

Room for Recovery

Housing Hope After Exploitation



Comparing Models of
Accommodation for Victims
of Human Trafficking for
Sexual Exploitation

Acknowledgements

We dedicate this report to all the women with lived experience of trafficking for sexual exploitation who contributed to the research. We are extremely grateful and extend our special thanks to you.

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Ruhama

Ruhama is the national NGO supporting women impacted by prostitution and human trafficking for the purpose of sexual exploitation at all points in their journey. This includes women who are actively involved in prostitution, who are seeking to exit prostitution, who are victims of sex trafficking, and women with no plans to exit. The headquarters is based in Dublin, with hubs in the Midlands, Limerick Mid-West and the Cork/Kerry region. In 2024, Ruhama engaged with over 1,000 individuals, mostly women, across 51 nationalities. Ruhama provides a diverse range of holistic supports using a trauma informed approach. These include Outreach, Casework, Trauma Therapy/Counselling, an Education and Development Programme, a Bridge to Work Programme, a specialist Seeking Safety Programme and a Survivor Voice programme including Peer Support. Ruhama provides training to frontline services on human trafficking and sexual exploitation. Ruhama also advocates and campaigns for better social, political and legal measures to address the systems and conditions that lead to and perpetuate the prostitution and sex trafficking of women and girls. Ruhama was awarded the Charity of the Year 2024 at the Charities Institute Ireland, Charity Excellence Awards.

This research was undertaken by a team of independent consultant researchers specialising in qualitative research using participatory methods. The lead researcher, Helen Bartlett, has worked for over 25 years with survivors of forced migration and sexual violence on three continents. She has a background in human rights law, gender-based violence, marginalisation and migration, and works across sectors to support evidence-based legislative reform.



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Summary

Human rights law situates human trafficking for sexual exploitation as a manifestation of gender-based violence. All measures to protect victims must promote gender equality and use gender-mainstreaming tools in their development, implementation and impact assessment. Gender equality measures are key to both the prevention of human trafficking for sexual exploitation and the protection of victims and survivors.

Accommodation is an essential part of the set of assistance measures for victims of trafficking. Recovery is impossible without access to safe accommodation that will discontinue the victim's exposure to traffickers and risk of exploitation. Gender-specificity is a crucial feature for accommodation of victims of trafficking who are recovering from sexual and other gender-based violence.

This report was commissioned by Ruhama, in recognition of the fact that accommodation for victims of trafficking for sexual exploitation in Ireland is deficient. The current National Action Plan to Prevent and Combat Human Trafficking 2023–2027 (NAP) (page 19) states:

It is recognised that the current provision of accommodation may not be suitable for the complex needs that victims of trafficking have.

The overall aim of the research is to provide an analysis of the relevant legal framework and an international comparative analysis of other models of accommodation for victims of human trafficking for sexual exploitation. The analysis is enriched through extensive consultations with



practitioners in the area and survivors of human trafficking recovering in Ireland. Ultimately, the research seeks to inform the overall development of a model of specialist accommodation for victims of trafficking for sexual exploitation in Ireland.

The report explores four critical questions to inform the development of a new model.

- What does regional and EU human rights law say about the provision of accommodation for victims of human trafficking for sexual exploitation?
- What models of accommodation have other European countries implemented and what are the key strengths and challenges related to these models?
- What do women with lived experience of human trafficking for sexual exploitation and the current model of accommodation say about developing a new model?
- What do other key stakeholders in statutory and civil society services and organisations say about developing a new model of accommodation?

To achieve this exploration, the report undertakes a review of binding legal standards in regional and EU law for the accommodation of victims. The strengths and challenges of seven national models are presented, offering insights into good practices and suitable approaches for consideration or adaptation to Ireland's needs. The perspective of survivors and the frontline workers who support them strengthens the legislative and best practice evidence base.

More specifically, the research examines and compares the Irish model of accommodation for victims of human trafficking for sexual exploitation with the national model in Belgium, France, Germany, the Netherlands, Northern Ireland, Scotland and Sweden. All of the studied countries are at different stages of compliance with regional and EU obligations. Seven distinct approaches and case studies of best practice that could have relevance for Ireland are identified.

Direct consultation on the subject of accommodation with victims of trafficking for sexual exploitation highlights the profound impact of unsafe and inappropriate accommodation on individual recovery. In particular, research participants stressed that privacy within accommodation is fundamental for the victim's dignity, confidentiality and recovery. Unsafe or inappropriate accommodation negatively impacts victims' ability to trust, share accommodation and build social networks. Specialist supports are also identified by participants as vital for the recovery journey and must be easily available for all victims across all accommodation types. The importance of a predictable and safe model of continuous accommodation that supports individual recovery needs of victims is emphasised.

The report offers a framework for improving practices based on human rights law and trauma-informed, victim-centred practices, as identified by direct consultation and comparative analysis. It is intended that the report serves as a resource for understanding the complexities of accommodating victims of trafficking for sexual exploitation and for designing an improved model of services. The research aims to guide policymakers, practitioners and advocates working to develop a new model of accommodation for adult victims of trafficking and their children.

Key findings

The report shows the need for greater clarity and commitment towards provision of accommodation in national law and policy. Failure to be specific on the matter of accommodation led to serious and well-recognised shortcomings in the past. The State has agreed to the latest EU standards by opting into the revised EU Directive 2024/1712, and these standards must be enshrined clearly in our policy documents, if not in primary legislation.

The report also reveals the need to secure access to accommodation for all victims, without conditions linked to the victim's origin, nationality, statelessness, immigration status or pending international protection claim. Existing conditionality leads to complications in accessing services and lets many victims down, which carries enormous personal risks for the individual and reputational risks for the State.

The findings flag the Operational Guidelines of the National Referral Mechanism for Identification and Assistance (NRM) as a key and timely opportunity to deliver on the provision of gender-specific forms of specialist accommodation for victims of trafficking. The right to specialist accommodation, independent of the victim's origin, nationality, statelessness, immigration status or pending international protection claim, is not yet embedded in legislation or explicitly clarified in policy.

The report notes the need for local authority housing allocation policies to be examined for any anomalies or barriers that preclude victims from accessing specialised or local authority housing accommodation. Given the significant problems captured in the report, Ruhama recommends the temporary appointment of a Special Rapporteur on Victim Accommodation to monitor the access to appropriate accommodation for each victim in the NRM.

The report highlights the important synergies between the NAP on trafficking and the Third National Strategy for Domestic, Sexual and Gender-Based Violence (DSGBV). These include the establishment of a system for meaningful consultation with, and feedback from, victims of trafficking for sexual exploitation, and the inclusion of provision for victims of trafficking impacted by sexual exploitation and other forms of gender-based violence in the development of the DSGBV National Services and Accommodation Development Plan.

The research shows the importance of designated case workers and specialised Civil Society Organisation (CSO)-led coordination. Best practice indicates that a frontline specialist CSO must take on responsibility for individual pathways of

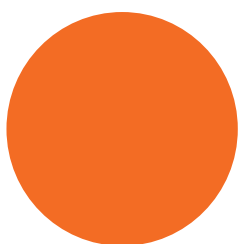


accommodation for all presumed and identified victims of trafficking (including their children), coordinated across all forms of specialist and non-specialist accommodation and based on individual risk and needs assessment. This model significantly increases potential for improved networking between accommodation providers and expertise sharing.

The research findings indicate that the potential of local authorities is not fully utilised in Ireland compared to other countries. The involvement of local authorities in the studied countries is an essential element in meeting obligations to provide safe and appropriate accommodation to victims, including but not limited to designating local authority anti-trafficking coordinators. This measure supports the achievement of seamless pathways to independent living, ensuring that needs for continuous and longer-term housing are met without fear of homelessness or precarity.

The importance of regular and adequate training is also flagged in the report. Providers of services and accommodation to groups of people who are at high risk of trafficking for sexual exploitation are required to offer regular training and should develop specific policies for early detection and referral of potential victims into the NRM.

The establishment of a pilot accommodation unit for victims of trafficking represents progress towards the development of a compliant model of accommodation. The pilot needs to be evaluated at the earliest opportunity to establish outcomes and positive practices and to identify possible areas of improvement. In this regard, the report directs attention to building upon the extensive expertise and experience of the DSGBV sector in the development of gender-specific and victim-centred accommodation in sufficient capacity to meet the need for crisis, interim and follow-on accommodation.



Proposed new model

The proposed new model of accommodation for victims of human trafficking for sexual exploitation recognises that safe, appropriate and stable accommodation is a prerequisite for recovery and protection. The core principles of the new model should explicitly recognise the cumulative harms of gender-based sexual violence, sexual exploitation and human trafficking.

The model recommends the provision of timely and accessible accommodation for victims of human trafficking for sexual exploitation. This will include three different types of accommodation.

- Gender-specific, specialist shelters with wraparound support as a short-term or interim option for victims.
- Step-down accommodation to support the transition from specialist shelter to own-door living.
- Own-door Approved Housing Body (AHB) accommodation in the community for victims (and their children) for a period of up to three years.

All accommodation should be victim-centred using a trauma-informed approach. Accommodation should provide wraparound support for victims depending on their individual needs, including but not limited to victims with children, pregnant victims and victims with disabilities, and those with intersectional needs. Targeted supports should include case management, trauma support and counselling, specialist health service access and interpretation and legal support access.

Accommodation should be provided on a consensual and informed basis. Allocation of accommodation should be determined by individual needs and risk assessments, carried out by specialist CSOs and trained caseworkers. Intersectional and complex needs should be recognised and met as they arise.

A high level of regular and specialised training must be mandatory for all staff and personnel involved in managing or delivering accommodation services.

The model should include clear mechanisms for monitoring, inspection and oversight that cover all aspects of individual risk, general operation and infrastructure, whether the accommodation is operated by the State, CSOs, AHBs or local authorities.

This model has been developed following direct consultation with victims and frontline professionals. The model reflects a rights-based, survivor-informed, evidence-driven approach and aims to ensure compliance with obligations under regional law.

Recommendations

Recommendations on compliant transposition of EU framework

1. Ruhama recommends that the State fully transpose EU Directive 2024/1712 (recast EU Anti-Trafficking Directive), where necessary through legislative, regulatory or administrative provisions, by 15 July 2026, in order to meet or exceed the fresh minimum standards adopted by the EU.

(Responsibility: Department of Justice, Home Affairs and Migration (DJHAM) as National Anti-Trafficking Coordinator, Oireachtas)

2. Ruhama recommends that the right to specialist accommodation for all victims of human trafficking be embedded in national law and policy, in line with the provision of the revised EU Anti-Trafficking Directive. Ruhama also recommends the adoption of an explicit policy position clarifying that the above right is independent of the victim's origin, nationality, statelessness, immigration status or pending international protection claim.

(Responsibility: DJHAM/National Anti-trafficking Coordinator; Department of Housing, Local Government and Heritage (DHLGH); Department of Social Protection, Rural and Community Development and Gaeltacht (DSPRCDG), Oireachtas)

3. Ruhama recommends that the standard of accommodation for victims of trafficking in Ireland meet the adopted new EU standards of the revised Anti-Trafficking Directive, in particular:
 - Specialist shelters and other interim accommodation must be provided (1) in sufficient numbers; (2) easily accessible to all presumed and identified victims of trafficking; (3) on a consensual and informed basis.
 - Safe, adequate and appropriate living conditions must assist victims in their recovery with a view to a return to independent living.
 - Victim-centred accommodation must provide targeted and integrated support for victims with special needs, such as victims of sexual violence, victims of violence in close relationships, pregnant victims and victims with disabilities, including trauma support and counselling, health service referral, and interpretation and legal support for immigration and family-related matters.
 - Gender-, disability- and intersectional discrimination-sensitive accommodation must be equipped to meet the specific needs of all victims, including the best interests of their children.
 - Regular and specialised training for accommodation staff must be an integral part of such accommodation.

(Responsibility: DJHAM/National Antitrafficking Coordinator, DHLGH, DSPRCDG)

4. Ruhama recommends that the State transpose as fully as possible, including through legal, regulatory and administrative provisions where necessary, the EU Directive on Violence Against Women and Domestic Violence by 14 June 2027.

(Responsibility: DJHAM/National Anti trafficking Coordinator, Oireachtas).

Recommendations on application of regional and EU legislative framework

1. Ruhama recommends that the Operational Guidelines for implementation of the Criminal Law (Sexual Offences and Human Trafficking) Act 2024 (CL(SO&HT)) Act 2024 outline clear entitlements and paths to safe and appropriate accommodation at each stage of identification and recovery. Ruhama also recommends that these Guidelines be used to deliver on the provision of gender-specific accommodation for victims of human trafficking, as recommended by the Joint Committee on Justice⁴.

(Responsibility: DJHAM/National Anti-trafficking Coordinator, NRM Operational Committee, support from CSOs)

2. Ruhama recommends that the Housing Act as well as all local authority housing allocation and assistance policies be examined for any anomalies that preclude victims of trafficking from accessing specialist accommodation or local authority housing, and that any barriers to victim accommodation be removed through specific exemptions/waivers or another appropriate policy approach.

(Responsibility: DJHAM/National Anti-trafficking Coordinator, Irish Human Rights and Equality Commission, DHLGH, DSPRC DG)

3. Ruhama recommends the temporary appointment of a Special Rapporteur on Victim Accommodation policies, reporting to the Operational Committee of the NRM, in light of previous fundamental failures to meet the needs of victims of trafficking within the wider international protection agenda. This Rapporteur must have access to NRM data, keep track of accommodation outcomes of every victim in the NRM, prepare regular reports, identify gaps in existing policies and propose remedies for the consideration of the Operational Committee and the National Coordinator (DJHAM).

(Responsibility: DJHAM/National Anti-trafficking Coordinator, NRM Operational Committee)

⁴ Joint Committee on Justice (2023) Report on Pre-Legislative Scrutiny of the General Scheme of the Criminal Justice (SO&HT) Bill 2022 [link](#).

4. Ruhama recommends the full implementation of the commitments of the NAP on Human Trafficking and the Third National Strategy for Domestic, Sexual and Gender-Based Violence (TNS DSGBV) regarding accommodation of victims of trafficking.

(Responsibility: DJHAM/National Anti-trafficking Coordinator, all relevant implementing and supporting bodies as indicated in the NAP).

5. Ruhama recommends that research be undertaken to explore the pathways of victims through the new NRM, their particular experiences of victim identification within the NRM, and the supports they require through this process. The evidence gathered during the course of this study will support measures to ensure the smooth running and fine-tuning of the NRM at this crucial and opportune juncture when the operations are starting afresh in Ireland, guided by the new legislation and its related guidelines.

(Responsibility: DJHAM/National Anti-trafficking Coordinator, frontline specialist CSOs)

Recommendations based on comparative analysis of seven national models

1. Ruhama recommends the designation of a frontline specialist CSO to hold responsibility for individual pathways of accommodation through multi-agency coordination across all forms of accommodation for all presumed and identified victims of trafficking for sexual exploitation (and other forms of trafficking involving gender-based violence) and accompanying children. This CSO coordinator will conduct individual accommodation needs analysis, coordinate access to safe and continuous accommodation across multiple providers and report to the Operational Committee (incl. the temporary Rapporteur) and DJHAM.

(Responsibility: DJHAM/National Anti-trafficking Coordinator, DHLGH, frontline specialist CSOs)

2. Ruhama recommends increased involvement of local authorities in meeting obligations to provide safe and appropriate accommodation to victims of trafficking, liaising with the Anti-Trafficking Coordinator.

(Responsibility: DJHAM/National Anti-trafficking Coordinator, DHLGH)

3. Ruhama recommends the provision of sufficient resources to specialist CSOs and to local authorities to meet their responsibilities in provision of accommodation to victims of trafficking for sexual exploitation.

(Responsibility: DJHAM/National Anti-trafficking Coordinator, DHLGH)

4. Ruhama recommends the development of pathways to independent housing, ensuring that victims' needs for continuous and longer-term accommodation are met by seamless transitions between all forms of interim accommodation and independent housing.

(Responsibility: DJHAM/National Anti-trafficking Coordinator, DHLGH, DSPRC DG)

Recommendations based on consultation with victims of human trafficking

1. Ruhama service users recommend the establishment of a system for ongoing and meaningful consultation with, and feedback from, victims of trafficking for sexual exploitation (including those who have experienced homelessness) in line with Actions 4.1 and 4.6 of the NAP on Human Trafficking.

(Responsibility: DJHAM/National Anti-Trafficking Coordinator, Operational Committee and the temporary Rapporteur on accommodation, CSO for coordination of accommodation for victims of sex trafficking, frontline services and CSOs)

2. Ruhama service users recommend that any model of accommodation chosen by the State show due regard for and incorporate as far as possible the views and recommendations of survivors of trafficking, in particular but not limited to the following:

- Specialised gender-specific, recovery-focused accommodation.
- Private supported accommodation in the community.
- Allocations according to individual need following consultation with caseworker and individual victim.
- Predictable tenure of accommodation that does not include forced relocation without needs and risk assessment.
- Safe, private, and gender-specific living spaces that respect autonomy, dignity, personal safety and family life.
- Choice and autonomy for victims regarding whether and with whom they share bedrooms, bathrooms and private living spaces.
- Pathways from referral to independent living.

(Responsibility: DJHAM/National Anti-Trafficking Coordinator, DHLGH, DSPRC DG, Operational Committee and the temporary Rapporteur on accommodation)

3. Ruhama service users recommend that the planning and delivery of accommodation assistance be predicated on the need for (at least) three years of continuous supported accommodation to eliminate periods of homelessness.

(Responsibility: DJHAM/National Anti-Trafficking Coordinator, DHLGH, DSPRC DG, Operational Committee with the temporary Rapporteur on accommodation)

Recommendations based on consultation with frontline workers

1. Ruhama recommends evaluation of the pilot accommodation, Rosa's Place, with a view to identifying positive practices and any areas for improvement.

(Responsibility: DJHAM/National Anti-Trafficking Coordinator, in conjunction with Depaul Ireland and advisory committee of the pilot)

2. Ruhama recommends that the learning from the evaluation of Rosa's Place and the extensive experience of the domestic violence (DV) sector be utilised to establish gender-specific specialised accommodation in sufficient capacity to protect all victims of trafficking from repeat sexual violence and exploitation, taking into account that some victims are mothers with children and others have disabilities, and ensuring intersectional inclusion.

(Responsibility: DJHAM/National Anti-Trafficking Coordinator, DHLGH and Cuan and the DV sector umbrellas, CSO service providers and AHBs)

3. Ruhama recommends that resources be designated for own-door supported accommodation in the community in sufficient capacity to provide for victims of trafficking for sexual exploitation for whom communal accommodation is not safe or appropriate beyond a crisis period.

(Responsibility: DJHAM/National Anti-Trafficking Coordinator, DHLGH, DSPRC DG, AHBs)

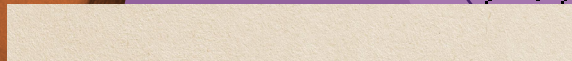
4. Ruhama recommends that service providers working with women who are at high risk of trafficking for sexual exploitation be offered training towards developing guidelines and policies for early detection and referral of individual victims and their families into the NRM and appropriate specialist services.

(Responsibility: DJHAM/National Anti-Trafficking Coordinator with all government departments and agencies outside of the NRM scope)

5. Ruhama recommends that the needs of victims of human trafficking impacted by sexual exploitation and other forms of gender-based violence be included in the development of the National Services and Accommodation Development Plan within the Third National Strategy on DSGBV.

(Responsibility: DJHAM/National Anti-Trafficking Coordinator, Cuan, frontline CSOs responding to victims of human trafficking for sexual exploitation)

Introduction



This report was commissioned by Ruhama, in recognition of the fact that national and international experts in the field of human trafficking have found accommodation for victims of human trafficking for sexual exploitation in Ireland to be deficient. The current National Action Plan to Prevent and Combat Human Trafficking 2023–2027 (page 19) states:

It is recognised that the current provision of accommodation may not be suitable for the complex needs that victims of trafficking have.

Research aims

The overall aim of the research is to provide analysis of the relevant legal framework and comparative analysis of other national models of accommodation for victims of human trafficking for sexual exploitation. The analysis is enriched through extensive consultations with practitioners working in the area and survivors of human trafficking recovering in Ireland. Ultimately, the research seeks to inform the overall development of a model of specialist accommodation for victims of trafficking for sexual exploitation in Ireland.

The report explores four critical questions in order to inform the development of a new model.

- What does regional and EU human rights law say about the provision of accommodation for victims of human trafficking for sexual exploitation?
- What models of accommodation have other European countries implemented and what are the key strengths and challenges related to these models?
- What do women with lived experience of human trafficking for sexual exploitation and the current model of accommodation say about developing a new model?
- What do other key stakeholders in statutory and civil society services and organisations say about developing a new model of accommodation?

Chapter outline

Chapter 1 provides outline analysis of models of accommodation for victims of human trafficking for sexual exploitation in regional and EU human rights law. This section includes insights from the preparatory and explanatory documents of legislation protecting individuals from trafficking, sexual exploitation and other forms of gender-based violence.

Chapter 2 examines the application of relevant regional and EU legislative framework into Irish Statute and compliance with international and EU law.

Chapter 3 provides comparative analysis of models of accommodation that have been developed in seven different countries in terms of legal and policy framework and application in practice, in order to identify best practice, gaps and shortcomings.

Chapter 4 gives voice to victims recovering in Ireland, who examine gaps and challenges in the current model of accommodation and offer essential insights informing the proposed model of accommodation.

Chapter 5 focuses on the input of frontline professionals in case work, healthcare, legal advice, education, refugee and migrant support and advocacy, homelessness and sexual, domestic and gender-based violence.

Terminology

It is noted that in this report the term 'victim' will denote 'victim of trafficking for sexual exploitation or other forms of gender-based violence'. While 'victim' is always the term used in relation to the legal framework, the terms 'victim' and 'survivor' may be used interchangeably in the context of accessing assistance or participating in research, unless otherwise stated.

In this report unless otherwise stated, references to 'human trafficking' denote trafficking for the purposes of sexual exploitation and other forms of gender-based violence.

The term CSO is used throughout the report to denote civil society organisations, including non-governmental organisations and registered charities.

A detailed glossary of terms is provided in the Appendix.

Methodology

The mixed methodology research was designed in four concurrent phases and conducted over six months. The four phases correspond to the four research aims and together are intended to inform the development of a safe and appropriate model for Ireland by advancing our shared knowledge of the legal framework and the strengths and weaknesses of models of accommodation in other countries.

1. Desk research to analyse regional and EU human rights law to understand the duties of States to provide accommodation for victims of trafficking for sexual exploitation (February–July 2024).
2. Desk research and consultation to learn more about the differences in approach to the provision of accommodation in seven different countries (May–July 2024).
3. Individual and small group interviews and online polls with 23 female victims of trafficking for sexual exploitation and an online survey responded to by 78 Ruhama service users (April–June 2024).
4. Consultations, online polls and surveys with more than 50 frontline workers in Ireland and Europe to examine the gaps between international law, national transposition and the provision of accommodation in practice (March–July 2024).

The desk research sought to analyse primary international legal sources and national legislation. Literature relating to these primary sources was explored, largely through independent expert analysis of transposition, policy and practice by international monitoring bodies, special rapporteurs and national ombudspersons. The legal review covered a period where significant changes to the international and national legislative framework occurred. At the time of writing, a National Referral Mechanism (NRM) was enacted in Ireland, but the Operational Guidelines had yet to be published. Clarity on the application of the legislation is required to assure victims that the implementation of the legislation will meet or exceed the minimum standards of binding regional and EU law.

The work of the independent expert body GRETA (Group of Experts on Action against Trafficking in Human Beings) on monitoring compliance with the Council of Europe Convention on Action Against Trafficking in Human Beings was examined. GRETA's independent and ongoing analyses of government and civil society contributions for each of the seven countries on whether national legislation, policies and implementation comply with the Convention provided this research with an expert evidence base. Shadow civil society reports to GRETA were also examined to make contact with relevant stakeholders and to further understand the challenges. The work of GREVIO, the independent expert body for the Istanbul Convention, was also examined to assess compliance of States with preventing and combating violence against women and domestic violence.

Regional and EU legal obligations were analysed to understand the principles upon which a specialised model of accommodation for victims of trafficking for sexual exploitation should be founded. Since the EU acceded to the Istanbul Convention in December 2023, EU legislation has been reinforced with a new Directive that aims to end gender-based violence against women, domestic violence and gender inequality. Human trafficking for sexual exploitation is a manifestation of gender-based violence and the provisions of this new legislation are relevant.

The research sought to identify, compare and analyse existing models of accommodation in Europe. Again, civil society, independent expert monitoring bodies and special rapporteur reports were consulted to understand individual country models. Key stakeholders were consulted, interviewed and surveyed. Case studies and evaluations of models of accommodation were sought but were not easily found. Literature focusing on trauma-informed, victim-led, rehabilitative and specialised models of accommodation was also identified. Research reports and evaluations of models of accommodation in Ireland and other countries were sought to understand strengths and challenges in practice.

The research also sought to understand the perspectives of the victims themselves and the professionals who support them. The research included interviews with 23 survivors of human trafficking for sexual exploitation and an online survey among 78 Ruhama service users. The interviews were based on methodologies appropriate for working with victims of human trafficking and sexual exploitation, established by the Sexual Exploitation Research Policy Institute (SERP) based on World Health Organization (WHO) guidelines, and implemented in close collaboration with Ruhama.²

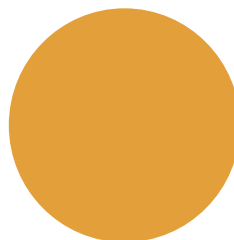
² See Appendix A, Breslin R, Canning M (2023) 'Pathways to Exit: A study of women's journeys out of prostitution and the response to their complex support needs' Dublin, SERP. See also World Health Organization (WHO) Zimmerman C, Watts C (2003) *WHO Ethical and Safety recommendations for interviewing Trafficked Women*, Geneva.

Limitations

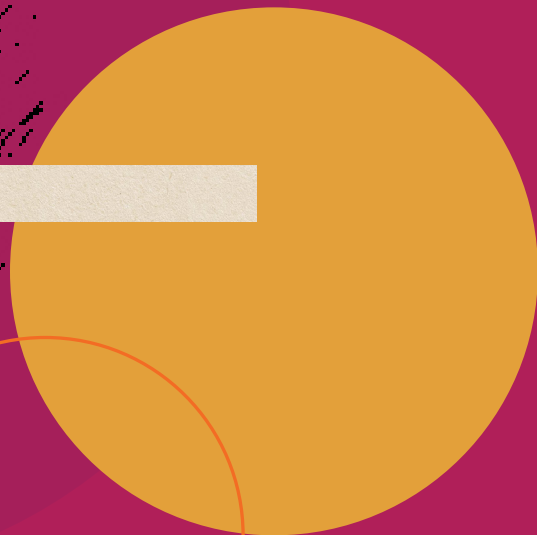
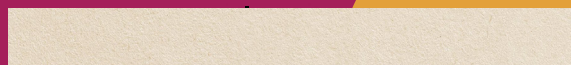
The research was carried out during a period when legislation on assistance to victims of human trafficking was being reformed at European level and the application of the new legislation was incomplete. Each European country is in the process of re-assessing compliance with the new legal framework and the models of accommodation described in the comparative analysis may be reformed in the near future. The recommendations therefore aim to guide the application and transposition of current regional and EU obligations and the development of a compliant model of accommodation for adult victims of human trafficking for sexual exploitation. Further recommendations aim to guide the inclusion of victims, CSOs and other stakeholders in the development of the new model of accommodation.

The same level of research and analysis was not available across all seven countries. The research highlights gaps in legislative, policy and practical compliance with regional and EU legal obligations in Ireland. By listening to the voices of victims of human trafficking for sexual exploitation and the frontline workers who support them, the research identified gaps between State duties, provision of accommodation in practice, and actual experience of accommodation. These are important distinctions for the individual victim. Access to a resident permit and equal access to social housing may not in fact amount to equal access when the individual situation is understood. While in theory victims may be entitled to access a full range of mainstream housing supports, in practice individual access to local authority housing may not be timely, predictable or realisable at all. Detailed research on gaps in practical provision across all countries was not included.

The focus of the research was on models of accommodation for adult victims of human trafficking for sexual exploitation. It was outside the remit of the research to detail the additional rights and needs of the children of victims or victims who were children at the time of trafficking. A model of accommodation for victims of human trafficking for sexual exploitation will predominantly provide for women and must include provision for their children. Support to attain recovery and acceptance into communities must be available for survivors and their children. This will include a mixed model offering a variety of appropriate accommodation beyond shelters and other forms of communal accommodation. Not all of the women with lived experience who participated in this research feel safe in their current accommodation and some are experiencing homelessness and housing precarity, leaving both themselves and their children vulnerable to exploitation.



Chapter 1: European and regional human rights law



This chapter seeks to clarify the legal obligations concerning the provision of accommodation for victims of human trafficking for sexual exploitation (VoHTfSE). It presents a structured analysis of the obligations of Member States within the framework of EU human rights law. Drawing from legal texts and explanatory documents, this chapter also references provisions relating to accommodation for victims of human trafficking and gender-based violence (GBV) from two Council of Europe Conventions.

The State has duties under a range of sectoral legislation to provide specialised accommodation and assistance depending on the circumstances of the individual. A victim of human trafficking for sexual exploitation may have rights to accommodation under anti-human trafficking legislation, as a survivor of different manifestations of gender-based violence, or as a victim of crime, including organised crime. In terms of the provision of accommodation to victims of human trafficking for sexual exploitation, human rights law provides detailed requirements and clear legal standards under a range of legal instruments. This analysis highlights how this intersection of rights collectively establishes a clear entitlement for victims of human trafficking for sexual exploitation to specialist safe and appropriate accommodation.

This chapter focuses on the contributions of four EU Directives and two Council of Europe Conventions.

- EU Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims (EU ATD).³

- EU Directive 2012/29 of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (Victims' Rights Directive).⁴
- EU Directive 2024/1712 on preventing and combating trafficking in human beings and protecting its victims (recast EU Anti-Trafficking Directive).⁵
- EU Directive 2024/1385 on combating violence against women and domestic violence (EU Directive VAWDV).⁶
- Council of Europe Convention on Action Against Trafficking in Human Beings, CETS No. 197 (Warsaw Convention) 2005.⁷
- Council of Europe Convention on preventing and combating violence against women and domestic violence CETS No. 210 (Istanbul Convention) 2011.⁸

1.1 European Union law

In 2011 the EU adopted Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims (EU Anti-Trafficking Directive).⁹ Member States were obliged to provide safe and appropriate accommodation and material assistance for victims of human trafficking as soon as a reasonable-grounds indication was established for believing that the person might have been subjected to human trafficking.¹⁰

³ EU Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA.

⁴ EU Directive 2012/29 of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (Victims' Rights Directive).

⁵ EU Directive 2024/1712 on preventing and combating trafficking in human beings and protecting its victims (recast EU Anti-Trafficking Directive).

⁶ EU Directive 2024/1385 on combating violence against women and domestic violence (EU Directive VAWDV).

⁷ Council of Europe Convention on Action Against Trafficking in Human Beings, CETS No. 197 (Warsaw Convention) 2005.

⁸ Council of Europe Convention on preventing and combating violence against women and domestic violence CETS No. 210 (Istanbul Convention) 2011.

⁹ EU Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA.

¹⁰ EU Directive 2011/36/EU (EU Anti-Trafficking Directive) Article 11.2, 11.5

In 2012 the EU adopted Directive 2012/29 establishing minimum standards on the rights, support and protection of victims of crime (Victims' Rights Directive).¹¹ Member States were obliged to provide specialist support and protection, including shelter and interim accommodation, for victims of crime and family members, in accordance with individually assessed needs, without need for formal complaint.¹²

The first EU Strategy on victims' rights (2020–2025)¹³ was adopted in 2020 with the objective of ensuring that all victims of crime can exercise their rights. Improving support and protection for the most vulnerable victims, enhancing effective communication with victims and providing a safe environment for victims to report crime were among the key priorities. Assessing and addressing shortcomings¹⁴ in the practical application of the Victims' Rights Directive were also part of the Strategy. At the time of writing of this report, a proposal for targeted revision of the EU Victims' Rights Directive was in the legislative train schedule of the European Parliament.¹⁵

The EU Strategy on Combatting Trafficking in Human Beings (2021–2025)¹⁶ (EU Strategy THB) was adopted in 2021 and sets out the priorities of the EC.

'Victims of trafficking should have access to appropriate and safe accommodation that allows them to escape from traffickers and that is adapted to their specific needs and

*circumstances. Safe shelters are needed for children, women and men. Same-sex shelters that also provide trauma-focussed support can effectively help victims' recovery.'*¹⁷

Targeted EU funding commitments were also made for shelters for victims of trafficking – including specialised facilities for women and child victims of trafficking. The EU Strategy THB indicates areas where Member States need to improve their actions, including *'detecting potential victims and making available appropriate accommodation, notably for child victims'*, as identified by studies commissioned by European Institute for Gender Equality (EIGE) in 2017¹⁸ and the European Commission (EC) in 2018.¹⁹

In 2024 two important European Directives built on and clarified rights to accommodation that had previously been established by the Council of Europe Conventions, the Victims' Rights Directive and the 2011 EU Anti-Trafficking Directive.

EU 2024/1385 Directive on combating violence against women and domestic violence (EU Directive VAWDV)²⁰ reinforced the specific right of victims of violence against women (VAW) and domestic violence (DV) to shelters and other appropriate interim accommodation. The stated purpose of EU Directive VAWDV is to provide a comprehensive framework of rules that *'cater to the specific needs of victims of such violence'* where previous EU Directives

11 EU Directive 2012/29 of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (Victims' Directive).

12 EU Directive 2012/29 (Victims' Directive) Articles 8.1, 8.3, 9.3.

13 European Commission (24/06/2020) 'EU Strategy on victims' rights' (2020–2025).

14 See for example, Vociare (2020) Ivanković A, Carpinelli A, et al. 'Synthesis Report: Victims of Crime Implementation Analysis of Rights in Europe'; European Parliament, Legislative Train Schedule, (20/09/2024) 'Revision of the victims' rights acquis'.

15 European Parliament, Legislative Train Schedule (20/09/2024) 'Revision of the victims' rights acquis'.

16 European Commission (2021) 'EU Strategy on Combatting Trafficking in Human Beings' (2020–2025).

17 European Commission (2021) 'EU Strategy on Combatting Trafficking in Human Beings' (2020–2025).

18 Yonkova N et al. (2017) 'Protecting victims, an analysis of the Anti-Trafficking Directive from the perspective of a victim of gender-based violence' commissioned by the European Institute for Gender Equality (EIGE).

19 European Commission (2020) Directorate-General for Migration and Home Affairs, Gregulska J, Healy C, Makulec A, Petreska E et al., 'Study on reviewing the functioning of Member States' National and Transnational Referral Mechanisms, Publications Office of the European Union'.

20 EU Directive of the European Parliament and of the Council on combating violence against women and domestic violence (EU Directive VAWDV).

have proven insufficient.²¹ The rules came into effect on the 14 June 2024 and Member States must transpose and comply with the Directive by 14 June 2027.²²

EU Directive 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims (recast EU Anti-Trafficking Directive 2024) is a particularly important piece of legislation in relation to the accommodation of victims of human trafficking. The recast Directive aims to respond to shortcomings identified by the European Commission within *'the national systems aimed at the early detection and identification of, specialised assistance to, and support for victims of trafficking.'*²³ Member States must transpose and comply with the Directive by 15 July 2026.

1.1.1 EU Directive 2024/1712 – Recast Anti-Trafficking Directive

The 2024 amendments to the 2011 EU Anti-Trafficking Directive strengthen existing rights to early identification, safe and appropriate accommodation and material assistance. The recast Directive aims to address specific needs that are insufficiently safeguarded in the 2011 EU Anti-Trafficking Directive, the 2012 Victims' Directive and EU Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography.²⁴

A strengthened National Referral Mechanism (NRM) should take into account *'the individual vulnerability of the victim'*,²⁵ and refer the victim to the most *'appropriate support and assistance.'*²⁶ The duration of the provision of accommodation is not specified although the aims of the accommodation are not short-term aims.

*'The assistance should aim at their full reintegration into society, which can include access to education and training, and access to the labour market, in accordance with national law, as well as a return to an independent living.'*²⁷

The recast EU Anti-Trafficking Directive clarifies that the provision of assistance and support for victims of trafficking must be *'specialised'* and *'provided to victims in a victim-centred, gender-, disability- and child-sensitive approach.'*²⁸ The original right to appropriate and safe accommodation must now *'be provided in sufficient numbers and shall be easily accessible to presumed and identified victims of trafficking.'*²⁹ The responsibility is to provide consensual and informed, adequate and appropriate living conditions with the required assistance³⁰ for a return to independent living. The revised Recital calls on States to ensure that *'victims have access to shelters and safe accommodation equipped to accommodate the specific needs of victims of trafficking.'*³¹

The inclusion of *'specialised'* and *'victim-centred, gender-, disability- and child-sensitive approach'* strengthens the provisions of Article 11.1.

21 EU Directive 2024/1385 (EU Directive VAWDV) Recital 5.

22 EU Directive 2024/1385 (EU Directive VAWDV) Art. 49.

23 EU Directive 2024/1385 (EU Directive VAWDV) Recital 5.

24 EU Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA.

25 EU Directive 2024/1712 (recast EU Anti-Trafficking Directive) Recital 15.

26 EU Directive 2024/1385 (EU Directive VAWDV) Art.11.4b.

27 EU Directive 2024/1712 (recast EU Anti-Trafficking Directive) Recital 18.

28 EU Directive 2024/1712 (recast EU Anti-Trafficking Directive) Article 11.1.

29 EU Directive 2024/1712 (recast EU Anti-Trafficking Directive) Article 11.5a.

30 Minimum standards of assistance are clarified in EU Directive 2024/1712 (recast Anti-Trafficking Directive) Article 11.5.

31 EU Directive 2024/1712 (recast EU Anti-Trafficking Directive) Recital (16).

*'1. Member States shall take the necessary measures to ensure that specialised assistance and support are provided to victims in a victim-centred, gender-, disability- and child-sensitive approach before, during, and for an appropriate period of time after the conclusion of, criminal proceedings, in order to enable them to exercise the rights set out in Directive 2012/29/EU of the European Parliament and of the Council³² and in this Directive.'*³³

Article 11.5 introduces the inclusion of shelters and other appropriate interim accommodation to the assistance and support measures.

*'5. The assistance and support measures referred to in paragraphs 1 and 2 shall be provided on a consensual and informed basis, and shall include at least standards of living capable of ensuring victims' subsistence through measures such as the provision of appropriate and safe accommodation, including shelters and other appropriate interim accommodation, and material assistance, as well as necessary medical treatment including psychological assistance, counselling and information, and translation and interpretation services where appropriate.'*³⁴

Article 11.5 is supplemented with Article 5a, introducing the obligation to provide sufficient capacity of more than one form of accommodation for presumed and identified victims of trafficking. Accommodation shall aim at supporting victims to return to autonomous living. The specific needs of victims who are mothers, and the children

accompanying adult victims, are also identified and flagged in Article 5a.

*'5a. The shelters and other appropriate interim accommodations referred to in paragraph 5 shall be provided in sufficient numbers and shall be easily accessible to presumed and identified victims of trafficking. The shelters and other appropriate interim accommodations shall assist them in their recovery, by providing adequate and appropriate living conditions with a view to a return to independent living. They shall also be equipped to accommodate the specific needs of children, including of child victims.'*³⁵

The staff of accommodation, support and assistance services shall be offered regular and specialised training *'aimed at enabling them to prevent and combat trafficking in human beings and to avoid secondary victimisation, and to detect, identify, assist, support and protect the victims.'*³⁶ The training must be human rights-based, victim-centred and gender-, disability- and child-sensitive. The regular and specialised training is not limited to staff at accommodation and support services and must include

*'professionals likely to come into contact with victims or potential victims of trafficking in human beings, including front-line police officers, court staff, assistance and support services, labour inspectors, social services and healthcare workers.'*³⁷

and staff likely to come into contact with children at risk of recruitment for exploitation.³⁸

³² EU Directive 2012/29/EU *Victims' Directive* (OJ L 315, 14.11.2012, p. 57).

³³ EU Directive 2011/36/EU (EU Anti-trafficking Directive) Previous wording of Article 11.1 *Member States shall take the necessary measures to ensure that assistance and support are provided to victims before, during and for an appropriate and safe period of time after the conclusion of criminal proceedings in order to enable them to exercise the rights set out in Framework Decision 2001/220/JHA, and in this Directive.*

³⁴ EU Directive 2024/1712 (recast EU Anti-Trafficking Directive) Article 11.5.

³⁵ EU Directive 2024/1712 (recast EU Anti-Trafficking Directive) Article 11.5a.

³⁶ EU Directive 2024/1712 (recast EU Anti-Trafficking Directive) Article 18b.1.

³⁷ EU Directive 2024/1712 (recast EU Anti-Trafficking Directive) Article 18b.1.

³⁸ EU Directive 2024/1712 (recast EU Anti-Trafficking Directive) Recital 23.

In summary, this Directive brings in essential clarifications and strengthens the provisions on the assistance to victims of trafficking, especially those pertaining to accommodation of victims with intersectional needs. The State has an obligation to identify and respond to the individual accommodation needs of victims. It is now clear that shelters must be provided alongside other appropriate forms of specialist interim accommodation. Member States must now provide sufficient capacity of easily accessible, specialised and safe accommodation. The accommodation must be provided in a victim-centred, gender-, disability- and child-sensitive manner before, during and for an appropriate period of time after the conclusion of criminal proceedings. Member States must ensure that victims are referred to the most appropriate support and assistance, whether that is a shelter or another more appropriate form of accommodation. States must ensure that accommodation, and other forms of assistance, are easily accessible and provided irrespective of nationality, place of residence or residence status. The accommodation must aim for full integration into society and a return to independent living. A wide range of professionals must be regularly provided with specialised training. Presently, the Directive is pending transposition in Ireland, a process that should be completed before July 2026.

1.1.2 EU Directive 2011/36 EU – Anti-Trafficking Directive – retained standards

The EU Anti-Trafficking Directive, as adopted in 2011, aspired to protect and provide assistance to victims of trafficking in human beings through the provision of safe and appropriate accommodation. Some of the provisions relating to accommodation were unchanged by the recast Directive of 2024.

The 2011 Recital recognises the necessity for gender-specific assistance and support measures where the reason for trafficking is gender-specific. ³⁹

*This Directive recognises the gender-specific phenomenon of trafficking and that women and men are often trafficked for different purposes. For this reason, assistance and support measures should also be gender-specific where appropriate.*³⁹

The recast Anti-Trafficking Directive recognises the need for gender-sensitive and victim-centred approaches and requires States to take a more individualistic approach to the provision of protection and assistance.

*‘Member States should therefore pay due regard to victims affected by such intersectional discrimination and to the resulting increased vulnerability, through providing specific measures where intersecting forms of discrimination are present. Particular attention should be paid to discrimination based on racial and ethnic origin.’*⁴⁰

Specific measures should be provided for victims affected by and made more vulnerable by intersectional discrimination.

Article 11 was significantly amended in the recast Directive, with the exception of Articles 11.2, 11.3 and 11.7, which remained unchanged. Article 11.2 refers to a person and not a victim, removing any ambiguity that a person need make a formal complaint as a victim of crime to be provided with assistance and support.

*‘Member States shall take the necessary measures to ensure that a person is provided with assistance and support as soon as the competent authorities have a reasonable-grounds indication for believing that the person might have been subjected to any of the offences referred to in Articles 2 and 3.’*⁴¹

³⁹ EU Directive 2011/36/EU (EU Anti-Trafficking Directive) Recital 3.

⁴⁰ EU Directive 2024/1712 (recast EU Anti-Trafficking Directive) Recital 4.

⁴¹ EU Directive 2011/36/EU (Anti-Trafficking Directive) Art. 11.2.

Article 11.3 states that assistance and support for a victim are not to be made conditional *‘on the victim’s willingness to cooperate in the criminal investigation, prosecution or trial.’*⁴² The recast Directive extends the offences referred to in Article 2.3 to include,

*‘as a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, including begging, slavery or practices similar to slavery, servitude, or the exploitation of criminal activities, or the removal of organs, or the exploitation of surrogacy, of forced marriage, or of illegal adoption.’*⁴³

Article 11.7 calls for States *‘to attend to victims with special needs, where those needs derive, in particular, from whether they are pregnant, their health, a disability, a mental or psychological disorder they have, or a serious form of psychological, physical or sexual violence they have suffered.’*⁴⁴ This paragraph remains unchanged in the recast Directive, ensuring States pay attention to all the individual characteristics that make victims especially vulnerable.

The EU Anti-Trafficking Directive aimed to provide specific sectoral rights for victims of trafficking that were both inclusive of and above and beyond the rights of other victims of crime.

1.1.3 EU Directive 2012/29 – Victims’ Directive

At the time of writing of this report, a proposal for targeted revision of the EU Victims’ Directive was in the legislative train schedule of the European Parliament.⁴⁵ The proposed EU Victims’ Directive aims to clarify the scope of Member States’

obligations under the recast Victims’ Directive as including existing obligations under all relevant sectoral legislation, for example, the EU Anti-Trafficking Directives. An explicit provision is proposed to ensure that when Member States transpose their obligations under the recast Victims’ Directive, they do so without affecting their obligations under EU VAWDV. For example, the obligations to ensure *‘shelters and other appropriate interim accommodation’* under EU VAWDV will not be affected. It is also proposed to amend the Victims’ Directive to specify that *‘targeted and integrated services’* should be available to victims of trafficking in human beings (among other victims with specific needs).

Further proposals are to strengthen victims’ rights to free psychological support *‘for as long as necessary’*, and to provide for targeted, multi-agency child-sensitive approaches *‘to all child victims who need it.’* The proposals also strengthen the right to compensation and mandate States to pay the victim any compensation due from the offender upfront immediately after judgment, and then seek reimbursement from the offender.

The 2012 EU Victims’ Directive states in Article 8(3) that victims and family members shall have access to specialist support services *‘in accordance with their specific needs and the degree of harm suffered as a result of the criminal offence committed against the victim.’*⁴⁶ Assessments of specific individual needs and individual harms suffered are therefore required for victims and their family members. Article 8(3) also provides that Member States shall take measures to establish specialist support services, which may be in addition to or integrated into general victim support services. General services may call on *‘existing specialised entities providing such specialist support’*⁴⁷

⁴² EU Directive 2011/36/EU (Anti-Trafficking Directive) Art. 11.3.

⁴³ EU Directive 2024/1712 (recast EU Anti-Trafficking Directive) Art. 2.3.

⁴⁴ EU Directive 2011/36/EU (Anti-Trafficking Directive) Art. 11.3.

⁴⁵ European Parliament, Legislative Train Schedule, (20/09/2024) ‘Revision of the victims’ rights acquis’.

⁴⁶ EU Directive 2012/29 (Victims’ Rights Directive) Art. 8(3).

⁴⁷ EU Directive 2012/29 (Victims’ Rights Directive) Art. 8(3).

The Recital clarifies that victims who have suffered considerable harm could require specialist support services.⁴⁸ Support should be provided in sufficient geographical distribution, without excessive formalities and *'available from the moment the competent authorities are aware of the victim and throughout criminal proceedings and for an appropriate time after such proceedings.'*⁴⁹

Clarification on the meaning of 'specialist support services' as being based on an *'integrated and targeted approach'* and including the provision of shelter and safe accommodation is found in the Recital.⁵⁰ Clarification on who is eligible for specialist support services is also found in the Recital.

*'Persons who are particularly vulnerable or who find themselves in situations that expose them to a particularly high risk of harm, such as persons subjected to repeat violence in close relationships, victims of gender-based violence, or persons who fall victim to other types of crime in a Member State of which they are not nationals or residents, should be provided with specialist support and legal protection.'*⁵¹

While the individual assessment remains important, victims of human trafficking for sexual exploitation are among those who should be provided with specialist targeted and integrated support and accommodation.

Access to specialist support services is *'not dependent on a victim making a formal complaint with regard to a criminal offence*

*to a competent authority.'*⁵² As outlined above, support should be available as soon as the competent authorities are aware of the victim, without need for reasonable-grounds indication or other process.⁵³

Article 9 provides detail on the minimum requirements for specialist support services that may be developed and provided by CSOs or public organisations. At a minimum, confidential victim support services shall provide

*'(a) shelters or any other appropriate interim accommodation for victims in need of a safe place due to an imminent risk of secondary and repeat victimisation, of intimidation and of retaliation; (b) targeted and integrated support for victims with specific needs, such as victims of sexual violence, victims of gender-based violence and victims of violence in close relationships, including trauma support and counselling.'*⁵⁴

The Victims' Directive, the recast Anti-Trafficking Directive and EU VAWDV all call for *'shelters and other appropriate interim accommodation'*, acknowledging that a single form of accommodation may not be appropriate or safe for all victims of human trafficking.⁵⁵

Article 22 of the Victims' Directive provides for individual assessment of victims' specific protection needs taking into account *'a) the personal characteristics of the victim; (b)*

48 EU Directive 2012/29 (Victims' Rights Directive) Recital 37.

49 EU Directive 2012/29 (Victims' Rights Directive) Recital 37.

50 EU Directive 2012/29 (Victims' Rights Directive) Recital 38.

51 EU Directive 2012/29 (Victims' Rights Directive) Recital 38.

52 EU Directive 2012/29 (Victims' Rights Directive) Art. 8(5).

53 EU Directive 2012/29 (Victims' Rights Directive) Recital 19 'A person should be considered to be a victim regardless of whether an offender is identified, apprehended, prosecuted or convicted and regardless of the familial relationship between them.'; Recital 22 'The moment when a complaint is made should, for the purposes of this Directive, be considered as falling within the context of the criminal proceedings. This should also include situations where authorities initiate criminal proceedings ex officio as a result of a criminal offence suffered by a victim.'

54 EU Directive 2012/29 (Victims' Rights Directive) Art. 9(3).

55 EU Directive 2024/1712 (recast Anti-Trafficking Directive) Art. 11.5.

*the type or nature of the crime; and (c) the circumstances of the crime.'*⁵⁶ A presumption of specific needs is included for child victims⁵⁷ and victims of human trafficking, terrorism, organised crime, violence in close relationships, sexual violence or exploitation, gender-based violence, hate crime, and victims with disabilities. These are all at risk of secondary and repeat victimisation, intimidation and retaliation.⁵⁸ The extent of the individual assessment shall be adapted according to the severity of harm suffered and degree of apparent harm, shall take the wishes of the victim into account and shall be updated throughout criminal proceedings.⁵⁹

1.1.4 EU Directive 2024/1385 – EU Directive VAWDV

EU Directive VAWDV establishes minimum rules for early intervention, protection and support for victims of offences of violence against women under EU or national law.⁶⁰ The Directive also includes a non-regression clause to prevent States reducing the level of protection of victims.⁶¹

EU Directive VAWDV provides for coordinated, State-wide, effective and comprehensive policies, a coordinating body, and regularly reviewed national action plans, in cooperation with CSOs.⁶² Article 30 provides for '*shelters and other appropriate interim accommodation*' and also calls for sufficient human and financial resources for these.⁶³

Article 30 Shelters and other interim accommodation

1. *The shelters and other appropriate interim accommodation as provided for in Article 9(3), point (a), of Directive 2012/29/EU ('shelters and other appropriate interim accommodation') shall specifically address the needs of victims of domestic violence and sexual violence, including those of victims at an increased risk of violence. They shall assist victims in their recovery by providing safe, easily accessible, adequate and appropriate living conditions with a view to a return to independent living and by providing information on support services and referrals, including for further medical care.*
2. *The shelters and other appropriate interim accommodation shall be provided in sufficient numbers and shall be easily accessible and equipped to accommodate the specific needs of women, including by providing women-only shelters with room for children, and ensuring the rights and needs of children, including child victims.*
3. *The shelters and other appropriate interim accommodation shall be available to victims and dependants under the age of 18, regardless of their nationality, citizenship, place of residence or residence status.*

⁵⁶ EU Directive 2012/29 (Victims' Rights Directive) Art. 22.

⁵⁷ EU Directive 2012/29 (Victims' Rights Directive) Art.22.4.

⁵⁸ EU Directive 2012/29 (Victims' Rights Directive) Recital 57.

⁵⁹ EU Directive 2012/29 (Victims' Rights Directive) Art. 22.5–7.

⁶⁰ EU Directive 2024/1385 (EU Directive VAWDV) Art. 1 (c) "*victim*" means any person, regardless of their gender, who has suffered harm directly caused by violence against women or domestic violence, including children who have suffered harm because they have witnessed domestic violence.

⁶¹ EU Directive 2024/1385 (EU Directive VAWDV) Art. 48.

⁶² EU Directive 2024/1385 (EU Directive VAWDV) Chapter 6, Art. 38–41.

⁶³ EU Directive 2024/1385 (EU Directive VAWDV) Art. 25.3 and 25.7.

4. Article 25(3)⁶⁴ and (7)⁶⁵ applies to shelters and other appropriate interim accommodation.⁶⁶

EU Directive VAWDV calls for States to build on the requirements of the Victims' Directive with targeted and integrated specialist support services which are empowering, which aid the recovery process, and which could be provided by non-governmental women-led organisations.⁶⁷ Access to services should be coordinated through contact point or online one-stop access, with respect to accessibility requirements.⁶⁸ Victims should be offered specialist support services irrespective of whether they have filed a formal complaint.⁶⁹

*'Beyond providing a safe place to stay, shelters should provide the necessary support concerning interlocking problems related to victims' health, including mental health, financial situation and the well-being of their children, ultimately preparing victims for an autonomous life. Member States should ensure that a sufficient number of shelters and other appropriate interim accommodation is available. The term 'sufficient numbers' is intended to ensure that the needs of all victims are met, both in terms of shelter places and specialised support.'*⁷⁰

Targeted and specific protection and support should be ensured for victims facing higher risk of violence.

*'Member States shall ensure the provision of specific support to victims experiencing intersectional discrimination who are at an increased risk of violence against women or domestic violence.'*⁷¹

Intersectional discrimination is described as a combination of sex and any other ground or grounds of discrimination including race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation.⁷² Victims experiencing intersectional discrimination could include women with disabilities, women with dependent residence status or a dependent residence permit, women third-country nationals, undocumented migrant women, women applicants for international protection, women fleeing armed conflict, women affected by homelessness, women with a minority racial or ethnic background, women living in rural areas, women in prostitution, women with low income, women detainees, lesbian, gay, bisexual, trans or intersex persons, older women or women with alcohol and drug use disorders.⁷³

Article 16 rules that, at least in respect of victims of sexual or domestic violence, the competent authorities must, from the first occasion or as soon as possible after first contact, collaborate with specialist support services to identify the specific protection needs by means of an individual risk assessment, *'paying special attention to the need to avoid secondary or repeat*

64 EU Directive 2024/1385 (EU Directive VAWDV) Member States shall ensure sufficient human and financial resources to provide the specialist support services referred to in paragraph 1. Where specialist support services as referred to in paragraph 1 are provided by non-governmental organisations, Member States shall provide them with adequate funding, taking into account the proportion of specialist support services that are already provided by public authorities. Art. 25.3.

65 EU Directive 2024/1385 (EU Directive VAWDV), Member States shall aim to ensure that specialist support services referred to in paragraph 1 remain fully operational for victims in times of crisis, such as health crises or other states of emergency. Art. 25(7).

66 EU Directive 2024/1385 (EU Directive VAWDV) Art. 30.

67 EU Directive 2024/1385 (EU Directive VAWDV) Recital 58.

68 EU Directive 2024/1385 (EU Directive VAWDV) Art. 25.4.

69 EU Directive 2024/1385 (EU Directive VAWDV) Art. 25.1.

70 EU Directive 2024/1385 (EU Directive VAWDV) Recital 67 'The number of shelter places should depend on a realistic estimation of the actual need'.

71 EU Directive 2024/1385 (EU Directive VAWDV) Art. 33.1.

72 EU Directive 2024/1385 (EU Directive VAWDV) Recital 6.

73 EU Directive 2024/1385 (EU Directive VAWDV) Recital 71.

*victimisation.*⁷⁴ Dependents shall be presumed to have specific protection needs unless there are indications otherwise.⁷⁵

Without delay, the competent authorities may coordinate contact with specialist support services on the victim's request or with the victim's consent if specific needs are identified.⁷⁶ Adequate funding shall be available to fund CSOs to provide supports that shall include

*'(e) information on and, where appropriate, referral to women's support services, rape crisis centres, shelters and sexual violence referral centres; and (f) information on and, where appropriate, referral to specialist support services for victims at an increased risk of violence, which may include services for rehabilitation and socio-economic integration after sexual exploitation.'*⁷⁷

Specialist support services shall be available to victims before, during and for an appropriate time after criminal proceedings.⁷⁸

For victims of sexual violence, rape crisis centres and sexual assault treatment units (SATU) shall be funded and available in sufficient capacity and geographical distribution.⁷⁹ Helplines providing confidential information and advice must be available free of charge, 24 hours a day and 7 days a week.⁸⁰

Children who might have been subject to or might have witnessed violence against women or domestic violence shall be provided with adequate specific specialised age-appropriate support,

including medical care and emotional, psychosocial, psychological and educational support, tailored to developmental and individual specific needs. Children should be accommodated, after hearing the child's views, with other (non-violent) family members, in appropriate temporary or permanent accommodation that is equipped with support services and in the best interests of the child.⁸¹

States must ensure that victims who so request can be accommodated separately from persons of the other sex in accommodation centres for applicants for international protection.⁸²

EU Directive VAWDV is significant for victims of trafficking for sexual exploitation in that there is no formal process attached to the threshold for accessing accommodation. The immediate protection and specific support needs of victims of sexual violence should be identified as soon as possible after first contact or as soon as suspicion arises that the person is a victim of sexual violence. Victims of sexual violence who meet the reasonable-grounds threshold for victims of trafficking are entitled to accommodation under the recast EU Anti-Trafficking Directive. Victims of sexual violence who do not meet the reasonable-grounds threshold are entitled to shelter and other interim accommodation under EU VAWDV or the Victims' Rights Directive, regardless of their nationality, citizenship, place of residence or residence status, without need for formal complaint.

74 EU Directive 2024/1385 (EU Directive VAWDV) Art. 16.1–4.

75 EU Directive 2024/1385 (EU Directive VAWDV) Art. 16.8.

76 EU Directive 2024/1385 (EU Directive VAWDV) Art. 18.1, 2.

77 EU Directive 2024/1385 (EU Directive VAWDV) Art. 25.1 (e), (f).

78 EU Directive 2024/1385 (EU Directive VAWDV) Art. 25.8.

79 EU Directive 2024/1385 (EU Directive VAWDV) Art. 26.

80 EU Directive 2024/1385 (EU Directive VAWDV) Art. 29.

81 EU Directive 2024/1385 (EU Directive VAWDV) Art. 31.

82 EU Directive 2024/1385 (EU Directive VAWDV) Art. 33.3.

1.2 Council of Europe Conventions

Two Council of Europe Conventions stand out in terms of their special focus on assistance to victims of trafficking and victims of gender-based violence. The Warsaw Convention on Action against Trafficking in Human Beings and the Istanbul Convention on Preventing and Combating Violence Against Women and Domestic Violence undoubtedly informed the EU legislative framework. The Council of Europe Conventions are binding and are overseen by efficient and independent monitoring mechanisms.

GRETA⁸³ is the monitoring body for the Warsaw Convention and GREVIO⁸⁴ is the monitoring body for the Istanbul Convention. Engagement with and attention to the recommendations of these two monitoring mechanisms is an obligation for States acceding to the Conventions. As with all international instruments States are encouraged to aim above the minimum standards described within the Convention. The following analysis of the two Council of Europe Conventions is based on the legislative texts, the Explanatory Reports to the Conventions, and the independent expert publications of GRETA and GREVIO.

1.2.1 Council of Europe Convention on Action Against Trafficking in Human Beings – Warsaw Convention (2005)

The Warsaw Convention and its Explanatory Report defined core tenets for appropriate and secure accommodation for victims of trafficking that later EU Directives expand upon. The language and detail have changed over the years but a binding legal obligation to apply a human rights-based approach to

the provision of accommodation for victims of trafficking was established in 2005.

The Warsaw Convention recognises trafficking for the purposes of sexual exploitation as torture or inhuman or degrading treatment. The Convention requires States to provide a comprehensive statutory framework of gender-specific and child-specific measures, including accommodation for victim assistance and protection. Gender-sensitivity and gender equality are emphasised in Article 1 as key purposes of the Convention.

‘Equality must be promoted by supporting specific policies for women, who are more likely to be exposed to practices which qualify as torture or inhuman or degrading treatment (physical violence, rape, genital and sexual mutilation, trafficking for the purpose of sexual exploitation).’⁸⁵

The measures must both protect women from trafficking for sexual exploitation and protect and provide timely assistance to women who have experienced sexual violence and sexual exploitation.

Article 10(2) of the Warsaw Convention provides that presumed victims of trafficking must not be removed from the country and are entitled to ‘appropriate and secure’ accommodation until the identification process is complete. Victims of trafficking should have access to specialised shelters, and accommodation should be separate from the immigration system.⁸⁶

Article 12 sets minimum standards for assistance measures that States must provide for victims of trafficking, such as standards of living capable of ensuring their subsistence, through such measures as appropriate and secure housing, psychological and material

⁸³ Council of Europe Convention on Action Against Trafficking in Human Beings, CETS No. 197 (Warsaw Convention) 2005, Art. 36

⁸⁴ Council of Europe Convention on preventing and combating violence against women and domestic violence CETS No. 210 (Istanbul Convention) 2011, Art. 66

⁸⁵ Council of Europe (2005), ‘Explanatory Report – CETS 197 – Action against Trafficking in Human Beings’, paras 52–55.

⁸⁶ Council of Europe, GRETA (2019), ‘Eighth General Report on GRETA’s Activities, covering the period from 1 January to 31 December 2018’, para 118 link.

assistance and access to emergency medical treatment.⁸⁷

The Explanatory Report to the Convention clarifies that the type of appropriate accommodation depends on the victim's personal circumstances and the types and degree of violence suffered.

*'Victims' needs can vary widely depending on their personal circumstances. They may arise from matters such as age or gender, or from circumstances such as the type of exploitation the victim has undergone, the country of origin, the types and degree of violence suffered, isolation from his or her family and culture, knowledge of the local language, and his or her material and financial resources. It is therefore essential to provide measures that take victims' safety fully into account.'*⁸⁸

Special protected shelters or refuges are identified as especially suitable.

*'Refuges, staffed by people qualified to deal with questions of assistance to trafficking victims, provide round-the-clock victim reception and are able to respond to emergencies. The purpose of such shelters is to provide victims with surroundings in which they feel secure and to provide them with help and stability.'*⁸⁹

All presumed victims of trafficking are entitled to appropriate and secure accommodation to assist victims in their physical, psychological and social recovery, even where the victim has not been granted a residence permit.

Entitlements must be provided

'on a consensual and informed basis, taking due account of the special needs of persons in a vulnerable position and the rights of children in terms of accommodation, education and appropriate health care'

and must not be made conditional on willingness to act as a witness.⁹⁰

Assistance to victims of trafficking, including victims in the asylum process, should be provided in cooperation with non-governmental organisations, other relevant organisations or other elements of civil society engaged in assistance to victims, as required by Article 12(5) of the Convention.⁹¹ However, it remains the responsibility of the State to adequately fund the accommodation, protection and assistance services and to ensure that victims receive the assistance that they are entitled to in time.⁹²

Article 13 provides for a recovery and reflection period intended for victims who are illegally in the country or who are on short-term residence permits, during which period they are not to be removed from the country. The purpose of this period is to allow victims to recover, to escape from the influence of traffickers, and to decide whether to cooperate with the prosecution of the traffickers.

*'Victims recovery implies, for example, healing of the wounds and recovery from the physical assault which they have suffered. That also implies that they have recovered a minimum of psychological stability.'*⁹³

87 Council of Europe (2005) *Convention on Action against Trafficking in Human Beings*, CETS No. 197 (Warsaw Convention).

88 Council of Europe (2005) 'Explanatory Report – CETS 197 – Action against Trafficking in Human Beings', para 164.

89 Council of Europe (2005) 'Explanatory Report – CETS 197 – Action against Trafficking in Human Beings', para 154.

90 Council of Europe (2005) *Convention on Action against Trafficking in Human Beings*, CETS No. 197 (Warsaw Convention) Art. 12.

91 Council of Europe GRETA (2020b) 'Guidance note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection' para 42.

92 Council of Europe (2005) 'Explanatory Report – CETS 197 – Action against Trafficking in Human Beings', para 149.

93 Council of Europe (2005) 'Explanatory Report – CETS 197 – Action against Trafficking in Human Beings', para 173.

During the recovery and reflection period all victims are entitled to the accommodation and assistance measures of Article 12 (1,2).⁹⁴

Article 14 provides for the issuing of a renewable residence permit to victims. This is particularly important as access to different forms of accommodation and accommodation supports are often very closely linked to residence status.

The Warsaw Convention is a binding legal instrument, ratified by Ireland in 2010. The Convention requires States to work strategically with CSOs and to resource their work appropriately. GRETA works to ensure that States effectively implement a human rights-based approach. GRETA is particularly significant as it is currently the only independent panel of experts to monitor the implementation of binding legal provisions on combating trafficking in human beings.⁹⁵ The third evaluation round included monitoring the practical implementation of provisions for identification, accommodation, assistance and protection of victims of trafficking, and included on-site visits and observing the work of frontline professionals.⁹⁶

1.2.2 Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence – Istanbul Convention (2011)

The Istanbul Convention was ratified by Ireland in 2018 and by the EU in 2023 and has been very influential in setting standards for the provision of accommodation and

specialist support services for victims of violence against women. Ireland's Second and Third National Strategies for DSGBV were designed to facilitate the implementation of the Istanbul Convention, and are structured around the four pillars of the Convention, namely prevention, protection, prosecution and policy coordination.⁹⁷

The Istanbul Convention aimed to design a comprehensive framework of policies and measures to assist victims of violence against women and protect from any further threat or risk of violence. The Convention also provided important definitions, including for gender-based violence (GBV)⁹⁸ and violence against women (VAW).⁹⁹ While the Convention does not provide specific provisions for victims of human trafficking, it names many of the manifestations of violence that victims of human trafficking for sexual exploitation are subject to.

Article 1 states that protection of women against all forms of violence is one of the specific purposes of the Convention, necessitating the design of a framework to re-establish physical and psychological health and to enable women to rebuild their lives, all grounded in a human rights-based approach.

In Article 18, States are called upon to adopt an integrated approach to support victims, and to adopt, implement and fund State-wide policies for all measures in order to offer a holistic response. The integrated human rights-based approach is a general obligation and must *'take into account the relationship between victims, perpetrators, children and*

⁹⁴ Council of Europe (2005) *Convention on Action against Trafficking in Human Beings*, CETS No. 197 (Warsaw Convention) Art. 12.1–2.

⁹⁵ Council of Europe, GRETA (2019), 'Eighth General Report on GRETA's Activities, covering the period from 1 January to 31 December 2018', para 1.

⁹⁶ Council of Europe, GRETA (2019), 'Eighth General Report on GRETA's Activities, covering the period from 1 January to 31 December 2018', para 22.

⁹⁷ Department of Justice (2023) 'Zero Tolerance for Domestic, Sexual and Gender-Based Violence: Third National Strategy on Domestic, Sexual & Gender-Based Violence 2022–2026', pp. 27–29.

⁹⁸ Council of Europe CETS No. 210 (Istanbul Convention) 2011, Article 3d '*gender-based violence against women shall mean violence that is directed against a woman because she is a woman or that affects women disproportionately*'.

⁹⁹ Council of Europe CETS No. 210 (Istanbul Convention) 2011, Article 3a '*For the purpose of the Convention, a. "violence against women" is understood as a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life*'.

*their wider social environment.*¹⁰⁰ This is a victim-centred provision that recognises that coercive control and economic abuse are employed as violence against women. States should take measures to allow *'for a range of protection and support services to be located on the same premises.'*¹⁰¹ Integrated policies are to support integrated services in practice. Prevention, protection and prosecution are to be integrated within services.¹⁰²

Article 22 requires States to take the necessary measures to provide *'immediate, short- and long-term specialist support services to any victim subjected to any of the acts of violence covered by the scope of this Convention.'*¹⁰³ The types of support that the dedicated support services need to be able to offer includes providing shelter and safe accommodation.¹⁰⁴

Article 23 obliges States to take legislative and other necessary measures to provide for the setting up of shelters to provide safe and appropriate accommodation for victims of GBV. The shelters must be provided in sufficient numbers to be easily accessible and reach out pro-actively to victims and their children.¹⁰⁵

The Explanatory Report to the Istanbul Convention interprets the provision for sufficient numbers of women's shelters to

provide for every victim as meaning the provision of specialist shelters and supports for different forms of GBV, just one of which is domestic violence. For women's domestic violence shelters, one family place per 10,000 head of population or according to actual need, and *'for shelters on other forms of violence, the number of places to be offered will again depend on the actual need.'*¹⁰⁶

The Istanbul Convention sets the standard that each type of violence against women requires a different specialist response. Sexual exploitation and domestic violence are different forms of violence against women. *'Each type of violence requires a different kind of support and protection, and staff need to be trained to provide these.'*¹⁰⁷ To summarise, a specialist approach to shelter and safe, appropriate accommodation for victims of VAW and GBV is required by the Convention and capacity must be based on actual need.

The Explanatory Report to the Istanbul Convention also differentiates between temporary housing or shelters such as those for the homeless or applicants for international protection, and specialised refuges for victims of violence against women.¹⁰⁸ Article 25 on support for victims of sexual violence underscores the rights to a particularly sensitive response by trained and specialised staff and the provision

100 Council of Europe CETS No. 210 (Istanbul Convention) 2011, Art. 18.3.

101 Council of Europe CETS No. 210 (Istanbul Convention) 2011, Art. 18.3.

102 Council of Europe, 'Explanatory Report to CETS No. 210', para 116.

103 Council of Europe CETS No. 210 (Istanbul Convention) 2011, Art. 22.2.

104 Council of Europe, 'Explanatory Report to CETS No. 210', para 132.

105 Council of Europe CETS No. 210 (Istanbul Convention) 2011, Art. 23 *'Shelters – Parties shall take the necessary legislative or other measures to provide for the setting up of appropriate, easily accessible shelters in sufficient numbers to provide safe accommodation for and to reach out pro-actively to victims, especially women and their children.'*

106 Council of Europe, 'Explanatory Report to CETS No. 210', para 135, *'This provision calls for shelters to be set up in sufficient numbers to provide appropriate temporary accommodation for all victims. Each type of violence requires a different kind of support and protection, and staff need to be trained to provide these. The term "sufficient numbers" is intended to ensure that the needs of all victims are met, both in terms of shelter places and specialised support. The Final Activity Report of the Council of Europe Task Force to Combat Violence against Women, including Domestic Violence (EG-TFV (2008)6) recommends safe accommodation in specialised women's shelters, available in every region, with one family place per 10 000 head of population. However, the number of shelter places should depend on the actual need. For shelters on other forms of violence, the number of places to be offered will again depend on the actual need.'*

107 Council of Europe, 'Explanatory Report to CETS No. 210', para 135.

108 Council of Europe, 'Explanatory Report to CETS No. 210', para 133, *'Temporary housing alone or general shelters such as those for the homeless, are not sufficient and will not provide the necessary support or empowerment. Victims face multiple, interlocking problems related to their health, safety, financial situation and the well-being of their children. Specialised women's shelters are best equipped to address these problems, because their functions go beyond providing a safe place to stay.'*

of immediate support and long-term psychological counselling and therapy.¹⁰⁹ Rape Crisis Centres and sexual violence referral centres must be provided in sufficient numbers to ensure easy access and to ensure that the services offered are suitable to the needs of the victims. The geographical spread *'should make them accessible to victims in rural areas as much as in cities.'*¹¹⁰

States are obliged to design specialist services and supports in a way that avoids extra barriers, hardship or delays and that includes hard-to-reach groups. Making access to supports and accommodation conditional on cooperation, residence, immigration status or lodging an official complaint contravenes the Convention. Generalised services must provide support to all women equally, and specialised supports must have capacity for actual need.¹¹¹ Women in remote, rural or isolated circumstances must have equal access to all supports.¹¹²

The Istanbul Convention prohibits discrimination in the implementation of the Convention¹¹³ and the Explanatory Report provides an open-ended list of grounds or *'persons made vulnerable by particular circumstances.'*¹¹⁴ The Convention calls on States to pay particular attention to the existence of 'multiple discrimination' and the connection between social positioning and risk of VAW, for example, women in prostitution, women in addiction, women of national or ethnic minority background, women migrants – including undocumented migrants and refugees, women experiencing homelessness, women in poverty, women

with low literacy levels or low socio-economic status, pregnant women and women with young children, women with disabilities, including those with mental or cognitive impairments, women living in rural or remote areas, lesbian women, bisexual and transgender persons as well as HIV-positive women.¹¹⁵

A recent report by GREVIO examines the obligations of States to reanalyse their implementation of the Convention from an intersectional anti-discrimination perspective.¹¹⁶ This prompts States to move away from any policies that treat women in stereotyped groups, and ensure that the characteristics, situation and views of individual women are always taken into account at service level and that intersectional discrimination is always addressed. States are reminded throughout the Convention and other GREVIO publications of their obligations in terms of ensuring that the relevant professionals are trained to a high level of awareness as to specific risks and needs.

The Istanbul Convention contains concrete minimum standards for the provision of accommodation for victims of VAW and GBV. The Convention indicates the necessity for multiple specialisms within specialist accommodation, emphasising the importance of integrated specialist services over generalist women's support services. The Explanatory Report provides the example of one-stop-shops that have been tried and tested for domestic violence services and can easily be adapted to other forms

109 Council of Europe, 'Explanatory Report to CETS No. 210', para.

110 Council of Europe, 'Explanatory Report to CETS No. 210', para.

111 *'This provision calls for shelters to be set up in sufficient numbers to provide appropriate temporary accommodation for all victims. [] The term "sufficient numbers" is intended to ensure that the needs of all victims are met, both in terms of shelter places and specialised support.'* Victim, for the purposes of the Convention is defined in Article 3 as any person who is subject to violence against women or domestic violence. Council of Europe, Explanatory Report to CETS No. 210, paras 135.

112 Council of Europe GREVIO (2022) 'Ensuring the non-discriminatory implementation of measures against violence against women and domestic violence: Article 4, paragraph 3, of the Istanbul Convention, Interpreting the obligations of the Istanbul Convention through an intersectional lens', pp. 43, 44.

113 Council of Europe CETS No. 210 (Istanbul Convention) 2011, Art. 12.3.

114 Council of Europe, 'Explanatory report of the Council of Europe Convention on preventing and combating violence against women and domestic violence', para 87.

115 Council of Europe, 'Explanatory report of the Council of Europe Convention on preventing and combating violence against women and domestic violence', paras 53, 87.

116 GREVIO (2022) 'Ensuring the non-discriminatory implementation of measures against violence against women and domestic violence: Article 4, paragraph 3, of the Istanbul convention' p. 49.

of violence.¹¹⁷ The Explanatory Report also draws attention to the fact that

‘services that mean well but do not adequately take into consideration the devastating effects of violence and the length of the recovery process or that treat victims insensitively run the risk of re-victimising service users.’¹¹⁸

1.3 Conclusion and recommendations on compliance with regional framework

This chapter presented the efforts of the last 20 years to advance the establishment of a regional and EU legislative framework to provide specialised accommodation for victims of human trafficking and violence against women. The legal developments address issues of capacity, accessibility, individualised assistance and gender-specificity. The nexus between human trafficking and gender-based violence, intersectional discrimination and the prostitution system has been established. A specialist, human rights-based, gender-specific and victim-centred response is required in the provision of accommodation for victims of human trafficking for sexual exploitation.

The regional legislative framework has been calling for gender-specific and specialist accommodation for victims of trafficking since 2005. Standards were significantly strengthened in 2024 with EU Directive VAWDV and the recast EU Anti-Trafficking Directive. The Recitals of EU Directives elaborate on the aim and spirit of the legislation and may be used to interpret any ambiguity in the provisions, and it is therefore

useful and relevant to pay close attention to the Recitals.

The developments in 2024 reaffirm that human trafficking for sexual exploitation is now firmly accepted as a form of violence against women and gender-based violence, a position that Ireland has already adopted in the Third National Strategy for DSGBV (TNS DSGBV).¹¹⁹ Human trafficking for sexual exploitation is understood as a manifestation of sexual violence, VAW and GBV, and as such, victims of human trafficking and sexual exploitation can rely on the provisions relating to accommodation in EU Directive VAWDV as well as the recast EU Anti-Trafficking Directive and Victims’ Directive, as appropriate to their individual circumstances.

Both EU Directive VAWDV and the recast EU Anti-Trafficking Directive identify that women experiencing intersectional discrimination are at increased risk of violence and provide for individualised and enhanced protection. Women affected by homelessness, women with a minority racial or ethnic background, women in prostitution, women with low income, and women with alcohol and drug use disorders are listed among those who face heightened risk of violence and exploitation. Specific support measures must be considered for people with disabilities and wherever intersecting forms of discrimination are present.¹²⁰

Both EU Directive VAWDV and the recast EU Anti-Trafficking Directive mandate Member States to provide shelters and other interim accommodation in sufficient capacity for all victims. The recast Anti-Trafficking Directive calls on States to take account of gender, disability and children’s perspectives and to take a victim-centred approach throughout all provisions.¹²¹ Targeted measures for female victims of all forms of GBV and

¹¹⁷ Council of Europe, ‘Explanatory report of the Council of Europe Convention on preventing and combating violence against women and domestic violence’, para 119.

¹¹⁸ Council of Europe, ‘Explanatory report of the Council of Europe Convention on preventing and combating violence against women and domestic violence’, para 117.

¹¹⁹ Department of Justice, ‘Zero Tolerance for Domestic, Sexual and Gender-Based Violence: Third National Strategy on Domestic, Sexual & Gender-Based Violence 2022–2026’, p. 12; citing Yonkova et al. (2017) ‘Protecting Victims: An Analysis of the Anti-trafficking Directive from the Perspective of a Victim of Gender-Based Violence’ (EIGE/2017/OPER/02) p. 81.

¹²⁰ EU Directive 2024/1712 (recast EU Anti-Trafficking Directive) Recital 17.

¹²¹ EU Directive 2024/1712 (recast EU Anti-Trafficking Directive) Recital 3 link.

human trafficking are emphasised in both Directives. The recast EU Anti-Trafficking Directive protects victims from removal and provides for a renewable residence permit to enable victims of human trafficking to access supports and accommodation.

The recast EU Anti-Trafficking Directive explicitly ensures complementarity of rights for victims of trafficking who apply for international protection while receiving support as a victim of human trafficking. Victims of trafficking must be able to apply for international protection while receiving support as a presumed or identified victim of human trafficking.¹²² Presumed and identified victims of trafficking should be able to access specialist shelters and other interim accommodation irrespective of nationality, being stateless, citizenship, place of residence or residence status.¹²³

Ireland's legal obligations outlined in this chapter mandate that all victims of domestic violence and sexual violence who are in need of accommodation should be able to easily access targeted and specialised '*women-only shelters with room for children*'¹²⁴ and other appropriate interim accommodation without making a formal complaint. Victims have additional rights to access specialist gender-specific and child-sensitive shelters and other appropriate accommodations '*equipped to accommodate the specific needs of victims of human trafficking*'¹²⁵ according to their individual and intersectional needs. '

*The shelters and other appropriate interim accommodations shall assist them in their recovery, by providing adequate and appropriate living conditions with a view to a return to independent living.*¹²⁶

¹²² EU Directive 2024/1712 (recast EU Anti-Trafficking Directive) Art. 11a.

¹²³ EU Directive 2024/1712 (recast EU Anti-Trafficking Directive) Recital 18.

¹²⁴ EU Directive 2024/1385 – EU Directive VAWDV Art.30.

¹²⁵ EU Directive 2024/1712 (recast EU Anti-Trafficking Directive) Recital 16.

¹²⁶ EU Directive 2024/1712 (recast EU Anti-Trafficking Directive) Art. 5a.

Recommendations on compliant transposition of EU Framework

1. Ruhama recommends that the State fully transpose EU Directive 2024/1712 (recast EU Anti-Trafficking Directive), where necessary through legislative, regulatory or administrative provisions, by the 15th July 2026, in order to meet or exceed the fresh minimum standards adopted by the EU.

(Responsibility: Department of Justice, Home Affairs and Migration (DJHAM) as a national anti-trafficking coordinator, Oireachtas)

2. Ruhama recommends that the right to specialist accommodation for all victims of human trafficking be embedded in national law and policy, in line with the provisions of the revised EU Anti-Trafficking Directive. Ruhama also recommends the adoption of an explicit policy position clarifying that the above right is independent of the victim's origin, nationality, statelessness, immigration status, or pending international protection claim.

(Responsibility: DJHAM /National Anti-trafficking Coordinator; Department of Housing, Local Government and Heritage (DHLGH); Department of Social Protection, Rural and Community Development and Gaeltacht (DSPRCDG), Oireachtas)

3. Ruhama recommends that the standard of accommodation for victims of trafficking in Ireland meets the *adopted EU standards* of the revised Anti-Trafficking Directive, in particular:
 - Specialist shelters and other interim accommodation must be provided (1) in sufficient numbers; (2) easily accessible to all presumed and identified victims of trafficking; (3) on a consensual and informed basis.
 - Safe, adequate and appropriate living conditions must assist victims in their recovery with a view to a return to independent living.
 - Victim-centred accommodation must provide targeted and integrated support for victims with special needs, such as victims of sexual violence, victims of violence in close relationships, pregnant victims and victims with disabilities, including trauma support and counselling, health service referral, interpretation and legal support for immigration and family related matters.
 - Gender-, disability- and intersectional discrimination-sensitive accommodation must be equipped to meet the specific needs of all victims, including the best interests of their children.
 - Regular and specialised training for accommodation staff must be an integral part of such accommodation.

(Responsibility: DJHAM /National Anti-trafficking Coordinator, DHLGH, DSPRCDG)

4. Ruhama recommends that the State transpose as fully as possible, including through legal, regulatory and administrative provisions where necessary, the EU Directive on Violence Against Women and Domestic Violence by the 14th June 2027.

(Responsibility: DJHAM /National Anti-trafficking Coordinator, Oireachtas).

Chapter 2: Application of the regional and EU legal framework on accommodation for victims of trafficking for sexual exploitation in Ireland



This chapter examines the transposition of the EU legal framework into legal, regulatory and administrative provisions and their implementation at national level. Transposition of EU law usually occurs within a given timeframe with accompanying rules for potential infringement procedures in the case of inadequate transposition. The regional European treaties, on the other hand, provide for a period of ratification. Beyond these processes lies the continuous work on the implementation of the law in practice, which requires monitoring. This chapter briefly explores the State's efforts to incorporate and implement relevant EU and regional treaties that presently shape, or that must in the near future shape, the provision of accommodation for victims of trafficking for sexual exploitation in Ireland.

The recently adopted national strategic documents on human trafficking and on GBV represent important steps in the incorporation of international obligations and fall within the scope of this chapter. The Committee on the Elimination of Discrimination against Women (CEDAW) has long expressed the view that human trafficking for sexual exploitation should be recognised as a form of gender-based sexual violence.¹²⁷ As shown in Chapter 1, multiple EU strategic documents and legislation have also adopted this position. This chapter therefore focuses on the application of an accommodation-related legal and policy framework from the perspective that victims of trafficking for sexual exploitation are victims of GBV. Special attention is paid to the EU law pending transposition in Ireland as it provides a real opportunity for positive remodelling of accommodation provision.

Finally, the chapter reviews the implementation of the obligations for early identification of victims of trafficking, as an

essential precondition to the provision of accommodation, and the matters of equity of services and special permissions for migrant victims who may not automatically meet the criteria for State services delivering accommodation. Amendments to Irish legislative, regulatory and administrative frameworks may be required as the language of the regional and EU legal framework is prescriptive, and Irish legislation does not currently meet this standard.

2.1 National strategies on human trafficking and gender-based violence

The Third National Action Plan to Prevent and Combat Human Trafficking 2023–2027¹²⁸ (NAP) was published in November 2023. The NAP contains strong provisions relating to identifying short-term accommodation arrangements including safe houses and emergency accommodation and the establishment of gender-specific accommodation for trafficked women *'suitable to their vulnerabilities.'*¹²⁹ These actions should be implemented independently of the provision of accommodation for asylum seekers.¹³⁰ The NAP

*'commitment to reform the accommodation approach for victims of trafficking through the development of specific shelters and other related accommodation settings'*¹³¹

must now be implemented with the aim of both meeting the need and fulfilling all of the State's obligations. Specialist organisations stress that specific housing measures that aim to support self-sufficiency and integration are needed in order to avoid

¹²⁷ Committee on the Elimination of Discrimination against Women, General Recommendation No. 19 (1992), para 6.

¹²⁸ Government of Ireland (2023) 'National Action Plan to Prevent and Combat Human Trafficking 2023–2027'

¹²⁹ Government of Ireland (2023) 'National Action Plan to Prevent and Combat Human Trafficking 2023–2027', Action 2.5.

¹³⁰ IHREC (2024/09) 'Trafficking in Human Beings in Ireland: Third Evaluation of the Implementation of the EU Anti-Trafficking Directive', p. 163.

¹³¹ Immigration Council of Ireland (2023) 'Statement concerning the National Action Plan to Prevent and Combat Human Trafficking 2023–2027'.

continued institutionalism of victims of human trafficking.¹³²

The NAP provision for gender-specific accommodation¹³³ was linked to Action 2.6.2 in the TNS DSGBV.¹³⁴ The TNS DSGBV Implementation Plan 2022–2023 aimed to

*'Issue fresh request[s] for tender for specialist accommodation/service provision for victims of trafficking' to '[p]rovide specialist accommodation for victims of trafficking with special regard to victims of trafficking for sexual exploitation.'*¹³⁵

Progress on implementation was made by the establishment of a pilot specialist accommodation unit in December 2023 with capacity for eight female victims of trafficking, the operation of which is Action 2.6.5 of TNS DSGBV Implementation Plan 2024.¹³⁶

Action 2.3 is to develop Operational Guidelines for the revised NRM to *'take account of particular vulnerabilities'* of victims of trafficking and *'outline clear procedures for competent authorities.'*¹³⁷ Operational Guidelines are explicitly required as a function of the Operational Committee under Section 23 of the CL(SO&HT) Act 2024.¹³⁸ Despite the recommendations of the Joint Committee on Justice¹³⁹ *'that the legislation should state more clearly the supports that will*

be provided to victims of trafficking', clear entitlements to accommodation in keeping with EU binding law were omitted from the Act. The Joint Committee on Justice collated multiple stakeholder recommendations and highlighted that the new legislation should be as *'detailed, prescriptive and transparent as possible, in listing the rights and provisions it will include in relation to victims of trafficking'* and that *'as many provisions as possible should be included in this primary legislation rather than leaving them to be specified in secondary legislation.'* At the time of writing the Operational Guidelines were not published.¹⁴⁰

The implementation of the NAP is guided and overseen by a Governance and Strategy Group ('GSG'), informed by the work of a Human Trafficking Oversight Group ('HTOG') and a Human Trafficking Stakeholders' Forum ('HTSF').¹⁴¹ More detailed actions in relation to accommodation of victims will need to be added to the NAP and TNS DSGBV Implementation Plans in order to align the response to the binding international provisions of the EU Directives currently pending transposition.

132 Immigration Council of Ireland (2023) 'Statement concerning the National Action Plan to Prevent and Combat Human Trafficking 2023–2027'.

133 NAP Human trafficking, p. 28, Action 2.5.2 *Establish dedicated accommodation for victims of trafficking – ensuring that victims of trafficking for sexual exploitation are provided with gender-specific accommodation.*

134 Department of Justice (2022) 'Zero Tolerance for Domestic, Sexual and Gender-Based Violence: Third National Strategy on Domestic, Sexual & Gender-Based Violence 2022–2026', p. 12.

135 Department of Justice (2022) 'Third National Strategy on Domestic, Sexual and Gender-Based Violence 2022–2026 Implementation Plan (2022–23)'.

136 Department of Justice (2022) 'Third National Strategy on Domestic, Sexual and Gender-Based Violence 2022–2026 Implementation Plan (2024)'.

137 Government of Ireland (2023) 'National Action Plan to Prevent and Combat Human Trafficking 2023–2027', Action 2.3.

138 Irish Statute Book (28/2024) Criminal Law (Sexual Offences and Human Trafficking) Act 2024, Section 23(c).

139 Joint Committee on Justice (2023) 'Report on Pre-Legislative Scrutiny of the General Scheme of the Criminal Justice (SO&HT) Bill 2022', also recommended that the supports should be in keeping with the EU Directive and *'that victims of trafficking should not be accommodated in Direct Provision centres and that gender-specific sheltered accommodation must be provided for these victims'* p. 9.

140 October 2024. (Update: still not published in June 2025).

141 Department of Justice (2022) 'Third National Strategy on Domestic, Sexual and Gender-Based Violence 2022–2026 Implementation Plan (2022–23)' 2.6.

2.2 Application of the accommodation standards in the EU Anti-Trafficking Directive

‘5a. The shelters and other appropriate interim accommodations referred to in paragraph 5 shall be provided in sufficient numbers and shall be easily accessible to presumed and identified victims of trafficking. The shelters and other appropriate interim accommodations shall assist them [the victims of trafficking] in their recovery, by providing adequate and appropriate living conditions with a view to a return to independent living. They shall also be equipped to accommodate the specific needs of children, including of child victims.’

Under Article 11.4 of the recast EU Anti-Trafficking Directive 2024, the right to shelter or other interim accommodation shall be provided for *‘by law, regulation or administrative provisions.’*¹⁴² The recast Directive has been partially transposed into Irish Statute by the Criminal Law (Sexual Offences and Human Trafficking) Act 2024 (CL(SO&HT) Act 2024).¹⁴³ This Act revises the existing NRM, placing it on statutory footing. The CL(SO&HT) Act 2024 also extends the number of competent authorities¹⁴⁴ by nominating State agencies and approving independent organisations as

trusted partners¹⁴⁵ in the process of formal identification of victims of human trafficking.

Originally, the draft Bill on which this legislation is based referenced the International Protection Accommodation Service (IPAS)¹⁴⁶ as the central provider of State accommodation and subsistence services to victims of human trafficking. This was problematic on a number of levels. Refugee law and international protection procedures are not relevant to all victims of trafficking. At the same time, victims of human trafficking who seek international protection have the right to be assisted with specialised accommodation for victims of human trafficking.¹⁴⁷ The references to IPAS were subsequently removed prior to enactment. However, a new mandate for provision of accommodation for victims of trafficking or clear entitlements to accommodation were not instated in the enacted version despite the recommendations of the Joint Committee for Justice.¹⁴⁸ Responsibility for provision of accommodation for victims of trafficking is expected to be outlined within Operational Guidelines and not defined by statute. For this reason, it is especially timely to examine the State’s international obligations to provide accommodation for victims of trafficking for sexual exploitation.

The recast EU Anti-Trafficking Directive 2024 states that shelters and other interim accommodations *‘shall be provided in sufficient numbers and shall be easily accessible to presumed and identified victims of trafficking.’*¹⁴⁹ Current Irish legislation

¹⁴² EU Anti-Trafficking Directive 2024/1712, Art. 11.4 link. See also Government of Ireland (2011) ‘Administrative Immigration Arrangements for the Protection of Victims of Human Trafficking’.

¹⁴³ Irish Statute Book (28/2024) Criminal Law (Sexual Offences and Human Trafficking) Act 2024

¹⁴⁴ Irish Statute Book, CL(SO&HT) Act 2024, Part 3.20 “‘competent authority” means – (a) the Garda Síochána, (b) the Minister, (c) the Minister for Children, Equality, Disability, Integration and Youth, (d) the Minister for Social Protection, (e) the Child and Family Agency, (f) the Health Service Executive, or (g) the Workplace Relations Commission.”.

¹⁴⁵ Irish Statute Book, CL(SO&HT) Act 2024, Part 3.20 “‘trusted partner” means a body that is designated by order of the Minister under section 21 (3)(a) as a trusted partner.’

¹⁴⁶ International Protection Accommodation Services (IPAS) is responsible for the provision of accommodation and related services to people in the International Protection or asylum process. IPAS is a division of the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) providing accommodation and sustenance to international protection applicants who do not have means to provide for themselves.

¹⁴⁷ IHREC (2024/09) ‘Trafficking in Human Beings in Ireland: Third Evaluation of the Implementation of the EU Anti-Trafficking Directive’, p. 163.

¹⁴⁸ Joint Committee on Justice (2023) ‘Report on Pre-Legislative Scrutiny of the General Scheme of the Criminal Justice (SO&HT) Bill 2022’ p. 9.

¹⁴⁹ Recast EU Anti-Trafficking Directive 2024/1712, Art. 11.5a link.

does not adequately enact the duty to provide specialised safe and appropriate accommodation during or after a statutory recovery and reflection period. Both the prescriptive rights and the permissive rights of victims of trafficking must be accurately transposed and promptly enacted into national statute.¹⁵⁰

- The recast EU Anti-Trafficking Directive *requires the provision* of assistance and support, including accommodation, *from the moment* that there is *an indication of reasonable grounds* to believe that the victim *might have* been trafficked. Irish law requires that a victim must make an application to a competent authority or trusted partner to make a decision that there are reasonable grounds for believing that the applicant *is* a victim.
- The recast EU Anti-Trafficking Directive *requires* appropriate and safe accommodation, including shelters and other appropriate interim accommodation in sufficient numbers and which *shall* be easily accessible to *presumed and identified* victims of trafficking. Irish law rules that presumed and identified victims of trafficking *may be* provided with *assistance with* accommodation, *without entitlement to receive any service at all*, and without any obligation on any relevant body to provide any service at all.¹⁵¹

As it stands, the language of Part 3, Section 32 of the CL(SO&HT) Act 2024 will not meet the obligations of the EU Directive without further legislative, regulatory and administrative provisions. The Act exposes the State to EU infringement procedures and challenges through the Irish Courts,

unless an additional regulatory regime is developed to ensure access to assistance and accommodation, for example through the Operational Guidelines on the NRM. Easily accessible specialist *‘shelters and other interim accommodations’*, equipped to meet the specific needs of victims of trafficking, including family members of victims, must be *‘provided to victims in a victim-centred, gender-, disability- and child-sensitive approach.’*¹⁵²

The absence of legal, regulatory or administrative provisions for specialist accommodation for victims of trafficking for sexual exploitation has meant that the nationality, citizenship, place of residence or residence status of victims may be the determining factor in whether or which accommodation is available to them, which in addition to barriers leads to differential treatment of victims.¹⁵³ The EU law now makes it clear that the specialist accommodation for victims of trafficking should be provided on the basis on their individual and intersectional needs, *‘irrespective of their nationality or of being stateless, of their citizenship, their place of residence or residence status.’*¹⁵⁴

A compliant model of accommodation that can provide for the varied needs of individual victims of trafficking, and accompanying family members, has not been provided for in the legislative, regulatory or administrative framework to date.

¹⁵⁰ Regional law is sometimes prescriptive and sometimes permissive. Prescriptive rights require that the State make the right available without discrimination. Permissive rights require that the State establish rules under which they may grant the right. Regional law also usually entreats States to go beyond the minimum standards within the Directive or Convention.

¹⁵¹ Irish Statute Book (CL) Act 2024, Subsection 3, section 32 reads: “32. (1) Subject to subsection (3), the following may be made available to a presumed victim of human trafficking or an identified victim of human trafficking: (a) social welfare benefits; (b) assistance with accommodation; [...] (3) Nothing in this section shall be construed as— (a) imposing an obligation on any competent authority, trusted partner, relevant body or any other person to provide any service, or (b) entitling any person to receive any service”.

¹⁵² Recast EU Anti-Trafficking Directive 2024/1712, Art. 11.

¹⁵³ IHREC (2024/09) ‘Trafficking in Human Beings in Ireland: Third Evaluation of the Implementation of the EU Anti-Trafficking Directive’, p. 127.

¹⁵⁴ Recast EU Anti-Trafficking Directive 2024/1712, Recital 18.

2.3 Application of the accommodation standards in the Warsaw Convention

GRETA has repeatedly urged the Irish authorities to prioritise review of policy that accommodates victims of trafficking with asylum seekers. GRETA has stressed the importance of ensuring specialised accommodation with dedicated trained personnel that is gender-sensitive, appropriate and safe, and that victims are provided with specialised services.¹⁵⁵

In 2022, in its third evaluation GRETA

*'once again urges the Irish authorities to set up, as a matter of priority, specialised accommodation facilities for victims of THB and to ensure that accommodation is gender-sensitive, appropriate and safe, and that victims are provided with specialised services. In addition to better support and protection of the victims, this would also be in the interest of the investigation. Further, the authorities should enact statutory rights to assistance and protection for possible victims of trafficking, as specified in Articles 10 and 12 of the Convention, regardless of the victims' nationality or immigration status.'*¹⁵⁶

This strong recommendation follows GRETA's observations from the second evaluation report, where the committee recommended that in order for accommodation in Ireland to fulfil the standard of appropriate and safe, the conditions it offers must improve. The

accommodation for victims of trafficking should be gender-sensitive and victims should be provided with specialised services. Victims of trafficking should not be intimidated or ostracised by other residents, and staff should be aware of the needs of victims of trafficking. A personalised approach should be applied and accommodation should be underpinned by statutory rights to assistance and protection for possible victims of trafficking in accordance with Articles 10 and 12 of the Convention, regardless of the victims' nationality or immigration status.¹⁵⁷

2.4 Application of the accommodation standards in the Victims' Rights Directive

At the time of writing this report, EU Directive 2012/29, establishing minimum standards on the rights, support and protection of victims of crime (Victims' Rights Directive),¹⁵⁸ was tabled for revision.¹⁵⁹ The transposition of the 2012 Directive into Irish Statute was by the Criminal Justice (Victims of Crime) Act 2017.¹⁶⁰ This transposition does not provide for shelters (or any other appropriate interim accommodation) or targeted and integrated support. The only references to accommodation are in Part 2 on the right to information, which includes the provision that the Garda Síochána shall offer the victim information relating to *'services providing support for victims including, where relevant, appropriate specialist services (which may include psychological support services) and services providing alternative accommodation.'*¹⁶¹ Where the victim consents, a member of An Garda Síochána

¹⁵⁵ Council of Europe GRETA (2019), 'Eighth General Report on GRETA's Activities, covering the period from 1 January to 31 December 2018', para 126.

¹⁵⁶ Council of Europe GRETA, (2022)12, 'Evaluation Report Ireland: Third evaluation round, Access to justice and effective remedies for victims of trafficking in human beings', para 205.

¹⁵⁷ Council of Europe GRETA, (2017) 'Report concerning the implementation of the Council of Europe Convention on Action Against Trafficking in Human Beings by Ireland (second evaluation round)', paras 141–142.

¹⁵⁸ European Council Directive 2012/29 of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (Victims' Directive).

¹⁵⁹ EU Anti-trafficking Directive legislative train.

¹⁶⁰ Irish Statute Book, Criminal Justice (Victims of Crime) Act 2017.

¹⁶¹ Irish Statute Book, Criminal Justice (Victims of Crime) Act 2017, Art. 7(1).

may *'arrange for the victim to be referred to an appropriate, and where relevant specialist, service which provides support for victims.'*¹⁶²

Compliance with international law on State duty to develop and provide specialist, targeted and integrated accommodation for victims of trafficking, sexual violence, gender-based violence and violence in close relationships was not clarified in the Criminal Law (Sexual Offences and Human Trafficking) Act 2024.¹⁶³

The Victims' Rights Directive also calls for assessments of specific individual risk and needs for victims and their family members. Access to specialist support, including accommodation, should be based on individual assessment of needs and harms suffered and not conditional on making a formal complaint. *'Member States shall ensure that access to any victim support services is not dependent on a victim making a formal complaint with regard to a criminal offence to a competent authority.'*¹⁶⁴ This approach recognises the precarity and reluctance of some victims to engage with authorities.

As in the recast EU Anti-Trafficking Directive, the Victims' Rights Directive recognises the right to access support services, including accommodation, prior to formal complaint *'before, during, and for an appropriate period of time after the conclusion of criminal proceedings.'*¹⁶⁵ Similarly, victims who do not engage with the competent authorities should have the right to assistance, including accommodation, because the assistance should not be conditional on the victim's

willingness to make a formal complaint or cooperate in investigation.¹⁶⁶

The CL(SO&HT) Act 2024 goes some way towards satisfying this obligation on the basis that the statutory NRM allows a range of statutory agencies as well as NGOs to be allowed to make such an initial assessment.¹⁶⁷ However, under this law, the definition of *'presumed victim'*, and therefore any rights attached to that status, follows referral into the NRM.¹⁶⁸ The CL(SO&HT) Act 2024 does not provide a statutory right to accommodation for presumed victims of human trafficking, but to *'assistance with accommodation.'*¹⁶⁹ Victims of human trafficking for sexual exploitation should be provided with assistance and accommodation until they are in a stable position to make a consensual and informed decision about whether to engage with any of the competent authorities as appropriate to their status, safety and recovery. Clarification is needed that access to support services, including accommodation, for victims of sexual exploitation recognises the right of victims of trafficking to a reflection period.¹⁷⁰

¹⁶² Irish Statute Book, Criminal Justice (Victims of Crime) Act 2017, Art. 7(9).

¹⁶³ Irish Statute Book, CL(SO&HT) Act 2024. One of the functions of the new Operational Committee of the NRM is 'to support the provision of services to presumed victims of human trafficking and identified victims of human trafficking'. Art. 23(f).

¹⁶⁴ EU Directive 2012/29, Art. 11.5.

¹⁶⁵ EU Directive 2011/36/EU, Art. 8.1. See also EU Directive 2012/29, Art. 11.1.

¹⁶⁶ EU Directive 2011/36/EU, Art. 8.5. See also EU Directive 2012/29, Art. 11.3

¹⁶⁷ Irish Statute Book, CL(SO&HT) Act 2024, Chapter 2.

¹⁶⁸ Irish Statute Book, CL(SO&HT) Act 2024, Art. 31 (1)(a), Art. 28 (4).

¹⁶⁹ Irish Statute Book, CL(SO&HT) Act 2024, Art. 32 (1)(b).

¹⁷⁰ Council of Europe, Warsaw Convention Art. 13; EU Anti-Trafficking Directive 2024/1712, Art. 11.6; citing Directive 2004/81/EC on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities, Art. 6 & 7.

2.5 Application of the accommodation standards in violence against women (VAW) and gender-based violence (GBV) legal frameworks

The State has unequivocally adopted the position that human trafficking for sexual exploitation is a form of gender-based violence and falls within the remit of the TNS DSGBV.¹⁷¹ Policy responsibility for human trafficking for sexual exploitation therefore resides with the Minister for Justice with political oversight provided by the Cabinet Committee on Social Affairs and Equality. The TNS recognised that DSGBV has a significant role in housing insecurity and homelessness and that victims of human trafficking with intersectional needs may require additional measures to address their inclusion and protection needs. The TNS states that all actors leading on implementing actions will be required to consider issues of access for victims of trafficking and other groups at higher risk of DSGBV. The TNS included the establishment of Cuan, the statutory agency under the remit of the Department of Justice dedicated to tackling and reducing domestic, sexual and gender-based violence, and tasked with delivering sufficient number of safe and accessible short- and longer-term accommodation. Cuan is also tasked with leading proactive identification and meeting of local accommodation needs with capital funding provided by the Department of Housing. A stated objective of the

TNS protection pillar is to enable victims/survivors of DSGBV to rapidly access and live in safe, accessible, short- and long-term accommodation as a priority.¹⁷²

In May 2024 the EU Directive on VAWDV reinforced the specific right of victims of violence against women, sexual violence and domestic violence to shelters and other appropriate interim accommodation, referencing and complementing obligations established by the Victims' Rights Directive 2012.¹⁷³ The stated purpose of the Directive is to provide a comprehensive framework of rules that *'cater to the specific needs of victims of such violence'* where previous EU Directives have proven insufficient.¹⁷⁴ The 2024 Directive goes beyond the Istanbul Convention in that it clarifies the right of victims of sexual violence to a sufficient number of shelters and other interim accommodation to ensure the needs of all victims are met.

*'Beyond providing a safe place to stay, shelters should provide the necessary support concerning interlocking problems related to victims' health, including mental health, financial situation and the well-being of their children, ultimately preparing victims for an autonomous life. Member States should ensure that a sufficient number of shelters and other appropriate interim accommodation is available. The term "sufficient numbers" is intended to ensure that the needs of all victims are met, both in terms of shelter places and specialised support.'*¹⁷⁵

171 Department of Justice (2022) 'Zero Tolerance for Domestic, Sexual and Gender-Based Violence: Third National Strategy on Domestic, Sexual & Gender-Based Violence 2022–2026', p. 12.

172 Department of Justice (2022) 'Zero Tolerance for Domestic, Sexual and Gender-Based Violence: Third National Strategy on Domestic, Sexual & Gender-Based Violence 2022–2026', pp. 22–27.

173 EU Directive 2012/29 (Victims' Rights Directive) of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA Article 9.3. '3. Unless otherwise provided by other public or private services, specialist support services referred to in Article 8(3), shall, as a minimum, develop and provide: (a) shelters or any other appropriate interim accommodation for victims in need of a safe place due to an imminent risk of secondary and repeat victimisation, of intimidation and of retaliation; (b) targeted and integrated support for victims with specific needs, such as victims of sexual violence, victims of gender-based violence and victims of violence in close relationships, including trauma support and counselling.'

174 EU 2024/1385 Directive of the European Parliament and of the Council on combating violence against women and domestic violence, Recital 5.

175 EU 2024/1385 Directive of the European Parliament and of the Council on combating violence against women and domestic violence, "The number of shelter places should depend on a realistic estimation of the actual need. The identity of victims staying in such shelters should remain confidential in order to ensure women's safety." Recital 67.

The duty of the State to provide shelters and other interim accommodation for victims of human trafficking for sexual exploitation and other victims of GBV will require more than one response, and shelters are just one aspect of interim accommodation provision.

The domestic violence CSOs have decades of experience in supporting and accommodating victims of domestic violence in refuges and other forms of safe accommodation and will continue to take significant responsibility for victims of intimate partner violence. However, the State clearly has an obligation to develop and provide the required capacity of specialised accommodation to meet the need for all other manifestations of GBV. The limitations in the immediate capacity of the CSOs active in the field of human trafficking to acquire the necessary human resources, land, property and planning permissions and to develop the infrastructure in no way diminish the State's ultimate responsibility to meet the international standards to which the State has signed up.

2.6 Application of relevant additional standards supporting provision of accommodation

Early detection

Early detection of potential victims of trafficking is crucial to ensuring that victims of human trafficking can access timely, safe and appropriate accommodation and support services.

'Member States shall take the necessary measures to establish by laws, regulations or administrative

*provisions one or several mechanisms aimed at the early detection and identification of, assistance to and support for identified and presumed victims.'*¹⁷⁶

National systems aimed at early detection of victims were one of the shortcomings of the criminal law response identified by the European Commission (EC) as requiring adaptation of the legal framework in Member States.¹⁷⁷ A further important requirement of the recast Anti-Trafficking Directive is that the NRM should establish minimum standards for detection of victims, with adapted procedures for each form of exploitation, which will impact on the provision of early assistance and accommodation to victims of trafficking.¹⁷⁸

Individual assessments

A compliant model of accommodation should include early and regular individual assessments of vulnerability, risk and needs.¹⁷⁹ On the basis of individual assessment, support services and accommodation should take into account the circumstances, cultural context and needs of the person concerned¹⁸⁰ and *'victims should be protected from retaliation, from intimidation, and from the risk of being re-trafficked.'*¹⁸¹ A victim-centred model of accommodation requires individual, early and regular assessment. The CL(SO&HT) Act 2024 does not refer to early detection and does not impose any timeframe for individual risk assessments to ensure the required urgency. The forthcoming Operational Guidelines for the NRM will outline *'indicators associated with human trafficking to which regard shall be had in decisions'* and *'circumstances and procedures relating to applications.'*¹⁸²

¹⁷⁶ EU Directive 2024/1712, Art. 11.4.

¹⁷⁷ EU Directive 2024/1712 Recital 5.

¹⁷⁸ EU Directive 2024/1712, Art. 11.4.

¹⁷⁹ Directive 2011/36/EU, Art. 12.3–4 provide for individual risk and protection assessments in criminal investigation and proceedings.

¹⁸⁰ Directive 2011/36/EU, Recital 18.

¹⁸¹ Directive 2011/36/EU, Recital 19.

¹⁸² Irish Statute Book, CL(SO&HT) Act 2024, Chapter 2, Section 23 (1)(i)(ii) link.

The Operational Guidelines must provide detailed arrangements with attached time limits to implement an early mechanism for identification, risk assessment and assistance, including accommodation.

Training

Training for staff in a range of agencies and services likely to come into contact with potential victims must include appropriate training to detect, identify, assist, support and refer presumed victims to the most appropriate support services, and the NRM.¹⁸³ Establishing a training framework for early detection and referral is Action 1 of the current NAP and aims to reach all relevant government agencies and departments. The planned framework must provide a high standard of training *‘for professionals likely to come into contact with victims or potential victims of trafficking in human beings, including front-line police officers, court staff, assistance and support services, labour inspectors, social services and healthcare workers.’*¹⁸⁴ Training in early detection and referral for identification is equally important at services for children, people with disabilities and people experiencing homelessness, and at asylum seeker reception centres. Early detection and individual assessment are crucial to effective and equal access to accommodation.

Effective application

The State is obliged to ensure that the application of statute and associated measures is effective, transparent and without discrimination of any kind. Effective application of the law means that the State

must ensure that implementation includes specific measures to ensure effective, equal and uniform access to the rights described by the law. Victims of human trafficking for sexual exploitation affected by intersectional discrimination must have their individual rights accorded through specific measures to ensure effective, equal and uniform access to various forms of protection aimed at their recovery.¹⁸⁵

At the time of writing this report, the Housing (Miscellaneous Provisions) Bill 2024¹⁸⁶ was moving through the legislative process. The legislation proposes to enact a condition of habitual residency that already has a direct effect on the eligibility of identified victims of trafficking to access local authority housing and other forms of housing assistance. In the past, Housing Circular 41/2012¹⁸⁷ set out a habitual residency condition (HRC) for all applicants for local authority housing, which originally did not affect victims of trafficking. However, since the exacerbation of the housing crisis in the last five years, the application of this Circular has proved particularly challenging or simply impossible for victims of trafficking to meet.¹⁸⁸ Victims of trafficking are often not able to show long periods of legal residence in the State through valid passports, immigration cards, family ties or local connections. IHREC recommends that *‘the legislation be amended to ensure that the 5 years reckonable residency requirement does not apply to victims of trafficking in a manner that is contrary to the Anti-Trafficking Directive.’*¹⁸⁹ This proposed housing legislation does not fully take account of the Department of Housing, Local Government and Heritage’s Public Sector Equality & Human Rights Duty

¹⁸³ EU Directive 2024/1712, Professionals likely to come into contact with victims or potential victims: Art. 18b.1; Services for children: Recital 23; Law enforcement and prosecution services: Art.7 (b), Art. 18b.2, Recital 29; Through NAP actions Art. 19b.2(d).

¹⁸⁴ EU Directive 2024/1712, Article 18b.

¹⁸⁵ EU Directive 2024/1712, Recital 4.

¹⁸⁶ Houses of the Oireachtas, Housing (Miscellaneous Provisions) Bill 2024 (Bill 73 of 2024).

¹⁸⁷ Department of Housing, Planning, Community and Local Government (2012) Circular 41/2012.

¹⁸⁸ IHREC (2024/10) Submission to the Minister for Housing, Local Government and Heritage on the General Scheme of the Housing (Miscellaneous Provisions) Bill 2024; Mercy Law Resource Centre (2023) ‘Social Housing Domestic Violence and the Public Sector Duty’.

¹⁸⁹ IHREC (2024/10) Submission to the Minister for Housing, Local Government and Heritage on the General Scheme of the Housing (Miscellaneous Provisions) Bill 2024, p. 3.

obligations under Section 42 of the Irish Human Rights and Equality Commission Act 2014.¹⁹⁰

International protection accommodation

The use of international protection accommodation as the default model of accommodation for victims of trafficking in Ireland is not compliant with EU law. The CL(SO&HT) 2024¹⁹¹ does not address this non-compliance and the State is presently unable to claim full regard to its obligations on accommodation. It is noted that IPAS operates under extreme pressure to provide accommodation for a sharply increasing number of international protection applicants. The absence of a comprehensive specialist accommodation system for victims of human trafficking for sexual exploitation means that unfortunately, with very few exceptions, IPAS has no option but to place victims in non-specialist accommodation for individuals seeking international protection. This policy decision positions victims of human trafficking in an accommodation model that has been found to be unsafe and inappropriate for victims of trafficking on multiple occasions and in numerous analyses.¹⁹² In addition to this, vulnerability assessments in IPAS accommodation were suspended in early 2024, reducing opportunities for early detection of victims of trafficking among the international protection residents.

EU Directive 2013/33 laying down standards for the reception of applicants for international protection (EU Reception

Directive)¹⁹³ was recast in 2024 (recast Reception Directive 2024).¹⁹⁴ Member States are obliged to take into consideration that victims of trafficking are more likely to have special reception needs, and individually assess and address those needs.¹⁹⁵ Where there are indications that an international protection applicant might have been trafficked, access to specialist accommodation suitable for the specific needs of the individual should be available if requested. Victims who are identified during international protection procedures should be systematically referred to the most appropriate specialised organisations and transferred to accommodation adapted to their needs.¹⁹⁶ In 2024, IPAS supported a pilot providing an eight-bed dedicated accommodation unit for single women victims of all forms of human trafficking (discussed in more detail in Chapter 5).

It is essential to note that international protection procedures are not relevant to all victims of trafficking and there are victims who are not asylum seekers. Such victims are, for example, citizens of EEA countries, those who already hold legal status in the State (students, workers, family members, identified victims of trafficking and recognised refugees) or those who do not have current legal status in the State but do not seek international protection. The accommodation of these victims within the framework for international protection is ongoing and inappropriate. The CL(SO&HT) Act 2024 and its expected Operational Guidelines must provide clarification as to how the State will ensure

190 IHREC (2024/10) Submission to the Minister for Housing, Local Government and Heritage on the General Scheme of the Housing (Miscellaneous Provisions) Bill 2024.

191 Irish Statute Book, CL(SO&HT) Act 2024.

192 AkiDwA (2010) 'Am Only Saying It Now'; Council of Europe GRETA, (2022/12), Evaluation Report Ireland: Third evaluation round, Access to justice and effective remedies for victims of trafficking in human beings, paragraph 203; Government of Ireland (2020) 'Report of the Advisory Group on the Provision of Support including Accommodation to Persons in the International Protection Process'; IHREC (2024/09) 'Trafficking in Human Beings in Ireland: Third Evaluation of the Implementation of the EU Anti-Trafficking Directive'; Immigrant Council of Ireland (2014) 'Submission on the accommodation needs of adult victims of sex trafficking in Ireland'; US Department of State (2024) 'Trafficking in Persons Report: Ireland'.

193 Directive 2013/33/EU laying down standards for the reception of applicants for international protection (EU Reception Directive).

194 EU Reception Directive 2024/1346.

195 EU Reception Directive 2024/1346, Arts 24, 25.

196 GRETA (2024/9) 'Switzerland: Third evaluation round: Access to justice and effective remedies for victims of trafficking in human beings' Strasbourg p. 207.

that such victims have the right to access State services and be assisted as victims of trafficking.

The National Rapporteur IHREC has repeatedly stated that immigration policy is an essential and indispensable part of the assistance to victims and must be outlined and communicated clearly. However, the use of the international protection accommodation services as a response to the accommodation needs of victims of human trafficking for sexual exploitation is inappropriate and does not meet the individual needs arising from sexual violence, or the international standards of assistance for victims of human trafficking for sexual exploitation.

2.7 Conclusion and recommendations on application of regional and EU framework

The application of the regional and EU legal framework on provision of accommodation to victims of trafficking in Ireland is presently incomplete. Current legislation and policy do not comply with EU standards for accommodation for victims of trafficking, especially those that are currently pending transposition.

With some urgency, an easily accessible, gender-specific, victim-centred, child- and disability-sensitive model of accommodation must be rapidly developed and implemented. The small pilot accommodation unit established by IPAS to date provides a good starting point to meet some of the requirements of the recast Reception Directive. The development of a new accommodation model for victims that is distinct from international protection accommodation services requires appointment or establishment of a State

agency that is not primarily focused on immigration-related matters. The policy interface surrounding provision of infrastructure and operational management of accommodation for all presumed and identified victims of human trafficking is complex and needs to be clarified. The forthcoming Operational Guidelines for the NRM are expected to provide more clarity on both responsibility and entitlement, which will then inform policy for CSOs and all relevant agencies. Cuan has statutory responsibility to plan, coordinate and monitor the development of refuge accommodation for all victims of domestic, sexual or gender-based violence.¹⁹⁷ Leadership at this level from within the Department of Justice is urgently required.

Information on entitlements to accommodation, assistance and a reflection and recovery period¹⁹⁸ should be made widely available, and assistance and support measures should be provided on a consensual and informed basis.¹⁹⁹ Providers of services and accommodation to groups of people who are at high risk of trafficking for sexual exploitation will need to develop policies for early detection and referral of individual victims and their families into accommodation and support services equipped for their specific needs.

There is a responsibility to include civil society organisations in the development of the new model. It remains unclear to what extent CSOs, AHBs or socially responsible not-for-profit landlords will rise to the challenge of providing specialist accommodation for victims of human trafficking. The role of local authorities also remains vague and underutilised. As we will see in the next chapter, many models of accommodation for victims of human trafficking for sexual exploitation employ a State mandate. The mandate defines the lines of responsibility for the provision of both specialised and

¹⁹⁷ An Ghníomhaireacht um Fhoréigean Baile, Gnásach agus Inscnebhunaithe, or Cuan, is a statutory agency under the remit of the Department of Justice dedicated to tackling and reducing domestic, sexual and gender-based violence (DSGBV). *"The Agency shall have the following functions: (a) to plan, coordinate and monitor the development of refuge accommodation for victims of domestic, sexual or gender-based violence"*.

¹⁹⁸ Recast EU Anti-Trafficking Directive 2024/1712, Article 11.6.

¹⁹⁹ Recast EU Anti-Trafficking Directive 2024/1712, Article 11.5.

mainstream social accommodation for victims of trafficking, usually entailing close cooperation between local authorities and civil society.

The provision of sufficient numbers of gender-, child- and disability-sensitive forms of accommodation that are equipped to accommodate the specific needs of individual victims are basic minimum requirements of a new model. Recommendations are outlined in recognition of the complex policy interface around accommodation and the context of the housing crisis. Compliance with the EU Directive VAWDV and the recast EU Anti-Trafficking Directive are important aims, and complexity and context must not be allowed to undermine the duty of the State to provide protection through specialised accommodation. Attention is needed to ensure that legislation, policy, strategy and administrative provisions are compliant with the recast EU Anti-Trafficking Directive 2024 by 15 July 2026 and EU Directive VAWDV by 14 June 2027.

Recommendations

1. Ruhama recommends that the Operational Guidelines for implementation of the Criminal Law (Sexual Offences and Human Trafficking) Act 2024 (CL SO&HT) outline clear entitlements and paths to safe and appropriate accommodation at each stage of identification and recovery. Ruhama also recommends that these Guidelines are used to deliver on the provision of gender-specific accommodation for victims of human trafficking, as recommended by the Joint Committee on Justice.²⁰⁰

(Responsibility: DJHAM /National Anti-trafficking Coordinator, NRM Operational Committee, Support from CSOs)

2. Ruhama recommends that the Housing Act as well as all local authority housing allocation and assistance policies are examined for any anomalies that preclude victims of trafficking from accessing specialist accommodation or local authority housing, and that any barriers to victim accommodation are removed through specific exemptions/waivers or another appropriate policy approach.

(Responsibility: DJHAM /National Anti-trafficking Coordinator, Irish Human Rights and Equality Commission, DHLGH, DSPRC DG)

3. Ruhama recommends the temporary appointment of a Special Rapporteur on Victim Accommodation policies, reporting to the Operational Committee of the NRM, in light of previous fundamental failures to meet the needs of victims of trafficking within the wider international protection agenda. This rapporteur must have access to NRM data, keep track of accommodation outcomes of every victim in the NRM, prepare regular reports, identify gaps in existing policies and propose remedies for the consideration of the Operational Committee and the National Coordinator (DJHAM).

(Responsibility: DJHAM /National Anti-trafficking Coordinator, NRM Operational Committee)

4. Ruhama recommends the full implementation of the commitments of the NAP on Human Trafficking and the Third National Strategy on Domestic Sexual and Gender-Based Violence (TNS DSGBV) regarding accommodation of victims of trafficking.

(Responsibility: DJHAM /National Anti-trafficking Coordinator, all relevant implementing and supporting bodies as indicated in the NAP and TNS).

5. Ruhama recommends that research be undertaken to explore the pathways of victims through this new NRM, their particular experiences of victim identification within the NRM, and the supports they require through this process. The evidence gathered during the course of this study will support measures to ensure the smooth-running and fine-tuning of the NRM at this crucial and opportune juncture when the operations are starting afresh in Ireland, guided by the new legislation and its related guidelines.

(Responsibility: DJHAM /National Anti-trafficking Coordinator, frontline specialist CSOs)

²⁰⁰ Joint Committee on Justice (2023) Report on Pre-Legislative Scrutiny of the General Scheme of the Criminal Justice (SO&HT) Bill 2022.

Chapter 3: Transnational comparative analysis of accommodation models for victims of human trafficking for sexual exploitation



This chapter presents research to establish and understand how other countries²⁰¹ have addressed the challenges of providing accommodation for victims of human trafficking for sexual exploitation. The research identified seven different models, which are summarised here to identify best practice that could be applied in Ireland.²⁰² The research is based on models from Belgium, France, Germany, the Netherlands, Northern Ireland, Scotland and Sweden.²⁰³ The research was conducted remotely through publications, stakeholder interviews and a survey.

All sample countries are at different points on their journey to full compliance with regional and EU legal obligations.²⁰⁴ Models of accommodation for victims of human trafficking for sexual exploitation are not always evenly implemented and countries may have pockets of better practice. Not all models currently aim to provide long-term rehabilitative accommodation, and capacity appears to be an issue in most countries. For these reasons, case studies of best practice are highlighted in the reviews of each national model.

National models of accommodation for victims of human trafficking for sexual exploitation range from purpose-built specialised accommodation with integrated supports to supported independent accommodation in the community. Some of the countries examined rely heavily on existing infrastructure to accommodate victims of human trafficking. The landscape also includes ad-hoc civil society provision of specialist accommodation to support or fill the gaps in the State model. Stakeholders were interviewed and literature was reviewed

to understand strengths and weaknesses as well as the level of compliance with international law.

3.1 Overview of sample models of accommodation

Ireland was the only country studied that did not provide specialist accommodation for victims of human trafficking for sexual exploitation outside of the asylum reception or international protection system.²⁰⁵ Local authorities and civil society play a crucial part in provision of accommodation for victims of human trafficking for sexual exploitation in all of the countries examined. All of the countries studied rely to a certain extent on local authorities, and all countries contract specialist CSOs to implement and manage a proportion of the accommodation for victims. In fact, it is the balance of responsibility between these two key stakeholders that defines each model. In the models of accommodation where the local authority has a high level of responsibility for specialist accommodation, CSOs are more focused on legal advocacy and wraparound supports. In the models where local authorities have less responsibility for provision, specialist CSOs generally provide, manage and coordinate all the specialist accommodation. Centralised government agencies do not directly coordinate or manage specialist accommodation in any of the models studied.

Local authorities have different but significant roles in each of the models studied. Where responsibility is delegated to local authorities the model is decentralised and access to accommodation tends to become geographically uneven according to the

201 For shortness of expression, this report will use the terms 'countries' and 'states' interchangeably to denote the studied jurisdictions.

202 The term 'model' is used here to describe the system of accommodation for victims of trafficking for sexual exploitation that is directly publicly funded and provided 'by law, regulation or administrative provisions'. The term 'shadow model' is used to describe accommodation for victims of trafficking for sexual exploitation that is not provided for in law, regulation or administrative provisions or is not directly publicly funded to meet the accommodation needs of victims of trafficking for sexual exploitation.

203 It should be noted that elements of these models may not be compliant and may not reflect recent changes in EU Law.

204 Scotland and Northern Ireland are not bound by EU law. Council of Europe standards apply to these models of accommodation.

205 The small pilot centre in Dublin for eight female victims of various forms of exploitation is operated under the auspices of the international protection accommodation system (IPAS).

priorities of either the local authority in charge of the area, or national government.

Where the local authorities do not directly coordinate or provide accommodation services, CSOs may be funded by local authorities or central government to coordinate individual access across the full range of accommodation options, and to provide specialist accommodation. All models rely on multiple accommodation options to meet individual needs.

In many countries the State model is also supported by a shadow or civil society model which provides specialist accommodation to fill the gaps left by process-driven and time-limited State-funded models. In the models where civil society is contracted to provide specialised accommodation for victims, the same or other CSOs also fill gaps in meeting demand with funds raised from other sources. This shadow CSO-managed accommodation is also typically over capacity and under-resourced. Nonetheless, State services, local authorities and other referring services often rely on the shadow system to accommodate victims who fall between cracks in the State model. Gaps in accommodation are found when the State is not fulfilling international obligations to all victims or where victims are insufficiently supported to transition from specialist accommodation to independent living.

It should be noted that all of the models studied were in operation prior to the enactment of the recast EU Anti-Trafficking Directive and EU VAWDV 2024, which introduce strengthened provisions. States will now need to re-examine national models in order to be compliant with the new legislative framework. It is also noted that Northern Ireland and Scotland are not bound by EU law.

Brief summary of Irish model

	Responsibility	Model
Ireland	Centralised State-agency tenders for and contracts accommodation for the purposes of international protection, on a commercial and non-commercial basis.	In the absence of specialist supported accommodation for Victims of Human Trafficking for Sexual Exploitation a State-funded centralised (asylum reception) system is utilised for all for international protection applicants including victims of trafficking. A State agency contracts mainly commercial accommodation providers to provide asylum reception accommodation. In late 2023 the same State agency also contracted a CSO to provide a specialised pilot accommodation unit for eight female victims of human trafficking through IPAS.

Brief summary of national models

	Responsibility	Model
Belgium	Local authority-funded CSOs provide specialised shelters.	Local authority-funded CSOs provide purpose-built accommodation for victims of trafficking and individual holistic plans aimed at social and financial recovery and reintegration into society. Accommodation provision includes specialised residential centres, supervised apartments and independent social housing.
France	Local authorities hold responsibility for providing individual exit pathways and priority access to social housing.	Local government-funded CSOs develop and provide individual exit pathways. Temporary residence permits are provided. The model includes interim access to DSGBV shelters, other crisis shelters, and scattered accommodation in the community, followed by priority provision of local authority housing and financial assistance.

	Responsibility	Model
France	Local authorities hold responsibility for providing individual exit pathways and priority access to social housing.	Local government-funded CSOs develop and provide individual exit pathways. Temporary residence permits are provided. The model includes interim access to DSGBV shelters, other crisis shelters, and scattered accommodation in the community, followed by priority provision of local authority housing and financial assistance.
Germany	Federal State-funded CSOs provide crisis-counselling centres. CSOs provide specialised shelters. The model is supplemented by other existing infrastructure.	Federal State-funded specialised crisis-counselling centres provide counselling and refer victims to State-funded CSOs providing and coordinating access to specialised accommodation. The provision includes specialised shelters for victims of trafficking in addition to a mix of scattered and sheltered accommodation within the DSGBV model.
Netherlands	Centralised State-funded CSO coordinates State-funded and CSO-managed specialised shelters.	State-funded CSO is contracted to provide central coordination of the placement of victims in shelters that are financed by the State. A network of CSO-managed specialised shelters is provided for third-country-national presumed victims of trafficking. This is followed by local authority housing for identified victims. Dutch nationals can access DSGBV shelters and specialised treatment facilities. Local authorities have organisational and financial responsibility to develop policies to tackle human trafficking and to protect victims.

	Responsibility	Model
Northern Ireland	Centralised State-funded CSO manages specialised DSGBV refugees.	State-funded CSO is contracted to coordinate referrals to specialised DSGBV refugees or scattered apartments. Crisis accommodation in shelters is followed by local authority housing for identified victims. Private ensuite bedrooms and wraparound supports in commercially contracted hotel accommodation for victims who are also applying for international protection. Asylum-seeking victims can benefit from appropriate alternatives to general asylum accommodation which take into account their traumatic experiences.
Scotland	Local authority funds and manages scattered flats in the community. State-funded CSO provides sheltered apartments in a specialised safe house.	Local authority agency provides scattered flats in the community for victims of trafficking for commercial sexual exploitation. ²⁰⁶ Victims of trafficking for, and impacted by, other forms of sexual exploitation will be referred to a CSO providing sheltered apartments in a safe house for victims of all forms of trafficking. Victims who are also applying for asylum are provided private ensuite bedrooms and wraparound supports in commercially contracted hotel accommodation for asylum seekers.
Sweden	The Swedish Gender Equality Agency ²⁰⁷ funds the Swedish Civil Platform and the National Support Programme (NSP) programme, coordinating 20 CSOs to provide accommodation in shelters and in the community.	The Swedish Civil Platform against Human Trafficking coordinates shelter provided by around 20 CSOs and also runs a National Support Programme (NSP) to complement CSO provision. ²⁰⁸ The aim of the NSP is to respond to victims who are not part of a legal process or who do not have the right to reside in Sweden. Sweden acknowledges that it is not meeting its international commitments entirely, and for this reason a new model has been developed and is presently moving through the legislative process.

²⁰⁶ TARA (Trafficking Awareness Raising Alliance) support women, aged 18 years and over, who have been trafficked primarily for the purposes of commercial sexual exploitation. Victims of trafficking impacted by other forms of sexual exploitation are referred to Migrant Help, the CSO providing safe house accommodation for victims of all other forms of trafficking.

²⁰⁷ Swedish Gender Equality Agency (2021) 'Prostitution and Human Trafficking Report 2021:23' link.

²⁰⁸ Swedish Civil Platform against Human Trafficking, National Support Programme 'Annual Report 2022'

3.2 Summary of key strengths in studied models

A summary of the key strengths of the seven studied current national models are presented here.

Legal right

- Statutory right to accommodation (**Belgium, France, Scotland**).

Specialised features of accommodation

- Specialised gender-specific forms of accommodation that are separate from immigration process (**All seven countries**).
- Specialised gender-specific accommodation with integrated services for women and their accompanying children (**Belgium, France, Germany, Netherlands, Northern Ireland, Sweden**).
- Independent anonymous secure housing with strong connection to support and counselling (**All seven countries**).
- Accommodation at a distant or secret location, when necessary for the victim (**All seven countries**).

Access

- Broad admission criteria for specialised accommodation to prioritise early detection and reduce risks for victims (**Belgium, Netherlands, Sweden**).
- Victims may directly contact specialised accommodation and do not need a referral (**Belgium, Netherlands, Northern Ireland, Sweden**).
- Accommodation is equally accessible for nationals and non-nationals (**Belgium, France**).
- Access to specialist accommodation is non-conditional on formal complaint, criminal proceedings or asylum application (**France, Germany, Sweden**).

- Mechanisms are in place for early detection, especially at borders, among asylum seeker and other high-risk populations (**Belgium, France, Germany, Sweden**).

Migrant victims

- Specialised gender-specific accommodation separate from immigration process is available (**All seven countries**).
- Specialised gender-specific accommodation separate from immigration process is available for victims of human trafficking for sexual exploitation who are applicants for international protection (**Belgium, France, Northern Ireland, Sweden**).
- Single, ensuite rooms are available to those victims who remain accommodated within the asylum reception system (**Belgium, Netherlands, Northern Ireland, Scotland, Sweden**).

Coordination

- High level of collaboration in provision of accommodation between CSOs and local authorities (**All seven countries**).
- Specialist CSO centrally coordinates provision of accommodation (**Belgium, France, Netherlands, Northern Ireland, Sweden**).
- Local authority coordinates provision of accommodation (**Germany, Scotland**).
- CSOs are State-funded to accommodate those victims who do not meet local authority accommodation criteria, who do not wish to engage with authorities, or who have ceased to be eligible for local authority assistance (**Sweden**).

Continuous accommodation

- Continuous accommodation and supported individualised pathways for victims to achieve a sustainable economic and social position (**Belgium, France, Netherlands, Scotland, Sweden**).

- Referrals to continuous accommodation for those victims who are not identified as victims of trafficking, based on individual needs assessment (**Belgium**).
- Priority access to social housing for identified victims (**France**).

Oversight

- Centralised oversight of provision of specialised accommodation for victims of human trafficking for sexual exploitation (**Belgium, Germany, Netherlands, Northern Ireland, Scotland, Sweden**).
- Standards for provision of accommodation are laid down (**Belgium, Germany, Netherlands, Northern Ireland, Scotland, Sweden**).

3.3 Summary of key challenges in studied models

A summary of the key challenges of current national models are presented here.

Capacity

- GRETA established that capacity of specialist accommodation in the country is insufficient (**France, Germany, Netherlands, Sweden**).
- State funding for specialised accommodation is insufficient or insecure (**France, Netherlands, Northern Ireland, Sweden**).
- Vital CSO accommodation services are not adequately funded by the State, even though such services are essential to ensure compliance with EU and regional law (**France, Germany, Netherlands, Northern Ireland, Scotland**).

Access

- Access to accommodation and supports varies regionally and geographically (**All seven countries**).

- Access to accommodation is time-limited and aligned to the process of formal identification or to criminal investigation, as opposed to any individual need of the victim (**Germany, Northern Ireland, Scotland, Sweden**).
- Access to accommodation after the reflection period is conditional on willingness to cooperate with law enforcement and/or criminal investigation and prosecution (**Belgium, Netherlands, Sweden**).

Migrant victims

- Access to specialised accommodation depends on nationality, citizenship, residence status, place of residence (**Germany, Netherlands, Northern Ireland, Scotland, Sweden**).

Continuous accommodation

- Lack of continuous pathway of accommodation to sustainable economic and social reintegration (**Germany, Northern Ireland, Sweden**).
- Identified victims are not prioritised for any form of long-term social or affordable housing (**Germany, Northern Ireland, Scotland, Sweden**).

Oversight

- Specialist CSOs are not always consulted by the State on the design and delivery of specialised accommodation for victims of human trafficking for sexual exploitation (**Germany, Northern Ireland, Scotland**).

3.4 Capacity challenges

Capacity is a core challenge for all seven models of accommodation that were studied. It is also noted that Ireland is not unique in experiencing a general housing crisis that further compounds challenges. While all the models provide a proportion of specialised accommodation designed for victims of human trafficking for sexual exploitation, there is also reliance on accommodation

established for other purposes. The most common forms of co-accommodation are those models placing victims of human trafficking in facilities for victims of VAW and DV, facilities for women experiencing homelessness, and facilities for international protection applicants.

There are risks and challenges associated with any model of combined accommodation, as the accommodation may not be sufficiently specialised or appropriate. The accommodation will usually have been developed for the purpose of accommodating a different cohort of vulnerable people with distinct needs and legal entitlements. The original cohort may continue to need the full capacity of the accommodation, creating new capacity pressures and exporting problems from one system to another. The accommodation may also pose risks of re-trafficking and repeat exploitation of victims of trafficking for sexual exploitation, especially in mixed-gender premises.

The network of accommodation for women experiencing VAW often provides crisis accommodation for victims of human trafficking impacted by sexual exploitation where the specialist accommodation for victims of trafficking is unavailable or over capacity (**Belgium, France, Germany, Netherlands, Sweden**). Northern Ireland is unusual in that the model relies exclusively on VAW accommodation for those victims who do not make a concurrent claim for asylum. In **Northern Ireland**, VAW refugees are additionally equipped and funded to meet the specialist needs of victims of human trafficking for sexual exploitation. In **Germany**, 350 Frauenhäuser (Women's DV Shelters) are provided and managed by local authorities and are utilised for victims of trafficking where specialist accommodation for victims of trafficking is unavailable. In the **Netherlands**, specialist accommodation for Dutch victims is provided by VAW shelters,

while non-nationals are accommodated in specialist shelters for victims of trafficking. In **Belgium, France and the Netherlands**, VAW organisations provide interim accommodation to victims of trafficking when necessary. The review of the models showed that gender-specificity and the trauma-informed approach of the VAW and DV accommodation services are an important feature of this form of co-accommodation, making women's shelters an important systemic resource for victims of trafficking for sexual exploitation.

Stakeholders claim that de-centralisation of provision of accommodation to local authorities has led to bottlenecks and funding cuts and undermined national sharing of expertise. A strong national coordinating body with responsibility for monitoring the quality of accommodation provided, share specialist knowledge and implement a systematic approach exists (**Germany, Sweden**)²⁰⁹ or has been advocated for (**Netherlands**).²⁰⁹ Where local authorities are responsible for allocating their budgets for various social services, including shelters and services for both victims of DV and trafficking, the level of provision is dependent on the financial priorities of the local authority (**France, Germany, Netherlands, Scotland**). Limited funding or varying funding priorities can lead to inadequate capacity of specialist shelters and other forms of accommodation. Local authorities may prioritise local issues over obligations linked to trafficking victim support, exacerbating the accommodation constraints.

GRETA considers that where strategic partnerships with CSOs are used to perform required elements of international law, long-term funding of these CSO activities should be ensured.²¹⁰ GRETA also recommends that local authorities increase funding to ensure that shelters can guarantee capacity for all victims of trafficking (**Belgium, Netherlands**).²¹¹ In **Belgium**, a new legal

209 Valente, National Network of Women's Shelters in The Netherlands (June 2024) 'Input thematic evaluation Netherlands: Building trust by delivering support, protection and justice'.

210 GRETA (2024/07) 'Evaluation Report Germany, Third evaluation round: Access to justice and effective remedies for victims of trafficking in human beings' p. 203.

211 GRETA (2022/11) 'Evaluation Report Belgium, Third evaluation round' p. 194. GRETA (2023)15 Evaluation report on the Netherlands, 3rd evaluation round, p. 190.

provision will put centralised financing for specialised accommodation centres on a statutory footing.²¹²

In **Northern Ireland**, the State tendering process for the provision of accommodation for victims of trafficking within the NRM was divided into three lots: men, women and children, and victims with complex needs. There were no applications for provision for victims with complex needs, creating a gap in the State system. This led to a situation where women victims of trafficking with complex needs are inappropriately accommodated in women-only hostels that specialise in dealing with addiction, or in mixed hostels.²¹³

Models of accommodation developed to fulfil the requirements of the EU Reception Directive 2013/33²¹⁴ (and subsequently recast) are also used, albeit with different levels of specialist adaptation for victims of trafficking (**all seven countries**). It is well established that there are increased risks of trafficking among asylum seekers and there is some evidence of misuse of asylum seeker accommodation by perpetrators of trafficking in France.²¹⁵ Staff in international protection accommodation should have capacity to detect and refer potential victims to specialist assistance at the earliest opportunity, and some countries have implemented systematic assessment and referral systems among applicants for international protection (**Belgium, France**). When potential victims of human trafficking are identified within international protection applicant populations, specialised accommodation is not always available (**Germany, Netherlands, Northern Ireland, Scotland**). Asylum reception standards vary but female asylum seekers are usually routinely provided private ensuite rooms (**all seven countries**).

3.5 Summary of best practice case studies and initiatives

There are a number of forward-looking initiatives and good practices to overcome challenges within the national models that were identified during the review. In particular, some approaches that could be considered or adapted in Ireland include:

- **Belgium:** In order to be able to quickly scale up accommodation in a capacity crisis situation (in cases of police raids or large number of victims escaping simultaneously), CSO providers of specialist shelters in Belgium are working to create a recruitment reserve of trained people by building partnerships with other healthcare actors to second their staff members temporarily.²¹⁶ Belgian CSOs are advocating to the Federal Special Commission on Human Trafficking for an emergency fund to be allocated by the local authorities when the shelters are over capacity or groups of victims are identified.²¹⁷ The State-funded CSO, PAG-ASA, provides specialised shelter for victims and other housing initiatives including transitional apartments for a maximum of 18 months, ‘housing coaches’ to support victims to find their own accommodation, and a rental deposit fund for interest-free loans to support victims to move into independent housing.²¹⁸

212 GRETA (2022/11) ‘Evaluation Report Belgium, Third evaluation round’ p. 190, referring to Criminal Law (Sexual Offences) Reform Law, Art. 115.

213 Stakeholder interview, June 2024.

214 EU Directive 2013/33/EU Standards for the reception of applicants for international protection (recast).

215 EMN France (2021) ‘Third-Country National Victims of Trafficking in Human Beings: Detection, Identification and Protection’ identified that victims of human trafficking may be forced by traffickers to apply for international protection (IP) and then find themselves in IP accommodation.

216 Payoke (2023) ‘Jaaryerslag 2022’ (Annual Report 2022) p. 14.

217 Payoke (2023) ‘Jaaryerslag 2022’ (Annual Report 2022) p. 12.

218 PAG ASA website (2024).

- **France:** A national survey of all organisations supporting victims of human trafficking provides detailed statistics on an annual basis, and has proven to be good practice.²¹⁹ Another initiative in France is a specialised accommodation unit in Paris for victims residing in other parts of the country who need to travel to Paris for criminal proceedings against traffickers²²⁰ or other essential medical or administrative purposes.²²¹ The unit temporarily supported 24 victims in 2024.²²² The unit is funded by the criminal assets bureau (AGRASC), and directly managed by a national CSO.²²³
- **Germany:** Accommodation for victims of human trafficking for sexual exploitation is managed by civil society under State-funded agreement. Victims of human trafficking may be housed in private rental apartments or other decentralised forms of accommodation including in family settings. This model is seen as improving integration into society and reducing stigma that may be attached to accommodation centres and shelters. Transitional housing for victims of human trafficking is managed directly by local authorities in collaboration with specialist CSOs²²⁴ with an emphasis on comprehensive and continuous care and coordination between shelter and follow-on housing. In practice, there is a lack of capacity and CSOs provide additional specialised accommodation using other non-State funding sources to fill capacity gaps.
- **Netherlands:** A Bill that aims to provide better protections for victims of human trafficking is currently before the House of Representatives in the Netherlands.²²⁵ One of the key organisations in the Netherlands is the CSO CoMensha, which is State-funded to coordinate the registration and accommodation of victims of trafficking, and is usually responsible for initial intake and referral process.²²⁶ CoMensha works as a central point of contact for placing victims in appropriate shelters and coordinating their access to the most appropriate specialised care. CoMensha works with all organisations that can provide accommodation, resources or services to victims of human trafficking whether they are local authority, CSO or other organisations. CoMensha also manages the Human Trafficking Academy, a compilation of training materials for professionals.²²⁷
- **Northern Ireland:** Belfast & Lisburn Women's Aid coordinates access to eight women-only refuges for all women victims of VAW, which, for almost 18 years, have integrated women victims of trafficking. The total capacity in refuge accommodation is 106 beds per night, plus emergency intake space to ensure that women are not refused. Belfast & Lisburn Women's Aid also provides private accommodation in the community, paid for by the Department of Justice, when there is no room in a refuge or where a woman has been in a refuge for a long period of time.

219 GRETA (2022/01) 'Evaluation Report France: Third evaluation round: Access to justice and effective remedies for victims of trafficking in human beings'.

220 GRETA (2022/01) 'Evaluation Report France: Third evaluation round: Access to justice and effective remedies for victims of trafficking in human beings', para 222.

221 Ac.Sé (2023) 'Report on 2022 activities'.

222 Ac.Sé (2023) 'Report on 2022 activities'.

223 ALC, Dispositif National Ac.Sé, ALC association website.

224 For example: Frankfurt, Main – 3 providers: FIM Frauenrecht ist Menschenrecht e.V.; SOLWODI Solidarity with Women in Distress; TAMARA Trauma-Aware Accommodation for Migrants and Refugees. Berlin – 4 providers: Ban Ying; KARO e.V.; Neustart e.V.; ONO Oberurseler Netzwerk Opferhilfe.

225 Government of Netherlands news item (19 April 2024).

226 CoMensha Human Trafficking Coordination Centre.

227 CoMensha Human Trafficking Academy.

- **Scotland:** Glasgow local authority provides an accommodation service for women victims of human trafficking for the purposes of commercial sexual exploitation. TARA, the Trafficking Awareness Raising Alliance²²⁸ was established to provide accommodation and other support services to victims who are destitute and where asylum seeker accommodation is not appropriate. One- and two-bedroom scattered apartments within easy walking distance from TARA services are provided for as long as required and victims are supported with case workers.
- **Sweden:** In 2023 a State-commissioned expert inquiry identified that the national model for support and accommodation would require legislative amendments including clear statutory responsibility.²²⁹ A detailed series of proposals for a new model that will make Sweden fully compliant with international law is now moving through the legislative process. The new model proposes to provide statutory measures under the Social Services Act and the Aliens Act, which will include renewable residence permits (six months to two years). The model aims for earliest detection of victims by means of specialised outreach work and fully funded individual and sustainable pathways to exit sexual exploitation. It is proposed that victims who want and need intervention will be offered an individual plan and housing for up to three years with the aim of financial and social independence. The aim is long-term rehabilitation so that individuals do not end up in a situation of exploitation again. The model is to be implemented by local authorities and coordinated by the Swedish Gender Equality Agency²³⁰ and the Social Welfare Board. A regional coordinator will be appointed in each local authority to

ensure that measures are sufficient, and different forms of adapted housing will be developed and provided by local authorities.²³¹

3.6 Conclusion and recommendations based on comparative analysis

Comparative analysis of seven accommodation models for victims of human trafficking for sexual exploitation reveals significant variations in approach, with each country having its own set of strengths and challenges. The seven housing models have shared approaches that can be broadly summarised in the following categories.

1. Specialised human trafficking

accommodation model: A model where independent apartments or private bedrooms in the same building provide short-term or crisis accommodation dedicated to victims of human trafficking. Specialist supports are integrated. Accommodation is usually gender-specific and may be dedicated to victims of trafficking for sexual exploitation. Kitchens and social facilities are sometimes shared (**Belgium, France, Germany, Netherlands, Sweden**).

2. Scattered housing model: A model where a tenancy lease or agreement for an independent rental apartment (or house) is provided through a specialist CSO and a not-for-profit or approved socially responsible landlord. A case worker and targeted specialised supports are provided. The rent and utilities may be subsidised or paid in full by the State (or local authority). Trauma-informed theory is used to design a survivor-centred model offering autonomy, dignity, independence and stability to create a baseline from which to work towards recovery. This

228 TARA Trafficking Awareness Raising Alliance.

229 Statsrådsberedningen, Ut ur utsatthet: Betänkande av Utredningen om exitprogram för personer som är utsatta för prostitution (Stockholm 2023), 'Out of Vulnerability Inquiry into Exit Programmes for people exposed to prostitution'.

230 Swedish Civil Platform against Human Trafficking (2022), 'Prostitution and Human Trafficking: Final report of the assignment to strengthen the work against the exploitation of children and young people and adults in prostitution and human trafficking, and to map the extent of prostitution and human trafficking 2021:2023'.

231 Statsrådsberedningen, Ut ur utsatthet: Betänkande av Utredningen om exitprogram för personer som är utsatta för prostitution (Stockholm 2023), 'Out of Vulnerability Inquiry into Exit Programmes for people exposed to prostitution'.

model is seen as beneficial for providing a more anonymous, autonomous and private living environment with better potential for integration into local communities²³² (**Belgium, Germany, Netherlands, Scotland**).

3. Shared DSGBV and human trafficking

model: A model where private apartments or private bedrooms in specialised DSGBV centres provide short-term or crisis accommodation for diverse victims of DSGBV, including victims of trafficking for sexual exploitation. Specialist supports are integrated and available on the premises. Kitchens, bathrooms and other facilities are sometimes shared (**France, Germany, Northern Ireland, Sweden**).

4. Non-specialist institutional model:

Private or semi-private rooms without integrated specialist supports on the premises, although 24/7 staff may be resident or on call. This model is commonly used where victims of trafficking are also applicants for international protection. Meals are usually provided and social areas are communal. There is wide variation in standards within this model. Vulnerability and needs assessment for detecting victims of trafficking may be systematically included (**Belgium, France**). In contrast to Ireland, access to private bedrooms and specialist supports for victims are provided in all studied countries without exception (**All seven countries**).

The different approaches highlight critical differences in how each model balances process (formal identification) with access to accommodation, long-term sustained recovery and social inclusion.

Belgium, France, the Netherlands and Sweden demonstrate more developed models that prioritise long-term, individualised recovery plans through

specialised accommodation with integrated support services, followed by supported independent housing in the community. Their approaches are rooted in human rights-based frameworks that emphasise holistic care, from stable accommodation to psychological and social integration. Early and structured detection of victims of trafficking is prioritised, including at borders and among asylum seekers. These countries have appointed CSOs and local authorities to take responsibility for accommodation including individual pathways to independent housing. Pathways are supervised and initiatives include for example priority access to local authority housing, tenancy coaching, rental deposit grant schemes, and safety-feature installation grant schemes.

France and **Sweden** offer interesting models with promising legal frameworks and ongoing developments to provide individualised pathways out of sexual exploitation. These two accommodation models specifically aim to provide exit pathways out of sexual exploitation and are aimed at both victims of trafficking for sexual exploitation and women exiting prostitution. **France** emphasises legal rights, offering residence permits and priority access to local authority housing, but faces capacity issues and delays in accessing services. **Sweden** is in the process of developing a longer-term accommodation model centred on personalised, long-term recovery plans and is still in the early stages of statutory implementation. **Sweden** proposes to provide the same access to longer-term (three-year) rehabilitative accommodation to victims who will ultimately be repatriated in recognition of the fact that they are unlikely to access this right in their own country.²³³

In contrast, **Northern Ireland and Scotland** offer very different models depending on the victim's right to access public-funded services. In both Scotland and Northern Ireland some victims are deemed ineligible

232 Sullivan CM, Olsen L (2017) 'Common ground, complementary approaches: adapting the Housing First model for domestic violence survivors', Housing and Society.

233 Sweden Statsrådsberedningen, Ut ur utsatthet: Betänkande av Utredningen om exitprogram för personer som är utsatta för prostitution (Stockholm 2023), 'Out of Vulnerability Inquiry into Exit Programmes for people exposed to prostitution'.

for state-funded services (No Recourse to Public Funds (NRPF))²³⁴ and CSOs try to fill the gaps for these victims with non-State funding. In addition, it is of note that **Scotland** and **Northern Ireland** operate dual systems that provide very different pathways depending on whether or not victims apply for asylum. Victims who are also asylum seekers are provided with a caseworker and will be housed in private rooms in hotel-type accommodation contracted to a commercial provider by the UK Home Office. Victims who do not apply for asylum are eligible for 12 weeks' accommodation, which can sometimes be extended. The UK Home Office has jurisdiction over immigration processes in both countries and there is restricted access to specialist accommodation and less focus on long-term, sustained support based on individual victims' recovery and social reintegration for victims who are also subject to immigration processes.

A version of the scattered housing model is applied in **Scotland** for victims of trafficking for commercial sexual exploitation. In this model, Glasgow local authority provides scattered independent rented apartments to victims in the first instance, and victims are not expected to deal with trauma before being offered stable independent housing. The apartments are located within easy walking distance of specialist services in suitable residential neighbourhoods. The model is only available in Glasgow and the apartments are usually provided on a short-term basis. The average stay is one month and the expected maximum stay is 18 months. In **Northern Ireland**, a CSO coordinates access to DSGBV refuge accommodation in eight locations, in addition to supported independent apartments for victims who have resided for too long in refuges. For this model to achieve access to DSGBV accommodation for presumed victims of trafficking, social housing must be easily accessible for identified victims of trafficking, and victims of other forms of DSGBV must also be easily able to move out of refuges into other appropriate accommodation.

Each of the studied national models clearly defines the roles and balance of responsibility for provision of accommodation between local authorities and CSOs. In all cases, local authorities and/or specialist CSOs are mandated or contracted to provide and/or manage specialised accommodation. Local authorities also provide and/or fund other types of assistance and services to victims, such as trafficking-specific counselling centres, victim-centred care, and long-term recovery support beyond provision of accommodation. Local authorities are usually responsible for the provision of specialist accommodation from first detection of victims (**France, Germany, Netherlands, Scotland, Sweden**). After the phase of specialist accommodation (DSGBV, specialist shelter or scattered), local authorities may continue to be responsible for the provision of accommodation and usually take over full responsibility for the provision of accommodation (**Belgium, France, Netherlands, Northern Ireland, Scotland, Sweden**). However, it should be noted that local authorities have been criticised by GRETA and other stakeholders for providing an uneven landscape where specialist accommodation is underfunded and overstretched, with inconsistencies in care and service provision. CSOs frequently have to raise additional funding to meet the challenge of filling the gaps left by the State or local authority, which prevents these models from fully meeting the needs of all victims.

The analysis shows that countries that have recently reassessed the ability of their respective models of accommodation to fulfil their aims and to provide sustained outcomes for victims of trafficking, have undertaken a shift towards provision of two-to-three-year recovery-based accommodation models that are not bound by procedural time limits and operational processes (**Belgium, France, Sweden**).

234 NRPF Network (2024) 'Who has no recourse to public funds (NRPF)?'.

Across Europe, victims of human trafficking are recognised as requiring long-term, flexible, and individualised care that goes beyond immediate shelter to address their complex psychological, social and economic needs. Forced relocation and periods of (or threat of) homelessness are not considered appropriate for victims of trafficking for sexual exploitation. CSOs are appointed and resourced to work with local authorities to develop local multi-annual accommodation initiatives for victims to attain and sustain stable and independent housing. Initiatives include coordinated tenancy placements and supported tenancies, rental deposit grant schemes, and access to affordable and local authority housing. CSOs advocate for a human rights-based approach that outlines clear responsibilities, integrates multi-agency cooperation and coordination, and provides tailored support sustained by continuous funding.

It is noted that the studied models of accommodation were all developed prior to the recast EU Anti-Trafficking Convention and may be subject to change in order to comply with the new legal framework. **Sweden** and **the Netherlands** are already in the process of reforming national legislation. Certainly Sweden, following a formal State inquiry, has come to the conclusion that in order to comply with EU law a new model and significant legislative change is required.

Ireland can draw lessons from countries which have recently evaluated their national models and moved away from crisis accommodation and towards specialised, trauma-informed housing solutions following defined and continuous pathways to sustained accommodation. By incorporating best practices from these countries, Ireland can develop a comprehensive accommodation model that complies with international obligations and effectively supports victims of trafficking in their journey to recovery and social integration.

Recommendations

5. Ruhama recommends the designation of a frontline specialist CSO to hold responsibility for individual pathways of accommodation through multi-agency coordination across all forms of accommodation for all presumed and identified victims of trafficking for sexual exploitation (and other forms of trafficking involving gender-based violence) and accompanying children. This CSO coordinator will conduct individual accommodation needs analysis, coordinate access to safe and continuous accommodation across multiple providers, and report to the Operational committee (incl. temporary rapporteur) and DJHAM.

(Responsibility: DJHAM /National Anti-trafficking Coordinator, DHLGH, frontline specialist CSOs)

6. Ruhama recommends an increased involvement of local authorities in meeting obligations to provide safe and appropriate accommodation to victims of trafficking, liaising with the anti-trafficking coordinator.

(Responsibility: DJHAM /National Anti-trafficking Coordinator, DHLGH)

7. Ruhama recommends the provision of sufficient resources to specialist CSOs and to local authorities to meet their responsibilities in provision of accommodation to victims of trafficking for sexual exploitation.

(Responsibility: DJHAM /National Anti-trafficking Coordinator, DHLGH)

8. Ruhama recommends the development of pathways to independent housing, ensuring that victims' needs for continuous and longer-term accommodation are met by seamless transitions between all forms of interim accommodation and independent housing.

(Responsibility: DJHAM /National Anti-trafficking Coordinator, DHLGH, DSPRC DG)

Chapter 4: Perspectives of victims of human trafficking



The importance of victim-centred perspectives and direct consultation with victims is increasingly recognised. In the European context, the EU and the OSCE²³⁵ emphasise the need to involve victims in the development of anti-trafficking policies, including accommodation and support services. The EU Anti-Trafficking Directive explicitly calls for individualised and victim-centred approaches and the current EU Strategy on Combatting Trafficking in Human Beings (SCTHB) emphasises the need to involve survivors in shaping policies and support measures.²³⁶ The EU SCTHB specifically calls for survivor-centred practices in the design of services, legal frameworks and rehabilitation programmes. The OSCE advocates for more participatory processes that enable survivors to shape policies that directly impact their lives.²³⁷

In Ireland, the Third National Action Plan to Prevent and Combat Human Trafficking 2023–2027 (NAP) highlights the need to ensure that the implementation of the NAP will be informed and influenced by the voices of victims and survivors.²³⁸ Victims are key stakeholders and have incomparable insight into the risks attached to inappropriate accommodation and knowledge of specific accommodation needs. Research in Ireland regularly incorporates the voice of the victim/survivor through direct engagement,²³⁹ and this research aimed to contribute to the process. In order to create a victim-centred model of accommodation, the perspectives of victims of human trafficking for sexual

exploitation must be taken into account. Ireland currently has the opportunity to include the perspective of people with lived experience during the development phase of a new model.

This chapter presents lived experience and expert knowledge from victims of trafficking for sexual exploitation who are currently supported by Ruhama. It includes analysis of a survey conducted with 78 Ruhama service users on future accommodation for victims of human trafficking for sexual exploitation. The chapter also includes the findings of direct consultation with 23 female service users on victim-centred requirements for a new model of accommodation.²⁴⁰

4.1 Survey on accommodation for victims of human trafficking for sexual exploitation

An online survey on accommodation for victims of human trafficking for sexual exploitation was completed by 78 female victims of trafficking for sexual exploitation, all of whom are Ruhama service users. Participants came from 18 different countries.²⁴¹ Based on published figures for 2023, the survey represents over half of female victims of trafficking who are currently resident in IPAS accommodation.²⁴² There are no published figures for the number of victims of trafficking living outside of IPAS accommodation and it is therefore

235 Organization for Security and Co-operation in Europe.

236 European Commission, 'EU Strategy on Combatting Trafficking in Human Beings (2021–2025)'.

237 OSCE/OIDHR (2023) 'Code of Practice for Ensuring the Rights of Victims and Survivors of Human Trafficking' Warsaw, OSCE.

238 Government of Ireland (2023) 'Zero Tolerance for Domestic, Sexual and Gender-Based Violence: Third National Strategy on Domestic, Sexual & Gender-Based Violence 2022–2026'.

239 For example, Breslin R, Canning M (2023) 'Pathways to Exit: A study of women's journeys out of prostitution and the response to their complex support needs' Dublin, SERP; IHREC (2024/09) 'Trafficking in Human Beings in Ireland 2023: Third Evaluation of the Implementation of the EU Anti-Trafficking Directive'.

240 Throughout this chapter all quotes were provided by victims of trafficking for sexual exploitation and unless otherwise indicated all statements are evidenced by qualitative research with victims of trafficking for sexual exploitation. Ruhama confirmed that all participants in the consultations were victims of trafficking.

241 The 18 countries include Ireland and other EEA countries, countries from the African continent, Asia and South America. Published data indicates that victims of trafficking in IPAS accommodation come from 25 countries. IHREC (2024/06) 'Trafficking in Human Beings in Ireland 2023' p. 156.

242 Published data indicates that in December 2023 there were 101 female victims of trafficking in IPAS accommodation. Data on the forms of exploitation was not published. IHREC (2024/06) 'Trafficking in Human Beings in Ireland 2023' p. 156.

unknown what percentage are represented in the survey. This is a very marginalised and hard-to-reach population and there are no prevalence studies.

Overall, 40% of victims of trafficking for sexual exploitation who participated in the survey have already experienced homelessness.²⁴³ This statistic reinforces the importance of training for staff working in homelessness services and further development of coordinated multi-agency responses.²⁴⁴ This data also highlights the importance of providing individual and continuous pathways of accommodation that do not result in homelessness.

Two separate questions on safety were included, one on safety from sexual exploitation and one on general safety. The data tells us that 24% of victims do not feel safe from sexual exploitation where they live at the moment²⁴⁵ and that 39% of victims would not describe their accommodation as safe for them.²⁴⁶

Of the 78 victims who responded to the survey, 62 were living in IPAS accommodation and 16 were not living in IPAS accommodation (n=78).²⁴⁷ These two cohorts are presented separately in the analysis.

- 79% or 62 participants were living in IPAS accommodation (n=78).
- 21% or 16 participants were not living in IPAS accommodation (n=78).

4.1.1 Research participants living in IPAS accommodation

Accommodation coordinated by IPAS continues to be the default model of accommodation for all victims of human trafficking for sexual exploitation in Ireland. IPAS accommodation (formerly known as Direct Provision) includes State-owned properties and private-sector contracted reception centres with combined capacity of over thirteen thousand beds.²⁴⁸ The different properties range in size from approximately 35 to 350 residents, with some outliers. There is one pilot specialist accommodation unit for victims of trafficking with eight beds, a 'transit' centre with up to 530 beds, and an increasing number of asylum seekers in tented accommodation.²⁴⁹ According to IPAS data, less than 5% of residents have private rooms.²⁵⁰ Victims of trafficking represent less than 1% of the capacity of IPAS.²⁵¹

Among the 62 research participants currently living in IPAS accommodation, significant numbers did not feel safe from sexual exploitation or personally safe in their accommodation:

- 18% do not feel safe from sexual exploitation.²⁵²
- 36% would not describe the accommodation as safe for them.²⁵³

The IPAS model of accommodation for victims of trafficking continues to feel unsafe for over one-third of victims. More specifically, one in five victims of trafficking for sexual

243 Have you ever been homeless? Yes – 40% (n=77).

244 The Passage (2024) 'An overview of homelessness and human trafficking in Dublin'.

245 Do you feel safe from sexual exploitation where you are living now? No – 24% (n=76).

246 Would you describe your accommodation as safe for you? No – 38.96% (n=77).

247 Note: 'n' is the symbol use to denote the number of participants (n=x). While 78 participants responded to the survey, not all statistics refer to the full sample. The 'n' number denotes the number of participants in each question or cohort.

248 IHREC (2024/06) 'Trafficking in Human Beings in Ireland 2023' p. 156.

249 Department of Children, Equality, Disability, Integration and Youth, 'IPAS Weekly Accommodation and Arrivals Statistics Report 10 July 2024', data as of 7 July 2024.

250 Department of Children, Equality, Disability, Integration and Youth, IPAS Statistics 2004 to 2024.

251 Figures provided by IPAS to IHREC indicate that there were 110 victims of trafficking from 25 countries living in IPAS accommodation in December 2023. IHREC (2024/06) 'Trafficking in Human Beings in Ireland: Third Evaluation of the Implementation of the EU Anti-Trafficking Directive' p. 156.

252 Do you feel safe from sexual exploitation where you live now? Yes – 82%; No – 18% (n=60).

253 Would you describe your accommodation as safe for you? Yes – 64%; No – 36% (n=61).

exploitation feel unsafe from repeat sexual exploitation while living in IPAS accommodation.

Even though victims in IPAS accommodation are more likely to feel safe from sexual exploitation or to describe their accommodation as safe than those experiencing homelessness or in private rental accommodation, IPAS safety levels remain unacceptably low. Victims provided additional detail on the lack of safety in IPAS accommodation, including, *'there are so many people here and I am afraid from them'* and *'there is no control of who has access to the room.'* Victims also describe the effect of living in IPAS accommodation on their mental health *'this place has really harmed my psychological recovery'* and *'I can't complain because I don't have a choice now.'* In practice, safe accommodation options within IPAS accommodation are very limited.

In the accommodation where I am now, I feel scared. I am afraid from people. I have anxiety and depression and I always feel afraid when I see unknown people.

I've been harassed twice here.

Because I don't know if my traffickers know where I am at the moment.

If I wasn't so close to unknown people this would make me feel safer.

Participants living in IPAS accommodation experience poor quality sleep and privacy concerns in their accommodation.

- 52% are unhappy or very unhappy about the quality of their sleep.²⁵⁴
- 66% are unhappy or very unhappy about privacy in their accommodation.²⁵⁵

254 When you think about the quality of your sleep in your accommodation, how do you feel about it? Very happy, Happy, Mixed, Unhappy, Very unhappy (n=61).

255 When you think about the privacy in your accommodation, how do you feel about it? Very happy, Happy, Mixed, Unhappy, Very unhappy (n=62).

256 The term 'IPAS general accommodation' is used in place of the term 'Direct Provision', which is no longer used by IPAS.

257 Who do you share your accommodation with? Text answers (n=59).

The survey found that just one participant in IPAS general accommodation²⁵⁶ did not share a bedroom with anyone. A further four participants who were living in the IPAS/Depaul pilot specialist accommodation for victims of trafficking also did not share bedrooms with anyone.

- 71% shared a bedroom with a person or people that they were not related to and were previously unknown to them.
- 22% shared their bedroom with their children, partner and/or other adult family members.
- One participant living in general IPAS accommodation was provided a private bedroom. Four participants living in the IPAS/Depaul pilot specialist accommodation were all in private bedrooms.²⁵⁷

Participants described the lack of privacy and the overcrowded conditions as unhealthy, unsafe and impacting on their ability to sleep and recover.

The walls, you can hear everything from the other room which causes disturbance.

I share with eight people. It would have been more suitable if it's a room of two or just one.

The problem I am having is sharing room with three people, it gives me sleepless nights, and the insomnia problem.

Is one room that I'm sharing with my 3 children, 19 years old, and 12-year-old twins.

Being pregnant and living under this circumstances is not comfortable.

The survey identified high incidence of prior homelessness among victims living in IPAS accommodation.

- 35% have experienced homelessness.²⁵⁸
- 23% have previously used homeless shelters or accommodation.²⁵⁹

Have been away from home since I was 15 and was living in a brothel.

My trafficker left me on the road without anything or any knowledge of where I am, I was homeless for 3 days.

The Garda gave me a number for the homeless shelter I didn't even have a phone to use but she didn't care so I was just there walking street to street.

Please help support the homeless people in need by all means because it's not easy to stay in the cold.

However, the experience of homelessness was more prevalent among victims not living in IPAS accommodation. People living in IPAS accommodation rarely have alternative accommodation options and are at risk of homelessness when they leave.²⁶⁰ In May 2024, while the survey was being circulated, 32% of new presentations at homelessness services in Dublin were people who had recently left IPAS accommodation.²⁶¹

As the current model does not ensure continuity in accommodation after IPAS accommodation, victims of human trafficking for sexual exploitation are living in situations of overcrowding, stress and housing precarity where they are at increased risk of repeat exploitation. The survey shows that experience of homelessness among survey participants rises from 35% (all participants) to 56% among participants who are ineligible or no longer eligible for IPAS accommodation.²⁶²

At the verge of becoming homeless as I have been asked to leave the hostel and no accommodation out there.

Please do not place victims of human trafficking in emergency accommodation.

Participants were asked what would improve the current accommodation. Participants in IPAS accommodation responded in terms of increased safety and privacy.

We are not safe and we plead the government to put an eye to these issues.

No privacy where I am. I can't discuss my issue when other people in my room. I don't feel comfortable discussing my situation with Ruhama (while) in the room or premises because it's not safe and others make jest of me and I feel ashamed of myself.

Participants identified the need for continuity in the provision of accommodation for victims of trafficking.

It will be good if the period of accommodation is more and when moving we are moved to where we will not go back to emotional trauma.

There should be continuity in support for provision of housing for victims of trafficking until they are able to settle in the community.

Participants identified the need for accommodation that is safe and appropriate for children.

I want a safe and conducive place for my children and myself please.

258 Have you ever been homeless? Yes – 35% (n=62). Overall, 40% of the sample had experienced homelessness (n=78).

259 Have you ever used homeless shelters or accommodation? Yes – 23% (n=61).

260 IPAS accommodation is a form of crisis accommodation and residents have no alternative accommodation or financial resources for private rental accommodation and could be considered homeless for the purposes of housing applications.

261 *The Irish Times*, Ailbhe Conneely, 4 July 2024, 'Homeless fears for many told to leave direct provision'.

262 Have you ever been homeless? Yes – 56% (n=16). Overall, 40% of the sample had experienced homelessness (n=78).

Please, we need a better accommodation to stay with our children.

The survey data highlights that the current model of accommodation for victims in Ireland is not safe and appropriate for victims of trafficking for sexual exploitation.

4.1.2 Research participants not living in IPAS accommodation

The online survey identified a cohort of 16 victims of human trafficking for sexual exploitation who were not living in IPAS accommodation (n=16). These participants come from 11 different countries and include victims of trafficking for sexual exploitation who are not asylum seekers. Some participants were formerly resident in IPAS accommodation.

Some of this cohort were in extremely precarious situations linked to homelessness. Of the 16 participants not living in IPAS accommodation, nine participants had experienced homelessness and six were currently homeless.

- 56% have previously experienced homelessness (n=16).²⁶³
- 50% have used homeless accommodation (n=16).²⁶⁴
- 38% are currently homeless (n=16).²⁶⁵

Among the participants who were currently homeless, half were in homeless accommodation and half had no consistent place to stay. We find high levels of concern about safety, privacy and quality of sleep among the victims currently experiencing homelessness. The majority would not describe their accommodation as safe for them and do not feel safe from sexual exploitation where they are living now. The

majority are unhappy or very unhappy about the privacy and quality of their sleep.

The currently homeless victims shared additional comments in the survey that illustrated the high levels of anxiety and fear:

For more than one year I'm so scared, every day I need to wait for the people to help me to get a place to sleep. It is the same every night, it's cold, it's not easy for me.

A lots of people take drugs, I am scared.

Among the victims who are currently living in private rental accommodation, we also find high levels of concern about repeat sexual exploitation, personal safety, privacy and quality of sleep. The additional information provided by the victims in private rental accommodation included the following descriptions:

I was in direct provision. I came from a hostel where we were told you move out. Now I am in rented house. The building is bedroom house, has 14 people we don't know each other. I am very new there, I don't know anyone. It is somewhere inside. The house is having very many men sharing bathrooms not very safe.

I live alone. Others who use coercive control over me have access to it. I am accessed at home and it is used by many to harm me.

I would like to get social housing, where I could have peace and not to be scared anymore that I will be forced to get out of the property I'm renting at the moment. Tired of fear, please lord!

²⁶³ Have you ever been homeless? Yes – 56% (n=16).

²⁶⁴ Have you ever used homeless shelters or accommodation? Yes – 50% (n=16).

²⁶⁵ Please tell us what kind of accommodation you are living in now? Private rental – 37.5% (6); Social or AHB housing – 25% (4); No consistent place to stay or homeless – 37.5% (6) (n=16).

On the other hand, 25% of this cohort (four participants) were living in social housing or housing provided by Approved Housing Bodies (AHB). These were the only categories of housing where all participants felt happy about their personal safety inside and the safety of the location. However, only four participants were able to access this form of housing. The data shows that for every participant who was able to access social or AHB housing, there were many more participants who were either homeless or in sub-standard private rental accommodation.

The situation for the participants without a consistent place to stay or in homeless accommodation was found to be the least safe and appropriate in terms of privacy, quality of sleep, personal safety, security and risk of repeat sexual exploitation. The standard of private rented accommodation that victims of trafficking for sexual exploitation were able to access was also reported as overcrowded, unsafe and lacking in privacy.

4.1.3 Summary analysis of survey

The survey identified that victims of trafficking for sexual exploitation experience significant safety concerns around accommodation.

Overall:

- 24% or one in four do not feel safe from repeat sexual exploitation in their current accommodation.²⁶⁶
- 39% or two in five would not describe their current accommodation as safe for them.²⁶⁷

For participants living in IPAS accommodation, the situation is marginally safer – 18% do not feel safe from sexual exploitation and 36% would not describe

their current accommodation as safe for them.²⁶⁸ Participants who are not living in IPAS accommodation report higher safety concerns – 44% would not describe their accommodation as safe for them.²⁶⁹

Overall, 40% or two in five victims of human trafficking for sexual exploitation have already experienced homelessness,²⁷⁰ highlighting the need for training and guidelines in organisations working with people experiencing homelessness. Almost 40% of participants who are not living in IPAS accommodation are currently experiencing homelessness.²⁷¹ These participants also record the highest risk of repeat sexual exploitation.

The safest form of accommodation that was identified was AHB housing, provided in conjunction with either a specialist or DV service or a local authority. AHB accommodation, provided in conjunction with domestic violence services and local authorities, accommodated 4% of all the survey participants. All of this very small cohort described their accommodation as safe for them and also showed increased satisfaction with quality of sleep, privacy and amount of space. However, 17% of all participants were in neither IPAS nor AHB accommodation, and this cohort experience the lowest levels of safety and the highest risk of repeat sexual exploitation.

The data highlights how unsafe it is for victims of trafficking for sexual exploitation to be required to leave IPAS accommodation before AHB accommodation is in place. Private rental accommodation (for some respondents) and homeless accommodation do not currently provide appropriate levels of safety for victims of trafficking for sexual exploitation.

Further research, including with victims who are not in IPAS or AHB accommodation, is needed to determine how continuous

266 Do you feel safe from sexual exploitation where you are living now? No – 24% (n=76).

267 Would you describe your accommodation as safe for you? No – 38.96% (n=77).

268 Would you describe your accommodation as safe for you? No – 36.07% (n=61).

269 Would you describe your accommodation as safe for you? No – 43.75% (n=16).

270 Have you ever been homeless? Yes – 40% (n=77).

271 Please tell us what kind of accommodation you are living in now? No consistent place to stay or homeless – 37.5% (6) (n=16).

pathways of accommodation can be achieved for victims of trafficking for sexual exploitation. Data on the housing outcomes of presumed and identified victims of trafficking leaving IPAS accommodation should be maintained. More attention needs to be paid to resolving the individual safety and accommodation needs of victims of trafficking for sexual exploitation in all forms of accommodation.

4.2 Direct consultation with victims of human trafficking for sexual exploitation

The direct consultation process in this research aimed at providing victims/survivors with an opportunity to influence the development of a new model of accommodation that addresses more than the basic human need for shelter and food. Survivors of human trafficking for sexual exploitation are key stakeholders in the development of a new model of accommodation and provided insight that is important for policy development.

Accommodation was discussed during the interviews and focus groups in terms of training for management and staff, different phases of recovery, gender-specificity, privacy and dignity, and barriers to moving into independent accommodation. Participants considered which forms of accommodation, support services and management ethos should be adopted in a model of accommodation that aims to contribute to physical, psychological and social recovery.

Previous significant research on accommodation for victims of trafficking in Ireland²⁷² established that the current model

of accommodation is not fit for purpose and needs reform. Analysis of the direct consultations with victims reinforces these findings and provides the essential elements of a victim-centred model of accommodation from the perspective of victims of trafficking for sexual exploitation.

Methodology

Victims of human trafficking for sexual exploitation were invited by Ruhama to take part in small focus groups and individual interviews to discuss safe and appropriate accommodation.²⁷³ A total of 23 women took part, with informed consent obtained from each participant prior to their involvement. The majority of the participants had experience of living in IPAS accommodation.

A semi-structured format was utilised. Eight key topics were introduced and discussed, allowing for flexible and in-depth exploration of each issue. At the end of each thematic discussion, participants were given the opportunity to respond privately to questions through additional online polls accessed via their phones. This approach ensured that participants could provide their individual perspectives confidentially, without influence or reaction from the rest of the group or the interviewer.

The interviews and focus groups were recorded with consent, anonymised to protect identities, and transcribed for analysis. The data from the online polls was also anonymised and analysed. This combination of open discussion, confidential polling and thorough data analysis enabled a comprehensive understanding of individual participant's views on accommodation, ensuring that the findings reflected both collective and individual insights.

272 IHREC (2023/09) 'Second Annual National Evaluation Report of the Implementation of the EU Anti-Trafficking Directive'; Immigrant Council of Ireland ICI (2020) 'Housing trafficked women in Ireland: Submission to the Advisory Group on the Provision of Support including Accommodation to Persons in the International Protection Process'; Government of Ireland (2020) 'Report of the Advisory Group on the Provision of Support including Accommodation to Persons in the International Protection Process' (Catherine Day Report) p. 10.

273 Twenty-three women victims of trafficking and sexual exploitation collaborated in this research through interviews and small focus groups. There were four individual interviews and three with two participants. There were three focus groups with three people and one with four people. Approximately 15 hours of one-on-one and small focus group conversations were recorded, transcribed and analysed.

The following topics were explored.

1. Safest and most appropriate types of accommodation.
2. Specialist training for staff in accommodation.
3. The most appropriate kind of accommodation for the first two months.
4. The most appropriate kinds of accommodation after two months.
5. Length of recovery time.
6. Gender-specificity.
7. Privacy and dignity: sharing a bedroom and bathroom.
8. Barriers to moving on into independent accommodation.

4.2.1 Safest and most appropriate types of accommodation

Safe and appropriate are two of the minimum legal standards for accommodation for victims of trafficking.²⁷⁴ Participants discussed what made accommodation feel safe or unsafe and what they believed was appropriate or inappropriate in terms of accommodation for victims of trafficking for sexual exploitation.

In trying to define what 'safe and appropriate' accommodation would include, participants spontaneously raised issues of importance to them. For example, participants raised the importance of trained staff.

Safety. I think that sometimes, if you feel unsafe, you should go talk to the manager. Just say 'We feel unsafe, we are concerned.'

The manager, they wouldn't even understand the situation.

Participants identified that the managerial style and day-to-day interactions with staff were key to how safe and appropriate the accommodation felt in practice. Breaches of confidentiality, covering up of non-compliant processes during inspections,

unacceptable invasions of privacy, and fear of making complaints were identified as examples of poor managerial practice. Tense communication styles and low levels of basic trust between members of management or staff and residents were also described. Due to prior experiences of betrayal and mistrust in the trafficking exploitation process, a lack of trust in an accommodation provider, staff member or landlord becomes a serious issue for a recovering victim of human trafficking for sexual exploitation.

Anytime they [managers and staff] can come into our rooms, they can just come.

Participants considered that high levels of control and punitive systems were also very inappropriate and agreed that accommodation staff and management require specialised training.

So most of these people [management staff] in these centres, they are more like money-making ventures, they don't care about your well-being.

Participants identified that accommodation could support recovery, but the wrong accommodation could delay or even prevent recovery. Participants provided a clear message that small specialist forms of accommodation and independent accommodation in the community are safer and more appropriate for recovery than large, institutional or overcrowded accommodation. The international legal principle of protection for victims of trafficking for sexual exploitation is based on supporting progress towards physical, psychological and social recovery.²⁷⁵ Established trauma recovery processes also rely on other protected principles such as respect, confidentiality, consent, culture, equality, informed choice, non-discrimination, non-punishment, safety, sensitivity and privacy. Inappropriate management of accommodation was seen to hinder or lengthen the recovery process.

²⁷⁴ Recast EU Anti-Trafficking Directive 2024/1712, Art. 11.5.

²⁷⁵ Council of Europe, Convention on Action against Trafficking in Human Beings, Art. 12.

The unknown duration of residence created insecurity and stress associated with not knowing the length of time before potentially being required to transfer or leave the accommodation. The stress associated with these concerns negatively impacted recovery and it was seen as important that accommodation is stable and predictable.

Sleep deprivation impacted every aspect of participants' lives and was a huge concern. Sleep deprivation was related to trauma and exacerbated by stressful and overcrowded accommodation conditions.

Participants emphasised the importance of maintaining personal privacy and described privacy as a safety issue. It was very important for victims of trafficking for sexual exploitation to regain autonomy over personal privacy. The requirement to share bedrooms and bathrooms undermined the ability to keep personal matters secret and participants wanted to be able to choose whether and with whom they share bedrooms and bathrooms. The participants raised a number of issues based on their own experiences of sharing bedrooms and bathrooms which had impacted their safety. These included being forced to share bedrooms and bathrooms with people previously unknown to them, frequent room and room-mate changes, theft of personal items including essential medication, and contracting infections from shared bedrooms and bathrooms.

Throughout the interviews, participants raised concerns about the effects of trauma related to sexual exploitation on their ability to share accommodation with other people, retain information and attend appointments, trust and interact with other people, and sleep soundly. Conversely, participants also raised concerns about the negative impact of sharing bedrooms on their physical and psychological health.

I can't sleep with a stranger in my room. She's a new person because when I came here I was sharing a room with someone else. When that person left,

they brought me to a new person. And last week they were asking me to meet [yet] another new person there. I told I'm not doing that again. I'm tired, moving me up and down. I can't. I can't take it anymore.

Participants noted that victims of trafficking who had experienced depression or episodes of self-harm were unable to access crisis support at the time of need. Information on specialised supports was not always available, and participants sharing bedrooms were not able to make confidential phone calls to 24-hour specialised helplines.

Provide them with the necessary telephone number. They can call when they're panicking or when they're traumatised. When they want to do something like hurt themselves.

Early and frequent connections with case workers were cited as invaluable to enable victims to function, feel able to leave their room, feel safe in the accommodation or to assist in communicating with management.

The specific requirements of the children of victims of trafficking for sexual exploitation were outside the scope of the research. Participants were very concerned about the effects of all of the above issues on their children. One in five survey participants lived with their children and expressed frustration that there is no accommodation that is safe or appropriate for women with children. Participants reported that overcrowding and lack of privacy had a negative impact on the health and psychology of their children. Participants found it very difficult to find space to talk about their experiences or challenges, especially by phone to a therapist or caseworker, when children share their only private space. Participants felt that the overcrowding and shared bedrooms meant that it was extremely difficult to protect the children from hearing details of the trafficking ordeal or struggles during recovery. Participants did not want their children to be aware of those traumatic memories, or to hear

anything that they might repeat elsewhere, or to be stigmatised by connection to trafficking or sexual exploitation. Participants did not find it safe or appropriate for children to be accommodated in institutional accommodation. Participants, especially those experiencing insomnia, found it difficult to share bedrooms with their non-infant or adolescent children (except by choice). Participants found it entirely inappropriate for more than one family group (mothers and children) to share the same bedroom and bathroom.

Summary of discussions on safe and appropriate accommodation

Participants identified the following as essential for safe and appropriate accommodation:

- Victim-centred management practices
- Staff awareness and training on the impact of trauma
- Respect for privacy
- Early and ongoing support from caseworkers
- Regaining autonomy
- Independent accommodation with specialist support
- Private bedrooms and bathrooms in all accommodation
- Child-sensitive accommodation
- Stable tenancy of accommodation with predictable length of stay for residents

4.2.2 Specialist training for staff

There was a clear majority in favour of specialised training on trauma and human trafficking for sexual exploitation for accommodation staff. Awareness of the impacts of trauma, confidentiality and stigma

related to trafficking for sexual exploitation were seen as particularly important.

Poll result

The majority, or 20 out of 23 participants said that they thought that staff in accommodation should have specialist training on human trafficking for sexual exploitation. The three participants who did not agree that staff in accommodation should have specialist training stated that training of staff was not relevant because victims of human trafficking for sexual exploitation should never be in communal or institutional accommodation.

Summary of discussions on specialist training for staff

Lack of trust in the management and other accommodation staff was clearly a shared experience for participants. Participants were concerned about stigma, reputational damage and the effect of confidentiality breaches on their personal mental health and recovery. They were also concerned about losing control of their story, and understanding that if any member of staff knew, then it would be beyond their control to stop their story being shared more widely. Participants generally had personal experience of trying to discuss concerns or issues with management staff in the accommodation or of making a complaint to IPAS and stated that the complaints process had made them feel more vulnerable.

A point was raised several times that it was unsafe to trust any member of staff with confidential information in large non-specialised forms of accommodation. Some participants clearly regretted that the management knew their status as victims of human trafficking. However, in the event that a member of management or staff did need to know the individual case of a victim, participants felt that they should be able to expect a high level of professionalism and confidentiality. Specialist training on confidentiality for staff was proposed, following which staff should sign a confidentiality agreement or non-disclosure agreement.

Most participants did not think that management and staff should be aware of their individual cases, but that management and staff should have specialist training on the conditions necessary for recovery from the effects of trafficking, sexual exploitation and sexual violence. A breach of confidentiality puts victims at risk of further exploitative and predatory behaviour, further invasion of privacy and possible reputational damage. Participants expressed hope that training for management and accommodation staff on trauma and trafficking for sexual exploitation might improve the accommodation model overall.

4.2.3 Accommodation for first two months

Participants were asked to discuss which of four types of accommodation already provided by the State might be safest and most appropriate for the recovery and reflection period of two months, or to propose other alternatives:

- Accommodation that is only for women victims of trafficking.
- Accommodation that is shared with women victims of domestic violence.
- Accommodation that is shared with women asylum seekers.
- Accommodation that is shared with women experiencing homelessness.
- Other.

Poll result

Just over half or 13 out of 23 participants showed preference for accommodation that is only for victims of human trafficking, or shared with other victims of domestic violence, which was supported by a lesser number of women. More than one-third of the respondents (8 out of 23) selected 'Other' and indicated that supported accommodation in the community

was their preferred choice for recovery in the first two months.²⁷⁶ Only two of the 23 women considered recovering alongside asylum seekers was possible, and none agreed recovery within homelessness services for women was suitable.

Preference for specialist accommodation for victims of trafficking explained

Overcoming constant fear through integrated specialist supports and female-only spaces: It was clear that many participants experienced fear and isolation during the initial period. Some participants recalled being afraid to leave their rooms or to leave the building during the initial period. For these victims, access to integrated specialist supports, safe female-only spaces and on-site medical care were key at this stage.

A support worker to reassure that person. Accommodation is one thing, but another thing is reassuring that person in the accommodation, and teach about how to overcome, you know, constant fear. Even when you are going along the way, you are scared that you may come across people that you are running away from. Is it possible to have a support worker in the accommodation?

Participants who experienced night terrors and flashbacks identified that specialist support was also required at night.

Just not to be alone with the night terrors you know, just that sometimes it comes, you know, the flashbacks will come back and you feel like now I need someone to talk to. Sometimes I need someone to talk to and sometimes I feel like, today I am strong.

Earliest access to specialist supports:

Participants emphasised the high value of early intervention by case workers, who

²⁷⁶ A text box was provided in the poll for participants to provide more information if they chose the prompt 'Other'. Independent accommodation in the community was not provided as a prompt by the researchers for the recovery and reflection period, but it was recorded in the transcripts as the choice of preference for 8 out of 23 participants.

established vital links to specialist support service designed specifically for victims of trafficking for sexual exploitation. Specialist accommodation was also seen as potentially providing a safe space in which to share experiences.

I was isolating myself, really, really depressed. And so because of the shame and stigma, so I just decide to stay on my own, in my room. The thing that encouraged me was the first day I went to Ruhama. When I saw other women, it was an encouragement for me because seeing that I'm not the only one who has gone through the terrible situation. So when I saw the way they were doing, it actually gave me a sense of belonging a bit, and in my own point of view, what I will say is putting women who have gone through the same situation to stay in the same place will help.

Integrated medical assistance: Participants described a combination of factors that delayed access to medical assistance. Participants experienced urgent health concerns and difficulties registering with a GP, and feared leaving the accommodation, and indicated that access to medical assistance should be available within specialised accommodation.

Maybe they just escaped and they are so scared that they can't even look through the window. So I would like the same accommodation to have such medical service. Well, because they even scared to go to GP if they have, even if they have GP. They even scared to go out that far. So I think that the accommodation should have such services inside as well.

Participants stated that while there is a cohort of victims of trafficking for sexual exploitation who need specialised accommodation with integrated services for this period, there is also a cohort for whom independent accommodation in the community is safer and more appropriate.

Preference for independent accommodation in the community explained

One-third of participants preferred independent accommodation in the community. Participants expressed fears around all forms of communal accommodation, including specialised accommodation for victims of trafficking, especially where children were concerned.

Overcoming fear of stigmatisation:

Participants feared being identified and stigmatised as a resident of any accommodation specifically for victims of trafficking.

It would have been nice you know, to have accommodation for that particular thing, but we might be tagged or easily known as such people. If you have a particular accommodation for people like us, they could identify us. It's giving us an identity. Not for us to be able to hide ourselves.

Overcoming fear of repeat exploitation by providing anonymity: Participants considered that communal accommodation posed higher risk of repeat exploitation because it reduced anonymity. Communal accommodation addresses are likely to become known and participants believed that traffickers could find out where to find them. Participants also believed that other residents may continue to have links to traffickers.

I wouldn't want an accommodation shared with only trafficking woman. You understand me? Because no, I wouldn't. I wouldn't. Sharing accommodation with trafficking, maybe both of you are already in the system, so it's kind of easy for you to fall back to that cause it's something to get out of it is kind of difficult unless you are forced to, you know. Yes, they want to be out of it, but it's still in their system, you know? So to get out of that, it's kind of difficult.

When you're sharing with people and you both know like oh we pass through same thing you might not really trust the person and the person might be having one kind of doubt too about you, so I won't go with that [specialised accommodation that is only for victims of trafficking for sexual exploitation].

Providing privacy and autonomy:

Participants wanted to establish autonomy over private and family life, and to establish a higher level of privacy than is possible in communal accommodation.

I don't think it's appropriate and it's safe for people who are being victim of trafficking to be kept in same accommodation with other people, and with different people in the same room as well.

I don't want to cry any more with people looking at me. I want to cry on my own space.

Participants identified concerns around communal accommodation triggering traumatic memories.

So I wouldn't advise that people who are being trafficked should be kept in such accommodation. I think it will be advisable or it will be good if they have their own space because it was really, really difficult for me seeing lots of faces. Sometimes I get shock, sometimes I'll be like ohh I'm not even seeing this, like I imagine so many things.

Promoting social recovery: Participants believed that independent accommodation in the community was more likely to support social recovery.

Getting an apartment, it makes you heal faster, it makes you faster because you are not afraid of who will talk to you. Thinking what this person will do,

what that person will do? You know your own space which you have never ever had before.

Overcoming risks for children: Concerns were expressed that children would be stigmatised by living in communal accommodation. Concerns were also expressed that communal accommodation reduces a mother's ability to keep her children safe and causes unnecessary stress.

If the person she's single, she don't have any children to keep away from the people. If she have children then you know all this. It make a lot of thing in your head.

Summary of discussions on accommodation for reflection period of two months

Participants reported that the first days and weeks were extremely difficult. Many participants had experienced very overcrowded conditions in the larger reception centres in Dublin and surrounding areas, alongside up to 500 asylum seekers. Participants lived in mixed (male and female) accommodation for international protection applicants where they shared bedrooms, bathrooms and meals with large numbers of people while experiencing trauma, fear of strangers, disassociation and flashbacks.

The concept of a time-limited period as short as 60 days was discussed and widely seen as too limited or counter-productive. It was suggested that towards the end of the time-limited period the woman could experience panic due to fear of returning to unsafe accommodation or homelessness.

What? What is that? That 60 days. Because this city is around the corner. For the person that passed through all the world the person passed. What I said, what is that? OK, after 50 days, what's going to happen? Yes, panic to the person because she may not be safe at all at all, as the day numbers

flow. The person who started counting the days she will not be able to move. She may be punished that, ah, very soon now I will leave this place. Yeah. So that is not good.

Three different factors were recognised as being important in terms of time-limited and phased approaches to accommodation. Firstly, individual victims have different coping mechanisms. Secondly, individual victims have different levels of trauma, and finally, moving accommodation could cause a set-back in recovery in some cases. Participants stated that accommodation placement and duration of stay should be based on individual protection and recovery needs.

I think there should be room for everybody. There are people that are coping well. There are people that will not cope well when they leave that accommodation and it's like you going back to square one. So I think there should be choices, options for you depending on how you are coping with your situation.

It was identified that an individual could have begun to recover but still not be ready to move accommodation within a specified time period, especially to an unknown location. Relocation is particularly stressful for a person trying to achieve psychological stability following traumatic experiences.

If I was OK in six months? Yes, ok to be in that accommodation, but not to move. Everybody is different. It all depends on how you are being. How you have been affected so and how you are coping with your trauma and how you are coping with what you have passed through.

The discussions and polls reinforce the position that the specific needs of the individual victim of trafficking should be considered in the allocation of accommodation. Some victims required

solitude, some reported being afraid to leave their rooms, and other victims feared being alone. All participants stressed the importance of being able to limit who has access to their personal space. Only two respondents indicated that the first two months could be spent in a large, congregated form of accommodation. The vast majority (22, 97%) recommended specialised safe space or private supported accommodation in the community.

4.2.4 Accommodation after first two months

Participants were asked to discuss which type of accommodation they believed would be safest and most appropriate for victims of human trafficking for sexual exploitation after the first two months, or the recovery and reflection period. The options provided were:

- Your own room in institutional accommodation similar to IPAS accommodation, with a caseworker and additional supports.
- Your own room and shared kitchen in a small shelter or refuge, in a building shared with ten other women.
- Your own room in a shared rented house with up to four women victims of trafficking, with continued outreach support.
- Choosing your own independent rented apartment on your own or shared with people of your own choosing.
- A choice of safe and appropriate accommodation depending on your individual needs at the time.
- Other.

Poll result

Just over half or 13 out of 23 participants opted for a choice of safe and appropriate accommodation depending on their

individual needs at the time. A further 10 out of 23 participants chose an independent apartment of their own or shared with people of their own choice. The rest of the options were not selected by any participant.

Summary of discussions on safest accommodation after the reflection period of two months

Participants identified the importance of an individual review of the fundamental needs of each victim before any change or transfer of accommodation. Decisions relating to allocation of accommodation after the recovery and reflection period should be made in consultation with the victim and her caseworker. Recovery can be delayed by moving accommodation and therefore informed consent was identified as also essential for any subsequent accommodation move. A model that takes a time-limited position on the provision of accommodation denies individual need and consent, and risks setting back recovery. Participants expressed the need for stable accommodation with predictable tenancies, in addition to individual reviews prior to transfers or end of residence.

Achieving independent accommodation was a common long-term goal for all participants. However, participants recognised that some victim/survivors may need interim specialist accommodation. Sharing with another victim of trafficking was suggested as a possible solution that could support recovery.

I think another option is another step while you wait for house. If that woman leave this special place [for victims of trafficking], but stay living in one house sharing with another trafficked woman is better for now. Another share the mental understanding. You go to work, you go to study, you come back for your safe house. Don't provide meals to the house, but start your life with a protection. I remember when I escape I was so shy. I can't live alone, I really need support and security and support and space.

Living independently was generally associated with increased safety. Participants feared the actions and words of other residents and staff in communal settings and felt that independent accommodation would promote faster recovery.

It will be OK to get an accommodation in somewhere, maybe among normal people that are living in town, like professional people like they working. Just to get an accommodation among them and to accommodate someone there is better because yes, is more better. You will learn something new. Your view will change.

Living among 'normal' people was a repeated theme. For some victims it was seen as important to move away from seeing people who reminded them of their past. A distinction was also made between the safety inherent to living independently and the general safety of the neighbourhood.

The best thing is to find a place for ourselves just to live alone. That is the best for the safety. The safety of the environment matters a lot, because if you're coming off from being a victim of trafficking and then getting to another unsafe environment is just like you're going back again. So I think safety matters a lot.

While independence, autonomy and privacy were seen as key to recovery, participants identified that they could not manage to live independently without continued supports.

I just need them to always check on me. You understand? Yes. To check on me, to know if I'm trying to hurt myself because sometimes I used to lose control. I lose concentration. Sometimes someone may be talking to me. My mind will be so far to the extent I may not even know you're talking to me because sometimes when the thing's triggered to my brain, I lose concentration.

The support provided by Ruhama was seen as important in this regard.

To be close to Ruhama is everything.

4.2.5 Length of time required to recover

Participants were asked how long should a victim of trafficking for sexual exploitation be supported in accommodation?

- Up to one year
- Up to two years
- Up to three years
- Until the woman and her case worker agree that she is ready to live independently

Poll result

The clear majority or 22 out of 23 participants stated that the amount of time a victim should be supported in accommodation is an individual matter, which should be decided by the victim and her case worker. One participant stated that two years would be sufficient in her case. None of the participants chose 'up to one year' or 'up to three years'.

Summary of discussions on length of time required to recover

Participants considered that rigid durations of support were inappropriate. There was some reluctance to engage with the question on the basis that it is unfair to decide on behalf of another person the level or duration of supports that they may need. Participants recognised that everyone's experience is unique and so is their recovery journey.

But you can't just say 1 year, 2 year, 3 year, it is not working like that, when we are ready only we know.

The length of time it might take to be ready to live fully independently depends on many different factors and varies considerably from person to person.

Every people's experience varies, people's spirits vary as well. So, some persons are stronger, so I don't think there should be a time. I can't use myself as a measurement as a standard to say ohh two years, three years, you know, it would be unfair. So I think once the person is ready and believe themselves and they think that, well now I can take this step.

Participants recognised that they engaged with a lot of support over an extended period of time, and identified how essential the open-ended nature of supported accommodation is. Despite conscious effort to overcome past experiences, the path to recovery is not linear and cannot be achieved without additional supports, provided alongside stable accommodation.

I have a lot of support, but all the time I came back again because of some people they bring you down again. Again. Again. Again. Again. Again. So, is there something you can say one year, two year? It's very hard to the woman trafficked to build herself, to come back again. I try everything, but I don't think so it will be easy for me to. This is another part of me. I go back every time for that. One day maybe. Then the flashbacks come and I need to talk to someone. Some days are very bad and some days I can be strong. I can say I am trying as hard as I can.

Participants associated stable accommodation with progress in recovery and associated changes in accommodation with the prospect of losing progress or being set back in recovery. Participants recommended that the case worker periodically and holistically review how the victim is coping and recommend a course of action that is in the best interest of the individual victim.

I think there should be a review, like a supervision between a key worker and yeah, and to find out how the person

is coping. How, if this person is being moved out of this accommodation, is it going to help the person to move forward, or just to go back like being traumatised again.

4.2.6 Gender-specific accommodation

Participants were asked to discuss whether it is safe and appropriate for men to live in accommodation where women victims of trafficking for sexual exploitation are accommodated.

Poll result

Two-thirds of participants stated that it is not safe or appropriate for men to live where women victims of human trafficking for sexual exploitation are accommodated. One-third believed that it could be safe and appropriate for men to live in accommodation for victims of human trafficking for sexual exploitation.

Summary of discussions on gender-specific accommodation

Discussions around gender-specific accommodation could not be separated from discussions around individual risk, autonomy and family life. Participants highlighted that autonomy and personal choice over accommodation sharing was very important in order to respect individual risks, needs and family life.

The majority (65%) of participants had a very strong preference to be accommodated with women only. The primary reason was that living in the same accommodation with men was traumatising and could trigger flashbacks and panic attacks.

It is not safe seeing men living in the accommodation. It's more traumatising and makes you having a flashback of things you are trying to forget and each time you see men it is especially that looks like, reflects what happened, you has gone through. It looks like panic.

You start having panic attacks now. OK, is this person that one has met before in the past? Or is it you know is it present life?

Participants expressed preference for women-only accommodation, especially at the beginning of their recovery journey.

Yes, I would have prefer with women only. Initially they put me among couples. I don't like men, you know, maybe because of the trauma I've been through, you know? So I wasn't OK.

Men will always want to sleep with you and if they don't get their way they will take it out on you.

Some participants agreed that some men could live in the same accommodation. These participants made the distinction between family men and single men.

Some men obviously, maybe not all of them, can be of help.

A small number of participants did not object to being accommodated in mixed accommodation.

The women didn't help me, it is the men. That they are supporting me, that they are encouraging me if I want to do things is the guys that will do it for me.

Some participants shared that they were unable to trust anybody of any sex. In some cases, their trust in other people had been so completely destroyed that the gender of the other people living in the accommodation was irrelevant. Several participants stated that no-one could be trusted, including women.

For me, both. Both male, both woman. For me personally, I don't want anybody because I don't trust anybody. I don't discriminate in my trust for nobody.

A proportion of the participants lived with male partners or male children or expressed a wish to do so in future. Clarification was sought in some of the discussions to ensure that women who wanted to be accommodated with their male partner could do so. For other participants, living alongside men was seen as part of future life and should be normalised rather than totally avoided.

4.2.7 Privacy, dignity and sharing a bedroom

Participants were asked to discuss whether it is safe and appropriate for women victims of trafficking to be required to share a bedroom, other than with a partner or a child. There was very strong agreement among participants that victims of human trafficking for sexual exploitation should always have control over whether and with whom to share a bedroom. Control over personal space was seen as essential for privacy, dignity and recovery.

Poll result

All but one participant or 22 out of 23 participants stated that it is not safe or appropriate for women victims of trafficking to have to share a bedroom, other than with a partner or a child.

Summary of discussions on privacy, dignity and sharing a bedroom

A variety of reasons were identified as to why it was essential for victims of trafficking for sexual exploitation to have a private bedroom and bathroom. The reasons included the effects of trauma, the effects of physical and sexual violence, physical privacy (the need to wash and undress in privacy), confidentiality (the need to speak in private), the need to be alone, the need to protect children, the need to avoid contagion or infection, and the need to secure self and personal belongings, and the need to control the general environment (light, sound, smell).

I would say everyone should have a choice on where they want to stay, people should have their privacy space and not have to share a room or toilet.

Trauma

Participants shared that their experiences of trauma, sexual exploitation and sexual violence were affecting their mental health and their ability to share a bedroom. Victims living in IPAS accommodation are generally required to share bedrooms and bathrooms, sometimes with many other individuals. Mothers with children also share bedrooms and bathrooms with other people previously unknown to them. Participants put a private bedroom above any other potential improvement in accommodation.

Yeah, it's very, very essential. You can take everything else out. The private bedroom, it's very important because that period is a period that is so, I don't even know how to describe it. That you are so traumatised that there are certain times that you just want to be on your own. You don't even want to hear any sound coming through the window. Yeah. So if the government really wants to do this [new model of accommodation], private bedroom is very, very essential for people that have went through that.

The effects of trauma can be different for each victim and sharing a bedroom with an unknown person or unknown people was seen as inappropriate.

I cry all night and I can't explain. I need to be alone. It is not safe, I don't trust anyone.

Participants described symptoms of trauma including nightmares and broken sleep that impacted on the ability to share a room. Sharing a room was also associated with conflict and the conflict was sometimes recognised as being a result of depression or nervous behaviour as a result of trauma.

No, I remember this time I am very depressed and nervous and I share my room for one lady. And I have too much fight because I mental and now I'm OK.

Physical privacy

Participants did not feel comfortable getting changed in front of other people. Shared bedrooms and bathrooms meant that physical scars or injuries might be exposed and have to be explained.

I don't feel comfortable to expose myself in front of my roommates. So my roommates are there, you know, it is not always comfortable for me in my shower. I can't just be telling people about what happened to me. And so I just need to get healed from what has happened to me recently. So it is not something I can share with people in my room. So instead of staying with those ones because once they see about yourself, they start talking among themselves, you understand? You know how women do. So that is, I'm not comfortable about the place. I just need my own privacy. For now, in order to get healed.

Being watched while getting dressed and washing was upsetting for participants and a constant and unwelcome reminder of past experiences.

If someone is there looking at you, so you just want to have your privacy and think about your own life, so sharing it will not facilitate healing when someone wants to heal from what you have passed through in the past, so and you are two different people. It's better having a one room by yourself.

Confidentiality

Sharing a bedroom was considered to increase the risk of private and personal information being revealed and becoming public. Any conversation could be easily

overheard and there was no safe space to talk to family, case workers, therapists or friends.

No, it is not safe or appropriate, we need to keep our story safe.

Sharing a room with one other person was seen as unsafe, but many participants shared rooms with multiple people previously unknown to them. The difficulties around different personalities and cultures sharing a room were compounded by extreme overcrowding and complete loss of privacy.

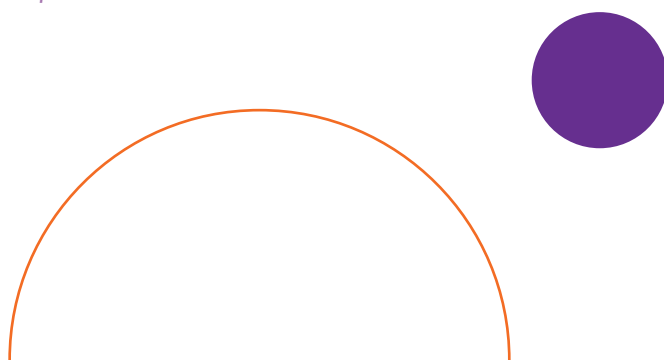
You know we are eight of us in the room, so there is no privacy even anytime we want our people to call me.

I was staying with like three other ladies. It was a hell. It wasn't easy. So I feel staying alone is the best. Different people, you meet different characters, you know, so I think being alone the best.

Safe space and security

Where participants shared bedrooms in IPAS accommodation each person would be issued a key. Some people were more careful with security but others frequently lost keys or invited other people into the shared bedrooms. Some participants had prescription medicine and personal health items stolen from their rooms and found other random residents using their bathroom. In one case, an IPAS accommodation manager removed the lock as he was annoyed about replacing lost keys.

I share a bedroom with three people so there are three keys so that was not safe if they leave it open or allow people in, but the manager take away the lock and now it is open to everyone and things are going missing and other people are in the bathroom.



Personal health

Victims of human trafficking for sexual exploitation experience many health issues related to sexual exploitation and violence. They may be immunocompromised or vulnerable to repeat infections.

I get many infections from the shared bathroom.

There are general safety concerns for women sharing bathrooms, especially where there is no possibility to lock the door. This can be frightening and traumatic.

You just have to have your own toilet and bathroom because sharing toilet and bedroom for women is not that safe.

Solitude

Participants expressed the need for solitude. The difficulty in finding a quiet space to spend time alone was impacting their mental health, ability to recover, and ability to act autonomously.

Privacy. When I'm alone. I can think, my brain will function well. There will be mental health stability. You know, when when I was in [IPAS] accommodation I couldn't focus. But if I have a place where I can live independent, you know, I'll be able to do anything around to do for myself, study if I want to, go to activities, if I want to go to Ruhama. I want to go to go hospital. I want to go for volunteer. Yes. Can be able to do that.

Forcing victims to share bedrooms against their instincts was seen to exacerbate existing physical and psychological conditions, breach confidentiality and delay recovery.

You end up feeling depressed after you are already depressed about something.

4.2.8 Barriers to moving into independent accommodation

Summary of discussion on barriers to moving into independent accommodation

The following barriers were identified by participants:

Effects of trauma

Trauma, particularly following sexual exploitation, was described as having a profound impact on trust, making it difficult for victims to form new relationships or friendships.

Maybe the woman will be still in trauma, it will be a problem.

Reduced ability to establish new relationships could lead to feelings of despair and isolation and difficulties establishing new social networks or sharing accommodation. Participants expressed a range of fears including setbacks to psychological recovery.

Fear of repeat exploitation

There were fears of exploitation reoccurring, both in housing and employment. Many women worried about being taken advantage of in the private rental sector without individual tenancy support. Fears of repeat exploitation in employment were also raised as very important issues for women living independently.

You need support not to be taken advantage of so that you, the landlord or the other people cannot take advantage of you.

Fear of losing established social networks and links to services

The absence of strong social networks leaves individuals at a disadvantage, limiting their access to support systems. Without family or friends, they are more vulnerable. Participants highlighted the loneliness and vulnerability that can accompany relocation.

It is just difficult, you have no money and you are alone and you can't trust but you can't stay alone.

Participants expressed reluctance to move away from areas where they had established social connections, especially where children were enrolled in local schools or where they had access to services such as counselling. Participants emphasised the importance of stability for psychological recovery.

If I'm to get accommodation, I wouldn't like to go far away because I'm still undergoing my therapy.

Now I got my status and I have to leave IPAS. I don't know, maybe if I leave this place I can't get supports in another county or place.

Maintaining access to support services was crucial for many participants, and moving away could disrupt established links to healthcare and social services. The uncertainty of being transferred to an unfamiliar area without a concrete plan contributed to the anxiety around relocation.

Fears on behalf of children

The potential impact on children was a major concern, with participants hesitant to relocate and disrupt their children's education or social lives. Access to education was a huge concern for participants, for themselves and especially for their children.

My children are in school now, they don't want to leave.

Fear of homelessness

The threat of homelessness was a significant concern, particularly for those leaving IPAS accommodation. The fear of 'being sent to the homeless' was expressed, with participants noting the difficulties of securing housing within the short timeframe given upon receiving legal status. Many victims of trafficking for sexual exploitation have already experienced homelessness and homeless

services in Ireland and this may deter them from taking up IPAS referrals to services attached to homeless charities.

Sometimes maybe when you get your Papers you have two months or six weeks to leave IPAS accommodation, or else you will be sent to the homeless. So it's just like you're going backward, especially when you're not able to get accommodation within that short period of time. Then they will end up sending you somewhere. Maybe somewhere far away. Maybe you have to travel two hours three hours five hours. You're trying to start life afresh again. It's depressing.

Unaffordability and safety of neighbourhood

The high cost of housing was a significant barrier, especially when trying to secure accommodation in a safe and private area. Even those participants who were employed struggled to afford rent in neighbourhoods that they perceived to be safer, but where rents were seen to be prohibitive. Unaffordability was especially seen as an issue in relation to finding highly valued privacy and safety, as affordable accommodation often meant sharing a house with strangers.

I am trying to get more work, at the moment I only get one or two or three days' relief work and I am still studying for this work. And it is not possible to afford a place in a safe area.

Safety was a top priority for participants when considering accommodation options. They expressed a willingness to compromise on other factors if it meant living in a safer environment.

I will still try to find out if the environment is also OK and depending on the people that is living in the environment, you ask questions. Safety is very important. Safety comes first in this aspect.

Difficulty of finding work and improving work prospects through further qualifications

Finding employment is a very important part of integration. Many participants were studying and working simultaneously, in order to improve their employment options. They were also concerned about the education and future opportunities of their children, as without stability and accommodation the education of the children will suffer. Concerns were raised about the risks of losing existing jobs and the difficulty of securing new employment. Relocating made finding or maintaining existing employment challenging, especially for those with limited skills or qualifications. Participants also stated that landlords were sceptical about single parents' ability to maintain employment.

When you get through to some of these places they are concerned because they know that your job will be affected when you are moving. So they're kind of sceptical of you being a single parent. How you going to continue paying bills when you lose your job and before you get into a new job? It's a concern for them. So they will not give you the house.

The difficulty of finding a job with limited skills, experience or education was raised.

We need job and if we can't find job we need time to invest in education.

For participants, investing in education was seen as essential to improving employment prospects and to achieving stable accommodation, yet it was challenging to pursue further qualifications while managing other responsibilities and experiencing accommodation precarity. The need for long-term educational support was highlighted.

Discrimination by landlords

Participants reported discrimination in the private rental market, especially against women with children or those receiving government housing assistance such as HAP. Discrimination was seen as a common challenge to finding accommodation.

So, I've been searching for some time now. I have my 4 children, so it is stressful. I haven't been able to get a house because sometimes you go for viewing and they didn't take you, maybe cause some, I don't know, some of this landlord, they don't want to take people you know like because of the HAP. You know, because you know government is kind of paying for you to an extent. So some landlords prefer people who pay them, you know, by themselves.

Housing crisis

Some participants identified that they were ready to move out of IPAS accommodation but couldn't find anywhere to move to. Some participants had residence permits but were still living in IPAS accommodation. These participants had received letters from IPAS explaining that they should find their own accommodation before a given date or be moved by IPAS to accommodation in another location. The insecurity attached to being requested by an official letter to leave IPAS accommodation without a personal accommodation plan or without advance knowledge of what area of the country they might be moving to next was seen as very stressful.²⁷⁷ Moving home is inherently stressful and regular moves disrupt access to services, employment and education, especially for children. Whether the experience of living in IPAS accommodation had been relatively good and appreciated or very difficult, participants reported feeling very stressed about finding housing and employment.

²⁷⁷ Murphy K, Stapleton A (2024) 'Access to autonomous housing for beneficiaries of international protection in Ireland' ESRI Research Series 184 [link](#); GRETA (2022/12) 'Evaluation Report Ireland: Third Evaluation round, Access to justice and effective remedies for victims of trafficking in human beings' p. 203 [link](#).

4.2.9 Summary analysis of direct consultations with victims

In summary, participants proposed that the new model of accommodation should include safe, appropriate accommodation that respects individual needs and risks.

Men living in the accommodation can trigger panic attacks and flashbacks. The majority of participants expressed preference for gender-specific accommodation. Flashbacks associated with the male sexual violence and the exploitation that participants had experienced were a common occurrence for participants, triggered by living in congregated accommodation shared with men.

Rebuilding trust after sexual exploitation takes a long time. Participants highlighted that loss of trust can have a profound effect on the process of building social networks and relationships, which are fundamental to establishing a stable and well-resourced life. Access to continuous confidential support services during this period is essential to support recovery and to address crises such as suicidal ideation, flashbacks, and panic attacks.

Privacy is essential for dignity, confidentiality and recovery. A private bedroom with bathroom was seen as essential to supporting dignity, confidentiality and recovery. Privacy can promote the perception of safety from exploitation, predators, coercion, intimidation, fear, harassment, inequality and sexual violence. Participants found that shared and overcrowded bedrooms and bathrooms undermined their ability to establish healthy boundaries while they regained control of their lives and rebuilt trust. Large capacity accommodation centres and overcrowding within them caused distress to participants.

Duration of recovery can vary widely between individuals and should not be limited to a predetermined period.

The length of time necessary for recovery cannot be made to correspond to periods of time associated with various processes (such as a recovery and reflection period, NRM procedures, criminal proceedings). Participants recommended that once it is established that an individual victim needs accommodation and specialist supports, a continuous pathway of accommodation should be put in place for up to three years.

Dignity is central to recovery from trauma.

Accommodation for victims must promote the restoration of personal dignity, including respectful communication, informed choices, confidentiality, respect for different cultures, and a safe and appropriate environment. Participants cited experiences of pleading for help, concerns being dismissed or not followed up, queuing for food, and a perceived lack of respect from some staff as elements that undermined the ability to live with dignity.

Local proximity to trusted specialised service providers is very important.

Recovery is a difficult process and a journey that takes many years. Participants identified that specialised supports need to be easily accessible, and that the location of the accommodation should not isolate victims from the specialist supports that meet their individual needs. Participants reported that relocations between accommodation centres disrupted the process of building trust with the specialist service provider.

Trained and informed accommodation staff are essential to a victim-informed service.

Victims of trafficking need time and space to recover in a trauma-informed space. Where accommodation management and staff do not have a solid understanding of the effects of trauma related to trafficking and sexual exploitation, they are unable to respond to victims safely and appropriately. Participants noted that safety was closely related to the managerial ethos of the accommodation

and believed that more training and a more victim-focused management ethos would reduce misunderstandings, and help to ensure appropriate levels of support, stability, autonomy and private life.

Institutional environments are detrimental to recovery. The management of accommodation, operating in many cases within a profit-driven environment, was perceived as coercive and controlling. The principles of informed consent and right of reply were not sufficiently protected. The model was perceived to be based on profit, crowd control and minimising opportunities for self-expression. Traffickers use similar tools to exploit victims and these methods should not be present in a model for victim accommodation. The restoration of independence, self-expression and autonomy were understood by participants to be crucial parts of the pathway to recovery.

Informed choice and autonomy in housing decisions are crucial. Participants expressed a strong preference for the ability to decide whether and with whom they share accommodation. Appropriate accommodation should empower victims to regain control over personal aspects of their lives, such as belongings, diet, education and employment, and family life. Involuntary or unexpected relocations are found to be highly destabilising, disrupting access to essential services, and impeding recovery efforts.

The lack of safe and appropriate accommodation for victims accompanied by children was also a significant concern among some participants. Congregated living settings and shelters are not suitable for children, nor is it ideal for children to share bedrooms with adults, especially unrelated adults. The specific and additional needs and rights of child victims and people with disabilities are also areas of special consideration that were outside the scope of this research.

4.3 Conclusion and recommendations based on perspectives of victims

The findings point to a clear correlation between the model of accommodation and the journey to recovery. The interviews, focus groups and survey all demonstrate that the current model of accommodation is not providing safe, appropriate and recovery-focused accommodation for a very significant proportion of victims. Participants report that the lack of safe and appropriate accommodation negatively impacts recovery.

Analysis shows that the current accommodation model does not meet EU legislative requirements. One in four victims reported that they do not feel safe from sexual exploitation in their current accommodation. The majority of participants lived in shared bedrooms with individuals who they were not related to and did not know in advance of sharing.²⁷⁸ Out of 78 participants, just four participants (3%) were able to access AHB or social housing.²⁷⁹ Of the victims living in IPAS general accommodation, just one individual had a private bedroom and access to a private bathroom. This highlights the need for more individual living spaces to accommodate the specific recovery requirements of victims of trafficking for sexual exploitation. Participants strongly recommended that victims of trafficking for sexual exploitation have choice and autonomy regarding whether and with whom they must share bedrooms and bathrooms. The current model of accommodation does not adequately take individual recovery needs into account.

The survey demonstrated that overall 40% of participants had already experienced homelessness.²⁸⁰ For victims of trafficking who were ineligible or no longer eligible for IPAS accommodation, gaps in continuity of accommodation and support were often

278 The survey found that 71% of victims resident in IPAS accommodation and many of those victims resident in private rental and homeless accommodation) were sharing bedrooms and bathrooms with people previously unknown to them.

279 The survey found that 3% were living in AHB or social housing (n=77).

280 Have you ever been homeless? Yes – 40% (n=77)

experienced, and 56% had experienced homelessness.²⁸¹ This cohort of victims is heavily reliant on services for people experiencing homelessness and on private landlords. The conditions described by those who had found private rental accommodation are highly unsatisfactory in terms of safety from sexual exploitation, personal safety inside the accommodation, privacy and quality of sleep. Victims perceived that gaps in accommodation provision and periods of homelessness reduce safety and delay recovery.

The research illustrates that the current approach to accommodation is not victim-centred or trauma-informed. The current model fails to provide the necessary individualised care that victims require for psychological and social recovery. Victims call for a new model that provides individual pathways of continuous accommodation that do not include risk of homelessness. A proportion of victims will require gender-specific shelter accommodation with integrated support services, and some will require supported own-door accommodation options in the community. The model should have capacity to provide both forms of accommodation. The duration of stay should be determined by a caseworker and the individual, based on recovery, risk and need. Above all, victims want control over who they share their bedrooms with, in order to support autonomy, privacy, dignity and recovery from human trafficking for sexual exploitation. Both the survey and the direct consultation evidence the need for a fundamental remodelling of the current model of accommodation for victims of human trafficking for sexual exploitation.

281 Have you ever been homeless? Yes – 56% (n=16).

Recommendations

1. Ruhama service users recommend the establishment of a system for ongoing and meaningful consultation with, and feedback from, victims of trafficking for sexual exploitation (including those who have experienced homelessness) in line with Actions 4.1 and 4.6 of the NAP on Human Trafficking.

(Responsibility: DJHAM/ National Coordinator of Human Trafficking, Operational Committee and the temporary rapporteur on accommodation, CSO for coordination of accommodation for victims of sex trafficking, frontline services and CSO).

2. Ruhama service users recommend that any model of accommodation chosen by the State shows due regard for and incorporates as far as possible the views and recommendations of survivors of trafficking, in particular but not limited to the following:

- Specialised gender-specific, recovery-focused accommodation.
- Private supported accommodation in the community.
- Allocations according to individual need following consultation with caseworker and individual victim.
- Predictable tenure of accommodation that does not include forced relocation without needs and risk assessment.
- Safe, private, and gender-specific living spaces that respect autonomy, dignity, personal safety, and family life.
- Choice and autonomy for victims regarding whether and with whom they share bedrooms, bathrooms and private living spaces.
- Pathways from referral to independent living.

(Responsibility: DJHAM/ National Coordinator of Human Trafficking, DHLGH, DSPRC DG, Operational Committee and the temporary rapporteur on accommodation)

3. Ruhama service users recommend that the planning and delivery of accommodation assistance is predicated on the need for (at least) 3 years of continuous supported accommodation to eliminate periods of homelessness.

(Responsibility: DJHAM/ National Coordinator of Human Trafficking, DHLGH, DSPRC DG, Operational Committee with the temporary rapporteur on accommodation)

Chapter 5: Perspectives of frontline workers



This chapter explores the realities, challenges and best practices in providing accommodation to victims from the perspective of relevant support services and frontline workers. Human trafficking for sexual exploitation presents complex issues for the provision of accommodation, as the accommodation must support physical and psychological health, social integration and long-term recovery. This chapter presents findings from consultations involving 52 stakeholders across 25 organisations in Ireland and Europe. The specialist practitioners, advocates, service providers and case workers who work to address victims' needs have insights that are important to the development of a model of accommodation.

The research employed a combined method approach to capture a comprehensive understanding of the stakeholders' perspectives and experiences in Ireland. The data and perspectives were collected using semi-structured interviews, focus groups, online surveys and email correspondence. This diverse methodology facilitated the collection of qualitative insights, allowing for a nuanced analysis of the professionals' opinions on the essential service delivery they carry out, with the difficulties involved and good practices.

The use of semi-structured interviews and focus groups enabled participants to share detailed narratives, while surveys provided broader converging insights into organisational and national practices. Two focus groups with frontline workers at Ruhama allowed for peer-to-peer collaborative discussions and the identification of essential minimum criteria for a new improved model of accommodation. Interviews, surveys and email correspondence with individuals with experience of providing accommodation to victims of trafficking in Northern Ireland, Scotland, England, Sweden and Germany supplemented these methods by gathering specific information or clarifying responses.

The findings from this chapter offer valuable perspectives from a diverse group of stakeholders, highlighting the challenges faced by organisations in delivering their own services to victims who have varied access to safe and appropriate accommodation. By integrating the experiences and expertise of multiple stakeholders, this research seeks to contribute to a new approach to addressing the accommodation needs of victims of trafficking for sexual exploitation.²⁸²

A range of themes emerging from these consultations will be discussed in this chapter, including:

1. Impact of housing stability on recovery
2. Impact of broader socio-economic challenges on accommodation for victims of trafficking
3. Specialist accommodation for victims of trafficking
4. Specialist accommodation for victims of domestic violence
5. Approved Housing Bodies
6. Local authority housing
7. National Services and Accommodation Development Plan for DSGBV
8. Direct contribution of victims to policy development and inter-agency best practice

5.1 Impact of housing stability on recovery

The frontline staff in specialist support services across Ireland provided insight into the current profile of service users. Victims of trafficking for sexual exploitation are a transient and vulnerable population who engage with support services irregularly but repeatedly. Many victims have young children, which can also impact their ability to escape or find accommodation. Caseworkers noted

282 Throughout this chapter all quotes were provided by frontline workers and other interview participants. Unless otherwise indicated all statements are evidenced by qualitative research with frontline workers.

that dual diagnosis²⁸³ among victims of trafficking appears to be increasing. Victims of trafficking for sexual exploitation face intersectional discrimination when seeking and accessing accommodation for a wide variety of reasons. Most victims of trafficking are extremely marginalised individuals and some are still being exploited in various ways while seeking support. Frontline workers maintain that victims without stable accommodation are less likely to regularly engage with specialist supports.

Two focus groups with 14 frontline workers at Ruhama identified that the absence of a specialised model of accommodation for victims of trafficking has resulted in victims experiencing an unpredictable and unsafe assistance system, which was described as chaotic and frightening. Frontline workers stated that the current system re-traumatises victims and reduces their ability to recover or access services and rights in a timely manner and in line with binding international law. Safe, stable, predictable and continuous accommodation was described as fundamental to psychological, physical and social recovery.

The frontline workers discussed the experiences of service users outside the IPAS accommodation system. This cohort includes victims of human trafficking for sexual exploitation using homelessness services, with no fixed accommodation, and in private rental accommodation. It also includes a small number living in AHB housing, usually facilitated by domestic violence services. For victims of trafficking for sexual exploitation, there are very few safe and appropriate options. Hotel accommodation is occasionally used for urgent crisis accommodation but is not a safe or appropriate option, and is very short term. Domestic violence refuges do not have sufficient capacity to respond and most victims of trafficking cannot (and are not entitled to) access them. The vast majority of

victims of trafficking are accommodated in IPAS accommodation.

The general accommodation provided by IPAS for international protection applicants is understood by frontline workers to expose victims to overcrowding, lack of privacy, sleep deprivation, racism and theft. There is no possibility to make individual and flexible long-term plans for recovery within a system that moves victims around at short notice for institutional efficiency reasons. Education, support networks, therapy, access to services and employment are all disrupted and hugely impacted by sudden relocation, with the result that recovery is interrupted and set back. Sharing bedrooms and moving accommodation were both understood to be triggering psychological trauma for some victims of sexual exploitation. Having multiple people previously unknown to each other sleeping in one room was described as replicating victims' experience of trafficking, while frequent moves mimic traffickers' coercive and controlling methods.

Accommodation requirements need to be reliably assessed if a model of accommodation is to provide sufficient capacity. During each focus group, frontline staff at Ruhama responded to a poll to informally estimate how many victims of trafficking for sexual exploitation currently need accommodation. Estimates ranged from 250 upwards. While we know that in 2023 approximately 100 female victims of trafficking from 25 countries were accommodated by IPAS,²⁸⁴ very little is known about the current accommodation situation for the larger estimated number of victims of trafficking for sexual exploitation. The number of countries is not fully representative either. The current data collection system is extremely limited and does not represent a credible base for policy decisions. Anonymised administrative data from specialist support services could be a very

283 HSE (2023) 'Model of Care for People with Mental Disorder and Co-existing Substance Use Disorder (Dual Diagnosis)'. The term 'dual diagnosis' is used to describe a person who presents with a concurrent mental health disorder and a substance use disorder (SUD).

284 IHREC (2024/09) 'Trafficking in Human Beings in Ireland 2023: Third Evaluation of the Implementation of the EU Anti-Trafficking Directive', p. 156.

useful resource for services, and policy and decision makers.

During focus groups, frontline workers responded to polls aimed at identifying the most essential elements for a new improved model of safe and appropriate accommodation for victims of human trafficking for sexual exploitation in Ireland. The identified minimum essential elements of a new model of accommodation are:

- Stable and continuous long-term accommodation
- Private bedrooms and bathrooms
- Gender-specific accommodation
- Accommodation that is safe and appropriate for the needs of children
- Specialist psychological assistance for trauma recovery
- Specialist assistance to achieve sustained recovery and social inclusion
- More opportunities for victims to contribute to the development of policy that concerns their recovery, including on accommodation assistance

It is clear that the proposed features correspond directly to the challenges identified in the interviews and focus groups with victims of trafficking (presented in Chapter 4). The findings from the Ruhama staff focus groups were further validated during interviews with other stakeholders in Ireland. The estimated requirements for a minimum capacity of 250 were also considered realistic by frontline workers of other organisations engaged with services to victims of trafficking. Stakeholder interviews also confirmed the negative impact of homelessness, housing insecurity, overcrowding and sub-standard accommodation on physical and psychological health and social recovery.

5.2 Impact of broader socio-economic challenges

Frontline workers described how the housing crisis coupled with racist and anti-immigrant discourse are impacting accommodation for victims of trafficking. In part this is a result of the existing policy to accommodate asylum seekers and victims of trafficking together. In addition to targeted attacks on existing and potential IPAS accommodation, a surge in asylum seeker numbers is impacting conditions within IPAS accommodation. Where in the past a victim of trafficking for sexual exploitation might have been allocated a private room, this is no longer the case. The current accommodation crisis and the increasing number of international protection applicants is having the effect of weakening the protections provided to victims of human trafficking.²⁸⁵ In its third national evaluation report, the independent National Rapporteur on Human Trafficking (IHREC) stated:

[T]he State is problematically conflating distinct legal frameworks by attempting to utilise direct provision (DP) operated by IPAS for the purposes of accommodation of victims of human trafficking... [T]he IPAS services have been under severe pressure due to the rising numbers of applications for international protection. This reality unnecessarily and dangerously exposes victims of trafficking to a crisis of a largely unrelated nature.²⁸⁶

Broader socio-economic patterns of racism and discourses on migration and homelessness must not be allowed to undermine the right of victims of human trafficking for sexual exploitation to safe and appropriate housing. Neglecting obligations towards victims of trafficking undermines the rule of law and human rights principles. Failure to comply risks international criticism, reputational issues and potential sanctions under the new EU Directive.

285 IHREC (2024/09) 'Trafficking in Human Beings in Ireland 2023: Third Evaluation of the Implementation of the EU Anti-Trafficking Directive', p. 155.

286 IHREC (2024/09) 'Trafficking in Human Beings in Ireland 2023: Third Evaluation of the Implementation of the EU Anti-Trafficking Directive', p. 154.

Without specialist support, victims risk remaining trapped in cycles of exploitation, poverty, housing precarity, addiction and trafficking. The failure to assist victims has a knock-on effect on various other service infrastructure. According to frontline workers, the current approach will continue to strain public resources through the ongoing demand for law enforcement, emergency services, addiction services, healthcare and other crisis supports. The long-term effect of neglecting the recovery needs of victims of human trafficking impacted by sexual exploitation will be higher long-term social and economic costs. This is especially pertinent in the case of victims of trafficking for sexual exploitation, where the personal and societal recovery costs are the highest, according to an EC study of 2020.²⁸⁷

5.3 Specialist accommodation for international protection applicants

At the time of writing, State provision of accommodation for victims of trafficking was under the remit of IPAS. Accommodation provided by IPAS for international protection (IP) applicants is undergoing a slow-moving reform process and is unsuitable for victims of trafficking for a variety of reasons. These reasons are well-documented and comprehensive, including 'design, volatility, lack of gender and trauma approaches, institutionalisation and risk'.²⁸⁸ Stakeholders also anticipated that the provision of specialist accommodation for presumed victims of trafficking could support victims to commit to investigative and criminal justice processes. Victims who are not provided with continuous specialised supported accommodation are more likely to disappear, reducing the

ability of An Garda Síochána to complete investigations.

In late 2023 a small, specialised accommodation unit (Rosa's Place) for eight female victims of human trafficking (all forms), also under the remit of IPAS, was established on a pilot basis. The purpose of the new unit is to provide a short period of specialist accommodation to presumed victims of trafficking who are also IP applicants, with access to the specialist supports that they require. The premises and day-to-day management are provided by Depaul, a charity experienced in the provision of accommodation and services to people experiencing homelessness. Depaul had previously provided In-Reach information services to IP applicants accommodated in Direct Provision in recognition of the fact that Direct Provision was a form of precarious housing.²⁸⁹ The In-Reach services were not specifically targeted at victims of trafficking but at all residents of IPAS accommodation.

Rosa's Place provides individual case-management support for the residents around issues such as social welfare payments, employment and training, and connects residents with specialist support for therapy, medical treatment and legal advice. Specialist support services contribute towards physical, psychological and social integration of victims of trafficking impacted by sexual exploitation. Wraparound support is provided by Ruhama, An Garda Síochána Human Trafficking Investigation and Co-ordination Unit (HTICU) and HSE Women's Health Service (WHS). Stakeholders welcomed the pilot and hoped that this form of accommodation could be replicated to provide interim accommodation capacity to cease the controversial exposure of victims of trafficking to the international protection reception system.²⁹⁰

287 European Commission, Directorate-General for Migration and Home Affairs (2020) 'Study on the economic, social and human costs of trafficking in human beings within the EU'.

288 IHREC (2024/09) 'Trafficking in Human Beings in Ireland 2023: Third Evaluation of the Implementation of the EU Anti-Trafficking Directive', p. 154–157.

289 Depaul In-Reach services focused on supporting individuals in Direct Provision who were at risk of homelessness and included resettlement support, community integration and referrals to specialised services, education, training and employment.

290 IHREC (2024/09) 'Trafficking in Human Beings in Ireland: Third Evaluation of the Implementation of the EU Anti-Trafficking Directive' p. 26.

Rosa's Place provides eight single bedrooms and two shared bathrooms for presumed victims of trafficking. There is a communal kitchen and a communal living area. The accommodation is self-catering and presumed victims of trafficking are eligible for a weekly allowance of €55 for groceries and personal items. The women can cook together and eat together or can choose to cook alone. The women are encouraged to take control of their lives and consider the accommodation as a house-share situation and coordinate with each other to share all the facilities. Depaul worked at developing a culture of communal living and encouraged people not to isolate in their rooms. Some of the first cohort of residents in Rosa's Place were victims of trafficking for labour exploitation and already had work permits and employment.²⁹¹

Depaul provide two members of staff from 9pm to 5pm Monday to Friday to provide practical support including referrals to specialist services. Private consultation rooms are provided for external specialist support providers. A security guard is on reception 24/7. All residents have keys and are free to come and go as they please, with restrictions after 11.30pm. Residents must inform staff if they will be out after midnight and a safety plan is in place. If a resident does not return when expected, the safety plan requires that An Garda Síochána be notified, and the report is treated as a missing person incident after 24 hours (instead of 48 hours).

The service is funded by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) through IPAS and is restricted to victims registered with IPAS and eligible for the recovery and reflection period of 60 days. The pilot originally proposed to provide accommodation for 60 days, although it was quickly realised that it was far from ideal to return victims to general IPAS accommodation after this period. However, move-on accommodation was not in place. In practice IPAS permitted extensions to the 60-day period and Depaul hopes that in future there can be more individual flexibility, while recognising that this will require more

capacity. At the time of writing the first cohort of presumed victims had been living in Rosa's Place for approximately six months and were preparing to leave, although some of these individuals did not know where they were going to live next, a fact reflected on by the frontline workers.

In principle it was agreed that no-one would be discharged into homelessness from Rosa's Place, but this remains an issue. Where else can they go?

It's hard to get them into homeless hostels even, as they have to be on the housing list. They aren't eligible in Dublin if they aren't DRHE [Dublin Region Homeless Executive].

Currently, allocation of Rosa's Place accommodation works on a referral-only basis. Ruhama, HSE Women's Health Service (WHS) and HSE Anti-Human Trafficking Team (AHTT) and An Garda Síochána refer individuals to IPAS and the decision whether to accommodate an individual at Rosa's Place is taken by IPAS. The victim must be registered as an IP applicant but the accommodation is not aimed at the larger cohort of female victims of human trafficking who have already spent long periods in IPAS accommodation. After the initial 60-day period, the accommodation can be extended by IPAS for a further 60-day period, up to a maximum of six months.

IPAS considered that it was inappropriate to transfer victims out of IPAS general accommodation into Rosa's Place if it was unlikely that move-on accommodation would be in place after a period of two to six months. If the victim would still be an IP applicant after six months' residence in Rosa's Place then she would remain under IPAS' accommodation remit. It was considered inappropriate to refer victims into Rosa's Place if they would then need to be returned to an IPAS reception centre after a period in Rosa's Place. Capacity and allocation challenges could be resolved if move-on accommodation was put in place for each resident within the six-month residence in Rosa's Place.

²⁹¹ This information was provided by stakeholders.

A further allocation challenge that was flagged by frontline workers was that not all victims of trafficking are international protection (IP) applicants. Some victims are European Economic Area (EEA) nationals, which remains an unresolved issue in the current system.

Not all referrals were IP applicants, although all were in IPAS accommodation. If someone is referred into Rosa's Place who is not an IP applicant, she can't go back to IPAS accommodation.

At the time of writing there was no agency with responsibility to provide accommodation for non-IP-applicant victims of trafficking after the maximum period of six months in Rosa's Place, and the lack of move-on accommodation was a cause of stress for victims. The main challenges that emerged during the first phase were connected to the lack of move-on accommodation, the lack of explicit legislation or policy around responsibility for accommodation provision, and the limitations attached to the IPAS remit. The extension of the model would benefit from replication of the pilot shelter to increase capacity; the development of policy to implement a structured approach to move-on accommodation; and the introduction of further accommodation that is outside the remit of IPAS.

Stakeholders know that there are presumed and identified victims of trafficking using homelessness services, as well as victims who have not yet been detected. There are further victims known to specialist support services for whom accommodation based on the Rosa's Place model could also provide appropriate interim accommodation, but they are precluded from accessing it.

The new NRM must clarify access to and the nature of assistance to victims of trafficking. Victims of trafficking must be able to avail of assistance irrespective of any international protection claims. Furthermore, practitioners expect that under the new NRM, decisions on identification of a person as a victim of

trafficking must be transparent and time-bound, and therefore facilitate the identified victim's eligibility for accommodation and other services. The transition to a new model of accommodation necessitates the removal of funding responsibility from IPAS, which already has a different and complex remit of its own.

The remit of IPAS is limited and a service funded by IPAS has the same limitations. DCEDIY is not able to take [on] the mantle and there is no other provision in place.

In summary, the in-depth discussions with frontline workers and other stakeholders identified the following challenges:

- Accommodation, including Rosa's Place, which is implemented under the remit of IPAS cannot fulfil the EU obligation to provide specialist accommodation to all victims, regardless of their origin, nationality, statelessness, immigration status or pending international protection claim.
- Funding specialised accommodation for trafficked victims from the international protection budget perpetuates the present confusion on eligibility to accommodation and precludes the State from ensuring equitable non-discriminatory assistance to victims guided by their needs.
- Two to six months is not a sufficient length of time for presumed victims of trafficking to achieve physical, psychological and social rehabilitation.
- Seamless pathways of accommodation are not being provided, with homelessness a part of many victims' experience.
- There is no specialist accommodation for victims of human trafficking for sexual exploitation who are mothers accompanied by children – a sizeable proportion of victims at present.

- There is no specialist accommodation that is fully accessible to people with disabilities.

Rosa's Place provides short-term accommodation for a small percentage of presumed victims of (all forms of) human trafficking and as such represents a model for one aspect of the State requirement to provide alternatives to asylum reception accommodation for victims of trafficking.

5.4 Specialist accommodation for victims of domestic violence

Ireland has an infrastructure of specialist crisis accommodation which was established to cater for the needs of women and children victims of domestic violence. Studying the process of developing specialist accommodation for victims of domestic violence to its present level would yield relevant learning regarding the challenges and best practices that could inform the planning and delivering of accommodation for victims of trafficking for sexual exploitation. Coercive control is a key aspect of both domestic violence and human trafficking, and both are recognised forms of gender-based violence.

By way of historic reference, it is noted that the model of refuge accommodation for survivors of domestic violence in Ireland grew out of a volunteer-led movement in the 1970s into a predominantly State-funded network of refuges. The network significantly evolved over 50 years through continuous research, multi-agency collaboration in planning and services, and victim-centred, evidence-driven care. Standards have been

developed, applied, monitored and evaluated during this period. The capacity of the DV sector is in a phase of expansion under the remit of Cuan and the Department of Justice and Department of Housing. By the end of the Third National Strategy DSGBV, capacity aims to stand at approximately 250 units, or half of what is required to meet the recommendations of the Council of Europe of one family place for every 10,000 head of population.²⁹²

The national network of domestic violence support services in Ireland is called Safe Ireland. The Safe Ireland model of accommodation is described in three practical manuals.²⁹³ This model proposes to provide supported and stable housing across all tenure types including clear move-on options from refuges and supported or temporary accommodation. The Safe Ireland model currently provides a suite of supported housing solutions for women and children that includes specialised refuges, outreach and services to support survivors to stay safe at home or in short-term stays in hotels, Airbnbs, Safe Homes, transitional and step-down housing, and long-term rental housing.²⁹⁴ The domestic violence model recognises that the presence of specialist refuge or shelter in the local community can address some of the barriers to seeking protection, increase victims' understanding of their rights, and improve the response of other agencies.

In contrast to the model of accommodation for victims of domestic violence described above, the current model of accommodation for victims of human trafficking for sexual exploitation in Ireland funds CSOs to provide external supports if or when victims come forward or are accommodated. Presently, a national model of accommodation

²⁹² Council of Europe (2011) 'Explanatory Report to the Council of Europe Convention on preventing and combating violence against women and domestic violence' para 135, 'This provision calls for shelters to be set up in sufficient numbers to provide appropriate temporary accommodation for all victims. Each type of violence requires a different kind of support and protection, and staff need to be trained to provide these. The term "sufficient numbers" is intended to ensure that the needs of all victims are met, both in terms of shelter places and specialised support. The Final Activity Report of the Council of Europe Task Force to Combat Violence against Women, including Domestic Violence (EG-TFV (2008)6) recommends safe accommodation in specialised women's shelters, available in every region, with one family place per 10 000 head of population. However, the number of shelter places should depend on the actual need. For shelters on other forms of violence, the number of places to be offered will again depend on the actual need.'

²⁹³ Safe Ireland (2022–2024) 'Safe Ireland Safe Spaces Trilogy: Safe Place, Safe Practice and Safe Community'. An ongoing body of research by Safe Ireland, the national network of domestic violence support services in Ireland [link](#).

²⁹⁴ Safe Ireland (2023) 'Designing Centres for Domestic Violence Prevention and Response'.

for victims of trafficking with integrated specialist services does not exist. The specialist services aimed at reducing barriers to seeking protection, increasing victim and general understanding of rights, and collaborating with other agencies to deliver accommodation are not evenly geographically spread. Unlike other countries, the State has not taken practical steps to replicate good practice with respect to accommodation for victims of domestic violence. Furthermore, the State still delegates responsibility and funding for trafficked victim assistance to a different government department (DCEDIY) than the departments responsible for DSGBV accommodation services (Department of Housing and Department of Justice).²⁹⁵

At this point, Ireland is far away from having a national network of specialist recovery-focused and victim-centred accommodation or pathway to long-term housing for victims of trafficking. Since the adoption of the human trafficking legislation in Ireland 16 years ago, a model of safe and appropriate accommodation for victims of human trafficking for sexual exploitation in Ireland has not been given a sufficient level of attention, and the response is in its infancy. The extensive learning and experience from the domestic violence services infrastructure has remained underutilised in addressing these gaps. On a positive note, the TNS DSGBV includes human trafficking and establishes synergies with the NAP on Human Trafficking.

5.5 Approved Housing Bodies

Approved Housing Bodies (AHBs) are independent companies, charities or not-for-profit organisations that provide and/or manage properties 'for the purpose of the alleviation of housing need.'²⁹⁶ They

are regulated by the Approved Housing Bodies Regulatory Authority.²⁹⁷ AHBs own and manage affordable housing for certain categories of people in need of subsidised housing. AHBs are most relevant in this context as a structure to provide accommodation, including own-door community-based supported housing, for specific cohorts of people.

Dídean²⁹⁸ is an example of an AHB that provides own-door community-based supported housing to a specific cohort. Dídean was established in 2019 specifically to support the government decision to end Direct Provision in its current form, and the service is designed to meet the needs of IP applicants for non-congregated supported accommodation. CSOs that provide accommodation for survivors of domestic violence have AHB status, as do Depaul and other CSOs providing accommodation for people experiencing homelessness. According to stakeholders, a small number of victims of trafficking for sexual exploitation have been provided with AHB housing through domestic violence CSOs or other cohort-specific AHBs.

Approved housing bodies may be used by local authorities to provide access to people eligible for means-tested social housing support,²⁹⁹ or people who are not eligible for social housing support 'but whose income would not be adequate to meet the rental payments for a dwelling to meet the person's reasonable accommodation needs because the rental payments calculated over the course of a year would exceed 35 per cent of that person's annual income net of income tax and pay related social insurance.'³⁰⁰

Victims, frontline workers and stakeholders all gave very positive reports of the experience of living in AHB housing, but also reported

²⁹⁵ At the time of writing the Department of Children, Equality, Disability, Immigration and Youth (DCEDIY) held responsibility for international protection accommodation. Just prior to publication in June 2025, this responsibility was moved to the renamed Department of Justice, Home Affairs and Migration.

²⁹⁶ Irish Statute Book, Act 47/2019 Housing (Regulation of Approved Housing Bodies) Act 2019, Section 25, 2.

²⁹⁷ Irish Statute Book, Act 47/2019 Housing (Regulation of Approved Housing Bodies) Act 2019.

²⁹⁸ Dídean website, see Founding principles.

²⁹⁹ Under the meaning of Irish Statute Book Act 22/2009 Housing (Miscellaneous Provisions) 2009.

³⁰⁰ Irish Statute Book, Act 47/2019 Housing (Regulation of Approved Housing Bodies) Act 2019, Section 25, 3(b).

that it was, in practice, only available to a very small number of victims. As stated in Chapter 4, out of 78 victim respondents to a survey on accommodation for victims of trafficking for sexual exploitation, only three victims (mothers with children) were living in AHB housing. This may be an indication of significant barriers to accessing AHB housing for this cohort. It may also indicate that victims who have accessed appropriate accommodation in the community have significantly reduced reliance on Ruhama and are less likely to engage with a survey on accommodation for victims of human trafficking.

The barriers can be considered in terms of eligibility, capacity and other structural barriers. There is no single coordinated scheme for applicants to apply for AHB housing. Each AHB has a separate referrals process and may be limited to a very specific cohort and/or within the boundaries of a single local authority. The foundational aims and the funding streams of an AHB may also impose additional eligibility requirements. Victims of trafficking cannot usually self-refer, further reducing transparency around access. It appears that where victims of trafficking have been successful in accessing any form of AHB housing it has been as a result of individual advocacy on their behalf by specialist services, and not as part of a transparent system.

Stakeholders expressed the view that increased access to AHB housing offering own-door supported housing in a community setting would be highly suitable for many victims of human trafficking for sexual exploitation. Increased provision of AHB housing in the community would provide precisely the structured response to specific housing that victims of trafficking require. The finding of this research is that all forms of communal housing carry increased fear of or risk of stigma and may trigger other symptoms of trauma for some victims of human trafficking for sexual exploitation.

Stakeholders believe that independent supported accommodation reduces stigma and institutionalism and also maximises the likelihood of long-term independence and community integration. The discussions converged to the position that AHB accommodation can meet the need for ring-fenced, anonymous, supported, own-door accommodation.

5.6 Local authority housing

Identified victims of trafficking are eligible to apply for local authority social housing and housing assistance. Little is known about the practice of different local authorities in handling applications for social housing supports from victims of trafficking for sexual exploitation as each local authority maintains its own housing allocations scheme and waiting list. While in theory several categories could be prioritised (households deemed homeless, people living in dangerous or overcrowded accommodation or people in need of accommodation on compassionate grounds), social housing allocation disadvantages people who have not been on the list for a long time,³⁰¹ which would be the case with almost all victims of trafficking. The housing status of victims of trafficking is not tracked and recorded following identification and it is unknown how many victims of trafficking have been allocated social housing.

Stakeholders identified that victims of trafficking may be excluded from State and local authority housing assistance under Housing Circular 41/2012³⁰² and Habitual Residency Condition (HRC). Non-EEA nationals who are unable to show either residence for five years prior or a continued valid residence permit amounting to five years are excluded under the Circular, which describes the majority of victims of trafficking. Application of the Circular by local authorities without regard to the rights of victims of trafficking and DSGBV would deny housing assistance, and emergency

301 Murphy K, Stapleton A (2024) 'Access to autonomous housing for beneficiaries of international protection in Ireland' ESRI Research Series 184, p. 24.

302 Department of Housing, Local Government and Heritage (2012) Circular 41/2012.

accommodation,³⁰³ to victims of trafficking on short-term residence permits. In theory, application of the Public Sector Duty should protect the rights of victims of trafficking in this respect.

At the time of writing, the Housing (Miscellaneous Provisions) Bill 2024 proposes to enact the five-year HRC of Housing Circular 41/2012 without ensuring that the specific needs of victims of trafficking are met.³⁰⁴ To compound the issue, victims and survivors of DSGBV are not entitled to free legal aid for housing matters (IHREC 2024b).³⁰⁵

There can be a significant delay before a victim of human trafficking for sexual exploitation in IPAS accommodation may apply for local authority housing, as residents in IPAS accommodation are not considered homeless for the purpose of the housing list and cannot apply to be placed on a housing list until they have long-term residence status. In contrast to victims of trafficking, a survivor of domestic violence who can access refuge accommodation is considered homeless from the point of entry and immediately eligible for the housing list. According to Safe Ireland, most DV refuges or shelters in Ireland are AHBs with significant experience in providing housing advice to survivors and of developing housing responses within their local communities.³⁰⁶ Stakeholders in the DV sector point out that victims of trafficking cannot easily access refuges and are often ineligible to access refuges. At the same time, victims of trafficking in IPAS accommodation may be referred to accommodation providers with AHB status in the homeless sector to provide housing advice. However, the years spent in IPAS accommodation are not counted as time spent on the waiting list, unlike time spent in a DV refuge. In practice, very small numbers of victims of trafficking are known to have successfully accessed local authority housing or any AHB housing. This

shows how the intersection of the frameworks on international protection and homelessness negatively affects the anti-trafficking response in Ireland, which does not have an assistance framework on its own. This leaves victims of trafficking without reliable housing options.

For these reasons, victims of human trafficking for sexual exploitation are far less likely than survivors of other forms of gender-based violence to have local connections, local counsellors or specialist CSO assistance to help them to access local authority housing. Survivors of domestic violence are frequently connected to or integrated in the local community and may already have local connections. Where a victim of DV has a low level of integration then the local DV organisation may be able to use their significant experience, community and professional connections to advocate for access to accommodation.

Victims, frontline workers and other stakeholders state that, in practice, local authority housing is not available for identified victims of trafficking, and that housing policy is creating circumstances that make victims vulnerable to repeat exploitation in the private rental market. Chapter 4 already presented the fact that identified victims of human trafficking for sexual exploitation view themselves as being 'forced to accept' unsafe accommodation, an example of which is the so called 'bedroom houses' where multiple strangers share bedrooms in a rental house.³⁰⁷ The survey analysis presented in Chapter 4 also presented experiences of overcrowding, poor sanitation, homelessness, fear, exposure to labour exploitation and repeat sexual exploitation. The lack of access to continuous accommodation pathways including local authority housing is pushing victims of trafficking to accept unregulated and unsafe forms of accommodation.

303 FLAC (2024) 'Submission to inform the Oireachtas Joint Committee on Housing, Local Government and Heritage's Pre-legislative scrutiny of Part 2 of the General Scheme of the Housing (Miscellaneous Provisions) Bill 2024'.

304 IHREC (2024/10) 'Submission to the Minister for Housing, Local Government and Heritage on the General Scheme of the Housing' (Miscellaneous Provisions) Bill 2024.

305 IHREC (2024/02) 'Ireland and the International Covenant on Economic, Social and Cultural Rights'.

306 Safe Ireland (2022) 'Domestic Abuse and Housing: Pathways to Safety and Sustainability'.

307 Survey data 2024.

5.7 National services development plan for DSGBV

The TNS DSGBV Implementation Plan 2024 includes the setting out of a strategic needs assessment framework and a work programme for phased delivery of the National Services Development Plan (NSDP) in 2025 and 2026.³⁰⁸ Action 2.3 of the TNS implementation plan for 2024 is to enable victims/survivors of DSGBV to rapidly access and live in safe, accessible short- and long-term accommodation as a priority.

A stakeholder at Cuan clarified that the NSDP included a national accommodation development plan, the groundwork for which was established in an overview of the existing provision of refuges and safe accommodation in Ireland.³⁰⁹ While actions to progress safe accommodation for victims and survivors of DSGBV have to date predominately concentrated on survivors of DV, the TNS clearly indicates that access for victims/survivors of sexual violence and sexual exploitation will be a dedicated area of focus in the lifetime of the TNS and in the NSDP. All actors leading on implementing actions in the TNS are required to consider the issue of access for groups at higher risk of DSGBV, including victims of human trafficking and women being targeted for the sex trade from direct provision centres.³¹⁰

Stakeholders in the DV sector showed substantial support for the development of a comprehensive NSDP, calling for the first action to be a National Accommodation Development Plan (NADP) for all survivors and victims of DSGBV, followed by locally informed County Development Plans. Given the range of intersectional and specialist needs that present as a result of gender-based violence, it was proposed that the development of the NSDP should ensure that a broader range of appropriate

accommodation pathways and services are made available with the aim of meeting the needs of all victims and survivors of gender-based violence. Going forward, stakeholders want the development of services and pathways of accommodation to take into account all manifestations of gender-based violence. The DV sector will contribute expertise on the creation of options for safe and appropriate pathways of accommodation in the interests of meeting the needs of all survivors and victims of DSGBV.

In the context of a shared development plan to ensure safe accessible pathways to short- and longer-term accommodation for all forms of DSGBV, stakeholders in the DV sector and the rape crisis sector were contacted to provide their perspectives.

Stakeholders in the DV sector were invited to complete a survey on future crisis accommodation and pathways of sustained accommodation for victims of trafficking for sexual exploitation. The survey was completed by 14 out of 20 Managers (70%) of DV refuges in the Safe Ireland network. The responses to the survey indicated a high level of awareness of the absence of safe and appropriate accommodation for victims of human trafficking for sexual exploitation. The necessity for pathways of accommodation to be defined for all victims of DSGBV was identified.

There are no defined accommodation pathways available for either survivors of Domestic Violence or Sexual Violence. These need to be developed in order to provide safe suitable options for those fleeing DSGBV.

Early-stage collaboration at the national planning stages of accommodation options and pathways would provide an opportunity to find solutions for victims of all forms of gender-based violence.

308 Department of Justice (2024) 'Third National Strategy on Domestic, Sexual and Gender-Based Violence – 2024 Implementation Plan'.

309 Tusla (2022) 'Review of the Provision of Accommodation for Victims of Domestic Violence'.

310 Department of Justice, 'Zero Tolerance for Domestic, Sexual and Gender-Based Violence: Third National Strategy on Domestic, Sexual & Gender-Based Violence 2022–2026', p. 44.

With a comprehensive National Services Development Plan resourced by government, then it could well be possible to collaborate on options for safe havens/specialist refuges for trafficking survivors.

Although DV and human trafficking for sexual exploitation are both forms of DSGBV and both require trauma-informed, gender-specific approaches, there are rehabilitation needs that are distinct for the two cohorts of victims.

Sex-trafficked victims most certainly fall under the umbrella of DSGBV but have distinctive needs which would need to be resourced and developed.

Stakeholders point out that DV refuges are designed as a short-term crisis response and ideally the survivor will be able to avail of legal protections such as court orders and be able to return to her own home. Victims of trafficking for sexual exploitation are considerably less likely to have the option to return to previous housing. Intimate partner violence is sometimes part of the poly-victimisation of victims of human trafficking for sexual exploitation; however, court orders are less likely to provide protection from a trafficker or sexual exploiter.

Victims of sexual exploitation need specialist support. As a refuge outside of Dublin we rely on Ruhama for advice, guidance and support when a woman discloses her experience of trafficking. In the main this appears to be a historic[al] experience or part of an arranged marriage or partnership type relationship in Ireland. The lines are very blurred as women who are trafficked may have experiences of domestic violence also. Coercive Control and sexual exploitation are linked.

Existing DV services can and do pivot to meet the needs of new clients and emerging forms of DV and this always requires new training and resources. Cross-training is seen as crucial to meeting specialist needs. Victims of trafficking impacted by intimate partner violence and sexual exploitation are accommodated wherever possible.

Residents of DV refuges who have no safe accommodation are considered homeless for the purpose of an assessment for social housing.³¹¹ Being automatically qualified for the social housing waiting list allows victims of DV to pursue other State supports including Housing Assistance Payment, Rental Accommodation Scheme, and Rent Supplement to support access to an independent tenancy in the private rented sector. Victims of trafficking are not automatically qualified for entry onto the social housing waiting list or other State housing supports including DV refuges.³¹²

There are no long-term options, women fleeing DV are renting in the Private Sector and finding it extremely difficult to find move-on accommodation. HAP is not a long-term option by its nature.

Stakeholders from the DV sector were very clear that in the DV crisis accommodation model, the specialist accommodation component cannot be separated from integrated specialist services for survivors of domestic violence. DV crisis accommodation is intended for a maximum stay of three to six months, and there are extremely limited move-on options available.

It makes much more sense to look at a more dispersed solution with the right supports.

311 Department of Housing, Planning, Community and Local Government (2017) 'Policy and Procedural Guidance for Housing Authorities in Relation to Assisting Victims of Domestic Violence with Emergency and Long-term Accommodation Needs', "For the purpose of social housing assessment a victim that is residing in a refuge facility may be considered as homeless; refuges are a form of emergency accommodation".

312 Non-EEA nationals with leave to remain may be assessed for housing support under the HRC while EEA nationals must have an employment record in the State to be assessed. Detailed guidance on access to social housing supports for non-Irish nationals is contained in Departmental Housing Circular 41/2012.

I believe that there needs to be a range of specialist accommodation and services developed to meet the full spectrum of needs of women and children impacted by all forms of DSGBV.

The DV sector has consistently advocated for a clear and coherent model for long-term pathways out of violence and this is urgently needed to free up space in crisis accommodation. The experience of the DV sector has been that failure to provide multiple clear pathways out of violence into sustained accommodation that protects from repeat violence results in over-long stays in crisis accommodation. Bottlenecks rapidly require further increase in the need for provision of crisis accommodation.

The commitment to establish dedicated and gender-specific accommodation for victims of trafficking in the NAP is linked to the commitment under the TNS on DSGBV to provide gender-specific accommodation for trafficked women.

It is recognised that the current provision of accommodation may not be suitable for the complex needs that victims of trafficking have. While the housing situation in Ireland is quite challenging at present, actions under this plan link to the commitment under the Third National Strategy on Domestic, Sexual and Gender-Based Violence to provide gender-specific accommodation for trafficked women. The Department of Children, Equality, Disability, Integration and Youth is committed to establishing gender-specific accommodation with associated support structures for victims of trafficking for sexual exploitation.³¹³

At the time of writing, NSDP and NADP consultations on the housing needs of victims of trafficking have not taken place.

5.8 Direct contribution of victims to policy development and inter-agency best practice

In terms of developing a new model of accommodation, this research has only begun to hear the views of the stakeholders who are impacted by policy. Victims and other stakeholders involved in this research reject the current model³¹⁴ and seek specialist gender-specific accommodation that is not tied to the immigration process and independent supported accommodation in the community. These choices are protected by EU law.

Ireland's current NAP aims in Action 4.6.1 to devise a mechanism to ensure that the implementation of the NAP will be informed and influenced by the voices of victims/survivors biannually from 2024. Action 4.6.2 aims to incorporate the voices of the victim/survivor into new initiatives through engagement with specialist services and NGO partners as required.³¹⁵ The most relevant actions and new initiatives to be informed and influenced by the voices of the victim/survivor are Actions 4.5.1–3, which include the identification of forms of short-term accommodation, the establishment of dedicated and gender-specific accommodation, and ensuring that victims are provided with accommodation that is suited to their vulnerabilities.

Stakeholders stress that it is important to understand the lived reality of policy decisions on a day-to-day basis. Facilitating direct and indirect consultation with women who have been impacted by trafficking and sexual exploitation was essential to this research. IHREC, the national rapporteur, has been collaborating with Ruhama to promote the voices of victims for the last three years, and developed ethical standards for direct consultation. The OSCE has also developed

313 Government of Ireland (2023) 'National Action Plan to Prevent and Combat Human Trafficking 2023–2027', p. 19 and Action 2.5.

314 The current model is summarised above at 3.1.

315 Government of Ireland (2023) 'National Action Plan to Prevent and Combat Human Trafficking 2023–2027', Action 4.6.1–2.

guidelines and recommended standards for permanent and institutionalised National Survivors of Trafficking Advisory Councils (NSTACs), planned, funded and resourced by each State.³¹⁶

Frontline workers also advocate for the inclusion of victims of trafficking as key stakeholders in the development of policy. Future policy-making needs to be better informed, and in particular to pay attention to the voices of women with lived experience of human trafficking and sexual exploitation. Just as models of trafficking and sexual exploitation continue to evolve, so will the needs and risks of individual victims.

5.9 Conclusions and recommendations based on perspectives of frontline workers

This chapter focuses on including the perspectives of frontline workers and staff at specialist CSOs and agencies who do not usually have a formal role in anti-trafficking policy development. These stakeholders have made important and detailed recommendations for the development of a new model of accommodation. Frontline workers in particular urged the researchers to listen to the voices of more victims, and to consider people with lived experience as key stakeholders. The perspective of frontline workers was broadly reflective of the voices of the women with lived experience of human trafficking and accommodation in Ireland. A strong message of urgency was relayed in the light of broader socio-economic challenges.

A very small percentage of victims of trafficking impacted by sexual exploitation have access to the specialised and targeted interventions and rehabilitative accommodation pathways to which they are entitled. Without this safe and appropriate accommodation, stakeholders see that victims struggle to recover and remain at high risk of repeat trafficking, repeat sexual exploitation and further harm. Stakeholders

believe that collaboration and cross-training between sectors is essential to support the development of a range of coherent and continuous trauma-informed, victim-centred, gender-, child- and disability-sensitive, human rights-based individual pathways out of violence. Collaborative work on a model of accommodation that meets the needs of each individual victim of gender-based violence is required to prevent the rights of victims of trafficking from being continuously undermined.

Stakeholders are very aware that there are large numbers of victims who are not detected and there are many barriers to seeking protection. The research indicated that there are many survivors of sexual exploitation and other forms of gender-based sexual violence using diverse specialist services who may be victims of trafficking and who have no access to any form of rehabilitative accommodation. The negative effects of the failure to provide protective accommodation will continue to push victims into accommodation that puts them at risk of repeat trafficking and sexual exploitation. The housing status of individual victims of trafficking for sexual exploitation is not systematically tracked from detection to recovery, and gaps in individual protection are not rapidly resolved. Anonymised administrative data from a wide range of services, including homelessness services, could provide insight into barriers to help-seeking and missed opportunities to protect individuals. Action 4.6 of the NAP provides for a mechanism for regular and ongoing opportunities for direct consultation. This mechanism is welcomed and much needed in order to help understand existing and emerging issues among the very diverse, fragmented and marginalised population of victims of human trafficking for sexual exploitation.

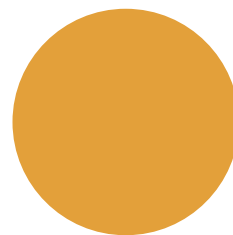
The first gender-specific pilot accommodation for victims of all forms of human trafficking was established in Dublin in 2023 with capacity for eight victims. Accommodation is initially allocated for 60 days and can be

316 OIDHR (2024) OSCE 'Guidance on establishing and maintaining National Survivors of Trafficking Advisory Councils (NSTACs)'.

extended by 60 days to a maximum of six months. While there is much work to be done on establishing continuous pathways of accommodation after this period, the development of this accommodation unit has been welcomed. Stakeholders call for the widespread replication of similar size gender-specific specialist units that coordinate individualised specialist support services for each victim and provide seamless individualised transitions into sustained accommodation. However, specialist accommodation must be provided in the context of established pathways to move-on accommodation. Responsibility for each element of the accommodation pathway must be defined to overcome the gaps and limitations that currently exist.

The forthcoming National Services and Accommodation Development Plan is an opportunity to articulate multiple fully resourced pathways out of trafficking and sexual exploitation. A framework should be established for an infrastructure and model of services that will meet the needs of all victims of DSGBV. The NSDP framework must define responsibilities for each part of a seamless pathway to continuous and sustained recovery in accommodation that protects each individual from repeat gender-based violence. Gender-specific crisis accommodation with specialist support is just one part of this pathway. Independent housing in the community with wraparound specialist supports must also be provided. Access to move-on accommodation must be in place and the outstanding policy issues on access to AHB and local authority housing addressed. The Fourth National Strategy for DSGBV should implement the work programme.

Individualised, complex and flexible pathways will always be required. To be clear, while it is vital to create a new model of accommodation for victims of human trafficking for sexual violence under a gender-based violence policy lens, it is not safe or appropriate to lose sight of the specialist needs of victims of trafficking for sexual exploitation or survivors of other forms of gender-based violence. What must be avoided is the creation of a new model that fails to respond to individual need and always situates victims of trafficking for sexual violence as a minority cohort competing for scarce accommodation across alternate specialisms such as asylum, homelessness or other.



Recommendations

1. Ruhama recommends evaluation of the pilot accommodation, Rosa's Place, with a view to identifying positive practices and any areas for improvement.

(Responsibility: DJHAM/ National Coordinator of Human Trafficking, in conjunction with Depaul Ireland and advisory committee of the pilot)

2. Ruhama recommends that the learning from the evaluation of Rosa's Place and the extensive experience of the DV sector are utilised to establish gender-specific specialised accommodation in sufficient capacity to protect all victims of trafficking from repeat sexual violence and exploitation, taking into account that some victims are mothers with children and others have disabilities, ensuring intersectional inclusion.

(Responsibility: DJHAM/ National Coordinator of Human Trafficking, DHLGH and Cuan and the DV sector umbrellas, CSO service providers and AHBs)

3. Ruhama recommends that resources are designated for own-door supported accommodation in the community in sufficient capacity to provide for victims of trafficking for sexual exploitation for whom communal accommodation is not safe or appropriate beyond a crisis period.

(Responsibility: DJHAM/ National Coordinator of Human Trafficking, DHLGH, DSPRC DG, AHBs)

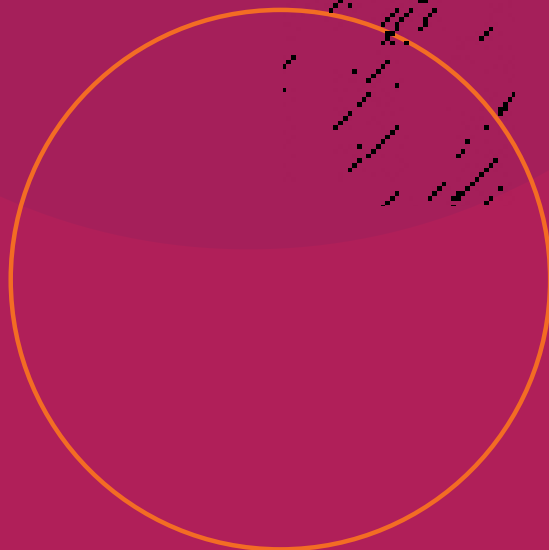
4. Ruhama recommends that service providers working with women who are at high risk of trafficking for sexual exploitation are offered training towards developing policies for early detection and referral of individual victims and their families into the NRM and appropriate specialist services.

(Responsibility: DJHAM/ National Coordinator of Human Trafficking with all government departments and agencies outside of the NRM scope)

5. Ruhama recommends that the needs of victims of human trafficking impacted by sexual exploitation and other forms of gender-based violence are included in the development of the National Services and Accommodation Development Plan within the Third National Strategy on DSGBV.

(Responsibility: DJHAM/ National Coordinator of Human Trafficking, Cuan, frontline CSOs responding to victims of human trafficking for sexual exploitation)

Appendices



Appendix 1: Terminology

Approved Housing Body	Independent, not-for-profit, State-funded, regulated organisations that provide affordable rented accommodation for people who cannot afford private sector rents or for certain groups such as people experiencing homelessness. Also known as Housing Associations. ³¹⁷
Exploitation	‘Exploitation shall include, as a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, including begging, slavery or practices similar to slavery, servitude, or the exploitation of criminal activities, or the removal of organs, or the exploitation of surrogacy, of forced marriage, or of illegal adoption.’ ³¹⁸
Exploitation of prostitution	Shall mean, ‘the unlawful obtaining of financial or other material benefit from the prostitution of another person.’ ³¹⁹
Gender-based violence (GBV)	Shall refer to an umbrella term for any type of harm that is perpetrated against a person or group of people and that is based on socially ascribed (gender) differences between men and women. Examples include sexual violence, including sexual exploitation, sexual abuse, exploitation of prostitution, domestic violence, human trafficking, forced/early marriage, harmful traditional practices such as female genital mutilation, honour killings and prostitution. There are different kinds of violence, including but not limited to physical, verbal, sexual, psychological and socio-economic violence.
Gender-sensitive approaches	‘Shall mean the attempt to redress existing gender equalities when designing and implementing projects, programmes and policies.’ ³²⁰

³¹⁷ Citizens Information website.

³¹⁸ EU Council Directive 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims.

³¹⁹ OSCE/OIDHR (2022) *National Referral Mechanisms – Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook – Second Edition*, Warsaw, OSCE, p. 329, citing UNODC (undated) Model law against trafficking in persons, p. 13.

³²⁰ OSCE/OIDHR (2022) *National Referral Mechanisms – Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook – Second Edition*, Warsaw, OSCE, p. 330, citing UN Women (undated) Gender Equality Glossary.

Harmful traditional practices	Shall mean practices damaging to the health of women and girls, including gender-based violence, that reflect values and beliefs held by members of a community for periods often spanning generations, performed for male benefit or as consequences of the value placed on women and the girl child by society, and that persist because they are not questioned and neither the Governments concerned nor the international community has challenged the sinister implications of such practices. ³²¹
Human rights-based approach	‘A human rights-based approach (HRBA) is a conceptual framework that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights. A human rights-based approach to gender issues uncovers how human rights issues affect women and men differently and how power relations and gender-based discrimination affect the effective enjoyment of rights by all human beings.’ ³²²
Human trafficking for sexual exploitation	Shall mean ‘[t]he recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.’ The consent of a victim to exploitation shall be irrelevant where any of the means set forth above has been used. ³²³
Human trafficking of children	Shall mean ‘[t]he recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation even if this does not involve any threat of use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person.’ ³²⁴
Identified victim of human trafficking	Shall mean ‘a person who has been formally identified as a victim of trafficking in human beings by the relevant formal authority in a Member State.’ ³²⁵

321 UN Fact Sheet No. 23 (undated) *Harmful Traditional Practices Affecting the Health of Women and Children*.

322 OSCE/OIDHR (2022) *National Referral Mechanisms – Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook – Second Edition*, Warsaw, OSCE, p. 330.

323 Council of Europe Treaty Series No. 197 (2005) Council of Europe (Warsaw) Convention on Action against Trafficking in Human Beings.

324 UN General Assembly Resolution 55/25 of 15 November 2000, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol).

325 European Commission, Directorate-General for Migration and Home Affairs, *Data collection on trafficking in human beings in the EU, Publications Office (2020)*.

National Referral Mechanism	'Shall refer to a co-operative framework within which State actors fulfil their obligations to protect and promote the human rights of trafficked persons by co-ordinating their efforts in a strategic partnership with civil society.' ³²⁶
Potential victim of human trafficking	'Shall mean a person who has not yet been exploited, but who, due to her or his vulnerable situation, may become a victim of trafficking; a person who manifests certain indicators that suggest they may be a victim of trafficking, but who has not been formally identified as such by the authorities; or a person who has declined to be identified as such.' ³²⁷
Presumed victim of human trafficking	'Shall mean a person for whom there are reasonable grounds to believe that she or he is likely to have been trafficked, but who has not (yet) been formally identified as such by the authorities, or who has declined to be formally identified as such. Because victims of trafficking are often reluctant to identify themselves as victims and formal identification takes time, the term 'presumed victim of trafficking' is used to describe individuals who are likely to be victims of trafficking and who should therefore come under the general scope of anti-trafficking programmes and services.' ³²⁸
Recovery and reflection period	Shall refer to a period of time granted to potential victims of human trafficking 'to allow them to recover and escape the influence of the perpetrator(s) of the crime, and to give them the opportunity to make an informed decision as to whether to co-operate with the competent authorities.' ³²⁹
Sexual exploitation	Shall mean 'any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another' ³³⁰ including the production of Intimate Images or Sexual Exploitation Material.

326 OSCE/OIDHR (2022) *National Referral Mechanisms – Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook – Second Edition*, Warsaw, OSCE, p. 332.

327 OSCE/OIDHR (2022) *National Referral Mechanisms – Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook – Second Edition*, Warsaw, OSCE, p. 333.

328 OSCE/OIDHR (2022) *National Referral Mechanisms – Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook – Second Edition*, Warsaw, OSCE, p. 333; see also European Commission, Directorate-General for Migration and Home Affairs, *Data collection on trafficking in human beings in the EU*, Publications Office (2020).

329 OSCE/OIDHR (2022) *National Referral Mechanisms – Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook – Second Edition*, Warsaw, OSCE, p. 333.

330 OSCE/OIDHR (2022) *National Referral Mechanisms – Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook – Second Edition*, Warsaw, OSCE, p. 334 link citing WHO (2017) Sexual Exploitation and Abuse Prevention and response: Policy and procedures.

Sexual exploitation of children	Shall mean inviting, inducing or coercing a child to engage in or to observe sexual acts, including for the production of Intimate Images of Children or Child Sexual Exploitation Material. Sexual exploitation of children also includes threats to withhold or deny something the child wants or needs, including denial or promise of affection or freedom for example. It is important to note that all sexual abuse of children is exploitative, and what may be defined as sexual abuse of an adult may be termed sexual exploitation of a child.
Survivor	Shall mean victim of trafficking in human beings who is receiving assistance. In relation to victims of gender-based violence, the term 'survivor' is may be used interchangeably with the term 'victim' to refer to people who have suffered harm and victimisation. While 'victim' is a legal term, 'survivor' is not. Outside of the legal context, it is important not to label a person who does not want to be called 'victim' or 'survivor.' ³³¹
Trauma-informed approach	'Shall refer to methods of working that are based upon an understanding of the harmful effects of traumatic experiences together with fundamental principles of compassion and respect. Any form of professional communication with a person who has suffered human trafficking should be treated as an opportunity to help them to progress towards a long-term situation of safety, stability and well-being. In this context, States must protect victims from further trauma and provide holistic services, including psycho-social counselling.' ³³²
Victim	<p>'means persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws operative within Member States, including those laws proscribing criminal abuse of power.'³³³</p> <p>'a natural person who has suffered harm, including physical, mental or emotional harm or economic loss which was directly caused by a criminal offence'³³⁴</p>

331 ECPAT International (2016) 'Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse' 80, Adopted by the Interagency Working Group in Luxembourg.

332 OSCE/OIDHR (2022) *National Referral Mechanisms – Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook – Second Edition* Warsaw, OSCE, p. 336 [link](#) citing Witkin & Robjant (2018) *The Trauma-informed Code of Conduct For all Professionals working with Survivors of Human Trafficking and Slavery* (TiCC), Helen Bamber Foundation.

333 UN General Assembly Resolution (1985), *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power*, GA R40/34.

334 EU Council Directive 2012/29/EU of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (Victims' Rights Directive).

Victim-centred approach

Shall mean the provision of service 'in a way that ensures victims are offered the assistance of highly qualified providers and ensure adequate access to justice, shelter, medical care, legal services, psycho-social counselling, culturally sensitive and native language support, and assistance for purposes of reintegration into society. This approach shall be in compliance with international standards, including non-punishment, witness protection, non-refoulement, reflection period, compensation, and access to justice.'³³⁵

Violence against women and girls

Shall mean the global phenomenon which cuts across geographical, cultural and political boundaries and varies only in its manifestations and severity. Gender violence has existed from time immemorial and continues up to the present day. It takes covert and overt forms, including physical and mental abuse. Violence against women, including female genital mutilation, wife burning, dowry-related violence, rape, incest, wife battering, female foeticide and female infanticide, trafficking and prostitution, is a human rights violation and not only a moral issue. It has serious negative implications for the economic and social development of women and society and is an expression of the societal gender subordination of women.³³⁶

335 OSCE/OIDHR (2022) *National Referral Mechanisms – Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook – Second Edition*, Warsaw, OSCE, p. 336 citing US State Department Trafficking in Persons (TIP) Report 2007.

336 UN Fact Sheet No. 23 (undated) Harmful Traditional Practices Affecting the Health of Women and Children.

Appendix 2: Acronyms

AGS HTICU	An Garda Síochána (Irish national police force) Human Trafficking Investigation and Coordination Unit
AHB	Approved Housing Body
CL(SO&HT) Act	Criminal Law (Sexual Offences and Human Trafficking) Act 2024
CSO	Civil Society Organisation
DCEDIY	Department of Children, Equality, Disability, Integration and Youth
DRHE	Dublin Region Homeless Executive
DSGBV	Domestic, Sexual and Gender-Based Violence
DV	Domestic Violence
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
EEA	European Economic Area
GBV	Gender-Based Violence
GRETA	Group of Experts on Action against Trafficking in Human Beings in the Council of Europe
GREVIO	Group of Experts on Violence
HAP	Housing Assistance Payment
HSE AHTT	Health Service Executive Anti-Human Trafficking Team
HSE WHS	Health Service Executive Women's Health Service
IHREC	Irish Human Rights and Equality Commission
IPAS	International Protection Accommodation Service
LA	Local Authority
NRM	National Referral Mechanism
SERP	Sexual Exploitation Research Policy Institute
TNS DSGBV	Third National Strategy for DSGBV
VAW	Violence Against Women

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