

# *Moving On*

Safer Living and Reintegration for Female  
Victims of Human Trafficking in Reception  
and Integration Centres in Ireland



# Contents

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## About Moving On

'Moving On: Safer Living and Reintegration for Female Victims of Human Trafficking' is a project funded by the Department of Justice and Equality under the Dormant Accounts Action Plan for 2016. Its goal is to improve housing for victims of trafficking by; making their accommodation safer and more gender-sensitive, raising the level of crime prevention, and increasing possibilities for victim reintegration.

### This is an initiative of:

- Immigrant Council of Ireland
- NASC, the Irish Immigrant Support Centre
- Doras Luimní
- Business in the Community Ireland

### In association with:

HSE Women's Health Project/ Anti Human Trafficking Service

### Advisory Board:

- DJE-AHTU (Department of Justice and Equality Anti-Human Trafficking Unit)
- GNPSB (Garda National Protective Services Bureau)
- RIA (Reception and Integration Agency)
- HSE Women's Health Project/ Anti Human Trafficking Services

This booklet is intended for the personnel of RIA accommodation centres as well as staff of the Community Welfare Service of the Department of Social Protection. Appreciating the difficult and compassionate work carried out by staff in accommodation centres, this booklet is intended as a learning tool to further enhance the capacity of staff to respond to the needs of those residing in these centres. In particular, the booklet aims to assist staff in their important work assisting female victims of human trafficking by improving both their knowledge of the issue and understanding of the gender specific needs of these women.



## What is Human Trafficking?

Human trafficking is a crime and a gross human rights violation. Human trafficking is defined in international and European law as:

“the recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over those persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”

Within the above definition, there are **three** core elements, which must be present.



- **Act:** These are the series of actions involved in the movement of a person and include recruitment, transportation, transferring, harbouring and receiving of persons.
- **Means:** These are the methods used to gain the consent/ force the trafficked person to move including the threat or use of force, coercion, abduction, deception, fraud, abuse of power or the abuse of a position of vulnerability.
- **Purpose:** In order for the above acts to constitute human trafficking they must be for the purpose of a person's exploitation. Prevalent forms of exploitation include prostitution, forced labour and forced criminality.

**Note:** For adult victims, all three elements must be present in order for a person to be identified as a victim of trafficking. In the case of child victims, however, only the act and purpose are required, as children cannot consent to their own exploitation.



## Distinguishing Human Trafficking and Smuggling

It is important to be aware of the differences between **human trafficking** and **human smuggling**. While trafficking is a crime against the individual, leading to their exploitation, smuggling is considered a crime against the State. These differences can sometimes become blurred in practice and smuggled individuals can also become victims of violence, exploitation and trafficking.

### How do you distinguish between the two practices?

- What is the nature of the crime?
  - **Smugglers** commit crimes against the State.
  - **Traffickers** primarily commit crimes against the person.
- What is the nature of the relationship?
  - **The smuggler** provides a service to the migrant which is usually entered into voluntarily and is almost always short term.
  - **The trafficker** exploits the victim as a commodity and the relationship is generally long term and always non-voluntary.
- What is the difference in profit?
  - **The smuggler** receives a one-off payment for the service they provide to the migrant.
  - **Traffickers** have a continuing profit, which comes from the ongoing exploitation of the victim.
- What borders are being crossed?
  - **Smuggling** is always across national borders.
  - **Trafficking** can be across national borders or occur within a national territory.

**Note:** Distinguishing the two practices is important because the rights and assistance measures discussed later in this booklet are only available to victims of the crime of human trafficking.

## Forms of Human Trafficking

Human trafficking exists in a number of forms and occurs for a variety of exploitative purposes. Exploitation is defined in Section 1 of the Criminal Law (Human Trafficking) Act 2008 as amended by the Criminal Law (Human Trafficking) (Amendment) Act 2013 as including:

- Sexual exploitation
- Labour exploitation, including forced labour (including forced begging), slavery or servitude
- Organ removal
- Forced criminal activities

The most widely reported form of trafficking in Ireland and throughout Europe is:

- Trafficking For Sexual Exploitation

Yet there are a number of other purposes for which persons have been trafficked, with new forms of exploitation increasing in recent years. Other forms of trafficking include for the purpose of:

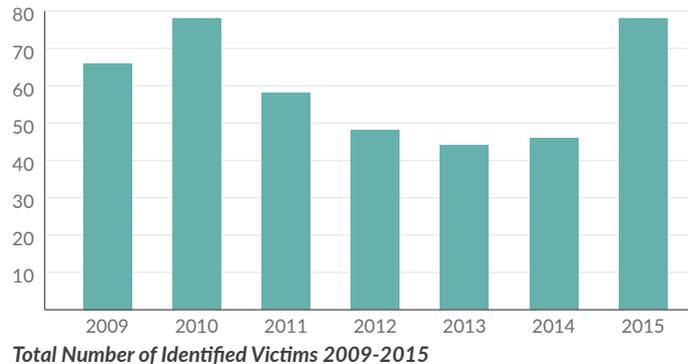
- Exploitative/ forced marriage
- Sale or adoption of children
- Benefit fraud

**Note:** It is important to recognise that persons can be trafficked for any number of exploitative purposes. For example, those trafficked for the purpose of sexual exploitation may become victims of forced labour or forced into criminal activities and vice versa.

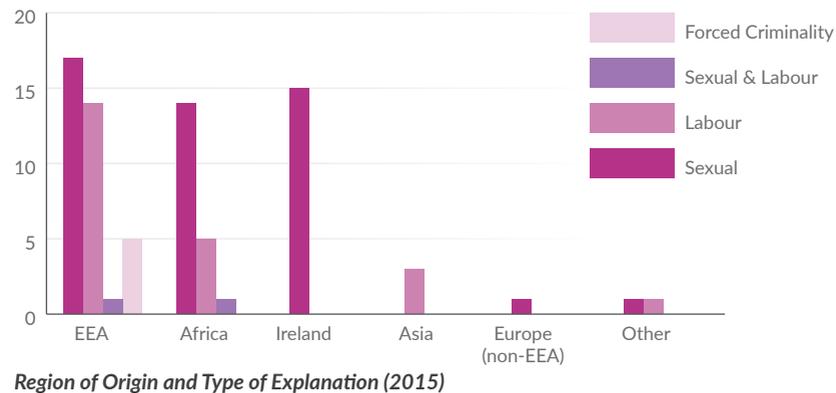


# Human Trafficking in Ireland

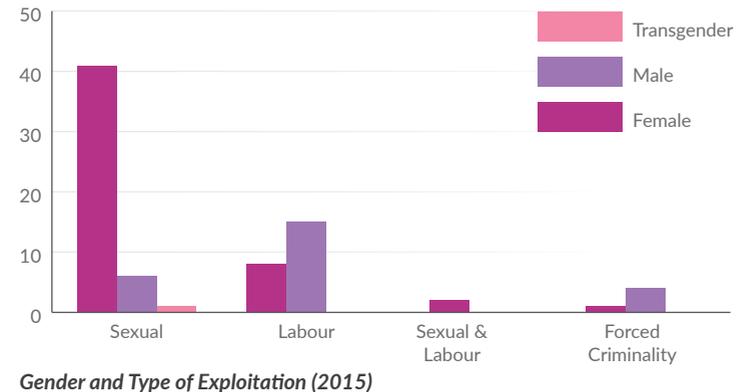
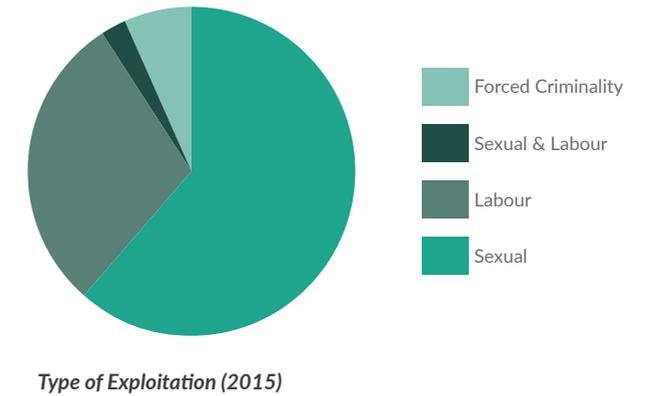
The number of identified victims of trafficking in Ireland can be seen in the statistics compiled annually by the Anti Human Trafficking Unit in the Department of Justice and Equality.



However these numbers do not represent the total number of persons trafficked. The above figures only include those victims who have come to the attention of authorities and therefore do not represent the true scale of the practice in Ireland. Trafficking in persons is a global practice with victims in Ireland originating from almost all regions of the world.



The statistics reveal trafficking is a highly gendered phenomenon which predominantly affects women. Across the EU and in Ireland, trafficking for sexual exploitation is the most reported form of the crime and primarily affects women. Women trafficked for the purpose of sexual exploitation have special needs and their recovery is a long and complex process.



## Deception and Coercion in Trafficking

Traffickers use a number of tactics in order to gain the 'consent' of victims to their movement and exploitation. In none of these circumstances should the consent of victims be seen as real.

These include:

- Abduction
- Deception: "A new and better life"; "Easy work-big money"
- Debt bondage
- Juju/witchcraft
- Repeated assault: "breaking down"
- Threats to women/their families
- Lies, creating mistrust (about police/ laws/ other women)
- Threat of deportation
- Organised criminality
- Targeting pre-existing vulnerabilities (lack of supportive family, poverty, little/ no education, experiences of abuse)

The vulnerability of victims of trafficking is apparent in the profile of those often targeted by traffickers, whose background often includes:

- Poverty
- Debt
- History of abuse and/or severe neglect as a child or youth
- Institutionalisation as a child (e.g. in the care system)
- Partner abuse
- Homelessness
- Unemployment, lack of education/ skills
- Lack of family/ social supports
- Mental health problems
- Drugs/ alcohol dependence
- Grooming/ coercion ( family/ partner/ boyfriend/ "friend")



## Recognising Signs of Human Trafficking

The identification of victims is central to ending their exploitation and allowing their recovery. It is also recognised, however, as being difficult in practice. Not all victims are in a position where they can self-identify, whether out of fear, mistrust of authorities or a lack of understanding of their circumstances. To assist in the identification of victims a series of indicators have been developed. These may be present in those previously identified as victims, who face the risk of repeat exploitation through re-trafficking or those who have not yet been identified.

You should be watchful for residents who are:

- Distrustful or fearful of the authorities
- Act as if instructed by another or always escorted by another person
- Not in possession of their passports or other documents
- Not in control of their own money
- Lacking in knowledge of their home or work address
- Have limited language capabilities
- Have little knowledge of their local area
- Give vague answers regarding their situation
- Have many inconsistencies in their story
- Appear fearful
- Show signs of physical injuries
- Have mental health issues such as anxiety and depression
- Where there is evidence of sexual abuse or trauma
- Have signs of tattoos marking ownership
- Dependent on drugs/ alcohol

In order to protect the privacy of trafficking victims in accommodation centres, staff members are not informed when a resident is a victim of trafficking. Yet it is crucial to remain aware of the above signs. If you have any concerns you should alert management staff who are aware of victims in centres, and thus best placed to offer further assistance, and can contact authorities where necessary.

**Note:** The above indicators do not represent an exhaustive list of the signs of trafficking. At the same time, those trafficked may not present any of the above signs.

## Assistance for Recovery and Reintegration

To assist in the recovery and reintegration of trafficking victims, EU law requires that Member States provide assistance and support to trafficking victims. (Article 11 (5), Directive 2011/36/EU)

Recognising the gender-specific nature of trafficking, EU law further requires that “assistance and support measures should also be gender-specific where appropriate.” (Recital 3, Directive 2011/36/EU)

In the Irish context, the Guide to Procedures for Victims of Trafficking in Ireland establishes the rights of victims to the assistance measures required by EU law. The specific type of assistance available to victims depends on their residency status (see Guide to Procedures for Victims of Trafficking in Ireland for additional information).

In general, victims of trafficking have the right to:

- Accommodation
- Material assistance
- Medical care
- Legal advice
- Interpreter
- Advice on personal safety
- Work and training opportunities (excluding victims seeking asylum)
- Education opportunities (excluding victims seeking asylum)

In addition trafficking victims are entitled to voluntary assisted return through the International Order for Migration and to seek compensation as a victim of crime under Section 6 of the Criminal Justice Act 1993, through a civil case or through the Criminal Injuries Claims Tribunal.

## Safe and Appropriate Housing

The provision of safe and appropriate housing is among the most important aspects of assistance to victims. It can play a central role in them escaping their trafficking experience, in protecting them from re-trafficking, plus it is an essential pre-condition for their recovery and reintegration. The appropriateness of accommodation for victims depends on a number of factors, in particular the gender and trafficking experience of the victim. For female victims of trafficking appropriate housing should at a minimum:

- Be gender sensitive
- Have due regard to any trauma suffered and the ensuing need for privacy
- Ensure they are treated with respect, empathy and sensitivity
- Contribute towards the restoration of their health and well-being
- Be culturally sensitive
- Recognise the specific needs of mothers with children
- Have as its aim victims regaining control over their own lives
- Give victims access to an effective, fair and responsive complaint handling mechanism
- Minimise the risk of re-trafficking and repeat exploitation, including by offering victims protection from being propositioned for sex

In Ireland, the accommodation centres operated by RIA and supported by the Department of Social Protection are responsible for accommodating all non-Irish victims of trafficking during an initial recovery and reflection period of 60 days and also those victims claiming asylum. As such, these accommodation centres play an important role in ensuring safe and appropriate accommodation for victims.

This approach is seen to offer a number of benefits. The multiple locations of accommodation centres and the flexibility offered can help address the security needs of victims, while ensuring they are available to assist in the investigation of their traffickers.

Furthermore, while acknowledging the difficulties that arise when dealing with these issues, victims recognise and are grateful for the relative safety offered in accommodation centres and the efforts of staff in those centres.



## Practical Suggestions

This section contains recommendations from female victims of trafficking living in accommodation centres which they feel could have an important and positive impact on their recovery and reintegration, and thus contribute towards safer living and ensuring the appropriateness of these centres for victims.

Recognising staff members in accommodation centres are not informed where a resident is a trafficking victim, it is important to note these recommendations are similarly applicable to other female residents in accommodation centres, particularly those recovering from trauma. They should therefore act as a general guide for staff in dealing with residents.

The importance of these recommendations is highlighted using the authentic voices of trafficking victims.

### 1. Understanding Victims of Trafficking

Staff need to remain mindful at all times that they may be dealing with traumatised individuals, who are often recovering from severe sexual abuse. In many cases victims suffer from post-traumatic stress disorder and experience depression and insomnia.

*"...For six months I could not sleep. I had to get medical help. It's not because I did not want to sleep, it is because I was scared ... you still don't know deep down. The fear of the unknown is there."*

Staff should continue to remember their attitudes and treatment of residents can have an impact on potentially vulnerable and hyper-aware victims. They should consistently practice attitudes that provide an appropriate balance between professionalism and human kindness.

It is recommended you:

- Remain aware you may be offering services to highly traumatised individuals.
- Abstain from openly reprimanding residents and remain mindful of their psychological needs and dignity.
- Find an appropriate balance between professionalism and human kindness.

## 2. Cultural Sensitivity

Effective intercultural communication with victims is crucial. Such communication requires understanding that people from different countries, communities and cultures may behave, communicate and perceive the world around them differently. This can best be ensured by ensuring that you are culturally sensitive towards residents and aware of others cultural norms.

- Cultural sensitivity involves valuing diversity, understanding there are differences among cultures and not assigning values (i.e. better or worse, right or wrong) to such differences.
- Becoming culturally aware involves developing sensitivity and an understanding of the cultural background of residents in accommodation centres.
- Finally, to assist in the above, it is important to be aware of your own attitudes and beliefs, and how this can affect the way you possibly address residents.

## 3. Privacy

Protecting the privacy of victims is of great importance to their recovery, particularly considering their past experiences and the trauma they have suffered.

- Ensure that any room inspections are carried out after a sufficient notice period and with the consent of residents.
- Refrain from entering the rooms of residents prior to them answering the door, except in an emergency situation.
- Offer a safe and private space to communicate any personal information.

## 4. Confidentiality

Where staff become aware of a resident's status as a trafficking victim, it is their responsibility to maintain privacy and protect the identity of that person.

- Ensure discretion when discussing any issues relating to their status as a victim of trafficking.

## 5. Language and Literacy

A number of victims reported difficulties understanding house rules owing to language and literacy issues.

- Where possible offer the RIA House Rules and Procedures booklet translated in their own language. This booklet is currently available in Albanian, Amharic, Arabic, Bengali, Farsi, French, Portuguese, Punjabi, Romanian, Russian, and Urdu.
- If there are literacy issues, inform the accommodation centre manager who may be able to seek assistance through the victim's HSE case-worker.

## 6. Enforcement of Existing Hostel Rules

There are already a number of important rules and regulations that have been developed by RIA. Where observed and enforced, many of these rules can assist victims in their recovery.

### A) Noise

Enforcing rules around noise levels can help victims rest and recover from their trafficking experience.

- Enforce existing house rules around noise levels at night.

### B) Hygiene

A number of victims have reported issues surrounding hygiene as a result of shared living. It is important that victims have a clean space in which to recover.

- Ensure that existing rules on cleanliness in rooms are adequately communicated to residents and enforced.

### C) Medical Emergencies

Victims reported a lack of clarity regarding their entitlement to call an ambulance.

- Clarify procedures for medical emergencies out of hours and ensure that any rules concerning this issue are communicated to residents.
- Remain flexible to respond to the needs of highly traumatised individuals like victims of trafficking.

## 7. Risk of Re-Trafficking and Repeat Exploitation

Victims can face danger from repeat exploitation and are vulnerable to re-trafficking.

*"...Once you're walking on that road, you see men, especially some in vans, driving. They stop and asking to take you wherever you're going. It's like they know that people who live in there are vulnerable, so they purposely come to that area to intimidate people and take advantage of them. They will be harassing you, not necessarily like shouting or abusing you, but they will be like, they want to ask you out. It happens a lot, and to me that's like harassment and they do it purposely... you will see men in big cars, nice cars, they will be stopping and waiting, calling girls because they know that is where they pick up the asylum seekers. They will be calling girls and you feel so belittled, you feel so ashamed of yourself, you know, why me? This is not my life, stop."*

Be aware of the indicators of trafficking and exploitation.

- Be prepared to contact the police or support services.
- Remember, it is a criminal offence to offer to pay or pay someone to engage in sexual activity, with harsh penalties if the person concerned is a victim of trafficking. Be prepared and willing to report such behaviour to the police.

## Contacts

### **An Garda Síochána : Human Trafficking Investigation and Co-ordination Unit**

Harcourt Square, Dublin 2

Tel: 01 6663423 or 01 6668853

Email: gnpsb@garda.ie

www.garda.ie

Alternatively, contact the local station

In an emergency call 112

### **Immigrant Council Of Ireland**

2 St Andrew Street, Dublin 2

Tel: 01 6740200 or 01 6740202

Email: admin@immigrantcouncil.ie

www.immigrantcouncil.ie

### **Nasc, the Irish Immigrant Support Centre**

Ferry Lane, Dominick Street, Cork

Tel: 021 4503462

Email: info@nascireland.org

www.nascireland.org

### **Ruhama**

25 Cork Street, Dublin 8

Tel: 01 8360292

Email: admin@ruhama.ie

www.ruhama.ie

### **HSE Women's Health/ Anti Human Trafficking Services**

The Meath Primary Care Centre:

1-9 Heytesbury Street, Dublin 8

Tel: 01 6699515

Email: antihuman.trafficking@hse.ie

### **Doras Luimní**

Central Buildings, 51a O'Connell Street, Limerick

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Email: info@dorasluimni.org

www.dorasluimni.org

### **Business in the Community**

32 Lower O'Connell Street, Dublin 1

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Email: info@bitc.ie

www.bitc.ie

### **Legal Advice Board**

Quay Street, Cahirciveen, Co. Kerry

Tel: 066 9471000

Email: info@legallaidboard.ie

www.legallaidboard.ie



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