



Rialtas na hÉireann  
Government of Ireland

# National Action Plan to prevent and combat Human Trafficking

2023 - 2027



October 2023

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## Minister's Foreword

Human trafficking is an exploitative crime that preys on the vulnerable, and is committed with no regard for life, dignity or for the most basic of human rights.

Preventing, detecting and prosecuting this heinous crime is something the Government of Ireland takes very seriously.

This third National Human Trafficking Action Plan builds on the work carried out to date, our increased knowledge, and our increased understanding of the complexities involved, as we set out our Strategy for the years to come.

Some of the key aspects include: the development of a training framework for all who come into contact with potential victims of trafficking; awareness raising and information dissemination; and actions which seek to improve supports for victims.

Victims must be at the centre of this. And victims of human trafficking are some of the most vulnerable and can be the most difficult to reach.

While strategies and implementation plans are excellent tools for monitoring progress and holding Government to account, I am very conscious that we must not lose sight of the fact that we are talking about real people who have suffered at the hands of someone else.

The actions in this plan ensure that the policy approach will be primarily victim-focused, and there have been recent developments in that space which directly impact on the plan.

The most significant is the approval of Government in 2021 to develop a new National Referral Mechanism (NRM) framework for the identification of victims of human trafficking. Changes here will ensure there are alternative

and trusted pathways to recognition for trafficking victims, and putting the NRM on a statutory basis is a priority for me.

This action plan will work in tandem with the revised NRM to improve the overall response and supports.

Separately, but linked, we believe the actions on training and awareness raising will allow for the identification of more victims no matter who they interact with. For these, and indeed for many of the actions in the plan, we will use the support and expertise of various NGOs who are experts on the ground. As ever, civil society has a crucial role to play.

It goes without saying that we also aim to ensure an effective criminal justice response and An Garda Síochána has my continued support as key actors in the investigation and prosecution of human trafficking.

We know vulnerable people are trafficked into Ireland for exploitation reasons, including sexual exploitation, forced labour and forced criminality. Our commitment to tackling these crimes is reflected in the number of actions across government departments which recognise the need for a multi-faceted response.

We are determined to ensure that all victims, no matter what their situation, feel empowered to reach out for support, and are supported.

**Helen McEntee TD**  
**Minister for Justice**

# Introduction

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The Government of Ireland is aware that vulnerable people are trafficked into Ireland for exploitation reasons including sexual exploitation, forced labour and forced criminality. This Government is determined to combat this insidious crime, by supporting those who are victims of it and pursuing traffickers.

Trafficking in human beings is a particularly heinous crime, based on deception and exploitation of vulnerable people. As a crime that violates basic human rights, it has no place in a modern and civilised society. Hidden away, deceived, exploited and frightened, victims of trafficking are deprived of their normal lives and are exploited through a variety of coercive practices - all for the direct profit of the perpetrators.

The hidden nature of trafficking means that its victims are some of the most vulnerable and hardest to reach victims and that many instances of trafficking go unreported or undetected. While it is difficult to truly know the full scope and impact of this problem, at an international or domestic level, we do know from our experience to date that women

and children are the primary victims – overwhelmingly so for sexual exploitation but also for forced labour. However, men are not immune to this crime.

The first National Action Plan to Prevent and Combat Trafficking of Human Beings in Ireland was published in June 2009. The Second National Action Plan, published in 2016, built on the work of the first.

A key component of any response to human trafficking is a victim-centred approach: that is the approach Ireland is taking with this plan and its corresponding policies. As Ireland's Third National Action Plan to Prevent and Combat Human Trafficking, this plan aims to build on the progress achieved under the first and second action plans.

**Part 1** outlines the legislation and structures in place to address human trafficking and support victims, and the developments and evaluations that have informed the drafting of this third Plan.

**Part 2** of this Plan outlines the priorities identified for a whole-of-Government response to further address this issue and provide support to victims.



# Some Common Questions About Human Trafficking

## What is human trafficking?

Trafficking in human beings consists of a combination of three basic components or constitutive elements - action, means and exploitation:

- the action of: “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 or providing accommodation or employment”;
- for the purpose of exploitation, which includes at a minimum, sexual exploitation, forced labour or services, practices referred to as similar to slavery, servitude, the removal of organs, forced begging or forced criminal activities engaged in for financial gain. Trafficking in human beings is a combination of these constituents and not the constituents taken in isolation.

For instance, “harbouring” of persons (action) involving the “threat or use of force” (means) for “forced labour” (purpose) is conduct that is to be treated as trafficking in human beings. Similarly, the recruitment of persons (action) by deceit (means) for exploitation in prostitution

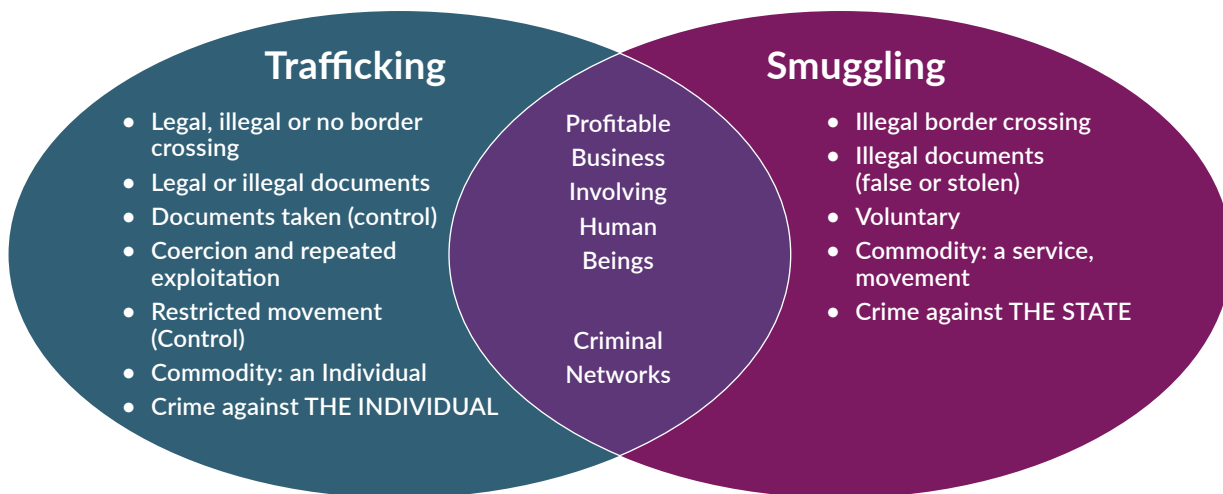
(purpose) is trafficking. For there to be trafficking in human beings, ingredients from each of the three categories (action, means and purpose of exploitation) must be present together.

There is, however, an important exception regarding children; in cases involving children, there is no requirement for ‘means’ to be present.

Our National Action Plan will be flexible so as to respond to new forms of human trafficking that emerge, such as possible trafficking in relation to forced marriages or adoption.

## What is the difference between trafficking and smuggling?

Trafficking in human beings is to be distinguished from smuggling of migrants. While the aim of smuggling of migrants is the unlawful cross-border transport in order to obtain, directly or indirectly, a financial or other material benefit, the purpose of trafficking in human beings is exploitation. Furthermore, trafficking in human beings does not necessarily involve a transnational element; it can exist at national level. Trafficking means much more than mere organised movement of persons for profit. The critical additional factors that distinguish trafficking from migrant smuggling are use of one of the means listed (force, deception, abuse of a situation of vulnerability and so on) throughout or at some stage in the process and use of that means for the purpose of exploitation.



### What are the causes of human trafficking?

A set of interrelated, “push” and “pull” factors contribute to transnational human trafficking. “Push” factors include extreme poverty, unemployment, lack of education, inadequate social programs, gender-based inequality, corruption, war and conflict situations and political unrest in countries of origin. It has also been argued that uneven global economic development, unfavourable trade agreements and restrictive labour migration policies towards third countries are other contributory push factors. “Pull” factors include the perceived financial rewards of cheap, exploitative labour practices in some economic sectors and the commodification of women and girls, often involving the early sexualisation of minors, in sex industries. Victims may also be ‘pulled’ into trafficking through the promise of money and what is portrayed as or believed to be a better life.

### Why is human trafficking so difficult to detect?

The extent of human trafficking, either in Ireland or internationally, is difficult to assess due to the hidden nature of these offences, the reluctance of victims and witnesses to come forward

to law enforcement and the difficulty of identifying victims in practice. Moreover, these cases often go unnoticed and unreported due to manipulation, fear, threats from traffickers, shame, language barriers or mistrust of authorities.

### Why do more victims not come forward?

#### Victims may:

- Fear for their own lives.
- Not understand that they are victims of human trafficking.
- Have been taught to distrust outsiders, especially law enforcement and other government authorities.

#### Foreign victims may:

- Be afraid they will be detained and deported, or they may have limited language skills.
- Be completely unaware of their rights or may have been intentionally misinformed about their rights in Ireland.
- Fear for their families and/or loved ones.
- Feel threatened that traffickers will harm their families if they report their situation to, or co-operate with, law enforcement.

# Relevant Legislation

## International Law

Ireland's national legislation has its foundation in the global and European commitment to fight human trafficking. The key international instruments are:

- **The UN Palermo Protocol of the year 2000:** A Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- **The Council of Europe Convention against Human Trafficking:** A 2005 Council of Europe Convention on Action against Trafficking in Human Beings ratified July 2010.
- **EU Directive 2011/36/EU** on preventing and combating trafficking in human beings and protection of its victims.

## The Legal Framework in Ireland

Ireland's legislation, combined with administrative measures for victim support, fully implements these international treaties.

The key Irish legislative instruments relevant to tackling human trafficking are:

### (i) Criminal Law (Human Trafficking)

Act 2008. The Criminal Law (Human Trafficking) Act 2008 introduced the crime of trafficking into Irish criminal law for the first time. This law was amended and expanded in 2013 to significantly broaden the scope of what is meant by exploitation and to define forced labour in line with international norms. In addition, laws on sexual exploitation have been strengthened with the Criminal Law (Sexual Offences) Act 2017.

The 2008 Act provides for penalties of, up to, life imprisonment and, at the discretion of the court, an unlimited fine for trafficking of persons for the purposes of labour or sexual exploitation or for the removal of a person's organs. The 2008 Act also builds on the Child Trafficking and Pornography Act 1998.

### (ii) Criminal Law (Human Trafficking) (Amendment) Act 2013.

The Criminal Law (Human Trafficking) (Amendment) Act 2013 amends the Act of 2008 and gives effect to EU Directive 2011/36/EU on preventing and combating trafficking in human beings and protection of its victims. The Act does the following:

- Broadens the scope of the definition of 'exploitation' in the 2008 Act to include exploitation consisting of forcing a person to engage in criminal activities (inside or outside the State).



- Expands the definition of the term 'labour exploitation' to include forced begging.
- For clarity, defines the term 'forced labour' in line with the definition based on that which is set out in International Labour Organisation (ILO) Convention No. 29 of 1930 on Forced or Compulsory Labour.
- Provides that where a trafficking offence (for sexual or labour exploitation) is committed by a public official during the performance of his/her duties, that fact shall be treated as an aggravating factor for the purpose of determining sentence.
- Amends child evidence rules by increasing, from 14 to 18 years, the upper age threshold for out-of-court video recording of a complainant's evidence and makes provision for video recording the evidence of a child witness (other than an accused) who is under the age of 18 years.

**(iii) Criminal Law (Sexual Offences) Act 2017**

The Criminal Law (Sexual Offences) Act 2017 enhances and updates laws to combat the sexual exploitation and sexual abuse of children, including new offences relating to child sexual grooming and new and strengthened offences to tackle child pornography. The Act also criminalises the purchase of sexual services, including a specific offence of paying for sexual activity with a trafficked person, introduces new provisions regarding the giving of evidence by victims in sexual offence trials and introduces a new offence addressing public indecency.

**(iv) Child Trafficking and Pornography Act 1998**

The Child Trafficking and Pornography Act 1998 makes provision for trafficking of children for the purposes of sexual exploitation. The Criminal Law (Human Trafficking) Act 2008 amends the 1998 Act by amending the definition of a child to a person under the age of 18. It also raised the maximum penalty on conviction from 14 years to life imprisonment.

**(v) Sexual Offences (Jurisdiction) Act 1996**

The Sexual Offences (Jurisdiction) Act 1996 allows for the prosecution of an Irish citizen, or a person ordinarily resident in the State, who commits an act in another country which is a sexual offence against a child in that other country and, if done within the State, would constitute a sexual offence against a child in the State. The penalties are a maximum of 5 years imprisonment on conviction on indictment.

**(vi) Criminal Justice Act 1999**

Under Section 41 of the Criminal Justice Act 1999, it is an offence to harm, threaten, menace, in any other way intimidate or frighten any person who is assisting An Garda Síochána in the investigation of an offence with the intention of causing the investigation or course of justice to be obstructed, interfered with or perverted.

**(vii) Criminal Justice (Victims of Crime) Act 2017**

The Criminal Justice (Victims of Crime Act) 2017 transposes Directive 2012/29/EU - the EU Victims' Rights Directive. The Act was passed into law in November 2017. The Act introduces, for the first time, statutory



rights for all victims of crime, including victims of human trafficking. The legislation gives all victims of crime an entitlement to information about the system and their case and supports and special measures during investigation and court proceedings, if necessary.

**(vii) Domestic Violence Act 2018**

The Domestic Violence Act 2018 is an important piece of legislation, which was commenced on 1 January 2019 and represented a significant improvement in legal protections available to victims of Domestic Violence. The legislation enhanced the legislative measures available within the civil law system to support and protect victims including measures required to ratify the Istanbul Convention on preventing and combating violence against women and domestic violence.

In the context of human trafficking, the Act provided for a new criminal offence of forced marriage and this was created by section 38 of the Domestic Violence Act 2018.

**(viii) Criminal Justice (Smuggling of Persons) Act 2021.**

The Criminal Justice (Smuggling of Persons) Act 2021 serves to prevent and combat the smuggling of persons and, for those purposes, to facilitate cooperation with other states. It gave effect to Directive 2002/90/EC and Framework Decision 2002/946/JHA of 28 November 2002, defining the facilitation of unauthorised entry, transit and residence and strengthening the penal framework to prevent this. It also gave effect, in part, to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organised Crime, made in New York on 15 November 2000,

and repealed certain provisions of the Illegal Immigrants (Trafficking) Act 2000.

Sections 11, 14 and 15 of the Act designate members of An Garda Síochána as “enforcement officers” and grant them enforcement powers to detain a person who has been arrested under subsection (2)(a) and the power to detain vehicles if they suspect that one was used by a person arrested for an offence under section 6 or 7 for the purpose of the commission of the offence. They also use this Act as a point of reference when compiling files related to such offences.

**(ix) Criminal Justice Act 2006.**

Section 72 of the Criminal Justice Act 2006 makes provision for participation in or facilitation of organised crime. Under this act, individuals who knowingly participate in or contribute to any activity of a criminal organisation that leads to the perpetration of an offence either within or outside the State (if doing so would constitute a serious offence if done in the State) are themselves guilty of an offence. Members of An Garda Síochána routinely draw on the provisions set out in this section of the Act to make arrests for human trafficking offences.

# PART ONE

## Background And Activities To Date

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### 1.1 Significant developments under Second National Action Plan actions

Ireland's Second National Action Plan to Prevent and Combat Human Trafficking was launched in October 2016 by the then Minister for Justice Frances Fitzgerald, T.D. It contains 65 actions designed to target those involved in the crime of trafficking, to support victims, to raise public awareness and to enhance training for those likely to encounter victims.

Some of the actions within the second plan were ongoing in nature and carried over from the first National Action Plan. Many ongoing actions are also included in some form in this plan due to the nature of the response to combatting trafficking.

Some key outcomes from the Second National Action Plan are:

- **Enactment of the Criminal Law (Sexual Offences) Act 2017** on 22 February 2017. Since the introduction of this Act, which decriminalised the sale of sexual services, potential victims of human trafficking in these cases are more easily identified and non-punishment for these victims is enshrined in law. The Act also created a specific offence of paying for sexual activity with a trafficked person.
  - The Second National Action Plan to Prevent and Combat Human Trafficking in Ireland **commits the Department of Justice to ensuring the availability of funding to NGOs who are active in the field of human trafficking.**
- This commitment recognises the role played by NGOs in assisting victims of human trafficking to access necessary supports to aid their recovery from their ordeal. Government funding continues to be made available to victim support services. The Victims of Crime Grant Scheme allocated €4.9m to these organisations in 2022 and €5.8m in 2023.
- In 2020, the **Irish Human Rights and Equality Commission (IHREC) was designated as Ireland's independent National Rapporteur for Anti-Human Trafficking** under Article 19 of the EU Human Trafficking Directive. The National Rapporteur's responsibilities include monitoring the implementation of anti-trafficking policy at the national level and playing a key role in data collection on trafficking in human beings at the national level. The Minister for Justice signed secondary legislation<sup>1</sup> to confirm this designation in October 2020.
  - In February 2019, Ireland ratified the Forced Labour Protocol, a legally binding instrument of the International Labour Organization (ILO), reinforcing the international legal framework for combating all forms of forced labour, including trafficking in persons.
  - The development of training, through NGOs, targeting front line staff in industries such as hospitality, airline, shipping and security who may encounter trafficked persons.

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<sup>1</sup> S.I. No. 432/2020 - European Union (Prevention and Combating of Human Trafficking) (National Rapporteur) Regulations 2020

- In line with the action to conduct and encourage research in the area of trafficking in human beings, the Department of Justice funded two notable pieces of research which provide comprehensive insights into the nature of trafficking on the island of Ireland. The Sexual Exploitation Research Programme (SERP)'s *Shifting the Burden* report was published in 2020 and Mary Immaculate College's (MIC) *Report on Human Trafficking and Exploitation on the Island of Ireland* was published in 2021.

Other notable developments in recent years are:

- **The first convictions for human trafficking occurred in September 2021**, the first of this type in Ireland.
- **On 11 May 2021, the Irish Government approved the creation of a revised National Referral Mechanism (NRM)** to make it easier for victims of trafficking to come forward, be identified and access support – see section 2.2.
- An increase in funding dedicated specifically to supporting victims of trafficking, and for public awareness and prevention efforts, and a commitment to introduce legislation to provide for the expungement of convictions for prostitution prior to the commencement of the 2017 Act referred to above.

### Victims of Crime Act

The Criminal Justice (Victims of Crime) Act 2017 was enacted on 5 November 2017 and transposes the EU Victims' Rights Directive into Irish law. This Act introduces a number of statutory rights for victims of crime including:

- The right to comprehensive information on the criminal justice system.
- The right to information on victim support services.



- The right to be kept informed of the progress of the investigation and any court proceedings.
- The right to an individual assessment of their protection needs and measures to safeguard them from further victimisation and intimidation.
- The right to be informed of a decision not to institute a prosecution and the right to request a review of that decision.
- The right to receive information in clear and concise language and to interpretation and translation where necessary.

### **Review of the Atypical Working Scheme (AWS) for non-EEA crew in the Irish Fishing Fleet**

The Atypical Working Scheme for non-EEA fishers was in operation from 2016 – 2022. Within that period, concerns were raised that the scheme was potentially leaving workers vulnerable to labour exploitation as they were linked to a particular employer and challenges could arise.

Following a review of the AWS for non-EEA fishers (published in October 2022), the Atypical Working Scheme for fishers was closed to new applications on 31 December 2022. A key recommendation of the report was for a transition of responsibility for work permission in this sector to the Employment Permits Scheme. This will bring practices within that sector in line with recruitment of non-EEA nationals seeking to work in other sectors. An employee granted an employment permit has all the employment rights of an Irish citizen for the duration of that permit.

All AWS fishers holding a valid permission on the date the scheme closed or with an outstanding application in process at that time were granted a Stamp 4 immigration permission on an exceptional basis. A Stamp 4 permission allows for unrestricted

access to the national labour market on a yearly, renewable basis. It is estimated that approximately 290 individuals were in a position to avail of this measure. A further 45 individuals who had formerly participated in the AWS also received a stamp 4 immigration permission. These individuals can now take up employment without the requirement to hold an Employment Permit and can apply to work in any profession, subject to conditions of the relevant professional or other bodies.

New recruitment of fishers, when required by the sector, will now take place through the employment permits scheme. The full transition to employment permit access is expected to be finalised by the end of 2023.

Some of the benefits of the Employment Permit Scheme over the Atypical Scheme are higher salary thresholds for both the General Employment Permit and the Critical Skills Employment Permit and multi-year permissions - a general employment permit can be issued for an initial period of 2 years and can then be renewed for up to a further three years. After 5 years, the applicant may apply for long term residency, which will provide unrestricted access to the labour market if their application is successful.

## **1.2 CURRENT STRUCTURES**

To ensure a co-ordinated and comprehensive response to human trafficking in Ireland, the State has dedicated units within Departments and State Agencies.

These are:

- The Criminal Justice Policy Function in the Department of Justice. This function has both a co-ordinating and implementation role in relation to the State's response to trafficking in human beings.

- The Human Trafficking Investigation and Co-ordination Unit (HTICU) within An Garda Síochána has responsibility for policy development, the co-ordination and implementation of policing methods and the management and co-ordination of investigations within the unit and with divisions throughout the country.
- A specialised Human Trafficking Legal Team in the Legal Aid Board (LAB) was established in 2009 providing legal aid and advice to victims.
- The Anti-Human Trafficking Team in the Health Service Executive (HSE), established in 2010, provides an individual care plan for each potential or suspected victim of human trafficking.
- The Office of the Director of Public Prosecutions (ODPP), which is independent in the exercise of its functions, has a specific unit to deal with cases referred by An Garda Síochána with a view to initiating a prosecution.

### 1.3 INTERNATIONAL RECOMMENDATIONS AND EVALUATIONS

Ireland's anti-trafficking measures are subject to international evaluation. GRETA – the Council of Europe Group of Experts on Action against Trafficking in Human Beings - conducted the most recent evaluation.

GRETA is the body responsible for monitoring implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the States' Parties to the convention. GRETA regularly publishes Reports evaluating the measures taken by the Parties and those Parties which do not fully respect the measures contained

in the Convention will be required to step up their action. When evaluating a country, GRETA prepares a Report on the measures taken in the country. These reports are compiled from a variety of information sources including a comprehensive questionnaire and a country visit to meet with the relevant actors (governmental and nongovernmental).

GRETA's third evaluation of Ireland commenced in October 2020 and a country visit took place in December 2021. GRETA published its Report on Ireland on 28 September 2022 and their findings have been carefully reviewed during the development of this National Action Plan.

In addition to engaging with the Council of Europe evaluation process, Ireland continues to work actively with all our partners in multilateral international organisations who are active in tackling human trafficking, e.g. the European Union, the Organization for Security and Co-operation in Europe (OSCE) and the UN. These organisations periodically conduct country visits and make recommendations for areas of improvement. IHREC is our national rapporteur on human trafficking and is charged with independent assessment of the situation with regard to human trafficking in Ireland.

## PART TWO

### Next Steps - Priorities 2023 Onwards

#### 2.1 Goal of the Third National Action Plan

As Ireland's Third National Action plan to Combat Human Trafficking, it aims to not only build on the progress of the first and second National Action Plans, but to work towards ending human trafficking in the State. Issues raised from both national and international commentators have been incorporated so that we can work to address them. We have listened to what improvements are needed – and we are acting on them by including them in this plan, listing clear owners on who can progress them and having clear targets for delivery.

Trafficking in human beings is a demand and profit-driven crime and requires a multi-faceted response. The vulnerabilities which make victims at risk of trafficking need to be addressed, perpetrators prosecuted and targeted supports provided to victims.

The overarching goal of this Action Plan is to **further strengthen the whole-of-government approach to combatting Human Trafficking in the State**. It is hoped that this will in turn facilitate more victims to come forward and seek support, for the relevant agencies to continue to provide an appropriate care response and for the Criminal justice agencies to prosecute traffickers.

Specific goals of this Third National Action Plan are to:

- Work towards the abolishment of human trafficking and its demand.
- Identify and provide supports to victims of trafficking.

- Enforce the rights of the victim and bring perpetrators to justice.
- Whole-of-Government co-ordination in supporting victims and decreasing incidents of trafficking.

#### 2.2 Priorities of Ireland's Anti-Trafficking Strategy

The key objectives of Ireland's Anti-Trafficking Strategy are reflected in the actions set out in this plan. Central to the listed actions will be ensuring that our approach is, primarily, victim-centred. In tandem with ensuring the victim is at the core of all policies is the aim of ensuring an effective criminal justice response to the perpetrators of this heinous crime.

There are a number of significant developments in the fight against human trafficking in Ireland which will have an effect on the actions contained within this plan. The most significant of these is the approval of Government to develop a new National Referral Mechanism (NRM) framework for the identification of victims of human trafficking. This National Action Plan will dovetail with the revised NRM framework to provide a more streamlined response, encompassing additional competent authorities and a further role for key NGO stakeholders. The key priority is to ensure that victims hiding in plain sight are identified and provided with the support they need.

#### 2.3 New NRM Framework

The National Referral Mechanism (NRM) is the framework through which the



State fulfils its obligations to protect and promote the human rights of trafficking victims, working in partnership with civil society.

National Referral Mechanisms (NRMs) are the institutional mechanisms that help states identify human trafficking victims and ensure their protection. An NRM is a co-operative, national framework through which governments fulfil their obligations to protect and promote the human rights of victims of trafficking. It enables the co-ordination of their efforts in a strategic partnership with civil society organisations, the private sector, survivor leaders and other actors working in the field<sup>2</sup>.

On 11 May 2021, the Irish Government approved the creation of a revised National Referral Mechanism (NRM) to make it easier for victims of trafficking to come forward, be identified and access support.

Under the revised NRM framework as approved by Government, the following agencies will, in addition to An Garda Síochána, become competent authorities for the identification of victims of human trafficking:

- Department of Justice Immigration Services
- Department of Social Protection
- The Health Service Executive (HSE)
- Tusla – The Child and Family Agency
- Department of Children, Equality, Disability, Integration and Youth International Protection Accommodation Services (IPAS)
- The Workplace Relations Commission

The revised NRM will include the range of government departments and agencies

that meet potential victims. In addition, an important feature of the new model is that NGOs who have been designated as ‘trusted partners’ will become authorised referral partners. They will provide an alternative and trusted pathway to recognition by the NRM, the advantages being that many victims will find it easier to approach an NGO.

### Legislative Basis

On 27 July 2022 the Government approved the publication of the General Scheme of the Criminal Justice (Sexual Offences and Human Trafficking) Bill 2023 which, when enacted, will put a revised NRM on a statutory footing. It is expected that this bill will be enacted in 2023 or early 2024.

In tandem with the progression of the Bill, this action plan provides for the development of revised operational guidelines for the competent authorities which will outline how the agencies will work together to identify and provide support to victims.

### NRM Operational Committee

An NRM Operational Committee with the competent authorities and trusted partners as members will be established. The Committee, as a multi-disciplinary team, will make decisions on the formal recognition of victims based on the recommendations of the individual competent authorities or authorised referral partners. A decision by the Operational Committee would have the effect that the person is formally recognised as a victim of human trafficking and entered into the NRM framework for appropriate supports, to be provided in an integrated way by the relevant statutory and voluntary service providers.

<sup>2</sup> OSCE National Referral Mechanisms factsheet



### NRM Operational Committee

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### National Policy and Oversight Committee

A National Policy and Oversight Committee, with Membership of Competent Authorities in the referral mechanism, plus the Department of Justice, will also be established. Its role will be to keep the NRM and its operations under review, to identify policy or operational issues and to work together collaboratively to reach agreement on solutions.

## 2. 4 Structure of Third National Action Plan

Similar to previous plans, this Third National Action Plan is divided into four sections: *Prevention, Protection, Prosecution and Partnership and Policy Coordination.*

Many actions are ongoing in nature and continue in some form from previous action plans. This will ensure continuity of progress. Other actions are recommendations from Ireland's external evaluations and where we can improve responses. There are also a number of actions included following consultations with Departments, State Agencies and civil

society organisations which reflect work already underway and work to commence under this plan.

### Prevention

*Working towards the elimination of human trafficking and its demand.*

Actions under the prevention pillar focus on:

- Training for all who may come into contact with victims.
- Awareness-raising activities.
- Vulnerability reduction.
- Reduction in the demand for services of victims of human trafficking.

### Training

It is recognised that further training for professionals to identify and provide support for victims of trafficking is a key aspect of this action plan. Action 1.1 provides for training for all who might encounter victims across relevant departments. Training will also take into consideration cultural sensitivities and specific issues for groups including minors.

Within these training actions, there are sub-actions, which provide for specific training for all members of An Garda Síochána, employment inspectors, staff at ports of entry and health and social care professionals.

A training framework will be developed and coordinated via an Implementation Plan and interagency training will be a key factor within this framework.

### Awareness raising

Awareness of the indicators of human trafficking is a fundamental aspect in the recognition of victims of trafficking – both

for victims who may not identify as such and those in close contact with victims who can offer support. Important features of the previous action plans - awareness raising and disseminating information - are crucial to the prevention pillar and these will be actioned through different aspects.

We will disseminate information to raise awareness of the indicators of human trafficking, including making information available in languages of recognised countries of origin of trafficking victims and developing migrant specific information on indicators of trafficking to make available at points of entry.

We will also continue to support the development and evaluation of campaigns to raise awareness of trafficking indicators and of the supports available. The 'anyone trafficked' campaign rolled out by the International Organisation of Migration (IOM) is a recent example of a campaign funded by the Department of Justice and developed by IOM with direct expertise. Development of and making information available to 'hard-to-reach' victims and communities has also been recognised as an important aspect of any efforts to raise awareness and reach victims.

### **Vulnerability reduction**

A key aspect of any response to combatting trafficking is to seek to reduce the vulnerability of groups who are considered at risk of trafficking. These groups can include migrants who have been deceived into coming to Ireland on the false premise of an employment opportunity.

This plan aims to address the root causes which put vulnerable people at risk of human trafficking. Through supporting state and NGO-led initiatives, our aim is seek to reduce vulnerability of groups at risk.

Irish Aid, the Irish Government's Overseas Development Programme, has measures in place to build the capacity of vulnerable groups to address the factors that can make them vulnerable to human trafficking.

Ireland's Defence Forces play a role in international peacekeeping and this plan recognises that, where appropriate, training in anti-trafficking measures should continue to be provided to those who serve in these roles abroad.

### **Trafficking and the sex trade**

It is generally recognised that prostitution is inherently exploitative of vulnerable persons, mainly women and girls, and that many people are forced into prostitution through trafficking, drug addiction, homelessness and poverty.

The Government's approach to prostitution in Ireland is also informed by advice from An Garda Síochána, which is that it is inextricably linked with human trafficking.

The Criminal Law (Sexual Offences) Act 2017 removed those who offer their services as a prostitute from the existing offences of soliciting for the purpose of prostitution and criminalised the purchase of sex. The act also created a specific offence of paying for sexual activity with a trafficked person.

A key purpose of the Act was to provide additional protection to persons involved in prostitution, especially vulnerable persons and victims of human trafficking. It allows those engaged in prostitution to provide information to Gardaí, for instance if they were subjected to violence by clients, without fear of prosecution for selling sexual services.

### **Reduction in the demand for services of victims of human trafficking**

It is a clear reality that the demand for the services of victims of trafficking fuel the business model of traffickers. Awareness raising on the harm of trafficking covers one aspect but there are other actions under this plan which seek to reduce demand.

While the purchase of sexual services is illegal in Ireland since the Sexual Offences Act 2017 was enacted, it is a stark reality that there are still a number of individuals who purchase sexual services on a regular basis. We will begin development of campaigns supporting awareness on the harm and illegality of purchasing sex, and will support NGO-led campaigns in this area<sup>3</sup>.

To reduce demand for services of those trafficking for labour exploitation, we will examine and identify enhancements to existing employment permit procedures through which migrant workers may leave potentially exploitative situations. We will also engage with trade unions and employers' representative bodies to establish what role they can play.

### **Protection**

#### *Identifying and providing supports to victims of trafficking*

#### **Identification of victims**

In order to protect and assist trafficking victims, it is essential that they be identified in the first instance.

Victims of human trafficking are vulnerable and are often difficult to reach; often they do not self-identify. The identification of victims of human trafficking is reliant on government

personnel, civil society organisations and members of the public knowing the indicators of human trafficking and knowing how to respond. The continuation and broadening of training and awareness-raising initiatives will assist in identifying victims and ensuring that they are referred to the NRM framework.

#### **NRM Framework**

A number of actions under this pillar are interlinked with the full development of the revised NRM framework. The development of new operational protocols will be co-designed with the full range of State and civil society organisations active in this field.

The NRM provides access to the following support services to victims of human trafficking: accommodation; medical care and planning; psychological assistance; material assistance; legal aid and advice; access to vocational training and education; police services – crime prevention; repatriation; compensation; translation and interpretation services

The continued provision of these services is central to our response to the needs of victims and we will seek to improve service provision in the revised framework. This Plan will continue to support and monitor the delivery of victim care through the NRM to ensure it remains responsive to the needs of victims.

#### **Compensation**

While there are a number of methods of obtaining compensation currently available to victims in Ireland, it is acknowledged that not all may be optimum for the specificities of victims of trafficking.

Action 2.8 provides for a review of the avenues of compensation available to victims of all forms of trafficking. Following

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<sup>3</sup> Linked to Action 1.1.3 in the Third National Strategy on Domestic, Sexual and Gender Based Violence

this review, recommendations for change, where appropriate, will be identified including any legislative amendments required.

### **Accommodation provision for victims of trafficking**

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.

A broader action to establish dedicated accommodation for all victims of trafficking is also included in this plan.

Essential to all efforts to protect and assist victims of trafficking is ensuring that human rights remain at the core of the response. In this respect, the action plan undertakes to ensure supports do not discriminate on the basis of gender, age, race, disability, religion, sex, sexuality, occupation, immigration status, family status, membership of the Roma or Travelling community or status as a victim of trafficking or the type of exploitation which has been experienced.

## **Prosecution**

*Enforcing the rights of the victim and bringing perpetrators to justice*

### **Law Enforcement response**

A crime as heinous as human trafficking requires a strong law enforcement response. However, the prosecution of human trafficking offences presents a number of challenges. For example, the investigation of trafficking offences is often complicated by the hidden nature of the criminality. Moreover, the frequent need to rely on evidence collected abroad and the potential for suspected victims and witnesses to be either traumatised by their experience or intimidated makes the collection of evidence a complex undertaking.

The Human-Trafficking Investigation and Coordination Unit (HTICU) is a dedicated unit within the Garda National Protection Services Bureau (GNPSB). The unit has been in place since 2009 and has a national remit with regard to the investigation of human trafficking. The HTICU has developed particular expertise with regard to tackling trafficking of human beings and the unit oversees all investigations undertaken by An Garda Síochána which involve alleged human trafficking. The unit also provides advice, guidance and operational support to those within An Garda Síochána who undertake relevant investigations throughout Ireland and deliver training and awareness to Garda members on all aspects of trafficking in human beings.

When undertaking investigations relating to human trafficking, depending on the complexity of the investigation, the assistance of other bureaux within An Garda Síochána may be sought for their

expertise in particular areas of crime. As appropriate, HTICU liaise with the Criminal Assets Bureau (CAB), the Garda National Crime and Security intelligence Service (GNCSIS), the Garda National Drugs and Organised Crime Bureau (GNDOCB), the Garda National Bureau of Criminal Investigation (GNBCI), the Garda National Cyber Crime Bureau (GNCCB) and the Garda National Immigration Bureau (GNIB), amongst others.

The unit also engages in wide consultation with a number of agencies including the Department of Justice, the Health Service Executive (HSE), the National Employment Rights Authority (NERA) and NGOs directly working to support victims of trafficking. This consultative approach ensures that victims are supported throughout all interactions with law enforcement.

This action plan includes an ongoing action to keep law enforcement resources for trafficking work under review. In addition, there is a specific action which provides that a review of the law enforcement response and resourcing will be conducted once the new NRM framework has been in operation for two years.

### **Support during a trial process**

The protection of victims of trafficking during the criminal justice process is a key aspect of any prosecutorial response. The plan outlines how the statutory provisions of the Victims of Crime Act 2017 will be incorporated into the NRM operational procedures and the victim/witness supports introduced under the Department of Justice's Supporting a Victim's Journey plan will provide assistance for victims.

International law enforcement cooperation will take place in terms of the exchange of information, intelligence and best practices and this will include liaisons to identify possible assets and seize as provided under relevant legislation.

This plan also makes provision to enhance our response to combat forced marriage, which is inextricably linked to trafficking. The potential introduction of forced marriage Protection Orders, a feature in other jurisdictions, will be examined and there is an action to uphold and increase awareness of Section 38 of the Domestic Violence Act 2018, which made forced marriage a criminal offence.



## Partnership and Policy Coordination

*Whole-of Government co-ordination in supporting victims and decreasing incidents of trafficking.*

Partnership between State bodies is the fundamental principle underpinning the response to human trafficking in Ireland. A multi-agency, multi-faceted response is key to ensuring the best outcomes for victims of trafficking.

There are well-established working relationships in place between Departments and State Agencies at present; development of the NRM operational procedures will further strengthen these and clearly outline roles and processes.

International partnership also provides important supports to both operational activities and the development of policy and practices. The Department of Justice, An Garda Síochána and the Office of the Director of Public Prosecutions will continue to contribute to a range of international organisations active in combatting Human Trafficking, such as the Council of Europe, EU Commission and the United Nations Organisation for Security & Co-operation in Europe (OSCE).

Closer to home, the strong relationship with the relevant authorities in Northern Ireland, at both policy and operational level, will be maintained with joint projects developed and information sharing mechanisms continued.

Actions relating to the collection and analysis of data on human trafficking are another key feature under this pillar. Common data collection characteristics, disaggregation and reporting timeframes

will be agreed to ensure a consistent approach across Departments and agencies. A data collaboration protocol for the revised NRM framework will support our international reporting obligations.

Consideration will also be given on how best to collect and utilise data from across vulnerable groups identified to be at risk of human trafficking.

## 2.5 Child victims of trafficking

The identification and protection of child trafficking victims in Ireland is a key priority of our anti-trafficking efforts. While the majority of actions in this plan relate to both adult and child victims, there are a number of child-specific measures included under each of the pillars.

In the prevention pillar, ensuring that all professionals in contact with children, and working on child-related matters, are aware of the indicators of human trafficking is paramount as a first step to identifying child victims. Ensuring that all professionals in contact with children, and working on child-related matters, act in the child's best interest will be embedded into our human trafficking training efforts.

To build further on the multi-agency provision of support for child victims, an action to review, plan and implement an enhanced and coordinated operational response from Tusla and An Garda Síochána is included in the protection pillar.

Separated children are recognised as a group and who may be at risk of trafficking. We need better information about migrant children who go missing from the care of Tusla. A review of current arrangements in circumstances when a child goes missing from care will be undertaken and cases will be reviewed to identify potential linkages with trafficking.



## 2.6 Monitoring and Evaluation of the Plan

As the Department with lead policy responsibility, the Department of Justice will monitor the implementation of the actions contained within this plan. We will establish a Human Trafficking Governance and Strategy Group comprising of senior officials from Departments and Agencies and with relevant expert participation as appropriate. This group will be chaired by the Department of Justice with the overall objective of guiding the implementation of the National Action Plan, providing strategic direction on anti-trafficking responses and driving cooperation between key agencies.

**A Human Trafficking Oversight Group** will inform the work of the Governance and Strategy Group with representatives drawn from key agencies. This group will be a multi-agency oversight group with an operational focus and responsibility for the national coordination and development of initiatives to progress the objectives of the action plan.

The oversight group will also be responsible for convening sub-groups, which would be tasked with specific strands of work, and reporting back regularly to the Governance and Strategy Group. Subgroups will have membership of state agencies and NGO representatives to ensure that specific issues are explored in depth and workable solutions identified.

The Oversight group will meet at least once a quarter and updates will be provided to the Minister for Justice on a quarterly basis.

The Governance and Strategy Group will meet at least twice a year and more frequently if required.

Work of both groups will be supported by the Human Trafficking Stakeholders' Forum established by the Department of Justice and which comprises of community and voluntary sector and other expert stakeholders. A meeting of this Forum will be scheduled at least twice a year and will be aligned as appropriate with meetings of the Oversight Group. The Forum members will be updated on the implementation of the plan and there will be scope for discussion of broader Human Trafficking issues. Specific issues that need examination in detail will be taken forward by subgroups and by bilateral engagement with NGO and state agencies' representatives as appropriate.

The stakeholder's forum will allow for a wide range of civil society representatives to advise on implementation of the national action plan. This is in addition to normal parliamentary scrutiny of the State's anti-trafficking measures, which takes place by means of Parliamentary Questions, private members debates and topical issue debates.

In addition to the work led by the Department of Justice on conveying the strategy and oversight groups, each Department or State agency will also incorporate the actions for which they are responsible into their own annual business plans and make those plans available to the Governance and Strategy group (action 4.9.1).

### Review/evaluation of plan

Action 4.11.1 provides that the Department of Justice will carry out a mid-term evaluation of the plan by Q4 2025 and will update the plan where necessary thereafter.

Action 4.11.2 provides that an external final review of the plan will commence by Q2 2027.



### National Rapporteur/Equivalent Mechanism

In 2020, the Irish Human Rights and Equality Commission (IHREC) was designated as Ireland's independent National Rapporteur for Anti Human Trafficking under article 19 of the EU Human Trafficking Directive. The National Rapporteur's responsibilities include monitoring the implementation of anti-trafficking policy at the national level and playing a key role in data collection on trafficking in human beings at the national level. The Minister for Justice signed secondary legislation<sup>4</sup> to confirm this designation in October 2020.

Action 4.12 of this plan provides the Department of Justice, as policy lead on human trafficking, will fully engage with IHREC to support the Commission in its statutory function as Ireland's independent National Rapporteur for Anti-Human Trafficking.

### International evaluations

Ireland will continue to engage with all international evaluations of Ireland's activities in this area.

## 2.7 Links with other Government Strategies

These objectives of this action plan should be viewed as complementing our commitments under other Government action plans and strategies.

In this plan, there are a number of actions that link with corresponding actions in the Third National Strategy on Domestic, Sexual and Gender Based Violence which seek to reduce demand for sexual services and support those involved who often have been trafficked for the purpose of sexual exploitation. We will also ensure strong links with the National Action plan on Anti-Racism, the Strategy for Women and Girls, the Migrant Integration Strategy and the National Traveller and Roma Integration Strategy as appropriate.

Commitments under Ireland's Second National Action Plan on UNSCR 1325 on Women Peace and Security and Irish Aid's 'A Better World' policy are also important at working to reduce the vulnerability of groups in developing countries who may be at risk of trafficking.



<sup>4</sup> S.I. No. 432/2020 - European Union (Prevention and Combating of Human Trafficking) (National Rapporteur) Regulations 2020

# Action Plan to Prevent and Combat Human Trafficking

## Actions to be undertaken

### PREVENTION PILLAR 1

Goal: prevention of human trafficking by working towards stronger protections for vulnerable people and the elimination of the demand for the services of trafficked persons.

Action	Overall Objectives	In relation to actions we will:	Timeline	Implementing Bodies & Supporting bodies
1.1	<p>Training (for ALL who might encounter victims across relevant departments)</p> <p>Training will be delivered by professionals (Inc. NGOs) that have specific competency and experience of dealing with human trafficking in Ireland</p> <p>Training will take into consideration cultural sensitivities and specific issues for groups (i.e. minors)</p>	<p>1.1.1 Develop a training framework for those in close contact with vulnerable victims<sup>5</sup></p> <p>The framework will:</p> <ul style="list-style-type: none"> <li>Be coordinated via an Implementation Plan (specific to human trafficking training) to monitor delivery of training</li> <li>Coordinate training at inter-agency level to ensure clarity and cohesion of roles and agencies</li> </ul> <p>Review impact of training framework and make recommendations for change if needed</p>	<p>Q2 2024</p> <p>Q1 2026</p>	<p><b>Department of Justice</b></p> <p>With support from all other Departments and Agencies who may encounter victims of human trafficking and NGOs</p>
	<p>Training provision will take account of current developments, trends and challenges</p> <p>Training provision will take account of current developments, trends and challenges</p>	<p>1.1.2 Develop a training programme for all members of An Garda Síochána to receive adequate training on trafficking</p> <p>Ensure that training on trafficking continues to be part of the curriculum for new recruits in the Garda college and that refresher training is provided at appropriate intervals</p>	<p>Q1 2024</p>	<p><b>An Garda Síochána</b> Support from NGOs where required</p>
		<p>1.1.3 Continue professional training of members of An Garda Síochána and Office of the Director of Public Prosecutions on the issue of non-punishment principle (in accordance with the Council of Europe Convention on Action against Trafficking in Human Beings)</p>	<p>Ongoing</p>	<p><b>An Garda Síochána</b> <b>Office of the Director of Public Prosecutions</b></p>
		<p>1.1.4 Review training on human trafficking currently provided to Workplace Relations Commission inspectors</p> <p>Ensure that training on trafficking continues to be part of the baseline training of newly recruited labour inspectors and that refresher training is provided at appropriate intervals</p>	<p>By Q1 2024</p> <p>Ongoing</p>	<p><b>Workplace Relations Commission</b></p>

<sup>5</sup> Linked to Action 1.4.1 in the Third National Strategy on Domestic, Sexual and Gender Based Violence

Action	Overall Objectives	In relation to actions we will:	Timeline	Implementing Bodies & Supporting bodies
	Training provision will take account of current developments, trends and challenges	1.1.5 Ensure all staff at ports of entry (airports and seaports) receive training in relation to Human Trafficking and recognising possible victims	Review by Q1 2024 Ongoing	<b>Department of Justice (Border Management Unit)</b> GNIB An Garda Síochána Port Authorities Airport Authorities
		1.1.6 Develop a training plan for health and social care professionals, and Civil Registration Services staff working in the HSE, to support them to identify potential victims of trafficking and the available supports and care pathways	Q2 2024	<b>Health Service Executive</b>
		1.1.7 Ensure Irish Defence Forces in relevant International Peacekeeping roles abroad are trained in anti- trafficking measures	Ongoing	<b>Department of Defence</b>
		1.1.8 Make funding available for NGO-led training and coordination	Ongoing as appropriate	<b>Department of Justice</b>
1.2	Disseminate information to raise awareness of the indicators of human trafficking to facilitate the identification of victims	1.2.1 Update guides and leaflets developed in collaboration with NGOs and those working with vulnerable communities on trafficking. Ensure they are current and accurate, and disseminated widely including by: <ul style="list-style-type: none"> <li>• Making information available in languages<sup>6</sup> of recognised countries of origin of trafficking victims</li> <li>• Developing migrant specific information on indicators of trafficking to make available at points of entry</li> <li>• Making information available in health and social care settings.</li> </ul>	Update by Q2 2024  Review by Q4 2026	<b>Coordinated by Department of Justice</b>  All Departments and Agencies who may encounter victims of human trafficking  Support from NGOs
		1.2.2 Use specific events (e.g. EU Anti-Human Trafficking Day and UN World Day Against Trafficking in Persons) to enhance public awareness of trafficking	Ongoing	<b>Department of Justice</b> <b>An Garda Síochána</b>
1.3	Awareness-raising and evaluation	1.3.1 Support the development and evaluation of campaigns to raise awareness of the indicators of human trafficking and of the supports available, including the development of information for 'hard-to-reach' victims and communities	Ongoing	<b>Department of Justice</b> <b>An Garda Síochána</b> Support from NGOs and other Department and Agencies where relevant
		1.3.2 The HSE Anti-Human Trafficking Team will develop an online presence for reaching vulnerable and 'hard-to-reach' victims with a view to increasing access to medical and social care services	2024	<b>Health Service Executive</b>

<sup>6</sup> The provision of information to migrants in language-appropriate formats is a key action in the Migrant Integration Strategy

Action	Overall Objectives	In relation to actions we will:	Timeline	Implementing Bodies & Supporting bodies
		1.3.3 Ensure all staff who may encounter Victims of Trafficking are kept aware of current trends/ developments in line with EU and International best practice	Ongoing	All Departments and Agencies who may encounter victims of human trafficking
		1.3.4 Continue the current practice of carrying out periodic operations in an effort to identify possible victims and to maintain awareness among border management officers of the issue  Evaluate periodic operations and implement changes to procedures where necessary	Ongoing  Q1 2024	Department of Justice (Border Management Unit)
		1.3.5 Ensure that all resources on human trafficking issues are available to relevant Government websites so they can be kept up-to-date	Ongoing	Department of Justice An Garda Síochána Other Departments and Agencies where necessary
1.4	Monitor technological developments in the area of human trafficking	1.4.1 Evaluate new technologies to combat human trafficking, taking guidance from developments at EU and International level	Ongoing	An Garda Síochána Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media/ Coimisiún na Meán Department of Justice
1.5	Monitor potential for new patterns of human trafficking to emerge to ensure migrant workers are protected from exploitation	1.5.1 Monitor potential patterns of human trafficking, through the work of the Governance and Strategy and Oversight groups and identify multi-agency approaches to support workers to leave exploitative situations and find other employment within the State	Ongoing	Department of Justice Department of Enterprise, Trade and Employment An Garda Síochána Support from NGOs where required
		1.5.2 Finalise the transition from the Atypical scheme for non-EEA fishers to the Employment Permits Scheme	By Q3 2024	Cross-Departmental Implementation Group chaired by the Departments of Enterprise, Trade and Employment, and Agriculture, Food and Marine.
1.6	Reduction of vulnerability	1.6.1 Support initiatives (State-led and NGO-led) which reduce the vulnerability of groups at risk of human trafficking	Ongoing as identified	Department of Justice Multiple Departments and Agencies NGOs

Action	Overall Objectives	In relation to actions we will:	Timeline	Implementing Bodies & Supporting bodies
		1.6.2 Fund initiatives, through Ireland's overseas aid programmes, which build the capacity of vulnerable groups to address the factors that can make them vulnerable to human trafficking <sup>7</sup>	Ongoing	Department of Foreign Affairs
1.7	Demand reduction	1.7.1 Work to scope out information for campaigns supporting awareness of the Criminal Law (Sexual Offences) Act 2017 - part 4 on the harm and illegality of purchasing sex <sup>8</sup> Support NGO-led campaigns in this area	2024  Ongoing	Department of Justice An Garda Síochána NGOs Department of the Environment, Climate and Communications Support from NGOs and other Department and Agencies where relevant
		1.7.2 Continue to promote the UN Guiding Principles on Business and Human Rights as outlined in the National Plan on Business and Human Rights (2017- 2020)	Ongoing	Department of Foreign Affairs All Government departments and agencies
1.8	Socially responsible public procurement	1.8.1 Ensure that economic operators are excluded from participation in a procurement procedure where it has established or is otherwise known that they have been convicted of child labour and other forms of trafficking in human beings in the previous 5 years <sup>9</sup>	Ongoing	All Government Departments and agencies
1.9	Strengthen the role of trade unions and employers' representative bodies in preventing trafficking for labour exploitation	1.9.1 Engage with trade unions and employers' representative bodies to establish what role they can play		Department of Justice Department of Enterprise, Trade and Employment ICTU IBEC Support from NGOs as required
1.10	Identification of child victims	1.10.1 Ensure that all professionals <sup>10</sup> in contact with children, and working on child related matters, are qualified in dealing with and recognising victims of trafficking and act in the child's best interest	Q2 2024 - linked to Action 1.1 on training	All relevant departments and agencies

<sup>7</sup> Linked to objectives under the National Action Plan on Women, Peace and Security and Better World Policy

<sup>8</sup> Linked to action 1.1.3 in Third National Strategy on Domestic, Sexual and Gender Based Violence

<sup>9</sup> In line with regulation 57 of the European Union (Award of Public Authority Contracts) Regulations 2016

<sup>10</sup> To include, but not limited to, social workers, family support workers and social care workers.

## PREVENTION PILLAR 2

Goal: Identifying and providing supports to victims of trafficking.

Action	Overall Objectives	In relation to actions we will:	Timeline	Implementing Bodies & Supporting bodies
2.1	Ensure effective anti-trafficking screening measures are in place at point of entry to the State	Review and, if necessary, update immigration screening forms and protocols	Review by Q1 2024	<b>Department of Justice (Border Management Unit)</b> <b>Garda National Immigration Bureau</b> Port Authorities Airport Authorities
2.2	Establish the revised NRM framework on a statutory footing	Enact the Criminal Justice (Sexual Offences and Human Trafficking) Bill 2023 which will create a statutory role for further competent authorities	2023/2024 – subject to Oireachtas scheduling	<b>Department of Justice</b>
2.3	Develop operational guidelines for the revised NRM framework	Develop operational guidelines that: <ul style="list-style-type: none"> <li>Take account of particular vulnerabilities of victims of trafficking</li> <li>Are developed in accordance with Section 42 of the Irish Human Rights and Equality Commission Act 2014</li> <li>Outline clear procedures for competent authorities</li> </ul>	Development to begin Q1 2024  In tandem with progression of the Criminal Justice (Sexual Offences and Human Trafficking) Bill 2023	<b>Department of Justice</b> Irish Human Rights and Equality Commission NRM Operational Committee Support from NGOs
2.4	Health care provision for victims of trafficking	Identify specific healthcare needs for victims of trafficking to include: <ul style="list-style-type: none"> <li>Access to medical card/ Identification of named GP</li> <li>Referral to appropriate community/ acute services in HSE Referral to other NGO/ community services</li> </ul>	Ongoing	<b>Health Service Executive</b>
2.5	Accommodation provision for victims of trafficking	2.5.1 Short term accommodation arrangements to be identified, including safe houses and emergency accommodation	Ongoing	<b>NRM Operational Committee</b> Support from NGOs
		2.5.2 Establish dedicated accommodation for victims of trafficking - ensuring that victims of trafficking for sexual exploitation are provided with gender-specific accommodation <sup>11</sup>	2023 and ongoing thereafter	Department of Children, Equality, Disability, Integration and Youth (IPAS)

<sup>11</sup> Linked to action 2.6.2 in the Third National Strategy on Domestic, Sexual and Gender Based Violence

Action	Overall Objectives	In relation to actions we will:	Timeline	Implementing Bodies & Supporting bodies
		2.5.3 Ensure victims of trafficking are provided with accommodation which is suitable to their vulnerabilities	2023 and ongoing thereafter	Department of Children, Equality, Disability, Integration and Youth (IPAS)
2.6	Victims of trafficking in the asylum process	Applicants for international protection identified as potential victims of trafficking will be prioritised in accordance with the IPO/UNHCR prioritisation statement	Ongoing	International Protection Office International Protection Appeals Tribunal Legal Aid Board
2.7	Trafficking for labour exploitation	2.7.1 Convene a subgroup to examine what more can be done to identify victims of trafficking for labour exploitation	Q4 2023	Department of Justice Department of Enterprise, Trade and Employment Workplace Relations Commission An Garda Síochána Support from NGOs
		2.7.2 Enforce obligations of the ILO Forced Labour Protocol	Ongoing	NRM Policy and Oversight Committee Department of Enterprise, Trade and Employment
2.8	Ensure all victims of trafficking have access to compensation	2.8.1 Review avenues of compensation available to victims of all forms of trafficking Make recommendations for change where appropriate, including legislative amendments if required	Review by Q3 2024	Department of Justice
		2.8.2 Consider any recommendations which result from the Law Reform Commission (LRC) project to examine the Criminal Injuries Compensation Scheme in its fifth work programme currently underway <sup>13</sup>	When recommendations available	Department of Justice Support from NGOs
2.9	Engage with victims in a victim-centred, trauma-informed, gender & child-specific and culturally competent manner	2.9.1 Expand the funding, use and awareness of cultural mediators and accompaniment services	Q4 2024	Department of Justice and NRM operational committee

<sup>13</sup> Linked to action 3.5.4 in Third National Strategy on Domestic, Sexual and Gender Based Violence



Action	Overall Objectives	In relation to actions we will:	Timeline	Implementing Bodies & Supporting bodies
		2.9.2 Ensure that interpretation (including ISL) and translation is provided, where it is necessary, to enable victims to understand and be understood in their participation in the criminal justice process <sup>14</sup>	Ongoing	<b>Department of Justice</b> <b>An Garda Síochána</b> <b>Office of the Director of Public Prosecutions</b>
2.10	Provide victims of trafficking with protection from deportation	Make statutory provision which will stay any removal of victims or suspected victims of trafficking, eliminating further trauma and increased risk of harm	When the Criminal Justice (Sexual Offences and Human Trafficking) Bill 2023 is enacted	<b>Department of Justice</b>
2.11	Provide victims of trafficking with assistance to access legal advice	Provide victims of trafficking with enhanced access to full information and legal advice in a timely manner through the Legal Aid Board and through state-funded, NGO-provided legal advice	Ongoing	<b>Legal Aid Board</b> <b>Department of Justice</b> NGOs
2.12	Exit Pathways for individuals impacted by prostitution who may be vulnerable to trafficking for sexual exploitation	We will develop clear exit pathways <sup>15</sup>	Q4 2024	<b>Department of Justice</b> Support from other relevant Departments, agencies and NGOs
2.13	Voluntary Return	Continue voluntary return partnership programme between the International Organization for Migration (IOM) and Department of Justice for victims of trafficking who chose to return	Ongoing	<b>Department of Justice</b> <b>IOM</b>
2.14	Providing assistance to child victims	2.14.1 Review, plan and implement an enhanced and coordinated operational response from TUSLA and An Garda Síochána to ensure that the response is effective, and fully meets the needs of child victims	Review by Q1 2024	<b>TUSLA</b> <b>An Garda Síochána</b>

<sup>14</sup> Linked to action 2.1.3 in Third National Strategy on Domestic, Sexual and Gender Based Violence

<sup>15</sup> Linked to action 2.6.3 in Third National Strategy on Domestic, Sexual and Gender Based Violence

Action	Overall Objectives	In relation to actions we will:	Timeline	Implementing Bodies & Supporting bodies
		2.14.2 Review and evaluate the care provision for child victims, to include resourcing issues, to ensure that any increase in child victims identified under the revised NRM framework does not affect the level of care provided	Six months after enactment of The Criminal Justice (Sexual Offences and Human Trafficking) Bill 2023) and ongoing thereafter	<b>TUSLA</b> <b>Health Service Executive</b>
		2.14.3 Develop the NRM operational guidelines with the specific needs of child victims of trafficking taken into account  The guidelines will ensure that child victims are responded to in therapeutic ways and with an enhanced care package	Linked to action 2.3	<b>Department of Justice</b> Irish Human Rights and Equality Commission NRM Operational Committee Support from NGOs
2.15	Supporting a child victim by way of education	All child victims of trafficking have access to the education system in a timely manner	Ongoing	<b>Department of Education</b>



**PREVENTION PILLAR 3****Goal: Enforcing the rights of the victim and bringing perpetrators to justice.**

Action	Overall Objectives	In relation to actions we will:	Timeline	Implementing Bodies & Supporting bodies
3.1	Regularly review Human Trafficking Legal provisions and incorporation/compliance	3.1.1 Continue to meet in the format of the High level group on human trafficking legislation	Ongoing	<b>Department of Justice</b> <b>An Garda Síochána</b> <b>Office of the Director of Public Prosecutions</b>
		3.1.2 Reflect, as appropriate, relevant statutory provisions in the operational guidelines for the revised NRM  e.g. Victims of Crime Act 2017, Children's First Act 2015	Development to begin by Q1 2024  In tandem with progression of the Criminal Justice (Sexual Offences and Human Trafficking) Bill 2023	<b>Department of Justice</b> <b>An Garda Síochána</b> Multiple Departments and Agencies Support from NGOs
3.2	Law enforcement and Prosecution response	3.2.1 The revised NRM framework will allow An Garda Síochána to focus on investigation and prosecution	When the Criminal Justice (Sexual Offences and Human Trafficking) Bill 2023) is enacted and ongoing thereafter	<b>An Garda Síochána</b>
		3.2.2 Keep resourcing of law enforcement for trafficking work under review  Conduct a review of law enforcement response and resourcing following implementation of the revised NRM framework	Ongoing  Q4 2024	<b>An Garda Síochána</b>
		3.2.3 Keep resourcing of prosecution of trafficking cases under review	Ongoing	<b>Office of the Director of Public Prosecutions</b>
3.3	International law enforcement/cooperation	Continue to develop international relations between law enforcement organisations in terms of the exchange of information, intelligence and best practices	Ongoing	<b>An Garda Síochána</b>
3.4	Asset seizure of those convicted of human trafficking and related crimes	Identify possible assets and seize where relevant as the proceeds of human trafficking and as provided under legislation  Liaise with International counterparts when appropriate	Ongoing where relevant	<b>An Garda Síochána</b>

Action	Overall Objectives	In relation to actions we will:	Timeline	Implementing Bodies & Supporting bodies
3.5	Protection of trafficked persons during the criminal justice process	3.5.1 Introduce new victim/witness supports as provided for in Supporting a Victims Journey. e.g. Pre-trial hearings, Intermediaries  Keep under review if further supports are required	2023 and ongoing	Department of Justice An Garda Síochána
		3.5.2 Progress legislative amendment for the expungement of convictions relating to the sale of sexual services	TBC when the review Part 4 of the Sexual Offences Act 2017 Act is completed	Department of Justice
3.6	Enhance our response to combat forced marriage which is inextricably linked to trafficking	3.6.1 Uphold and increase awareness of Section 38 of the Domestic Violence Act 2018, which made forced marriage a criminal offence	Ongoing	An Garda Síochána Department of Justice Department of Foreign Affairs
		3.6.2 Examine the potential introduction of forced marriage Protection Orders in an Irish context	2024	Department of Foreign Affairs Department of Justice An Garda Síochána
		3.6.3 Refer suspected victims of trafficking to appropriate statutory and non-statutory services  Collation of data and reporting of same	Ongoing	Health Service Executive - Civil Registration Services (CRS)
3.7	Enhance capabilities to locate children who are missing, including those who have run away from State care, and may be vulnerable to human trafficking	3.7.1 Enhance collaboration and data exchange between law enforcement and TUSLA	Review of current arrangements by Q1 2024  Ongoing	An Garda Síochána TUSLA
		3.7.2 Review cases where children have absconded from State care to identify potential linkages with trafficking	Formal review twice per year  Ongoing as required	An Garda Síochána TUSLA

Action	Overall Objectives	In relation to actions we will:	Timeline	Implementing Bodies & Supporting bodies
3.8	Protection of trafficked children in the criminal justice system	See 3.5		Office of the Director of Public Prosecutions An Garda Síochána Other agencies to support as required
		3.8.2 Consider what further supports child victims of trafficking may require when engaging with the criminal justice system	2024	Office of the Director of Public Prosecutions An Garda Síochána Other agencies to support as required



**PARTNERSHIP AND POLICY COORDINATION PILLAR 4****Goal: Whole-of-Government co-ordination in supporting victims and decreasing incidents of trafficking.**

Action	Overall Objectives	In relation to actions we will:	Timeline	Implementing bodies & supporting bodies
4.1	Working with Civil society	4.1.1 Continue engagement with relevant stakeholders through the Human Trafficking Stakeholders Forum	Quarterly	<b>Department of Justice</b> An Garda Síochána Office of the Director of Public Prosecutions
		4.1.2 Engage with and provide funding to NGOs working with victims of human trafficking on progressing and funding new initiatives	As required	<b>Department of Justice</b> NGOs
4.2	Educational outreach	4.2.1. Liaise with educational institutions to establish how raising awareness of the issue of trafficking can be developed in educational settings	By Q3 2024	<b>Department of Justice</b> Department of Further and Higher Education, Research, Innovation and Science Department of Education
		4.2.2 Identify and review the barriers that victims of human trafficking encounter while accessing tertiary education	2024 for 2025/2026 academic year	<b>Department of Justice (in development of NRM)</b> Support from Department of Further and Higher Education, Research, Innovation and Science
4.3	International cooperation	Promote cooperation with a range of international organisations <sup>16</sup> active in combatting Human Trafficking  Cooperation will include availing of opportunities to collaborate with EU partners and civil society and other relevant international organisations on projects and initiatives	Ongoing	<b>Department of Justice</b>  All relevant Departments and agencies
4.4	Maintain close working relationship with our counterparts in Northern Ireland	Development of joint projects (e.g. conferences, training) Explore the possibility of putting in place arrangements for biennial analysis of victim referrals, on a cross-border basis, to identify key learning points and common themes.	Ongoing	<b>An Garda Síochána</b> <b>Police Service of Northern Ireland</b>

<sup>16</sup> E.g. Council of Europe, EU Commission, United Nations Organisation for Security & Co-operation in Europe (OSCE)

Action	Overall Objectives	In relation to actions we will:	Timeline	Implementing bodies & supporting bodies
4.5	Integrate financial intelligence into anti-trafficking efforts	Leverage financial intelligence to identify, disrupt and dismantle human trafficking Organised Crime Groups (OGCs)	Ongoing	An Garda Síochána
4.6	Incorporate victim/survivor input into anti-trafficking efforts	4.6.1 Devise a mechanism (with associated supports) to ensure the implementation of the Action Plan will be informed and influenced by the voices of victims/survivors	By Q2 2024 and biannually thereafter	Department of Justice Support from NGOs
		4.6.2 Incorporate the voice of the victim/survivor into new initiatives through engagement with specialist services and NGO partners	As required	Department of Justice Support from NGOs
4.7	Enhanced data collection	4.7.1 Collect and analyse data on trafficking in human beings	Ongoing	NRM Operational Committee Multiple Departments and Agencies Support from NGOs
		4.7.2 Agree common data collection protocols, disaggregation and reporting timeframes to ensure a consistent approach across Departments and agencies.  Link with Criminal Justice Operational Hub	By Q2 2024	NRM Operational Committee Multiple Departments and Agencies
4.8	Data collaboration and resourcing	4.8.1 Agree a data collaboration protocol for revised NRM Framework in line with the data sharing provisions in the Criminal Justice (Sexual Offences and Human Trafficking) Bill 2023. This will also support international reporting, e.g. UN, GRETA, Annual HT Report	Within 3 months following enactment of the Criminal Justice (Sexual Offences and Human Trafficking) Bill 2023)	NRM Operational Committee Multiple Departments and Agencies
		4.8.2 Consider how best to collect and utilise data from across vulnerable groups identified to be at risk of human trafficking (e.g. individuals impacted by Prostitution, undocumented migrants, unaccompanied children, etc.)	Q3 2024 initially and ongoing thereafter	NRM Operational Committee Multiple Departments and Agencies



## MONITORING AND EVALUATION

Goal: Collect and report evidence-based research on human trafficking.

Action	Overall Objectives	In relation to actions we will:	Timeline	Implementing bodies & supporting bodies
4.9	Monitoring of Plan	4.9.1 Establish: <ul style="list-style-type: none"> <li>Human Trafficking Governance and Strategy Group</li> <li>Human Trafficking Oversight Group</li> </ul> chaired by the Department of Justice to report on implementation of this plan Schedule quarterly/biannual meetings	By Q1 2024  Quarterly / Biannually	Department of Justice
		4.9.2 Schedule meetings of Human Trafficking Stakeholders Forum to update on Action Plan progress	Quarterly – as soon as possible after the Oversight Group meeting	Department of Justice
4.10	Implementation	4.10.1 Incorporate actions into Department / agency business plan and make available to Human Trafficking Governance and Strategy group	Yearly	All action owners
		4.10.2 Establish Subgroups, with NGO and state agencies representatives as appropriate, to examine and progress specific issues	As required	Department of Justice support from all relevant Departments and Agencies and NGOs
4.11	Review/ Evaluation of Plan	4.11.1 Carry-out mid-term evaluation of the Action Plan and update where necessary	By Q4 2025	Department of Justice support from all relevant Departments and Agencies
		4.11.2 Commence process for the external evaluation of the Action Plan in preparation for the development of its successor	By Q2 2027	Department of Justice support from all relevant Departments and Agencies
4.12	External evaluations and reporting	4.12.1 Fully engage with all external evaluation processes – e.g. Council of Europe GRETA, EU, UN Special Rapporteur, etc.	Ongoing as required	Department of Justice support from all relevant Departments and Agencies
		4.12.2 Publish annual reports on Human Trafficking, to include details of implementation of the National Action Plan	Annually	Department of Justice

Action	Overall Objectives	In relation to actions we will:	Timeline	Implementing bodies & supporting bodies
4.13	Support The Irish Human Rights and Equality Commission in their statutory function as Ireland's independent National Rapporteur for Anti-Human Trafficking	Fully engage with The Irish Human Rights and Equality Commission and provide information where required	Ongoing	<b>Department of Justice</b> Irish Human Rights and Equality Commission
4.14	Support research into the potential scale of undetected human trafficking.	Encourage and provide funding for research in the area of undetected human trafficking, building on previous research in this area	Ongoing	<b>Department of Justice</b> All relevant Departments and Agencies
4.15	Review of NRM framework	Conduct a review of the NRM Framework to establish if it is operating as intended in year 3 of its full operation  Consider any recommendations	By Q2 2027  When outcome of review known	<b>Department of Justice</b> with support from all relevant Departments and Agencies







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