

PROACTIVE APPROACH TO HELP VICTIMS OF TRAFFICKING

Challenges to migrant integration and human trafficking problems were outlined by the International Organisation for Migration Ireland, as part of Dublin's Inclusion and Integration Week 2022. During the event, D/Supt Derek Maguire from the Garda National Protective Services Bureau said that their strategy is ongoing against organised crime gangs operating trafficking rings and urged more people to report their concerns.

Ireland is taking significant steps to combat human trafficking in responding to the needs of victims in this country and is working closely with its partners abroad. The National Action Plan to Prevent and Combat Human Trafficking takes a victim-centred and human rights-based approach and An Garda Síochána has a specialist unit dedicated to anti-human trafficking in this country.

The Human Trafficking Investigation & Co-ordination Unit (HTICU) was set up by the Garda National Protective Services Bureau in 2015 to investigate human trafficking and related offences, north and south of the border, and on an international scale.

"We provide advice, support and operational assistance to all human trafficking investigations nationwide. We also proactively investigate potential human trafficking offences and are pursuing a focused strategy against organised crime gangs who are operating these trafficking rings," noted D/Supt Derek Maguire, Head of the HTICU within the Bureau.

A long-standing member of An



Unscrupulous traffickers are part of very structured organised crime gangs; they do it to exploit human beings for their own financial gains, according to D/Supt Derek Maguire.



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Garda Síochána for over 28 years, D/Supt Maguire who has been in this role with the Bureau for the past two years, said that there was and still is “a limited knowledge” of human trafficking throughout Ireland.

RECOGNISE THE SIGNS

“We also proactively investigate potential human trafficking offences and pursue a strategy of organised crime investigations. We want to get the message out

there for more people to recognise the signs of human trafficking and to report it.

“Those people who are trafficked are commodities for unscrupulous traffickers who are part of very structured organised crime gangs; the only reason they do it is for financial gain and to exploit human beings for their own gains; that’s how heinous this crime can be.”

In providing a simplistic definition of human trafficking, he said it involves the use of deception, threats and physical force to move a victim from one place to another in order to exploit them. And in the case of children under 18, the very nature of actively transporting a child in exploitative conditions is also a form of trafficking.

“Human trafficking and people smuggling are not mutually exclusive but there are certain differences; people are smuggled into the country because they want to come here for a better life, whereas trafficking involves duping, defrauding or coercing individuals into coming here with the promise of a better life,” he noted.

DIFFERENT FORMS OF TRAFFICKING

Under the Criminal Law (Human Trafficking) Act 2008, human trafficking is both a crime and a human rights violation in Ireland, and is the subject of international treaties to prevent, suppress and punish it.

Human trafficking occurs in many different forms, and each one may have different signs and indicators. D/Supt Maguire outlined the three main types of exploitation:

*** Sexual Exploitation/Sex Trafficking** – “People are forced into prostitution against their will. In Ireland under the Criminal Law (Sexual Offences) Act 2017 the purchase of sex is illegal. However, while the sale of sex is legal, a lot of people selling sex against their will, and they are being trafficked here to do that.”



An Roinn Dlí agus Cirt
Department of Justice

Human Trafficking is a Crime. It Happens Here.

Have you seen suspicious activity that may amount to human trafficking? If so, please report your concerns to:

1800 666 111 or 999/112 or blueblindfold@garda.ie

The public or victims of trafficking themselves can confidentially report activities or provide information which could assist any investigations by contacting the Crimestoppers on 1800-666-111 hotline or 999/112 or email blueblindfold@garda.ie. For further information as well as how to seek help, visit the Blueblindfold Campaign website www.blueblindfold.ie.

*** Labour Exploitation** – The victim is forced to perform manual labour and carry out domestic services or participate in criminality or forced to beg on the streets. “They arrive here with the promise of work, but their identity and finances are controlled, with passports withheld. A lot of such people would not realise that they are victims of trafficking and may consider it normal in the countries they have come from, but here it is seen as trafficking. In terms of forced criminality, they are brought to Ireland and forced into selling drugs or working in cannabis grow houses around the country.”

*** Organ Exploitation** – Victims are trafficked for the removal and harvesting of their organs without the consent of the donor. “While this happens in other countries around the world, we have not had any cases of organ exploitation, or indeed there are no reports at present in Ireland, but it’s the same as being trafficked for sexual or labour exploitation and it is part of the Human Trafficking Act 2008.”

FIRST TRAFFICKING TRIAL

Since the enactment of the Human Trafficking Act 2008, it then took 13 years before the first trial of human trafficking and exploitation came before the Irish courts. The case involved four Nigerian national females who reported that they had been trafficked here and were forced into prostitution.

“They had undergone a form of a voodoo ceremony in Nigeria. They were bound to their traffickers, under the impression that if they broke ties, they would die, or that a tragedy would befall their families.

“They were trafficked here through Europe and were moved around different counties around Ireland to work as prostitutes. The investigation identified three Nigerian nationals who were arrested; with the trial starting in April 2021 and lasting for a six-week period. This trial was new for the judiciary and the courts service because there was no bar for sentencing.

“Two females and one male suspect were convicted; one female was sentenced to five and a half years; one was given five years while the third suspect only received a three-year suspended sentence unfortunately because he was involved in laundering from their trafficking proceeds.

“Since the maximum sentence for trafficking in Ireland is life imprisonment, those sentences are on appeal for their severity at the moment. It’s a very serious case and offence, and because it’s life imprisonment it’s a high bar that we must also prosecute on. Those terms are under sentence for leniency.”

He noted that the four Nigerian females were very brave in going through a traumatic time during the trial, which finally resulted in Ireland’s first successful prosecution for human trafficking.

DIFFICULTY IN PROSECUTIONS

“However, it’s not good enough that there’s only been one conviction of human trafficking here in Ireland. However, the main issue has been the difficulty in prosecuting these cases.

“We need to work very closely with the DPP to direct charges of human trafficking. We also must remember that we’re dealing with traumatised victims; to get them to make statements they firstly need to overcome their fear of being caught by the traffickers and many live in fear for their families in their home countries. Their

MIGRATION AND HUMAN TRAFFICKING

A film screening and panel discussion on ‘Migration and Human Trafficking’ was hosted by the IOM Ireland, in association with Dublin City Council, as part of the week-long series of events during Dublin’s Inclusion and Integration Week 2022 last November.

IOM Ireland showcased its work on migrant integration and inclusion in Ireland, including the screening of three video testimonies from former IOM service users, all of whom participated in a panel discussion. This was followed by a presentation by IOM Ireland on the various and diverse challenges faced by migrants.

Harrowing fictionalised accounts of victims who are trafficked to Ireland was also portrayed in IOM’s short new film, ‘Anyone: Deceived’, followed by a panel discussion by IOM Ireland of ongoing efforts to help migrants.



D/Supt Derek Maguire, Head of the Human Trafficking Investigation and Organised Prostitution Investigation Unit at the Garda National Protective Services Bureau, pictured with Pakistan’s Shairoze Akran, IOM service user; Egide Dhala, IOM Ireland’s Outreach Co-ordinator, Lalini Veerassamy, IOM Ireland’s Chief of Mission, and Brazil’s Father Severino Pinheiro, St Mary of the Angels.

testimonies are vital in all such court cases.

“We must also follow the element of money laundering and the organised crime gangs who exploit these victims. And we also must deal with other offences such as organised prostitution and brothel keeping etc. These investigations take a long time and are very labour-intensive with a lot of work to be done to prove any wrongdoing.”

Sex trafficking is much more widespread across Ireland, he said, and said they are making strides to change that situation, with several cases ongoing at the moment involving Nigerian, Brazilian to Romanian victims.

NATIONWIDE PROBLEM

Human trafficking is not just confined to the large cities; it’s now widespread in smaller regional towns around the country. “It is not just in the big cities like Dublin or Cork, it’s everywhere in Ireland. Where there’s demand there will be a supply and therein lies the problem. And brothels are now being advertised extensively online by the traffickers.

“What we once knew as street prostitution is now very rare in any town or city around Ireland, as the business of prostitution is now carried out behind closed doors in apartments, flats and houses, and even online, which makes it even more difficult to prosecute.”

He pointed out that to help the Gardaí to clampdown on trafficking and to save the victims, there is a need for greater awareness of the problem amongst the public. “Bear in mind that those people using the services of sex workers are funding these brothels, and most of these workers are trafficked into this country.

“We need to get them into the

National Referral Mechanism where they will be recognised as victims of trafficking and entitled to government supports. All those things need to gel together for us to get a successful prosecution.”

To contact the Human Trafficking Investigation and Co-ordination Unit phone 01-6663423 or email gnpsb.hticu@garda.ie

