

Scottish Government guidance on support for adult victims of trafficking and exploitation

Scottish Government Consultation 2026

Victim Support Scotland is a national organisation dedicated to supporting victims and witnesses of crime. As Scotland's largest victims' organisation, people impacted by crime have access to our services right across the country. We are a listening ear when people need to talk to someone about the impact of crime, we provide practical support such as when people need a safety plan to feel secure in their home and we give access to critical crime-related emergency funds in their time of need.

We play a crucial role in delivering victim-centred support, and this in turn drives our forceful and successful lobbying and campaigning for change within the criminal justice system. As an organisation rooted in the experiences of victims and witnesses, we aim to ensure that their voices are central to the development of policy and practice.

Background to Consultation:

This consultation seeks views on whether the draft guidance on support provisions for victims of human trafficking in Scotland is clear, practical, and accessible, and if it provides the right level of information to assist practitioners in supporting victims.

***Please note:** *Victim Support Scotland did not answer every question within this consultation. This is because a number of the questions related specifically to the operation of support provided to victims of human trafficking and the organisations that are prescribed to do so – these are Migrant Help and TARA.*



Please note that Victim Support Scotland provides support to all victims of crime and our responses are grounded in this broader experience of victim support. Some areas of our service delivery have greater contact with some victims of human trafficking, and we have included their feedback in our response. We are not one of the core organisations authorised to provide specialist tailored support to victims of human trafficking in Scotland – those being TARA and Migrant Help.

Question 1: Does the Guidance clearly set out its purpose and who it applies to? (Section 1 of the guidance)

Answer:

Yes. Victim Support Scotland believes that the guidance clearly sets out its purpose and who it applies to. However, we have an additional minor comment to add.

There could be a clearer explanation as to what a ‘public health approach’ is. A public health approach may not be universally understood; a clear and accessible explanation should be provided to ensure there is a shared understanding of what this approach will or could include.

Question 2: Does the guidance clearly set out the context, including the Human Trafficking and Exploitation (Scotland) Act 2015, subsequent regulations and the 2025 Trafficking and Exploitation Strategy, within which it will operate? (Section 2 of the guidance)

Answer:

Yes. Victim Support Scotland is content that the guidance clearly sets out the context including the Human Trafficking and Exploitation (Scotland) Act 2015, subsequent regulations and the 2025 Trafficking and Exploitation Strategy, within which the guidance will operate.

We know that legislation can be lengthy and complex. We note that it is particularly useful that this section of guidance explicitly outlines the relevant sections within legislation in clear and accessible language. This makes it easier to reference for support providers. In addition, we find it beneficial that the guidance outlines the specific duties on the Lord Advocate to act in relation to legislation and this guidance. This sets a clear commitment to supporting victims of human trafficking.

Often, it is the case that language used within legislation can be difficult to understand, so explaining the specific sections that apply and what they do is beneficial to ensure clarity.

Question 4: Does the guidance set out clearly the key principles informing adult human trafficking victim support in Scotland? (Section 5 of the guidance)

Answer:

Victim Support Scotland feels that the guidance sets out clearly the key principles informing adult human trafficking victim support in Scotland, but there could be scope for further detail to be added.

From our experience in working with victims of human trafficking, we know that crime and its consequences are complex, and so any support provided must be targeted and tailored appropriately. We are supportive of the inclusion of trauma-informed and culturally competent support as the basis for key principles informing adult human trafficking victim support in Scotland. This is a clear commitment to ensuring that victims are respected and the broad spectrum of needs are met during their support journey.

Victim Centred Approach to Justice

Victim Support Scotland remains steadfast in our belief and support of the Victim Centred Approach to justice, which is designed to ensure that victims, their families and witnesses are treated with fairness, compassion and in a trauma-informed manner where their safety and wellbeing is the priority. Under this approach, victims, families of victims, and witnesses will have access to consistent, appropriate and timely information and support and are supported to understand their rights and have confidence that these rights will be upheld, and they will be able to participate effectively. The provision of this support is underpinned by effective collaborative working across the justice system and sector.

Embedded throughout the process of working with victims of human trafficking must be the acknowledgement that participating in investigations or reviews concerning their experience, carries a great psychological impact. This should be acknowledged in any guidance that is to be used by victims.

Multi-agency working

Victim Support Scotland welcomes the commitment to multi-agency working in this guidance. Each organisation in the victim support sector offers unique insights, experience and expertise in working with victims from across the spectrum of crime types. Whilst a victim's main concern may be what follows after human trafficking, they may have been subjected to other crimes and behaviours, such as abuse. Taking a multi-agency and organisational approach to supporting victims will provide a holistic support offering, informed by expert knowledge that can be tailored to each individual.

Additionally, there must be explicit mention of the safeguards that will be put in place to ensure secure cross-organisation working and handling of personal data. Including this will serve as a reminder to people using the guidance to provide support and, if this guidance is to be read by victims, demonstrate a promise that their information will be safe. There is no explanation provided in this guidance as to the legal basis for and how information will be shared between agencies or held, stored and deleted. Further detail should be provided on this to give assurances that people's data is safe and how it will be used. The communication of this is crucial, including the benefits to sharing information, as victims' may not trust authorities and could be reticent to have their information shared. Here, it may be useful to consider an Information Sharing Agreement for this purpose.

Question 7: Does the guidance set out clearly the rights and information that should, where relevant, be made available to victims of human trafficking? (Section 6.3 of the guidance)?

Answer:

Yes. Victim Support Scotland is content that the guidance sets out clearly the rights and information that should, where relevant, be made available to victims of human trafficking. We are supportive of specific provision for dedicated information on rights and any relevant information to be shared with victims of human trafficking.

Communication

VSS makes it clear that any information shared with victims of human trafficking must be clear, concise and trauma-informed whilst acknowledging the extensive emotional and often physical impacts victims of human trafficking have experienced. We know that for all victims, the period following a crime can be traumatic and confusing – this could be especially heightened for victims of human trafficking who are often in an unfamiliar country with a different language. Through our National Support Centre helpline, we know how important interpreters can be in helping victims convey what happened to them and for us to offer help to them. We are therefore supportive of the inclusion of interpreters so that victims can fully understand the information presented to them, in a language they understand. This will also offer a better opportunity for them to ask follow-up questions.

Further in relation to this, it is important that victims are not overwhelmed with information that is unnecessary or irrelevant to their circumstances. Based on VSS's experience in supporting victims, we recognise that overly complicated and irrelevant information may only serve to confuse and frustrate victims. In contrast, clear, concise

and accessible information is crucial in strengthening victims' understanding of their situation and confidence in the systems and processes they will engage with.

Information on victims' rights and additional relevant information should be shared in a timely manner so that victims are informed at the earliest stage of the processes they will be engaging with. Timely communication, that clearly explains these rights and entitlements, helps to manage expectations and supports a clear understanding of the victim journey.

VSS asks that in any document provided to victims, which outlines relevant information and their rights, also makes specific mention of victim support organisations and the support they offer. This will outline clearly the types of support available and how, when and where they can be accessed. In doing so, this signals a clear commitment to ensuring that victims can access the best support for them.

Assistance during criminal proceedings

In relation to this, Victim Support Scotland draws particular attention to section '6.6.3 *Assistance during criminal proceedings.*' VSS provides a range of practical, emotional and procedural help that can be tailored to guide victims and witnesses through every stage of criminal proceedings. As VSS is completely independent of the police and courts, we are purely there to support a victim or witness. This can be very important for victims and witnesses as interacting with the criminal justice system can be daunting. This could be heightened for victims of human trafficking who are in an unfamiliar country and may worry about their participation in proceedings.

VSS provides support at all stages of the criminal justice process. Outlined below are some key support measures we can provide:

Preparing for court -

- a. We help victims and witnesses to understand the criminal justice system and the role the person will play in giving evidence.
- b. We provide court familiarisation sessions which can be conducted virtually or in person. This allows the person to visualise the court room, where everyone will sit and what their roles are.
 - i. VSS utilises VR headsets which can be used to give virtual tours of court rooms across Scotland. Currently, these are only available in English, but we have ambition for these to be provided in difference languages in the future.

This preparation is an important step in helping victims and witnesses feel more prepared for attending court, helping to reduce anxieties around attendance and processes.

Support during proceedings -

- c. Our staff and volunteers are present in courts across Scotland where they can meet and accompany a victim or witness, provide access to a quiet and safe space and provide emotional support.

Support with special measures -

- a. As victims of human trafficking are considered ‘vulnerable witnesses’ under the Victims and Witnesses (Scotland) Act 2014, VSS takes significant steps in ensuring that they receive the support they are entitled to. We can help with arranging special measures.

VSS can help to facilitate a number of special measures for victims of human trafficking, such as giving evidence via our remote evidence suites in our Glasgow and Edinburgh offices (with plans to extend this provision from our Inverness office).

Lived Experience

The following lived experience does not relate directly to a victim of human trafficking, but it nonetheless demonstrates the impact of VSS’s court support. The full story can be viewed on our website here - [Eve’s story | Victim Support Scotland](#).

“Before any trial went ahead [VSS] had me in the court for a visit and talked me through the court process; they showed me how the screen worked and how the court was set up. It was still really daunting but they put me at ease.”

Providing these safe spaces, with the ability to give evidence remotely, allows victims and witnesses to provide their testimonies in a safe and supportive environment away from the courtroom, which can often be a traumatising environment. Provision of remote evidence suites helps reduce the risk of re-traumatisation. Giving evidence and having to recall traumatic events can cause a significant amount of stress, and removing the need to do so in an intimidating court building can help to reduce this.

VSS’s remote evidence suites have been utilised on several occasions by victims and witnesses to provide evidence remotely. Feedback from people who have used our remote evidence suites has included that the suites provided a nice environment and a calmer space that did not feel as though you were ‘attending court.’ In cases that ended up with an adjournment, some victims with children requested that they come back to VSS to give evidence in the future as they felt the environment was better for children.

Given the importance of the support and guidance VSS and other victim support organisations can offer for victims of human trafficking, we feel it pertinent that specific reference is made to victim support organisations. In doing so, specific support and where to access it is clearly signposted.

- In particular, VSS's remote evidence suites are bespoke and specifically designed for supporting vulnerable victims and witnesses. We would like to see this service highlighted in guidance so that support organisations are reminded of this service and can easily inform a victim or witness about them.

Question 12: Does the guidance set out clearly the transition support available to adult victims of human trafficking? (Section 6.8 of the guidance)

Answer:

Victim Support Scotland agrees that the guidance sets out clearly the transition support available to adult victims of human trafficking, but there could be scope for further detail.

- Victim Support Scotland maintains up to date details of partner organisations that we refer victims to in each of our localities. We propose that the guidance should indicate that VSS has such information. We suggest that this would be the most beneficial way to indicate that there is other support available as we know that provision of services can be impacted by annualised funding decisions. We feel it would be beneficial for victims to know that there are a variety of support organisations available to them.

Victim Support Scotland - Emergency Assistance Fund (EAF)

We know that each victim support organisation provides its own bespoke support services, but we wish to highlight Victim Support Scotland's Emergency Assistance Fund (EAF). Providing information on schemes, such as the EAF, in this guidance will be helpful for victims as it outlines their eligibility and how they may be supported financially.

Victim Support Scotland's Glasgow locality team frequently deals with cases of human trafficking, usually referred through TARA, largely for support through the EAF. From speaking to our colleagues at TARA, we know that it is standard procedure that they apply to the EAF when they are unable to provide certain items for victims of human trafficking. Since 2023, the EAF has received around 190 applications directly from

TARA. Items requested regularly include laptops, rice cookers, food vouchers, and clothing vouchers. Given that TARA routinely refers to the EAF as a core component of its support offer, it is appropriate for the guidance to make explicit provision for the EAF.

Additionally, support through the EAF is available to female victims of human trafficking who become pregnant as result of the trafficking. We know that TARA can provide equivalent maternity payments, where women are not eligible to receive support from the benefits system, asylum support, or social work. In addition, the EAF can provide additional items via baby packs. This is an essential support mechanism for women who find themselves pregnant and without support in an unfamiliar country.

Provisions the EAF can cover includes:

- Household items
- Security equipment
- Contributions to funeral costs
- Moving costs
- Travel costs to a place of safety

Outlining available support, such as VSS's Emergency Assistance Fund, would be beneficial as it reminds trafficking support organisations that transition support exists and provides victims with a clear signpost to the help available to them. It would also serve as a commitment to the importance of these services by highlighting the key support provided and how it may be used.

Question 13: Does the guidance set out clearly the outreach support available to adult victims of human trafficking? (Section 6.9 of the guidance)

Answer:

Victim Support Scotland is content that the guidance sets out clearly the outreach support available to adult victims of human trafficking. However, some additions could be made.

VSS feels that explicit mention that Victim Support Scotland can provide contact details for victim support organisations which operate across Scotland and the specialist support they provide, should be made in this section of guidance – this is in line with the comments we have made in our answer to question 12. Currently, there is a level of ambiguity to this section of guidance as although it states victims should and will be linked in with another organisation, it makes no mention of what these organisations could be or the support they provide. VSS believes that every step should be taken to ensure that the support process following human trafficking supports victims and does not serve to confuse them.

There are a number of victim support organisations operating across Scotland, offering a variety of tailored support. Outlining each of these organisations, categorised by the crime type they support, would prove useful in picking or signposting the most appropriate organisation(s) for a victim.

Additionally, this section could include more specific guidance for other victim support organisations that may provide support to victims of human trafficking. The guidance currently drafted is more aimed at how the core funded organisations (TARA or Migrant Help) must deliver their support. VSS feels it would be beneficial for a section of guidance for other organisations to outline the key considerations that should be made when working with victims of human trafficking, as these organisations offer a different kind of support than the core services do.

Question 14: Would additional visual aids (i.e. flow charts or diagrams) be helpful within the guidance?

Answer:

Victim Support Scotland feels that additional visual aids would be useful within guidance. People absorb information in different ways so visual aids such as flowcharts and diagrams could help some people to understand the process. Visual aids also prove useful to refer back to for clarity, as often written guidance can prove time consuming to go back through.

Question 15: Is the guidance easy to read, navigate, and understand for all audiences?

Answer:

Victim Support Scotland feels that the guidance is easy to read, navigate and understand for support organisations and local authorities. However, we contend that it is too technical for victims of human trafficking.

Support Organisations and Local Authorities

From experience, we know that support organisations and where appropriate, local authorities should be equipped with detailed guidance to provide the level and nature of support that victims of human trafficking are entitled to receive. This guidance document is therefore suitable for support organisations and local authorities.

Victims

Following on, VSS's view is that this guidance is more of a tool for professionals.

We know from experience of working with victims across the criminal justice system, that overly complicated information can cause confusion and sometimes frustration amongst victims. This could be especially true for victims of human trafficking who are in a different country that may operate very differently to their home country. It may also be the case that victims of human trafficking have been kept completely sheltered from the society they have been brought to, or are not supported to integrate, and so their knowledge and understanding of services may be limited further.

In line with this, and the Scottish Government's commitment to survivor inclusion and rooting responses in lived experience, VSS suggests that it would be more beneficial for a separate document for victims to be produced. This document should clearly and concisely outline what victims should expect when entering into support and the rights they are entitled to as victims – this argument is supported by conversations we have had with colleagues at both TARA and Survivors of Human Trafficking in Scotland (SOHTIS). It should also outline the various support organisations that operate within Scotland, and the specialist support they provide.

- We know that our colleagues at TARA operate a lived experience working group that is constituted of victims of human trafficking. Their experience and insight should be utilised when designing guidance material for victims. Members of this working group will possess the most valuable experiences and understanding of what victims of human trafficking require.

This document should be made available in the victim's native language, and they should also be offered the opportunity to have someone read and explain the document to them. This will offer the best opportunity for them to fully understand their rights and also ask any questions. Additionally, for people who cannot read in any language it may be beneficial that there are video and audio formats of the guidance document for victims available.

- For example, VSS has seen the benefits of having an animation which explains our EAF. It depicts clearly the reasons someone may apply for EAF support and some examples of what the EAF can provide.

This provides an additional medium and makes the guidance more accessible for victims.

Question 16: Do you have any other comments or suggestions about the guidance?

Answer:

In line with our answers to other questions within this consultation, Victim Support Scotland contends that there is an opportunity within this guidance to make more explicit mention of wider victim support options, beyond the core funded support services (TARA and Migrant Help).