



Ms. Maria Grazia Giammarinaro

UN Special Rapporteur on Trafficking in Persons (especially women and children)

Office of the High Commissioner for Human Rights (OHCHR)

Palais Wilson

52 rue des Pâquis

CH-1201 Geneva 10

Switzerland

Subject: *Submission to the thematic report on innovative and transformative models of social inclusion for victims of trafficking*

Dear Ms. Maria Grazia Giammarinaro,

Ruhama welcomes the opportunity to put forward this submission for your consideration with the intention of contributing to your upcoming thematic report as Special Rapporteur on innovative and transformative models of social inclusion for victims of trafficking based on social inclusion and reintegration for victims and potential victims of trafficking, especially in mixed migration flows.

About Ruhama

As Ireland's only dedicated frontline civil society organisation providing support to women affected by prostitution and sex-trafficking for three decades, we believe Ruhama is well-positioned to make a submission to this report, and is grateful for the opportunity to do the same.

Since our foundation in 1989, we have supported thousands of women from over 60 nationalities. At the core of our work is the provision of direct, frontline services to women who require our support. At the same time, we work at a national and international level to influence the development and implementation of broader policies and legislation which tackle sexual exploitation, and ultimately enhance the lives of women affected by the global sex trade. Ruhama is a member of the Coalition to Abolish Prostitution (CAP International), and is also represented at the EU Civil Society platform against Trafficking in Human Beings.

We currently provide support to over 300 women per year, including women involved in both on-street prostitution and off-street prostitution. Of the women in the off-street sex trade, more than one third are victims of trafficking. The victims of trafficking with whom we work are a mixture of both non-Irish EEA nationals and third-country nationals. Based on our extensive experience, we have noted numerous challenges in social inclusion and (re)integration into society for victims of sex trafficking in Ireland, and, as such, we have come up with a set of supports which are incorporated into our person-centred casework and exit programmes which address some of these challenges.

Key Challenges

We welcome a number of policy and legislative measures in Ireland which support the social inclusion and re/integration of victims of sex trafficking. In particular we welcome the passage of the Criminal Law (Sexual Offences) Act 2017. Following years of concerted campaigning efforts by the Turn of the Red Light campaign in Ireland, the law was passed based on the 'Nordic' or 'Equality Model' of prostitution legislation. This law decriminalized the individual involved in the sex-trade, while criminalizing the buyer. This measure offers significant protection to women who have been sex trafficked by preventing their criminalization, while simultaneously targeting the demand that fuels the sexual exploitation of women and girls.

The challenges outlined below are some of the primary concerns we have encountered with both EEA and third country nationals who are victims of sex trafficking in Ireland:

- The [National Referral Mechanism](#) (NRM) is the framework through which State bodies fulfil their obligations to protect and promote the human rights of trafficking victims in Ireland, including those trafficked for the purposes of sexual exploitation. We have noted some shortcomings in the NRM which prevent the protection and promotion of the human rights of sex trafficking victims in Ireland. Formal procedures to identify victims of trafficking apply only to those who do not have legal residency in Ireland; namely, individuals who come from outside the European Economic Area (EEA). As noted in the US Department of State Trafficking in Persons Report 2018: "EEA nationals, including Irish nationals, and asylum-seekers with pending applications were excluded from the formal identification scheme. As a result, such persons were not formally identified as suspected victims of trafficking, with implications for their access to victim services." ¹ Furthermore, the current NRM stipulates that victims of trafficking must give a formal statement to An Garda Síochána (the national police) in order to be formally identified as a victim of trafficking. Victims of sex trafficking who do not meet the restrictive requirements of the [Habitual Residency Condition](#) are ineligible to access many state supports, including cash transfers under the social protection system.
- Victims of sex-trafficking in Ireland have frequently expressed mistrust of the police due to the nature of their trafficking experience, which can result in a refusal or reluctance to engage with An Garda Síochána which can preclude them being identified as a victim of trafficking.
- Individuals who have been formally identified as victims of trafficking, a number of whom are entitled to seek asylum in Ireland, are frequently accommodated by the government's Reception and Integration Agency (RIA). The accommodation is more commonly referred to as "direct provision" and was set up to provide accommodation to persons engaged in the asylum seeking process. We have noted with concern the absence of gender-specific accommodation for victims of sex-trafficking within direct provision, as well as an overall lack of specialised shelter provision for victims of sex-trafficking (suspected or formally identified).
- Additional to the existing issues within the direct provision system, there is an ongoing homelessness and housing crisis in Ireland which has disproportionately impacted women affected by prostitution and sex-trafficking in Ireland. Even when victims are granted legal permission to remain in Ireland, it is exceptionally difficult for them to access safe and affordable accommodation. This has resulted in some women and their families having to stay

¹ 2018: 73: <https://www.state.gov/documents/organization/282801.pdf>

in the direct provision system after being granted official permission to remain in the country. Others may end up in chaotic, precarious and unsafe accommodation, including homeless hostels, as they have nowhere else to go. The continuing crisis in housing and homelessness leaves victims of sex trafficking at a high risk of homelessness.

- While the State provides some healthcare supports, including dedicated sexual health supports through the Women's Health Service of the Health Service Executive (HSE), there is a distinct lack of specialised and dedicated mental health/psychological support services for women who are victims of trafficking.
- Women affected by prostitution and sex-trafficking in Ireland may have limited-to-no English language skills which creates a significant barrier in social integration and inclusion.

Ruhama's Person-Centred Casework and Care Plan

Ruhama's mission and work centres on the provision of support services to women affected by prostitution and sex-trafficking in Ireland. Women can access our services on a free and confidential basis. Our support is offered to women who have exited prostitution, those who are still involved, including those who wish to exit, or those who are at risk of being trafficked into the sex trade. It is not necessary for our service users who are still involved in the sex trade to want to exit, though we can support them in this should they wish to as our model incorporates recognised best practices in the provision of exit supports. Our casework model promotes social inclusion and re/integration and is centred on the needs and wishes of each individual who accesses our services.

Women affected by the sex trade can contact Ruhama in a number of ways. These include through texting the word REACH to 50100 for a free, confidential call-back, or contacting us through our website (www.ruhama.ie) or social media accounts. It is not necessary for women to have legal permission to be in Ireland in order to access our services.

We consistently refer to 'women' in reference to our work as, due to the gendered nature of sex-trafficking, the vast majority of those who engage with our services are women. We operate a gender specific approach in recognition of this. However, we have also worked with a small number of transgender individuals and men and provided them with support based on their individual needs and wishes.

Based upon the challenges for victims of sex-trafficking outlined above, Ruhama's person-centred approach to our frontline work supports women to overcome these challenges with a view to achieving meaningful social inclusion and re/integration into society.

Immigration status: Ruhama supports women to engage with the legal and immigration systems in Ireland in order to process their applications to remain in Ireland legally. Ruhama has built relationships with the Garda National Immigration Bureau (GNIB) as well as the Garda National Protective Services Bureau (GNPSB) which has the remit for both organised prostitution and human-trafficking in Ireland. We advocate on behalf of women in the process, and also accompany them to meet with these bodies. We also have close relationships with other civil society organisations who have legal expertise, and work alongside them to support women to understand the process and engage with the NRM to be identified as victims of trafficking.

Access to justice: As outlined above, women often have difficulty in engaging with the police due to fear and mistrust caused by their experiences. We regularly work with and train members of the

Gardai in order to make sure they provide a gender-sensitive and victim-centred approach. This reduces the risk that women's experience of accessing the police and criminal justice system will re-traumatize them. We also accompany women to appointments with the police, and support them to make a formal statement against their trafficker.

Accommodation and social protection: When our service-users are placed in the direct provision system, we continue to work with them to ensure their broader needs are met, and we advocate for alternative accommodation for those who require it. We work alongside other civil society entities to place victims of trafficking in emergency accommodation, and we also provide limited short-term accommodation to those who need it. Our service-users who have legal immigration statuses and are seeking long-term accommodation are supported by our dedicated Housing and Social Welfare Officer to access safe and secure housing. They are also supported to engage with the social welfare system to receive their entitlements from the State.

Health care: We regularly refer women to specialised healthcare providers who have experience in working with women affected by prostitution and sex trafficking. However, due to the lack of emotional and psychological supports in place, we also provide a limited number of women affected by sex-trafficking with holistic supports including counselling, reflexology, and art-therapy within Ruhama.

Education and Employment: Our in-house Education and Development team provide victims of sex-trafficking with ongoing education through a variety of courses. We offer one-to-one tutoring based on the educational needs and desires of each woman, including English language classes, computer courses, as well tutoring in other subjects. We have successfully referred a number of women to outside education programmes, and also provide career guidance counselling to women to support them to develop a plan for their future, and enter into third-level education programmes. We also regularly run a 'Shaping Your Future' course that helps victims of sex trafficking who access our services to develop skills and confidence.

Our 'Bridge to Work' work placement programme also supports women to build skills to enable them to access the formal labour market. This is achieved in a variety of ways, including through organizing work experience placements and enrolling our service-users on specific upskilling courses such as barista training.

In conclusion, our person-centred approach to casework has a positive impact on social inclusion and re/integration for victims of sex-trafficking in Ireland within a broader system that presents numerous challenges.

We hope that this outline of our innovative and transformative casework model to promote social inclusion in Ireland, primarily a country of destination for victims of sex trafficking, offers valuable insights into how actors can overcome the practical challenges involved and supports the development of the upcoming report.

Thank you in advance for your consideration of our input.

Signed by:



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Should you have any questions regarding this submission, or require any further information, please do not hesitate to get in contact with Ruhama.