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Evidence given to the Joint Committee on Human Rights

Memorandum by Women's Aid Federation Northern Ireland (HT 19)

In response to the call for evidence by the Joint Committee on Human Rights to inquire into human trafficking, Women's Aid Federation Northern Ireland has experience of dealing with women who have been trafficked, and we wish to register our concern about this issue.

This submission is based on our personal experience and the following research report – “Crossing borders: preliminary research on human trafficking in Northern Ireland” Rebecca Dudley, January 2006. Rebecca formerly worked as Human Rights Officer with Women's Aid.

Our key concerns include the need for:

- further comprehensive research into trafficking in Northern Ireland;
- training targeted at relevant professional bodies to raise awareness of the nature and extent of trafficking;
- safety and support measures for victims to be put in place; and
- an effective legal framework to make perpetrators of violence and abuse accountable.

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Operations Manager
10 February 2006

1. Description of Women's Aid Federation Northern Ireland

Women's Aid Federation Northern Ireland is a regional voluntary organisation whose aim is to eliminate domestic violence and to challenge the attitudes and beliefs which perpetuate it. It recognises domestic violence as one form of violence against women. It represents women and children affected by domestic violence, at a regional level, to ensure that their rights and needs are taken account of in the development of relevant policy and strategic plans.

Women's Aid Federation manages and operates the 24 Hour Domestic Violence Helpline which is a free service open to anyone affected by domestic violence. Where necessary, the Federation can refer women and their children directly to Women's Aid support services across Northern Ireland.

Women's Aid Federation also supports the work of the ten local Women's Aid groups in Northern Ireland through the provision of training, information, policy development and organisational support and represents their views and interests at a regional level. All ten

groups are affiliated to the Federation. Women's Aid Federation works with the local groups to lobby and campaign for change and improvements to legislation, policy, practice and services for the benefit of women and children affected by domestic violence. The Federation also works closely with the three other Women's Aid Federations in Great Britain and Women's Aid in Ireland on issues of common concern.

Women's Aid Federation plays an important role with other agencies in raising awareness of domestic violence, providing relevant and up to date information on domestic violence and related areas and training to improve understanding and practice.

2. Basis of the submission

This submission is based on preliminary research into the first area, the 'nature and extent of trafficking' in Northern Ireland, as requested in the Call for Evidence issued by the JCHR on 19 October 2005. It was not possible to address issues 2 to 5 in the scope of this inquiry. The response below is based on the experience of Women's Aid in Northern Ireland[1] and on preliminary research[2] that was conducted among other professionals who had encountered trafficked people in this jurisdiction. The researcher was formerly the Human Rights officer for Women's Aid and Children's Rights Advisor for a children's legal advocacy organisation in Belfast.

Due to the short time scale of the enquiry, the research was very much constrained. It was intended to primarily argue for further resources and more time for relevant statutory and non-governmental agencies to increase their commitment to the safety and protection of trafficked people.

3. Methodology.

This preliminary research was conducted between November 16 and December 15th 2005. It is based on evidence from:

- 1) official sources
- 2) conference materials
- 3) analysis of two major Belfast newspapers between 2000 and 2005
- 4) practitioners whose work means that they have encountered people who have been trafficked in Northern Ireland.

The practitioners were drawn from three categories: first, the community sector, second police or other statutory sector employees and third, observers like journalists and academics. For this research, 6 individuals who had contact with trafficked people were interviewed in depth, another 4 responded in writing, and about 20 others responded with

brief information or leads based on their experiences. Many others expressed interest but could not respond because of time constraints.

4. Key considerations

4.1 Geographical distinction

Northern Ireland is distinct within the UK for its ease of access from both the UK and the Republic of Ireland. Police sources have noted the ease with which the land border can be crossed within Ireland and the apparent increase of the use of Northern Ireland, both as a route through to UK from the Republic and going the other direction, for all the forms of trafficking noted below. In December 2005, the website for the Organised Crime Task Force (comprised of the Northern Ireland Office, Office of the Police Service of Northern Ireland, HM Customs and Excise, Inland Revenue, the National Criminal Intelligence Service, the Home Office and the Assets Recovery Agency, among others) suggests both the movement across borders of illegal immigrants and a recent increase. People have moved 'to Northern Ireland or use it as a transit route in both directions, between the Republic of Ireland and Great Britain' and the use of this route has increased during 2004.[3]

Individuals interviewed for the preliminary research also noted the route of trafficked people across the land border: One Women's Aid staff member said that people come:

'...illegally, from the Republic: police have brought women here from the train station.'

A social worker with young people at risk reported that:

'Young people are taken from Belfast to Dundalk and Waterford. Numbers are difficult.'

4.2 Increased access

New air routes may also play a role; the Organised Crime Task Force assessment in 2003 noted that the numbers of trafficked people were likely to increase with the increase of direct flights from places like Paris, Frankfurt, Alicante and Malaga.

4.3 Countries of origin

Countries of origin of trafficked people arriving in Northern Ireland are widely varied. According to professionals who have encountered trafficked people in this country they come from the following places: the Baltic states, Eastern-Central Europe and Central Asia, Nigeria, Sri Lanka, Ukraine, Jamaica, Bangladesh and several African countries including Sudan, Cameroon, and South Africa. One source noted that:

'They come from Eastern Europe more in the last 2 years; Latvia and Estonia; about 4 to 5 years ago there were more Albanians.'

4.4 The Organised Task Force

The Organised Crime Task Force in Northern Ireland and Cross Border assessments by both police forces have drawn some conclusions that match the experiences shared below and differed in others, as noted below. However, cross border assessments by police have concluded that with regard to trafficking, 'further investigation and analysis is required to establish the true scale of the problem.[4]'

5. Areas of concern

Preliminary research, including an analysis of the press and the interviews/written responses, was very limited in scope. Nonetheless, four different areas of concern emerged that are consistent with the definition of trafficking advanced in UN Protocols and the Draft European Convention.

5.1 Adults who had been smuggled into the country and subjected to exploitative labour practices

The first area of concern is adults who had been smuggled into the country and subjected to exploitative labour practices. This is difficult to quantify as it may or may not constitute trafficking according to the levels of coercion and exploitation practiced. Community interpreters and community workers as well as the solicitor and member of clergy interviewed for this research, felt that this was a common problem in Northern Ireland based on experiences that had been shared with them. The solicitor indicated that exploitative labour was be a factor for 'many' of the clients with whom she had worked in the last three years.

The Organised Crime Task Force assessment suggests that this has been an issue in Northern Ireland for several years. They noted that by 2003, a number of individuals based in Northern Ireland are involved in facilitating the trafficking of foreign nationals in the country for money. They will also find work and accommodation for these illegal immigrants-usually in exploitative, laborious, underpaid jobs with very poor living conditions.'[5] In 2004, a cross border assessment[6] noted that there was evidence of exploitative work and accommodation arrangements for illegal immigrants and exploitation of student and tourist visas into the country.

5.2 Women and girls who had been trafficked or smuggled into the country and appeared to be subjected to exploitation, usually in prostitution

The second area of concern is women and girls who had been trafficked or smuggled into the country and appear to be subjected to exploitation, usually in prostitution. The solicitor who was interviewed had encountered two people trafficked for the sex trade. Both a Women's Aid staff member and a politician for one area, South Belfast, estimate that they have encountered at least 20 women. The Women's Aid staff member thought it might have been as many as 50 women in the last three years.

The Organised Crime report[7] differs from the body of commentary that emerges in the press and among individuals with experience of people who have been trafficked in Northern Ireland. With regard to the sex trade (e.g. escort agencies, prostitution, and lap dancing) the cross-border assessment is that 'there is no evidence to suggest any form of coercion or duress; all claim to be involved of their own volition as they can earn a reasonable wage.'

This assessment contrasts with the experiences that were shared with other professionals interviewed. For example:

A young woman about 3 yrs ago came from a maternity ward after having a baby. She was from the Ukraine. Her English was ok. Came in under the guise of a student visa but hadn't done any studying. Eventually she told me that she had been brought over and since here had been prostituting (about 1 1/2 years). That would mean she was about 15 or 16 when she was brought over.

There was a case of young woman from an African country, persuaded by a white woman of unknown nationality that there was a better job in Ireland. Travelled through Amsterdam and met by same white woman in Cork. Then passport and identity documents taken away turned over to a man who picked her up and took her to a different city, from which she was prostituted for a year before she escaped. She describes a highly organised system in which she was living in flats with other young women (some of whom she thought were from Eastern Europe, some of whom spoke no English). She would be picked up by chaperoned limos and sometimes serviced up to ten punters a day at points all over the Republic. She was threatened with death if she did not comply. This was run on a substantial, organised basis to be able to fund the travel and the arrangements once she was in the country.

For example, a woman who with her sister was raised in the country of origin -Nigerian I think-arrived here and couldn't go home because husband had been murdered and family was under threat. It took her 6 - 8 weeks to get here from Nigeria. She came here illegally, was raped on the boat, by one of the traffickers, and was brought to Scotland pregnant. In Glasgow she was abused and used as prostitute by man. Client took pity on her, I think he was a lorry driver, and got her to Northern Ireland and we got her. She called the man who brought her here her boyfriend. She was pregnant, hadn't been to maternity care at 7 months. No scan or check up. Immigration got her, and just called her a 'tourist mother.' She was illegal, so they weren't listening, and she was deported.

5.3 Unaccompanied minors from other countries

Third, there is concern that unaccompanied minors from other countries who have increased in numbers in recent years, with many questions attached to their presence here. A staff member of one Health and Social Services Board area noted increasing and concerning numbers of children arriving. These are trends that parallel both the Republic and the UK mainland. For example, unaccompanied minors have disappeared from care in both the UK and in the Republic, according to research and press reports.[8]

In 2003, the *Irish News* had reported that in the five previous years, a total of 2717 children had been referred to the East Coast Area Health Board after arriving in the state alone. Nine per cent were between 6 and 9 years old and a further nine per cent were five years old or younger. About one quarter of the total was aged 10 to 15 years and the remaining half of the total was between 16 and 18 years old.[9] In light of this, the Irish Refugee Council asked for policy and practical initiatives by the state to combat child trafficking.

In March 2005 the *Irish News*[10] reported noted in the Republic of Ireland, 58 children had gone missing in the previous 12 months. In the first 3 months of 2005, children went missing who were originally from Somalia, Romania, Georgia, Nigeria and Moldova. The report quotes Fr. Aquinus Duffy, who said:

‘We need to find out how children are able to make their way to Ireland alone, who’s helping them, and what happens to them after they go missing. Questions need to be asked about how organised this whole process is.’

Professionals who provided information or were interviewed for this report cited the following cases in their personal experience:

Unaccompanied asylum seeker children have become more varied and larger in numbers. Why? I don’t understand it. Perhaps because a clearer route has opened up into Northern Ireland.

There was a young Somali woman who went missing a few years ago. We had no interpreter for her. Her family members had been killed. She was here for about 2 months, and then disappeared. Real concerns that she had been taken by a smuggler.

[There was the] case of a young girl from West Africa, trafficked by a white European man to Northern Ireland after he and others had introduced her into the sex trade for about 2 years in her country of origin.

In 1995 when the Immigration Authorities contacted us because a 14-year old boy from Darfur had arrived here via South Africa – whatever the deep water port is on the eastern coast – and somehow he had managed to travel to Belfast. He was in Belfast for months, and then sent home to Darfur. I was confused by how he paid for the voyage. 14 years old is probably the youngest I have seen, but you have to ask this about all these kids.

Where do they get the money? That is the child protection question.

They are arriving here supposedly not knowing anyone, and then they disappear-sometimes missing for 2 or 3 days-and then come back.

Sometimes seem to have another source of money. You get the impression that someone else is managing the child. To get into the scene [sex trade] very fast you would have to know someone. That would go for a lot of the kids. There is an existing network they contact. We can’t find out about it. It is very secretive.

5.4 Children and young people born in Northern Ireland who are being systematically sexually exploited

Finally, there are children and young people born in Northern Ireland who are being systematically sexually exploited in Northern Ireland and/or moved into other jurisdictions for the purposes of sexual exploitation. In one Health and social Services Board area, a professional described a 'rolling list' of about 20 children thought to be exploited in this way. The Children's Commissioner Nigel Williams expressed concern about systematic sexual exploitation of young people in April 2005.[11]

One professional who worked with young people at risk said:

'I am also concerned about young people who are living in their communities who are involved in sexual exploitation. The numbers are not huge but they don't have to be... Young people are saying that there is paramilitary involvement in their coercion. Young woman who had a gun held to her head because she wasn't to tell anyone; but [later] told what was going on. 'You can't possibly protect me' she said. Children have become at times 'the sexual plaything of paramilitaries; picked up in a car and sexually assaulted by whoever is in the car. A statement about sexual assault might be made, but later retracted.'

In 2003[12], the 'PSNI's Child Abuse and Rape Enquiry (CARE) team said that paramilitaries were involved in organising child sex rings, believed to involve young boys and girls, with the problem widespread throughout Northern Ireland.' The CARE unit chief revealed that up to 20 children, mostly girls, are being exploited rather than coerced into becoming prostitutes, with most paid in drugs. Detective Chief Inspector William McAuley, the CARE Unit chief reported:

'There have been a number of cases that have come to our attention over the past three years that would indicate there has been some organisation in using young (under 18) people for prostitution'.

He said that there was growing evidence that paramilitaries were involved in prostitution but more recently child prostitution.

6. Further work

6.1. This preliminary research suggests the need for more systematic data collection that would take into account experiences that others may know about in Newry, Derry, Coleraine, Cookstown, Dungannon or Fermanagh, for example. Each of these other areas has specific geographic circumstances and migration patterns that might affect trafficking patterns and allow a fuller picture to emerge.

6.2 However, the experiences of the professionals interviewed for this limited research suggest that there is cause for concern and further commitment of time and resources to this issue. The press reports note activity in all four types of trafficking. Most of the respondents noted that the levels of which they were aware, in the first three of the four types of trafficking at least, was increasing.

7. Recommendations

Research is needed to determine the extent and nature of trafficking in Northern Ireland as well as trends and numbers. This research should include more information on the demand side of the trade for trafficked people and how it can be minimised or stopped.

Governments need to show a strong commitment to combat trafficking: to ensure that the necessary legislation is in place, the resources are there, and the training has been done to equip the major players with the knowledge and skills they need.

The UK government should sign the Draft Convention against Trafficking, and reform national legislation for more accountability of perpetrators.

Laws need to be in place and reliably enforced: laws should not punish people who have been trafficked. Trafficking laws need a human rights focus. They need to put the interests of the trafficked person first and treat victims as victims. These laws would include a period of reflection for recovery from initial trauma, and determination of the case for prosecution and the role of the victim in building that case. They would also include provision for education and training for rehabilitation and employment for victims of trafficking.

The government should work with UK bodies to develop an integrated strategy to combat violence against women that specifically includes domestic violence, sexual violence and trafficking, and as above consideration of the demand side of the trade in trafficked people and how it can be stopped.

Relevant government departments should provide financial support for community and voluntary sector to access training that is available to anyone in statutory or no sectors who may encounter those who are trafficked about the best ways to provide options for safety and support for women and children (largely) who have been trafficked.

Relevant government departments should provide financial support for organisations who have been engaged in assisting people who have been trafficked. This support would recognise that survivors of trafficking may need special assistance; interpreters and counselling, for example, as well as material assistance, awareness of their legal options, and training. Financial support should take into account the reality that accessing support and realising safety may take longer and be more expensive, for women who are contending with multiple disadvantages like insecure immigration status, and language barriers.

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[1] Women's Aid in Northern Ireland refers to Women's Aid Federation Northern Ireland and the 10 autonomous Women's Aid groups

[2] Rebecca Dudley, 'Crossing Borders: Preliminary Research on Human Trafficking in Northern Ireland', (submitted in final satisfaction of the written requirement for the LLM in Human Rights Law, Queens University School of Law, Belfast, 2006), 59.

[3] Organised Crime Task Force, 'Immigration Crime', (2005: The Organised Crime Task Force, 2005).

[4] An Garda Siochana and Police Service of Northern Ireland, 'A Cross Border Organised Crime Assessment ', (An Garda Siochana and Police Service of Northern Ireland 2004).

[5] Organised Crime Task Force, 'Assessment: Threat Assessment 2003 Serious and Organised Crime in Northern Ireland ', (2004: Organised Crime Task Force, 2003).

[6] An Garda Siochana and Police Service of Northern Ireland, 'A Cross Border Organised Crime Assessment '.

[7] *ibid.*

[8] Carron Somerset, 'What the Professionals Know: The Trafficking of Children into, and through, the UK for Sexual Purposes', (ECPAT UK (End Child Prostitution Pornography and Trafficking UK), 2001), 54 pages, Valerie Robinson, 'Call for Protection of Young Refugees', *Irish News*, 2003 p. 10.

[9] Robinson, 'Call for Protection of Young Refugees'

[10] Valerie Robinson, 'Missing Migrant Kids Spark Trafficking Fears', *Irish News*, 31 March 2005 p. 23.

[11] Brian Hutton, 'Ulster Targets Kids for Prostitution', *Belfast Telegraph Digital*, 19 April 2005.

[12] Claire Regan, 'Child Sex Rings Wider Than Feared', *Ibid.* 30 January 2003.

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