

Response ID ANON-8XY2-Q6VA-S

Submitted to **Consultation on section 38 of the Human Trafficking and Exploitation (Scotland) Act 2015: Duty to notify and provide information about victims**

Submitted on 2019-08-15 15:43:27

Section 38(1) of the Act

1 Do you agree that these bodies should be named in Regulations under section38(1) of the Act?

q1 - All 32 Scottish Local Authorities:

Yes

q1 - All 14 Scottish Geographical NHS boards:

Yes

q1 - NHS 24:

Yes

q1 - Scottish Ambulance Service:

Yes

q1 - Scottish Fire and Rescue Service:

Yes

q1 - Scottish Ministers for the purposes of including Marine Scotland:

Yes

q1 - Scottish Ministers for the purposes of including Scottish Prison Service:

Yes

q1 - Scottish Environment Protection Agency (SEPA):

Yes

If you answered 'No' to 'All 32 Scottish Local Authorities', please explain your answers here:

If you answered 'No' to 'All 14 Scottish Geographical NHS Boards', please explain your answers here:

If you answered 'No' to 'NHS 24', please explain your answers here:

If you answered 'No' to 'Scottish Ambulance Service', please explain your answers here:

If you answered 'No' to 'Scottish Fire and Rescue Service', please explain your answers here:

If you answered 'No' to 'Scottish Ministers for the purposes of including Marine Scotland', please explain your answers here:

If you answered 'No' to 'Scottish Ministers for the purposes of including Scottish Prison Service', please explain your answers here:

If you answered 'No' to 'Scottish Environment Protection Agency (SEPA)', please explain your answers here:

2 Do you agree that those listed below should be encouraged to submitvoluntary notifications?

q2 - Dental Practice Staff:

Yes

q2 - Community Pharacists:

Yes

q2 - General Practice Staff:

Yes

If you answered 'No' to 'Dental Practice Staff', please explain your answers here:

If you answered 'No' to 'Community Pharmacists', please explain your answers here:

If you answered 'No' to 'General Practice Staff', please explain your answers here:

3 Are there any other Scottish public authorities that you think should be subject to the Duty to Notify?

Please state the name of the body and the reason for your choice.:

Housing Associations - Public body who may have direct contact with potential victims.

4 Do you agree that bodies named in Regulations should establish their own processes for complying with the duty?

Yes

If you answered 'No' to Question 4 please explain your answers here:

Would be good to have some form of guidance and allow elements of freedom within that guidance. Obvious benefits of establishing their own processes might be less extra burden of work, but the negatives might be that with lots of different ways of doing things, it makes it harder to record accurate data.

Section 38(2) of the Act

5 Do you agree that the anonymised information below should be included in a notification (if it is available) from a specified Scottish public authority to the Police if the adult does not consent to provide information that may identify them?

q5 - Gender:

Yes

q5 - Nationality:

Yes

q5 - Country of Origin:

Yes

q5 - Location victim was recovered:

Yes

q5 - Location reported exploitation took place:

Yes

q5 - Has a referral been made to the Police:

Yes

q5 - Victim of a section 1 offence:

Yes

q5 - Victim of human trafficking - labour exploitation:

Yes

q5 - Victim of human trafficking - sexual exploitation:

Yes

q5 - Victim of human trafficking - domestic servitude:

Yes

q5 - Victim of human trafficking - commission of an offence:

Yes

q5 - Victim of human trafficking - removal of organs or tissue:

Yes

q5 - Victim of human trafficking - unknown:

Yes

q5 - Victim of human trafficking - other:

Yes

If you answered 'No' to 'gender', please explain your answers here.:

If you answered 'No' to 'nationality', please explain your answers here.:

If you answered 'No' to 'country of origin', please explain your answers here.:

If you answered 'No' to 'location victim was recovered', please explain your answers here.:

If you answered 'No' to 'Location reported exploitation took place', please explain your answers here.:

If you answered 'No' to 'has a referral been made to the Police', please explain your answers here.:

If you answered 'No' to 'victim of a section 1 offence', please explain your answers here.:

If you answered 'No' to 'labour exploitation', please explain your answers here.:

If you answered 'No' to 'sexual exploitation', please explain your answers here.:

If you answered 'No' to 'domestic servitude', please explain your answers here.:

If you answered 'No' to 'commission of an offence', please explain your answers here.:

If you answered 'No' to 'removal of organs or tissue', please explain your answers here.:

If you answered 'No' to 'unknown', please explain your answers here.:

If you answered 'No' to 'other', please explain your answers here.:

6 Do you agree that the additional information listed below should be included in a notification from a specified Scottish public authority to the Police if the adult consents to the inclusion of that additional identifiable information?

6 - Consent for additional information:

Yes

6 - Is the victim willing to be contacted by the Police:

Yes

6 - First name:

Yes

6 - Family name:

Yes

6 - Alias name(s):

Yes

6 - Date of Birth:

Yes

6 - Alias Date(s) of Birth:

Yes

6 - Is the victim a parent or carer:

Yes

6 - Other victims whereabouts:

Yes

6 - Safe Phone Number:

Yes

6 - Safe Address:

Yes

6 - Safe Post Code:

Yes

6 - Does the victim have any additional needs:

Yes

6 - Details of persons responsible/perpetrators:

Yes

If you answered 'No' to 'consent for additional information', please explain your answer here. :

If you answered 'No' to 'is the victim willing to be contacted by the Police', please explain your answer here. :

If you answered 'No' to 'first name', please explain your answer here. :

If you answered 'No' to 'family name', please explain your answer here. :

If you answered 'No' to 'alias name(s)', please explain your answer here. :

If you answered 'No' to 'date of birth', please explain your answer here. :

If you answered 'No' to 'alias date(s) of birth', please explain your answer here. :

If you answered 'No' to 'is the victim a parent or carer', please explain your answer here. :

If you answered 'No' to 'other victims whereabouts', please explain your answer here. :

If you answered 'No' to 'safe phone number', please explain your answer here. :

If you answered 'No' to 'safe address', please explain your answer here. :

If you answered 'No' to 'safe post code', please explain your answer here. :

If you answered 'No' to 'safe post code', please explain your answer here. :

If you answered 'No' to 'does the victim have any additional needs', please explain your answer here. :

If you answered 'No' to 'details of persons responsible/perpetrators', please explain your answer here. :

7 Is there any other information that you think should be included in a notification under section 38(1) of the Act?

Yes

If you answered yes to Question 7 please list the information and reason for each piece of information here.:

Sexuality. Would provide better quality data and help support services to direct resources and raise awareness of extent to which human trafficking is a problem for what is already a marginalised group. Equalities considerations.

Section 38(4) of the Act

8 Do you agree that the bodies listed below should receive a report from Police Scotland about individuals who are or appear to be victims of a section 1 or section 4 offence?

8 - Scottish Government:

Yes

8 - All 32 Scottish Local Authorities:

Yes

8 - All 14 Scottish Geographical NHS Boards:

Yes

8 - NHS 24:

Yes

8 - Scottish Fire and Rescue Service:

Yes

8 - Scottish Ambulance Service:

Yes

8 - Scottish Prison Service:

Yes

8 - Scottish Environment Protection Agency (SEPA):

Yes

8 - Trafficking Awareness Raising Alliance (TARA):

Yes

8 - Migrant Help:

Yes

8 - Gangmasters and Labour Abuse Authority (GLAA):

Yes

8 - British Transport Police (BTP):

Yes

8 - National Crime Agency (NCA):

Yes

8 - Independent Anti-Slavery Commissioner:

Yes

8 - Interpol:

Yes

8 - Europol:

Yes

If you answered 'No' to 'Scottish Government', please give your reasons here. :

If you answered 'No' to 'All 32 Scottish Local Authorities', please give your reasons here. :

If you answered 'No' to 'All 14 Scottish Geographical NHS Boards', please give your reasons here. :

If you answered 'No' to 'Marine Scotland', please give your reasons here. :

If you answered 'No' to 'NHS 24', please give your reasons here. :

If you answered 'No' to 'Scottish Fire and Rescue Service', please give your reasons here. :

If you answered 'No' to 'Scottish Ambulance Service', please give your reasons here. :

If you answered 'No' to 'Scottish Prison Service', please give your reasons here. :

If you answered 'No' to 'Scottish Environment Protection Agency (SEPA)', please give your reasons here. :

If you answered 'No' to 'Trafficking Awareness Raising Alliance (TARA)', please give your reasons here. :

If you answered 'No' to 'Migrant Help', please explain your answers here:

If you answered 'No' to 'Gangmasters and Labour Abuse Authority', please explain your answers here:

If you answered 'No' to 'British Transport Police (BTP)', please explain your answers here:

If you answered 'No' to 'National Crime Agency (NCA)', please explain your answers here:

If you answered 'No' to 'Independent Anti-Slavery Commissioner', please explain your answers here:

If you answered 'No' to 'Interpol', please explain your answers here:

If you answered 'No' to 'Europol', please explain your answers here:

9 Are there any other bodies that you think Police Scotland should notify under section 38(4) of the Act?

No

If you answered yes to Question 9 please list the bodies and the reason for each separate body here.:

Section 38(5) of the Act

10 Do you agree that the anonymised information below should be included in a notification from Police Scotland to a third party if the adult does not consent to provide information that may identify them?

q10 - Gender:

Yes

q10 - Nationality:

Yes

q10 - Country of Origin:

Yes

q10 - Was the victim under 18 at the time the alleged exploitation occurred:

Yes

q10 - Location victim was recovered:

Yes

q10 - Location alleged activity took place:

Yes

q10 - Victim of a section 1 offence:

Yes

q10 - Victim of human trafficking - labour exploitation:

Yes

q10 - Victim of human trafficking - sexual exploitation:

Yes

q10 - Victim of human trafficking - domestic servitude:

Yes

q10 - Victim of human trafficking - commission of an offence:

Yes

q10 - Victim of human trafficking - removal of organs or tissue:

Yes

q10 - Victim of human trafficking - unknown:

Yes

q10 - Victim of human trafficking - other:

Yes

q10 - Victim of a section 4 offence:

Yes

If you answered 'No' to 'gender', please explain your answers here.:

If you answered 'No' to 'nationality', please explain your answers here.:

If you answered 'No' to 'country of origin', please explain your answers here.:

If you answered 'No' to 'location victim was recovered', please explain your answers here.:

If you answered 'No' to 'Location reported exploitation took place', please explain your answers here.:

If you answered 'No' to 'has a referral been made to the Police', please explain your answers here.:

If you answered 'No' to 'victim of a section 1 offence', please explain your answers here.:

If you answered 'No' to 'labour exploitation', please explain your answers here.:

If you answered 'No' to 'sexual exploitation', please explain your answers here.:

If you answered 'No' to 'domestic servitude', please explain your answers here.:

If you answered 'No' to 'commission of an offence', please explain your answers here.:

If you answered 'No' to 'removal of organs or tissue', please explain your answers here.:

If you answered 'No' to 'unknown', please explain your answers here.:

If you answered 'No' to 'other', please explain your answers here.:

If you answered 'No' to 'Victim of Section 4 offence', please explain your answers here. :

11 Is there any other information that you think should be included in a notification under section 38(5) of the Act?

No

If you answered yes to Question 11 please list the information and reason for each piece of information here.:

12 How frequently do you think the Police should pass information to a third party? Please select only one option or state one other time period.

Quarterly (financial year)

If you selected 'Other', please give details here.:

Do you have any other comments about the frequency?:

Quarterly seems like a decent starting point to ensure currency and speed of passing on information. However, this could be kept under review and amended as necessary.

Other Relevant Bodies

13 Do you agree that the Scottish Government should work with these bodies to establish a system whereby information can be shared with the police in a similar way to the statutory duty under section 38 of the Act?

Border Force, Gangmasters and Labour Abuse Authority, British Transport Police, TARA, Migrant Help

If you answered 'No' to 'Border Force', please explain your answers here:

If you answered 'No' to 'Gangmasters and Labour Abuse Authority', please explain your answers here:

If you answered 'No' to 'British Transport Police', please explain your answers here :

If you answered 'No' to 'TARA', please explain your answers here :

If you answered 'No' to 'Migrant Help', please explain your answers here :

14 Do you think that there are any other bodies that operate in Scotland that the Scottish Government should encourage to notify the police about a person who is or appears to be a victim of a section 1 or section 4 offence?

Yes

If you answered yes to Question 14 please list the information and reason for each piece of information here. :

Government or NHS funded third sector organisations as they may regularly come into direct contact with potential victims and staff may be in a good position to spot signs of trafficking. E.g. third sector addictions, money or housing advice or BAME organisations.

About you

What is your name?

Name:

Scottish Community Safety Network

What is your email address?

Email:

info@scsn.org.uk

Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:

Scottish Community Safety Network

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

Publish response with name

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

Yes

Evaluation

Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)

Matrix 1 - How satisfied were you with this consultation?:

Very satisfied

Please enter comments here.:

Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:

Very satisfied

Please enter comments here.:

Very easy to use.