



EAST AYRSHIRE CHILD PROTECTION COMMITTEE

PRACTITIONER BRIEFING NOTE

NO 25

TOPIC: THE HUMAN TRAFFICKING AND EXPLOITATION (SCOTLAND) ACT 2015 (COMMENCEMENT NO. 4) REGULATIONS 2018

BRIEFING: On 31 January 2018, section 12 of the Human Trafficking and Exploitation (Scotland) Act 2015 came in to force, which requires a relevant authority to assume a person is a child (**person under 18 years of age**) when exercising functions under certain enactments with regard to the person where doubt exists as to their age.

Section 12 applies when (a) a relevant authority has reasonable grounds to believe that a person may be a victim of an offence of human trafficking, and (b) the authority is not certain of the person's age but has reasonable grounds to believe that the person may be a child.

Until an assessment of the person's age is carried out by a local authority, or the person's age is otherwise determined, the relevant authority must assume that the person is a child for the purposes of exercising its functions under the relevant enactments.

Further guidance is available from the Scottish Government Human Trafficking team and attached below is a link to the Circular giving more details about the commencement of section 12 and other useful links.

<https://www.east-ayrshire.gov.uk/Resources/PDF/C/SG-Circular-regarding-Human-Trafficking-25-Jan-2018.pdf>

In addition, Police Scotland have a helpful leaflet on Human Trafficking in English (see link below), which has now been translated into several languages, including: Romanian, Lithuanian, Bulgarian, Polish and Vietnamese (awaiting upload of them onto internet).

<http://www.scotland.police.uk/assets/pdf/174967/human-trafficking?view=Standard>

FURTHER

INFORMATION: For Further information please contact:

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