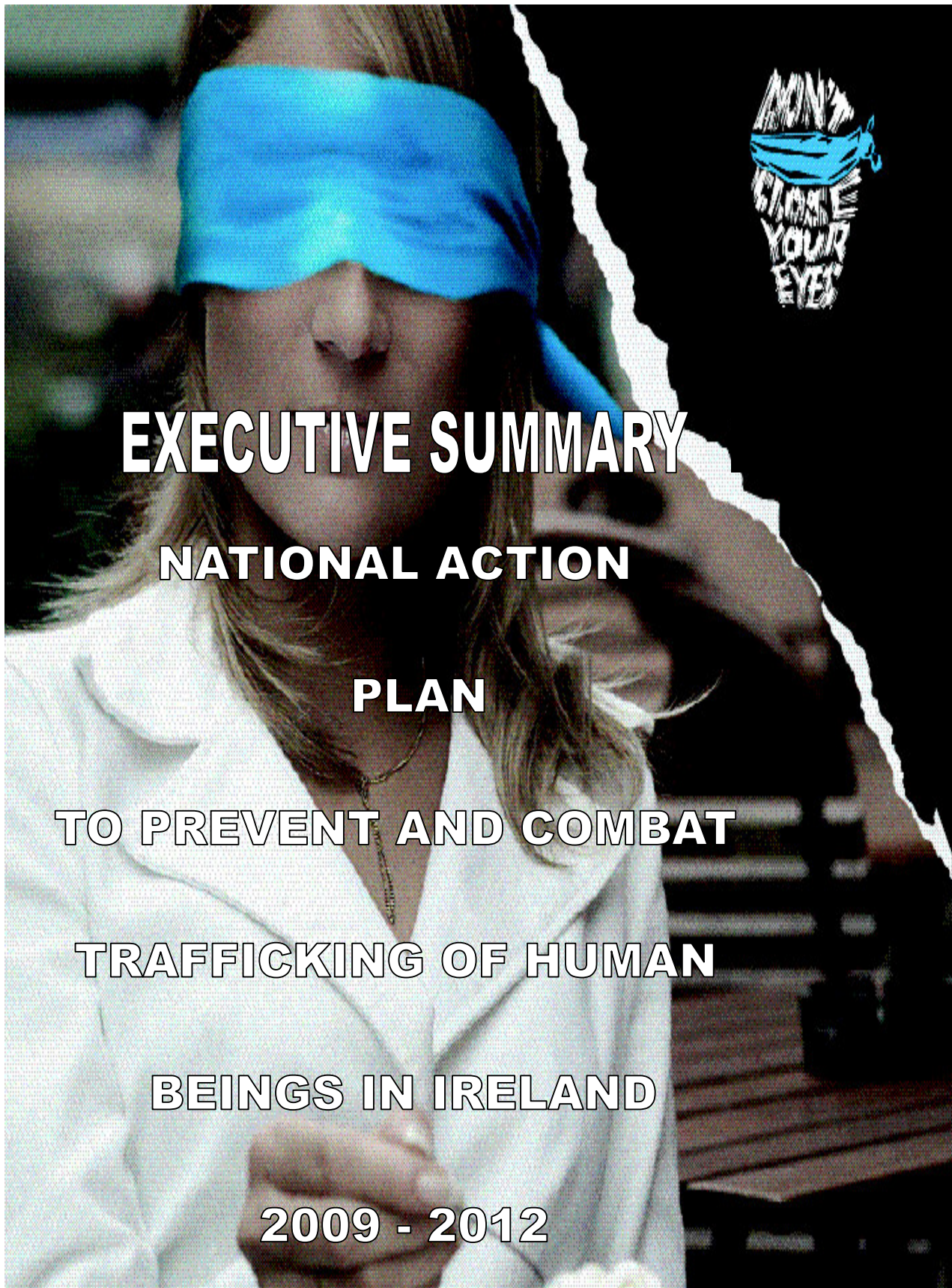




Department of Justice, Equality and Law Reform  
An Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí



# EXECUTIVE SUMMARY

## NATIONAL ACTION

### PLAN

#### TO PREVENT AND COMBAT

#### TRAFFICKING OF HUMAN

#### BEINGS IN IRELAND

2009 - 2012

## Foreword -

*Mr. Dermot Ahern, T.D.,*

*Minister for Justice, Equality and Law Reform*

Human trafficking is a form of modern-day slavery which has no place in Irish society. Trafficking of human beings is a phenomenon which undermines the values of human rights and dignity of the person. To put it plainly, human trafficking involves issues such as the recruitment, buying and selling of human beings by means such as fear, force, fraud and deception for the purposes of their sexual or labour exploitation or the removal of their organs. It is a crime which involves multiple actors including recruiters, facilitators of transportation and fraudulent employment opportunities, exploiters and end beneficiaries of so-called goods and services provided and produced by trafficked persons. Both I, as Minister for Justice, Equality and Law Reform and the Government, in co-operation with non-Governmental organisations and our international partners, are committed to putting in place an overall strategy to proactively and comprehensively address the issue of human trafficking, utilising all the necessary resources of the State with a view to making Ireland a more hostile environment for those who might consider trafficking people into, out of and within this jurisdiction.

There are no easy solutions in the fight against this crime. The reasons it happens are complex. Generally - but not always - it is a transnational crime and co-operation with our international partners is of the utmost importance in seeking to put in place measures which are wide ranging and effective.

This National Action Plan has been developed in line with the Government's commitment, as outlined in the Programme for Government 2007-2012, to ratify the Council of Europe Convention on Action against Trafficking in Human Beings and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention Against Transnational Organised Crime. The Plan will also contribute to the commitment to tackle emerging trends in crime as outlined in the Department of Justice, Equality and Law Reform's Strategy Statement 2008 – 2010. This Plan seeks to outline the many steps

taken to date and those which will be taken in the coming years in an effort to prevent trafficking; protect victims; and prosecute the perpetrators. The Interdepartmental High Level Group, the Anti-Human Trafficking Unit, established in my Department in February 2008, the Garda Síochána and various Government Department's and Agencies have already begun implementing many of the measures outlined in this Plan and the work carried out to date will be expanded upon and developed during the lifetime of this Plan.

We must all recognise the current economic climate in which this National Action Plan will have to be implemented. In drawing up the Plan we have sought to balance what can realistically be achieved within current resources with our international obligations and our determination to provide the best possible service to victims of trafficking.

Global trends indicate that the prevalence of this atrocious practice is on the rise, as criminals continue to exploit the vulnerable for personal gain. It has been estimated that approximately 800,000 people are trafficked across national borders annually, with millions more trafficked within their own countries.<sup>1</sup>

The aim of this Plan is to set out the legislative and administrative structures that are in place or that will be put in place to:-

- (i) address the crime of human trafficking
- (ii) ensure the protection of the human rights of victims of this crime and
- (iii) allow for the ratification of all relevant international instruments and agreements.

The deliverable measures outlined in this Plan in the areas of Prevention, Prosecution and Protection are intended to demonstrate that Ireland is determined to stamp out this abhorrent crime.

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<sup>1</sup> United States Department of State, *Trafficking in Persons Report*, 2008, p.7.

## Preface

Minister,

I am pleased to present to you the first National Action Plan on the Prevention and Combating of the Trafficking of Human Beings in Ireland. The Plan is presented on behalf of the Interdepartmental High Level Group on Combating Trafficking in Human Beings, which was established to recommend to you the most effective responses to trafficking in human beings in Ireland.

A key goal of this Plan is to set out the structures which, when fully put in place, will ensure that Ireland has the appropriate legislative and administrative framework to allow for the ratification of all relevant international instruments. The Plan is based on what is known in the human trafficking area as the three P's - Prevention, Protection and Prosecution.

The Criminal Law (Human Trafficking) Act 2008 provides the legislative framework for the prosecution of traffickers of human beings for purposes of their sexual exploitation, labour exploitation or removal of their organs. The Immigration, Residence and Protection Bill 2008 will address immigration issues. This Plan seeks to develop a holistic approach to the treatment of suspected victims and potential victims. This Plan sets out the services required and how they can be accessed by persons identified as suspected victims of trafficking [by a member of the Garda Síochána, not below the rank of Superintendent, in the Garda National Immigration Bureau]. Services required by suspected victims include, inter alia, emergency accommodation and medical services as well as longer term solutions to victim accommodation and medical needs.

This National Action Plan recognises the need for a co-ordinated approach across Government Departments / Agencies, while acknowledging the important role of the non governmental stakeholders and other international organisations. I look forward to maintaining and strengthening the partnership approach – nationally and internationally - in the continued implementation of measures undertaken since the

establishment of the Anti Human Trafficking Unit in February 2008 and in the implementation of this Plan.

At the end of 2007, interested groups and the general public were canvassed for their views on what should be included in the National Action Plan. Nearly thirty submissions were received which were carefully considered when drawing up this Plan. A list of those who made submissions is at Appendix 4. I am grateful to all those organisations and individuals who took the time to contribute to this process.

It is my hope that this Plan will become the blueprint for a more holistic approach to tackling this evil crime. It will be a ‘living’ document, which will be kept under review and updated. It has been specially drafted to allow for flexibility in its recommendations – it will adapt to challenges presented in the future and will evolve as our understanding, knowledge and practical experiences of human trafficking grow.

*Marion Walsh*

*Executive Director,*

*Anti-Human Trafficking Unit,*

*Department of Justice, Equality and Law Reform.*

## **Executive Summary**

# **National Action Plan to Prevent and Combat Trafficking in Human Beings in Ireland**

Human trafficking is more than the illegal movement of human beings from one place to another. It is an action carried out through abusive means for the purposes of the exploitation of human life. Three components – An **action** (the recruitment, transportation, transfer, harbouring or receipt of persons) must be carried out by a **means** (threat or use of force or other forms of coercion, abduction, fraud, deception 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 **purposes** of exploitation, for human trafficking to occur.

The purpose of this National Action Plan is to:

1. Set out the measures which have been undertaken already across Government Departments and Agencies to address this issue,
2. Identify areas which require further action,
3. Set out the structures which, when in place, will bring Ireland into line with its international obligations and allow for the ratification of the Council of Europe Convention on Action against Trafficking in Human Beings and the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

This Plan has been drafted under the following headings:

- I. Prevention of human trafficking and awareness raising,
- II. Protection of the victim,
- III. Prosecution of the trafficker,
- IV. Response to child trafficking, and

## V. Evaluation.

This Plan will be reviewed and updated as our knowledge and experience of the practical issues surrounding this evil crime grow. Its implementation will be monitored by the High Level Interdepartmental Group which was established to recommend the most appropriate response to the Minister for Justice, Equality and Law Reform.

This National Action Plan follows on from a public consultation process which took place in late 2007. Nearly thirty submissions were received from interested groups and members of the general public. The submissions were carefully considered when drawing up this Plan. See Appendix 4 for a list of submissions received.

A summary chart of the key actions outlined in this National Action Plan is at Appendix 3.

This Plan sets out the strong legislative framework which is in place to tackle this crime, including domestic legislation such as the **Child Trafficking and Pornography Act 1998**, the **Criminal Law (Human Trafficking) Act 2008** and the **Sexual Offences (Jurisdiction) Act 1996** and international instruments – the United Nations Protocol to Suppress and Punish Trafficking in Persons, supplementing the United Nations Convention against Transnational Organised Crime (2000), the EU Council Framework Decision 2002/629/JHA on combating trafficking in human beings (2002) and the Council of Europe Convention on Action against Trafficking in Human Beings (2005).

In addition to the criminal legislation outlined above, the entire range of statutory employment rights and protections available in Ireland are applicable equally to foreign nationals and Irish workers. Legislation of relevance to suspected victims trafficked for the purposes of forced labour include the **Organisation and Working Time Act 1997** and the **National Minimum Wage Act 2000**.

An administrative framework to tackle human trafficking in Ireland has also been established which will address key policy issues and provide ongoing support to

counter trafficking activities. This framework includes the **Anti Human Trafficking Unit (AHTU)** which was established in February 2008 in the Department of Justice, Equality and Law Reform, a **High Level Interdepartmental Group on Combating Trafficking in Human Beings**, a **Governmental and Non Governmental Roundtable Forum** and **five Interdisciplinary Working Groups**. The Garda Síochána have also recently established a **Human Trafficking Investigation and Co-ordination Unit** within the Garda National Immigration Bureau (GNIB).

This Plan outlines the initiatives which have been undertaken to date to prevent human trafficking in Ireland, protect possible and suspected victims, including child victims and enforce the relevant legislation.

## **PREVENTION**

Some of the key initiatives aimed at **Prevention** which have been implemented or commenced are as follows:

### **Awareness Raising:**

- Taking a lead role in the Awareness Raising Strand of the G6 initiative<sup>2</sup> and a national awareness raising campaign (using the ‘Blueblindfold’ concept) in late 2008. Information on anti-human trafficking measures is provided on the Department of Justice, Equality and Law Reform website [www.justice.ie](http://www.justice.ie) which includes a link to the Blueblindfold website [www.blueblindfold.gov.ie](http://www.blueblindfold.gov.ie).
- Funding provided to Ruhama for a 3 minute film and a 50 second advertisement designed to educate ‘punters’ and potential ‘punters’ on the exploitation underpinning the commercial sex industry and to address the demand side of sex trafficking.
- Awareness raising with young people through the inclusion of the topic of human trafficking as part of the ‘Human Rights’ module of the CSPE programme in second level schools.
- The Awareness Raising and Training Working Group has examined different approaches to raising awareness and training for front line

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<sup>2</sup> G6 is an anti-trafficking initiative involving 6 European countries - Ireland, the UK, Poland, Italy, the Netherlands and Spain, supported by Interpol, Europol and Eurojust.

personnel. This group is also exploring methods of awareness raising in countries of origin and with migrant communities.

- Awareness raising information seminars have been held for staff of the Departments of Foreign Affairs and Enterprise, Trade and Employment.
- The Department of Foreign Affairs has included a Human Trafficking page on the visa information section of its website in an effort to bring this issue to the attention of potential visa applicants wishing to travel to Ireland.
- The Department of Enterprise, Trade & Employment has agreed to include leaflets on human trafficking with the work permits it issues. Leaflets will need to be designed but in the short term leaflets from the Blue Blindfold campaign will be issued with work permits.
- Articles aimed at raising awareness of the issue have been supplied to various professional magazines and newsletters e.g. the Judicial Studies Journal.

#### Training:

- Awareness raising training, setting out the indicators of human trafficking, delivered to in excess of 130 participants by the IOM with presentations by the Health Service Executive (HSE), Non Government Organisations, the Garda National Immigration Bureau (GNIB) and the AHTU. Among those who participated in the training were Inspectors from the National Employment Rights Authority (NERA); Inspectors from the Private Security Authority; HSE personnel; staff of the Irish Naturalisation and Immigration Service and of the Office of the Refugee Applications Commissioner, Victim's of Crime Office, Crime Victim's Helpline, Probation Service, Youth Detention Schools, Department of Enterprise, Trade and Employment and Department of Social & Family Affairs.
- Providing the Garda Síochána with the training to enable them to identify victims so as to provide for their wellbeing and initiate criminal investigations, when appropriate. 250 members of the Garda Síochána have taken part in a training course entitled 'Tackling Trafficking in Human Beings: Prevention, Protection and Prosecution'. In addition,

520 probationer Gardaí have received training on the identification of possible victims of trafficking and its elements.

- Appropriate training for all defence forces personnel on overseas missions is also provided.

#### Penalties for offenders:

- Legislative penalties in place for any person who knowingly solicits or importunes a trafficking victim for the purposes of sexual exploitation.
- The Immigration Act 2003 imposes requirements on carriers operating aircraft, ferries or other vehicles bringing persons to Ireland to ensure that passengers are in possession of any necessary immigration documentation. The Immigration Act 2004 requires all non nationals seeking to enter the State to present him or herself to an Immigration Officer and request permission to enter the State. It is proposed in the Immigration, Residence and Protection Bill, 2008 to update and restate the provisions contained in the 2004 Act and also to strengthen the visa system by placing it on a statutory footing for the first time.
- The Passport Act 2008 provides a range of measures to improve passport control. The Criminal Justice (Theft and Fraud) Offences Act 2001 provides for a range of offences dealing with fraud and the use, control etc of false instruments including passports and travel documents.

#### Use of technologies / international co-operation:

- The Garda Síochána are also making the best use of available technologies to ensure our borders are as secure as possible. A Project Board has been established by the Garda Commissioner to drive the upgrade of the Automated Fingerprint Identification System (AFIS). Immigration Officers at certain ports are currently in possession of Carbon Dioxide Detectors (CO2) which assists them in establishing if persons are being smuggled into the State concealed in vehicles. It is hoped to extend this facility to other ports.
- There is ongoing direct contact between the Garda Síochána and the UK Border Control Agency. There is active participation in the activities of

international organisations concerned with border control and preventing trafficking in human beings.

- Providing aid to targeted programmes aimed at tackling root causes of human trafficking in source countries.

#### Data Collection strategy:

- Developing an understanding of the scale of the problem by implementing a data collection strategy, modelled on systems being developed in the EU. Data is being collected and analysed by the AHTU which will help us to improve services and respond to this crime.

## PROTECTION

### Services for victims

The development of a fully effective system of supports for potential and suspected victims of trafficking is a key priority of this National Action Plan. Victim support is important not only for the victims themselves but also for the successful prosecution of the criminals who engage in this heinous crime. It is therefore essential that the measures which aim to protect and assist victims of trafficking, attend to their physical, psychological and social needs for recovery while taking into account the diversity of each victim's needs. Article 12 of the Council of Europe Convention on Action against Trafficking in Human Beings and Article 6 of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children set out assistance measures which State Parties must provide for all victims of trafficking.

The arrangements for **accommodation**, which are now in place insofar as adult potential or suspected victims of trafficking are concerned, are that the Reception and Integration Agency (RIA) – a functional unit of the Irish Naturalisation and Immigration Service (INIS) of the Department of Justice, Equality and Law Reform - in conjunction with the Health Service Executive (HSE) is providing services to potential or suspected victims of trafficking referred to them by GNIB. Potential or suspected victims of trafficking are provided with the same accommodation and

ancillary services as those provided to newly arrived asylum seekers. That is to say, they are initially accommodated in a Reception Centre in Dublin where they are offered health screening and processed for social welfare purposes and thereafter accommodated in “Direct Provision” i.e. full board with all utility costs paid by the State.

The reception centres at which suspected victims are accommodated includes a medical centre on-site managed by the HSE. The HSE devises a Care Plan suited to the individual’s needs. Availing of the services is voluntary but service provision can be fast-tracked where necessary. **Material assistance**, i.e. suitable clothing, toiletries, etc. is provided, where necessary. The Legal Aid Board will provide **legal aid and legal advice** to potential and suspected victims of trafficking in both civil and criminal cases. While a legislative amendment is required to enable the Legal Aid Board provide legal aid and legal advice in criminal cases the Board has agreed to put in place an administrative arrangement to allow for the provision of legal aid and legal advice in criminal cases pending the legislative amendment.

**Translation and interpretation services** are provided by each of the organisations that interact with suspected victims of trafficking when necessary and appropriate i.e. GNIB, HSE, INIS and RIA.

During the Recovery and Reflection period suspected victims will not have **access to the labour market**. When a 6 months temporary residence permit has been granted suspected victims of trafficking, who are not within the asylum process, will have unrestricted access to the labour market.

### **Services for child victims**

Using their statutory powers under the Child Care Acts, the HSE will make all necessary provisions regarding any unaccompanied child who is identified as a suspected victim of trafficking. The provision of services to underage suspected victims of trafficking will be further developed by the social work service for separated children seeking asylum which is based in Dublin. Most of the services are already available within the Unit and can be adapted or expanded as required. Services being put in place include initial counselling and debriefing, a

multidisciplinary assessment of need and a Care Plan. The child will be allocated a social worker to oversee and implement his/her care plan. A range of placement options will be made available - the level of protection and care needed will influence the placement option used. The child will have a full medical screening and will be linked to appropriate services. It is an underlying principle of HSE services that the privacy of every child will be observed and protected. There are data protection protocols in place within the HSE in relation to how data is used and stored. It is the policy of the HSE not to disclose details of any child in care except in exceptional circumstances. These circumstances may include the tracing of family members and other measures to secure the well being and protection of the child.

Section 8 (5) (a) of the Refugee Act 1996 (as amended) provides that, where it appears to an immigration officer or an authorised officer that a child under the age of 18 years has arrived in the State and is not in the custody of any person that child must be referred to the HSE who have responsibility for his/her care under child care legislation. If it is not clear whether the child in question is under 18 years it may be necessary to carry out an age assessment. The HSE will continue to age assess clients who are referred as children using a holistic model and will co-operate with other state bodies, as appropriate, to ensure all relevant information is included in such assessments.

### **Recovery and Reflection period**

The Council of Europe Convention requires States to provide for a period of Recovery and Reflection of at least 30 days. There are also requirements to grant victims a temporary residence permit. The **Immigration, Residence and Protection Bill**, currently before the Oireachtas, establishes a framework to allow suspected victims of trafficking an immediate recovery and reflection period of 45 days (to be increased to 60 days during Report Stage). Suspected victims may also be granted a residence permit to allow them assist the Garda Síochána or other relevant authorities in an investigation or prosecution.

Pending the enactment of the Bill an administrative scheme, mirroring the relevant draft legislative provisions, is in place which provides that where there are reasonable

grounds for believing that a foreign national<sup>3</sup> is a suspected victim of trafficking s/he will, following certification by a Garda Superintendent in the GNIB, be allowed remain in the State for a period of 60 days to allow them to recover and escape the influence of their traffickers. A 6 month period of temporary residence may also be granted thereafter if the suspected victim has severed all ties with the alleged traffickers and is willing to assist in an investigation or prosecution arising in relation to trafficking.

This National Action Plan outlines a number of other **Protection** measures which are in place for suspected victims of human trafficking. These include:

- the existing support services for victims of crime generally,
- legislative provisions which protect the identity of suspected victims during criminal proceedings for human trafficking offences;
- legislative provisions which create several offences aimed at protecting victims of crime, those who report crime, witnesses who give testimony and their families. The risk or perceived risk to a suspected victim of trafficking will be assessed and suitable protection measures will then be put in place.
- The Voluntary Assisted Return and Reintegration Programme which is funded by the Department of Justice, Equality and Law Reform and managed by the IOM will be of benefit to suspected victims of trafficking who wish to return to their home country.
- The Guidelines for Prosecutors issued by the Office of the Director of Public Prosecutions which state that an important issue to consider when deciding whether or not to prosecute is whether it is in the public interest to do so.

### **Prosecution and Investigation of Human Trafficking**

This Plan sets out details of the proactive approach the Garda Síochána has taken to the investigation of allegations of trafficking offences even prior to the introduction of the Criminal Law (Human Trafficking) Act 2008. This includes:

#### ***Prior to the Criminal Law (Human Trafficking) Act 2008***

- ***‘Operation Snow’***, an operation undertaken by the GNIB in 2007, designed to prevent the trafficking of minors into, out of and within the State; to ensure the

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<sup>3</sup> For the purpose of the notice a foreign national means a person from outside the European Economic Area. However, a person from the EEA who is identified as a suspected victim of human trafficking, will for the purpose of these arrangements be treated no less favourably.

welfare of suspected victims of such criminal activity is adequately provided for and to achieve prosecutions where criminal activity has been detected.

- A person suspected of trafficking up to one hundred children into Europe was arrested in Ireland on foot of a European Arrest Warrant and subsequently surrendered to the Netherlands where he is now awaiting trial.
- Ongoing close co-operation with the United Kingdom. As part of that co-operation, Ireland participated in **Operation 'Pentameter 2'** - a UK initiative which concluded in 2008. The primary aim of the initiative was to ensure a co-ordinated approach to the phenomenon of human trafficking across all police forces and other Crown Agencies, such as the UK Border and Immigration Service, in the UK. Participation in the initiative by the Garda Síochána arose from the need to have a co-ordinated approach to human trafficking within the Common Travel Area, which operates between the UK and Ireland. This co-operation took the form of intelligence sharing, joint training exercises and operational co-operation where investigations had a cross-border (Ireland/UK) dimension.

*Since the Criminal (Human Trafficking) Act 2008*

- **The Policing Plan** for 2009 has identified the investigation of trafficking in Human Beings as a key priority for the Garda Síochána with increased priority given to prevention, targeting of human trafficking and people smuggling through the effective enforcement of national and international immigration law.
- The establishment of the **Human Trafficking Investigation and Co-ordination Unit** in the Garda Síochána.
- **Ongoing Garda operations** aimed at preventing and combating prostitution offences. This includes raids of premises being used as brothels and policing of other premises with the potential to attract persons engaged in or facilitating the trafficking of human beings.
- **Ongoing close co-operation** between the Garda Síochána and a number of international organisations such as Europol, Interpol, Eurojust and Frontex. For example, Ireland has assisted in investigations in other EU Member States and through the contribution of intelligence information and the undertaking of arrests and searches has helped ensure that prosecutions and convictions are

achieved in those Member States. Following a joint police trafficking investigation between Ireland and Romania four people were prosecuted in Romania for trafficking for the purpose of labour exploitation.

- The signing of a joint protocol between **the Garda Síochána** and the **HSE** on missing children. The protocol sets out the roles and responsibilities of both agencies in relation to children missing from care. Both organisations will work together to reduce the incidence of children missing from care placements, to prevent those children suffering harm.

## **KEY AREAS FOR ACTION**

The main proposals for future actions in the four chapters of this National Action Plan are summarised below.

### **Prevention**

#### **Supporting source countries:**

- We will continue to support the anti-trafficking initiatives of various partner organisations. We will also explore the possibility of entering into specific anti human trafficking bilateral agreements with source countries to support them in their efforts to combat human trafficking.
- Irish Aid, the Overseas Development Division of the Department of Foreign Affairs, has recently entered into the third phase of a comprehensive Partnership Programme with the ILO, which facilitates the promotion of women's entrepreneurship, the inclusion of people with disabilities in employment, action against forced labour, including human trafficking and the elimination of child labour.

#### **Awareness Raising/ Training:**

- We recognise the important role the media has to play in raising awareness of this crime and we will be exploring ways of supporting the media in their effort to provide sensitive and informed coverage of the stories of victims. Targeted advertising campaigns, e.g. at major sporting events etc., will also be considered during the lifetime of this Plan.

- We will continue to use the internet, in particular social networking sites, as a method of creating awareness of the indicators and consequences of human trafficking.
- Awareness raising and training for key officials, such as health and safety inspectors, agriculture inspectors/officers vets, probation officers and prison officers who are likely to come into contact with vulnerable groups will continue to be rolled out over the lifetime of this Plan. The possibility of providing awareness raising training to frontline healthcare providers such as General Practitioners (G.P.s), public health nurses and Accident & Emergency (A&E) staff will be explored further. We will link in with the Irish College of General Practitioners with a view to developing an awareness raising training programme for General Practitioners.
- Frontline staff in both governmental and NGOs will be provided with credit card sized cards which list various indicators of human trafficking. It is hoped this initiative will increase awareness of the signs of trafficking and lead to faster identification of trafficking cases.
- Ireland will be participating in a study which will, inter alia, assess the need for and feasibility of a 116 Europe wide hotline number for the support of trafficked persons.
- We will also work with stakeholders in industries such as agriculture, construction, hospitality and entertainment to develop Codes of Practice which will help to identify potential victims among vulnerable groups.
- We will link in with relevant representative associations in the private sector such as the Restaurant Association of Ireland and the health and beauty industry to put systems in place to raise awareness for staff engaged in these areas.
- We will explore ways of using the arts to reach beyond traditional methods of communication by exploring the issues surrounding human trafficking through

the medium of plays, exhibitions, soaps and documentaries. We will seek to engage with young people in schools through initiatives such as poster and photographic competitions. We will engage in dialogue with third level institutions to explore the possibility of including trafficking in human beings as a topic/module on legal and social science degree and masters courses.

- We will also explore with the relevant professional bodies awareness raising and training options for lawyers/barristers.

#### Improving our understanding:

- We will improve our knowledge of the nature and scale of human trafficking in the State through the continued development of our data collection strategy and by developing targeted research projects.

#### Supporting NGOs:

- A number of measures contained in this Action Plan are designed to help and support victims through the criminal justice process. The NGO community has a crucial role to play in the provision of supports and services to victims. The strengthening of co-operation between the governmental and non governmental sectors is a key element of our anti trafficking strategy. We will continue to support NGOs in their work with potential and suspected victims of trafficking.

#### Security of Travel documents:

- We will continue to ensure the security and integrity of travel and identity documents. In particular, Immigration Officers of the Garda Síochána will continue to enforce the relevant provisions of immigration legislation and the Criminal Justice (Theft and Fraud) Offences Act 2001.
- The Department of Foreign Affairs will continue to ensure that the security controls in place on the production and delivery of passports are maintained. Spoiled or incorrect passports will be destroyed under secure conditions.

#### International Co-operation:

- We recognise that this transnational crime requires an international response and the AHTU and the Garda Síochána will continue to engage in bilateral communications and co-operation with other international agencies.

## **Protection**

### **Services for potential/suspected victims:**

- We will keep under review the services provided by the RIA to potential and suspected victims of trafficking as our experience of the situation in this country grows and to ensure the needs of potential and/or suspected victims are being properly met.
- We will continue to support the work of the National Referral Mechanism Working Group which is tasked with examining and making recommendations to the Interdepartmental High Level Group on a range of issues concerning a National Referral Mechanism.<sup>4</sup>
- During the lifetime of this Plan we will consider the use of Memoranda of Understanding between key stakeholders involved in the provision of services to potential and/or suspected trafficking victims.
- We will explore the use of technological aids, such as specially-programmed audio players, to assist the Garda Síochána and other frontline personnel who may come into contact with potential victims.

### **Information for potential/suspected victims:**

- Leaflets will also be developed, in a number of languages, which will outline the rights and services available to potential and/or suspected victims and the contact details for organisations which will be useful to a potential and/or suspected victim. A leaflet outlining a step by step guide to the process for supporting potential or suspected victims of trafficking will also be developed.

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<sup>4</sup> The OSCE defines a National Referral Mechanism as a ‘co-operative framework through which state actors fulfil their obligations to protect and promote the human rights of trafficked persons, co-ordinating efforts in a strategic partnership with civil society’.

- The enactment and commencement of the Immigration, Residence and Protection Bill will provide a statutory framework (based on the current administrative arrangements) whereby suspected victims of human trafficking will be afforded a recovery and reflection period of 60 days and can thereafter be granted a temporary residence permit for six months on a renewable basis.

## Prosecution

- We are committed to providing a strong law enforcement response to those who commit human trafficking offences both within the State and internationally. The Garda Síochána will continue to make the detection of human trafficking a policing priority, including the targeting of gangs in specific Garda operations.
- The Garda Síochána will continue to liaise with the international law enforcement community and will continue to actively engage in the activities of international organisations such as Frontex, Europol, Eurojust and Interpol.
- The publicising, particularly in source countries, of successful convictions against traffickers will be considered over the lifetime of this Plan.

## Child Trafficking

- We will continue to support the work of the Child Trafficking Working Group which is tasked with examining and making recommendations to the Interdepartmental High Level Group on, inter alia, a child sensitive approach in the development, implementation and assessment of anti-human trafficking policies and programmes.<sup>5</sup> The need for ongoing training in victim identification and support for frontline staff who come into contact with vulnerable child victims is also being examined by the working group.
- Awareness raising among new migrant communities is an area which will be explored further as a means of protecting vulnerable children from possible exploitation. We will also explore with carriers the relevance of a Best

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<sup>5</sup> See Appendix 2 for the Terms of Reference and Membership of the Working Group.

Practice Code on the carriage of minors. The use of easily understood information cards for children travelling alone will also be explored over the lifetime of this Plan.

- We recognise that protecting child victims of trafficking from further exploitation presents challenges. The HSE does not have the power to detain children and only the courts have the power to order the placement of a child in secure placement units. All cases will be dealt with on an individual basis and the most appropriate care setting for the child's particular circumstances will be sourced. The HSE is developing a Plan to mainstream the services provided to separated children and the practice of accommodating children in hostels will be brought to an end as alternative arrangements become available. The main focus of the Plan is to place children in families and local communities throughout the State. It is hoped that these placements will minimise the risk in relation to exploitation as the involvement of teachers, public health nurses and G.P.s can be important in ensuring the legitimacy of family/guardian relationships.
- The recommendation of the Garda Síochána Inspectorate that an emergency alert system for missing children, similar to 'Amber Alert' in place in other countries, should be established has been accepted by the Minister for Justice, Equality and Law Reform and the Garda Commissioner. The Garda Síochána will be working with the support of relevant Government agencies, NGOs, the media and the public to put the alert system in place.
- We will explore the potential role of the National Education Welfare Board in supporting suspected child victims of trafficking in an education setting.
- The Child Trafficking Working Group will examine the current practices and procedures around repatriation and voluntary return of child victims. Their recommendations in this regard will be considered by the Interdepartmental High Level Group. The use of multi/bilateral and international co-operation agreements in verifying voluntary return arrangements will also be explored by the Working Group.

## **Implementation and Evaluation**

The High Level Interdepartmental Group will be responsible for ensuring that this National Action Plan is fully implemented. The interdepartmental nature of this Group makes it the most suitable body to ensure the coordinated and comprehensive implementation of this Plan.

In addition, it is proposed to conduct a structured mid-term review of this Plan. This will involve a consultation process with relevant stakeholders. Following this, this Plan will be updated to take account of changing circumstances and our growing experience in this area.

## TABLE of KEY ACTIONS

No.	Action	Timetable	Responsible Party	Assessment Tool/Indicator
1.	To support projects which address the factors that make individuals vulnerable to trafficking.	Ongoing	DFA Irish Aid	No. of projects supported.
2.	Examine ways of raising awareness in source countries, including use of local migration centres and targeting migrant communities.	2009 - 2012	AR WG AHTU, DFA	Awareness raising information provided.
3.	Irish Aid partnership agreement with the ILO to inter alia combat forced labour and eliminate child labour.	2008 - 2011	DFA, ILO, ICTU and IBEC	Projects supported.
4.	Support of anti-trafficking initiatives of partner organisations.	Ongoing	AHTU, DFA	Support available to relevant organisations.
5.	Explore the use of bilateral agreements with source countries.	2009 - 2011	AHTU, DFA	Possibilities of bilateral agreements examined fully.
6.	Support work of the NRM Working Group in establishing supports for suspected victims of trafficking to prevent re-victimisation.	2009 - 2011	AHTU, NRM, WG	Supports in place to enable victims re-integrate into society.
7.	Establishment of Awareness Raising and Training Working Group to advise High Level Group.	Group formed, first meeting in July 2008. Work ongoing for an initial period of 18 months from July 2008	AHTU, GNIB, IOM, ORAC, DET&E, HSE, DFA, DSFA, OMCYA, DH&C, UNHCR, APT, Ruhama, MRCI, NERA, IBEC, ICTU, ISME, Stop Sex Trafficking (Cork)	Terms of Reference for Group met. Work Plan completed or significantly progressed.
8.	Ireland taking a role in all strands and a leadership role in awareness raising strand of European G6 Anti-Trafficking Initiative.	Ongoing for duration of G6 Initiative	AHTU/ Garda Síochána	Successful completion of the work of the G6 group.
9.	Participation in	2008 -	AHTU/ Garda Síochána	Campaign completed

	coordinated, G6 “Blue Blindfold” awareness raising and demand reduction campaign.	2009		and evaluated.
10.	Launch of website <i>www.Blueblindfold.gov.ie</i> coinciding with Blueblindfold campaign. Link to site on <i>www.justice.ie</i>	Launch October 2008, continuous updating	AHTU	No. of visits to website.
11.	Enactment of legislation aimed at demand reduction (section 5, Criminal Law (Human Trafficking) Act 2008).	Completed	Department of Justice, Equality and Law Reform	Legislation to prosecute persons who knowingly use the services of trafficking victims in place.
12.	Media to be supported in their efforts to uncover trafficking stories and communicate them to the public in a sensitive and responsible manner to promote and foster dialogue. Development of a code of conduct for the media to be explored.	2009-2012	AHTU, AR WG, Garda Síochána, DJELR Press Office, Press Council of Ireland, OSCE	Sensitive and informed reporting of stories of potential/suspected victims.
13.	Advertising at major sporting events.	2009 - 2012	AHTU, AR WG	Advertising campaign carried out at specific events.
14.	Development of human trafficking education component as one of the topics in the Civil, Social and Political programme in the 2 <sup>nd</sup> level school curriculum.	September 2009	AHTU, CSPE Co-ordinator	Roll out of component and feedback received.
15.	Examine the possibility of an information presentation for teachers at Teachers’ Conferences and RIA service providers forum.	2009 – 2010	AHTU, IOM, D/Education & Science, RIA	Presentations made at conferences.
16.	Develop Codes of Practice and awareness raising initiatives with industries such as agriculture, restaurant, entertainment, health/beauty and construction.	2009-2012	AHTU, AR WG and relevant industry bodies.	Codes of practices developed. Awareness raising initiatives planned and rolled out.
17.	Examine the relevance of the ECPAT Code of Conduct with tourism industry bodies.	2009 - 2010	AHTU in conjunction with tourism bodies and relevant Government Departments	Evaluation completed and action taken, if required.
18.	Arrange awareness raising seminars for Department of Foreign Affairs staff prior to their posting abroad.	Ongoing	AHTU, IOM, Garda Síochána DFA	Seminars delivered to staff.

19.	Arrange awareness raising seminars for Department of Enterprise, Trade and Employment staff who process work permits.	2009	AHTU, IOM, Garda Síochána, DETE.	Seminars delivered to staff .
20.	Include leaflets on human trafficking with work permits when issued.	2009	AHTU, DETE	Leaflet on human trafficking included with work permits.
21.	Examine the possibility of using social networking sites to raise awareness of indicators of trafficking.	2009 - 2011	AHTU, Awareness Raising and Training Working Group	Pages developed on sites.
22.	Examine the possibilities for awareness raising initiatives in migrant communities.	2009 - 2011	AHTU, Awareness raising and Training working Group	Initiatives developed and rolled out.
23.	Work with the Office of the DPP to raise awareness of issues involved in human trafficking cases.	Ongoing	AHTU, DPP	Ongoing engagement with DPP's office.
24.	Training/awareness raising with frontline healthcare providers i.e. G.P.s Public Health Nurses and A&E staff.	2009 - 2011	AHTU, HSE, Dept. of Health & Children, Irish College of General Practitioners	Training options developed.
25.	Explore possibility of developing protocols for healthcare workers.	2009 - 2012	AHTU, Dept. of Health and Children	Protocols developed.
26.	Examine options for engaging with young people in schools such as calendars, booklets etc., posters/photo and essay competitions.	2009 - 2012	AHTU, AR WG, CSPE Co-ordinators	Roll out of options agreed to schools
27.	Explore possibility of including Trafficking in Human Beings as a topic on legal and social science courses in 3 <sup>rd</sup> level institutions.	2009 - 2012	AHTU, third level institutions	Contacts established with third level institutions.
28.	Discuss awareness raising and training options for lawyers and barristers with relevant professional bodies.	2009 - 2012	AHTU, relevant professional bodies	Contacts established with Incorporated Law Society, Bar Council, etc. Training module developed.
29.	Involve arts community in raising awareness of issues through use of plays, exhibitions, soaps and documentaries.	2009 - 2012	AHTU, AR WG	Options explored and developed.
30.	Participate in study regarding need for and feasibility of European hotline.	2009	AHTU	Effective input from Ireland at EU discussions leading to publication of study.

31.	Ongoing development of comprehensive data strategy, based on adjustments to the European Migration Network's Common Research Template.	2009 -2012	AHTU in conjunction with NGOs, international organisations and Government Dept's / agencies	Comprehensive, high quality data collection.
32.	Data collection and analysis.	Ongoing	AHTU, Government organisations, international organisations and NGOs	Data of sufficient quality and quantity obtained and analysed.
33.	Improve knowledge of scale and scope of human trafficking in Ireland.	Ongoing	AHTU, data collection bodies	Improved management information for policy making, including law enforcement and service provision.
34.	Identify all potential THB data capture systems in Ireland and consult with data collecting organisations.	2008 - 2009	AHTU, GNIB, ORAC, NERA and relevant NGOs	Data capture which mirrors EU systems being developed.
35.	Anti-Human Trafficking Unit to serve as a central location for information on human trafficking in Ireland.	Ongoing	AHTU	Central records of all human trafficking data in State.
36.	Undertake research on a priority and needs basis.	Ongoing	AHTU	Progress reports, completion of research.
37.	Participate in Dignity Research Project	2009 - 2010	Dignity Project partners	Identification and documentation of best practice in Europe.
38.	Enforcement of the carrier liability provisions in the Immigration Act 2003.	Ongoing	The Garda Síochána	Optimum prosecutions under the Act.
39.	Enforcement of the Immigration Residence and Protection Bill (when enacted).	2009 - onwards	The Garda Síochána	Optimum prosecutions under the Act.
40.	Training for frontline staff.	Ongoing	AHTU, IOM, The Garda Síochána, NGOs	Training courses completed and evaluated.
41.	Enhanced co-operation between Gardaí and Customs officers.	Ongoing	The Garda Síochána, Revenue Commissioners	Attempts to traffick persons for exploitation within the State thwarted.
42.	Network of Airline Liaison Officers at	Ongoing	The Garda Síochána	Ongoing effective liaison with

	major hub airports.			airlines and border control agencies.
43.	Daily operational level contact with UK Border Control Agencies.	Ongoing	The Garda Síochána	Effective ongoing co-operation.
44.	Upgrade of new national automated fingerprinting system (AFIS).	Ongoing	The Garda Síochána	System rolled out nationally.
45.	Carbon Dioxide Detectors sourced for ports throughout the State.	2009 - 2012	The Garda Síochána	CO2 Detectors at appropriate ports.
46.	Legislative provisions to ensure legitimacy, security and control of Irish Passports (Passport Act 2008).	Completed	Department of Foreign Affairs	Legislation operating effectively.
47.	Issue of new Irish electronic passport (ePassport).	Ongoing	Department of Foreign Affairs	E passports issued and working well.
48.	Security controls in place for production and delivery of passports.	Ongoing	Department of Foreign Affairs	Stocks of passports logged and tightly controlled. Destruction of spoiled or incorrect passports is traceable and carried out under secure conditions.
49.	Review security standards of travel documents issued by INIS.	2009	INIS	High security standards for travel documents issued to refugees, etc.
50.	The Garda Síochána to ensure integrity and security of travel and identity documents.	Ongoing	The Garda Síochána	Offences in relation to travel documents detected.
51.	Establishment of Anti-Human Trafficking Unit (AHTU) in the Department of Justice, Equality and Law Reform.	Completed	Department of Justice, Equality and Law Reform	Unit established and work progressing in accordance with the Units mandate.
52.	Establishment of a dedicated Garda Unit .	Completed	The Garda Síochána	Unit established and working according to its mandate.
53.	AHTU assigned primary responsibility for	Ongoing	AHTU in conjunction with Government organisations, NGOs and inter national	Implementation of the work programme of the

	coordinating governmental and non-governmental responses to human trafficking and ensuring policy is formulated in a holistic and comprehensive manner.		organisations	unit regularly reviewed by HLG. Effective co-ordination of national response.
54.	(1) Establishment of Non-Governmental and Governmental Roundtable. (2) Meetings of the Roundtable Group.	Completed  Ongoing	AHTU	Roundtable Forum assists in formulation and implementation of policy.  Effective coordination of national response.
55.	Anti-Human Trafficking Unit to engage with over 50 different stakeholders both domestically and internationally.	Ongoing	AHTU	Regular and productive meetings with stakeholders which result in Unit's mandate being progressed.
56.	1. Establishment of Working Groups.  2. Ongoing meetings of Working Groups.	Completed  Ongoing	AHTU	Working Groups assist in formulation and implementation of policy.
57.	Participate in European G6 Counter-Trafficking Awareness raising initiative.	2008 - 2009	AHTU, Irish, British, Dutch, Spanish, Polish, Italian Governments EUROPOL Eurojust, Interpol	Initiative completed and evaluated.
58.	Ireland-UK policing cooperation.	Ongoing	The Garda Síochána, UK Police Forces, PSNI	Successful monitoring of trends, operations, convictions and prosecutions.  Joint investigations.
59.	Regular meetings with the NIO and PSNI.	Ongoing	AHTU, The Garda Síochána	Regular and productive meetings.
60.	Continuous professional development training course for Garda Síochána.	Course developed and training ongoing	The Garda Síochána, IOM, with NGO participation, UKHTC	Training course provides a range of trafficking training and teaches investigative techniques. Leads to identification of victims encountered Approximately

				770 officers trained by end 2008.
61.	Human trafficking training for Defence Force personnel.	Ongoing	Irish Defence Forces	Training delivered. Defence force personnel equipped to deal effectively with victims, if encountered.
62.	Training programmes for relevant government personnel in the indicators of and prevention of trafficking in persons.	Ongoing	AHTU, IOM, HSE, NERA, INIS and other relevant Government Departments/agencies	Training delivered. Personnel equipped to deal effectively with victims, if encountered.
63.	Development of information cards with indicators of trafficking for front-line staff.	2009 - 2011	AHTU in conjunction with Awareness raising working Group and Government Department's/ agencies	Cards issued and evaluated for effectiveness and impact.
64.	Awareness raising training provided to Visa Officers in Department of Foreign Affairs and work permit processing staff in Department of Enterprise, Trade and Employment.	Ongoing	AHTU, GNIB, DETE, DFA and IOM	Training delivered. General awareness raised and specific indicators of trafficking emphasised to assist staff in identifying potential cases. Relevant materials widely distributed, with focus on likely source regions in Africa and Asia.
65.	Awareness raising provided to customs, ports and special compliance staff of the Revenue Commissioners, health and safety inspectors, agriculture inspectors / vets , prison and probation officers, HQ staff of the Irish Prison Service.	2009 - 2012	AHTU, GNIB, Revenue Commissioners, HSA, Department of Agriculture and Food, Irish Prison Service, Probation Service and IOM	Training delivered. Personnel equipped to deal effectively with victims, if encountered.
66.	AHTU to coordinate information exchange between relevant domestic	Ongoing	AHTU	Effective cooperation between various government agencies,

	authorities, international organisations and NGOs.			international organisations and NGOs on a range of issues, including policies regarding unaccompanied minors.
67.	Data collection strategy to be finalised and results shared with all relevant agencies.	2009 - 2012	AHTU	Data strategy implemented and used to assess nature and extent of trafficking and in policy formulation and implementation.
68.	Interdepartmental High Level Group meetings , Roundtable Forum and Working Group meetings to provide opportunities for information exchange and policy development.	Ongoing	AHTU, in conjunction with 34 other relevant governmental and non-governmental bodies	Ongoing and effective information exchange which supports policy development, including law enforcement and victim protection.
69.	Provide multidisciplinary anti-human trafficking training.	Ongoing	AHTU, IOM, the Garda Síochána, NGOs and all State agencies likely to encounter victims of trafficking	Training provided to Government personnel to assist in the identification and protection of victims of trafficking.
70.	Garda /HSE Protocol for missing children signed.	2009	GNIB / HSE	Protocol followed in each case.
71.	Regular liaison between GNIB and NGOs.	Ongoing	GNIB	Effective co-operation between these organisations.
72.	Garda Síochána to liaise with EUROPOL and/or INTERPOL in the event of a threat to an individual in another country.	Ongoing	The Garda Síochána	Liaison channels established and maintained and assistance provided when necessary.
73.	Recommendations of the Garda Síochána Inspectorate on enhancement of missing persons systems implemented.	2009 - 2011	The Garda Síochána	Garda systems for handling missing persons cases enhanced in accordance with recommendations of GS Inspectorate report.
74.	On an interim	Ongoing	The Garda Síochána, RIA	Accommodation

	basis the Reception and Integration Agency (RIA) to accommodate and provide services to potential and suspected victims of human trafficking referred by the Garda National Immigration Bureau (GNIB).		AHTU, HSE	and services provided speedily when required.
75.	CWO from Asylum Seekers/New Communities Unit will assist a person granted temporary residence permission to access state supports such as supplementary welfare allowance, rent supplement etc.	Ongoing	HSE	Supports accessed when necessary.
76.	Crime Prevention Officers from the Garda Síochána will liaise with suspected victims to assess any security risk and advise on appropriate precautions.	Ongoing	Garda Síochána	Advice available to suspected victims.
77.	Explore the use of technological aids to overcome language barriers.	2009 -2011	AHTU, NRM WG	Pilot project set up.
78.	Legal Aid Board to provide legal advice and legal aid to potential/suspected victims of trafficking.	2009	LAB	Legal advice available to potential and/or suspected victims of trafficking.
79.	Development of a National Referral Mechanism to protect and promote the human rights of suspected trafficking victims by coordinating the work of State actors and civil	Ongoing.	AHTU, Working Group on a National Referral Mechanism, Roundtable Forum, HLG	NRM operating effectively

	society in their efforts to combat trafficking and assist suspected victims.			
80.	Explore the use of Memoranda of Understanding between service providers and law enforcement agencies.	2009 - 2011	AHTU, HLG, HSE, the Garda Síochána, NGOs	MOUs in place, where appropriate.
81.	Develop supports to assist the reintegration of suspected victims into the labour market.	2009	AHTU, Labour Exploitation WG, HLG	Appropriate contact information and supports available to assist victims.
82.	INIS will issue a Stamp 3 during Recovery and Reflection period and Stamp 4 during Temporary Residence period. Stamp 4 will allow full access to the labour market without restriction	Ongoing	INIS, DETE	Stamps issued as appropriate.
83.	All children under 18 in the State have access to primary and post primary schools.	Ongoing	Dept. of Education & Science	Child victims of trafficking accessing education.
84.	Administrative scheme to be implemented, whereby a person identified as a suspected victim of human trafficking shall be granted permission to remain lawfully in the State for a period of 60 days.	Ongoing until enactment and commencement of like provisions in IRP Bill.	INIS, GNIB, Department of Justice, Equality and Law Reform	Administrative arrangements operating effectively.
85.	Administrative arrangements for 6 month temporary residence permit, renewable, when necessary for the purpose of allowing the suspected victim to continue to assist the relevant authorities in relation to an investigation or	Ongoing until enactment and commencement of IRP Bill.	INIS Department of Justice, Equality and Law Reform, GNIB	Administrative arrangements operating effectively.

	prosecution arising in relation to trafficking.			
86.	Enactment and commencement of relevant provisions in relation to the recovery and reflection /temporary residence period in the Immigration, Residence and Protection Bill.	2009 - 2012	Department of Justice, Equality and Law Reform	Legislative provision operating effectively.
87.	Potential/suspected victims of trafficking to be provided with Legal assistance/aid by the Legal Aid Board.	2009 onwards	Legal Aid Board, AHTU	Victims receiving legal advice as required.
88.	Information leaflets to be provided on proceedings to potential/suspected victims in a language they can understand.	2009 - 2010	Legal Aid Board, AHTU, Garda Síochána and NGOs	Leaflets developed and widely available.
89.	Formal referral mechanism developed for the services of the Legal Aid Board.	2009 - 2010	Legal Aid Board, AHTU, NGOs Garda Síochána	Mechanism in place and operating effectively.
90.	Training in dealing with victims of trafficking to be provided to LAB staff and other victim support bodies.	2009	LAB, AHTU, ICI	Staff fully trained and refresher course developed and being offered.
91.	Explore the possibility of using Citizen Advice Bureau to provide information to suspected victims of trafficking.	2009	AHTU	Option of using the Citizens Advice Bureau fully explored.
92.	Develop system for recording compensation orders awarded to suspected victims of trafficking under Section 6 of the Criminal Justice Act 1993.	2009 -2010	AHTU, Relevant State agency	Figures available.

93.	Training to be provided to all frontline personnel on the indicators of trafficking and on prevention and prosecution for members of the Garda Síochána.	Ongoing	IOM, AHTU, the Garda Síochána, NGOs	Potential victims identified and dealt with appropriately.
94.	Design and delivery of counter trafficking training programmes for key Government stakeholders in line with training required for particular post held.	2009 - 2012	AHTU, NGOs.	Victims identified and dealt with appropriately.
95.	Legislative provision which makes it an offence to publish or broadcast any information (unless a Judge directs otherwise) likely to enable the identification of an alleged victim of a trafficking offence.	Completed	Department of Justice, Equality and Law Reform	Penalties provided for in S 11(4) of the Criminal Law (Human Trafficking) Act 2008 imposed, where necessary.
96.	Legislative provision for the exclusion from proceedings for alleged trafficking offences of all persons, other than officers of the court, persons directly concerned in the proceedings and such other persons (if any) as the judge of the court may determine.	Completed	Department of Justice, Equality and Law Reform	Legislative provision in S 10 (1) of Criminal Law (Human Trafficking) Act 2008 implemented.
97.	Legislative provision for a suspected victim of trafficking to give evidence through a live television link, with the leave of the court in the case of adults, from either within the State or abroad.	Completed	Department of Justice, Equality and Law Reform	Legislative provisions in S 12 of the Criminal Law (Human Trafficking) Act 2008 implemented .
98.	Put procedures in place to repatriate suspected victims voluntarily.	Completed	INIS, AHTU, IOM	Repatriation and return arrangements operating in line with provisions in international instruments.
99.	Put clear referral mechanisms in place to direct clients/persons/victims wishing to return home to voluntary assisted return programmes.	2009 - 2012	WG on NRM, INIS, IOM	Referrals made to programmes as appropriate.
100.	Develop reintegration plans for individual suspected victims.	Ongoing	WG NRM, IOM,INIS	Reintegration assistance provided on a planned and individual basis to support sustained return.
101.	Consultations to be held between the Office of the Director of Public Prosecutions and the Garda Síochána in relation to the practical issues which will arise in cases of human trafficking.	Ongoing as cases arise	DPP, the Garda Síochána	Penalties not imposed on suspected victims for involvement in unlawful activities to the extent they have been compelled to do so.
102.	Cases involving trafficking in human beings will be assigned to	Ongoing as cases arise	DPP	Specified knowledge of issues

	a specific unit within the DPP's Office.			involved in such cases will be built up.
103.	Explore the need for an Office Policy document issued by the DPP.	2009	DPP	Policy document issued if required.
104.	Ensure a person who is a suspected victim of an offence under the Criminal Law (Human Trafficking) Act 2008 shall not be prosecuted for entry into, or presence in the State for carrying out labour or sexual acts where those acts were a consequence of the trafficking of that person.	Ongoing	DPP, the Garda Síochána	Penalties not imposed on suspected victims for their involvement in unlawful activities to the extent they have been compelled to do so.
105.	Ongoing protection measures for suspected victims and witnesses.	Ongoing	The Garda Síochána	Protection available, if necessary, to witnesses and suspected victims.
106.	Monitor the effectiveness of Section 41 of the Criminal Justice Act 1999 as it applies to trafficking cases.	Ongoing	The Garda Síochána, DJELR	Protection available, if necessary, to witnesses and suspected victims.
107.	Monitor the effectiveness of S10 of the Non Fatal Offences against the Person Act 1997 as it applies to trafficking cases.	Ongoing	The Garda Síochána, DJELR	Protection available, if necessary, to witnesses and suspected victims.
108.	Monitor the effectiveness of S6 of the Bail Act 1997 as it applies to trafficking cases.	Ongoing	The Garda Síochána, DJELR	Protection available, if necessary, to witnesses and suspected victims.
109.	Monitor the effectiveness of the Witness Protection Programme as it applies to trafficking cases.	Ongoing	The Garda Síochána	Protection available, if necessary, to witnesses and suspected victims.
110.	Make the detection of human trafficking a policing priority.	2009	DJELR, The Garda Síochána	Pro-active investigations and prosecutions, where appropriate.
111.	Maintain Garda operations against trafficking gangs.	Ongoing	The Garda Síochána	Pro-active investigations and prosecutions, where appropriate.
112.	Effective enforcement of employment related legislation.	Ongoing	DETE, NERA The Garda Síochána (where necessary)	Pro-active investigations and prosecutions, where appropriate.
113.	Consider publicising successful prosecutions against traffickers more widely in source and transit countries.	2010	The Garda Síochána, AHTU, DFA	Investigation outcomes reported in other jurisdictions. Policy acting as a deterrent.
114.	Provide funding to Ruhama for their work in supporting women who may have been trafficked for sexual exploitation or for women required to appear before a court in criminal proceedings.	2009 - 2012	Probation Service, Commission for the Support of Victims of Crime	No. of potential/suspected victims availing of the service provided.

115.	Garda liaison officers to work with potential/suspected victims of sexual exploitation and organisations involved in the fields of sexual and labour exploitation.	Ongoing	The Garda Síochána	No. of potential/suspected victims assisted by the Garda Síochána.
116.	Working Group on Child Trafficking established and meeting regularly.	Ongoing	HLG, AHTU	Work plan for the group drawn up.
117.	Recommendations of Working Group implemented.	By end of Plan	HLG, AHTU, HSE, OMCYA	Measures recommended by working group adopted.
118.	Awareness raising measures among migrant communities.	2009 - 2012	AHTU, WG s	Awareness raising initiatives implemented.
119.	HSE to carry out age assessment using recognised standards.	Ongoing	HSE, GNIB, ORAC	Vulnerable minors identified promptly.
120.	Training programmes for relevant government personnel in the indicators, identification and prevention of trafficking in persons.	Ongoing	AHTU, IOM, relevant Government stakeholders	Training delivered. Personnel equipped to deal effectively with suspected victims if encountered.
121.	Child Trafficking Working Group to monitor identification procedures and protections for suspected child victims.	Ongoing	CT WG, AHTU	Recommendations of Working Group considered by HLG.
122.	Establish links with airlines to raise awareness among airline staff of the vulnerability of children, particularly if travelling alone.	2009	AHTU, INIS, GNIB	Protocols with airlines agreed.
123.	Provision in the IRP Bill to allow for the registration of all foreign nationals under 18 years.	2009	INIS, DJELR GNIB	Provision commenced.
124.	Explore with Irish airlines developing a Best Practice Code on the carriage of minors and development of information cards for children travelling alone.	2009 - 2010	AHTU, GNIB	Code agreed , if necessary.  Child friendly information cards distributed, if considered necessary.
125.	Enactment of Criminal Law (Human Trafficking) Act 2008 to make it an offence for any person to publish or broadcast any information which is likely to enable the identification of an alleged victim of a trafficking offence.	Completed	Department of Justice, Equality and Law Reform	Legislation operating satisfactorily where need arises.
126.	Enactment of Criminal Law (Human Trafficking) Act 2008 to provide for exclusion of members of the public from criminal proceedings for alleged trafficking offences.	Completed	Department of Justice, Equality and Law Reform	Legislation operating satisfactorily where need arises.
127.	Enactment of Criminal Law (Human Trafficking) Act 2008 to	Completed	Department of Justice, Equality	Legislation operating

	enable an alleged child victim of trafficking the ability to give evidence through a live television link, from either within the State or abroad.		and Law Reform	satisfactorily where need arises.
128.	Ongoing review of legislative provisions to ensure their practicality and workability.	Ongoing	Department of Justice, Equality and Law Reform	Legislation operating satisfactorily.
129.	Safe and appropriate accommodation to be provided to child victims of trafficking.	Ongoing	HSE	Potential/suspected child victims appropriately accommodated.
130.	Ensure there are no barriers for trafficked children to accessing education.	Ongoing	AHTU, Dept. of Education & Science, HSE	Potential/suspected child victims attending mainstream schools.
131.	Increase awareness among teachers and other education professionals to ensure that a child victim of trafficking is supported in receiving an education.	Ongoing	AHTU, Dept. of Education & Science, NEWB, HSE	Awareness among teaching professionals.
132.	HSE National Operational Plan for separated children to be implemented.	2009 – 2012	HSE	HSE providing appropriate care to potential/suspected child victims in accordance with the best interests of the child principles
133.	Contacts to be developed with the NEWB.	2009	AHTU, NEWB,	Role identified for NEWB in supporting child victims of trafficking.
134.	New national protocols regarding children missing from care signed.	2009	HSE, The Garda Síochána	Protocol implemented effectively.
135.	Establishment of an emergency alert system for missing children as recommended by the Garda Síochána Inspectorate Report into missing persons procedures including Amber Alert system.	2009	DJELR, The Garda Síochána	Alert system in place and operating effectively.
136.	Ensure temporary residence permits will be issued and renewed, as appropriate, if and when it is deemed in the best interest of a child victim of trafficking.	Ongoing	AHTU, HSE, Minister for Justice, Equality and Law Reform, INIS	Residence permits issued as appropriate.
137.	Decisions to repatriate a child victim of trafficking to take due regard of the rights, safety and dignity of the child.	Ongoing	Minister for Justice, Equality and Law Reform INIS, HSE	Repatriation decisions made according to appropriate criteria.
138.	No return of a child will take place if a risk and security assessment indicates that such a return should not take place.	Ongoing	Minister for Justice Equality and Law Reform, INIS, HSE	No child returned if risk and security assessment not favourable.

139.	Enactment and commencement of relevant provisions in relation to recovery/reflection and temporary residence in the Immigration, Residence and Protection Bill.	2009 - 2012	INIS, Department of Justice, Equality and Law Reform	Legislative provisions operating effectively.
140.	Child Trafficking Working Group to examine current practices and procedures around repatriation and voluntary return of child victims.	2009 - 2010	CTWG, AHTU	Recommendations of Working Group considered by HLG.
141.	Child Trafficking Working Group to explore the use of multi/bilateral and international co-operation agreements in verifying voluntary return arrangements.	2009 - 2010	CTWG, AHTU	Recommendations of Working Group considered by HLG.
142.	Interdepartmental High Level Group to be endowed with responsibility to monitor all anti-trafficking activities.	Ongoing	Minister for Justice, Equality and Law Reform	Monitoring mechanisms in place at national level.
143.	High Level Group supported by Non-governmental and Governmental Roundtable Forum.	Ongoing	Non-governmental and Governmental Roundtable Forum	Feedback from members of Roundtable.
144.	Consultations with relevant stakeholders to be held at midterm review.	End 2010 - Spring 2011	AHTU	Review of National Action Plan.



