



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Equalities, Human Rights and Civil Justice Committee

**Tuesday 9 May 2023**

**Session 6**



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**EQUALITIES, HUMAN RIGHTS AND CIVIL JUSTICE COMMITTEE**

**11<sup>th</sup> Meeting 2023, Session 6**

**CONVENER**

\*Kaukab Stewart (Glasgow Kelvin) (SNP)

**DEPUTY CONVENER**

\*Maggie Chapman (North East Scotland) (Green)

**COMMITTEE MEMBERS**

Karen Adam (Banffshire and Buchan Coast) (SNP)

\*Pam Gosal (West Scotland) (Con)

\*Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con)

\*Fulton MacGregor (Coatbridge and Chryston) (SNP)

\*Paul O’Kane (West Scotland) (Lab)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Bronagh Andrew (Trafficking Awareness Raising Alliance)

Siobhian Brown (Minister for Victims and Community Safety)

Superintendent Claire Dobson (Police Scotland)

Gayle Findlay (Convention of Scottish Local Authorities)

Thomas Glen (Perth and Kinross Council)

Dr Nina Koruth (NHS Greater Glasgow and Clyde)

Louise Long (Inverclyde Council)

Susanne Millar (Glasgow City Health and Social Care Partnership)

Chief Inspector Elaine Tomlinson (Police Scotland)

**LOCATION**

The James Clerk Maxwell Room (CR4)



## Scottish Parliament

### Equalities, Human Rights and Civil Justice Committee

*Tuesday 9 May 2023*

*[The Convener opened the meeting at 09:45]*

### Decision on Taking Business in Private

**The Convener (Kaukab Stewart):** Good morning and welcome to the 11th meeting in 2023 of the Equalities, Human Rights and Civil Justice Committee. We have received apologies from Karen Adam.

Under agenda item 1, the committee is invited to decide whether to take item 5, which is consideration of the evidence that we will hear under item 4, in private. Do members agree to take that item in private?

**Members** *indicated agreement.*

## Subordinate Legislation

### First-tier Tribunal for Scotland General Regulatory Chamber and Upper Tribunal for Scotland (Composition and Rules of Procedure) (Miscellaneous Amendment) Regulations 2023 [Draft]

### First-tier Tribunal for Scotland (Allocation of Functions to the General Regulatory Chamber) Regulations 2023 [Draft]

09:45

**The Convener:** We move to agenda item 2, which is evidence taking on two affirmative statutory instruments. I refer members to paper 1.

I welcome to the meeting Siobhian Brown, Minister for Victims and Community Safety. She is accompanied by Marcus Chalmers, senior policy officer, and Emma Thomson, solicitor, from the Scottish Government's legal directorate.

I recognise that this is the minister's first appearance before the committee since her appointment. Welcome, minister. I invite you to speak to the instruments before us.

**The Minister for Victims and Community Safety (Siobhian Brown):** Thank you, convener, and good morning, committee.

This suite of two regulations will expand the functions of the First-tier Tribunal for Scotland general regulatory chamber to include hearing appeals against decisions of a local authority to issue penalty charge notices in relation to the low-emission zone scheme, the workplace parking licensing scheme and the dropped-footway parking, double-parking and pavement-parking prohibitions. The regulations will also amend the chamber's composition and procedure rules to include such appeals.

The Scottish tribunals structure was created by the Tribunals (Scotland) Act 2014, which introduced the new, simplified statutory framework for tribunals in Scotland. It consists of the First-tier Tribunal and the Upper Tribunal. The Transport (Scotland) Act 2019 provides legislation that enables the creation of low-emission zones, workplace parking schemes and the new parking prohibitions. The act allows for the civil enforcement of all of those by local authorities. The route of appeal against local authority penalty charge notices for each of those is the First-tier Tribunal.

The First-tier Tribunal for Scotland (Allocation of Functions to the General Regulatory Chamber)

Regulations 2023 provide for the appeal functions that I have mentioned to be allocated to the First-tier Tribunal's general regulatory chamber.

The First-tier Tribunal for Scotland General Regulatory Chamber and Upper Tribunal for Scotland (Composition and Rules of Procedure) (Miscellaneous Amendment) Regulations 2023 amend existing regulations that make provision in relation to the rules of procedure of the general regulatory chamber when it hears parking and bus lane appeals. Those rules of procedure will apply, with modifications, to appeals against decisions of the local authority to issue penalty charge notices relating to the new low-emission zone scheme, workplace parking schemes and the new parking prohibitions. The rules will now refer to "Transport Appeals", to include all new and existing appeals.

The regulations also amend the existing composition regulations for the general regulatory chamber in hearing parking and bus lane appeals. That provides for the new appeals to be heard by a legal member alone in the First-tier Tribunal, as is the case with the parking and bus lane appeals. The Scottish tribunals will be able to hear such appeals as of 1 June 2023.

The two instruments play a part in enabling the general regulatory chamber to hear such new appeals. I understand that the Delegated Powers and Law Reform Committee considered the regulations on 28 March and that no points were raised.

I will be happy to answer any questions, convener.

**The Convener:** Do members have any questions? It seems not.

On a personal and a professional level, I am pleased that the regulations have come before us, because the pavement parking bill was introduced by my predecessor as an MSP, Sandra White, during her time in Parliament. I am sure that she will be delighted to see her work coming to fruition.

As no members have indicated that they wish to ask any questions or make any comments, we will move straight to item 3, which is formal consideration of the instruments. I invite the minister to move motions S6M-08337 and S6M-08338.

*Motions moved,*

That the Equalities, Human Rights and Civil Justice Committee recommends that the First-tier Tribunal for Scotland General Regulatory Chamber and Upper Tribunal for Scotland (Composition and Rules of Procedure) (Miscellaneous Amendment) Regulations 2023 [draft] be approved.

That the Equalities, Human Rights and Civil Justice Committee recommends that the First-tier Tribunal for Scotland (Allocation of Functions to the General Regulatory

Chamber) Regulations 2023 [draft] be approved.—  
[Siobhian Brown]

*Motions agreed to.*

**The Convener:** I invite the committee to agree to delegate to me the task of publishing a short factual report on our deliberations on the affirmative Scottish statutory instruments that we have considered today. Is that agreed?

*Members indicated agreement.*

**The Convener:** That completes our consideration of the instruments. I thank the minister and her officials for attending.

We will have a brief pause before moving on to the next item.

09:52

*Meeting suspended.*

09:54

*On resuming—*

## Asylum Seekers in Scotland

**The Convener:** Our next agenda item is the continuation of evidence taking as part of our inquiry on asylum seekers in Scotland. This morning, we will hear from two panels. I welcome our first panel: Bronagh Andrew, operations manager at TARA—the Trafficking Awareness Raising Alliance; and, from Police Scotland, Superintendent Claire Dobson from the partnerships, prevention and community wellbeing division, and Chief Inspector Elaine Tomlinson from the safer communities team, greater Glasgow division. You are all very welcome.

I refer members to papers 2 and 3. After the witnesses have made their opening statements, I will invite members to ask questions. I ask Bronagh Andrew to go first.

**Bronagh Andrew (Trafficking Awareness Raising Alliance):** Thank you, convener and committee members. I am pleased to have been asked to join the panel this morning, and I am pleased that the letter from our lived experience group has been included in your papers.

TARA has been providing Government-funded support to women survivors of sex trafficking since 2005, and we have witnessed the evolution of our collective response to trafficking over nearly 20 years. I will speak to that experience and the vulnerability of women, but many of our concerns will be shared for men and children.

The Nationality and Borders Act 2022 brought significant and concerning changes to our process for identifying and protecting victims, but we are shocked at the wholesale dismantling of the vital and life-saving support for survivors that is proposed in the Illegal Migration Bill. During 2021 and 2022, we supported 156 individual women, of whom 138 were seeking asylum or were undocumented at the point of referral to our service. It is probable that, had the Illegal Migration Bill been in place, those women would not have been able to access our support. Indeed, we consider that the removal of support will only benefit human traffickers and perpetrators of abuse, as the removal of protections for those 138 vulnerable women would have meant that they continued to be sexually exploited, thereby generating approximately £36 million from the Scottish sex industry for the sex traffickers over a two-year period.

We are also of the view that the increasing normalisation of the use of hotels to accommodate those who are seeking asylum will create a ready-made group of vulnerable women who can be

easily accessed by traffickers. Such groups of already traumatised women who are experiencing poverty, uncertainty and isolation are acutely vulnerable to traffickers, and we already have many women in our service who were accommodated in hotels elsewhere in the United Kingdom and then approached by traffickers and sexually exploited throughout the UK.

The UK was considered to be a global leader in the fight against human trafficking and exploitation, with the support provided in Scotland, although not perfect, considered to be ahead of the curve. That can no longer be held to be the case.

**Superintendent Claire Dobson (Police Scotland):** Good morning. I am a superintendent in Police Scotland's partnerships, prevention and community wellbeing division.

Police Scotland is a values-based organisation that has human rights at the centre of all that we do, and we are committed to working with our communities. Assistant Chief Constable David Duncan has recently been appointed to drive the policing together portfolio, demonstrating our commitment in the area of equality, diversity and inclusion. My division has a national focus, and part of that work involves the monitoring of community tensions and matters locally and nationally that impact on our communities. Where we see tensions, we work to support communities and help our colleagues in local policing divisions to provide that support.

Police Scotland is committed to working with asylum seeker communities in supporting and promoting community wellbeing. We do that in a number of ways. As I stated, we monitor community tensions and assess the impacts on our communities via a community impact assessment tool. Those can be managed and monitored both locally and nationally. We have a number of community advisers who represent different communities, and we have regular on-going engagement with them. We have a national independent strategic advisory group and a number of professional reference groups, and we have put together an independent review group.

We deliver training and have a number of hate crime champions across the country, as well as hate crime advisers. Where there is a significant incident or operation, we have the ability to operate a community reassurance cell to monitor and manage community tensions. We also regularly engage with our partners nationally. We seek to increase awareness of behaviours that constitute hate crime, as can be seen from our recent "Don't feed hate" campaign, which asks people to not feed the hate monster. We encourage people to report hate crime to us and tell them how they can do so, such as by using our

third-party reporting centres. Where hate crime is reported, we will carry out thorough and robust investigations.

We work closely with our colleagues in local policing who engage directly with asylum seekers on a daily basis and listen to their lived and living experiences. Our officers carry out a vital role locally in supporting our communities and the operational environment, which my colleague can provide an update on.

10:00

**Chief Inspector Elaine Tomlinson (Police Scotland):** Good morning, everyone. I am temporary chief inspector for partnerships and safer communities in the greater Glasgow division of local policing of Police Scotland. Thank you so much for the invitation to be here. We are absolutely honoured to represent the voice of local policing.

My role concentrates on continually enhancing collaborative work in the greater Glasgow division. We accept that we cannot do everything on our own, and partnership working is beneficial to us all. I hope to provide you with an overview of the challenges and best practices in local policing, while also providing a broader awareness of the national situation with regard to the current asylum-seeking process, the officers involved in numerous departments, the numerous partners and, most importantly, the vulnerable people who are seeking asylum in Scotland.

None of us can ever lose sight of the fact that families and individuals seeking asylum have been forced to flee their homes and their countries to evade horrors that we can never imagine, leaving behind their homes, jobs and loved ones in the hope of finding the basic privilege of safety.

Police Scotland's legislative purpose is to improve the safety and wellbeing of people, places and communities. We work to the laws of the country, considering all the threats and risks, and police accordingly. In the greater Glasgow division, we have developed a public health approach to policing, which is a vision to ensure that our approach and processes better support our public health partners to improve the health and wellbeing of everyone in our communities. That approach is applied to all areas of our policing, not least engagement and interaction with the vulnerable people we are discussing— asylum seekers. We ensure that we work collaboratively with our relative partners in an attempt to reduce the trauma, fear and anxiety that are faced by those people.

Every person has the right to seek asylum in the UK. The current process requires each person to attend the Home Office or Migrant Help so that a

screening interview can be conducted and basic information can be collected about their identity and their journey to be here in Scotland. That is done by obtaining biometric details such as fingerprints, which is a process that was convened in 1971, under the refugee convention. In today's discussions, I hope to give you an outline of the process through the eyes of our officers and also through those of the vulnerable people who are seeking asylum, in order to provide you with a greater understanding of improvement and best practices.

I again thank the committee for giving us the absolute privilege of being here today. We would welcome the opportunity to be involved in any subsequent task-and-finish or working groups that may be created to help to advance the finding of solutions. Collaboratively, we realise that there is more work that we can do together and, through shared learning, we can enhance the current work.

**The Convener:** Thank you to all three of you for your opening statements. I will kick off with a question about the legislative context. My colleagues Pam Gosal and Rachael Hamilton are interested in the impacts of the bill, so they will come in quickly after me.

The Scottish Government has said that the bill will amend the powers and duties of the Scottish ministers to provide support and assistance to victims and potential victims under the Human Trafficking and Exploitation (Scotland) Act 2015. However, the committee has heard concerns that the bill will exacerbate exploitation and trafficking in Scotland. How are victims of human trafficking and exploitation currently supported in Scotland? Will the bill make their situation worse?

**Bronagh Andrew:** At the moment, the Scottish Government funds TARA to provide specialist support to adult women who have been trafficked for sexual exploitation. It also funds our colleagues in Migrant Help to provide similar supports to adult men and women who have been trafficked for other forms of exploitation. That support includes access to temporary safe accommodation, early legal advice, access to health services and, of course, access to psychological assessment and treatment—I know that you are going to hear from my colleague Nina Koruth later. That support from TARA is available to women at the point of need. Women do not need to have been entered into the national referral mechanism to receive it; they can come into our service if there are concerns about or indicators of human trafficking. Our support is available 24/7. It is wraparound support, very much led by the women and very much trauma informed.

That is the support that is available at the moment. We are given a great deal of autonomy on the assessment of need and the length time for



which support may be provided. We are, therefore, significantly concerned about the proposals in the Illegal Migration Bill to disapply the Scottish Government's powers to provide that support on the ground.

**The Convener:** Can you expand a little bit on the concern that you mentioned in your last sentence?

**Bronagh Andrew:** At the moment, our concern about what is proposed in the Illegal Migration Bill is that TARA or equivalent services will be unable to reassure women about their protection. There will be a disincentive for survivors to come forward to ask for help. What we know, and what we have learned over the 20-odd years in which I have been involved with TARA, is that women are very wary of those in authority, and I include our service in that. Quite often, traffickers have told women that they are here illegally and that they will be either imprisoned or deported immediately if they come forward for support.

At the moment, we are able to provide reassurance that that is not the case and that, with legal advice and access to the NRM, there is a degree of protection. If the bill is enacted as it is now, we will no longer be able to offer that reassurance, so there will be a clear disincentive for survivors to come forward to services such as ours to look for support. That will have a knock-on effect in that we will not be able to link those women with our colleagues in Police Scotland and support them to access justice.

**The Convener:** Thanks for clarifying that. It is very important to get that on record. May I get a view from either or both of Claire Dobson and Elaine Tomlinson?

**Superintendent Dobson:** I suggest that Elaine Tomlinson takes the question on support and I can cover the potential impacts of the bill.

**Chief Inspector Tomlinson:** In relation to the support that Bronagh Andrew mentioned, we engage currently in Glasgow and in other areas where we have asylum seekers. We are engaging constantly with those asylum seekers and with the vulnerable women and families, making them aware of the police. We are very aware that, having come from other countries, they are potentially fearful of the police because of the culture in their country. We engage with those people to make them aware that we are completely different, that we are policing out of respect and that we will engage with them to look after them and protect them. That may be slightly different from what they have seen in their own countries.

We have to engage in order to get buy-in from them so that they will work with us. We will continue to do that through meetings in the hotels.

We meet them at community engagement events. We are fully embedded in numerous engagements in Glasgow and other areas across the country where we have asylum seekers. Be assured that we are providing that reassurance to them.

**Superintendent Dobson:** Obviously, we review any new legislation in order to understand the impacts and what changes there might be to how we uphold the law and how we manage that. From a policing perspective, there may be changes because of the reduced timescales. As you are aware, we are committed to trauma-informed policing. That education, and making sure that we get the best evidence from an individual, sometimes takes a bit of time and takes certain approaches. There is a concern that, where a specific and set timescale is shortened, and where an individual perhaps has to navigate more than one process at a time, we might not get the best evidence of the offence. The individual might then disengage with the system.

Equally, at the moment, although leave to remain is not a guarantee of the process, and nor is engaging with the NRM, ultimately individuals can be given time to work through that process, and they will be given support by services such as TARA and other organisations and agencies to have the time and space as the investigation progresses to work through that. Given the changes, there is the potential for victims to be less likely to engage in the NRM process and come forward, for fear that they will be deported within 30 days. There is the potential that we will see a fall in engagement with the NRM and an increase in reports from organisations under the duty to notify.

Lastly, on potential impacts, if we find that people are less likely to engage in the NRM process and with support services, there is the risk of trafficking and exploitation conditions being fostered, with victims staying in those sectors and in hidden areas of the economy where they are being exploited—for example, in agriculture, where we have a lack of food production workers—because they may not feel as though they can come forward.

**The Convener:** Thank you.

**Pam Gosal (West Scotland) (Con):** Good morning, panel. Thank you so much for your opening statements.

Last week, when I asked about trafficking and exploitation, I was told that, too often, victims do not want to deal with the police, so they are supported, in the first instance, by the third sector, perhaps through a joined-up approach with Police Scotland. What sort of partnership working do you undertake with the third sector in this area? Do you foresee any changes or improvements being

made? I will start with Elaine Tomlinson, because she mentioned trust. As a woman from a Black, Asian and minority ethnic background, I understand that, in other countries—I am thinking of my mother—there is less trust in the police, so when she mentioned that, it resonated with me. Is there a language barrier as well?

**Chief Inspector Tomlinson:** Thank you for those questions.

As I mentioned, we have to deal with vulnerable people and make them trust us. It is about bringing in that trust, because they have come from countries where there is a completely different policing style. We have to engage with them and make them understand our policing style and approach. We are proud to work closely with our third sector partners, who are the golden nuggets in that work.

You may be aware that we also have third-party reporting centres. There are 400 across Scotland, including more than 50 in Glasgow. That figure continues to grow as we engage with more businesses and organisations that want to be involved. There are now high street coffee shops that want to be involved, which is fantastic. If those ladies still do not have full trust in Police Scotland, we are able to engage with them and tell them to attend a third-party reporting centre to report matters. We have trained the staff there, who then report back to us. There is always an option to come to us. We will continue engagement with our partners, because we accept that we cannot do it alone.

If there are any other questions, I am happy to answer those.

**Pam Gosal:** Can the Scottish Government make any change or improvement to help a little bit more? Also, has there been a change since you started providing that support, given that you have reached out with 400 third-party places? Do you think that change is happening? What improvements can be made?

**Chief Inspector Tomlinson:** Absolutely. The change has been to our learning. We understand that people do not always want to come to the police, so they can come to us via those other measures. We are absolutely getting them to engage with us, but not directly. We will continue to break down barriers for those who are fearful about coming to a police station to speak to a police officer but, if we cannot do that for them, they can come to the third-party reporting centres. Our plea is that there continues to be more of those centres across Scotland. We continue to train more staff, which is resource intensive for us, but it is vital to Police Scotland. Your support in that would be beneficial to us.

**Pam Gosal:** Thank you.

**Bronagh Andrew:** In TARA's experience of trafficking, the women who are referred to us are often very wary about speaking to the police. We are able to provide them with space and time and information about what it means to engage with the police. We give them options around meeting colleagues in the greater Glasgow human trafficking unit, such as providing an intelligence statement or making a formal complaint. We have found that, with that time and space and that approach and by working closely with our police colleagues, the majority of women are willing to speak formally to the police and tell them about their experience.

10:15

A good example of the importance of partnership working is operation Altercation, which resulted in a court case early last year in which, I think, four human traffickers were found guilty of human trafficking offences in Scotland. TARA worked very closely with its colleagues in the greater Glasgow division human trafficking unit and Crown Office victim services to support two vulnerable women to give evidence. There can be a significant time between reporting and court cases, as there was in this case. Without close partnership working, I do not believe that those witnesses would have remained engaged in the service, because both were acutely vulnerable, and one in particular might have disengaged. Therefore, the ability to have time and space and close partnership working with Police Scotland reaps benefits in that traffickers are found guilty and punished for their crimes, and women achieve justice.

**Superintendent Dobson:** We have two victim navigators who are embedded in our human trafficking unit. They provide support to victims by way of translation services and working with TARA. They have a national remit, so they can be used around the country.

I noted some of your comments about this. Nationally, we are doing work in and around supporting individuals and trying to encourage people with third-party reporting. A lot of work is on-going in the local policing divisions. We have supported the Scottish Government in some of that work but, nationally, we are trying to improve that service, because we understand that it will be key to people feeling safe in coming forward. We want to fully support it and to expand it as much as we can and to work with individuals. We are also doing a lot of work in the BAME community, given the chief constable's commitment to Police Scotland becoming an anti-racist organisation. Collectively, as a national division, we often support local policing divisions. Recently, Elaine Tomlinson and I have done some work in and

around the African community. We have worked, from a national perspective, in the Lothians, the Scottish Borders and Fife. We are engaged in trying to support all that.

**Pam Gosal:** Having third-party reporting centres is a great initiative. There are 400 places, and people want to add to that. I deal with domestic abuse and things like that, so I know that it is important that those affected can get support by walking into a coffee place, for instance.

**Chief Inspector Tomlinson:** Convener, may I come back on one final point? Language barriers were mentioned. We have had the new Scots law brochure translated into 10 languages. Therefore, when asylum seekers present at the hotels in Glasgow, the law is being presented to them in the language that they most understand. That has been vital in letting them understand. It breaks down policing and basic Scottish law and gives them a greater understanding of living in Glasgow and the surrounding areas. I had forgotten to mention that.

**Pam Gosal:** Thank you for that information.

**The Convener:** I have a colleague who will go further into the language issue, so we will come back to that. Rachael, do you want to ask about anything in this area?

**Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con):** There is not a human trafficking statement, but a human trafficking strategy was published in 2017, so it was a while ago that that was put into this domain. I wonder whether there could be some development of that. There is not a statement as such on modern slavery, but there have been calls for one. As Bronagh Andrew said, there have been court backlogs because of Covid.

First, I want to ask Police Scotland about the preventative strategy. We know that human traffickers are bringing women into Scotland with the promise of employment—you talked about them filling employment gaps on farms, for instance. Is there a preventative strategy to allow employers to understand that that is happening and how to look out for the signs?

Secondly, on the point about court backlogs, what is the percentage of successful prosecutions? Obviously, human trafficking cases are very complex. Are women who are being trafficked aware of the backlog and, if they are, does that put them off?

I have asked two lots of questions. I will start with Police Scotland.

**Superintendent Dobson:** The national division is looking at creating a preventative strategy across the organisation. We do a lot of prevention work, and a lot of that prevention work is day-to-

day work, in and out of hotels and directly with asylum seekers. Elaine Tomlinson could cover that better than me.

On prevention, obviously, we are committed to the human trafficking strategy that was set out in 2017. We have a dedicated human trafficking unit that does all that work. To give you more detail on the work that they do, I would have to get that information and present it to the committee, because that is not the area that I cover in the organisation. I could certainly get that information for you. The percentage of prosecutions would have to be provided by the Crown Office and Procurator Fiscal Service. It has the figures for what is reported and what actually comes through.

Ultimately, we are committed to having those conversations as part of the human trafficking strategy. One of the strands of the strategy is specifically about getting that information out to businesses: it is about prevention, the knowledge gap and how we get that information out there. We are keen to engage through our partners on providing information and getting it out there. As Elaine Tomlinson said, we are keen to have documents translated. We were involved in contributing content to the safer communities aspect of the new Scots strategy, and we want to participate in that area.

**Rachael Hamilton:** It would be great if you could provide those figures because, as I understand it, there has been little progress in prosecutions since 2019. In that year, the number of human trafficking cases increased by 50 per cent. I am interested in the preventative element of this, rather than letting women go through this terrible trauma.

**Superintendent Dobson:** They are hugely complicated cases, as you can probably imagine. They are lengthy to investigate and can span more than one country, which probably builds in delays. However, we can get you the information on the prevention strategy and the prosecution figures.

**Rachael Hamilton:** On the point about women being put off by the backlog of court cases, I do not know whether they even realise the extent of the backlog.

**Bronagh Andrew:** I concur with Claire Dobson. Our experience of human trafficking cases and investigations is that they are hugely complex and detailed. We expect them to take time, particularly when police take a trauma-informed approach and work at the pace of the survivor.

As to whether the backlog of court cases puts women off, I have to be honest and say that I do not think that women are aware of that. They are often unaware of the processes. We have supported women who have not even understood that they were in Scotland, never mind how our

processes and criminal justice system work. It is part of our job and the role of Police Scotland and independent legal advice to provide women with that context and information. Women want justice—I can tell you that. Those seeking justice might be frustrated at the delay, but that frustration is around the trauma, the experience and the fact that they want to tell their story, give their evidence and move on with their lives. The frustration and anxiety relate to the ability to provide evidence and tell their story to the court. However, on the whole, women barely understand what TARA is and what our role is, never mind what it means to begin that process or the extent of the court backlogs.

**The Convener:** Maggie Chapman is online today.

**Maggie Chapman (North East Scotland) (Green):** Good morning, panel. Thank you for joining us and for what you have said so far. I am sorry that I cannot be with you in person today.

I want to explore a couple of issues about the use of hotels and how they support or do not support you in your important, necessary work. I will, if I may, come to Bronagh Andrew first. Bronagh, you mentioned in your opening remarks that one of TARA's concerns is that hotels provide ready-made places where traffickers can go to target vulnerable people. Can you tell us more about how you have seen that sort of thing function, if you have seen that in Scotland? Given that we are likely to see more hotel use across Scotland, how do you see it changing the nature of your work?

**Bronagh Andrew:** I can try to answer that. TARA provides safe short-term accommodation; we then ensure that women are able to access independent legal advice, and we will support them in making a claim for asylum, if they wish to do so, and in moving into the asylum support process.

In order to do that, and to mitigate any problems, we have regular monthly meetings with our colleagues in Migrant Help's asylum help team and Mears Group to troubleshoot and plan for women. Historically, that has been about our saying, "Please do not locate this woman in this part of the city, because exploitation happened there. Can you locate her elsewhere?" and then looking at that need. Now, what concerns us is the move itself. Women will frequently move from our accommodation into community accommodation, and we are now concerned about women being moved into hotels. Unfortunately, hotels are easily identifiable; if I were a perpetrator, I would know where to go. Moreover, women in hotels struggle for many reasons, including isolation and poverty, and at that point, they are acutely vulnerable to grooming by traffickers, who will lie to them so that they go with them. We are concerned about that.

TARA is able to mitigate such concerns. When women move on from our accommodation, we continue to provide them with robust support that is dependent on need. We are able to maintain close contact with them, which can act as a protective factor, but only for those who have been identified and are being supported by TARA. There are women in hotels who are not accessing support, who are not being identified as having been trafficked or who have not yet been trafficked but are vulnerable to traffickers coming to them with lies—that, if they leave with them, the women will have a better chance at life.

That is when exploitation occurs, and we have experience of that. We have a number of women who were accommodated in asylum hotels in England, were approached and groomed by traffickers, were sexually exploited throughout the UK and were then recovered in Scotland.

**Maggie Chapman:** Thank you for that. You paint a pretty bleak picture. Are you concerned that as hotels become institutionalised and start to be used for long periods—months, if not years—that issue will be exacerbated in some areas?

**Bronagh Andrew:** I think so. The feedback that we have from women in hotels is that they find them very isolating; they feel that their freedom is restricted; and they struggle with basics such as feeding themselves. Quite often, our team provides women with rice cookers in an effort to help them to look after themselves. They come to us in poor health; they have not been well fed, and nutrition is an issue. A big part of our role, therefore, is to support those women to feel safe, to look after themselves and to begin to get physically well to take on the challenges of recovery and moving forward.

The short-term use of hotels is difficult enough. We are concerned that, if they are used in the long term, women will not be able to move through their trauma and begin to envisage a life of hope and stability where they can make a difference for themselves and, in some cases, their children.

**Maggie Chapman:** Thanks for that, Bronagh. We have heard before that hotel accommodation is not at all conducive to trauma recovery, and it is important that you have highlighted that.

My final question for you is about TARA's relationship with Mears, as it is, I suppose, the hotel manager in Scotland. How have you found your relationship with Mears? In your regular engagement meetings, are you able to identify issues early on? Is Mears receptive to the kinds of requests that you make of it in relation to transferring particularly vulnerable people? How would you describe the relationship with Mears?

10:30

**Bronagh Andrew:** We have a very good relationship with Mears. It is very sympathetic to our approach—and I say that on the basis of our monthly health and housing multi-agency conference, at which we all get around the table and identify issues. It provides an opportunity to troubleshoot, and we all take on actions. Women are very much at the centre of it, and, because of that, we have been able to have a positive working relationship with Mears in what has become an increasingly restrictive context.

Does that make sense?

**Maggie Chapman:** Thanks very much for that, Bronagh. It does.

My next questions are for Police Scotland. I am not sure whether Claire Dobson or Elaine Tomlinson will want to take them, but they are also about the partnership working and multi-agency engagement that Bronagh Andrew talked about and which you mentioned, too.

How is your engagement with Mears? What notice does it give you when hotels start to be used for asylum seekers? How would you describe your partnership working or your relationship with Mears?

**Superintendent Dobson:** At the national level, we are involved in broader meetings in and around the Convention of Scottish Local Authorities and with Mears, and we also support each local policing division where there is a hotel, ensuring that structures are in place and that there are strong partnership links. There are round-table discussions with local authorities, Mears and other health and social care partnerships, and we have a lot of discussion about delivery and the support that is in place. Where support is potentially lacking, Mears can come to the table, have discussions and gain understanding.

The situation probably looks slightly different around the country; after all, we are dealing with different local authorities, so localised structures might be slightly different. Elaine Tomlinson can probably give more information from a divisional perspective—it is the divisions that liaise with the hotels and the local authority. There are briefings for local councillors and the community, and work on integration is done with the community, too. A lot of discussion and communication goes on.

That is just a broad overview from a national perspective, but Elaine Tomlinson can give you a view from the local policing division perspective.

**Maggie Chapman:** If you would, Elaine. I am particularly interested in hearing about the hotel connection and the information that you need in that respect.

**Chief Inspector Tomlinson:** I can come at that question from a Glasgow and, indeed, local policing perspective.

Greater Glasgow division was the first in Police Scotland to have an asylum seeker liaison officer predominantly dealing and linking with Mears and attending the delivery and procurement meetings. COSLA goes to that meeting with the council, Mears and us, and we discuss all matters relating to the hotels. We also have internal partnership working with our human trafficking team, which Bronagh Andrew mentioned and which links in with TARA, too. In those meetings, we have the time and space to discuss any concerns with the hotels, and we can assist with any developments.

The notice period that you asked about has always been sufficient for our senior management team and Mears's head of operations to introduce any plans and to listen to local concerns before taking anything further. As I mentioned in my presentation, we engage with the hotels through our asylum seeker liaison officer and, more important, through our community policing officers who go into the hotels.

The other safety element is educating staff and giving them an awareness of the asylum seekers and their vulnerabilities. We engage fully with staff and embed that work to ensure that they have much greater awareness and can report any matters to us.

I hope that that answers your question. If there is anything else, let me know.

**Maggie Chapman:** Thanks. That was really helpful, and it is good to have it fleshed out like that.

I have another question that is still focused on hotel use, but it is about how you engage with local communities on the ground, no matter whether a hotel has been newly identified or has been in use for asylum seekers for some time. What about the community relations and engagement work for which you have responsibility? Are there things that we need to think about, given the changes that could come in with the new legislation to how we engage with local communities where hotels are being used this way?

**Chief Inspector Tomlinson:** I can give you the perspective from Glasgow and other local policing areas.

We are fully engaged and will continue to be, and we are also mindful of the tensions that can exist in our local communities, where we are already engaging. We need to work with those communities, explain the situation to them and understand what they are saying to us. It is all about listening to people's concerns properly and

ensuring that we take them into consideration when we put plans in place. We have opportunities to collaborate by linking back in and raising concerns and issues and, through that collaborative work, we can reach the most agreeable solution for all parties concerned.

We continually engage with communities at local level and national level through Claire Dobson's team. We have it covered.

**Maggie Chapman:** Linked to that, just as hotels might be targeted by traffickers and people who want to exploit vulnerable asylum seekers, might they be targeted by far-right extremists, too? We have seen what happened in Erskine, for instance. Do you have concerns about that sort of thing arising from the prolonged and extended use of hotels?

**The Convener:** Can I just intervene and ask for a brief answer, please? I am conscious of the time and mindful that we will be taking evidence on that issue in greater detail in forthcoming weeks.

**Chief Inspector Tomlinson:** I will be brief. We are fully aware of the hotel in Erskine that Maggie Chapman just mentioned, and we have been reassured that local policing staff and the senior management team are fully aware of the situation, too, and are engaging with both communities to ensure that they are given a voice and are listened to.

**Superintendent Dobson:** We also have the community impact assessment structures, which provide a structured process whereby we can record, manage and monitor any tensions, mitigate risks and put actions in place. That process is monitored both nationally and locally.

**The Convener:** Can I bring in Fulton MacGregor, please?

**Fulton MacGregor (Coatbridge and Chryston) (SNP):** I think that it should be Paul O'Kane next.

**The Convener:** No problem at all. I was just conscious that you would end up being last, Fulton.

**Paul O'Kane (West Scotland) (Lab):** I want to follow up the conversation about the legislation and, indeed, on what can be done within devolved legislative competence on those issues. The Scottish Refugee Council has called on the Scottish Government to use its powers under section 9 of the Human Trafficking and Exploitation (Scotland) Act 2015 to look at creating an anti-trafficking protection process, essentially, that would bypass the NRM. To what extent do the witnesses consider that that would be useful in protecting our obligations under article 4 of the EHRC? I will start with Bronagh Andrew to get a

sense of whether you want the Government to push that forward.

**Bronagh Andrew:** For a long time, TARA has been very supportive of a Scotland NRM. At the minute, the national referral mechanism is owned by the Home Office. That is a bureaucratic process by which named first responders complete an online form, which goes to one of two competent authorities. Caseworkers within that authority make a decision on whether somebody is potentially a victim and then on whether somebody is conclusively a victim. Those are very much paper-based decisions and they tend to happen remotely from the survivor.

Even before the Scottish Government introduced human trafficking legislation, we supported a Scotland-based NRM that was more local and closer to the survivor and to the services that provide support on the ground. We support a Scottish identification and protection system, which would comprise the obligations and duties conferred to Scotland at the moment.

There are concerns around immigration status and that power being retained by Westminster, but I do not think that those are insurmountable: agreement could be reached on that. My concern is that clause 23 of the UK Illegal Migration Bill would disapply the Scottish Government's power to create its own identification and protection system, which is why we are so shocked and alarmed by the bill's contents.

**Paul O'Kane:** I will correct my acronym: for the record, it is ECHR—the European convention on human rights—not EHCR. I do that all the time, so apologies for that.

Thank you, Bronagh—that was helpful. Notwithstanding the challenges that the Illegal Migration Bill presents, what is your sense of engagement with ministers on that? Has work been done to look at a different referral mechanism?

**Bronagh Andrew:** I am not sure what has happened with the Government and ministers on that. There has certainly been more active listening around that proposal recently than there has been historically. The model is open to debate.

Glasgow City Council is participating in a devolved pilot on decision making on trafficked children. It would be useful for you to hear its experience, if you have not heard it already, on the difference that it makes for decision makers to be closer to the child, which leads to better-quality decisions and therefore better protection.

**Paul O'Kane:** I appreciate that Police Scotland will be limited in what it can say in respect of devolved competences, but as regards the

practicalities, might you be able to say something about whether a different referral mechanism would be helpful to you? I just want to give you an opportunity to comment on that.

**Superintendent Dobson:** That is not really for Police Scotland to comment on. Ultimately, we want to protect the vulnerable. That is what is most important to us. Obviously, the NRM and immigration are reserved matters, so we will not comment any further on that.

**Paul O’Kane:** Okay. You mentioned Police Scotland’s interest in protecting the most vulnerable. I will ask about your approach to supporting people. People are held in custody suites or in cells using the powers under immigration legislation. That practice is particularly concerning for people who are saying quite clearly that they are victims of human trafficking. In some cases, they have left a really dangerous situation and are then held in custody.

To what extent do you recognise that that practice is an additional barrier to supporting someone who has been a victim of human trafficking? Do you recognise that the Angiolini review identified that as being an additional barrier? Is there more that we can do to find alternative ways to process people?

**Superintendent Dobson:** Ultimately, we are an organisation that works within the confines of the law, which we uphold. The current process is that a person presents to Migrant Help or to a police station and, subsequently, they work through the system in that way. Elaine Tomlinson can give you an overview of what that looks like and how that process goes.

Ultimately, when it comes to immigration and people presenting, we as an organisation will always work within the confines of the law.

**Paul O’Kane:** It would be helpful if Elaine Tomlinson could say something about that. I appreciate your point about working within the confines of the law, but how do we ensure that everyone has access to interpretation services, healthcare and welfare? Is it your view that that is happening across the piece now in Police Scotland? Perhaps Elaine might be able to say more.

**Superintendent Dobson:** I can assure you that everybody in custody gets access to healthcare and to interpreters or translators, where that is required. There are various support mechanisms around the country for referrals and onward referrals, whether that is a result of their experiencing domestic abuse or another reason. I was a custody sergeant a number of years ago, and I know that a huge amount goes on at that point of contact. When somebody comes into custody, regardless of the reason, we consider

and look at their vulnerabilities. One thing that we are on heightened alert for is their being a potential victim of trafficking. Elaine can talk you through the process of what happens when somebody attends.

10:45

**Chief Inspector Tomlinson:** I am happy to give an overview of what goes on. The process is that the Mears Group is contracted by the Home Office to provide accommodation, and then Migrant Help is the first point of contact.

I will talk about collaboration, because that is the only way forward. We work really closely with the Scottish Refugee Council and the British Red Cross. I meet them once a month, along with Glasgow City Council, the health and social care partnership and social work. We look at the processes and challenges that have been presented to each of the agencies.

Again, just to highlight what Claire Dobson said, the relevant Scots law is translated into 10 languages, and we provide interpreters, when required, in the police offices. In Glasgow, people are processed in five stations with Livescan. Three of those stations are always staffed. In addition, immigration services attends.

The reassuring part, from a police officer’s point of view, is that we create an interim vulnerable persons record, on our interim vulnerable persons database, for every person who is brought into the police office. We can share that with our public protection concern hub, which can then share it with social work. That ties in all the points, to ensure that the correct agencies are there at the right time to provide the right support.

I am happy to take more questions.

**Paul O’Kane:** I am grateful for that answer. With regard to record keeping and passing on information, I am particularly interested in the justification, if you like, for passing information to the Home Office straight away, even if someone says that they have been a victim of a serious crime such as human trafficking. Would it not be more appropriate to find a system whereby we pass that information to a solicitor, in the first instance, or that there is a discussion with a solicitor or a trusted non-governmental organisation, rather than going straight to the Home Office, which could, very quickly, result in a removal order coming through and that process kicking in?

Do you recognise that there are issues to do with information sharing? Police Scotland has previously said that that is about the safeguarding of victims but not a lot of people recognise that as the best way to protect people.

**Superintendent Dobson:** Are you referring to the position after the bill comes in or to the position now?

**Paul O’Kane:** I am asking in the context of what the bill will do.

**Superintendent Dobson:** Ultimately, it is not for us to comment, at any point, on what legislation might be passed. As an organisation, we want to protect the vulnerable, but we work within the confines of the law. We will continually review the legislation and the legislative changes as they come in, so that we understand the risks and threats, and we will make sure that we can protect individuals who come into our care.

As I said, we work within the confines of the law and we would not comment on changes to be made in relation to the law.

**Paul O’Kane:** We have heard of cases in which information has been passed to the Home Office and removal papers, for example, have been served while people are in the process. That is happening currently. Do you recognise that?

**Superintendent Dobson:** I would have to speak to our human trafficking unit. It is not my area of business, but I can certainly find that information for you.

**Paul O’Kane:** Okay. That would be useful.

**Fulton MacGregor:** I want to follow on from my colleague Paul O’Kane by asking about access to services and support.

I will start with Bronagh Andrew. What more can the Scottish Government and local authorities do to increase the consistency of support that asylum seekers receive? Would it be beneficial if a lot more was free at the point of access, such as, for example, bus passes? I know that that is quite a broad question, but I am trying to find another way to ask a question on a similar area to Paul’s.

**Bronagh Andrew:** I can speak about survivors of trafficking and their experience of asylum. As with everything, more resources would mean better and more intensive support for vulnerable people and for taking that trauma-informed approach. We would certainly be supportive of free travel. We already use some of our funds to provide women with bus passes, because that is essential for their recovery, as it minimises social isolation and allows them to access education and other opportunities.

We have found one-to-one support over time to be beneficial for the women whom we support. That builds up trust and engagement, and it enables the safety net to be in place.

There has to be access to interpreting. However, there can be shortages of high-quality interpreters. I think that we have all experienced

that. Our sympathies have been with Police Scotland as it has tried to get access to interpreters for particular languages. We have experienced that, too. For local authorities and the Scottish Government, it is about ensuring that vulnerable individuals are at the centre of what we do and resourcing services to meet those individual needs as much as possible.

**Fulton MacGregor:** How can local authorities and government more widely be ahead of the game and know which interpreters are needed? How could that information be shared so that a local authority, such as North Lanarkshire Council, which covers the area that I represent, could say what interpreters might be required. Who would be able to provide information in response to that? Would it be the Government? Would it be the third sector?

**Bronagh Andrew:** I do not know who holds that information centrally. That makes me wonder whether we need national good practice guidance on the use of interpreters. Glasgow’s violence against women partnership has good practice guidance on the use of interpreters. Support providers are quite closely linked in Glasgow, so we are aware of where there are shortages. In fairness, it is for interpreting services to look at what they can do to encourage more people to become interpreters and to professionalise the service.

Interpreters are a huge challenge. It is not just about access to them; it is about the quality of interpreting and how we use our language to support interpreters. For example, the term “human trafficking” is not easily interpreted—it is not like for like—so we have to be careful about how we explain that and that we keep our language simple for interpreters. Interpreters must also be of a high quality and standard. Some women have asked us to stop an interview. Afterwards, they have told us that the interpreter was appalling, and that they did not understand what they were saying, which led to them asking for a different one. We definitely need to consider that.

**Fulton MacGregor:** It strikes me that that could be a really difficult and complicated issue. I recently held an event for a large number of Ukrainian refugees who have settled in Coatbridge. We got all the folk in place, but, unfortunately, the interpreter who was due to come could not make it on the day. The Member of Parliament and I were about to address the refugees who came, and it just so happened that a lady who was there was able to interpret. It is a massive issue.

Claire Dobson and Elaine Tomlinson, in your dealings with people, do you recognise Bronagh Andrew’s comments about interpreters? Is that an



issue, or do you always have access to interpreters?

**Superintendent Dobson:** We manage interpreters slightly differently. As part of our checks and balances, interpreters must come in. We work closely on that and pull everything together, to ensure that we have the vetting and everything in place because, obviously, they have access to vulnerable people. It is an area that we continually look at.

We continually horizon scan to understand the different languages and the type of interpreters whom we might need. An example of that is impact of the Ukrainian war. We look at whether we can manage needs accordingly, or whether we need to change, given the need and demand. That issue is managed centrally by my team.

We address that by understanding the different needs, languages and community tensions through horizon scanning. We then address things in the way that I have set out, if we have to.

**The Convener:** Are we okay to leave it there? I am conscious of the time.

**Fulton MacGregor:** I had another question, but, in the interests of time, that is okay.

**The Convener:** Thank you for your understanding, Fulton.

I thank the witnesses for their evidence. You have provided some very valuable information and context. If my colleagues have further questions or want more information, we will put that in writing to you. I am sure that you will be more than happy to provide us with further evidence. I hope that that satisfies anybody who did not get to come in during the session.

We will suspend the meeting briefly to allow for a changeover of witnesses.

10:55

*Meeting suspended.*

10:58

*On resuming—*

**The Convener:** I welcome our next panel of witnesses. Gayle Findlay is policy manager at the Convention of Scottish Local Authorities, and joins us remotely; Thomas Glen is chief executive of Perth and Kinross Council, and is also online; Dr Nina Koruth is consultant clinical psychologist at Glasgow psychological trauma service in NHS Greater Glasgow and Clyde, and is with us in person; Louise Long, who is chief executive of Inverclyde Council is with us in person; and Susanne Millar, who is chair of the Scottish asylum dispersal partnership board and chief

officer of Glasgow City Health and Social Care Partnership joins us remotely. I am aware, Susanne, that you will have to leave slightly before the end of our allocated time.

I welcome all of you and thank you for coming. I invite each witness to make very brief opening remarks if they wish, after which we will move to questions.

**Gayle Findlay (Convention of Scottish Local Authorities):** Thank you for inviting me to give evidence. As you said, convener, I am a policy manager at COSLA, where I am the policy lead for various humanitarian protection schemes, including asylum. COSLA undertakes a number of roles in relation to asylum and other protection programmes. We represent the interests and views of local government in Scotland at political and officer level, and we provide support to local authorities that participate in and are impacted on by humanitarian protection schemes.

We also have the role of the strategic migration partnership for Scotland, which is one of 11 such partnerships across the UK, and we are funded to facilitate the various humanitarian protection schemes, which include asylum. We participate at national level, advocating on behalf of local government in relation to dispersal and particularly the roll-out of full dispersal. We also work on issues with the Home Office, Mears, Police Scotland, health partners and the third sector alongside our local authority colleagues.

We represent local government's role in its approach to full dispersal, which, you will understand, will have a significant impact in Scotland. As part of our role, we support the structures in Scotland that have strategic oversight of asylum. They include the asylum dispersal partnership board, which is chaired by Susanne Millar, who is on the panel today.

The committee may wish to note that all 32 political leaders of our Scottish local authorities have maintained a commitment to participating in various humanitarian protection programmes, including full dispersal. Although there are many challenges with each programme, the significance of that should not be underestimated.

**The Convener:** Thank you.

**Dr Nina Koruth (NHS Greater Glasgow and Clyde):** I am a consultant clinical psychologist at the Glasgow psychological trauma service. We are a tertiary-level mental health service that offers psychological and multidisciplinary interventions to people who present with complex post-traumatic stress disorder following experiences of complex trauma. The service works with some of the most vulnerable and marginalised individuals in society, including refugees and those seeking asylum. I am the lead in our service to respond to asylum

seekers and refugees. We also hold a national contract under the support and recovery strategy for victims of trafficking.

I welcome the invitation to come to the committee today. I support the position that the true measure of any society can be found in how it treats its most vulnerable members. I have been really encouraged to see the recent committee meetings and the gathering of evidence from our colleagues who work in this area. We in our service are profoundly aware of the difficult and traumatic experiences that asylum seekers and refugees have faced. They are not a homogeneous group; they come from many countries and will have had different experiences in their home countries, on their journey to the UK and while here in the UK, including Scotland. I will do my best to represent the key issues and themes as they arise.

The context of traumatic experience is that people have fled their countries due to persecution and threats to their life. That can include experiences of physical violence, sexual violence, imprisonment, torture, war, persecution and exploitation. They also face multiple losses, of their homes, families, communities, identities and roles. The journey to seek safety can also be traumatic, and arriving in a new country and navigating the asylum system can be challenging. We know that, as a result of such factors, there are elevated rates of mental health difficulties among that population, which can include depression, suicidality, anxiety, PTSD and complex PTSD.

Our role is to try to build internal psychological safety so that people have ways of understanding their experience, coping with the distress that they experience in the present, processing the past and building a meaningful future. It is very difficult for asylum seekers to do that in the challenging circumstances where it is often difficult to meet their basic human needs and have external safety.

I seek responses that go beyond problem solving to be transformative. I am continually impressed by the people with whom I work, who have experienced significant trauma and yet are able to transform those experiences and continue to live their lives. It is remarkable and an example to us all. I think that that fits with the Scottish Government agenda of being a trauma-informed nation and one where we can transform the impact of psychological trauma.

**The Convener:** Thank you.

**Thomas Glen (Perth and Kinross Council):** Good morning, and thank you for the invitation to attend this morning's session. I am the chief executive at Perth and Kinross Council and, this morning, I hope to provide you with the

perspective from one of Scotland's smaller cities and from a rural authority on the impact of refugees and asylum seekers on our communities.

As a local authority, we have a history of supporting refugee programmes and previous asylum seeker programmes. We have supported Afghani, Syrian and unaccompanied minors refugee programmes. In November 2021, we were one of the authorities outwith the main cities that was invited—or, more likely, instructed—to accommodate asylum seekers through the Home Office and Mears programme. Over the period, we have seen around 120 individual males accommodated in hotels in Perth, and, through the council, public agencies and a range of community and voluntary sector organisations, we have sought to do what we can, within our limited remit, to assist those individuals during their time in Perth and Kinross.

More widely and more recently, in relation to refugee support, over the past year, Perth and Kinross has become home to around 500 Ukrainians through the homes for Ukraine and supersponsor schemes. Again, the arrival of those individuals in the area, although largely positive, has created challenges and has placed extra demand on services. I am happy to be here and to offer any further contribution.

**The Convener:** Thank you.

**Louise Long (Inverclyde Council):** Thank you for inviting me to give evidence this morning. I am the chief executive of Inverclyde Council. Inverclyde is known as being a warm and welcoming place, and that is evident through our long experience of settling families from Afghanistan and Syria.

We have worked in partnership with COSLA, the Scottish Government, the Home Office and Mears in the past 18 months to open a hotel and to provide some accommodation in flats in Inverclyde. In that time, we have supported the national and international response to Ukrainian displacement and have supported a number of people in hotels and flats and through the supersponsor scheme.

Although Inverclyde's statutory bodies, the third sector and communities have welcomed those initiatives, it is fair to say that, for a small area, they have created some challenges. However, we continue to work in partnership with the Scottish asylum dispersal partnership board, of which Susanne Millar is the chair. All the agencies on that board work collaboratively to ensure that dispersal is recognisable and proportionate. In Inverclyde, we have a higher level of rented accommodation, which has the potential to have a disproportionate impact on the number of asylum seekers that we can take. Therefore, it is important

that any dispersal of asylum seekers or any accommodation that we find for them is managed in a way that supports the asylum seekers but also supports our communities.

Like other local authorities across Scotland, we understand the importance of the richness that people who are new to Scotland bring. We see that through our Afghan and Syrian families. We have welcomed a number of families into our community, and we will continue to play an active part.

**The Convener:** Thank you.

**Susanne Millar (Glasgow City Health and Social Care Partnership):** Thank you for the invitation to attend. Briefly, I have been involved in asylum and refugee work in Glasgow city since 2006. As a city, we are very proud of our work on asylum and refugee issues. We have been a dispersal city for over 20 years, and, as I say, I have been involved since 2006. We still have the team that met the first ambulance plane from Kosovo a number of years ago, which began our engagement on asylum and refugee work, so I am very close to the work that we have undertaken in the city.

Like Louise Long in Inverclyde, our experience in Glasgow city has come with its challenges. Asylum seekers and refugees coming to the city and settling there has brought a richness and diversity and changed our city much for the better. We will continue to welcome asylum seekers and refugees into our city despite the challenges.

Moreover, in my capacity as chair of the asylum dispersal partnership board, I work with colleague local authorities, Mears and the Home Office. As you heard in the previous evidence, we all work hard in a difficult space to continue collaborative working to make sure that in Scotland, as a nation, we do our very best by people who seek sanctuary in our country. As I said, that is not without its challenges. It has been my experience, however, from working in the field for a long number of years, that it is worth all the challenges that it brings.

The relationships with the Home Office and the Westminster Government have, at times, been extremely difficult. As local authorities, we have to manage a significant lack of alignment, shall I say, between the UK Government and our Government here in Scotland, and that has meant, at points, that we have had a very strained relationship. However, as chair of the asylum dispersal partnership board, I remain convinced that we need to continue to work in that difficult space, continue to work collaboratively and be solution-focused in all that we do.

I am happy to be here this morning, convener.

**The Convener:** Thank you, Susanne. In the interests of time, we will crack on and move straight to questions.

**Maggie Chapman:** Good morning, members of the panel. Thank you for joining us and for your opening statements.

I want to explore in a bit more detail the use of hotel accommodation for asylum seekers. Thomas, you indicated that you felt that you were given more of an instruction than an invitation to accommodate asylum seekers in a hotel in your local authority area. Can you say a little bit about the experience that you have in dealing with Mears and the Home Office and about the challenges that you face in providing the necessary support or the challenges that you encounter in meeting the support gap that asylum seekers might have in hotels?

**Thomas Glen:** We were introduced to the Mears and Home Office programme at very short notice. We were advised that we would be receiving in the first tranche up to 70 individual males to be accommodated in a hotel in central Perth. We were told that that would happen in the space of a couple of days, and we advised them that we felt that that was an inappropriately short period in which to work with partners to prepare for their arrival, which was to take place during Covid. There were a number of health and social care implications, as well as wider implications, that we felt needed to be managed for that number of individuals coming into the community.

The first couple of weeks were probably the most difficult. Subsequently, the local Mears presence has been very positive on the whole in how it has engaged with partners. We have a system locally that brings together partners from the council, the health and social care partnership, Police Scotland, which gave evidence earlier, and a range of community and third sector partners. We have sought to work where we can to make the experience better for those individuals who are there now. We have under 120 with us in Perth now. We recognise, however, that we have limited opportunities to offer anything more than a range of activities to make their time as productive as we can. For 120 individual men living in Perth, we know that there is a lack of things for them to be able to engage with, and some of them have been in the same accommodation for over a year.

11:15

**Maggie Chapman:** May I explore that point a little more? In our evidence gathering in previous weeks, we have heard about the relationship that councils have to have with the third sector and about the support and other things—it is not just about support; it is about having things to do—that

you mentioned. Is there a challenge, particularly for local authorities that are not in the central belt and do not have the same access to the broader ecology of support and activities as those in the central belt do? Is there something particular there that we need to be thinking about when we have Scotland-wide dispersal systems?

**Thomas Glen:** There are probably two sides to that. We work with much smaller numbers than colleagues such as Louise Long and Susanne Millar in the central belt do. The numbers that we are working with have an impact at a local level because we do not have the same availability of accommodation or even the same number of organisations, so that can be a challenge. On the other hand, it tends to be much easier to work across those organisations.

We have very positive relationships with a range of community and voluntary organisations in Perth and the wider Perth and Kinross area. Those include Perth and Kinross Association of Voluntary Service, which is our third sector interface, Saints in the Community, which is aligned with St Johnstone Football Club, and the local leisure trust. Those have all been instrumental in providing support and assistance—at no cost, I have to say. Providing that support and assistance creates pressures for those organisations, because often it is being done on the basis of trying to provide the best experience for individuals who are living in our communities.

There are individuals whom we know in that community who have skills and talents and have tried to apply them by volunteering or working with community organisations. However, they have clearly been in that situation for some time—over a year in some instances—and it is challenging to maintain an active and enjoyable lifestyle over that period.

There are challenges for any community to maintain that number of individuals without any meaningful opportunities to engage with the wider community.

**Maggie Chapman:** Thanks, Thomas.

Gayle Findlay, from your experience of working in COSLA and seeing what is happening across different local authorities, what should we be thinking about doing better or differently to ensure that we get integration between the asylum seekers who are being supported—hopefully—in hotels, and the immediate local communities and the wider local authority area? What are the key challenges or asks that you have?

**Gayle Findlay:** I want to pick up on Thomas Glen's point about the speed at which the first hotels were established. That meant that planning was quite difficult and, as Thomas said, the first few weeks of that process were probably the

hardest. What we are seeing now—partly because of Susanne Millar's role at a national level as well as that of COSLA—is that we in Scotland seem to have a much more planned approach. Local authorities are being given notice, sometimes months in advance, of the potential for hotels to be stood up, which enables more planning to be put in place. We have seen that in a couple of regions that have just had hotels stood up: they have been able to communicate slightly more freely. Previously, there was very little communication with the community and community organisations, so that helps.

Ultimately, however, it is a question of resource, because there is no money attached to any of the asylum hotels. There is an expectation that community groups and local authorities will provide all those services for free. Therefore, if there are spaces for people in English for speakers of other languages classes, great, but there is no additional funding from any source to provide that, whether it is via a college or a community organisation. Until we see a significant uplift in resourcing around asylum, a lot of the work will be done because of the good will—of which there is much in Scotland—of services and community groups. Recently, there has been a very small amount of funding attached to the increase of dispersal beds, but that is fairly minor and certainly would not pay for any medium to long-term interventions in a local authority area.

**Maggie Chapman:** That is very helpful. Your point about resourcing for the public and third sectors is well made.

My final question is for Susanne Millar and is about the situation in Glasgow. Obviously, you have decades of experience in a way that other local authorities do not, but with that experience comes the burden of having to deal with some of the more complex situations. Can you reflect on the tragedy at the Park Inn hotel and on whether, across the piece, we have learned the lessons that we needed to learn from that? What changes have not been made yet that we should look to make? What else do we need to think about to ensure that we do not see a repeat of that, or a similar incident, and that we are genuinely being trauma informed in our support for asylum seekers?

**Susanne Millar:** Thanks for the question. You are right that there have been a significant number of complex situations. That is what I was reflecting in my opening remarks. That is always outweighed by the positivity, but we have had some difficult times in the city. On the numbers, I should have said in my opening remarks that, at any one time, we have in the region of 5,500 asylum seekers in the city. Proportionately, the number in Glasgow is among the highest in the UK and, at points, the highest. Obviously, we recently added our

Ukrainian population to that, so we have lots of experience in that space.

I will make a couple of comments specifically about the Park Inn. As a health and social care partnership, along with colleagues in the Scottish Refugee Council, we undertook a review of all the people who had been accommodated in the Park Inn. You will know that our teams were involved in supporting Mears at that really difficult time during the move that evening of those people from the Park Inn to the alternative hotel accommodation where we based our teams. As a health and social care partnership, we are engaged only with those who meet the threshold for health and social care services, so we are not, by definition, involved with the universal population. However, we previously held the contract, so we were involved in the past.

The outcome of the assessment that we and the SRC did was reassuring for us, because it showed that, when people were referred to our health services or our social work services, as a health and social care partnership, we responded appropriately. However, our real concern—our psychologist from the trauma service also touched on this in her opening remarks—was that the mental health and wellbeing of the asylum population were not being well served by the accommodation and support contract that the Home Office had with Mears. That is not a negative comment about Mears as a provider, but it is the case that mental health and wellbeing were not recognised in the contractual arrangements. We were clear, and we restated our protocols on referrals to us to make sure that those were clear, that our bigger concern was the mental health and wellbeing of people who were not meeting the thresholds for statutory intervention.

We put together a proposal for what we thought, based on our experience, was required—something similar to our tier 1 mental health services and community-based health services. We tried very hard to get the Home Office to fund that but, unfortunately, we were unsuccessful. Luckily, however, we were successful in getting the Scottish Government to agree to fund it. We are working on a pilot project, which is funded by the Scottish Government, on that mental health and wellbeing element. As I say, despite front-line Mears staff working hard and being focused on welfare, there was not the focus on mental health and wellbeing that was required, in our opinion. That will probably continue to be a concern of ours. Therefore, supported by COSLA, we have had to work on the pilot project that will be funded by the Scottish Government. I hope that we will be able to demonstrate that the project will support mental health and wellbeing, so our argument would likely be that it should become part of the contractual arrangements that the Home Office

has with the providers. Yes, that was one of the most difficult days to be at work.

**Maggie Chapman:** I can imagine. Thank you for the candour in your response. One of our challenges is getting that balance. We have already discussed the tensions between the different approaches to support from the various Governments, and the different layers involved, so hearing that is helpful. I will leave it there, as I am mindful of time.

**The Convener:** I want to pick up on a couple of points for clarity. We have heard that sometimes we get lots of notice, but Thomas Glen said that there was two days' notice of the arrival of asylum seekers and refugees. I am not sure who is best placed to answer this, but have there been instances when it has been less than that? I have heard anecdotally that some authorities have had about 12 hours' notice of a hotel being used for asylum seekers and refugees. Gayle, can you give me an idea of what the shortest and longest periods of notice have been?

**Gayle Findlay:** As Thomas Glen said, his area had one of the first hotels to be established outside of Glasgow. That was in 2021. The hotels that were established around that time received a similar amount of notice of two or three days—*[Inaudible.]*

**The Convener:** You have frozen.

**Gayle Findlay:** There has been more recent procurement over the past six months. The picture for that has been more like four weeks' notice for hotels being established. In fact, some hotels are getting even longer, but that is to do with things such as contracts not being signed rather than a delay on the will of the Home Office.

The picture in Scotland is slightly different from that down south. In England—Susanne Millar will be able to attest to this—they see hotels being stood up and the local authority being told after the event. The long-standing and good open relationship that we and the local authorities have with Mears means that we seem to get early notice more often, and that is not something that we wish to go back on. However, I think that our colleagues in England would tell a different story. Scotland is a much smaller area, people know what is going on and Mears values the partnership with local authorities and wishes to maintain the good relationship with us all.

**The Convener:** In the interest of time, I ask you all to be as succinct as possible in your answers. Louise Long indicated that she wanted to come in, and I am aware that Susanne Millar also wants to come in.

**Louise Long:** Inverclyde Council was notified at the time of the local elections, so we went back to

Mears and the Home Office and were able to negotiate four weeks, because we did not have a council at the time. We needed to inform our elected members and work alongside them. The Home Office gave us four weeks so that we could work alongside our elected members and local communities. Locally, we have an excellent relationship with Mears, which is doing a sterling job.

**Susanne Millar:** The difference in the notice period is one of the areas in which we have managed to operate in that difficult space with colleagues from the Home Office. I represent the Scottish local authority chief executives in the UK-wide structures on asylum seekers and refugees. Particularly now, there is pressure on the system, so there are weekly meetings of every chief executive across the UK. I support what colleagues have said: the notice that we get is materially different. We have worked hard to use the human relationship that we have with a number of folk in the Home Office and Mears to get the best that we possibly can for people who are settling in Scotland.

11:30

**Pam Gosal:** I thank the witnesses for their opening statements.

In previous sessions, witnesses referred to the differences between the resettlement of Ukrainian refugees and that of other refugees and asylum seekers. They often painted a picture that Ukrainian refugees are treated more favourably. However, at the weekend, it was revealed that more than 7,500 Ukrainian refugees are still in temporary accommodation and that some have been moved around the country. Can you talk a little about that? Did the Scottish Government overestimate its ability to cope with the number of Ukrainian refugees? What impact has the drastic housing shortage had on the ability to provide more stable accommodation in a community-based setting?

**Gayle Findlay:** You are absolutely right to distinguish between the various resettlement and asylum processes. As you are aware, in 2015, resettlement took on a whole new face in Scotland, with all local authorities participating, but that was a funded programme. Matching happened outside the country, people were placed in a local authority area and there was preparation on both sides. In comparison, local authorities have very little or no say over where asylum seekers are placed and have no active role unless those people meet certain vulnerability criteria in their day-to-day life. As Susanne Millar explained with reference to the Park Inn incident, the local authority would not have had much contact with individuals in that hotel.

There is a different system for Ukrainian refugees. It is the first time that we have had a Scottish Government-run system: the supersponsor scheme. Clearly, the number of people in hotels is concerning. As you rightly pointed out, that number is down to the lack of available housing—in not just the social rented sector but the private rented sector—and the cost of that accommodation. Without the accommodation, it will be very difficult and challenging to move people on. We have seen that with the Afghan scheme. You will be aware that there are a number of hotels in Scotland in which there are Afghan families who are still looking for homes across the UK.

That picture applies not just in Scotland, but the Ukraine element adds to the pressure in Scotland. Scotland and Wales are in a unique position in relation to Ukrainian refugees, because Scottish partners—including the Government, the third sector and local government—had never before experienced that number of people arriving in that space of time.

**Thomas Glen:** I will pick up on some of Gayle Findlay's comments, but I will begin by talking about the full dispersal scheme and the implications that it will have. As Louise Long said, after the initial challenges, our relationship with Mears has been a positive one. If full dispersal is rolled out, that will add to the wider housing pressures across Scotland that Gayle Findlay highlighted. As a rural authority, we have particular challenges in that we have nothing like the same level of affordable housing. In our local authority area, the figure for affordable housing provision is about 16 per cent, compared with a national average of about 26 per cent, so that is already a challenge.

In our opinion, the Ukrainian supersponsor programme has exacerbated the challenge in Perth and Kinross. Having said that, we have had some fantastic experiences involving communities coming together and welcoming Ukrainian refugees into our areas. I can cite the opportunities provided in Aberfeldy by Feldy-Roo, which is a community-based organisation that has been instrumental in bringing many of the 470 Ukrainians that we have in Perth and Kinross.

Yes, there is a challenge in that the range of humanitarian programmes come on top of housing pressures in our part of rural Scotland. For example, a one-bedroom flat in a rural part of Perthshire that is on the market for £90,000 can sell for nearly £200,000 to a buyer from down south or overseas. The pressure for affordable housing is very real, over and above whatever is added to the system through the current refugee programme and, potentially, through the full

dispersal programme, which Mears will have to manage at a later date.

**Louise Long:** One of the unique things about Inverclyde is that we have housing. However, we are a small local authority, and that is why, in my opening statement, I talked about the need to manage it well.

Inverclyde has a lot of socioeconomic challenges. Therefore, a bit like we did with Afghan and Syrian families, we have gradually taken Ukrainian families and developed housing and support, so that the community is not overwhelmed and, very importantly, so that we provide the right type of support to those who are seeking asylum in Scotland and those who are new Scots.

We might be unique in that our HSCP and the council provide services in the hotel in Inverclyde. We do that because we need to manage some of the community engagement so that there is enough. In a small area, there are not always facilities for everyone.

**The Convener:** I have a supplementary question. It is brilliant that you are providing those services. Who is paying for that? Which budget is that coming out of?

**Louise Long:** The community learning and development team provide English lessons in the hotel. As someone said in their opening statement, our education college also provides services. The council pays for that. Through our health and social care partnership, we support the third sector to provide what we call care navigators—people who signpost all the different services, whether that be football or gyms. A range of free activities in Inverclyde are provided by the health and social care partnership.

**The Convener:** My next question is not just directed at you; Susanne Millar might be in a good position to answer, too. The money for asylum seekers and refugees all goes to Mears. None of it goes to local authorities, but they provide all the peripheral services that are required. Is that correct? A brief answer would be absolutely fine.

**Louise Long:** Yes. We make sure that everyone who lives in the local authority area has access to services, just as our health colleagues do.

**The Convener:** It is fantastic that councils are doing that, but my point is that they are not getting any of the money that is allocated for that.

I saw Thomas Glen nodding his head. Was that in agreement that you do not receive any funds?

**Thomas Glen:** Absolutely. Mears has the contract. As I understand it, the individuals in the hotels have £8 a week or thereabouts to live on.

We do not get that direct funding but, as with Inverclyde Council, there is a cost that our council and our voluntary and community sector are bearing to ensure that those individuals get the best opportunities.

The importance of faith communities has not been mentioned. Perth has had a small Islamic community for many years. There is no mosque in Perth other than a small three-bedroom residential property that has been converted. The arrival of asylum seekers in Perth brought many individuals from the Islamic faith. That created pressure on the local mosque, which could not accommodate them—people who attended for Friday prayer were praying on stairs, in bathrooms and in kitchens. As a council, we worked with the mosque to provide access to the council's civic hall on Fridays for prayer, and it was fantastic. In the past couple of weeks, when we celebrated Eid Mubarak, we had almost 200 individuals in the civic hall. There is a real role for mosques and faith communities, which have done a fantastic job by providing a range of support to individuals.

**The Convener:** Thank you for making that important point.

**Paul O'Kane:** I want to build on the point about ESOL provision, because it is important. Could Gayle Findlay comment on ESOL provision across Scotland? We obviously do not have an ESOL strategy any more, but it would be useful to understand COSLA's position on who should be responsible for delivering ESOL services. It is fair to say that provision is patchy. I do not say that to anybody's detriment; it is just that there is no concerted strategy.

**Gayle Findlay:** We would have liked the ESOL strategy to continue, because it was an important building block for the previous really good practice that was recognised across the UK and copied by Wales and England. We seem to have stepped back from that, which is disappointing.

The funding that goes to colleges is very limited. It should be shared, through the ESOL partnership, among providers in local authorities—whether the provider is a local authority, a college or a third sector organisation—depending on the need. Due to cuts and some of the constraints relating to acceptable learning targets, a lot of the funding for entry-level and informal learning that people benefit from when they first arrive in the country has been cut. I am also aware that there are huge waiting lists across the whole of Scotland.

There are good examples of colleges, local authorities and the third sector working in partnership, but we are suffering from a significant lack of resources in the area and an increase in demand from Ukrainians, Afghans and other

asylum seekers. I cannot even estimate by how much demand has increased, but the waiting lists are significant. That is one reason why there are real concerns about the lack of an ESOL strategy. As part of the new Scots strategy, we have worked with the Scottish Government to try to address that, but we have not moved forward significantly on it.

**Paul O’Kane:** Do you think that the ending of the strategy was down to a funding issue, or was it just felt that it would be better to integrate it into other strategies?

**Gayle Findlay:** I cannot speak on behalf of the Scottish Government colleagues who made that decision, but our understanding is that it was made because they wanted it to be integrated into the adult learning strategy. ESOL is mentioned in the adult learning strategy, but it is a very small part of it. The funding sits separately, with the Scottish Funding Council.

**Paul O’Kane:** Louise Long touched on ESOL provision in communities such as Inverclyde. It can be challenging, because people would often rather keep things local and keep everyone in the community, but I know that people might have to travel to Glasgow and other places. What is your ESOL provision like from the community learning and development team or West College Scotland? What would enhance Inverclyde’s provision?

**Louise Long:** The college provides ESOL services, and our CLD team makes provision in the hotel. Waiting lists are as they might be in other places, but that comes back to my point about making sure that that is managed. We could always do with more ESOL provision, but getting specialist support into Inverclyde can sometimes be difficult. As we know, given the issues with transport, there are difficulties with travelling for people who are seeking asylum.

**Paul O’Kane:** I have one more question, convener, if I may. It is on a slightly different topic, but I want to ask it because Ms Long is here. As a regional member for West Scotland, I am particularly interested in the implementation in Inverclyde of the new Scots strategy, because declining population in certain communities is an issue there. Do you and the council see an opportunity to grow communities again by bringing in new families through the new Scots programmes? What work have you done on bringing communities together to understand the new diversity that might exist in a community that, perhaps, has not been as diverse as other places in Scotland?

11:45

**Louise Long:** For colleagues’ interest, a third sector organisation called Your Voice has done a

lot of work in the area to engage with communities in Inverclyde. We have also looked at the Afghan resettlement scheme. It comes back to that scheme’s being planned over a few years, so there was funding that went with the scheme. We have been able to attract several families from Afghanistan and Syria who have settled in Inverclyde, and we have a big community. Fairly recently, we had a big event at the Beacon Arts Centre, which you might remember, for what we call our new Scots. We see an opportunity if it is managed properly. There are challenges because of the size of the school estate and the places that might become available for housing families. There are a lot of single occupancies because of the tenements in Inverclyde. It all needs to be managed strategically.

**Fulton MacGregor:** Just following on from my colleague’s line of questioning, I note that, in the earlier evidence session—you might have heard some of it—there was a wee bit of discussion about interpreters and access to interpreters for asylum seekers. Can panellists tell the committee about the provision and use of language interpreters across Scotland? I am trying to think who on the panel is best placed to answer. I will start with Gayle Findlay, for the COSLA perspective, and see where we go from there.

**Gayle Findlay:** I did catch that part of the previous session. The witnesses reflected, probably very fairly, some of the challenges around access to interpreters and translators of the assured level of competence. Local authorities have contracts with various companies that they use. Mears also has a separate contract that it uses, and, as you heard, Police Scotland has its own set of accredited interpreters, as well. I would probably pass to one of my local authority colleagues to reflect on their practice locally, because, obviously, we do not necessarily work specifically with asylum seekers, so we do not regularly use interpreter services.

**Fulton MacGregor:** Thank you, and I am happy to go to Louise Long, if that is all right. I have three areas of questioning. The convener will be glad to hear that I do not propose to ask all five panellists each question. Louise, will you pick up on the interpreter issue?

**Louise Long:** It is difficult and complex. Obviously, there are different interpretation services that we can access relatively easily. The NHS can access interpretation services, and Mears has provision. Sometimes, given some of the language issues, it might well be that interpreters are not as easily accessible as we would like them to be. However, there is a whole range of mechanisms, including telephone, to support us if we run into difficulties.



**The Convener:** Can I just interject? Susanne Millar has indicated that she would like to come in, and I would like to bring her in now, before she has to leave for another meeting.

**Susanne Millar:** Thanks, convener. I want to add to that by way of illustration. In Glasgow, we have somewhere in the region of 154 different languages and dialects spoken in our schools as a result of the successful asylum and refugee work that we have done. Perhaps that illustrates the scale of the challenge.

It is similar to the situation with ESOL across the country; we do not necessarily have the consistency of interpreting services that we would like. Sometimes, it can be difficult to access specific languages and dialects. Often, as local authorities or health and social care partnerships, we can be in sensitive circumstances with people, so we need to be careful with our interpreting services and how we use them. We have to be constantly vigilant about that. There is constant pressure on availability, but also, at points, the complexity of our interactions with people means that we have to be really careful. It is another area in which it would be fair to say that any and every local authority in Scotland would welcome additional resource. That includes Glasgow.

**Fulton MacGregor:** Thanks very much for that, Susanne, and I thank the other witnesses. We have heard in both evidence sessions this morning, and previously, that this is an issue that the committee can certainly take forward.

I want to ask about asylum seekers and refugees who need mental health support. How readily available is that support for asylum seekers? Do they know and understand that they can access it? I am looking at you, Dr Nina Koruth. Perhaps you can come in on that.

**Dr Koruth:** The health service is accessible to asylum seekers and refugees at any stage of their seeking asylum or stay in Scotland. It is universal provision and, through our core business, we respond to the needs of asylum seekers and refugees. In Glasgow, the asylum health bridging team does new arrivals' initial health assessments for physical and mental health, and we link them with relevant services. We also recognise the role of general practitioners and community link workers in Glasgow in supporting the primary care mental health needs of asylum seekers and refugees.

For mental health needs, our service is a psychological trauma service. We work with people at the more moderate to severe end of complex post-traumatic stress disorder. We therefore see a large proportion of asylum seekers and refugees who meet our referral criteria. The other mental health services in Glasgow equally

respond, whether those be primary care or community care mental health teams.

As other people have touched on, it is about having a trauma-informed approach, about understanding the impact of trauma and how that might present in those populations and about being able to be trauma-responsive in providing specific mental health interventions that meet the mental health requirements. I will add that it is also about being culturally informed and culturally sensitive.

We talk quite casually about mental health now in Scotland, and that is great, but not all countries use the same language for mental health or have the same understanding of it. Even when we broach the matter with people from different countries, some education and information must be given in a sensitive manner. It is about talking about the impact of what they have been through, how that affects them in their life now and what supports might be available to help them with that.

In some countries, how mental health issues are dealt with might be more on the extreme end, with people being removed and institutionalised, instead of mental health being viewed as a broad spectrum, as we might view it.

I really recognise the value of psychosocial supports and the role of third sector and community supports in doing that. Particularly for trauma, we think about how to build safety as the primary task. That can be done through interventions that provide psycho-education and coping skills, but it can also be through structure, routine, activities and meaningful engagement. There is a very specific role for mental health services, but there is also a recognition of the broader support that is provided.

**Fulton MacGregor:** That is a very detailed description of some of the services and the way in which they are and can be delivered, and I thank you for that. Do you have any idea of how much asylum seekers and refugees know that they can access those services? Do you feel that they are accessed regularly and that there is a general understanding that they can be accessed? Whether asylum seekers and refugees want to access them is a different issue. Do you think that we can do more to ensure that people understand that they can access that support should they wish to?

**Dr Koruth:** It is hard to know. We receive regular referrals. There is awareness, and people are accessing services and know how to do so, but information is unknown about other people who do not have that awareness. I do not know what awareness campaigns there are or how to build that awareness in community bases.

We heard earlier from TARA. Trafficking awareness is an area in which we have had close partnerships from the very start to let people know about our service and how it might have a role in supporting their care. That is a very clear example of where that has worked well, and we might think more broadly about how we can inform asylum seekers and refugees about the different services that are available.

**Fulton MacGregor:** I have a final line of questioning, if that is all right?

**The Convener:** Is it all right if we come back to you? I am just mindful of time. If we have time, we will absolutely come back to you.

**Rachael Hamilton:** We know that the number of incidences of human trafficking has increased dramatically. Can the witnesses provide examples of how their local authority or organisation is working to tackle modern slavery through preventative measures and raising awareness? In the earlier session, we heard particular examples of that, in which traffickers were bringing vulnerable women into the country with the promise of employment. That might be particularly relevant in Perth and Kinross, so I will go to Thomas Glen first, if I may.

**Thomas Glen:** I heard part of the earlier session. I will pick up on the context of the contributions from Superintendent Dobson, Chief Inspector Tomlinson and Bronagh Andrew from TARA. There is a context in which individuals are potentially nervous about engaging with statutory services, and our police colleagues commented on that earlier. We had people who, from their arrival in Scotland, were nervous about engaging with health services, even on things such as Covid vaccinations. Immediately, we had to get past that sense of nervousness about engaging with us on any issue, let alone anything as potentially complex as human trafficking. It is important for us to understand the importance of relationships in this process.

Asylum seekers in Perth and Kinross are slightly different in that we currently have 120 individual males in the hotels that we use, so we have not had direct exposure to individuals who have been trafficked. We have structures in place with colleagues in Police Scotland and other responders, such as the multi-agency risk assessment conferences, to support women. However, in Perth and Kinross, we do not have much experience of dealing with people who have been impacted by human trafficking.

**Rachael Hamilton:** Through the equally safe strategy to eradicate violence against women, what advice has COSLA given to local authorities on raising awareness and encouraging women to report these terrible situations?

**Gayle Findlay:** The equally safe strategy lead sits in a different part of COSLA, but we often work quite closely. We also have a modern slavery human trafficking lead in our team. They meet regularly with local authorities, and each local authority has responded to the equally safe strategy, in many cases through a specific contact.

As you will be aware, there has been a change in the law regarding the requirement for local authorities to report suspected cases of trafficking and modern slavery. That applies to adults and children, and we are working with the Scottish Government to develop guidance for local authorities on what that means.

One of the mitigations that the Scottish Government has already made has been through the creation of independent child trafficking guardians. That is a follow on from the Scottish guardianship service, which, as I am sure you are aware, tackles the issue of trafficking children. It means that anyone under the age of 18 who is a suspected victim of trafficking will be given an independent guardian and that anyone who comes through the unaccompanied asylum-seeking children service will also be given a guardian. That is intended to address some of the concerns that Thomas Glen just talked about around how people feel about accessing services and some of the suspicion that exists around more formal services, such as the police or health.

It is an on-going piece of work, and you will have heard lots of evidence earlier and in previous sessions about the potential impact of the Illegal Migration Bill. We are not quite sure yet how that will play out in those roles and participation in those schemes.

**Rachael Hamilton:** This question is for Louise Long. With regard to the roles that Gayle Findlay has talked about, we have heard a lot about the interaction between the third sector and council social workers and community workers. I presume that those roles will always exist and that you will always provide them. At the moment, are the people who perform those roles your interface with asylum seekers when it comes to community cohesion issues? Do they help with access to services by acting as the point of contact for someone who has issues connected to human trafficking that they want to share? Are those the right people? Can you talk us through that?

12:00

**Louise Long:** Human trafficking is a public protection issue. Such issues are, and always will be, dealt with by social workers or the police; sometimes, they will do that together, through a joint investigative interview process, if children are involved.

In Inverclyde, we have a new-to-Scotland refugee and migration team, which is multidisciplinary—it includes people from health, social work and the third sector. That team supports anyone, including Ukrainians, Afghans, Syrians and people in hotels. The 50 to 60 people we have in hotel accommodation are—as Thomas Glen said in relation to Perth and Kinross—predominantly male.

We have done work with the third sector to raise awareness of human trafficking. As Thomas said, the people we are talking about are unlikely to speak to someone whom they think is official, such as a social worker or the police; they are much more likely to build relationships with colleagues in the third sector, through which they can tell us what is happening.

**Rachael Hamilton:** You do not have to answer this, but it was interesting that Thomas Glen said that the asylum seekers in Perth and Kinross are predominantly male. Do you have a combination of males and females in Inverclyde? In other words, is it possible that you might have people who have been trafficked? You might not know about it, but if that happened, do you have the appropriate services available?

**Louise Long:** We have predominantly male asylum seekers, but every local authority in Scotland has the services to support anybody who has been trafficked. It is part of our statutory duty to provide care.

**The Convener:** I would like to get some clarity on children in hotels. I think that it was last week that Andy Sirel from JustRight Scotland mentioned in his evidence that unaccompanied children were housed in a hotel, which he did not locate geographically. Gayle, can you give me an idea of what Andy Sirel was referring to? Can you shed any light on that? How many unaccompanied children are local authorities dealing with? Are they mainly in hotels, or have they gone on to dispersal accommodation?

**Gayle Findlay:** There are two separate issues there. Across the UK, adults have been dispersed into hotels, but the age assessment of some people has been incorrect, and others have not declared that they are under 18 until they have arrived at a hotel. That means that children have been dispersed as adults into adult hotels. We have seen that on only a couple of occasions in Scotland—in two of our hotels—and it has involved low numbers. I am not being dismissive of that, because it is extremely serious—it should not happen at all—but, in England, hundreds of children or under-18s are being dispersed into adult accommodation.

We have not yet seen that in Scotland, although I am not saying that we are not going to. However,

because of the vetting that goes with being in Scotland and the distances that people are travelling, there is a slightly higher level of vetting of those who arrive in Scotland. Thomas Glen might be able to give you more details about what happens in Perth. On their arrival, it immediately falls to the local authority to provide services to those young people, to do an age assessment and to decide whether to move them out of their hotel immediately or to do a full age assessment. It is done on a case-by-case basis.

For unaccompanied asylum-seeking children, there is a separate programme of asylum dispersal that COSLA oversees. Over the past year, more than 300 young people have arrived in a planned, if not very quick, way in Scotland. Local authorities are allocated a number of young people whom they are mandated to take by the UK Government. There is a rota system in Scotland, and each of the 32 local authorities in Scotland is required to take unaccompanied asylum-seeking children. They may come from a hotel for unaccompanied asylum seekers in the south of England or from one of the Kent reception units that are specifically for children. They then move on to an organised placement that is provided by the local authority.

There are two separate schemes. You are probably referring to those children whom the Home Office has decided are adults but who, when they arrive in Scotland, declare that they are children. The local authority then has to take care of them. There are two separate schemes, if that makes sense.

**The Convener:** Thank you for providing that clarity. I will bring in Louise Long, followed by Thomas Glen, since you mentioned him.

**Louise Long:** Unaccompanied children probably represent one of the most challenging areas for local authorities, especially a small local authority such as mine. Currently, we are under a great deal of pressure because of Covid: we have more children who are accommodated and there are very few spaces in our children's houses or in fostering. However, as Gayle Findlay said, we are mandated to take children, and we have a responsibility, when we take children, to make sure that they have a good placement, are safe and are given an opportunity to flourish.

We do not have any children in hotels, nor would we. However, I could see this being a pinchpoint, because we may, in the future, take responsibility for children but have no places in Inverclyde and so have to place them outwith the authority, at great cost. The finance relating to unaccompanied children does not pay for the cost of their placement, even in our children's houses.

**Thomas Glen:** As Gayle Findlay explained, the scheme for unaccompanied asylum-seeking children works well. It is managed and well coordinated, so we have not had any difficulties with that locally. We have had a small number of instances—a handful—in which young men turned out to be children when their case was looked at again. That was picked up very quickly, and we engaged our youth hub services and children's social work services immediately. That was picked up and dealt with through conversations with Mears. Although the numbers have been relatively small and those cases have been picked up quickly, there is clearly a risk in the system if that is happening.

The only comment that I will add is that, when we move to full dispersal, and Mears has to manage that and seek accommodation outwith hotels, a level of risk could be introduced with regard to the monitoring of where people have been placed and the potential for adults not to be adults but to, in fact, be children. We would suggest that that is a risk with the full dispersal programme.

**The Convener:** Thank you, Thomas. I will give the last word to Dr Koruth.

**Dr Koruth:** I would like to comment on the Glasgow context, because we also respond to the mental health needs of unaccompanied minors and do work with the social work service in Glasgow and with the Scottish guardianship service. It is my understanding, from working with them on our referrals, that there have been unaccompanied minors in hotels in Glasgow simply because of the demand on the available provision. I believe that how those people have been placed there and whether there are alternatives is an issue that is being looked at, and alternatives have been sought. The committee might want to follow up on that with the social work service there or with the Scottish guardianship service to get the numbers or the details.

We would recognise that, as was mentioned earlier, those are not ideal conditions for adults. They are certainly not ideal conditions for unaccompanied minors, so there are concerns about the mental health and wellbeing of those in such environments.

**The Convener:** Thank you for that. That gives us more information to go on. We will follow up on that.

That concludes our formal business. I thank all our witnesses for their attendance and their valuable contributions.

12:09

*Meeting continued in private until 12:18.*

This is the final edition of the *Official Report* of this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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