

Equalities, Human Rights and Civil Justice Committee

11th Meeting, 2023 (Session 6), Tuesday 9 May 2023

Asylum Seekers in Scotland

Note by the Clerk

Introduction

1. As part of its work programme discussion at its meeting on [Tuesday 17 January 2023](#), the Equalities, Human Rights and Civil Justice Committee agreed to undertake some work with a focus on race inequality in Scotland with a view to undertaking a short inquiry.

Background

2. Predecessor committees have undertaken inquiries on race inequality, with the Session 5 Committee focusing on [race equality, employment and skills](#) as well as looking at the impact of destitution on asylum seekers and those with insecure immigration status – [Hidden Lives - new beginnings: destitution, asylum and insecure immigration status in Scotland](#)
3. The Scottish Government and COSLA's [Ending Destitution Strategy](#) (31 March 2021) aims to improve support for people with No Recourse to Public Funds in Scotland, It is in response to the former committee's report. The Scottish Government has since published the [Ending Destitution Together: progress report – year one 2021 to 2022](#) (23 December 2022).
4. To inform its consideration the Committee held an evidence session on [Tuesday 7 February 2023](#), where it heard from stakeholders and grassroots organisations. The purpose of this broad session was to inform the Committee of key issues and assist it in identifying a focus for a short inquiry.
5. At its work programme discussion on [Tuesday 28 March](#), the Committee agreed to direct its focus initially on asylum seekers, refugees and people with insecure immigration status, building on work undertaken by its predecessor Committee and monitoring progress made in the Scottish Government's Ending Destitution Strategy.
6. One area that Members wish to focus on particularly, are issues arising from the housing of asylum seekers in hotels, the lack of community engagement

preceding these and the “flashpoints” which have resulted. These have been reported widely in recent press.

7. While the decision of where to house asylum seekers is a reserved matter, the Committee is keen to explore the impacts of the current asylum system upon those seeking asylum, local communities, local authorities and private contractors.
8. It will also consider current funding and where public monies could be most effectively directed as well as exploring the provision and availability of access to wider support and advice.

Evidence sessions

9. At its meeting on [25 April 2023](#) the Committee heard from representatives from the [British Red Cross](#), [Simon Community Scotland](#), [The Scottish Refugee Council](#) and [JustRight Scotland](#).
10. At its meeting on [2 May 2023](#) the Committee heard from representatives from [Refugees for Justice](#), [Maryhill Integration Network](#), [Refuweegee](#), [Friends of Scottish Settlers](#), [Grampian Regional Equality Council](#) and [the Children and Young People’s Commissioner Scotland](#).
11. At today’s session, the Committee will hear from public authorities, or their contractors, who have responsibilities for those within the asylum system in Scotland.

Participants

12. The following people will be taking part in today’s evidence session—

- Bronagh Andrew, Operations Manager, TARA - Trafficking Awareness Raising Alliance;
- Superintendent Claire Dobson, Partnerships, Prevention and Community Wellbeing Division and Chief Inspector Elaine Tomlinson, Safer Communities Team, Greater Glasgow Division, Police Scotland;
- Gayle Findlay, Policy Manager, COSLA;
- Thomas Glen, Chief Executive, Perth & Kinross Council;
- Dr Nina Koruth, Consultant Clinical Psychologist, Glasgow Psychological Trauma Service, NHS Greater Glasgow and Clyde;
- Louise Long, Chief Executive, Inverclyde Council; and
- Susanne Millar, Chair of the Scottish Asylum Dispersal Partnership Board and Chief Officer, Glasgow City Health and Social Care Partnership.

Format

13. The meeting will be held in hybrid format with some Members and witnesses attending in person and others joining the session virtually.

Topics

14. This session on Asylum Seekers in Scotland will be a chance to discuss topics such as

- How victims of human trafficking and exploitation are currently supported in Scotland and if the proposed Illegal Migration Bill may impact Scotland's approach
- What planning has been put in place by organisations to prepare for any consequences of the Illegal Migration Bill
- Whether there is adequate safeguarding in place for asylum seekers particularly children housed in hotels to protect them from trafficking and exploitation
- Relationships between asylum seekers and local communities, what issues are arising and how these are monitored and managed
- The level of support provided by local authorities for asylum seekers and whether that will be impacted by the new Bill
- ESOL support provided by local authorities
- How local authorities are working with the third sector to ensure that adequate support is provided
- Views on current Scottish Government policy such as the New Scots and Ending Destitution strategies
- Whether Scotland can learn lessons from elsewhere, for example its approach to housing Ukrainians in Scotland under the Super Sponsor Scheme
- Whether the Scottish Government could do more within its own devolved powers to support asylum seekers living in Scotland.

Next steps

15. At next week's meeting, the Committee will hear evidence from asylum contractors in Scotland.

16. The Committee will discuss the evidence it has heard at today's session in private and agree on any issues it wishes to explore further.

Clerks to the Committee May 2023

Ahead of today's evidence session, we received a letter from the TARA Advisory Group issued jointly to our Committee, the Home Affairs Select Committee and the Joint Committee on Human Rights regarding the lived experience from survivors of human trafficking.

The letter, "Lived Experience Response to the Illegal Migration Bill" is attached at [Annexe A](#).

Annexe A

TARA Advisory Group: Lived Experience Response to the Illegal Migration Bill

03-05-2023

Equalities, Human Rights and Civil Justice Committee

Home Affairs Select Committee

Joint Committee on Human Rights

Dear Sir/Madam

We write to you as a group of 5 female survivors who have lived experience of having been trafficked for the purpose of commercial sexual exploitation identified and supported in Scotland. We have been supported by The TARA Service, Glasgow City Council, on our journeys of recovery.

We write this letter, as survivors of human trafficking, in response to the Illegal Migration Bill which was introduced in the House of Commons on 7 March 2023.

Our letter and concerns are drawn from our own experience and we hope the below will demonstrate how the proposed Bill will disproportionately affect vulnerable women who have been trafficked in or into the UK for the purpose of commercial sexual exploitation.

We do not wish to make recommendations. We are simply trying to inform you about how we feel about the bill; the effect it will have on victims who are in the same situation we were once in; and thus, hopefully enlighten your discussions and help future victims and asylum seekers requesting protection from persecution and serious human rights violations in their home countries. We believe if this bill is passed, the following points will demonstrate some of the ways vulnerable women will be impacted, and how the injustice women seeking refuge, and those who are trafficked experience, will be amplified:

- We as victims feel frustrated about this bill and think it is unfair to future victims to pass such a law.
- **This bill will force victims to go further underground and not report the crimes they are subjected to;** increasing the crime rate and trauma caused to the victims in the process.
- Human migration will never stop; it always happens whether that be legal or illegal. History is a statement of that and migration is within our nature as human beings.
- Asylum seekers are not coming to profit from the benefits system or handouts. They want an opportunity to work and improve the economy. Asylum seekers

are often the ones willing to work on minimum wage and accept any job as they will do anything to take care of themselves and their family.

- If we had a good life in our own countries, we would not have left to come to the UK and seek a better one instead. Nor would we have ended up in situations that made us vulnerable to trafficking.
- How would you feel if a family member of yours was to go through this?
- We feel that this is an act of injustice.
- **This bill will open the way for more exploitation and human trafficking** as the government will pay for victims to be sent back; but it won't mean that trafficking will stop as others will be trafficked in their place.
- Victims should not be made to suffer more than they already have. This will just cause more trauma and suffering
- **This bill will be more costly for the taxpayer** than granting survivors full refugee rights.
- The Government should instead integrate the asylum seekers/victims and help them contribute to society. Future victims, just like us, are normally raised to work, not to beg. Asylum seekers' temporary accommodation should be for a short time only and claimants should be granted refugee status much faster so they can begin contributing to the economy. There are many examples of how detrimental it is to individuals' wellbeing to be indefinitely housed in accommodation designed to be temporary.
- Governments from the UK and France/EU should help illegal migrants at all costs, but not cause more suffering and harm. They have been through trauma that many could never imagine and will never experience.
- Criminals seeking asylum should be prosecuted and sent back but victims of human trafficking should be protected and helped.
- Victims should not be sent back at any cost as the cycle would just continue and they will likely fall back into the hands of traffickers and be trafficked to other countries or suffer more unimaginable trauma.
- The people transporting and taking money from migrants should be prosecuted and dealt with; not the victims. Traffickers are merciless and profit-driven and will find ways of exploiting victims despite this bill. **We beg you to shift your focus to the traffickers and not the victims!**
- The UK Government should consult and listen to victims and organisations who support victims (such as TARA). Decisions should not be based on

hypothetical ideas. Stakeholders such as TARA should be contracted and consulted before passing laws that will affect victims.

- MPs who make these laws should walk a mile in our shoes before making such decisions.
- Victims will suffer more if organisations like TARA need to police their decisions and provide minimum or no support to them as a result of this law being passed. This law will mean victim and migrant support organisations will be unable to provide the full support that is needed.
- **Victims will not come forward to seek help if this law is passed. They will be scared and feel unsupported. It was/is a struggle for us and it would be even harder for future victims seeking asylum.**
- We feel like the government is not moving in the right direction, but instead going backwards to a time when victims were not helped and forgotten.
- A victim's country of origin should not count when they need help and are being trafficked.
- If the government is failing to protect British women who are sexually exploited, how are they going to protect victims from other countries?
- Violence against women and human trafficking laws always need to be inclusive and for all women no matter their background, especially if UK nationals are the ones abusing and funding/accessing the sex industry.
- This bill goes against women's rights and British values – The UK is known for upholding human rights and helping those in need.
- If this law passed it will be hugely detrimental and will leave a big stain on the UK public and government's track record.

We hope that our voice can be heard regarding this bill as we have similar experiences to those who will be directly impacted by it. We hope that you can take into consideration the points we have highlighted in this letter and understand the negative implications it will have at various levels – both nationally and for individuals.

Thank you for taking the time to read our response. If you have any questions, please contact the TARA Service at commsafetyTARA@glasgow.gov.uk who will pass your query on to us.

Kind regards

The TARA Advisory Group