



BRITISH-IRISH PARLIAMENTARY ASSEMBLY
TIONÓL PARLAIMINTEACH NA BREATAINE-NA
hÉIREANN

REPORT

from

Committee D (Environment and Social)

on

HUMAN TRAFFICKING

October 2013

Introduction

1. Human trafficking involves the movement and exploitation of people, both children and adults, by means of deception, force or other abuse, for the gain of those exploiting them. The practice, which constitutes a modern form of slavery, affects all jurisdictions of the United Kingdom and the Republic of Ireland. Victims are trafficked for two primary purposes: for sexual exploitation in prostitution, or for forced labour. The UK Human Trafficking Centre estimated that there were at least 2,000 victims of trafficking in the United Kingdom in 2011, while there are thought to be a minimum of 60 to 180 cases per year in the Republic of Ireland; and these are considered to be only a small proportion of overall cases.
2. The issue is an international one. The most prominent sources of those trafficked into the UK and Ireland are Western Africa, Eastern Europe and South-East Asia. However, there are also cases of internal trafficking, where victims are trafficked both within and between jurisdictions, though the scale remains unknown. The case of Thomas Carroll, an Irish national who operated a prostitution ring that operated across borders from a base in Pembrokeshire, exemplified the impact that trafficking can have in the British and Irish context.
3. As the crime crosses borders so easily, the Committee concluded in May 2012 that it was necessary to explore how the various jurisdictions could work together and learn from each other, to target the criminals involved in trafficking and to protect the victims of this abhorrent practice. The Committee held five evidence sessions – in Belfast, Cardiff, Dublin, Edinburgh and London – over the course of the past year. We are grateful for all those who gave their time to provide evidence and for the insights they provided.
4. We focused on several important areas where more work needs to be done. We begin with consideration of how robustly data are collected and how effectively state activities are scrutinised. We then consider how to raise awareness of trafficking, both among the public and those professionals who may come into contact with victims of trafficking. We also examine how the different jurisdictions can cooperate with each other and with European partners, to prevent and identify trafficking, as well to support those victims who are identified. We consider too how agencies and civil society organisations can work together within jurisdictions, to best coordinate their efforts. Finally, we review how best law enforcement forces can work to find and punish traffickers, and tackle the demand for services that feature trafficked labour. In doing so, we hope that we can urge forward progress on tackling this most exploitative of crimes.
5. We are conscious that in the United Kingdom many of the responsibilities in this area are devolved. Though immigration is a reserved matter, and the Inter-Departmental Ministerial Group, which has overall oversight of trafficking efforts, is chaired from Westminster, a broad range of policy in the area is devolved. This includes local authority support, healthcare, policing

and criminal justice, and education. As such, our recommendations are directed at governments in all of the United Kingdom jurisdictions we cover, as well as the government of the Republic of Ireland.

Data collection and scrutiny

6. Combating trafficked requires a sound understanding of the prevalence of the practice. During our inquiry, though, there was a widespread sense that data collection was not sufficiently robust. In the Republic of Ireland, victims are identified as being trafficked only where they require leave to remain, under-reporting the scale of the problem. Across all jurisdictions, the baseline figures used reflected only those identified as part of formal mechanisms (see paras 48 and 49 below). It is imperative that full, disaggregated data are collected on those trafficked, so as to track trends and to inform policy development. Those data should include those formally identified as well as robust expert estimates.
7. Data should also be shared more regularly by agencies throughout the UK and Ireland, and be more standardised across jurisdictions to accentuate the benefits of doing so. The more comparable the data, the more that governments in all jurisdictions can work together to prevent trafficking. During our inquiry we heard of two developments. The first was the Secure Information Exchange Network Application (SIENA), a Europol mechanism to track cases among European police forces. We were disappointed to hear that this system was not in widespread use in the trafficking context. **We encourage police forces in all jurisdictions to play a more active role in the uptake of the SIENA mechanism.**
8. The second was a data collection and reporting observatory being developed at a European level in Portugal. Representatives from the government in the Republic of Ireland said that they would watch its progress before participating. We are interested in the potential benefits of such a system, and hope that it can serve as the platform for European-wide data sharing. This opportunity should be taken to establish standard criteria for data that are collected.
9. In the meantime, the governments in all jurisdictions we cover should ensure that they share information about trafficking routinely and effectively. That same call applies to the sharing of information between executive agencies such as police forces. We heard some welcome examples of that work during our inquiry, though we also heard that the channels of communications could be improved. Existing links should be built upon, and tied in with efforts to standardise data collection to make the process more useful. In doing so, we hope that those traffickers who take advantage of the shared borders of the jurisdictions can be targeted more effectively.
- 10. Full, disaggregated data on human trafficking must be collected alongside reliable expert estimates. Governments in all jurisdictions should work together to ensure that those data are comparable. European-level mechanisms that propose to share**

information more effectively should also be supported. At the same time, the UK and Irish governments should work together to develop data-sharing protocols that enable authorities in all the jurisdictions we cover to share their knowledge as to the extent of trafficking and its trends.

11. As well as facilitating work to prevent trafficking, data collection can serve as the basis for robust and independent scrutiny. The EU Directive on Human Trafficking advocates the establishment of independent anti-trafficking rapporteurs in signatory states. The aim of such a role is to collate data, produce reports, make policy recommendations and shine a light on state activities, to encourage progress in the field.
12. At present, a rapporteur (or anti-trafficking coordinator) has been established in Wales, where the role combines information-gathering with attempts to standardise processes and policies across the police, local authorities and other agencies, and to coordinate with NGOs and other civil society organisations. That is a welcome development, and we give further thought as to the wider applicability of that broader model below (see paras 34-36). To begin, we consider that the reporting and analytical aspects of the coordinator's work are suitable to be rolled out more widely, both to increase the profile of anti-trafficking and to maintain the pressure for positive action to tackle the practice.
13. The United Kingdom government considered that its existing scrutiny bodies, the Inter-Departmental Ministerial Group on Human Trafficking and its stakeholder sub-groups – which include representatives from all UK jurisdictions – already performed the functions required by the Directive adequately. We disagree; it would be more effective – and indeed perceived to be more effective – for an independent body to scrutinise the work being done. Similarly, though there were forums for coordination and feedback in the Republic of Ireland operated under the auspices of the Department for Justice and Equality's anti-trafficking unit, an independent appointment would be more satisfactory. As such, we would welcome a rapporteur being appointed in each of the jurisdictions we cover.

14. Anti-trafficking rapporteurs, who are able to provide independent scrutiny, analysis and recommendations for change, should be established. We would welcome rapporteurs being established in each of the jurisdictions that we cover.

Awareness and training

15. It is crucial that we raise awareness about human trafficking in all sections of society. We acknowledge that much work has already been done, with human trafficking rising up the policy agenda in all jurisdictions. We must nevertheless strive to do more to increase the focus on eradicating trafficking.

16. One strand of that work must concern those working in fields where one is likely to come across trafficked people. This includes police forces and prosecuting authorities, who are responsible for identifying the perpetrators, and those dealing with likely victims, such as social workers, NGOs, healthcare professionals and those working in the prison system. All such professionals should be trained to be familiar with trafficking, and to recognise the need to address it as a human rights concern. Professionals should also be aware that victims of trafficking should be treated as such, and not as illegal immigrants.
17. We heard that training programmes had been developed in several of those fields to improve expertise in combating trafficking. In the Republic of Ireland, it was estimated that around 3,500 officers had received training and support information, while 10,000 officers in the United Kingdom had done the same. In addition, 25,000 *aide memoire* cards are to be provided to Scottish police officers ahead of the Commonwealth Games in Glasgow to improve knowledge about trafficking. Training had also been provided for those making decisions as part of the National Referral Mechanisms in the UK and Ireland, the frameworks within which victims were identified and referred onwards for support.
18. That work is excellent, but must be considered the beginning of awareness-raising rather than its conclusion. Targeted training and awareness-raising materials should be delivered more widely, as has been the case for some social workers in the Republic of Ireland and safeguarding staff (those working to protect and identify vulnerable children and adults, such as immigration officials and local authority staff) in England and Wales.
19. That work should begin with those most likely to encounter those who have been trafficked in the safeguarding workforce. Those trained could then serve as “champions” to spread that knowledge through their organisations, particularly at local authority level. Healthcare professionals, especially GPs, should also be given training to better recognise those who may have been trafficked, and to encourage them to help possible victims by notifying the police and other support services of their concerns.
20. Training should also be extended to cover a broader range of police officers. We note warmly that police training in the Republic of Ireland already allows for Police Service of Northern Ireland staff to attend, and that Scottish police staff were also to become involved. Such collegiate training should be encouraged as far as possible. This could not only bolster expertise, but also build up networks that could improve joint working. To the same end, consideration should be given to offering secondments between police forces, with the employment and pension rights of those choosing to do so protected.
21. Awareness must be raised among the general public as well. We are strongly of the view that faith groups, trade unions, NGOs and other community organisations can and do play a valuable role in this respect. Representatives from those groups should be engaged with and encouraged to raise

awareness about trafficking, to ensure that people are more vigilant of when organisations may be using trafficked labour, and to highlight the links between human trafficking and other criminal activities. Doing so would be particularly pertinent for trade unions, given the negative effects of labour exploitation on those affected and on the broader labour market. To assist in those efforts, materials should be developed that distil key messages for wider dissemination.

22. The educational sector can also play an important role. We heard that bursaries had been provided in the Republic of Ireland to encourage research into human trafficking, which we consider an excellent way to raise awareness. We also note that some student groups there had been engaged in a project to create awareness-raising films about trafficking. Such work is invaluable and provides a platform upon which to inform the next generation about trafficking. We urge that governments consider promoting research efforts, and teaching about trafficking in school citizenship programmes, in all jurisdictions.
23. Finally, governments in all jurisdictions should evaluate the case for widespread awareness-raising campaigns. Reservations were expressed during our investigation about wider campaigns given what was felt to be a lukewarm reception to the broad-based “Blue Blindfold” publicity campaign in the UK in 2008.¹ We acknowledge those concerns, but do not think that they should be fatal. Instead, lessons should be learned from previous campaigns, new opportunities afforded by social media platforms should be seized, and civil society groups should be consulted, following which the merits of a broad-based campaign can be evaluated carefully.
- 24. Targeted training programmes and materials should be delivered to those in frontline roles likely to engage with the victims and perpetrators of trafficking. Those trained should be encouraged to serve as anti-trafficking “champions” who are able to spread their knowledge more widely.**
- 25. We welcome police training efforts throughout all the jurisdictions, and urge that training be offered to a wider range of police officers. Opportunities offered to those from United Kingdom jurisdictions to train in the Republic of Ireland should be extended. Secondments between jurisdictions to share expertise should be considered further.**
- 26. The educational sector should be supported to conduct further research into human trafficking to raise awareness about trafficking. Schools should be supported to conduct anti-trafficking projects and to teach about human trafficking within citizenship programmes.**

¹ <http://www.traffickingproject.org/2008/07/blue-blindfold-trafficking-awareness.html>

27. Broader awareness-raising activities should be pursued. Faith groups, trade unions, NGOs and other community groups should be engaged to assist in raising awareness. Publicity campaigns using social media and other platforms should be given strong consideration.

Cooperation

28. Trafficking happens across all jurisdictions within the UK and Ireland, as well as across Europe. It is therefore essential that authorities cooperate in the fight against it.

29. We discussed above the importance of information-sharing and we repeat that sentiment. The Thomas Carroll case was an excellent example of how police forces and other authorities worked together by sharing their knowledge and expertise. The memorandum of understanding being pursued between the Department of Justice and Equality in the Republic of Ireland and the UK Human Trafficking Centre regarding their anti-trafficking efforts would be a welcome step in cementing cooperative efforts.

30. Cooperation requires high-level attention to be focused on trafficking, which is why we were disappointed to see that the issue had not yet been raised in the British-Irish Council. It should be put on a future agenda as soon as possible so that proper consideration can be given to how best both jurisdictions can work together. Consideration should also be given as to whether the legal regimes that are used to target those responsible for trafficking in all jurisdictions can be better coordinated.

31. The matter of human trafficking should be placed on the agenda of a future British-Irish Council meeting as a matter of priority.

32. Cooperation also means bringing together state authorities and those from other sectors. In the United Kingdom there exists the Inter-Departmental Ministerial Group and its related sub-groups, while in Ireland there are similar coordinating groups organised through the Department of Justice and Equality's anti-human trafficking unit. A liaison group bringing together state agencies and NGOs was also established in Northern Ireland in 2012, and a progress group was formed in Scotland in the same year. We welcome these networks as an important means of encouraging joint working. However, some of our witnesses said that the networks were not working as effectively as they could, and that the Inter-Departmental group met too infrequently. They thought that these failings reflected a lack of priority for human trafficking.

33. Such forums have the potential to be invaluable in sharing knowledge and considering properly the best way forward, and should have a status that signifies that importance. The groups should meet more regularly and should be a more integrated part of the policymaking process. They must also ensure that they draw upon the widest possible range of expertise to inform their work. Witnesses suggested that more senior personnel should lead the

groups, and that there should be dedicated ministerial portfolios developed for human trafficking. We believe that both suggestions merit further thought.

34. Coordinating forums such as that set up under the Department of Justice and Equality in the Republic of Ireland and the Inter-Departmental Ministerial Group in the UK must meet regularly, be inclusive of a range of views, and serve as bodies which undertake real policy consideration and coordination. Governments should consider how they could be better organised, how they could be more widely representative and whether they are given sufficient prominence.

35. Other coordinating mechanisms should be considered at more local levels. The idea of an anti-trafficking coordinator was raised above in the context of data collection and scrutiny (see paras 10-13). In Wales, the role additionally serves to bring together all the various agencies involved in tackling trafficking. It was suggested that this more substantial role could be pursued on a regional scale across the jurisdictions we cover. This idea should be evaluated further by the governments in Scotland, Northern Ireland and the Republic of Ireland. Evaluation should consider the cost-benefit of establishing a new post as against the existing arrangements for coordinating efforts in this sphere.

36. It was suggested that England may be too large a region for a single coordinator. This is a sound concern to raise. The best course would be for the government and the Mayor of London to first consider the case for a coordinator for London, where the biggest proportion of English trafficking cases arise, and then to consider extending the system across England over time. In the meantime, ad hoc coordination arrangements should be taken forward at local levels. These should focus on areas, like law enforcement, where to do so would add value. The example cited to us of joint immigration authority and police teams in England highlight how such arrangements can collate operational expertise and promote more cooperation in overlapping work areas.

37. The establishment of regional coordinators to oversee and coordinate the anti-trafficking efforts of agencies within their jurisdiction should be considered in Scotland, Northern Ireland and the Republic of Ireland. In England, consideration should be given to establishing a coordinator in London, and then extending the scheme across the rest of England over time.

38. Perhaps the most positive step that could be taken would be the development of integrated, comprehensive strategies for human trafficking in both jurisdictions. We welcome efforts in the Republic of Ireland to renew its National Action Plan. That plan must look to set in place standards and protocols for combating human trafficking and must properly engage with NGOs and other civil society groups in its formulation. In the UK, the government in Westminster has an established strategy, but there is no

strategy that brings together the governments of all jurisdictions. This is a shame. A unified approach would ensure a robust response to trafficking that made it harder for traffickers to move between jurisdictions.

39. For the same reason, governments in the UK and in Ireland should liaise to see where their strategies can be harmonised or coordinated, to further bolster the strength of anti-trafficking efforts. This coordination should also consider whether there are best practice elements of the mechanisms by which victims are identified in either jurisdiction that are apt to be incorporated elsewhere (see paras 50-51).
- 40. The Irish government should continue to work with civil society groups to renew its National Action Plan. At the same time, a unified strategy that brings together the governments of all UK jurisdictions to combat human trafficking should be developed. It should set out a clear plan of action and include standards against which to judge progress. The governments of all UK jurisdictions and the Republic of Ireland should liaise as these plans are developed to consider which elements of the plans would be apt to be harmonised.**
41. Work must also be undertaken with partners in Europe and elsewhere. The evidence we heard referred several times to the benefits yielded from Joint Investigation Teams (JITs). JITs are collaborative law enforcement teams that work across European borders under the auspices of Europol. The teams have yielded some high-profile prosecutions and asset seizures, and are an excellent example of the benefits that cooperation can bring. The UK government must ensure that these teams are not jeopardised as part of its ongoing negotiations regarding a potential opt-out from EU Justice and Home Affairs measures, about which a decision is due in 2014. The practice of seconding police officers from other European states should be continued as well.
- 42. The UK government's negotiations regarding applicable Justice and Home Affairs measures should not jeopardise the continued use of Joint Investigation Teams provided for under Europol and Eurojust.**
43. In addition, governments in both the UK and Ireland must work with those countries from which trafficking is most prevalent to improve the awareness and capacity of authorities working to combat trafficking there. Governments should continue to develop memorandums of understanding, and should consider whether to direct human or other resources towards anti-trafficking training for staff in those countries. We welcome the work that is already underway in developing memorandums of understanding and urge that it continues. We also support the work of the Human Trafficking Foundation under the chairmanship of Anthony Steen.
- 44. Governments in all jurisdictions should seek to develop the capacity of agencies and officials to combat trafficking in countries from where it is most prevalent. To do so they should continue to**

negotiate memorandums of understanding and provide assistance to authorities and non- governmental organisations in those countries.

45. Private companies could be engaged in work against trafficking. The most appropriate example in this respect are the airlines most often used in trafficking. There were concerns raised in our evidence about how often and how effectively they cooperated with anti-trafficking investigations. The Metropolitan Police suggested the possibility of legislation to require possible trafficking journeys to be reported. Legislation, however, would be complex, and should be the recourse only if concerted voluntary efforts prove to be in vain. Such voluntary efforts should be continued apace, and the case for legislation re-evaluated depending upon their impact.
- 46. Private companies – in particular those airline services most often used for trafficking, but also rail and shipping companies – should be engaged by governments and agencies in all jurisdictions in the fight against human trafficking.**
47. Finally, parliamentarians can work together and alongside non-governmental organisations to promote policy development. Cross-party groups have been established in all jurisdictions, and the work that they do is valuable in raising awareness and developing knowledge. We were glad to hear that links have already been established between groups in Northern Ireland and Westminster. Further links should be developed, and the momentum of that work maintained.
- 48. Parliamentarians should work together across all UK and Irish jurisdictions to improve awareness of human trafficking and to advocate for positive policy change.**
49. It should also be established to what extent the EU Directive on trafficking is being implemented in each member state, for which Parliamentarians working together are ideally placed. The Parliamentarians Against Human Trafficking Organisation, which has just completed a two-year project funded by the European Commission and the Tudor Trust, has enabled over 100 EU member state parliaments to establish the beginning of a committed network to combat human trafficking. It has also succeeded in bringing together civil society organisations, government officials, police and experts on human trafficking to exchange information, promote and develop better cross-border cooperation and discuss future anti-trafficking initiatives. This network complements and stimulates existing national level anti-trafficking initiatives, including building and establishing ongoing anti-trafficking structures within Member State parliaments. We recommend that this worthwhile project should continue to be supported.
- 50. The European Commission should continue its funding for the Parliamentarians against Human Trafficking Organisation, to stimulate Parliamentarians from across the EU to work together to combat human trafficking.**

Identifying and supporting victims of trafficking

51. One of the main aims of raising awareness and developing cooperation is to ensure that we are better able to identify and support those who have been trafficked. The systems used to identify victims formally in both the UK and Ireland are known as National Referral Mechanisms (NRMs). These mechanisms were called for in the Council of Europe's Convention on Action against Human Trafficking, to which the UK and Irish government are signatories.
52. To be referred, victims must be identified by an authority competent to do so. There are two such bodies in the United Kingdom: the UK Human Trafficking Centre (UKHTC), a multi-agency body led by the Serious Organised Crime Agency, and the immigration authorities; in Ireland, it is the responsibility of the An Garda Síochána National Immigration Bureau. Identification provides a platform upon which support services are provided, allowing for a rest and recovery period, time to assist in police investigations, and the possible provision of other forms of leave to remain. Possible victims can be referred into the NRM by those designated as "first responders", which in all jurisdictions include civil society groups, the police and local authorities. Those designated as "first responders" are able to refer cases to one of the two competent authorities for their judgment as to whether the person concerned is a victim of trafficking.
53. Concerns were raised to us as to the effectiveness of these systems. One concern related to those given the power to identify victims: some groups thought that the decision should always be made by officials separate from the immigration authorities. We agree. It is not appropriate there to be any perceived disincentive to identify a victim of trafficking, but that perception persists given the possible impact on immigration status that identification can bring. It would be preferable for the decision to be made instead by those who do not have any direct involvement in immigration matters. In the UK, it would be more suitable for the UK Human Trafficking Centre to take on sole responsibility for identification. In Ireland, responsibility should be divested from the Garda National Immigration Bureau. We urge the government of the Republic of Ireland to consider the most suitable alternative. One possibly compelling alternative would be the establishment of a separate forum where NGOs and other groups working with trafficked people could contribute.
- 54. The identification of trafficking victims in the National Referral Mechanism should not be a decision for immigration authorities. Responsibility should be vested in the UKHTC in the UK, and should be divested from the Garda National Immigration Bureau in the Republic of Ireland and assigned either to a separate state agency, or to an independent body.**
55. Some insisted that there should be a wider range of competent authorities able to make an identification of a person as a victim of trafficking. We

disagree: there is value in consistent judgments in this sphere, and for expertise to develop within a designated authority. The better route for encouraging a greater degree of input is through the list of those given “first responder” status. To do so would allow for more people to recognise possible victims, while retaining the consistency of a formal decision being made in one place.

56. Those civil society groups which deal regularly with trafficked people should be involved, as is already the case, and the list of those who do should be updated regularly. “First responders” should also include those who monitor employment practices, given the threat of labour exploitation, and those in the prison system, who will be able to refer on people who may have been wrongly criminalised at an earlier stage (see para 72).

57. It is also important that those who are granted “first responder” responsibilities are aware of the role and what it involves. We discussed above the importance of training, and are strongly of the view that NRM training modules should be offered to frontline staff within “first responder” organisations, including the NGO and civil society groups, as awareness of the system is too low at present.

58. The governments in all jurisdictions should evaluate and regularly update the list of those “first responders” able to refer people into the NRM for a decision. Consideration should be given to extending the range of those designated of “first responders” to include a wider range of civil society groups, those monitoring employment practices and prison service staff. Targeted training materials should be delivered to “first responders” to raise awareness of the NRM and of its requirements.

59. It is worthy of note that one can only be referred onwards for identification if one has provided consent. It is therefore essential that authorities build up trust with possible victims of trafficking. The NGOs that we spoke to took that responsibility seriously; the police forces we talked to recognised that the police had more work to do in building up trust levels. Police forces should engage with NGOs and victim advocacy groups to examine how best to do so, and the lessons learned should be incorporated into the police training that we recommend above.

60. Police forces should engage with community and victim advocacy groups to build up knowledge and awareness about how best to build up trust with possible victims of trafficking, and incorporate that knowledge in police anti-trafficking training.

61. Once victims are identified, they must be supported. We were concerned to hear issues raised about the support services provided to victims. We note with particular concern that the authorities in the Republic of Ireland identified victims through the NRM only where victims would otherwise have no other means by which to remain in the country; and that even then administrative barriers presented obstacles to identification. We stress that

identification is not just for the purposes of leave; it is to recognise the suffering of the victim and to support them as required.

62. We were also concerned that, contrary to the stated intentions, some victim advocacy groups said that identification through the NRM did not automatically lead to support being provided. We welcome the review of care arrangements for child victims of trafficking in the UK, and urge that all governments take the opportunity to review services for adults as well, to determine what gaps remain and how they should be filled.
- 63. Victims of trafficking must be identified within the NRM regardless of whether they have leave to remain, and be supported as a result. The governments of all jurisdictions should review the support services provided to victims of trafficking to ensure that they are being delivered appropriately, including special measures for children.**
64. Support services must be victim-centred. The nature of the ordeal many victims have suffered leaves them with a range of complex needs. Not only must core healthcare, educational and housing needs be met, but there may also be rehabilitative and other services that need to be provided. It is the minimum obligation of a compassionate society that those needs are met, without unduly prioritising immigration concerns.
65. Clear standards should be detailed as to what victims are entitled, to encourage best practice and to make victims aware of the support they can expect. In the latter respect, we welcome work undertaken by the government of the Republic of Ireland during its Presidency of the EU to translate and disseminate materials about victims' rights, which should be built upon.
66. As to the specific nature of support, some witnesses called for standards to be set out in law. We do not insist upon such a course given the difficulty of enshrining specific standards in primary or secondary legislation, but we do consider that victim support should form an important part of the human trafficking strategies that we recommend (see paras 37-39). Those strategies should set standards as well as mechanisms by which services can be monitored against them. They should also stress the important role that NGOs play and should continue to play in supporting victims.
67. In particular, accommodation services must be safe and supportive. Those who are trafficked remain at risk of absconding and being re-trafficked, often out of fear or intimidation. This is a particular concern for child victims of trafficking, as we heard during our evidence session in London. Safe accommodation, such as that being piloted for children in England and Wales by Barnardo's, is essential and an important strand of development.
- 68. Support services must be centred on the needs of victims. Clear standards and protocols for support should be incorporated into national anti-trafficking strategies, and the available support**

services made clear to victims. In particular, safe accommodation for all victims of trafficking, and particularly for children, must be provided to minimise the risk of their absconding or being re-trafficked.

Prosecution and enforcement

69. To prevent trafficking from proliferating in the UK and Ireland, there must be a strong legal framework that punishes traffickers and the resources in place to enforce it properly. Yet in our evidence it was clear that there are too few convictions for human trafficking. There were only 48 successful prosecutions in England in 2011, and of those only 16 were specifically for trafficking offences. In Northern Ireland, there were only two convictions between 2009 and 2011, even though 32 victims were reported there in 2011 alone; in Scotland, only two cases have ever been prosecuted. In the Republic of Ireland, the Garda acknowledged a significant disparity between the number of cases reported and the conviction rate.
70. This was attributed to a range of factors. There were concerns raised that the law (as enacted when the evidence was taken) was drafted and interpreted too narrowly in the Republic of Ireland, leading to other charges, such as prostitution, having to be brought instead. In UK jurisdictions, the sense was that the evidential thresholds could be very high and that guidance for prosecutors could be unclear, again encouraging authorities to proceed with charges other than for trafficking.
71. Normatively, it is important that where trafficking is involved it is made clear in the offences for which traffickers are convicted. This is important for stating society's opposition to the practice, and to help provide closure to its victims. As such, legal provisions should be drafted clearly and use appropriate evidential standards. We are glad to see that revisions have been made to the law in the Republic of Ireland since we took our evidence to broaden the definition of forced labour, and to expand the range of allowable evidence, to better meet the requirements of the EU Trafficking Directive. We encourage other jurisdictions to examine the applicable trafficking prosecution framework and evidential standards to determine whether further changes are required. To that end, we are interested by the suggestions that a Modern Slavery Bill may be forthcoming in Westminster, and look forward to examining its provisions if it is introduced.
72. Regardless of legislative change, prosecutors should be made aware of the prosecutorial framework and how to pursue trafficking charges effectively. This requires guidance that makes clear the public interest in trafficking cases being identified as such when suspects are indicted. Furthermore, judicial sentencing guidance should state that human trafficking should serve as an aggravating factor for offenders convicted for other offences when the evidential threshold for a trafficking charge is not met, as was developed in Scotland during the course of our inquiry. Sentences for trafficking across all jurisdictions must also reflect the fact that trafficking is a very serious crime.

73. As well as pursuing those who are perpetrators, all governments must ensure that victims are not wrongly criminalised. Those who are trafficked are often forced to work in criminal situations, such as in prostitution or on cannabis farms. Law enforcement authorities should be trained to be more aware of those who may have been trafficked (see para 24), and similar training should be provided to prosecutors, to help prevent victims being brought unfairly within the criminal justice system. Where there remains a public interest in pursuing charges owing to the seriousness of the offending, sentencing guidelines should take account of their status as victims of trafficking as a mitigating factor.
- 74. The conviction rates for trafficking must be improved. Following legislative change in the Republic of Ireland, the governments in all jurisdictions should take the opportunity to examine the legislative frameworks in place to tackle trafficking to determine whether they enable cases to be prosecuted effectively.**
- 75. Prosecutorial guidelines must make clear that there is a strong public interest in trafficking charges being pursued where the evidential basis exists to do so. Guidance should make clear that careful consideration should be given as to whether the prosecution of victims of trafficking for offences committed in the course of their being exploited is in the public interest; and that where charges are pursued, their exploitation should constitute a mitigating factor. Prosecutors should be trained to recognise the signs of trafficking to identify those who may be being unfairly prosecuted.**
- 76. Sentencing guidelines should specify that a conviction for trafficking is a serious criminal offence for which there should be significant custodial sentences, and should set out trafficking as an aggravating factor when sentencing related offences.**
77. Attention must also be focused on the investigation of offences by police forces. In short, the issue must be given priority by dedicated units as far as resources allow. Dedicated units can build up expertise and serve as hubs to raise awareness within police forces; however, with the loss of a dedicated Metropolitan Police unit, there are now no dedicated units in our jurisdictions. Despite this, we were nevertheless impressed by the dedicated work done by the officers we spoke to across the jurisdictions working in the field.
78. The officers we saw demonstrated that, with proper training and clear focus, institutional knowledge can be built up within larger units and trafficking can be given appropriate priority. We therefore urge that all local police forces seek to train their officers to recognise the signs of trafficking. Furthermore, trafficking should be incorporated into national and regional policing strategies, and consideration should be given to establishing regional anti-trafficking leads in each jurisdiction.

79. Human trafficking should be investigated by dedicated police units as far as resources allow. Where that is not possible, all local police forces should seek to train their offices as to how to recognise and deal with human trafficking. Combating trafficking should also form part of national and regional policing strategies, and consideration should be given to establishing a national anti-trafficking lead in each jurisdiction.

Tackling demand

80. Finally, work has to be done to tackle the demand for services where trafficked labour is involved. For forced labour, that must mean strong investigative powers being deployed to deter those who exploit the labour of others. One suggestion made was that the National Employment Rights Authority in the Republic of Ireland could be given the authority to investigate forced labour cases. This is an interesting idea which merits further consideration. Otherwise, the police must maintain vigilance as regards labour exploitation and pursue cases vigorously.

81. The other aspect of tackling demand concerns sexual exploitation. When the Committee took evidence in Belfast, we interviewed Lord Morrow about his Bill on People Trafficking that was before the Assembly. This included a clause which would make it a criminal offence to pay for sex with a prostitute, regardless of whether or not they had been trafficked. The Committee did not take specific evidence on this topic, although it was mentioned by witnesses in Dublin.

82. Accordingly the Committee felt it would be wrong to reach a firm conclusion on this issue, especially as we had not sought any opposing views. Some members also felt that it was not central to the main subject of the inquiry. However, given the strong feelings on both sides, the Committee considered that individual jurisdictions might wish to consider the issue further.

83. Authorities must be vigilant in targeting those exploiting trafficked people in order to deter demand for services that feature sexual or labour exploitation.

Conclusions and recommendations

84. We encourage police forces in all jurisdictions to play a more active role in the uptake of the SIENA mechanism.

85. Full, disaggregated data on human trafficking must be collected alongside reliable expert estimates. Governments in all jurisdictions should work together to ensure that those data are comparable. European-level mechanisms that propose to share information more effectively should also be supported. At the same time, the UK and Irish governments should work together to develop data-sharing protocols that enable authorities in all the jurisdictions we cover to share their knowledge as to the extent of trafficking and its trends.

86. Anti-trafficking rapporteurs, who are able to provide independent scrutiny, analysis and recommendations for change, should be established. We would welcome rapporteurs being established in each of the jurisdictions that we cover.
87. Targeted training programmes and materials should be delivered to those in frontline roles likely to engage with the victims and perpetrators of trafficking. Those trained should be encouraged to serve as anti-trafficking “champions” who are able to spread their knowledge more widely.
88. We welcome police training efforts throughout all the jurisdictions, and urge that training be offered to a wider range of police officers. Opportunities offered to those from United Kingdom jurisdictions to train in the Republic of Ireland should be extended. Secondments between jurisdictions to share expertise should be considered further.
89. The educational sector should be supported to conduct further research into human trafficking to raise awareness about trafficking. Schools should be supported to conduct anti-trafficking projects and to teach about human trafficking within citizenship programmes.
90. Broader awareness-raising activities should be pursued. Faith groups, trade unions, NGOs and other community groups should be engaged to assist in raising awareness. Publicity campaigns using social media and other platforms should be given strong consideration.
91. The matter of human trafficking should be placed on the agenda of a future British-Irish Council meeting as a matter of priority.
92. Coordinating forums such as that set up under the Department of Justice and Equality in the Republic of Ireland and the Inter-Departmental Ministerial Group in the UK must meet regularly, be inclusive of a range of views, and serve as bodies which undertake real policy consideration and coordination. Governments should consider how they could be better organised, how they could be more widely representative and whether they are given sufficient prominence.
93. The establishment of regional coordinators to oversee and coordinate the anti-trafficking efforts of agencies within their jurisdiction should be considered in Scotland, Northern Ireland and the Republic of Ireland. In England, consideration should be given to establishing a coordinator in London, and then extending the scheme across the rest of England over time.
94. The Irish government should continue to work with civil society groups to renew its National Action Plan. At the same time, a unified strategy that brings together the governments of all UK jurisdictions to combat human trafficking should be developed. It should set out a clear plan of action and include standards against which to judge progress. The governments of all UK jurisdictions and the Republic of Ireland should liaise as these plans are

developed to consider which elements of the plans would be apt to be harmonised.

95. The UK government's negotiations regarding applicable Justice and Home Affairs measures should not jeopardise the continued use of Joint Investigation Teams provided for under Europol and Eurojust.
96. Governments in all jurisdictions should seek to develop the capacity of agencies and officials to combat trafficking in countries from where it is most prevalent. To do so they should continue to negotiate memorandums of understanding and provide assistance to authorities and non- governmental organisations in those countries.
97. Private companies – in particular those airline services most often used for trafficking, but also rail and shipping companies – should be engaged by governments and agencies in all jurisdictions in the fight against human trafficking.
98. Parliamentarians should work together across all UK and Irish jurisdictions to improve awareness of human trafficking and to advocate for positive policy change.
99. The European Commission should continue its funding for the Parliamentarians against Human Trafficking Organisation, to stimulate Parliamentarians from across the EU to work together to combat human trafficking.
100. The identification of trafficking victims in the National Referral Mechanism should not be a decision for immigration authorities. Responsibility should be vested in the UKHTC in the UK, and should be divested from the Garda National Immigration Bureau in the Republic of Ireland and assigned either to a separate state agency, or to an independent body.
101. The governments in all jurisdictions should evaluate and regularly update the list of those “first responders” able to refer people into the NRM for a decision. Consideration should be given to extending the range of those designated of “first responders” to include a wider range of civil society groups, those monitoring employment practices and prison service staff. Targeted training materials should be delivered to “first responders” to raise awareness of the NRM and of its requirements.
102. Police forces should engage with community and victim advocacy groups to build up knowledge and awareness about how best to build up trust with possible victims of trafficking, and incorporate that knowledge in police anti- trafficking training.
103. Victims of trafficking must be identified within the NRM regardless of whether they have leave to remain, and be supported as a result. The governments of all jurisdictions should review the support services provided to victims of

trafficking to ensure that they are being delivered appropriately, including special measures for children.

- I04. Support services must be centred on the needs of victims. Clear standards and protocols for support should be incorporated into national anti-trafficking strategies, and the available support services made clear to victims. In particular, safe accommodation for all victims of trafficking, and particularly for children, must be provided to minimise the risk of their absconding or being re-trafficked.
- I05. The conviction rates for trafficking must be improved. Following legislative change in the Republic of Ireland, the governments in all jurisdictions should take the opportunity to examine the legislative frameworks in place to tackle trafficking to determine whether they enable cases to be prosecuted effectively.
- I06. Prosecutorial guidelines must make clear that there is a strong public interest in trafficking charges being pursued where the evidential basis exists to do so. Guidance should make clear that careful consideration should be given as to whether the prosecution of victims of trafficking for offences committed in the course of their being exploited is in the public interest; and that where charges are pursued, their exploitation should constitute a mitigating factor. Prosecutors should be trained to recognise the signs of trafficking to identify those who may be being unfairly prosecuted.
- I07. Sentencing guidelines should specify that a conviction for trafficking is a serious criminal offence for which there should be significant custodial sentences, and should set out trafficking as an aggravating factor when sentencing related offences.
- I08. Human trafficking should be investigated by dedicated police units as far as resources allow. Where that is not possible, all local police forces should seek to train their officers as to how to recognise and deal with human trafficking. Combating trafficking should also form part of national and regional policing strategies, and consideration should be given to establishing a national anti-trafficking lead in each jurisdiction.
- I09. Authorities must be vigilant in targeting those exploiting trafficked people in order to deter demand for services that feature sexual or labour exploitation.

Attendance lists for committee members

Cardiff, 24-25 June 2012

Lord Dubs (chairman)

Ciara Conway TD

Lord German

Senator Cait Keane

Michael McMahon MSP

David Melding AM

Jim Wells MLA

Belfast, 11-12 November 2012

Lord Dubs (chairman)
Senator Maurice Cummins (vice chairman)
Kris Hopkins MP
Michael McMahon MSP
Lord Skelmersdale
Joyce Watson AM
Jim Wells MLA

Edinburgh, 20-21 January 2013

Lord Dubs (chairman)
Senator Maurice Cummins (vice chairman)
Sean Crowe TD
Senator Cait Keane
John Lyons TD
Michael McMahon MSP
David Melding AM
Lord Skelmersdale
Jim Wells MLA

London, 13-14 May 2013

Lord Dubs (Chairman)
Senator Maurice Cummins (Vice-Chairman)
Sean Crowe TD
Senator Jimmy Harte
Kris Hopkins MP
Senator Cait Keane
Michael McMahon MSP
Lord Skelmersdale
David Melding AM
Chris Ruane MP
Jim Wells MLA

Dublin, 16-17 June 2013

Lord Dubs (Chairman)
Senator Maurice Cummins (Vice-Chairman)
Sean Crowe TD
Senator Jimmy Harte
Senator Cait Keane
John Lyns TD
Michael McMahon MSP
Jim Sheridan MP
Lord Skelmersdale
Joyce Watson AM
Jim Wells MLA

Witness lists for evidence sessions

We are most grateful to the following people who gave up their time to give evidence to this inquiry.

Cardiff, 24-25 June 2012

Mwenya Chimba, Violence Against Women Director, Black Association of Women Step Out (BAWSO)

Bob Tooby, Anti Human Trafficking Coordinator (Wales)

Joyce Watson AM, chair of the All-Party Working Group on Human Trafficking in Wales

Belfast, 11-12 November 2012

David Ford MLA, Minister of Justice, Northern Ireland Executive

Anna Lo MLA, chairman of the All Party Group on Human Trafficking in the Northern Ireland Assembly

Grainne Teggart, Northern Ireland Campaigner, Amnesty International

Lord Morrow MLA, promoter of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill in the Northern Ireland Assembly

Edinburgh, 20-21 January 2013

Bronagh Andrew, Assistant Operations Manager, the Trafficking Awareness Raising Alliance Project (TARA), Glasgow Community and Safety Services

Claudia Bennett, Senior Solicitor, Equality and Human Rights Commission

Detective Superintendent Louise Raphael, Association of Chief Police Officers in Scotland

Stefan Stoyanov, Policy Officer, Scotland's Commissioner for Children and Young People

London, 13-14 May 2013

Peter Bone, Chair, All-Party Parliamentary Group on Human Trafficking

Mark Harper MP, Minister of State for Immigration

Detective Inspector Kevin Hyland, Metropolitan Police

Detective Superintendent Mark Jackson, Human Exploitation and Organised Crime Command, Metropolitan Police

Anthony Steen, Specialist Adviser, All-Party Parliamentary Group on Human Trafficking

Dublin, 16-17 June 2013

Ms Sarah Benson, CEO, Ruhama

Derek Byrne, Assistant Commissioner, An Garda Síochána

Noel Clarke, Detective Superintendent, Garda National Immigration Bureau

Ms Gerardine Coyle, Anti-Human Trafficking Unit

Mr David Gilbride, Head, Anti-Human Trafficking Unit, Department of Justice and Equality

Monica O'Connor, author of *Globalisation, Sex Trafficking and Prostitution: the Experience of Migrant Women in Ireland*

John O'Driscoll, Detective Chief Superintendent, Garda National Immigration Bureau

Ms Gráinne O'Toole, Migrant Rights Centre of Ireland