

Compensation and Legal Advice

Information for people (adults) from abroad who have experienced human trafficking and/or exploitation, on your rights and support in Scotland.



Have you experienced human trafficking or exploitation?

Being trafficked or exploited can have a long-term impact on you and affect many parts of your life. You may also find it difficult to adjust to living in a new country or place. But you are not alone. There is help for you to start recovering from your experiences and help you settle into your new life.

JustRight Scotland can give you advice and information on any of the issues discussed in this factsheet connected to your trafficking and/or exploitation.

You can find us at:

bit.ly/JustRightScotland

COMPENSATION

If you have experienced trafficking and/or exploitation in the UK, you may have a right to financial compensation for injuries (physical and/or mental) you suffered when you were trafficked/exploited in the UK.

This loss includes physical or psychological injury. It can also include any financial loss you have suffered and future loss you will suffer because of the impact trafficking/exploitation had on you. For example, you may have injuries that stop you from being able to return to work.

We know that no amount of money will make up for what you have suffered or lost; it is just society's way of recognising what happened to you. Compensation can also help you with recovering from your experiences.

There are different ways that you can seek compensation for what happened to you, depending on your circumstances.

Criminal Injuries Compensation

The Criminal Injuries Compensation Authority (CICA) is a UK Government fund for victims of violent crime. You can apply to CICA for financial compensation for the harm you experienced when you were trafficked/exploited in the UK.

There are conditions you have to meet in order to be eligible to apply to CICA. There is also a time limit for making an application to CICA. Therefore it is important that you get independent legal advice as soon as possible before you apply for compensation.

You can find more information on criminal injuries compensation here:

- ▶ **Criminal Injuries Compensation Authority (CICA): 0300 003 3601**
www.gov.uk/claim-compensation-criminal-injury

and CICA information factsheet:

- ▶ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/936453/human_trafficking_leaflet.pdf

OTHER COMPENSATION

Damages Claim

You may be able to claim damages against the people who trafficked and/or exploited you. 'Damages' is the term used for a payment of money to compensate you for loss you have suffered because you were trafficked and/or exploited.

Depending on your circumstances, you may be able to take the person/people who trafficked and/or exploited you to court to ask for a sum of money to compensate you for the loss you experienced because of what they did to you.

There are time limits that apply for bringing a damages claim therefore it is very important that you get independent legal advice to find out about your options.

It is also important to know that a damages claim will not lead to any criminal conviction against the person/people who trafficked/exploited you.

Employment Law

You may have a case against your employer if they exploited you. For example, you may have a claim for unpaid wages; poor working conditions; discrimination. There are time limits that apply for making a claim therefore it is important that you get independent legal advice as soon as possible.

You can also get information from:

- ▶ **your local Citizens Advice Scotland (CAS)**
www.citizensadvice.org.uk/scotland
- ▶ **RSABI Seasonal workers' helpline:**
0300 111 4160
(Royal Scottish Agricultural Benevolent Institution)
www.rsabi.org.uk
- ▶ **Scottish Agricultural Wages Board:**
0131 244 9749/ 9750
www.gov.scot/groups/scottish-agricultural-wages-board
- ▶ **Equality Advisory and Support Service:**
0808 800 0082
www.equalityadvisoryservice.com
- ▶ **Gangmasters and Labour Abuse Authority:**
0800 432 0804
www.gla.gov.uk
- ▶ **Fife Migrants' Forum Helpline:**
01592 642927
<https://fifemigrantsforum.org.uk/home-2/our-services/>



LEGAL ADVICE

If you need legal advice or information, it is important to find the right solicitor (lawyer) for your legal needs. This will depend on what sort of case you have.

If you cannot afford to pay for a solicitor, you may be eligible for legal aid. Legal aid is available regardless of your immigration status. Legal aid in Scotland is provided by the Scottish Legal Aid Board. You can check the Scottish Legal Aid Board website (<https://www.slab.org.uk/>) to see if you can get legal aid, before contacting a solicitor. The Scottish Legal Aid Board has online calculators so you can check if you are eligible:

- ▶ www.slab.org.uk/new-to-legal-aid/eligibility-estimators/estimator-civil-legal-aid/
- ▶ www.slab.org.uk/new-to-legal-aid/eligibility-estimators/estimator-childrens-legal-aid/

You can look for a solicitor to help you at:

- ▶ Law Society of Scotland website: www.lawscot.org.uk/find-a-solicitor/
- ▶ Scottish Legal Aid Board www.slab.org.uk/new-to-legal-aid/find-a-solicitor/

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For more information about JustRight Scotland and for information for people from abroad who have experienced human trafficking and/or exploitation, on your rights and support in Scotland visit: www.justrightscotland.org.uk

