

## FRIENDS OF THE SCOTSMAN /

# Legislate to tackle the scourge of human trafficking across Scotland

**H**uman trafficking is an abhorrent crime; it involves stripping away the human rights, dignity and freedom of a person and subjugates them to complete control by a person or gang. There are an estimated 10,000–13,000 victims of modern day slavery still trapped in this horrific cycle of abuse in the UK alone. Children and adults are being exploited for sex, domestic servitude, forced labour, criminal activity – and even organ harvesting.

Over the past few years the government, the media and the police have begun to get to grips with the issue: Scotland passed the Human Trafficking and Exploitation (Scotland) Act in 2015, which introduced a single offence for all kinds of trafficking for the first time, consolidating and strengthening our existing law. New court orders have also just come into effect which will mean the activities of convicted traffickers may be restricted when they are released from jail. However, there is much more that still needs to be done.

The Scottish Government has announced its Trafficking and Exploitation Strategy, setting out how it plans to make Scotland a hostile place for traffickers. The key thing that must be addressed off the back of this strategy is to look at things in our society which enable, facilitate and drive trafficking. Only by addressing these factors will we be able to confront the factors which are helping this atrocious crime to take place.

Human trafficking, exists because there is demand for it. Gangs, corporations and individuals that profit



Countries that make paying for sexual services a crime see a fall in this horrendous industry, says Dr Gordon Macdonald

from trafficking human beings do it because it is lucrative and they are tailoring their activities to clients who are driving their businesses.

Data by The National Crime Agency (NCA) shows that trafficking people for sexual exploitation is one of the main reasons adults and children are bought and sold. In order to tackle this particular element of human trafficking it is vital to chal-



## ACTION

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lenge the demand for paid sex. One of the primary ways in which countries can do this is by introducing a law which criminalises the purchase of sex. Not all people who are in the commercial sex industry have been trafficked, however, there is a strong link between the two – 62 per cent of all trafficking victims in the EU are

trafficked for sexual exploitation. We cannot eliminate the sexual exploitation of victims without addressing the users. Putting the onus onto the buyer does the following things. Firstly, it recognises the vulnerability of women and girls trapped in commercial sexual exploitation, whether trafficked or not, many have not made a completely free choice to enter prostitution and they face great risks of violence and damage to their physical and mental health. Secondly, making it a criminal act to pay for sex acts as a deterrent, it will put many people off paying for sexual services.

The first country to adopt this approach was Sweden where it has been highly effective. Testimonies from countries that have adopted this law show that not only has the prostitution market been reduced but that the countries have become a more hostile place for traffickers to operate in.

Since introducing a similar law in 2016, France has seen over 900 people arrested for buying sex in the first year of the new law, with most admitting their guilt and being fined. This is compassion and justice in action. It clearly showcases that there are ways to reorientate justice systems in a short period of time and for the



PICTURE: TOBY WILLIAMS

↑ While there is a market for organised paid sexual services, adults and children

law to be successfully implemented. Other countries that have adopted this include Norway, Iceland, Canada and Northern Ireland. Just this year the Republic of Ireland followed Northern Ireland's recent example of legislating to ban the purchase of sexual services. With laws in place either side of the border in Ireland there is now nowhere for perpetrators to hide from this law and it will have a crucial

impact in the fight against trafficking.

With so many leading countries adopting laws which criminalise the purchase of sex, shouldn't Scotland adopt this model also? It's time to disrupt the business of human trafficking. By targeting customers of the sex industry with fines and potential jail time, the market decreases and becomes more of a risk for traffickers; they are then less likely to do business

will continue to be trafficked across the world to be emotionally and physically abused

in countries which have these laws. If Scotland adopted a law like the above it would be putting victims of human trafficking at the heart of its legislation. When our laws are framed to protect the most vulnerable in society we can see real benefits.

We cannot ignore that human trafficking for sex exists because of the commercial sex industry. By legislating strongly in response, Scotland

would give dignity back to those who have survived trafficking for sexual exploitation and give hope to those still caught up in this brutal cycle.

If you need help, or you think someone may be a victim of slavery or exploitation, call the confidential UK modern slavery helpline on 0800 555 111.

Dr Gordon Macdonald, CARE for Scotland Policy Officer



## Now abortion is devolved, let's hear what Scots want

Madeleine Kearns looks at the results of a major survey

**A** recent ComRes survey, from May 2017, showed that an overwhelming majority of British citizens favour a reduction of the abortion limit.

Almost two-thirds of those polled say abortion should be reduced from 24 to 20 weeks, and one fifth believe it should be lowered to 12 weeks. ComRes also found that only one per cent of those surveyed support the total decriminalisation of abortion.

The study surveyed more than 2,000 Britons and was the most extensive polling on abortion in England, Scotland and Wales in the last dec-

ade. In response to certain questions, the percentage of Scots who favoured changes in the law was higher than in England and Wales.

For example, participants were asked whether the government should make participation in the abortion procedure mandatory for doctors. An overwhelming majority opposed this. However, whereas in England 55 per cent disagreed that doctors should be forced to act against their conscience, in Scotland it was higher at 61 per cent.

This question has significance, not only for doctors, but also for the

entire medical profession. In 2014, the UK Supreme Court ruled against two Scottish midwives by deciding that they did not have the right to refuse to supervise abortions. The legal decision has since been described by the Royal College of Midwives and the British Pregnancy Advisory Service as a 'landmark case.'

Another question asked whether the time limit for aborting a prenatal child with a disability should be equal to the 24 weeks limit in place for prenatal children without disability. Currently it is possible in the UK to abort a disabled prenatal child

up to birth and the law, as it stands, has been criticised by disability campaigners as discriminatory.

While in England, 42 per cent came out in support of changing the law to introduce an equal time limit, in Scotland there was a majority of 53 per cent. This is very interesting, because in May 2016, Lord Shinkwin, who is disabled himself, proposed a Bill in Westminster that sought to abolish abortion on the grounds of disability, which was defeated in March of this year.

The survey also asked whether participants agreed that, 'aborting

babies because of their gender should be explicitly banned by the law.' In England, 89 per cent thought that it should be banned, in Scotland 93 per cent agreed. This shows a real commitment to gender equality.

Sex-selective abortion has caused significant demographic imbalances in countries such as India, South Korea and China. The United Nations Population Fund estimated that, today, approximately 117 million women are 'missing' in Asia and Eastern Europe.

In conclusion, the ComRes findings suggest that the majority of

Britons prefer restrictions on abortion. In particular, these results show that a majority in Scotland is concerned with protecting freedom of conscience under the law and with preventing discrimination based on disability and gender.

Since abortion has been devolved to the Scottish Parliament under the Scotland Act 2016, maybe the opinions of the majority of the Scottish people should now be basis for new considerations.

Madeleine Kearns is guest writer for the Scottish Council on Human Bioethics.



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