



**FULL COUNCIL  
19<sup>TH</sup> JANUARY 2010**

**Report of: The Community Cohesion and Safety Scrutiny Commission**

**Title: Combating Human Trafficking – Final Report and Recommendations**

**Ward: City-wide**

**Member presenting report: Councillor Sue O'Donnell, Chair of Community Cohesion and Safety Scrutiny Commission**

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**RECOMMENDATION:**

**That Members note and endorse the following recommendations of the Community Cohesion and Safety Commission prior to the submission of the report to Cabinet on the 25<sup>th</sup> February 2010 :-**

**1. Definition**

That the Council adopts a definition of Human Trafficking which embraces all strands, including forced marriages, the trafficking of young males into sex work and internal trafficking, and is flexible enough to include all forms of trafficking as yet unknown.

**2. Coalition**

That the Council, through the Neighbourhoods Directorate, should take a lead role in developing a multi-agency approach to

coordinate and take forward all aspects of work on Human Trafficking, including strategic approach, resourcing, service provision, public information and campaigning. The Council should be a key member of the coalition, once established, but not necessarily the lead body (see paragraph 7 of this report, Recommendation for Coalition Work Programme).

### **3. Project worker post**

That Cabinet supports the proposal of the Strategic Director Neighbourhoods to create a Human Trafficking project worker post within Safer Bristol. The post should be initially for a year and include responsibility for both Commissioning and service development. However, the first priority should be to raise the awareness of Council staff and to support a co-ordinated calendar of activities and campaigning across the city via the coalition.

### **4. Safe House**

That Cabinet support the proposal of the Strategic Director Neighbourhoods to identify a suitable Council property from decommissioned stock, for lease to an appropriate partner to develop as a safe house for women trafficked into the sex trade.

### **5. Public awareness**

That the Council should support public awareness-raising exercises undertaken by external organisations through the Corporate Communications Team, including producing a calendar of events.

### **6. Awareness-raising with Council staff and functions**

That the Council recognise that Human Trafficking is a cross-department issue and all public-facing staff need to be able to spot signs of trafficking activity and know how to respond. This understanding must also extend to senior officers.

### **7. Safeguarding Children**

That awareness-raising should also be targeted at schools and teachers as part of the Safeguarding Children agenda.

### **8. Procurement and Contracting**

That the council ensures its procurement and contracting processes are "Traffick-Proof".

## **9. Reaching Trafficked People**

That information on how to contact sources of help for trafficked people should be included in the authority's contact information leaflets, newsletters and other appropriate public information materials.

## **10. Monitoring**

That a progress report on these recommendations and work on combating Human Trafficking generally, should be brought to the Community Cohesion and Safety Scrutiny Commission, or any such other body that might become the Council's Crime and Disorder Committee.

## **Summary:**

The recommendations in this report are the product of the Commission's Inquiry Day on Human Trafficking held on the 24<sup>th</sup> November 2009. They are based on proposals presented to the Commission by the Strategic Director Neighbourhoods and suggestions generated by workshops on the day. The recommendations are underpinned by the identification of the Council's appropriate role and a coalition-based approach to combating Human Trafficking in Bristol.

The significant issues in the report are:

- Paragraphs 1– 3
- Paragraph 5 – The Council's role
- Paragraph 6 – Collaborative approach
- Paragraph 7 – Recommendations for the Coalition's Work Programme

## **Policy**

The Council has signed the Joint Declaration Supporting the Council of Europe Convention on Action Against Human Trafficking, which commits it to taking steps to address the issue as a modern form of slavery.

## **Consultation**

## **Internal**

The Community Cohesion and Safety Commission has worked closely with the Strategic Director for Neighbourhoods. All Strategic Directors and the Deputy Chief Executive were invited to recommend appropriate staff to attend the Inquiry Day. Attempts were made to identify and locate all teams whose work touches on Human Trafficking. Party leaders and all appropriate executive members were invited, and leaders were invited to recommend any members with a special interest in Human Trafficking.

## **External**

All local agencies identifiable as working directly to address Human Trafficking or whose work might bring them into contact with trafficking were invited to input to the Inquiry Day. Key agencies involved in ongoing inter-agency round table meetings were consulted prior to the Inquiry Day.

## **Context**

1. The Community Cohesion and Safety Scrutiny Commission held an inquiry day on combating Human Trafficking on November 24<sup>th</sup> 2009, the aim of which was to make recommendations about :
  - progressing work in the city
  - putting Bristol at the forefront of good practice
  - identifying the appropriate role of the City Council.
2. A wide range of key agencies and Council teams attended the day and participated in workshops along with Commission members. ( A list of participating organisations is attached as Appendix 1). The workshops generated a list of key issues to be taken into account, and suggestions for actions (attached as Appendix 2).
3. In the afternoon, a formal meeting of the Commission received a report from the Strategic Director for Neighbourhoods stressing the need for a formal coalition and containing proposals about how to take work forward, including an analysis of which initiatives should appropriately be the responsibility of the Council, and which should be undertaken by a coalition or by other agencies.

## Proposal

4. After hearing the evidence of expert witnesses attending the Inquiry Day, the Commission concluded that there is sufficient reason to proceed with work to tackle Human Trafficking in Bristol, even though the data on its prevalence is inadequate.
5. The prime statutory responsibilities with regard to Human Trafficking do not lie with the Council. In addition, in the current financial climate, the Council does not have funding available for new services in this area. However, the Commission recognises that the Council has a responsibility to trafficked people in Bristol and is in an unique position to take a lead in drawing together partner agencies and ensure that there is adequate infrastructure to support partnership working.
6. The approach has therefore been to recognise that partnership working is key to adequately addressing this complex and difficult issue, and to make recommendations which exploit the strengths and resources opened up by collaborative activity, rather than expecting that the Council will fund new services and initiatives. The recommendations therefore separate and define the respective responsibilities of the Council and such collaborative structures as may be put in place.
7. **The Commission has identified the following recommendations as more appropriate for the Coalition Work Programme than for Council action:**
  - **The development of a Migrants Rights Centre, subject to financial constraints. This could start small with capacity to grow, and be underpinned by a robust business case.**
  - **Increase the evidence base by improving the collection and sharing of data, creating the necessary protocols and resolving legal issues.**
  - **Collaborating on coherent and efficient signposting to appropriate services for victims of trafficking.**
  - **That efforts should be made to involve the Unions.**

- **That the Coalition should consider setting up themed sub-groups to address these and other strands of work.**

### **Other Options Considered**

The main alternative option would be for the Council to stand back and allow services and responses to develop via the current 'round table' group of organisations. This would mean however that the Council could not ensure an adequate response in the city, or that good practice was met, and would not therefore be meeting its responsibilities to trafficked people or its commitments under the Joint Declaration.

The option of the Council offering to fund all necessary services and activities is not feasible in the current financial climate or appropriate to the Council's responsibilities.

### **Risk Assessment**

The major risk is associated with the inadequacy of available data about the prevalence of Human Trafficking into and through Bristol, which make it difficult to gauge the need for services. The Commission is of the opinion that evidence provided by expert witnesses at the inquiry day indicates that a sufficient level of need exists to warrant the recommended actions.

### **Equalities Impact Assessment**

Human Trafficking impacts particularly on vulnerable adults and children, and organisations representing these groups were invited to the Inquiry Day as far as possible, including specialist organisations and Council teams dealing with specific strands of trafficking. In addition Scrutiny Commission co-optees from the Equalities Forums were present. The value of the recommendation about forming a coalition is that such a means of working within a broad definition will enable all equalities impacts to be fully addressed through a range of services, and facilitate linkage to other equalities-base issues such as domestic violence and abuse and xenophobia.

### **Legal and Resource Implications**

#### **Legal Implications**

Human Trafficking is prohibited under international law and UK criminal law. Section 17 Crime and Disorder Act 1998 provides that when the council exercises its functions, it should have due

regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in the area – including trafficking offences. This Act also requires the council, together with the police, probation authority and primary care trust, to formulate a strategy for the reduction of crime and disorder in its area.

Section 76A of the Sex Discrimination Act 1976 (as amended by the Equality Act 2006) requires that when carrying out all of its functions, the council has due regard to the need to eliminate unlawful gender discrimination and harassment and promote equality of opportunity between men and women.

Under the Human Rights Act 1998 people have a right not to be subjected to torture, inhuman or degrading treatment or punishment (Article 3 European Convention on Human Rights). There is an obligation on public authorities, such as the council, to stop such treatment as soon as they become aware of it.

The s.2 Local Government Act 2000 "well-being power" gives the council the power to do anything which it considers likely to promote the economic, social or economic well-being of its area.

In relation to children, s.11 Children Act 2004 places local authorities under a general duty to safeguard and promote the welfare of all children in need in their area, regardless of their immigration status. Section 47 Children Act 1989 provides that local authorities must investigate cases where they suspect children are suffering abuse and to take action to protect children where necessary. Section 67 also requires that the council must satisfy itself that the welfare of children who are privately fostered in their area is being satisfactorily safeguarded and promoted (this applies to children living long-term with someone who is not a parent, relative or other person with parental responsibility).

In December 2008 the UK became a signatory to the Council of Europe Convention Against Trafficking in Human Beings. This convention came into effect in the UK in April 2009. Central government has subsequently introduced a new National Referral Mechanism for dealing with trafficking referrals and initiated other steps set out in the October 2008 UK Action Plan on Tackling Human Trafficking. This plan indicates that, in the forthcoming year, the government will ensure that the role and responsibility of

local authorities in identifying and supporting victims of trafficking are clarified and best practice is disseminated.

*Joanna Roberts, Solicitor for Head of Legal Services*

## **Financial Implications**

The report acknowledges the financial constraints faced by the council in leading the work to deliver the proposals listed above. It is anticipated that the staffing proposal (project worker post) will have to be delivered by an internal secondment since additional budget does not exist for a new post. Additionally, as stated, the provision of a Migrants Rights Centre and Safe House will both require robust business cases if these proposals are taken forward.

*Simon Bowker, Finance Business Partner, Neighbourhoods*

## **Appendices:**

A. List of organisations/teams attending

B. Points and recommendations from discussion tables

## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

### **Background Papers**

Agendas and minutes of meeting of the Community Cohesion and Safety Scrutiny Commission 24<sup>th</sup> November and 1<sup>st</sup> December 2009.



**Council Teams, Partners and External Organisations Attending the Inquiry Day**

Asylum Seekers' Team BCC  
Avon and Somerset Police  
Barnardos  
Bristol Sexual Abuse Referral Centre  
Bristol Women's Forum  
Community Cohesion Team BCC  
Dublin Migrants Rights Centre  
Equalities Team, BCC  
Gangmasters Licensing Authority  
Gypsy and Traveller Team BCC  
Homelessness and Rough Sleepers BCC  
Legacy Commission, BCC  
NHS Bristol  
Private Housing Support BCC  
Public Protection, Health and Safety, BCC  
Refugee Action  
Safer Bristol  
Sky Project  
South West Councils  
St. Nicholas of Tolentino, Stapleton Rd.  
Stop the Traffik  
The Children's Society  
The Fawcett Society  
The Pierian Centre  
Unchosen  
University of the West of England  
Unseen UK

**Scrutiny Inquiry Day on Combatting Human Trafficking**  
**Nov. 24<sup>th</sup> 2009**

**Key Issues**

**Abbreviations:** indicate which table the suggestion came from

(ch) Children and Trafficking (sw) Trafficking into Sex Work

(fl) Trafficking into Forced Labour (shi) Sharing Information and Agency Response (pa) Public and Agency Awareness

**Public information/awareness**

- Awareness raising but this is not enough on its own, needs to also be for specific communities in order for them to provide the necessary longer term support for children (ch)
- There is a knowledge gap (shi)
- Lack of awareness within neighbourhoods (shi)
- Increase awareness - will this raise expectations that can't be met? (shi)

**Agency awareness/ training**

- Lack of awareness within agencies (shi)
- Need to ensure awareness and knowledge of trafficking in council departments
- "Traffick-proofing" Bristol City Council's own commissioning, contracting etc (fl)
- Broad education of Bristol City Council staff especially frontfacing staff (fl)
- Senior officers need to understand the issue (ch)
- Needs to be awareness raising in professionals and in particular schools and teachers as part of the Safeguarding Children Agenda (ch)

- Role of the Unions – needs developing – workers own awareness of their rights, minimum wage etc (fl)
- Legacy Commission should be more engaged (pa)

### **Collaboration/leadership**

- No lead agency on trafficking – there is a need for an organisation to be the main focus (pa)
- Resources and planning essential (ch)
- Political support and senior officer support is essential to make things happen (ch)
- Undocumented workers – link to “Strangers into Citizens’ Campaign” (fl)

### **Resources**

- If the voluntary sector is to provide support and work in their communities then they need resources (ch)
- Co-ordination of resources can save time and ensure support is targeted (ch)
- No recourse to public funds (sw)
- Expensive to provide housing (sw)
- ½ million per year per house (sw)
- Funding – European opportunities? (shi)
- Funding and pooling resources (pa)

### **Approach**

- Trafficking of children is not just about the children but whole families, families who may have members who have been trafficked could also impact on any children (ch)
- A preventative approach is essential (ch)

### **Projects**

- A specific project would help, a multi-agency drop in centre/one stop shop which could provide the right support and meet different needs; it is essential that not only people understand what trafficking is but what to do to support children (ch)

- Current provision for Safe Housing full – no provision in the South West (sw)

#### **Data**

- Issues of confidentiality/information sharing barriers (shi)

## **Action Points**

#### **Awareness/training**

- Training and awareness raising in schools is essential in relation to children – part of Safeguarding Children (ch)
- Awareness in council departments about the issue (ch)
- Research and targeted training (links to racism and xenophobia) (fl)
- Training – multi-agency (pa)
- Human Trafficking Day on October 19<sup>th</sup> 2010 to coincide with the European one (pa)

#### **Resources**

- Need resource to support co-ordination of efforts – multi-disciplinary project and one point of contact (ch)

#### **Projects**

- Provide housing and support up to 45 days and beyond (sw)
- Ongoing support for developing a Refuge (fl)

#### **Collaboration/leadership**

- Develop a Strategic Group of lead agencies (shi)
- Political and Senior Officer support to make things happen
- Partners and individuals to lobby on an agreed Strategy (sw)
- Sub-Groups of the Counter Trafficking Coalition by field e.g.PR, Services, Training (pa)
- Make decisions about aspects of trafficking to prioritise (shi)

- Form campaign group – agencies send delegates to be a part (pa)

### **Co-ordination/staffing**

- Create two appointments, one in Bristol City Council as a Project Worker for 3 – 5 years to carry out strategic planning, fund raising, linking with existing services and one for a coalition developing a Migrant Rights Centre, with appropriate support (fl)
- Create information hub (shi)

### **National activity**

- Lobby MP's (sw)

### **Approach**

- All action to be taken at the same time (sw)