



Consultation Response

**Trafficking and Exploitation Strategy
Review**

The Scottish Commission for
Learning Disability
November 2019



SCLD is an independent charitable organisation and strategic partner to the Scottish Government in the delivery of Scotland's learning disability strategy, *The keys to life* (2013)¹. The strategy defines a learning disability as “a significant, lifelong, condition that started before adulthood, which affects development and means individuals need help to understand information, learn skills, and cope independently”. SCLD is committed to finding new and better ways to improve the lives of people with learning disabilities and is focused on sharing innovation and good practice so that those providing services and interventions can learn from each other. SCLD also aims to be a knowledge hub and to build an evidence base, sharing how policy is being implemented and building on an understanding of what really works.

The Scottish Commission for Learning Disability (SCLD) welcomes the opportunity to respond to this important consultation. As our organisations focus is on people with learning disabilities our response to this consultation will focus on the specific needs of people with learning disabilities in relation to trafficking and exploitation.

¹ [*Keys to Life* \(2013\)](#)

Trafficking and Exploitation of People with Learning Disabilities

Research suggests that people with learning disabilities are more likely to experience abuse and exploitation than their non-disabled peers. Research has focussed on sexual exploitation rather than on trafficking for work purposes. However, news stories such as [this one](#) show that people with learning disabilities can be targeted by those seeking to take advantage of others for their own ends.

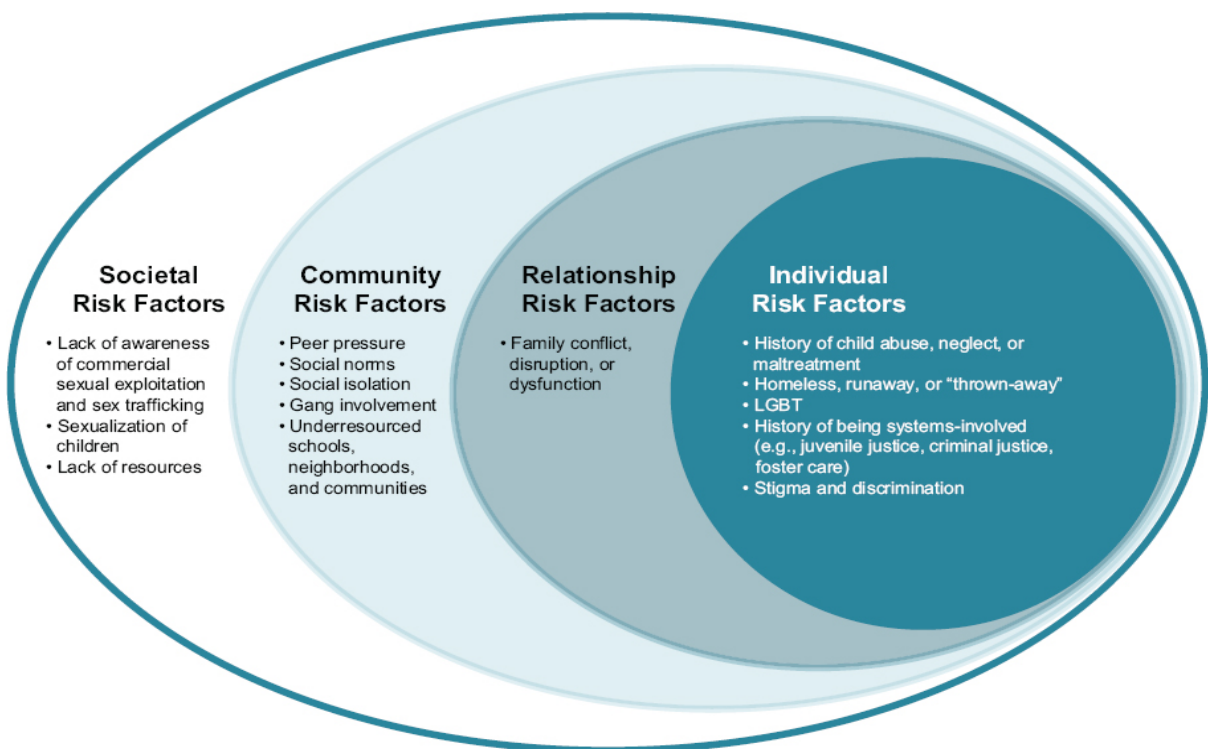
Some researchers suggest lack of sex education and awareness is a risk factor, others that reliance on carers for support makes a person more vulnerable.² Research by Barnardo's found that young people with learning disabilities are more vulnerable to sexual exploitation due to factors that include overprotection, social isolation and society refusing to view them as sexual beings.³ Research on risk factors for trafficking and exploitation shows a commonality with issues that are associated with people who have learning disabilities including; history of abuse and maltreatment, and experiencing social isolation.

² [A reading list on the topic can be found here](#)

³ [Barnardos \(2015\)](#)

[Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States. Institute of Medicine and National Research Council. \(2013\)](#)

These factors indicate that both children and adults with learning disabilities are disproportionately more likely to experience exploitation, in particular sexual exploitation, than the general population. Therefore the likelihood of organisations working with people with learning disabilities coming into contact with potential or actual victims of trafficking and/or exploitation is high, and equally organisations focussing on the needs of people with experience of trafficking and exploitation will need to be prepared to meet the needs of individuals with learning disabilities who in addition have experienced trauma associated with the experience of trafficking.



Risk factors for commercial sex exploitation

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⁴ [Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States.](#)

⁵ [Medicine and National Research Council. \(2013\)](#)

The Needs of People with Learning Disabilities

People with learning disabilities may be more vulnerable to coercion and control due to a number of social factors. SCLD's own report *"Safe and Healthy Relationships"* (2018)⁵ describes some of the barriers faced by people with learning disabilities in relation to developing healthy romantic and sexual relationships. These barriers include the expectations that others have for them, and the lack of access to good quality education in relationships and sexual health. These barriers leave individuals with learning disabilities open to relationships where they are unclear about what is acceptable and what is not. Women with learning disabilities may be unaware of their right to say no to advances.

Lack of education and social experience can leave people with learning disabilities unable to recognise that what they are experiencing is abuse. Even if they do recognise what they are experiencing as abuse, they may be afraid to challenge the situation as they expect that they will get in trouble as a result. Communication difficulties or not expecting to be believed will further reduce the likelihood of making a disclosure.⁶ It is likely that a person who has limited communication will be targeted simply because they are less likely to be able to disclose what is happening. People with learning disabilities often need support to understand and retain information. This may make it difficult for them to find out about available support services.

SCLD's Response to the Trafficking and Exploitation Strategy Review

SCLD agrees with the shared vision; "To eliminate human trafficking and exploitation"? We think that any exploitation of others is wholly unacceptable and there is no place for this in a modern, inclusive, society. In order to fully eliminate

⁵ [Safe and Healthy Relationships, SCLD, \(2018\)](#)

⁶ [Behind Closed Doors \(2001\)](#)

such activities it is important that a wide range of organisations are involved. Organisations who regularly come into contact with people who have learning disabilities need education and training to spot warning signs so that they can prevent people from being exploited or support them to make a disclosure if needed. Organisations who work with people who have made a disclosure, such as Police Scotland or support and advice agencies, will need a good understanding of the communication and other support needs that a person with a learning disabilities may have in order to be able to understand and participate in the process including, potentially, court appearances. Where English is not the person's first language and translation services are required, ensure that these services are also aware of any additional communication needs that the person has in addition to language translation services. It may not be enough to provide written information in an alternative language, for example.

Action area 1: "Identify victims and support them to safety and recovery"

SCLD supports this aim. It is imperative that people are given the support they need to find safety and to be able to recover as best they can from their experiences. For victims who have a learning disability, it is important that they are able to access these support services on an equal basis to others. This means ensuring that their needs are understood by staff who have the skills they need to facilitate good communication with people who may struggle to communicate using traditional methods. Staff members who are confident in the use of communication support aids and tools (and the tools they require) should be available when needed. Alternatively good partnership working to ensure that appropriate referrals are made for people with learning disabilities to organisations that can support their needs.

People with learning disabilities should be given the support they need to participate, as best they can, in any legal processes that follow from a disclosure. This may mean making reasonable adjustments to police and court processes.

Action area 2: "Identify perpetrators and disrupt their activity"

SCLD supports this aim. Although most of the focus of our response is on victims we acknowledge that there may be occasions when it is the perpetrators who have a learning disability. Where this is the case, they should be supported to ensure they can have their right to a fair hearing. Information about how to support a person with a learning disability through the criminal justice system is provided by the SOLD Network.⁷

Action area 3: "Address conditions that foster trafficking and exploitation"

SCLD supports this aim, working together to prevent trafficking and exploitation is crucially important. As mentioned earlier in this paper, a number of factors in the lives of people with learning disabilities may leave them particularly vulnerable to this type of exploitation and abuse. Investment in interventions that change the cultural, educational, and financial landscape for people with learning disabilities could reduce their vulnerability to exploitation.

As we noted in our paper "Safe and Healthy Relationships"⁸ there is a real lack of good quality education in relationships and sexual health provided to people with learning disabilities in schools. Improving this to ensure that young people with a learning disability have the knowledge and confidence they need to have autonomy over their own bodies.

⁷ [SOLD network publications](#)

⁸ [Safe and Healthy Relationships, SCLD, \(2018\)](#)

A culture where people with learning disabilities are not expected to have sexual relationships keeps them in the dark about their rights and about understanding what a healthy relationship looks like. Similarly, when the people around them who could intervene do not see a person with a learning disability as a potential sexual being they prevent themselves from seeing signs that the person is at risk. It is important, therefore, that families and carers (paid and unpaid) are made aware of the risks and the signs they should look out for to allow them to intervene appropriately to prevent the exploitation of a person with a learning disability.

Social isolation is considered to be a risk factor for trafficking and exploitation and research shows that people with learning disabilities often report feelings of loneliness.⁹ This leaves people with learning disabilities vulnerable to exploitation as a result of their low levels of social capital. Ensuring that their lives are full of opportunities for work, leisure and friendship will help to reduce the levels of loneliness and isolation experienced by this group.

⁹ [Sense for The Jo Cox Foundation](#)

Conclusion

It is important that the needs of people with learning disabilities are considered and met by all agencies supporting victims of trafficking and exploitation. This will include ensuring that appropriate support for communication is provided and that there may be a need to involve other agencies or make referrals when appropriate.

Ensuring that people with learning disabilities live in a culture where they are not left vulnerable to coercion and exploitation because of isolation, loneliness and lack of opportunity should be a priority for all people working with or for people with learning disabilities.

Lastly, it is important that people with learning disabilities are not excluded from educational interventions designed to ensure people are able to safeguard themselves from harm.

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For information on Scotland's Learning Disability Strategy *The Keys to life*, visit: www.keystolife.info

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