

## Justice Committee

### Human Trafficking and Exploitation (Scotland) Bill

#### Written submission from Soroptimist International - Scotland North Region

*1. the creation of a single human trafficking offence for all forms of exploitation for adults and children;*

We support this proposal. Having one single offence will make it much easier to convict human traffickers. The numbers of human traffickers convicted worldwide remains very low, despite the Palermo Agreement in 2003, according to UNODC 2014 Report. Better, stronger laws will help to improve this situation.

*2. increasing the maximum penalty from 14 years to life imprisonment for this offence*

The trafficking and exploitation of one human being by another is a despicable crime. It is modern day slavery and breaches Article 4 of the Declaration of Human Rights 'none shall be held in slavery or servitude'. Victims can be severely traumatised both physically and emotionally resulting in scars that will be carried for the rest of their lives. It is important that the punishment fits the crime; therefore life imprisonment for those who are convicted of human trafficking should be available to the courts. This will we send a strong message to human traffickers that Scotland will not tolerate this dreadful crime.

*3. establishing statutory aggravations to any criminal offence where the offence is connected with human trafficking, and where the offence has been committed by a public official in the course of their duties;*

Any offence that is linked to human trafficking should be prosecuted as such. Human traffickers should not escape conviction because the law is weak. Organised crime is frequently behind human trafficking so every effort must be made to weaken and destroy these gangs.

*4. placing a duty on the Lord Advocate to publish guidance about the prosecution of credible trafficking victims who have committed offences.*

It is essential that victims of trafficking are given the support they require. Some will have been forced to commit crimes, such as the young Vietnamese boys tending cannabis farms. So it is important that such crimes are fully investigated and that the guidance from Lord Advocate consulted before prosecution is ever considered.

*5. placing a duty on Scottish Ministers to secure the provision of relevant immediate support and recovery services for the victims of trafficking;*

It is hard to imagine the suffering of victims of human trafficking and modern slavery. In many cases victims are far from home in a foreign country, unable to speak English. They have been used, abused, threaten personally or their families are under threat back home should the victims step out of line. Those who have suffered in this way will be in desperate need of support and a place of safety until they are ready to return home. We therefore fully agree that Scottish Ministers should have a

duty to support victims of human trafficking which is in line with the European Convention on Human Trafficking and the European Directive.

*6. placing a duty on the Scottish Ministers to prepare, publish and regularly review and update a trafficking and exploitation strategy to be laid before the Parliament; and*

Human Trafficking is one of the fastest growing organised crimes in the world. The criminals are very adaptive as the UNODC 2014 report indicates. The trafficking routes are constantly changing as are the types of exploitation. It is therefore essential that Ministers regularly review and update strategies if we are to keep ahead of the traffickers.

*7. placing a duty on public bodies to provide anonymised data about potential human trafficking and exploitation victims to Police Scotland*

Human trafficking and modern slavery are crimes and as such are hidden so it can be very difficult to detect victims. Often victims, frightened of repercussions from criminals, are reticent about putting their names forward to the NRM so it can be very difficult to know the extent of the problem. In our opinion it is extremely important that potential victims are recorded. Front line staff, including health professionals, should have adequate training on the signs of human trafficking and know what action to take if they are concerned.

### **8. Scottish Soroptimists believe that prostitution is violence against women. Soroptimists would like to see the Sex Buyers Law added to the Human Trafficking (Scotland) Bill**

More than 50% women involved in prostitution in the UK have been raped and/or sexually assaulted – the vast majority of these assaults committed by sex buyers (Hester, M. & Westmarland, N. (2004) Tackling Street Prostitution: Towards an Holistic Approach, Home Office: London)

More than 50% of prostitutes in the UK enter into paid sex before the age of 18 years.

(Paying the Price: A Consultation Paper on Prostitution', Home Office, 2004).

**The Sex Buyer Law** or 'Nordic Model', as it is often known, has three crucial actions to tackle this abuse:

1. **Decriminalise** the sale of sex acts
2. **Criminalise** the buying of sex acts
3. Provide support and **exiting services** for those exploited through prostitution

Research among Scottish male purchasers of sex has shown that 79% would stop buying sex if they would be criminalised and sent to jail.(Macleod, J., Farley, M., Anderson, L.,& Golding, J. (2008) Challenging Men's Demand for Prostitution in Scotland, Women's Support Project.)

The Council of Europe has named it "the most effective tool for preventing and combating trafficking in human beings"

('Sex Buyer Laws Win Council of Europe Support', STOP Traffick! 1 April 2014.)

This will drive down the number of clients which in turn will drive down the number of women and girls trafficked into the country for sexual exploitation as seen in Sweden and Norway.

('Trafficking of women for sex in UK worth £130m', the Telegraph, 7 October 2013)

Germany, on the other hand, which has legalised prostitution, has seen a large increase in the number of trafficked sex workers from Romania and other Eastern European Countries. (Prostitution and human trafficking cannot be separated » (Interview with Manfred Paulus) 2014/09/03).

**Northern Ireland**, in 2014, added the Sex Buyer's Law to their Human Trafficking Law. We don't want Scotland seen as the preferred destination for traffickers and pimps because we fail to take similar action. Denmark saw an increase in prostitution when Sweden and Norway adopted the Sex Buyer's Law.

**Soroptimist urge the Scottish Government to add the Sex Buyer's Law to the Human Trafficking and Exploitation Bill.**

Dr Pamela Cairns  
Soroptimist International  
Regional President - Scotland North  
February 2015