

A STUDY ON HUMAN TRAFFICKING BETWEEN IRELAND AND NORTHERN IRELAND

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Publisher: International Organization for Migration (IOM) UK
First Floor, Heron House, 10 Dean Farrer Street,
London, SW10 0DX
United Kingdom
Email: iomuk@iom.int
Website: <https://unitedkingdom.iom.int>

International Organization for Migration (IOM) Ireland
116 Baggot Street Lower
Dublin, D02 R252
Ireland
Email: iomdublin@iom.int
Website: <https://ireland.iom.int>

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Research and Drafting Team:

Mr Andrew Chisholm (Lead/first Author)

Dr Patrick Burland

Ms Jenniffer Dew

Ms Tegwyn Stephenson

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ABOUT IOM

International Organization for Migration (IOM) is the leading intergovernmental organisation in the field of migration and works closely with governmental, intergovernmental and non-governmental partners. With 175 member states, a further eight states holding observer status and offices in over 100 countries, IOM is dedicated to promoting humane and orderly migration for the benefit of all. It does so by providing services and advice to governments and migrants. IOM works to help ensure the orderly and humane management of migration to promote international co-operation on migration issues, to assist in the search for practical solutions to migration problems and to provide humanitarian assistance to migrants in need, including refugees and internally displaced people.

The Country Office for the United Kingdom of Great Britain and Northern Ireland (IOM UK) was established in 1992. For the last 30 years IOM UK has been working closely with the UK Government, local authorities, academia and civil society; strengthening and expanding its programme portfolio across a variety of key strategic areas. Since 2022, IOM UK has also been operating in Northern Ireland working in close coordination with the devolved government and local stakeholders.

The Country Office for Ireland (IOM Ireland) was established in 2001 and Ireland became a full member government of IOM in 2002. IOM Ireland works closely with the Irish Government, academia and civil society to ensure orderly and humane management of migration, assisting in practical solutions to migration problems and providing humanitarian assistance to migrants in needs.

ACRONYMS AND ABBREVIATIONS

AGS	An Garda Síochána
BIC	British-Irish Council
BIVS	British Irish Visa Schemes
CAB	Crime Assets Bureau
CG	Conclusive Grounds
COE	Council of Europe
CSO	Civil Society Organisations
CTA	Common Travel Area
DOJ	Department of Justice
DTN	Duty to Notify
ECRIS	European Criminal Records Information System
EEA	European Economic Area
ESRI	Economic and Social Research Institute
ETA	Electronic Travel Authorisation
EU	European Union
HMRC	His Majesty's Revenue and Customs
HSCNI	Health and Social Care Trust Northern Ireland
HSE	Health Service Executive
IECA	Immigration Enforcement Competent Authority
ILO	International Labour Organization
IOM	International Organization for Migration
IPAS	International Protection Accommodation Service
JATF	Joint Agency Task Force
JIT	Joint Investigation Team
MLA	Member of the Legislative Assembly
MoU	Memorandum of Understanding
MSHT	Modern Slavery and Human Trafficking
NCA	National Crime Agency
NI	Northern Ireland
NGO	Non-Governmental Organisation
NRM	National Referral Mechanism
PPS	Public Prosecution Service
PSNI	Police Service of Northern Ireland
OCCG	Organised Crime Group
OCTF	Organised Crime Task Force
RG	Reasonable Grounds
SCA	Single Competent Authority
SIS	Schengen Information System

STRO	Slavery and Trafficking Risk Order
STPO	Slavery and Trafficking Prevention Order
TACA	Trade and Cooperation Agreement
TCA	Trade and Cooperation Agreement
TISC	Trafficking in Supply Chains
UK	United Kingdom
UKDS	United Kingdom Data Service
UKHO	United Kingdom Home Office
UKBF	United Kingdom Border Force
UKIE	United Kingdom Immigration Enforcement
UKVI	United Kingdom Visa's and Immigration
UN	United Nations
UNGA	United Nations General Assembly
UNODC	United Nations Office on Drugs and Crime
US	United States

EXECUTIVE SUMMARY

In recent years, there has been growing discussion about the issue of human trafficking on the island of Ireland, with particular concern about the “open” land border between the two distinct jurisdictions of Ireland and Northern Ireland, and movements from the south to the north, as well as the post-conflict context. Despite this, there have been few studies or reports that seek to shed light on this issue, to better understand evidence, trends and responses to human trafficking on the island of Ireland.

The research study explores these issues in more detail. It examines human trafficking around the island of Ireland, including from Northern Ireland to Ireland (north to south), but focuses primarily on movements from the south to the north. Specifically, the study aims to answer four key research questions:

1. What evidence is there of human trafficking on the island of Ireland?
2. Who are the victims and how are they being moved or exploited?
3. How do the two jurisdictions, information sharing and policing affect responses to human trafficking?
4. How are victims of trafficking identified and supported?

The research study was primarily qualitative, drawing on in-depth, open-ended interviews with 23 key informants from 18 organisations working directly or indirectly on the issue of human trafficking in Ireland and Northern Ireland. The interviews were complemented by a desk review of relevant literature and existing data sets, namely the National Referral Mechanism (NRM) statistics for Ireland and Northern Ireland.

Main Findings

This study highlights seven main findings on human trafficking between Ireland and Northern Ireland. Key informant interviews highlighted:

1. **Trafficking is much more prevalent than the data implies, remaining largely undetected with victims not being identified or referred for assistance. Official statistics do not provide an accurate picture of the extent of human trafficking on the island of Ireland.** In Ireland, the most recent data available from the National Referral Mechanism (NRM) indicates that there were 42 victims identified in 2022. For Northern Ireland, the data shows a high number of individuals referred to the NRM in 2022 (547), with 75 people confirmed as victims in the same period.
2. **Potential victims enter Northern Ireland through the Common Travel Area from Ireland and are often detected through the asylum or immigration processes. This is supported by 2022 NRM data which shows that 84% of all referrals were made by UKVI. Furthermore, in Northern Ireland, most people referred to the NRM in 2022 (93%) reported that exploitation took place ‘overseas’ only, although data does not record the specific country of exploitation or how someone entered the country.** Despite an increase in such cases, often of Eritrean and Somali nationality (76% of all NRM referrals in NI in 2022), little is known about the nature and specific location of exploitation, how these persons come to enter the island and or why they move to Northern Ireland.
3. **The number of formally identified victims that are reported as having been exploited in Northern Ireland and Ireland is very low, particularly with regard to UK and Irish nationals.** Only 36 victims were identified as being trafficked reporting exploitation taking place ‘within the UK’ in Northern Ireland in 2022, and only seven victims are identified as UK nationals (all female and reporting sexual exploitation). In Ireland, of the 42 victims identified in 2022, only one was an Irish national.
4. **Sexual exploitation as the primary form of exploitation happening on an all-island basis, however, this trend does not appear to be reflected in the data, which indicates that there are more cases of labour exploitation.** Interviews suggest that Organised Crime Groups (OCGs) are involved in ‘touring’

victims around the island. While sexual exploitation was the primary form of exploitation in Ireland in 2022, numbers remain low (24 victims identified in 2022), and in Northern Ireland the primary form of exploitation was labour exploitation (66% of all victims in 2022 reported labour exploitation taking place 'within the UK', 'Overseas' or both). Key informants reported the border region as a hotspot for labour exploitation, particularly in the agri-food sector and informal labour market.

5. **Forced criminality and child criminal exploitation as highly prevalent but less-known forms of human trafficking on the Island of Ireland.** Informants suggested this happens through coercion by paramilitary groups and OCGs, drug running and 'county lines' style trafficking along the border of Ireland and Northern Ireland.
6. **An "open" land border between the two jurisdictions can make human trafficking more difficult to identify, enables OCGs to avoid detection and benefits business models that take advantage of the two jurisdictions.** While key informants described positive communication and co-operation between law enforcement agencies, evidence and information sharing was seen as an ongoing challenge in combatting human trafficking. There appeared to be less communication and co-operation among NGOs and service providers on an all-island basis.
7. **Wider statutory services, civil society and the general public have a lack of understanding of the issue of human trafficking, including the indicators and potential vulnerabilities of which to be aware.** This is highlighted as an issue in both Ireland and Northern Ireland, which can hamper the detection of potential victims and their appropriate referral for identification and assistance. This was seen to be a particular issue in relation to UK and Irish nationals who appear to be undetected and are underrepresented in the NRMs of both jurisdictions.

Main Recommendations

Recommendations focus on three of the four P's identified as an effective response to human trafficking by the UN Global Plan of Action to Combat Trafficking in Persons (Prevent, Protect, Prosecute and Partnerships).¹ Recommendations and the continued development of protection interventions should also align with the IOM's Protection Framework which include protection mainstreaming, partnerships and coordination, accountability and inclusion, and sustainability and systematic change.²

1. Strengthen Partnerships

Key informants expressed interest in closer collaboration and coordination on the issue of human trafficking between Ireland and Northern Ireland to facilitate information-sharing, improve working relationships and facilitate more joined-up responses. This could be in the form of an All-Island Working Group on Human Trafficking made up of statutory and non-statutory agencies and bodies across the island. This group could work towards developing all-island guidelines, standard operating procedures, and/or referral mechanisms for a more coordinated approach to research, training, identification and victim support.

2. Protect and Assist Victims

The study highlights the need for additional research to understand why victims may be exploited and are vulnerable to trafficking, including studies that draw on the lived experience of survivors, particularly in relation to:

- Identification of Irish and UK national victims of human trafficking in Ireland and Northern Ireland

¹ Information on the 4 P's identified as an effective response to human trafficking by the UN Global Plan of Action to Combat Trafficking in Persons is available at: <https://emm.iom.int/handbooks/trafficking-persons-and-associated-forms-exploitation-and-abuse/prevention-trafficking#:~:text=In%20the%20United%20Nations%20Global,prosecution%20of%20the%20perpetrators%20of.>

² Further information on IOM's Protection Framework is available at: <https://www.iom.int/iom-handbook-migrant-protection-and-assistance#:~:text=IOM's%20approach%20to%20migrant%20vulnerability,protection%20and%20assistance%20they%20require.>

- Increasing trends of Eritrean and Somali nationals entering Ireland and travelling to Northern Ireland through the Common Travel Area
- Child criminal exploitation and child trafficking in Ireland and Northern Ireland.

3. Prevent Trafficking in Persons

Development of an all-island training programme on human trafficking to be rolled out to law enforcement authorities could be considered, as well as extending this to statutory and non-statutory bodies. Increased investment in awareness raising activities and capacity building training to businesses and service providers where instances of human trafficking can be identified could also be examined, such as hospitality, agri-food, farming and social services, particularly those operating along the border region.

To further the knowledge and understanding of human trafficking on the island of Ireland, the systems for data collection on potential and confirmed cases of victims of trafficking could be improved in both Ireland and Northern Ireland to ensure they capture detailed information that can help inform the picture of trends and patterns across the island. This could include enhancements to data collected through the respective National Referral Mechanisms (NRMs), as well as other data collection processes and in line with wider initiatives such as IOM's Human Trafficking Case Data Standard (HTCDS). To the greatest extent possible, data collection could be standardised and aligned between Ireland and Northern Ireland and made publicly available to provide an evidence base with which to inform responses across the island.

Indeed, as challenges remain and understanding is limited as to the extent of human trafficking between Ireland and Northern Ireland, and within the CTA, to ensure an improved response to the issue, a coordinated, concerted and targeted approach is required from both jurisdictions.

1 – INTRODUCTION

1.1 – RESEARCH OBJECTIVES

In recent years, there has been growing discussion about the issue of human trafficking on the island of Ireland, with particular concern about the “open” land border between the two distinct jurisdictions of Ireland and Northern Ireland, and movements from the south to the north, as well as the post-conflict context. Despite this, there have been few studies or reports that seek to shed light on this issue, to better understand evidence, trends and responses to human trafficking on the island of Ireland.

The research study explores these issues in more detail. It looks at human trafficking around the island of Ireland, including from Northern Ireland to Ireland (north to south), but focuses primarily on movements from the south to the north. Specifically, the study aims to answer four key research questions:

1. What evidence is there of human trafficking on the island of Ireland?
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4. How are victims of trafficking identified and supported?

1.2 – DEFINITIONS

The terminology associated with modern slavery and human trafficking (MSHT) can be complex and contested. The terms ‘human trafficking’ and ‘modern slavery’ are commonly used to refer to all forms of human trafficking for the purposes of sexual exploitation, labour exploitation and forced criminality. The term ‘modern slavery’ is generally taken to specifically include forced labour, debt bondage, enslavement of children, as well as people who are trafficked. In Northern Ireland, the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015

encompasses ‘human trafficking’ in all its forms using the terms ‘trafficking’ and ‘modern slavery’ (Northern Ireland Assembly, 2015). In Ireland the term ‘human trafficking’ is defined under the Criminal Law (Human Trafficking) Act 2008 making it an offence to traffic in adults or children for the purpose of sexual or labour exploitation, forced criminality, or the removal of their organs (Government of Ireland, 2008). The Act was amended in 2013 to give effect to the EU Anti-Trafficking Directive and the Criminal Law (Human Trafficking) (Amendment) Act in 2013 replaces and expands the original definition of exploitation to cover the purposes of forced begging (Houses of the Oireachtas, 2013). As it is common to both jurisdictions, this report uses the term ‘human trafficking’³ based on the internationally recognised definition from the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (also known as the Palermo Protocol⁴), to which both Ireland and the UK are signatories.

Both Ireland and the United Kingdom have signed and ratified the Council of Europe Convention on Action Against Trafficking in Human Beings which means that they are required to have National Referral Mechanisms (NRM) in place. An NRM is a framework for identifying victims of human trafficking and ensuring they receive appropriate support. Each NRM is different, as described in section 2.3 and 2.4 below.

1.3 – RESEARCH METHODOLOGY AND LIMITATIONS

This is primarily a qualitative research study based on in-depth, open-ended interviews with 23 key informants⁵ based in Northern Ireland (18) and Ireland (5) (see Appendix 1 for the interview questions). The interviews were complemented by a desk review of relevant literature (academic and grey), legal and policy documents and existing data sets, namely the National Referral Mechanism (NRM) statistics from Ireland and National Referral Mechanism (NRM) statistics for Northern Ireland, disaggregated from the UK Data Service.

The key informants were selected based on the nature of their work in relation to human trafficking, including those responsible for policymaking and law enforcement, as well as non-governmental organisations (NGOs) providing survivor care including NGOs / Care Providers in Ireland (4), Government / Law Enforcement Authorities in Ireland (1), NGOs / Care Providers in Northern Ireland (14) and Government / Law Enforcement in Northern Ireland (4).

Purposive sampling was used to identify the key informants. This was complemented by snowball sampling, where interviewees were asked if they could recommend other key informants based on their knowledge of the issues.

The interview transcripts were analysed using NVivo software to identify key themes and findings, including, movement and types of human trafficking, identification and support, policies and forms of cooperation. This

study has a number of potential limitations. Firstly, it is based on a small number of key informant interviews using purposive and snowball sampling. As such, the findings are not generalisable and there are potential risks of “sample bias” or “selection bias”. Secondly, as with most studies on human trafficking, knowledge is based primarily on persons who are detected, identified and/or accessing support services. Human trafficking is by definition a very hidden crime where many cases remain undetected and unknown to authorities or care providers. Thirdly, the study did not involve interviews with people who had a lived experience of human trafficking. This decision was taken as the research was exploratory in nature, seeking to understand trends and legal-policy considerations rather than focusing on individual experiences and/or support considerations. While the survivor voice is therefore lacking in the report, given the ethical and safety concerns involved in interviewing people affected by human trafficking, it was considered the most appropriate approach for the study.

³ Except where citing published material or referencing other forms exploitation.

⁴ The Palermo Protocol defines trafficking using a three-element framework focused on the 1) acts; 2) means; and 3) purpose, as follows; “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of 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. Exploitation shall include, at a minimum, the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs” (UNGA Res 55/25)

⁵ 23 informants from 19 organisations or statutory agencies. The interviews took place between December 2022 and March 2023.

2 – BACKGROUND CONTEXT

2.1 – THE COMMON TRAVEL AREA

The Common Travel Area (CTA) is a long-standing arrangement between the UK and Ireland established in 1922, allowing for UK and Irish citizens to move freely and reside in either jurisdiction, enjoying associated rights and privileges, including the right to work, study and vote in certain elections, as well as access to social welfare and health services.

Due to the high levels of cooperation between the UK and Irish authorities on immigration, the internal borders of the CTA between both jurisdictions are subject to minimal controls and can be traversed by UK and Irish citizens with minimal identity documents.

In 2014, both the UK and Irish Governments established the British Irish Visa Scheme (BIVS) allowing for certain people to travel around the CTA on a single visa for short stays, marking a commitment of both Irish and UK authorities to continue co-operation through the CTA (Green, Shatter, 2011). As of August 2022, the BIVS applies to Chinese and Indian nationals (Irish DOJ, 2022a). Currently all other non-EU nationalities are required to hold separate visas to visit both jurisdictions. There are no routine passport controls in operation for Irish and UK citizens travelling between Ireland and Northern Ireland, however citizens must show photographic identification when boarding a ferry or airplane.

Since the UK voted to leave the European Union in a referendum on 23 June 2016, and with the exit of the UK of the European Union which became effective on 31 January 2020, the UK-Ireland land border has become an external border of the European Union. The UK and Irish Governments and European Council have remained committed to an open border taking into consideration the historical and social sensitivities that permeate the island (European Council, 2023). This is reinforced under commitments within the Good Friday Agreement 1998 to remove security barriers, physical infrastructure and checkpoints making the border perceived as invisible.

On 11 November 2020, the UK Immigration Act 1971 was amended repealing free movement rights for EU citizens from 1 January 2021, although Irish citizens continue to be able to enter and live in the UK (UK Government, 2021). At the time of this report however,

proposed amendments to the Act would allow for non-Irish EU residents to travel to Northern Ireland without requiring an Electronic Travel Authorisation (ETA), however tourists and other migrants would require ETA permission when travelling across the border from Ireland to Northern Ireland or the UK (CAJ, 2023b).

2.2 – A POST-CONFLICT SOCIETY

From the late 1960s to late 1990s Northern Ireland experienced a decades-long conflict known commonly as ‘the Troubles’. Throughout this time, more than 3,500 people were killed. What started as a civil rights movement deteriorated into violence with the involvement of paramilitary groups representing two main communities of Catholic Republicans and Protestant Unionists (Landow & McBride, 2023). In 1998, a peace agreement, known as ‘The Belfast Agreement’ or the ‘Good Friday Agreement’, was signed by the British and Irish Governments, and political parties on both sides of the divide in Northern Ireland.⁶ The Agreement relied on ‘constructive ambiguity’ to gain buy in from both sides, and established a consociational Assembly in Stormont, Belfast with responsibility for devolved matters in Northern Ireland (Miliken & Smith, 2022).

The unique nature of a post-conflict Northern Ireland experiences relative peace and stability. Despite this however, still, segregated communities, murals, opposition politics and the continued presence of paramilitaries bear the hallmarks of its recent troubled history (McAlister et. al., 2013). Miliken and Smith suggest that Brexit has “re-exposed deep scars and political acrimony” in Northern Ireland (Miliken and Smith, 2022) and as a result of the continued presence of paramilitaries, the UK increased the terrorism threat level to ‘severe’ in March 2023 (MI5, 2023).

2.3 – NORTH-SOUTH CO-OPERATION

Under the Good Friday Agreement several mechanisms and new institutions were set up to facilitate cross-border co-operation across the island of Ireland and between Ireland and the UK. Further mechanisms have been developed across the island in response to organised crime and human trafficking including the Joint Agency Task Force, the Organised Crime Task Force and increased co-operation between the PSNI and An Garda Síochána.

2.4 – LEGAL AND POLICY FRAMEWORK IN IRELAND

In Ireland, the Criminal Law (Human Trafficking) Act 2008 and the Criminal Law (Human Trafficking) (Amendment) Act 2013, makes it an offence to traffic adults or children, including the procuring, transporting or harbouring of a person to enter, leave or travel within the State for the purpose of exploitation, specifically labour or sexual exploitation or organ removal (Government of Ireland, 2008). The Criminal Law (Sexual Offences) Act 2017 criminalises the purchase of sexual services and soliciting of sex from a trafficked person in Ireland (Government of Ireland, 2017).

Ireland signed the Council of Europe Convention on Action against Trafficking in Human Beings (‘ECAT’) in 2007, which was ratified and came into force in 2010. The ECAT independent monitoring mechanism, known as GRETA,⁷ has issued three reports on Ireland which will be referred to in this study.

In April 2023, Ireland confirmed it will opt-in to the proposed amendment to the EU Anti-Trafficking Directive 2011/36/EU.⁸ This proposal builds on the original Directive and aims to strengthen the EU’s ability to counter crimes related to human trafficking and to harmonise human trafficking rules across EU Member States (Houses of the Oireachtas, 2023b).

As regards the institutional framework, the Irish Department of Justice continues to be responsible for co-ordinating national policy on human trafficking, in collaboration with other Government agencies and civil society organisations (CSOs). The Department has developed three National Action Plans to Prevent and Combat Human Trafficking, the first was published in 2009, and the second in 2016. The third action plan was announced in 2022, however it has not yet been implemented.

In Ireland, victims of human trafficking are identified through the NRM. Currently, all suspected victims of trafficking who enter the NRM in Ireland are referred to An Garda Síochána (AGS), who are the sole agency with the capacity to designate someone as a victim of trafficking if they believe there are ‘reasonable grounds’ to do so. The AGS Human Trafficking Investigation and

Coordination Unit (HTICU) is responsible for onward referral of identified victims to support services for a 60-day recovery and reflection period. It is important to note that where a potential victim of trafficking enters the asylum process in Ireland, they may no longer enter the NRM. An individual cannot claim asylum and be recognised as a victim of trafficking at the same time.

Under a restructuring of the NRM in Ireland, it is proposed that the Department of Justice Immigration Services Division, Department of Social Protection, Health Service Executive (HSE), Tusla – Child and Family Agency, Department of Children, Equality, Disability, Integration and Youth and International Protection Accommodation Services (IPAS) will become competent authorities for the identification of victims of human trafficking, in addition to AGS. Together these departments and statutory agencies will form a National Referral Mechanism Operational Committee which will make decisions on the entry of victims into the NRM. Some NGOs will also be designated ‘trusted partners’ and will be able to refer victims to the NRM (Irish DOJ, 2021).

2.5 – LEGAL AND POLICY FRAMEWORK IN NORTHERN IRELAND

In Northern Ireland, human trafficking is recognised through the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015, the first piece of legislation specifically relating to human trafficking in the UK, which paved the way for similar legislation in other devolved nations (NILGA et. al., 2020). This Act defines human trafficking as arranging or facilitating the travel through transporting, harbouring or receiving; or transferring or exchanging control of another person with a view to being exploited (Northern Ireland, 2015, Ch. 2 (1) (2)). In Northern Ireland the Justice (Sexual Offences and Trafficking Victims) Bill was passed by Royal Assent in March 2022, and will implement additional elements of the ‘Gillen Review: Report into the law and procedures in serious sexual offences in NI’.⁹ The Act will also improve services for victims of trafficking and exploitation beyond the 45 days specified in the 2015 act, providing support for an additional 12 months (Northern Ireland Assembly, 2022).

7 Group of Experts on Action against Trafficking.

8 ‘Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA’ and the proposed amendment ‘Directive of the European Parliament and of the Council amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims’.

9 Gillen Review Report into the law and procedures in serious sexual offences in NI available at: <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/gillen-report-may-2019.pdf>.

6 The Belfast Agreement, also known as the Good Friday Agreement is available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1034123/The_Belfast_Agreement_An_Agreement_Reached_at_the_Multi-Party_Talks_on_Northern_Ireland.pdf.

The UK signed the ECAT in 2007, which was ratified in 2008, and entered into force in 2009. Compliance with the ECAT in Northern Ireland is monitored via GRETA, which has produced three country reports to date which will be referred to later in the report.

As support to victims and potential victims of trafficking is a devolved matter, the Northern Ireland Department of Justice (DOJ) is responsible for the development of both policy and legislation in Northern Ireland with the PSNI Modern Slavery and Human Trafficking Unit (MSHTU) leading on the operational response. In 2019, NI DOJ established a dedicated Modern Slavery and Human Trafficking (MSHT) Branch to address increasing referrals of potential victims of trafficking in Northern Ireland in addition to policy and legislative responses. The DOJ MSHT Unit developed a MSHT Strategy 2022 – 2025 to enhance supports and services to potential victims under the operational strategy to Pursue, Protect and Prevent.¹⁰ The most recent strategy built on previous strategies and includes the expungement of convictions, trafficking in supply chains (TISC) and the implementation of Slavery and Trafficking Risk Orders (STROs), Duty to Notify (DTN) and additional legislative powers to stop and search.

In Northern Ireland, the National Referral Mechanism (NRM) is the UK's official system to identify victims of modern slavery and human trafficking. One NRM applies across the whole of the UK but with regional variations. Decision-making for all referrals is conducted centrally by two competent authorities which sit within the Home Office: the Single Competent Authority and the Immigration Enforcement Competent Authority. There are designated first responder organisations in different regions of the UK which can submit NRM forms. At the time of writing, the first responder organisations for Northern Ireland, are:

- The PSNI Modern Slavery and Human Trafficking Unit (MSHTU)
- The Health and Social Care Trusts (HSCNI)
- UK Border Force (UKBF)
- UK Immigration Enforcement (UKIE)
- UK Visas and Immigration (UKVI)
- Belfast and Lisburn Women's Aid

The NRM has a two-stage decision-making process

for identifying potential victims of modern slavery (a term that includes any form of human trafficking, slavery, servitude or forced labour). The first stage is the Reasonable Grounds (RG) decision, which should be made within five working days of a potential victim being referred to the NRM. At the time of writing this report, on 30th January 2023, the Reasonable Grounds decision making guidance changed for decision makers to, "base their decision on objective factors to have real suspicion and therefore meet the RG threshold. An "objective" factor is a piece of information or evidence that is based in fact. A positive RG entitles a person to a reflection period of a minimum of 45 days to receive specialist support and assistance. The second stage Conclusive Grounds (CG) decision should be made no sooner than 45 days after the RG decision and is made on the 'balance of probabilities' threshold. Both the RG and CG determinations are made by the Single Competent Authority (SCA) and Immigration Enforcement Competent Authority (IECA) which both sit within the Home Office. Within the UK potential victims of trafficking can enter both the asylum process and the NRM to be recognised as a victim of trafficking at the same time.

2.6 – THE UK WITHDRAWAL FROM THE EUROPEAN UNION

The UK withdrew from the European Union (EU) on 31 January 2020, leaving Northern Ireland in the unique position of being the only part of the UK which has a land border with the EU. Commitments under the Good Friday Agreement continue to ensure an open border between Ireland and Northern Ireland. Despite this, a joint PSNI and AGS report on Cross Border Organised Crime in 2018, stated that the open border has the potential to create a perception among organised crime groups (OCGs) that Northern Ireland is a vulnerability within the UK infrastructure which they could then seek to exploit by trafficking commodities and people across the border (PSNI, AGS, 2018).

The NI DOJ, Modern Slavery and Human Trafficking Strategy 2021-2022 stated that the withdrawal from the EU may affect the delivery of human trafficking (or modern slavery) related strategies, dependent on the impact of new arrangements following the UK and EU Trade and Cooperation Agreement on 24 December 2020 (NI DOJ, 2022). This strategy stated that any new arrangements will continue to be monitored to ensure gaps are identified and addressed, or emerging trends or concerns inform strategic responses (ibid., 2022).

Following the UK withdrawal from the EU, the UK no longer has access to EU databases and aimed to "replicate most of the key criminal justice measures previously available to the UK" through the EU Trade and Cooperation Agreement (TACA) (ibid., 2022). However, since the UK withdrawal from the EU, the UK no longer has access to Eurodac, the European

Criminal Records Information System (ECRIS) and the Schengen Information System (SIS II) the UK is reliant on notices from Interpol's I-24/7 database "which has a less advanced interface with the UK's Warnings Index" (ibid., 2022). Limitations, however, remain for the PSNI and NI DOJ regarding information sharing between Northern Ireland and Ireland and the EU.



Source: © Unsplash 2012/ Antoine Schibler

¹⁰ The NI DOJ MSHT Strategy 2022 – 2025 is the first three year strategy on modern slavery and human trafficking in Northern Ireland. Previous strategies remained one year in duration.

RESEARCH FINDINGS

3 – EVIDENCE OF HUMAN TRAFFICKING ON THE ISLAND OF IRELAND – WHO AND HOW?

This section will provide a brief overview of the most recently available data on human trafficking in both Ireland (2022)¹¹ and Northern Ireland (2022)¹² before describing the primary forms of reported exploitation based on interview responses. In Ireland, statistics are taken from the Irish Department of Justice 2022 Annual Report on Human Trafficking. In Northern Ireland 2022 UK Home Office NRM statistics are available from the UK Data Service (UKDS). NRM data from both jurisdictions does not always give an exact indication of the scale of human trafficking when compared, given the different forms of identification, referral and different NRMs, as outlined in Sections 2.4 and 2.5. Where possible, we have endeavoured to compare data to illustrate some key trends such as nationalities, exploitation type and gender.

As noted in section 2.4, suspected victims of human trafficking in Ireland are identified and referred to the NRM by AGS. Ireland has seen a decrease in the number of victims of human trafficking identified by AGS in recent years from 75 in 2017, 64 in 2018, 42 in 2019, 38 in 2020, 44 in 2021 and 42 in 2022 (Irish DOJ, 2023).

In the UK, disaggregated Home Office NRM data is available from the UKDS. Analysis of data sets can be carried out, including referrals specifically from Northern Ireland. Analysis of NRM data for Northern Ireland highlights that referrals of potential victims of human trafficking have increased significantly from one in 2015, 23 in 2016, jumping to 128 in 2020, 363 in 2021 and 547 NRM referrals in 2022, an increase of 151% from 2021 (UKHO, 2023). In quarter one of 2022, 160 NRM referrals were made which is the highest of any quarter on record (ibid., 2023).

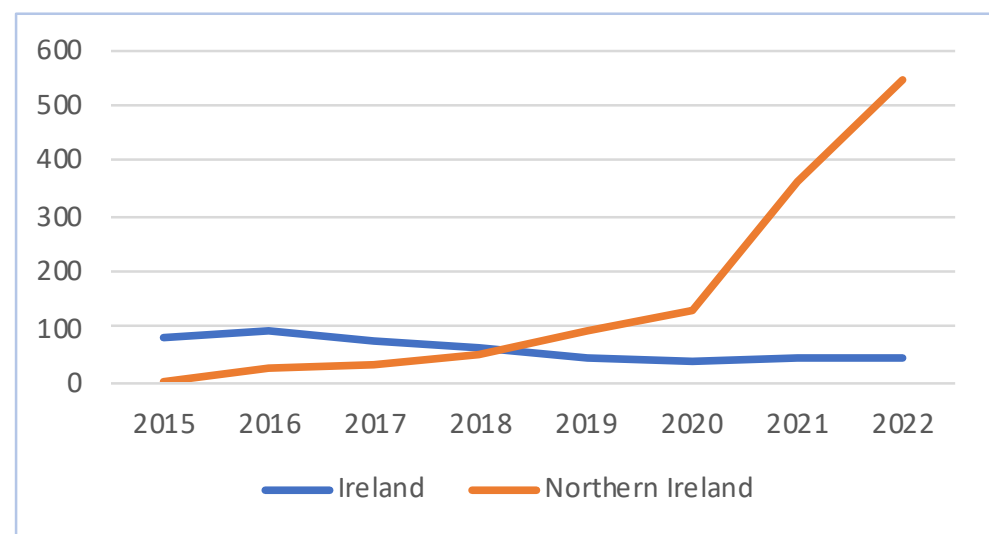


Figure 1: Total number of suspected victims of human trafficking in Ireland and Northern Ireland, 2015 – 2022
Source: UKHO, 2023, Irish DOJ, 2023, US State Dept, 2023

11 NRM statistics for 2022 taken from the US State Department, Trafficking in Persons Report 2023 available at: <https://www.state.gov/reports/2023-trafficking-in-persons-report/ireland/>.

12 NRM statistics taken from UK Home Office disaggregated NRM data available from the UK Data Service (UKDS), available at: <https://beta.ukdataservice.ac.uk/datacatalogue/studies/study?id=8910>.

Gender of Victims of Trafficking:

In Ireland in 2022, out of 42 victims of human trafficking, 27 were female and 15 were male (Irish DOJ, 2023). In Northern Ireland, out of 547 potential victims of trafficking referred to the NRM in 2022, 340 were

male (62%) and 207 (32%) female (UKHO, 2023). It is important to note that data is collected in a binary manner for gender with options of male, female or other only. In the instance of data for Northern Ireland, all potential victims identified as either male or female.

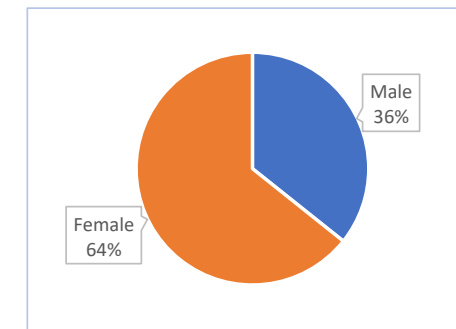


Figure 2: Number of suspected male and female victims of human trafficking in Ireland, 2022
Source: Irish DOJ, 2023

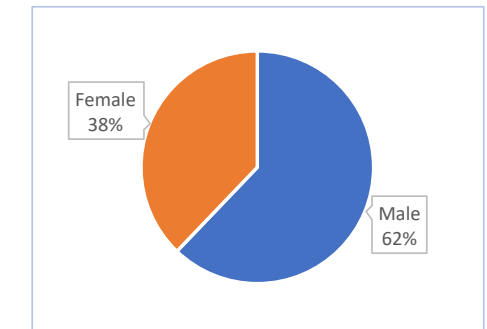


Figure 3: Number of suspected male and female victims of human trafficking in Northern Ireland, 2022
Source: UKHO, 2023

Types of Exploitation:

In Ireland 24 people were trafficked for the purpose of sexual exploitation, 15 people were trafficked for the purpose of labour exploitation in 2022, two people for forced criminality and one for organ removal (Irish DOJ, 2023). Trafficking for the purposes of sexual exploitation remains the prevalent form of exploitation and relates mainly to females accounting for 23 of 24 identified victims in 2022. Only six male victims have been identified as trafficked for sexual exploitation since 2017 (US State Dept., 2023). Since 2017, only 16 people have been identified as suspected victims of trafficking for forced criminality, with two identified in 2022 (ibid. 2023).

In Northern Ireland in 2022, 359 people were identified as victims of trafficking for the purpose of

labour exploitation. These account for 66% of all NRM referrals, 64 suspected victims of trafficking for sexual exploitation were identified, constituting 12% of all NRM referrals. 54 people were reported as potential victims of 'sexual and labour' exploitation constituting 10% of NRM referrals (UKHO, 2023). The remaining 12% of NRM referrals reported other types of exploitation including 'criminal'; 'domestic' 'labour and domestic'; 'sexual and criminal'; 'sexual and domestic' and/or 'sexual, labour and domestic' exploitation. Five individuals were identified as suspected victims of criminal exploitation, of which three were male (ibid., 2023). This is significantly lower than NRM referrals for criminal exploitation in the other UK jurisdictions, where 4,648 victims referred for criminal exploitation alone throughout 2022 in England, Scotland and Wales (ibid., 2023).

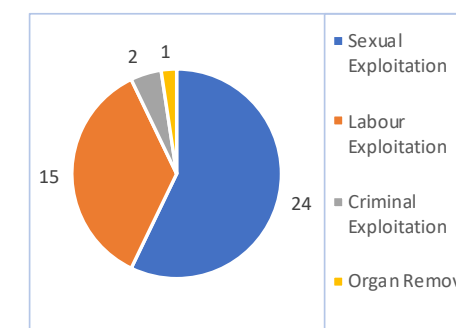


Figure 4: Types of exploitation reported in Ireland in 2022
Source: Irish DOJ, 2023

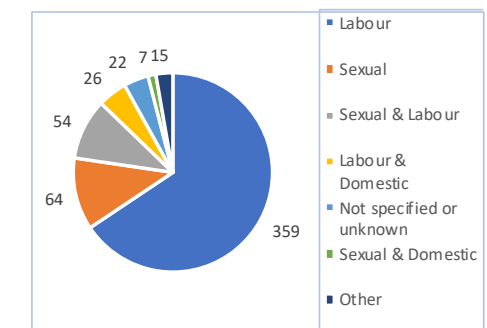


Figure 5: Types of exploitation reported in Northern Ireland in 2022
Source: UKHO, 2023

Location of Reported Exploitation

In 2022, 511 of 547 (93%) NRM referrals in Northern Ireland reported exploitation taking place 'overseas', while 28 of 547 (5%) referrals reported exploitation taking place 'within the UK', and eight (2%) reported exploitation taking place 'within the UK' and 'Overseas' (UKHO, 2023). This indicates that a case referred to

the NRM in Northern Ireland in 2022 was more than twice as likely to report exploitation 'overseas' than a case referred in the rest of the UK.¹³ Statistics in Ireland do not record the location of reported exploitation.

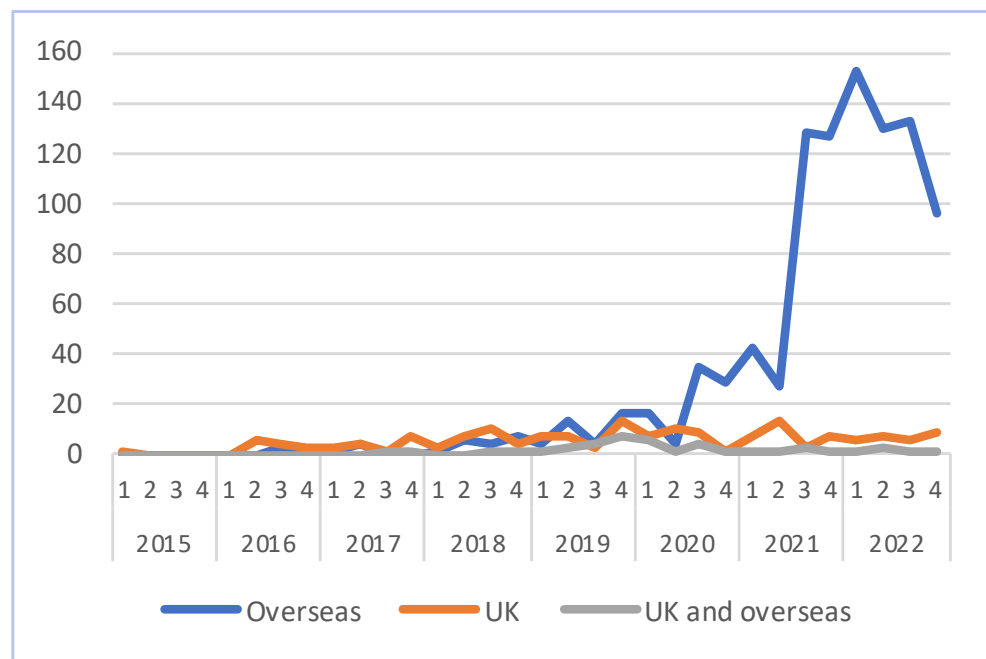


Figure 6: Location of claimed exploitation of NRM referrals in Northern Ireland
Source: UKHO, 2023

Nationality of Suspected Victims of Human Trafficking

In Ireland, the top five nationalities of suspected victims of trafficking identified were Nigeria (11), Latvia (4), Czech Republic (3), Romania (3), Vietnam (3) (Irish DOJ, 2023). In Northern Ireland, Eritrean and Somali nationalities made up the majority of NRM referrals in Northern Ireland in 2022 (UKHO, 2023). Eritrean nationals accounted for 277 of all NRM referrals (51%)

in 2022, and 134 Somali nationals (24%) were referred to the NRM, with this cohort making up 75% of all NRM referrals (ibid., 2022). Of this cohort, 99.5% of Eritrean and Somali referrals reported exploitation taking place 'overseas' (ibid., 2023). Additional nationalities referred included Sudanese (23), Syrian (21) and Ethiopian (10) (ibid., 2023).

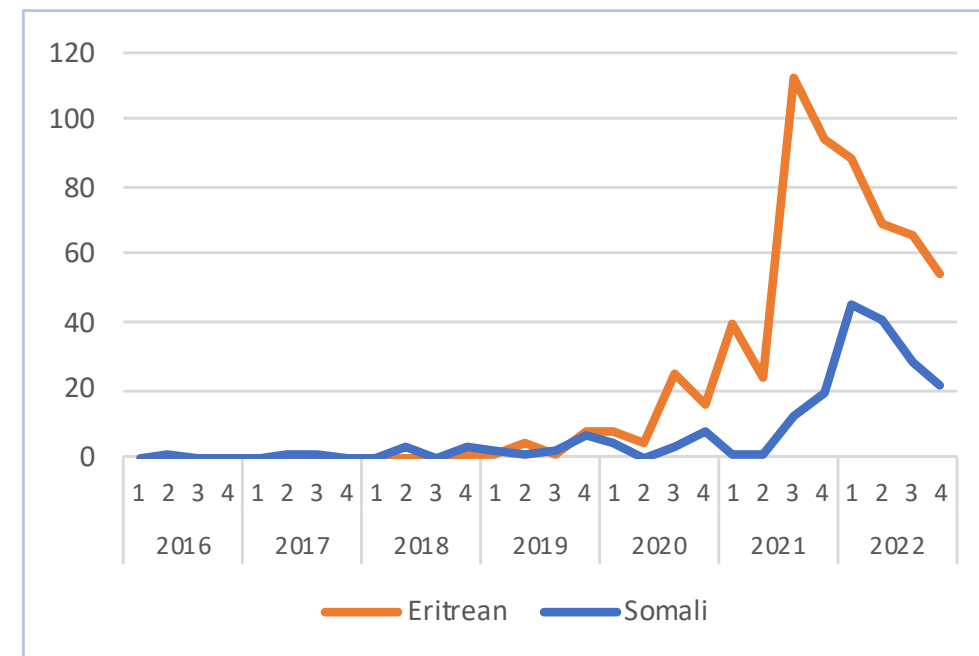


Figure 7: Number of Eritrean and Somali NRM referrals in Northern Ireland since first identified case
Source: UKHOS, 2023

Suspected Child Victims of Human Trafficking

In Ireland, 19 suspected child victims of human trafficking (aged 17 or under) have been identified since 2018, which is significantly lower than 23 child victims identified in 2015 and 21 identified in 2016 (Irish DOJ, 2023). No children were identified as a

suspected victims of human trafficking in 2020 or 2021, however five children were identified as victims of human trafficking in 2022 (ibid., 2023). This is significantly lower than statistics in Northern Ireland where 86 child victims of trafficking were identified in 2022 through the UK NRM (UKHO, 2023).

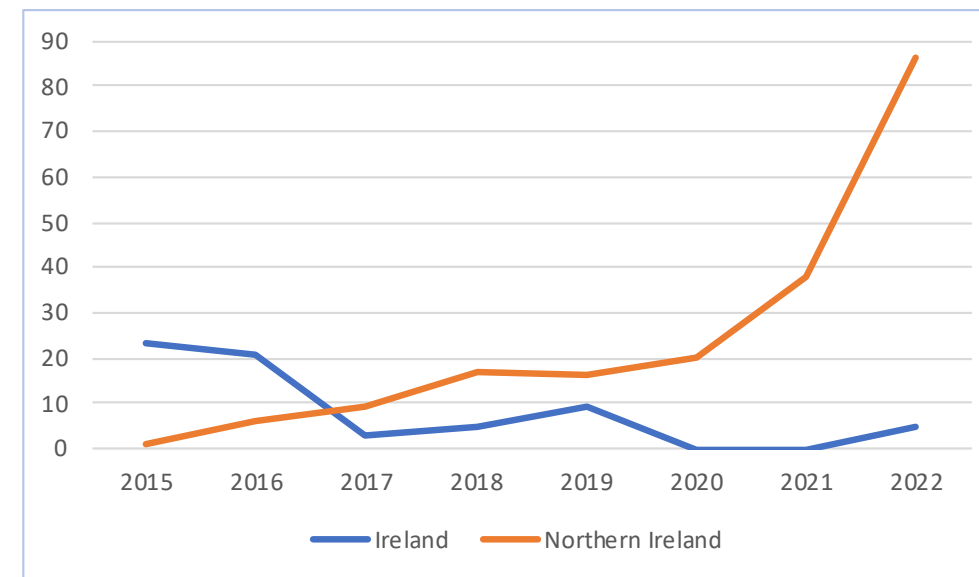


Figure 8: Number of child victims of human trafficking identified from 2015 in Ireland and Northern Ireland
Source: Irish DOJ, 2023, UKHO, 2023

¹³ IOM UK Northern Ireland NRM Data Analysis Briefing, 2022 Annual Review, available at https://unitedkingdom.iom.int/sites/g/files/tmzbd11381/files/documents/2023-03/IOMUK_NI_NRM_Briefing_2022.pdf.

Since 2015 in Northern Ireland, 193 children have been referred to the NRM, which is significantly lower than child referrals in England (25,883), Scotland (723) and Wales (1,262) of which 109 referrals were for male children and 84 referrals for female children (ibid., 2022). In 2022, in Northern Ireland, 86 children were referred to the NRM, which constitutes 45% of all NRM child referrals since 2015 (ibid., 2023). In 2022, 84% of children referred to the NRM were reported as having experienced labour exploitation either through ‘labour and domestic’ exploitation, ‘sexual and labour’ exploitation, or solely ‘labour’ exploitation (ibid., 2023). Of the total 193 child referrals in Northern Ireland since 2015, 61 are of Eritrean nationality and 54 are of Somali nationality (ibid., 2023).

To date, there have been no referrals of UK national male children referred to the NRM in Northern Ireland (2015 – 2022) (ibid., 2023). By comparison, in England, 9,401 UK male children have been referred to the NRM since 2016, mainly reporting both ‘criminal’ exploitation (5,849) and ‘labour’ exploitation (2,322) (ibid., 2023). Since 2016, 13 UK female children and only 1 Irish female child have been referred to the NRM in Northern Ireland (ibid., 2023). Section 3 will provide further details on forms of exploitation as described by key informants during the interviews.

3.1 – HUMAN TRAFFICKING FOR SEXUAL EXPLOITATION

During interviews, when asked about the most common exploitation types in the context of human trafficking, respondents reported that they were most aware of ‘sexual’ exploitation taking place on an all-island basis and between Ireland and Northern Ireland. Despite not providing information on location of exploitation, Figure 4 illustrates statistics from Ireland where 57% of victims reported sexual exploitation in 2022, which includes 23 female victims and one male victim (Irish DOJ, 2023). However, as illustrated in Figure 5, in Northern Ireland, ‘sexual’ exploitation constitutes just 12% of all NRM referrals and ‘sexual and labour’ exploitation constitutes 10% of referrals in 2022 (UKHO, 2023). In addition, of the 36 NRM referrals reporting exploitation taking place ‘within the UK’ in Northern Ireland in 2022, only 12 reported ‘sexual’ exploitation (ibid., 2023). Despite these figures, human trafficking for sexual exploitation emerged as a significant theme amongst almost all respondents and particularly among NGOs where service provision and support is directed to victims of sex trafficking.

“In terms of organised crime groups involved in human trafficking..., one of the most predominant ones that we would say would be trafficking for the purposes of sexual exploitation”

-K118 – Government / Law Enforcement, Northern Ireland

When asked how this form of exploitation occurs, interviewees often described it taking the form of ‘sexual services’ that are often advertised through escort agencies online across the island, in both Ireland and Northern Ireland. Respondents suggested there are difficulties in specifically identifying women trafficked for sexual exploitation within the much larger population of non-trafficked sex workers.

“The more traditional trafficking of people for sexual exploitation is cross-border in which particularly in more recent years has featured on prostitution in what’s known as the escort trade, where it’s advertised online”

- K115 – Government / Law Enforcement, Northern Ireland

“it’s definitely an all-island trade, [...] advertised across 32 counties north and south.”

- K111 – NGO, Ireland

During interviews with key informants, it was mentioned that sex workers often ‘tour’, that is, travelling between Ireland and Northern Ireland. When asked what role the Common Travel Area might have in regards to human trafficking for the purpose of sexual exploitation respondents suggested that the open border enables the OCGs and traffickers to move victims using this method of ‘touring’, and also enables traffickers to move victims between jurisdictions thus avoiding law enforcement and remaining undetected.

“It’s not many cases, but the fact that there’s no border, the fact that it’s a Common Travel Area and the fact that the trade relies on the traffickers touring woman, it’s very easy for them to move across the border to different locations for punters to buy and purchase sex. It’s because of the open border. It makes it easier to go undetected”

-K12 – NGO, Ireland

Several respondents in Northern Ireland from both Government and NGO backgrounds expressed concerns that there has been a recent increase in the number of local vulnerable women being exploited for sex trafficking and being referred to support services. While this study did not engage directly with victims or potential victims of human trafficking, several respondents indicated that women with existing vulnerabilities, mainly in Belfast, are being sexually exploited.

“Local individuals are now trafficking local vulnerable females, which is a new pattern [...] where young vulnerable women are being sexually exploited and they are being moved about in vehicles throughout Northern Ireland”

- K118 – Government / Law Enforcement, Northern Ireland

“[A] recent unique case involved the sexual exploitation of a lot of young women who had addictions and he [the trafficker] then honed in on that and took advantage of them for sexual exploitation”

- K112 – Government / Law Enforcement, Northern Ireland

“It’s like a network of older men who are targeting these young, local vulnerable girls. Some of them may, in the first instance, have turned to prostitution voluntarily to feed their drugs habits, because unfortunately the majority of them have either been subject to adverse childhood experiences brought up in care. These men know this and then ultimately go there to target them, then trafficking them. We’ve seen a significant rise in that exploitation”

- K118 – Government / Law Enforcement, Northern Ireland

This issue is not reflected in NRM statistics, prosecutions or convictions of human trafficking. Respondents indicated that the NRM in both Ireland and Northern Ireland does not adequately provide a holistic picture of the extent of human trafficking for sexual exploitation due to the absence and lack of identification of UK and Irish nationals that are reported as victims but not referred to the NRM. Respondents also indicated how many potential victims of UK and Irish nationality do not self-identify as victims, as it may

not directly benefit them given their pre-existing right to live and access services and supports in Northern Ireland. In Northern Ireland, of 36 victims identified as reporting exploitation taking place ‘within the UK’ in 2022, seven were UK nationals, all of whom were female and reporting sexual exploitation. In Ireland, one Irish national was identified in 2021 reporting sexual exploitation.

“I think we’ve got almost no Irish victims even in our NRM or very, very few. And so again I suppose the ignorance is not good. We cannot use the NRM as a tool to tell us how much trafficking there is in our jurisdiction”

- K111 – NGO, Ireland

The 2018 Cross Border Organised Crime Assessment highlights the co-operation between Ireland and Northern Ireland in response to sex trafficking. (PSNI, AGS, 2018) There remain ongoing joint investigations between the PSNI and An Garda Síochána targeting organised crime groups engaged in sexual exploitation on the island of Ireland. OCGs continue to be identified and have their activities disrupted with efforts made to dismantle their human trafficking infrastructure (ibid.). Despite a coordinated approach between law enforcement authorities in Ireland and in Northern Ireland there have been a limited number of convictions in Northern Ireland and only one successful human trafficking conviction in Ireland, in June 2021 involving two Nigerian females convicted for trafficking for sexual exploitation (IHREC, 2023).

3.2 – HUMAN TRAFFICKING FOR LABOUR EXPLOITATION

Throughout interviews, when asked about the most common exploitation types in the context of human trafficking, respondents often reported instances or experiences of ‘labour’ exploitation taking place on an ad hoc basis and in several different forms. Respondents indicated that ‘labour’ exploitation is not as prevalent as ‘sexual’ exploitation, and would often be isolated to specific areas, particularly around the border region, in the agri-food sector, the informal labour market and often to individual cases of domestic servitude. Indeed, in its Third Report on Ireland, GRETA suggested the increase in victims identified as being trafficking for the purposes of labour exploitation is linked to work in the service sector such as fishing, agriculture, construction, car washing, waste recycling and domestic work (COE, 2022).

Although human trafficking for labour exploitation was not highlighted by interview respondents as frequently as sexual exploitation, statistics show it is the highest reported form of exploitation among NRM referrals in Northern Ireland in 2022, with 359 NRM referrals (66%) reporting 'labour' exploitation only, as shown in Figure 5 (UKHO, 2023). Additionally, 87% of all male NRM referrals, and 30% of all female NRM referrals reported labour exploitation (ibid., 2023). In Ireland, it was the second highest reported form of human trafficking in 2022, with 15 out of 42 victims reporting labour exploitation (Irish DOJ, 2023).

In Northern Ireland there has been an increase in the number of NRM referrals claiming exploitation 'overseas'. Of this large cohort of 511 individuals reporting exploitation 'overseas', 348 (68%) reported labour exploitation, indicating they were exploited for labour on their journey to Northern Ireland (UKHO, 2023). There were only eight NRM referrals reporting labour exploitation 'within the UK' in 2022 (ibid., 2023).

During interviews with key informants, when asked about knowledge or evidence on types of exploitation and nationalities, respondents in Northern Ireland often referenced the high number of Eritrean and Somali nationals referred to the NRM reporting labour exploitation 'overseas'. Respondents from Ireland often acknowledged they were also aware of this trend of persons travelling through Ireland to Northern Ireland claiming exploitation 'overseas'. Organisations supporting trafficked men indicated that labour exploitation is reported among the majority of male victims accessing their services.

"The vast majority of those have been identified as labour exploitation. The majority of them are male. They're the nationalities now, are Eritrean and Somali"

- KI15, Government / Law Enforcement, Northern Ireland

When asked about the effect the CTA might have on labour exploitation, interviewees indicated that the open border between Ireland and Northern Ireland is likely being used and exploited by organised crime groups for the purpose of labour exploitation.

"So, there's no doubt, [...] the ease of access to Northern Ireland via the Republic of Ireland is definitely a factor in everything. There's potential that those aid [labour] exploitation"

- KI14 – Government / Law Enforcement, Northern Ireland

During interviews, respondents suggested that labour exploitation is most prevalent in border regions, particularly in the agri-food sector such as mushroom farming, horticulture and fishing industries.

"The mushroom factory side of it, yes for the males for labour exploitation"

- KI6 – NGO, Northern Ireland

"Potential victims of trafficking have claimed to have been working in border towns in agri-food or horticultural industries, car washes and the fishing industry and also living in the other jurisdiction in Ireland or Northern Ireland"

- KI7 – NGO, Northern Ireland

However, respondents also highlighted that when they investigated concerns about trafficking in the agri-food sector, such as mushroom farming, they ultimately concluded that the conditions did not reach the definitions of human trafficking or modern slavery. This was highlighted specifically among Ukrainians who have recently arrived and are now working in mushroom farms in rural areas of Northern Ireland, Ireland and in the border regions. Respondents expressed the need for increased integration, access to services and information on rights and entitlements to be provided to these individuals.

"There's a lot of instances recently where we've been told, there's Ukrainians here working on mushroom farms. But when we actually go out and speak to them about it's not actually meeting our criteria for exploitation [...] it's not actually trafficking even for labour exploitation"

- KI18 – Government / Law Enforcement, Northern Ireland

One respondent highlighted the connection between irregular migrants and the informal labour market. They discussed the connection between reports of irregular migrants crossing the border to work informally in both agri-food and criminal activities such as cannabis farms, which are indicative of human trafficking but often prosecuted as criminal activity (BBC, 2023).

"More recently, there's been a case of five people rescued from a cannabis farm there and brought across border to Monaghan. About five years ago we had Bulgarians who were working in a mushroom factory again crossing the border. And plenty more and maybe they live in the South but travel to say Newton Hamilton (Sic) and places like that on the border."

- KI6 – NGO, Northern Ireland

3.3 – HUMAN TRAFFICKING FOR CRIMINAL EXPLOITATION

The lack of identification of victims of human trafficking for criminal exploitation was highlighted in the US Trafficking in Persons Report for 2023 which included specific recommendations for Ireland to increase efforts to identify and protect victims of forced criminality, especially Irish citizens and vulnerable populations (US Department of State, 2023). Indeed, in terms of forced criminality and human trafficking for criminal exploitation, framings of such conduct as human trafficking remain almost entirely absent, despite increasing acknowledgement that exploitation for the purpose of forced criminality can fall within the scope of the 'purpose' element of the internationally accepted trafficking definition (UNODC, 2022).

There were two cases of human trafficking for forced criminality in Ireland in 2022, and zero cases recorded in 2021 (US Dept of State, 2023).¹⁴ In Northern Ireland there were five NRM referrals reporting 'criminal' exploitation in 2022 and 21 in total since records began in 2015. Of these 21 cases, only 12 reported this exploitation taking place 'within the UK', with the remaining nine stating their form of criminal exploitation happened 'overseas'.

The PSNI and AGS acknowledge that, while enabling free movement, the CTA and open border between Ireland and Northern Ireland can be exploited by criminals who use the border to facilitate and enable criminality (PSNI, AGS, 2018). The lack of reported cases of criminal exploitation within Ireland and Northern Ireland, does not likely reflect the scale of the problem on the island of Ireland. In comparison to mainland UK (England, Scotland, Wales), 'criminal' exploitation 'within the UK' is the highest form of NRM referral with 11,807 referrals since 2015 and 4,080 referrals in 2022 alone (UKHO, 2023).

It seems that trafficking for criminal exploitation is not commonly recognised as a form of human trafficking on the island of Ireland. One factor may be due to the continued presence of paramilitaries in some communities, particularly in Northern Ireland (UK Government, 2015). This brings with it an overarching emphasis on specific forms of related criminality in a post-conflict environment, whereas the hidden nature of human trafficking may not be recognised as a priority among law enforcement authorities.

During interviews with key informants, when asked about knowledge or evidence on types of exploitation, respondents indicated criminal exploitation as a form of human trafficking occurring between Ireland and Northern Ireland. This included people being trafficked to move illicit goods, including drugs.

"if I said to you what is criminal exploitation, child criminal exploitation, it's organized crime gangs recruiting young, vulnerable young people for the purposes of crime, primarily around trafficking drugs and sex exploitation. Does that happen in Northern Ireland? Everybody would say yes, that happens. Is it being identified in Northern Ireland? No, not as a modern slavery or human trafficking issue."

- KI9 – NGO, Northern Ireland

During interviews, most stakeholders acknowledged the complexity that free movement within the CTA poses to human trafficking in general and the increased difficulty for law enforcement authorities to identify and assess the crime. However, over half of respondents (13) noted this is specifically the case for organised crime and criminal exploitation,

"In England, people are used to transport drugs across the county lines, hence the name. But that's a possibility between North and South [of Ireland] [...] because we are aware that there is North-South transport and the dissemination of drugs and other illegal substances on a fairly large scale. That's one of the problems is a very sophisticated modus operandi and that makes it very difficult for Border Force to identify where there are drugs coming in and that could be happening"

- KI16 – NGO, Northern Ireland

¹⁴ Cases of forced criminality in Ireland – 2016: 4 cases, 2017: 8 cases, 2018: 2 cases, 2020: 2 cases (Irish DOJ, 2021).

During interviews, when asked how this form of exploitation occurs, respondents regularly highlighted the role that paramilitary groups play in Northern Ireland, specifically in relation to forced criminality and criminal exploitation, and especially in relation to child criminal exploitation.

“That is what is happening with these criminal organized crime gangs. They are called paramilitaries. They’re moving into more serious organised crime because that’s where the profit is. There’s not trouble or conflict or war, but they’re thinking, how can we make as much profit as possible? We’ll traffick people. We’ll get vulnerable people and will traffick them. They are taken, trafficked, brought home, or they’re put on a train to Dublin two hours or 2 and a half hours. Whenever you get a [drugs] package, you go back on the train at night”

- KI8 – NGO, Northern Ireland

“Deprived communities in Northern Ireland are being exploited to sell drugs by paramilitary groups. They are being trafficked from one area to another for other criminal acts”

- KI1 – NGO, Northern Ireland

One reason for the comparably small number of identified victims of criminal exploitation in Ireland and Northern Ireland in comparison to the Great Britain is that there have been a large number of referrals for potential victims of trafficking exploited in ‘county lines’ in England and Wales, a specific form of criminal exploitation (Walsh, 2023). In 2022, 2,281 specific county lines referrals were made in the UK (UKHO, 2023). Furthermore, since 2016, 5,849 UK male children have been referred to the NRM reporting criminal exploitation in England only, whilst there has never been a UK male child referred to the NRM for criminal exploitation in Northern Ireland. With the emergence of county lines in Great Britain, this has yet to be recognised or identified in Ireland or Northern Ireland, despite resonating with respondents during interviews that organised crime groups would use the border as a form or type of county lines model.

“You have an effect like county lines in England where in that instance you have a lot of children drug running along county lines. Organized crime groups are able to avoid detection [here] by using the border and using different police forces to avoid detection”

- KI18 – Government / Law Enforcement, Northern Ireland

Ongoing examples reported criminal exploitation by the drugs trade in Ireland and Northern Ireland have been noted with one case involving a Lithuanian organised crime gang trafficking 65 people to act as “street dealers” (Chance et. al., 2022). Many of these people were drug addicts or had existing vulnerabilities and were selling heroin on both sides of the border in Belfast, Dublin, Waterford, Tralee and Cork (ibid, 2022). When asked how the issue of criminal exploitation could be addressed, stakeholders suggested that due to the context of each jurisdiction, Ireland and Northern Ireland, and even within the UK, a tailored response would be more suitable and especially in Northern Ireland that would address the local context in relation to a post-conflict society.

“It needs tailored response in Northern Ireland to help people exit exploitation. Paramilitarism plays a large role [...] People have not addressed the level of exploitation children face from paramilitaries here”

- KI7 – NGO, Northern Ireland

The lack of identification for victims of human trafficking for criminal exploitation was also highlighted in a 2015 report by the Migrant Rights Centre of Ireland (MRCI) investigating convictions for cannabis cultivation in Ireland. The report argued that those convicted were likely to be potential victims of trafficking, even though investigations were ‘rare’, serving time for drug distribution rather than the criminals responsible (MRCI, 2015). There is potential for this to be the case across the island of Ireland especially given a recent arrest of two Vietnamese men in Northern Ireland following a discovery by the PSNI of a ‘sophisticated’ cannabis farm in County Down bearing the hallmarks of an organised criminal gang (Irish Times, 2023).

3.4 – CHILD TRAFFICKING AND CHILD CRIMINAL EXPLOITATION

Key informants from organisations working with children were keen to discuss their concerns about child trafficking on the island of Ireland. These concerns mainly related to the issue of child criminal exploitation which they felt is under recognised on the island of Ireland.

In its Third Evaluation Report on Ireland, GRETA highlighted a lack of identification of trafficked children in Ireland. (COE, 2022). In Ireland, since 2018, there have only been 19 child victims of human trafficking identified, with five identified in 2022 as illustrated in Figure 8 (Irish DOJ, 2023). In 2021, the Government screened 130 children for trafficking indicators with a child exploitation victim identification tool but did not clarify any child victims (US Department of State, 2022).

In Northern Ireland, since 2015, 193 children (aged 17 or under) have been referred to the NRM. This amounts to 16% of total number of victims of trafficking in Northern Ireland since records began, compared with 43% (25,883) of child victims in England, 29% (723) in Scotland and 56% (1,262) in Wales (UKHO, 2023). In Northern Ireland 86 children were referred to the NRM in 2022, which amounts to 45% of all child victims since 2015 (ibid., 2023). Of those child victims in 2022, 84% were reported as having experienced some form of ‘labour exploitation’¹⁵ (ibid., 2023). Of the total 193 child referrals in Northern Ireland since 2015, 32% are of Eritrean nationality and 28% are of Somali nationality (ibid., 2023).

To date, there has been no UK male child referred as a victim of human trafficking in Northern Ireland (ibid., 2023). By comparison, since 2016 in England 36% (9,401) of all children referred to the NRM are UK males, mainly reporting both ‘criminal’ exploitation (23%, 5,849) and ‘labour’ exploitation (9%, 2,322) (ibid., 2023). Since 2016, 13 UK female children and only 1 Irish female child have been referred as victims of trafficking in Northern Ireland (ibid., 2023).

During interviews, when asked about knowledge or evidence of types of exploitation, a number of stakeholders acknowledged the lack of victims of child trafficking that are identified or recorded in Ireland and in Northern Ireland.

When asked about why there is a lack of identification of child victims, stakeholders held similar sentiment that this could result from insufficient expertise, formal mechanisms, knowledge or awareness of the issue across the island.

“[Child] victims of trafficking are going unidentified, unreported and under responded to, for a number of reasons including lack of

¹⁵ Forms of labour exploitation include ‘labour and domestic’ exploitation, ‘sexual and labour’ exploitation, or solely ‘labour’ exploitation (UKHO, 2023).

¹⁶ Research included young people’s understandings and experiences of criminal exploitation. Participants included a purposive sample of young people aged 16-18 recruited through the Education Authority for Northern Ireland (EANI)

training by the frontline staff, lack of training within agencies and also lack of very practical pieces in terms of being able to record what they’re entering. At present there is no known mechanism within the Child and Family Agency [Tusla] for a concerned frontline worker to be able to record or respond to any suspected victims of trafficking that they’re encountering for children”

- KI4 – NGO, Ireland

This was reiterated by GRETA’s Third Report on Ireland suggests the lack of identification of children could be due to insufficient expertise among social workers (COE, 2022).

During interviews with respondents specifically from Northern Ireland, there was a common acknowledgement of the role the legacy of the conflict may play in Northern Ireland in identifying children, as victims of human trafficking and particularly, the role that paramilitary organisations play in Northern Ireland. A study by Dr Colm Walsh described that “despite the enduring presence of paramilitary organised crime groups, little is understood about the prevalence and nature of child criminal exploitation, particularly from the perspective of children and young people.” (Walsh, 2023, p7)

“We are not recognizing these young men as being trafficked because of the legacy of the conflict within the north of Ireland. Young men that are being exploited into rioting, there are being exploited into drug cooking and transporting.”

- KI8 – NGO, Northern Ireland

The study by Dr Colm Walsh, stated that the term of child criminal exploitation was new to many of the research participants he interviewed,¹⁶ despite the high levels of organised crime and exposure to violence in local areas (Walsh, 2023). Walsh emphasises that young people are “intimately connected to paramilitary members and organised crime groups” and are “acutely vulnerable to a range of harms and actively engaged in criminal practices such as the supply and distribution of drugs” (Ibid., 2023). During interviews when asked about the identification of children in the framework of human trafficking, many stakeholders, especially in Northern Ireland, identified a common issue being

the power and control that paramilitaries have within communities and over young people particularly when it came to child criminal exploitation and that it has somehow become normalised. One respondent said that there is:

“an acceptance that this happens and the overarching control the paramilitaries have over communities incubates that and just allows that to grow”

- K19 – NGO, Northern Ireland

During key informant interviews, one respondent emphasised that the legacy of the conflict and ongoing presence of paramilitarism in communities impacts the vulnerability of children to exploitation as they have a sense of protection or belonging in organisations where they are actually being exploited. (Maxwell and Corliss, 2020)

“They’re not being identified as victims because they don’t see themselves as victims. They don’t want to be seen as a victim as well. They think that they have a place within this organised crime gang. But their place is the runner. They’re running for drugs.”

- K18 – NGO, Northern Ireland

During interviews, when asked why children in these settings have not been identified as victims of human trafficking, respondents indicated there is a lack of research and understanding into the relationship between child criminal exploitation and child trafficking. Respondents stated that this difference in language and attitude is the most likely reason why the number of child victims of trafficking are much lower in Ireland and Northern Ireland. Indeed, during interviews several respondents stated that the risk of county lines may be present, but little is known if it actually exists.

“One of the reasons that we do see much greater numbers than the UK is because the lens of language has shifted in the UK. So, we began to see children as victims of trafficking rather than perpetrators of crime. Here in Ireland, there is the reluctance to shift that lens of language.”

- K14 – NGO, Ireland

When the issue of ‘county lines’ arose during interviews, stakeholders highlighted how the border between Ireland and Northern Ireland could very much resemble

the issue. County lines reflects not only a specific form of child criminal exploitation, but also a business model based on supply and demand of moving drugs across borders using vulnerable children and young people as the means of doing so (Walsh, 2023). Although this resonated closely with stakeholders working directly on the issue of human trafficking, Walsh highlights that the depictions of a mafia style enterprise and ‘county lines’ rarely resonated with the Northern Ireland context or young people’s lived experiences (ibid, 2023).

“The comparison to county lines is a great one because it’s by nature of how small Northern Ireland is and by nature of how open the travel area is, they can move victims so quickly [across the border]”

- K110 – NGO, Northern Ireland

“That’s where everybody says we have county lines, cause that’s where you would think paramilitary groups used children. We aren’t seeing that at present”

- K118 – Government / Law Enforcement, Northern Ireland

Although the model of county lines has not developed to the same extent in Ireland or Northern Ireland, as referenced in Section 3.3 there are ongoing examples of vulnerable people being exploited across the island, which also includes the grooming of children into criminal networks that exhibits features of human trafficking (Chance et. Al. 2022). Throughout interviews there was overall acknowledgement amongst stakeholders that the Common Travel Area can be exploited for the purposes of child trafficking between Ireland and Northern Ireland.

“It seems that if you wanted to criminally exploit a young person and use them to, for example, move drugs across the border there would be nothing in place there to identify that young person as a victim. The main barriers are a lack of awareness of what the [NRM] mechanism is, how it can be used and how to identify child criminal exploitation, and what the signs are of that”

- K11 – NGO, Northern Ireland

While the identification of victims of child trafficking is lacking across the island, a coordinated and targeted response is required between Ireland and Northern

Ireland. This has also been recognised by GRETA in its Third Report on Ireland which recommended authorities to step up their efforts to combat child trafficking (COE, 2022). The report also suggested that

the Irish authorities should continue keeping under review the legislative provisions on child trafficking and the consequences for the identification of child victims of trafficking (ibid.).



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4 – TRAFFICKING MOVEMENT TRENDS IN THE COMMON TRAVEL AREA

4.1 – ACCESSING THE UK THROUGH THE CTA

Interview respondents described human trafficking occurring throughout Ireland, Northern Ireland and between both jurisdictions. One of the key trends seen through stakeholder interviews was victims and potential victims of trafficking moving from Ireland to Northern Ireland through the Common Travel Area and onwards to Great Britain.

“The main kind of trafficking route that we have noticed over the last number of years has mainly been people trafficked into the Republic of Ireland, up through Northern Ireland, then into mainland UK”

- KI9 – NGO, Northern Ireland

“People can move through the Republic and drive across the border, it’s almost like an easy touch or an easy entry way into the UK from Ireland”

- KI4 – NGO, Ireland

During key informant interviews with stakeholders from both Ireland and Northern Ireland, when asked about movement trends on the island, it was suggested that one recently emerging key trend is for potential victims of trafficking to enter through Irish ports of entry, before travelling to Northern Ireland and/or Great Britain.

“Most of them come in through Dublin Airport and then dispose of documentation if they’re presenting themselves in Ireland. They’re also travelling over the border to Northern Ireland and present themselves in here as trafficking victims and also seeking asylum at the same time”

- KI12, Government / Law Enforcement, Northern Ireland

“[...] whilst they might come up into Northern Ireland from Dublin, it doesn’t necessarily mean that they will remain in Northern Ireland, though some of them do. Some of them might then move onwards into mainland UK”

- KI18 – Government / Law Enforcement, Northern Ireland

Interviewees described that such movements are predominantly seen, but not limited to, Eritrean and Somali nationals. Indeed, through analysis of Home Office NRM statistics, Figure 7 illustrates the increase of Eritrean and Somali nationals in Northern Ireland in recent years whereby these nationals constitute 75% of all NRM referrals in Northern Ireland in 2022 (UKHO, 2023). Of this cohort, 99.5% of referrals claimed exploitation ‘overseas’ as illustrated in Figure 8 (ibid., 2023). In comparison to the rest of the UK (England, Scotland and Wales), Eritrean NRM referrals account for 5% of all NRM referrals in 2022 (compared to 51% in NI), and Somali NRM referrals account for 1% of all referrals (compared to 26% in NI) (ibid., 2023). Furthermore, in 2022 27% of the total number of UK NRM referrals of Somalia and Eritrean nationals were made in Northern Ireland (ibid., 2023).

“We would have seen over the last year the high propensity of people from Eritrea being referred to the service, and that’s not necessarily people who have been trafficked here in Northern Ireland, but they have left their home country and most of them have come through Libya and a lot of them then have experienced trafficking in Libya. Then they’ve come through Greece and Turkey and then on to Dublin. Then on to Northern Ireland”

- KI3 – NGO, Northern Ireland

Of this cohort of Eritrean and Somali nationals referred to the NRM in Northern Ireland in 2022, 84% were referred through the Home Office UK Visas and Immigration (UKVI) (ibid., 2022). This likely indicates that the majority of Eritrean and Somali nationals are referred during their application for asylum by UKVI (IOM UK, 2023a).

“The numbers have gone up greatly and that those numbers have mainly been people whose trafficking is taking place overseas. Usually when they’re moving either in their home country or when they’re on the move between their home country and Europe. The majority of them would have actually come through the south of Ireland and then up into Northern Ireland. The majority are in the asylum system”

- KI6 – NGO, Northern Ireland

Follow up questions were asked to key informants who raised these points to try to understand more about the nature of how people moved from Ireland to Northern Ireland and whether these persons might be trafficked and exploited on the island of Ireland. Respondents could not directly point as to whether OCGs play a key role, or if this movement originates through word-of-mouth, existing family or community ties to the Eritrean and Somali diaspora in Northern Ireland. However, respondents did suggest some level of organisation exists given similar patterns in movement and behaviours of those arriving.

In August 2022, the PSNI and the UK Home Office raided two properties in Belfast and arrested two Somali nationals on offences linked to people smuggling. Following a 10-month investigation, law enforcement authorities believed they are part of an OCG transporting people into the UK, citing “abuse of the Common Travel Area” (O’Neill, J., 2022)

“They literally appeared off a plane in Dublin and went straight up to Belfast. So I think firstly that says to me is this isn’t a coincidence. There are organisers involved in some way, facilitating this because the route has been quite carefully set out. You will go to Dublin. You will buy a ticket for this bus. You will get on the bus to Belfast etcetera”

- KI11 – NGO, Ireland

When asked about how potential victims may enter Ireland, respondents suggested that upon arrival many people would dispose of documentation at their port of entry before presenting themselves to Irish authorities. From this point, there seems to be a clear understanding and knowledge to travel from Dublin¹⁷ to Belfast by public transport through the common travel area, before presenting to authorities in Northern Ireland.

“Many are arriving in the Republic of Ireland with no documentation and presenting to Dublin airport with similar names, date of birth.”

- KI7 – NGO, Northern Ireland

“When they get to Dublin, they are told exactly where to get onto a bus and how to approach the Home Office”

- KI16 – NGO, Northern Ireland

Given that 99.5% of Eritrean and Somali nationals referred to the NRM in Northern Ireland in 2022 were recorded as having been only exploited ‘overseas’ it is indicative that those travelling this way were not trafficked to Northern Ireland. However, further research is needed to better understand where that exploitation is specifically taking place and if they may be experiencing exploitation in Ireland before they enter Northern Ireland. Further research would also help to better understand how these persons are making such journeys to Northern Ireland, the actors involved in these movements and their relationships with those moving and their motivations.

“One beneficiary was quite easily able to get in the back of a lorry for three days to get to Dublin and then dropped off and just got the bus straight up to Belfast”

- KI6 – NGO, Northern Ireland

“Whether it’s word of mouth, whether it’s the ease of access to Northern Ireland coming in through the South if they’re able to reach Dublin and then get up through the Common Travel Area. That’s our understanding, but they’re able to travel easily enough under whatever temporary visa and then once they get to Dublin, whether they’re being directed or there’s facilitation there, but most of them know how to quickly reach Belfast and the process of claiming asylum here”

- KI6 – NGO, Northern Ireland

4.2 – TRAFFICKING WITHIN THE ISLAND OF IRELAND

Not all cases of human trafficking on the island of Ireland involve victims being trafficked into Ireland or Northern Ireland from overseas. During interviews, when asked about trafficking movement trends, stakeholders regularly highlighted human trafficking within and around the island of Ireland through the porous border of the Common Travel Area. This is exacerbated by the separate jurisdictions. Indeed, respondents noted that this movement around the island involved different forms of human trafficking for sexual, labour, and criminal exploitation.

¹⁷ During interviews, stakeholders emphasized that the majority of potential victims would enter via Dublin Airport and travel from this point to Belfast.

“We haven’t even identified the issue in a local context before we’re even thinking about how this marries out across two jurisdictions”

- K19 – NGO, Northern Ireland

GRETA notes that even with co-operation of law enforcement agencies between Ireland and Northern Ireland being strengthened through the Joint Agency Task Force (JATF), cross-border operations and investigations into organised crime and organised prostitution, trafficking between the jurisdictions still occurs (COE, 2022).

During interviews, when asked about human trafficking movement trends on the island of Ireland, the majority of respondents indicated that victims are transported around the whole island, often across the border, and that human trafficking is an all-island issue. When asked about how this occurred, it was suggested that victims would be moved via public transport on main routes from Dublin to Belfast, but that a variety of public and private transport is used in more rural settings and when crossing the border.

“They [the traffickers] use car hire, taxi, buses and trains from Dublin airport. Traffickers move victims from car to car and from town to town using public transport by taxi or bus or train, from the likes of Armagh to Dublin, Galway to Belfast. Once in their location they would use cars. Although they often use public transport between North and South”

- K17 – NGO, Northern Ireland

“They are moved around in cars predominantly and people would be transporting them down across the border, into the Republic and then back up to the North again as well”

- K13 – NGO, Northern Ireland

During interviews, stakeholders also described how OCGs are well linked across the island of Ireland, with known “trafficking corridors” making movement in small numbers relatively easy to avoid detection.

“There are trafficking corridors in existence from the North and to the Republic and they’re being used particularly at weekends and the people are being transported by public transport on these corridors”

- K14 – NGO, Ireland

“Organised criminal groups are linked across [the island of] Ireland moving three to four victims at

a time. Small, organised crime groups are tight and make a lot of money using few victims and small numbers. It also decreases risk”

- K17 – NGO, Northern Ireland

One key informant mentioned a recent high-profile case where a British man was convicted in 2022 for offences related to trafficking 18 women from Northern Ireland to Ireland and around both jurisdictions for the purposes of sexual exploitation. The defendant admitted 28 charges from 2011 to 2019 including 10 counts of controlling prostitution in expectation of gain, 10 counts of human trafficking and seven counts of voyeurism (PPS, 2022). Other key informants mentioned this case as an example of how easily victims of trafficking can be moved around the island of Ireland. Indeed, the movement of victims of human trafficking for the purpose of sexual exploitation is evidential through key informant interviews.

“Girls have actually been taken from the North to the South and back again. That could have been happening four or five days a week that the girls were taken across the border and we know of some women that are actually in brothels that actually were held there and then brought from Dublin up to the North”

- K116 – NGO, Northern Ireland

Stakeholders referenced movement into each jurisdiction, from Ireland to Northern Ireland and Northern Ireland to Ireland.

During interviews, respondents discussed how OCGs and traffickers may use the different jurisdictions to avoid detection. Indeed, this is also highlighted in the Cross-Border Organised Crime Threat Assessment 2018 published by the PSNI and An Garda Síochána, that “Organised crime groups abuse this freedom [of movement] to enable and enhance their activities, hoping to avoid detection and disruption by both law enforcement and agency partners” (PSNI, AGS, 2018).

“The border is useful to traffickers . . . I think there’s things like if there’s a certain amount of heat on you in the South. So if [...] your activities have been monitored by the guards, you just pop up North. You’ve got a link up there so the heat can go off you for a while”

- K14 – NGO, Ireland

During interviews, when asked about movement around the island of Ireland, stakeholders working mainly with male victims of human trafficking in Northern Ireland

noted that this cross-border trafficking was not as apparent with male victims of trafficking who reporting mainly overseas exploitation.

“Since I started over two years, there’s been no trafficking between the between the two jurisdictions”

- K16 – NGO, Northern Ireland – in relation to male Victims of trafficking

4.3 – TRAFFICKING WITHIN NORTHERN IRELAND

Although this research focuses mainly on human trafficking within the CTA, and between Ireland and Northern Ireland, it is important to highlight the issue of human trafficking within Northern Ireland, where this research was predominantly conducted.

As noted in Chapter 3, there were only 36 NRM referrals in Northern Ireland in 2022 which reported exploitation taking place ‘within the UK’ and in the ‘UK and Overseas’ which represented only 7% of the referrals in Northern Ireland that year. The number of potential victims of human trafficking referred in Northern Ireland who were reported as having been exploited in the UK has fallen year-on-year since 2019. There were 48 referrals in Northern Ireland in 2019 where exploitation was reported to have taken place within the UK. However, key informants interviewed for this research expressed concerns about human trafficking taking place within Northern Ireland. As discussed elsewhere in this report the low numbers of identified potential victims that have been exploited in Northern Ireland (specifically including Irish and UK nationals) is impacted by the framing of human trafficking, especially given the context of paramilitaries and organised crime groups and their control over communities (Walsh, 2023). When asked about the movement of victims within Northern Ireland, stakeholders described a lack of knowledge of the issue in Northern Ireland, and the framing of the issue as victims of human trafficking.

“It’s easy to identify the victim who is a foreign national. It’s easier than identifying a young male who is from the Northern Ireland who is going home every single night. When the child is home for dinner how do you explain that child could be exploited and trafficked. That’s a really complicated conversation because there is weight and an issue around the word of victim in Northern Ireland”

- K18 – NGO, Northern Ireland

In Belfast, and within Northern Ireland the prevalence and availability of drugs has drastically increased, with a so-called “heroin epidemic” in 2022 with 34 drug-related deaths in the first half of that year (O’Kane, 2022). During interviews, when asked about the prevalence of human trafficking within Northern Ireland, many stakeholders indicated the use of drug addiction as something linked to human trafficking of local victims in Northern Ireland to further coerce and exploit them. Stakeholders described how vulnerable, young women are coerced through drug use and trafficked around Northern Ireland by private vehicle.

“A lot of young women who maybe have addictions and he [the trafficker] took advantage of them for sexual exploitation where he travelled about Northern Ireland with them and they were then forced [to have sex with] men”

- K112 – Government / Law Enforcement, Northern Ireland

This trend was increasingly acknowledged amongst vulnerable women in Belfast, however is not limited to this population. During interviews, stakeholders also suggested that vulnerable males are also seen to be victims of this form of exploitation.

“During lockdown it was Lithuania and that would have been men, all trafficked for criminal exploitation. They would have been brought into Northern Ireland and given heroin until they became addicted to heroin. Then once they became addicted, in order to feed that addiction, they were forced to sell heroin on the streets of Belfast. We just saw one group but we haven’t seen it since”

- K13 – NGO Northern Ireland

Stakeholders indicated that human trafficking within Northern Ireland seems to be localised, and under-identified. Key informants described a rise in the use of drugs as a means to increase vulnerability of men or women and subsequently coerce them into human trafficking for sexual or criminal exploitation. Respondents also described the role that OCGs or paramilitaries play in communities in Northern Ireland adds an additional layer of complexity to framing human trafficking, specifically in relation to forced criminality and child criminal exploitation, and particularly in a post-conflict Northern Ireland where political and societal divides can often take precedence.

5 – TWO JURISDICTIONS, GOVERNANCE AND COOPERATION

5.1 – THE UK WITHDRAWAL FROM THE EU, THE COMMON TRAVEL AREA AND HUMAN TRAFFICKING

Both Ireland and the UK opted into EU Directive 2011/36/EU on Preventing and Combating Trafficking in Human Beings and Protecting its Victims. At the time, it was stated that the EU Directive “would not significantly change the way the UK fights trafficking” (House of Commons, 2011). Post-Brexit, questions on whether the Directive formed part of retained EU law were expressed in debates on the Immigration and Social Security Coordination (EU Withdrawal) Bill, and whether rights for victims under the Directive would remain recognised in domestic law after 31 December 2020 (Harvey. A., 2022).

During interviews, when asked about whether and how the UK’s departure from the EU has or could impact human trafficking on the island of Ireland, three stakeholders from Northern Ireland highlighted how the rights of trafficked persons are covered by legislation and methods of practical implementation of the EU Directive 2011/36/EU. These stakeholders suggested to ensure that there is no diminution of rights and that the rights of victims of human trafficking should be protected under the Good Friday Agreement and Article 2 (Rights of Individuals) of the Northern Ireland Protocol (Harvey. A., 2022).

“The UK government have always maintained that Article 2 of the Northern Ireland Protocol is noncontroversial”

- KI13 – NGO, Northern Ireland

During interviews, stakeholders suggested that there are two ways that EU law is relevant to the Northern Ireland Protocol. Firstly, Annex 1 of Northern Ireland Protocol includes directives with which the UK Government is committed to keeping pace with (UK Government, 2020). The second is the body of law underpinning the rights in the Good Friday Agreement, that the UK Government is not bound to keep pace with but must ensure standards do not drop below those already existing in place as of 31 December 2020 such as the EU Trafficking Directive 2011/36/EU. Key informants suggested that ultimately, Northern Ireland needs to ensure that the standards for victims of human trafficking in Northern Ireland must comply with EU Directive 2011/36/EU.

“We only have to make sure that the standards don’t dip below it [2011/36/EU]. So, there’s nothing to say then if the EU decide to increase protections within that Directive, and there is currently a consultation to adapt the EU Trafficking Directive to strengthen it. If the standards increase in the South, then the Republic of Ireland will be bound to increase those standards and Northern Ireland will only be bound by the 2012 Directive as it was in place on exit day”

- KI13 – NGO, Northern Ireland

Additionally, the 2022 report by the Northern Ireland Human Rights Commission (NIHRC) and Alison Harvey QC stated that certain provisions of the Nationality and Borders Act that extend to Northern Ireland may be at odds with the EU Directive, whilst human trafficking remains a devolved issue (Harvey. A., 2022). The Nationalities and Borders Act, implemented in April 2022 has made significant changes to UK human trafficking legislation. A key concern from civil society organisations in Northern Ireland is that some recognised victims of trafficking will not be granted leave to remain. The Nationalities and Borders Act establishes circumstances in which the Home Office will not grant leave to remain to victims who receive a positive conclusive grounds decision if it is considered that another third country will meet that victim’s need for assistance (Law Centre NI, 2023).

Additionally, at the time of this report, proposed amendments to the UK Immigration Act 1971 and the introduction of the Nationalities and Borders Act 2022 allows for non-EU nationals who are legally resident in Ireland to travel to the UK from within the CTA without requiring an Electronic Travel Authorisation (ETA) (CAJ, 2023b). However, citizens may still be required to obtain a visa to visit the UK including Northern Ireland, dependant on nationality. The provisions would now require tourists and irregular migrants to obtain ETA visa permission when travelling across the border from Ireland to Northern Ireland or the UK (Ibid., 2023b). During interviews, when asked about the effect the UK withdrawal from the EU may have on human trafficking on the island of Ireland, stakeholders expressed concern about subsequent laws and their implementation with a porous border between jurisdictions and that this may increase the vulnerability of irregular migrants.

“Insofar as 2022 being the end of free movement between EU citizens and the UK, it seems inevitable that there’s going to be scope for human trafficking if people are no longer able to enter the country [Northern Ireland] in a legal way”

- KI5 – NGO, Northern Ireland

Similarly, at the time of this report, the introduction of the UK Illegal Migration Act passed in 2023 poses issues around implementation in Northern Ireland and potential ramifications on the island of Ireland as a whole. Furthermore, it would “limit survivors’ ability to report trafficking and access assistance, which risks exacerbating the vulnerability of victims, giving traffickers more control over them and deepening the risks of further exploitation” (IOM, 2023b).

During interviews, stakeholders highlighted how the Illegal Migration Act also has the potential to run contrary to the requirements of Article 2 of the Northern Ireland Protocol and the ECHR, relating to the non-diminution of rights including that of asylum seekers (CAJ, 2023a). Key informants stated that the Bill also potentially allows the Northern Ireland Secretary of State to introduce modern slavery regulations that apply to the devolved regions which may encroach upon devolved matters (House of Commons, 2023)

“Northern Ireland has exceptional policy and legislation because of the fact that it shares a land border with the Republic of Ireland”

- KI5 – NGO, Northern Ireland

The number of irregular migrants in Northern Ireland is unknown, however following the UK’s withdrawal from the EU it is suggested that there is now a greater cohort of people who are living undocumented and working in Northern Ireland who previously had the right to work. During interviews respondents suggested that issues around the UK exit from the EU, the open border and UK immigration law leave many open to risks and vulnerabilities to exploitation and human trafficking.

“There is now a greater kind of class and cohort of people who are living undocumented and working in Northern Ireland, who previously would have had the right to work”

- KI5 – NGO, Northern Ireland

5.2 – CO-OPERATION, INFORMATION SHARING AND BORDER GOVERNANCE

In its Third Report on the United Kingdom, GRETA highlights concerns about the impact the UK withdrawal from the EU might have on data access and data sharing between Ireland and Northern Ireland and the importance of maintaining close partnerships to combat organised crime, (COE, 2021). However, in its 2022 report on Ireland, GRETA notes that the UK withdrawal from the EU had not yet had an impact on international co-operation between Ireland and the UK (COE, 2022). GRETA’s Third Report on Ireland emphasises maintaining coordination of anti-trafficking mechanisms, noting that co-operation between law enforcement agencies in Ireland and Northern Ireland had been strengthened, by cross-border operations and investigations on human trafficking taking a ‘whole of island’ approach (ibid. 2022). There are several mechanisms set up that may directly affect the response to human trafficking and border governance including the Joint Agency Task Force, the Organised Crime Task Force and PSNI-AGS co-operation.¹⁸

“Work with the Guards and immigration services has its difficulties in the Common Travel Area as the UK will never be as good without access to EU data, but there is a necessity to work together”

- KI7 – NGO, Northern Ireland

When asked about cross-border co-operation and response to human trafficking, respondents indicated a close relationship between law enforcement authorities in Ireland and Northern Ireland, and that the UK withdrawal from the EU has had little to no impact on this. However, there was a recognition amongst respondents that policing of the CTA has become more difficult following the UK withdrawal from the EU as well as possible implications the CTA poses to co-operation in general.

“We obviously worked with our counterpart team on a regular basis and there’s a Joint Agency Task Force. So we have really good working relationships with them even for sharing intelligence and information”

- KI18 – Government / Law Enforcement, Northern Ireland

“Pre-Brexit we were all working cooperatively and collaboratively. I think that those structures and relationships still stand fairly strong at this point in time. We do talk to colleagues in Dublin,

¹⁸ See Appendix 3 for further information.

in the South whenever we're talking about various things"

- KI14 – Government / Law Enforcement, Northern Ireland

"There's cooperation in place between the Guards and the PSNI, and it looks like it's quite good cooperation. Nevertheless, you still have those jurisdictional issues"

- KI11 – NGO, Ireland

During interviews, when asked about what improvements could be made to an all-island response to human trafficking, stakeholders also suggested a need for greater co-operation amongst statutory and non-statutory bodies to share information, experience, and best practice.

"We have very little to do with anything in Northern Ireland. We don't even have any connections with organisations who are doing similar work to us in Northern Ireland, which would be very beneficial. So I just think there's a real gap there. There's a real disconnect."

- KI4 – NGO, Ireland

"The response to human trafficking I would like to see it more standardised [between Ireland and Northern Ireland]. What happens [the response] here in Northern Ireland and what happens down South is completely different and there doesn't seem to be too much co-working"

- KI3 – NGO, Northern Ireland

When discussing the co-operation and collaboration, key informant interviews also highlighted the benefit that information sharing could have on an all-island basis among NGOs, statutory bodies and law enforcement and several respondents included the development of a form of all-island stakeholder group to inform strategic response on across the island.

"It would be helpful if there was some sort of website or hub or resource that they could apply across the whole island of Ireland. Even an online resource that will tell you what to do if you're in the Republic of Ireland and what to do if you're in the north of Ireland"

- KI10 – NGO, Northern Ireland

"We actually all need to come together, even if it's only once or twice a year [...] There is a real appetite for those cross-border all-island dialogues. And I definitely do think we need more of that"

- KI11 – NGO, Ireland

Stakeholder interviews also suggested a need for more publicly available data and data sharing between jurisdictions to increase, knowledge and understanding of human trafficking across the island.

"It would be nice to see better and clearer data sharing. Some mechanism for collecting data in a different way, to kind of lay them side by side and say right well what is this picture"

- KI11 – NGO, Ireland

The UK withdrawal from the EU has undoubtedly brought the issue of border governance to the fore between Ireland and Northern Ireland. Indeed, while free movement between jurisdictions remains for UK and Irish citizens, there have been reports of checks and racial profiling by law enforcement authorities at the border (Holland, 2022). While there are no routine border checks within the Common Travel Area, there are 'mobile' or 'sporadic' checks along the border between Ireland and Northern Ireland. In Ireland, these checks are carried out by AGS under the Immigration Act 2004, and in the UK checks are carried out by Home Office officials at ports of entry (UK Government 2004) or by the PSNI under the Counter-Terrorism and Border Security Act 2019 (UK Government, 2019). Although Irish, UK, EU nationals and persons holding long term residency in both jurisdictions are exempt from the identity document checks at the time of this report, the Economic Social and Research Institute (ESRI) highlights that in practice, "in order to prove exemption, one must produce documentation" (McGinnity, 2023). The ESRI also notes the issue of racial profiling at border checks as a consistent theme, with participants describing how "nationality matters less than your profile – skin colour, language, accent and name" (ibid., 2023).

While only being raised by a small cohort of interviewees, the issue of the failure of law enforcement, while conducting these sporadic checks, to use the opportunity to identify traffickers and victims of human trafficking was noted. Indeed, stakeholders suggested there is a general lack of awareness of the signs of human trafficking among law enforcement authorities and suggested that this could be addressed

by providing training about human trafficking indicators to authorities on both sides of the border.

"They [victims] talked about being taken across the border and on many occasions, they were stopped [by law enforcement authorities] It was never challenged and never picked up. And they

[the victims] questioned that. They said, why was he not removed from the car, and why were we not spoken to you on our own, where we could have actually said what was happening? You know, that never happened"

- KI16 – NGO, Northern Ireland



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6 – CHALLENGES WITH IDENTIFICATION AND SUPPORT

6.1 – THE NRM AND FIRST RESPONDERS

As outlined in Section 2.4, in Ireland victims of human trafficking are identified solely by AGS HTICU through the NRM with decisions being made on reasonable grounds. Once identified victims are then entitled to a 60-day recovery and reflection period and to access support services. In Northern Ireland, as outlined in Section 2.5 the NRM is used by first responders to report cases of modern slavery and human trafficking and refer potential victims to support for an initial period of 45 days which can be extended for up to 12 months.

During interviews when asked about identification and effectiveness of the NRM, respondents acknowledged that the current number of First Responders or those who can identify victims is limited in Northern Ireland and Ireland and highlighted existing challenges with identification and referral. In Northern Ireland it was mentioned that there are fewer agencies which can act as a First Responder compared to the rest of the UK.

“if you’re in Northern Ireland, the first responder list is narrower than if you’re in the UK. There’s a lack of clarity around a more unified approach in the UK which would probably ease confusion”

- K110 – NGO, Northern Ireland

While in Ireland it was highlighted that only the police can make referrals to the NRM. However, under the proposed revision of the NRM, several statutory bodies will become competent authorities for the identification of victims of human trafficking, in addition to AGS.

“If the only people in the country that are armed with responsibility of actually formally identifying somebody are the guards, what do you do in the Common Travel Area if you’re trafficking somebody? You avoid places the guards might be”

- K14 – NGO, Ireland

However, despite criticisms of the small number of bodies or organisations that can refer victims to the NRMs in both jurisdictions, two stakeholders from Northern Ireland reasoned that an increase in First Responders in Northern Ireland may not actually benefit the response to human trafficking. It was suggested that given the geographical size of Northern Ireland,

more organisations could ‘dilute’ the quality of NRM referrals and so hinder NRM reasonable or conclusive grounds decisions. The respondents indicated that training should be improved and increased to inform a variety of stakeholders who may assist in identification and inform designated, highly skilled First Responders.

“Increasing first responders may not be a good thing. Northern Ireland is a small place. There can be a lack of understanding in NRM and more organisations could dilute those being submitted to the NRM with wrong notifications or wrong paperwork. A tight cohort of first responders would make a tighter more robust NRM referral and decision-making process”

- K17 – NGO, Northern Ireland

Indeed, during discussions with stakeholders there was general acknowledgement that first responders in both Northern Ireland and in Ireland, need specialised, tailored training to ensure they take a trauma-informed approach and can identify, refer and address the specific needs of potential victims of trafficking.

“Victims of trafficking are going unidentified, unreported and under responded to, for a number of reasons including lack of training by the frontline staff, lack of training within agencies and also lack of very practical pieces in terms of being able to record what they’re entering”

- K14 – NGO, Ireland

Interviewees also suggested there are notable differences in how NRM statistics on victims are recorded and presented in Ireland and Northern Ireland. In Northern Ireland many potential victims are recorded in both NRM referral statistics and the asylum process, in that an information may appear during their asylum process that could indicate instances of human trafficking, in which case they would also be referred to the NRM. However, if in the same instance in Ireland potential victims in the international protection process cannot be referred to the NRM at the same time.

“A lot of our victims of trafficking are not appearing in the official NRM stats even though later on they might be referred to the NRM. But they have to see this asylum process first [in Ireland]”

- K111 – NGO, Ireland

NRM data that is available is also an issue highlighted among key informant interviews. The lack of publicly available data or aligned data between jurisdictions only makes response and coordination between them more difficult. Similarly, the term ‘modern slavery’ as used in the UK, could be seen to be a broader definition of the issue and also a factor to take into account when comparing response between jurisdictions.

“[...] I think some sort of collated data source would be really helpful”

- K110 – NGO, Northern Ireland

There was acknowledgement of ongoing work to improve the NRM in Ireland. All interviewees who were aware, described the proposed new statutory NRM in Ireland as a positive development in the response to human trafficking, particularly the inclusion of NGOs as ‘trusted partners’ which could provide a more holistic overview of the issue.

“The Guards are in support of the revision of the NRM. They do appreciate this work that the identification of victims can be best placed with other organisations called trusted partners”

- K12 – NGO, Ireland

“If we’re developing one down here now, have we talked about how we will cooperate with our counterparts in Northern Ireland who have their own arm? Is there any linkages that can be made? Is there any parallels that can be drawn?”

-K111 – NGO, Ireland

6.2 – VULNERABILITIES AND BARRIERS TO SUPPORT

IOM describes migrant vulnerability as “migrants who are unable effectively to enjoy their human rights, are at increased risk of violations and abuse and who, accordingly, are entitled to call on a duty bearer’s heightened duty of care” (IOM, 2019). Furthermore, vulnerability is recognised in the Palermo protocol definition as a means for human trafficking, and a key method in how traffickers exploit victims (UNGA, 2000). Risk of being a victim of human trafficking is often exacerbated by multiple layers of vulnerability that are often interconnected. Indeed, vulnerability should be considered as the net impact of the interaction of several factors at different levels including individual factors, household and family factors, community factors, and structural factors (IOM, 2019). Victims of human trafficking are generally highly vulnerable,

in many aspects and irrespective of their background, which can create additional barriers to identification.

In its Third Report for Ireland, GRETA highlighted that people can be vulnerable to trafficking when they do not have adequate information about their rights or how they can address their situation. (COE, 2022). Throughout interviews, respondents indicated this is exacerbated on the island of Ireland, given the two jurisdictions, each with their own specific set of unique circumstances and individual response.

6.2.1 – HEALTHCARE AND ACCESS TO SERVICES

Access to healthcare is restricted in Northern Ireland, as outlined by the Health and Social Care Trust NI (HSCNI), to UK residents. In Northern Ireland to access a GP individuals must prove lawful status in the UK through identification such as a British or Irish passport, valid UK visa or residence permit, proof of refugee status or asylum claim, birth certificate or similar, and also provide proof of residency in Northern Ireland (HSCNI, 2021). Victims of human trafficking are offered GP registration visitor exemption, but only on the provision of a Home Office reasonable grounds or conclusive grounds decision letter (ibid. 2021). This suggests that persons in situations of exploitation or potential victims of human trafficking must already be formally recognised through the NRM and have received a decision on their claim. Respondents suggested that irregular migrants in Northern Ireland, including potential victims of human trafficking, face a barrier when attempting to access health services which is often a first point of contact for support to leave exploitation, and which in turn may also disproportionately effect women.

“We’ve seen this as a huge obstacle that keeps people out of the system, because when people are accessing GPs, that’s not just where they’re getting medical care, it also might be their first point of contact in terms of reporting abuse, and to access a social worker”

- K15 – NGO, Northern Ireland

“By having to provide proof of your residence you need to provide a utility bill or pay slip or proof of being on the electoral register and these are things that disproportionately women or vulnerable persons don’t or won’t have”

- K15 – NGO, Northern Ireland

“Especially for people living in border areas, there should be more information available about it [human trafficking] in GP’s, in public areas. It also needs to be applicable to both sides of the border”

- K110 - NGO, Northern Ireland

Key informant interviews suggest that traffickers can use this as a means to further isolate and exploit victims and indicated that improving cross-border access to services, including healthcare is vital as a means to building trust and confidence in statutory bodies but also to identify and assist potential victims of human trafficking to access the support needed to leave exploitation.

“Improving people’s access to services without fear of reprisal is really important and increasing confidence in being able to access health services”

- K15 - NGO, Northern Ireland

“Their functional purpose is to make it harder for people to access one area over another. I feel like if your intention is to make it harder for somebody to come from Dundalk to Newry to get a health appointment, then it benefits you to design it in a way that is as difficult to navigate”

- K19 - NGO, Northern Ireland

6.2.2 – IRREGULAR MIGRANTS AND ACCESS TO SERVICES

In 2022 Ireland introduced the Regularisation of Long-Term Undocumented Migrants Scheme to allow persons with no immigration status who have a period of four years’ undocumented residence in Ireland, or three years in the case of those with children, to apply for legal residence (Irish DOJ, 2022b). It was designed to provide a regularisation of status, access to the labour market and a pathway to citizenship, and subsequently rights and responsibilities, and protections associated (Houses of the Oireachtas, 2023c). In total, 6,548 applications were submitted in respect of 8,311 people under the scheme (Ibid. 2023). Despite a large number of applicants under the scheme, there are still an estimated 17,000 to 20,000 migrants living undocumented in Ireland with research suggesting undocumented migrants experience heightened difficulties in accessing services and supports, further increasing vulnerability to exploitation (Polakowski, M. et. Al., 2022).

When asked about vulnerabilities that may lead to instances of human trafficking, respondents suggested a variety of issues can be key contributing factors to isolation and exploitation such as immigration status, cultural background, language and indeed movement.

“A study of nearly 150 women who access a sexual health clinic in Dublin specifically for women in prostitution, [showed] 94% of the women are migrants – a huge number of migrant women. And what happens with them is that if they’re being moved all the time, it’s very isolating”

- K111 – NGO, Ireland

Conversely, during interviews, stakeholders in Northern Ireland described how vulnerabilities have been caused by the UK withdrawal from the EU. Stakeholders suggested there is now a large cohort of undocumented migrants who may have previously had permission to work in Northern Ireland and who have now exhausted all available legal routes. As described in Section 3.2, stakeholders suggested that employers and traffickers may be taking advantage of this and with individuals facing instances of labour exploitation in agri-food sectors in the border region and others being forced into domestic servitude.

“They’re unable to work, living in precarious accommodation, and it’s really a perfect storm in terms of generating conditions that encourage human trafficking and exploitation”

- K15 - NGO, Northern Ireland

6.2.3 – SOCIO-ECONOMIC STATUS AND SKILLS DEFICIT

During interviews with key informants from Ireland and Northern Ireland, many suggested that a lack of access to the formal labour market meant people could be vulnerable to exploitation from persons offering employment.

“A woman who experienced domestic violence was trafficked by a man she had met online and he again offered her a job. He paid for the travel for her to come to Northern Ireland, and after several weeks was forced into prostitution and was moved from house to house”

- K12 – NGO, Ireland

Stakeholders suggested that deceptive offers of employment by traffickers can be made online, by

word of mouth or mutual acquaintance. Several respondents indicated that traffickers can manipulate the movement of a victim into ‘bonded labour’, whereby a victim is forced to pay off a debt incurred by the trafficker, possibly for transport, visa costs or accommodation (Anti-Slavery International, 2023). Furthermore, interviewees suggested that culturally, the shame of debt can keep victims trapped in this form of exploitation.

“Most importantly debt. Organised crime groups are aware of this and use this vulnerability to identify, recruit and exploit victims”

- K17 – NGO, Northern Ireland

“We see a lot of women that are in debt, from what the traffickers told them. The classic thing of ‘you owe me 10 grand’, and the shame of the debt or not wanting the debt to be passed their family just keeps them stuck and trapped in prostitution. So, women then don’t come forward”

- K11 – NGO, Ireland

“She [a female victim] was offered an opportunity to work in the UK in care work, through an acquaintance. They were aware that she had some debt. When she got to the UK then she was required to work three to five years to pay off this debt and the cost of the travel and the visa. Once that would be deducted, she would have very little at the end of the week. She was forced into prostitution on arrival in Northern Ireland, and experienced physical abuse and rape. Then she was assisted by a punter to escape, and she physically escaped out of a window. She was put in a van, and she was driven across the border and to the IPO. She had spent 15 months in prostitution, and she wasn’t even she wasn’t able to leave the premises that whole time”

- K12 – NGO, Ireland

Respondents also highlighted that due to existing vulnerabilities a victim of human trafficking may lack essential skills that are necessary to secure or maintain employment and once trafficked additional restraints may inhibit access to assistance or support such as communication, language, confidence and knowledge of the local area.

“They might have almost no English, so this idea of always being on the move, not really knowing where you are and not being able to speak the local language”

- K11 – NGO, Ireland

“A migrant who speaks English and is able to position themselves as a gatekeeper within the community might be saying “come to Northern Ireland we’ve got a job for you here, pay me this and I’ll sorted it all out for you” and that turns into a human trafficking situation”

- K15 – NGO, Northern Ireland

6.2.4 – PARAMILITARISM

Whilst the disarray of movement that traffickers may use can incite a sense of isolation and fear, during interviews, when asked about vulnerabilities that may lead to instances of human trafficking several respondents suggested physical location can also exacerbate vulnerability. This is applicable not only to migrants who find themselves located in new and unknown surroundings, unable to access supports or communicate, but also to vulnerable people living within local or marginalised communities.

During interviews, four stakeholders highlighted how physical location is especially relevant to the context of paramilitarism within communities in Northern Ireland and child criminal exploitation. As described in Section 3.4, in regard to the phenomenon of “county lines” in the UK, several respondents indicated that this type of exploitation occurs within the Common Travel Area and physical location is a key vulnerability for young people making them susceptible to exploitation. At the time of this report, the terrorism threat level in Northern Ireland was increased to ‘severe’ (MI5, 2023), and it is recognised that paramilitary groups in Northern Ireland continue to recruit and live a relatively public life (UK Government, 2015). During stakeholder interviews, when asked about vulnerabilities that may lead to instances of human trafficking, these four stakeholders highlighted the vice-like grip and influence that these organisations have over young people in specific locations and communities in Northern Ireland, and the vulnerability they pose to crime, exploitation and subsequently human trafficking, as seen in the rest of the UK.

“The young people who are being exploited are extremely marginalised in their communities, and there’s a subculture of delinquency within that as well. Young people get told that they’re scumbags that they’re hoods, that they’re joy riders and due to the marginalisation and lack of opportunity, young people see that as a viable identity, and they get a sense of belonging from being in those delinquent groups”

- K11 - NGO, Northern Ireland

“You see reports on houses being burnt out in certain areas. A lot of foreign nationals have to be placed in safer areas and those safer areas could sometimes put them at risk as well, because there’s maybe gangs or paramilitaries or whoever at large”

- K18 - NGO, Northern Ireland

One key informant suggested the recent influx of asylum seekers into Northern Ireland has also posed risk to vulnerability due to the location of contingency accommodation and communities where organised crime groups and paramilitaries are known to operate. At the time of this report around 19 hotels were being used to accommodate asylum seekers across Northern Ireland with 14 being used around Belfast (Kula, 2023). During this interview, the respondent highlighted the interconnected issues of vulnerable asylum seekers located close or near to paramilitaries that has the potential to raise a number of issues.

“It’s a huge oversight in terms of like social policy and planning that you have overlapping communities with high levels of economic deprivation and high levels of organised crime and paramilitary coercive control. They who control everything from the drug trade to extortion, to predatory money laundering, right next to an extremely vulnerable community. I don’t think that there has been acknowledgement in planning or foresight for what that means for everyone involved.”

- K15 – NGO, Northern Ireland

6.3 – LACK OF UNDERSTANDING AND AWARENESS

Despite the high number of identified potential victims in Northern Ireland, the close co-operation of law enforcement bodies between jurisdictions and the proposed restructuring of the NRM in Ireland, there are very few UK and Irish nationals being identified as victims of trafficking. Indeed, only one Irish national has been identified through the NRM in Ireland since 2017, and only a small number in Northern Ireland (Irish DOJ, 2022c).

Furthermore, only 36 victims were identified as victims of human trafficking reporting exploitation taking place ‘within the UK’ or ‘within the UK and Overseas’ in Northern Ireland in 2022, in comparison to 511 victims identified reported exploitation taking place ‘overseas’.

A 2021 report by Breen et al. highlights that many victims are unaware of what human trafficking is and do not consider themselves to be victims (Breen et al., 2021). It notes that awareness of human trafficking and trafficking indicators is lacking at all levels, from the general public and businesses to statutory and non-statutory organisations that will encounter potential victims. (ibid., 2021). During interviews, when asked about human trafficking identification and awareness, a common theme among all respondents was the lack of understanding across all public, private and statutory sectors.

“I feel that human trafficking in Northern Ireland is considered an international issue and there’s a lack of awareness that, someone can be trafficked from one state to another, and even from one street to another if they don’t consent it”

- K11 - NGO, Northern Ireland

“There is a huge lack of understanding even among state agencies. If you don’t work in the sphere, wider society would not have awareness. It’s not a topic people want to hear about and people don’t want to see it in public. It is a lack of understanding in wider society”

- K17 - NGO, Northern Ireland

This also resonates with key informants in relation to child trafficking and a lack of knowledge in what this may look like or what it is.

“There is just a real dearth of knowledge around the issue of child trafficking. People don’t have the understanding or the language to put on it, that’s why our identification numbers are so low and when we compare them the UK. That’s not to say that it’s not happening here, it’s just not being recognized as child trafficking”

- K14 - NGO, Ireland

Respondents also acknowledged the role the legacy of the conflict may play in Northern Ireland to identify victims of human trafficking. Some key informant interviews portrayed human trafficking as a ‘secondary’ issue, and almost overlooked as there is still a majority emphasis on sectarianism as a predominant form of crime in Northern Ireland.

“The resounding feedback from adults as well as youth was that there’s really not consideration given to the lives and needs of migrant and minority communities in Northern Ireland

because there is still such an emphasis on sectarianism being the only problem and that legacy of the conflict still consumes the political status quo”

- K15 - NGO, Northern Ireland

In response, many key informant interviews stated a need for more training, both tailored to the specific context of both Ireland and Northern Ireland, and the need for cross-border training between organisations and statutory bodies working closely together.

“The education piece and the need for education across professions is enormous and the need for cohesive national dialogue around human trafficking”

- K14 - NGO, Ireland

“There is a big potential to increase awareness of this topic with those who may work more directly or indirectly with victims or potential victims. It needs to target health services, education, businesses. They should know, if you see these things or signs or indicators, that here is the procedure you should follow to report”

- K17 - NGO, Northern Ireland

However, despite an increase in training and awareness, it is acknowledged that this may not necessarily lead to more convictions, rather it will contribute to prevention efforts.

“This [training] should increase knowledge and the picture of trafficking, but overall this won’t contribute to more prosecutions due to law enforcement resources. But it will contribute to prevention, and reduction of trafficking and overall better quality for workers “

- K17 - NGO, Northern Ireland

Similarly, it was emphasised that a public awareness campaign would increase not just overall awareness of human trafficking but also knowledge of indicators, identification of victims and how to report if someone suspected human trafficking. Stakeholders suggested this could also be specific to the border region to identify issues around cross border movement and potential human trafficking within the Common Travel Area.

“I’ve gone through Belfast International, the City Airport, there are posters to spot the signs of modern slavery. But I’ve never seen a sign anywhere in Northern Ireland not in the GP surgery not in a community or like not a Community Center. There’s raising awareness and I think it needs to be more than a poster. It needs to be a campaign about here’s what the signs are.”

- K110 - NGO, Northern Ireland

7 – RECOMMENDATIONS

This exploratory study on the issue of human trafficking on the island of Ireland was small-scale in nature and involved interviews with a small number of key informants. Recommendations focus on three of the four P's identified as an effective response to human trafficking by the UN Global Plan of Action to Combat Trafficking in Persons (Prevent, Protect, Prosecute and Partnerships).¹⁹ Recommendations and the continued development of protection interventions should also align with the IOM's Protection Framework which include protection mainstreaming, partnerships and coordination, accountability and inclusion, and sustainability and systematic change.²⁰

1. Strengthen Partnership

Key informants expressed interest in closer collaboration and co-ordination on the issue of human trafficking between Ireland and Northern Ireland to facilitate information-sharing, improve working relationships and facilitate more joined-up responses. This could be in the form of an All-Island Working Group on Human Trafficking made up of statutory and non-statutory agencies and bodies across the island. This group could work towards developing all-island guidelines, standard operating procedures, and/or referral mechanisms for a more coordinated approach to research, training, identification and victim support.

2. Protect and Assist Victims

The study highlights the need for additional research to understand why victims may be exploited and are vulnerable to human trafficking, including studies that draw on the lived experience of survivors, particularly in relation to:

- Identification of Irish and UK national victims of human trafficking in Ireland and Northern Ireland
- Increasing trends of Eritrean and Somali nationals entering Ireland and travelling to Northern Ireland through the Common Travel Area
- Child criminal exploitation and child trafficking in Ireland and Northern Ireland.

3. Prevent Trafficking in Persons

Development of an all-island training programme on human trafficking to be rolled out to law enforcement authorities could be considered, as well as extending this to statutory and non-statutory bodies. Increased investment in awareness raising activities and capacity building training to businesses and service providers where instances of human trafficking can be identified could also be examined, such as hospitality, agri-food, farming and social services, particularly those operating along the border region.

To further the knowledge and understanding of human trafficking on the island of Ireland, the systems for data collection on potential and confirmed cases of victims of trafficking could be improved in both Ireland and Northern Ireland to ensure they capture detailed information that can help inform the picture of trends and patterns across the island. This could include enhancements to data collected through the respective National Referral Mechanisms (NRMs), as well as other data collection processes and in line with wider initiatives such as IOM's Human Trafficking Case Data Standard (HTCDS). To the greatest extent possible, data collection could be standardised and aligned between Ireland and Northern Ireland and made publicly available to provide an evidence base with which to inform responses across the island.

Indeed, as challenges remain and understanding is limited as to the extent of human trafficking between Ireland and Northern Ireland, and within the CTA, to ensure an improved response to the issue, a coordinated, concerted and targeted approach is required from both jurisdictions.

¹⁹ Information on the 4 P's identified as an effective response to human trafficking by the UN Global Plan of Action to Combat Trafficking in Persons is available at: <https://emm.iom.int/handbooks/trafficking-persons-and-associated-forms-exploitation-and-abuse/prevention-trafficking#:~:text=In%20the%20United%20Nations%20Global,prosecution%20of%20the%20perpetrators%20of.>

²⁰ Further information on IOM's Protection Framework is available at: <https://www.iom.int/iom-handbook-migrant-protection-and-assistance#:~:text=IOM's%20approach%20to%20migrant%20vulnerability,protection%20and%20assistance%20they%20require.>

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APPENDIX 1 – INTERVIEW QUESTIONS GUIDE

1. What evidence has your department / organisation experienced of human trafficking on the island of Ireland or within the Common Travel Area (CTA)?
2. Have you experienced evidence of human trafficking through Northern Ireland, from Northern Ireland to Ireland or from Ireland to Northern Ireland?
3. If this is happening, who are the victims, and are you aware of how they are being moved or exploited?
4. What role do you think the CTA plays in regards to human trafficking on the island of Ireland?
5. Do you think the CTA makes response and identification of victims of human trafficking more difficult?
6. Do you think different jurisdictions (with different legal provisions and NRMs) within the CTA affect responses to human trafficking? If so, how? (eg. Data sharing, legal provisions, NRMs, cross-border movement and cooperation)
7. Have you experienced a higher rate of NRM referrals of instances of human trafficking among specific nationalities? If so, why?
8. What do you think are the main barriers to the NRM in Northern Ireland and how could this be addressed?
9. Do you have any suggestions for improving the response to human trafficking within the CTA?

APPENDIX 2 – LIST OF KEY INFORMANTS

- KI1 – NGO, Northern Ireland
- KI2 – NGO, Ireland
- KI3 – NGO, Northern Ireland
- KI4 – NGO, Ireland
- KI5 – NGO, Northern Ireland
- KI6 – NGO, Northern Ireland
- KI7 – NGO, Northern Ireland
- KI8 – NGO, Northern Ireland
- KI9 – NGO, Northern Ireland
- KI10 – NGO, Northern Ireland
- KI11 – NGO, Ireland
- KI12 – Government / Law Enforcement, Northern Ireland
- KI13 – NGO, Northern Ireland
- KI14 – Government / Law Enforcement, Northern Ireland
- KI15 – Government / Law Enforcement, Northern Ireland
- KI16 – NGO, Northern Ireland
- KI17 – NGO, Northern Ireland
- KI18 – Government / Law Enforcement, Northern Ireland
- KI19 – NGO, Northern Ireland
- KI20 – Government / Law Enforcement, Ireland

APPENDIX 3 – MECHANISMS FOR CROSS-BORDER COOPERATION

<p>Joint Agency Task Force (JATF)</p>	<p>A cross-border mechanism established under the 2015 Fresh Start agreement to bring a concerted and enhanced effort to tackle cross-jurisdictional organised crime (Houses of the Oireachtas, 2023a). The Task Force consists of a Strategic Oversight Group and an Operations Coordination Group and is led by senior officers from An Garda Síochána, Irish Revenue, the PSNI, UK HMRC, The Crime Assets Bureau, Crime Assets Bureau (CAB) and the National Crime Agency (NCA) (BIC, 2023).</p>
<p>The Organised Crime Task Force (OCTF)</p>	<p>Established in Northern Ireland in 2000 as a forum for strategic leadership and ensuring a collective and collaborative response to the threat posed by organised crime in Northern Ireland (OCTF, 2023). The OCTF is made up of a Strategy Group which provides oversight to thematic Sub Groups (Ibid. 2023). Key partners include Department of Justice, PSNI, NCA, HMRC, UK Border Force (UKBF), Department for Communities, UK Immigration Enforcement (UKIF), Department for the Economy, Public Prosecution Service (PPS), and is also represented by An Garda Síochána to ensure effective cross-border co-operation.</p>
<p>Police Service of Northern Ireland and An Garda Síochána</p>	<p>Both agencies work in close coordination in all aspects of policing through a Cross Border Policing Strategy 2010, the Annual Cross Border Conference on Organised Crime, Joint Investigation Teams (JITs) and international days of action (AGS, 2023).</p>

International Organization for Migration (IOM) UK
First Floor, Heron House, 10 Dean Farrer Street,
London, SW10 0DX
United Kingdom

International Organization for Migration (IOM) Ireland
116 Baggot Street Lower
Dublin, D02 R252
Ireland

