

Updated Information Sheet 2012

(1) References to the HSE: Women's Health Project

The HSE Women's health project has been replaced by the HSE Anti-Trafficking Team.

The HSE Anti-Trafficking Team is a dedicated team providing care planning for victims of human trafficking. The HSE offer services to victims of trafficking in human beings who have been notified to them by An Garda Síochána, if requested to do so by the person.

Care plans cover such areas as:

- General medical/sexual health
- Mental and psychological health
- Relationship and family
- Accommodation
- Education, training and employment (This applies to persons other than those in the asylum process).
- Financial management (This does not apply to person residing in accommodation provided by RIA who receive 'direct provision' cash allowance as well as Exceptional Needs Payments).
- Social and spiritual needs
- Legal and immigration (This applies to referrals to services provided by the Department of Justice and Equality, An Garda Síochána and the Legal Aid Board).
- Criminal investigation (This applies to accompanying a client to interviews if requested to do so by the client and if acceptable to An Garda Síochána).

The aim of the services provided is to enable the person concerned to gain independence thus empowering him/her to make decisions in a safe and supportive environment whilst guiding him/her through all the stages of the recovery process. Information will be shared on a need to know basis with other organisations in the field and only with the written consent of the client.

(2) References to the Immigration, Residence and Protection Bill 2008 is now known as the Immigration, Residence and Protection Bill, 2010.

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(3) Module 4, Unit 3: Page 45

Placement

Children and young people are allocated to foster care placements throughout Ireland with approved and trained foster carers. When the young person moves to a foster family, referrals are made to on-going support services in the areas where the young person is living.

Formerly, unaccompanied minors were placed in hostels. This process has been phased out and is no longer HSE procedure.

(4) Module 4, Unit 3 of Manual : Page 40

Recovery and Reflection period

The Immigration, Residence and Protection Bill 2010, which is currently before the Oireachtas, provides for a period of recovery and reflection of 60 days in the State for suspected victims of trafficking who have no permission to be in the State and also, in circumstances where the person trafficked wishes to assist the Garda Síochána or other relevant authorities in any investigation or prosecution in relation to the alleged trafficking, a further six months period of residence, renewable, to enable him or her to do so. The Bill also provides that the Minister may make regulations prescribing a Recovery and Reflection Period exceeding 60 days where a person is under the age of 18 years.

An administrative framework, broadly reflecting the provisions in the Bill, was introduced on 7 June 2008 to provide for the period of recovery, reflection and residency in the State pending enactment of the Immigration, Residence and Protection Bill. Further amendments to that Scheme have been made to include:

- Clarification on the scope of application of the Arrangements.
- Application of the Arrangements to those under 18 years of age.
- Clarification in relation to family reunification.
- Clarification as to the process to be undertaken where a person to whom the arrangements apply is refused a refugee declaration.
- New provision allowing for an application for a change from a temporary residence period to a more durable residency status to be made.

(5) Module 2, Unit 2: Page 18

Proposed Council Framework Decision

Directive on Preventing and Combating Trafficking in Human Beings:

The Directive of the European Parliament and of the Council on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA was adopted on 5 April, 2011. Member States are required to implement the measures by 6 April, 2013. Many of the provisions are already implemented either by the Criminal Law (Human Trafficking) Act, 2008 or on an administrative basis.

Some legislative amendments will be required to take on board the expanded definition of offences to include begging and the exploitation of criminal activities.

(6) Module 2, Unit 2: Page 19

Ratification of International Agreements

Please note that Ireland has now ratified the Council of Europe Convention on Action Against Trafficking in Human Beings.

(7) Module 4, Unit 3: Page 41; Module 7, Unit 1: Page 72

Accommodation

RIA accommodation is provided to foreign nationals who are not asylum seekers. If the person is an Irish national or a child, they are referred to the HSE.

(8) Module 4, Unit 3: Page 46 -47

Employment Law Compliance Bill

Information on this Bill to be removed as it has lapsed with the dissolution of the 30th Dáil.

(11) Module 5, Unit 2: Page 55

Reflection Period

On Page 55 of manual reference it is stated: 'The CoE Convention calls for a reflection period of a minimum of 60 days ...'. This is incorrect and should read 'The CoE Convention calls for a reflection period of a minimum of 30 days ...'.

(12) Module 5, Unit 1: page 53

Garda Training figures

25% of all members of An Garda Síochána have received training on human trafficking.

Additional Information:

EU Action Oriented Programme

An EU Action Oriented Paper on the fight against trafficking in human beings on strengthening the EU external dimension an action against trafficking in human beings – Towards Global EU Action against Trafficking in Human Beings was developed under the Stockholm Programme to address the challenges for the EU to strengthen its capacity to cooperate with third countries, regions and organisations to tackle THB at the international level. The Action Oriented Paper encourages strengthening partnerships, discouraging demand, improving awareness raising, improving statistics and data collection, establishing a National Rapporteur or equivalent mechanism, strengthening migration management, improving referral mechanisms and strengthening transnational law enforcement mechanisms and communication.