the purposes of CSE? In your organisation? In other organisations?
- What lessons can be learnt in terms of policy and practice?

Conclusion

- Do you have any other comments to make?
- Would you like to ask any questions about the research?

Thank you for your involvement in this research.

If you would like to discuss this topic guide or have any comments do not hesitate to contact **Helen Easton** at London South Bank University. Tel: 0207 815 5880; Mobile 07973 777180.

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