

DIGNITY

An interagency initiative working to deliver quality services for victims of sex-trafficking in Ireland

Dublin Employment Pact
Strand House (1st Floor), 22 Great Strand St., Dublin 1
Tel: +353-1-8788900
Email: info@dublinpact.ie
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Dignity STUDY VISIT

May 11th 2009
Glasgow City Chambers

Attendance:

Visiting Delegates: Belen Garcia & Rocio Mora (Agencia Para el Empleo de Madrid), Vytaute Grybauskaite (Klaipeda Social and Psychological Services Centre); Laima Rokanskiene (Klaipeda Regional Public Prosecutor's Office) and Vytautas Gliozieris (At the Chief Police commissariat of Klaipeda division of Organised Crimes Investigation Office of Criminal Police), Grainne Healy (Project Coordinator), Nusha Yonkova & Denise Charlton (Immigrant Council of Ireland), Claire McKeon (Irish Police), Marion Walsh (AHTU, Dept of Justice), Adesola Mobolaji (Women's Health Project HSE), Sharon Cosgrove (Sonas Housing), Karen Reid (DEP Administrator – Minutes)

Scottish Partners: Ann Hamilton, Suzy McShane, Claire McCullach, Sheehel Venugupal, Jennifer Clarke, Trisha Hamilton & Claire Smith (Glasgow Community & Safety Services), Bronagh Andrew, Carolann Nesbitt, Anushya Kulupana, Maria MacDougall (TARA), Bill Hepburn (Scottish Government), Claire Meaney (Serious Organised Crime Agency), Arlene Smith (Strathclyde Police), Catherine Watt (Routes into Learning), Anne Lockyer & Marilyn Bark (John Wheatley College), Annie Brown (Daily Record).

Apologies: Philip O'Connor (DEP)

Welcome followed by Introduction by Grainne Healy to Dignity Project, presentation available.

PRESENTATION: "Glasgow – prostitution and trafficking"

Presentation by Ann Hamilton giving overview of scale of sex industry, model of work in both Scottish and Glaswegian context and introduction to Glasgow Community & Safety Services.

Notes:

Glasgow Community & Social Services established by Local Authority & Police (CCTV/Public building security/Domestic Abuse Advocacy Service/TARA).

Glasgow's City Council has had a policy for dealing with prostitution for past 10 years which recognises prostitution is a serious social problem & is a form of violence against women, that people are not prostitutes for "work" or by "choice". Street prostitution traditionally main focus of work.

Legal system is based on prostitution itself is not a criminal act but soliciting or buying sex or living off immoral earnings is illegal.

Routes out – over 95% of women want to exit and most victims experience post traumatic stress/shame and feel extremely vulnerable & isolated.

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There are estimated 6-18,000 women in off street prostitution with 1,700-5,300 premises. An estimated 700 women are trafficked into Scotland each year for purposes of sexual exploitation. Estimated worth of industry is £450m.

Future work is in devising & implementing framework for Convention in Scotland & the expansion of TARA Project across Scotland. Campaign for criminalising the buying of sex. Challenging legislation for lap-dancing clubs and research women involved in lap dancing and pornography.

PRESENTATION: “The TARA Project” – Trafficking Awareness Raising Alliance

Provides access and support services to women (18⁺) who may have been trafficked for commercial sexual or domestic servitude purposes. TARA does not have dedicated accommodation. It links in with local women’s aid groups & accommodation which is provided for vulnerable women.

Overview of the services provided are Counselling & legal advice; Healthcare; Accommodation/clothes/mobile/toiletries; Information gathering; Risk Assessments; Initial Crisis Support and long-term support.

TARA’s is now the Scottish NGO in the National Referral Mechanism and has several strategic roles sitting on working groups and monitoring groups.

Numbers supported are 2 in 2005; 9 in 2006; 14 in 2007; 34 in 2008 and 18 referrals have been made so far in 2009.

PRESENTATION: “The council of Europe Convention on Action Against Trafficking in Human Beings and a National Referral Mechanism for the UK”

Presentation given outlining the Convention & the state’s obligations under the convention with particular overview of the UK National Referral Mechanism (including process for ID, “competent authorities”, impact assessment etc).

Notes:

Purpose of Convention is to combat/prevent Trafficking / protect human rights of VoT / design a framework for ID’ing VoT & ensure investigation & prosecution.

State has obligations under the Convention in particular to ensure a trafficking victim’s human rights are protected which can lead to them cooperating fully with a prosecution and make them better witnesses. If a person is deemed to be a “potential” VoT the state must grant them a “reflection period”.

The state is also obliged to provide safe accommodation, give victims access to legal information.

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A National Referral Mechanism is a strategic partnership between state & civil orgs to combat trafficking and ensure victims' human rights are respected; to identify VoT asap; to change the mindset that it is a migration or criminal issue – trafficking is both these things but first and foremost it is a violation of a person's human rights.

UK Context of Convention:

Police/UK Border Agency/Social Work and designated NGO (is TARA in Scotland).

A Referral is made to “competent authority” if there is a suspicion a person is trafficked. Make up of CA is at the interpretation of each country. In UK there are 2 CAs as follows; 1) select group of Secondees as an expert advisory group and 2) formal determination of status by Crown through UK Border agency members.

Competent Authority has 5 days to decide if person is potentially trafficked and inform them – there are no guidelines regarding what the “reasonable grounds” are that these decisions are based on.

If deemed to be trafficked a victim is granted a 45-day “reflection period”, accommodation, psychological assistance, access to medical treatment, info to legal rights and material support. After reflection period is over person will either be granted residency permit or removed from UK. Noted that a residency permit is only granted if person is cooperating with the police or in “need of continuing support”. No person has yet completed the 45 day recovery & reflection period since the introduction of the new model.

Impact Assessment is carried out with expected 500 cases per year where 70% will be granted reflection period.

PRESENTATION: “Working with the Media”

Presentation given by Glasgow Community & Safety Services around interaction with media, media campaigns and changing/challenging use of language and how the issue of prostitution is addressed in the media.

Notes:

Important to build relationships with key journalists as through these contacts the topic gets better, more informed coverage; projects/specific information drives can get special reports & maximise the impact of the message. Also the journalist can provide unique insights into media coverage and give advice.

Certain picture and words are unhelpful and stereotypical, looking at building a database of pictures that reflect the message we want out there for use in media.

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Compile a “campaign pack” for journalists to educate them. Journalists cover so many topics, clear guidance is necessary and they often require training/in depth briefing when covering topics such as human trafficking for commercial sexual purposes so buy in from the national trade union for journalists would be beneficial.

Journalists often want access to victims, which is never allowed.

Post media coverage analysis is important to support changes, assess impact of coverage and whether the message you wanted to get across is clear or has been distorted.

In Lithuania the media coverage is sensationalist and while organisations working with victims won't give actual names they will give initials, name of town etc. Also some NGOs refer to prostitution as a form of work. The situation is very similar in Spain.

Also suggested was including a support telephone line and/or website address at the end of every news article regarding prostitution and human trafficking.

A media check list for NGOs and organisations working with victims was also seen to be needed in order to ensure the message is communicated properly.

QUESTIONS/DISCUSSION after Day One:

(Two separate discussions took place, one with police and another with local Scottish partners.)

1. An informal discussion took place between police and some visitors where the history of police approach to trafficking in Scotland was outlined and discussed. Arlene Smith (Strathclyde Police) will endeavour to compile a report and forward to Ann Hamilton for circulation to those who attended.
2. Housing - How does TARA facilitate this?

There is a small budget from government to pay for emergency / refuge accommodation. The agreement is that accommodation is provided up front in emergency cases without the funding being secured – funding is sought after woman is housed. It is a real challenge to source this type of accommodation so therefore safe hotels are used along with “scatter flats”.

The “pros” of scatter flats are that if the safety of one flat is compromised women can be moved quickly to another safe flat, these can also be used during reflection period. Keeping women together in a “safe house” can also be seen as replicating the trafficked experience and can also potentially contaminate evidence if several women from one brothel are housed together. However a mix of both scatter flats and safe houses seems to be the right balance as some women benefit from having contact with others who have experienced similar abuse and can guard against isolation of victims.

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If a woman has made a claim for asylum her accommodation is arranged, however difficulties securing accommodation can arise if woman is not in asylum system.

It is too early in new system to give accurate time line for length of time spent in emergency accommodation but steps are usually, meet woman and explain referral form and then send form to Competent Authority.

CA insists that this form is filled and submitted within 75 hours of 1st meeting but this is sometimes too short a time as trust has to be built up with victim who may feel very traumatised. There are teething problems with these steps.

3. Progressing women from TARA – how is this done?

- ❖ Interest was expressed in the Spanish model of training/employment.
- ❖ TARA encourage the women to participate in courses (English Language) and in work experience in order to gain confidence and referees.
- ❖ TARA is researching how best to support women in training who have children.
- ❖ They refer women on to counselling services (e.g. rape crisis/red cross) after or during assessment period and support the woman as much as she wants.

4. If person cannot work do they get assistance from the State? Yes, training is available and orgs set up to deliver relevant training to asylum seekers.

5. It is important that in the first few weeks that accommodation/doctor/lawyer needs are addressed to ensure the safety of the woman so her integration & healing can begin to enable her to move on.

6. Translation Services standards have proved patchy in past and have been poor enough to cause serious concerns and issues. There is currently no accreditation or governing body overseeing translation companies and so nowhere to direct complaints. Looking at developing guidelines as to best practice as translators are privy to very personal information and so must be irreproachable.

7. Are asylum claims suspended when recovery and reflection is granted? A twin process operates. On day 10 substantive asylum interviews take place. If recovery and reflection takes place this process is halted and recommences after the 45 day recovery and reflection period.

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Dignity STUDY VISIT

May 12th 2009

John Wheatley College (East End Campus)

Attendance:

Visiting Delegates: Belen Garcia & Rocio Mora (Agencia Para el Empleo de Madrid), Vytaute Grybauskaite (Klaipeda Social and Psychological Services Centre); Laima Rokanskiene (Klaipeda Regional Public Prosecutor's Office) and Vytautas Gliozeris (At the Chief Police commissariat of Klaipeda division of Organised Crimes Investigation Office of Criminal Police), Grainne Healy (Project Coordinator), Nusha Yonkova & Denise Charlton (Immigrant Council of Ireland), Claire McKeon (Irish Police), Marion Walsh (AHTU, Dept of Justice), Adesola Mobolaji (Women's Health Project HSE), Sharon Cosgrove (Sonas Housing), Karen Reid (DEP Administrator – Minutes)

Scottish Partners: Ann Hamilton (Glasgow Community & Safety Services), Bronagh Andrew, Carolann Nesbitt, Anushya Kulupana, (TARA), Catherine Watt (Routes into Learning), Anne Lockyer & Marilyn Bark (John Wheatley College), Kirsty Thompson (Legal Services Agency)

A presentation each by TARA, Legal Services Agency & John Wheatley College were given to all delegates.

PRESENTATION: “The TARA Project – Assessment of Victims of Trafficking”

- ❖ Multi Agency Group
- ❖ Service for women 18⁺ who have been trafficked/exploited for commercial sexual purposes or domestic servitude and through that experience have been abused.
- ❖ Provides crisis (emergency) support and longer term support.
- ❖ Aims are 1) Establish Safety, 2) Promote Healing & 3) Moving On.
- ❖ Intervention Team and Routes Out (estimate is that it takes approx 7 years for a person to recover).
- ❖ Care Planning Model being piloted soon – this will include elements of hobbies, of individual and group work services into plan to encourage women to interact with others as they often find it difficult to make friends.

Establishing Safety is of utmost importance and encompasses accommodation, emergency packs of clothes toiletries, health screening including linking to a project called Archways that specifically deals with women who have been raped and who can take the clothes etc for forensics. After hours and weekend support also provided by TARA staff.

Referrals:

- ❖ Nationality of woman depends on referring agency (e.g. Refugee Council/Border Agency/ Police), TARA deals with a broad mix of different nationalities. However

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- one group that does not seem to be coming through TARA's doors is South American.
- ❖ Referral is assessed to see if there is a suspicion the person has been a victim of trafficking. Also the woman's other needs are assessed at this time e.g. medical etc and they are put in touch with the correct agency & supported.
 - ❖ Now with new mechanism referral form must be completed and submitted within 72 hours of 1st meeting, which can be difficult.
 - ❖ Police and TARA work closely together – police will inform TARA prior to a raid.

Risk Assessment:

- ❖ Get as much info as possible from referral agency (language barrier/immigration status etc)
- ❖ Meet over a few visits to establish any particular risk from traffickers, off-site if necessary (2 workers would attend for safety in this situation).
- ❖ Establish woman's needs such as drug abuse/debt/accommodation etc.
- ❖ Use all info gathered to have an agreed safety plan with woman (children are taken into account in safety plan).
- ❖ Link in with child protection services if person is under age.

Questions:

Who funds TARA? TARA has its own budget and potentially a budget under the new National Mechanism although this has not been accessed as of yet.

Is there police involvement while TARA in assessment period with a VoT? This depends on how woman comes to the project, once the form is sent to CA they have 5 days to respond, if the decision is "yes this person is potentially a victim of trafficking" the person is granted reflection period and during that time an investigation will be initiated.

If CA says "no"? This is a difficult situation as there is no appeals system available but project tries to work according to the woman's needs.

How does Asylum Accommodation work? If person claims asylum TARA will go to induction with them if wanted with the Scottish Refugee Agency. The SRA will fill in form and person then waits until a flat (high rise YMCA flat) is found. Cost is approx €42. Asylum applicants are dispersed within 2 weeks.

PRESENTATION: "Women & Children's Department – Legal Services Agency"

- Largest Law centre in Scotland
- Tackles unmet legal needs of marginalised groups and those who come under immigration control in claims for asylum.
- All female team (3 lawyers & 1 secretary)
- Funding from gov and Comic relief.

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- Tend to deal with most vulnerable women & children, have a high degree of suspicion they have been trafficked for sexual or domestic servitude.
- Multi disciplined and holistic approach. Dealing with such vulnerable people is very complex; there are practical and emotional factors, which operate as barriers. The Agency's aim is to facilitate practical and emotional support alongside legal support.

The Agency will make claim to Home Office for international protection. Often the woman is not believed, the system is restrictive and it is difficult to win claim for protection.

The Agency uses a gender and child sensitive approach and endeavours to empower through giving full and relevant information to client regarding

- ❖ Status in UK
- ❖ Options
- ❖ System (Home Office/Police/Other Agencies)
- ❖ Talk about the Agency's role as their solicitor
- ❖ Provide a safe and secure environment (including meeting off-site if necessary/vetting translator/allowing support worker to accompany client)
- ❖ Accessible & approachable team, the client always has direct access to her lawyer.

Pro-active approach to courts and system. Flag to government agencies/courts to take a child and gender sensitive approach when dealing with client.

It is important to get as detailed account as possible of client's situation as early as possible, although trying to slow down current system of form completed within 72 hours and decision in 5 days so that when they present their client's case the client can assist them in giving a coherent account of their situation.

Clients do need to give a full and detailed account of their experience. The Legal Services Agency will take a full statement, which can be used by other agencies such as police and immigration authority. If these agencies do need to interview client their questions must be specific, as they will have the full statement. This helps not to re-traumatise the client by continually making them recount their experience. In order for this to work inter-agency cooperation is essential.

Capacity is limited, work tends to come from referrals.

Questions:

Is there a Case Meeting? It depends; each case is specific to each individual and therefore different.

When should Legal Services be involved ideally? As soon as possible, clients tend to come from referrals. Trafficking and asylum do not necessarily go together so its important clients are informed asap as to their rights and options. Relationships with

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partner orgs are crucial to ensure client is given correct advice. The Legal Services Agency can be called on for advice without taking the person on as a client – again inter-agency cooperation is vital for this system to function.

The Agency aims to work with 100 women and children per year. It also aims to prevent trafficking, research into experiences of women & children in the system, arrange informative seminars, sit on working groups to feed back trends they are seeing.

The Agency does not provide legal representation regarding criminal charges but can refer the client in-house.

PRESENTATION: “John Wheatley College – Routes into Learning”

Routes into Learning established in 2005 to increase access to adult literacy and numeracy for women affected by prostitution and to support women in exiting prostitution.

Works in partnership with other support/service agencies both at an operational level and strategic level.

Builds on learner’s strengths and focuses on 4 areas of life: private, family, community & working. Curriculum is learner lead and an individual Learning Plan is devised based on individual’s goals/needs, learning style, distance travelled to courses, planned progression etc.

Routes into Learning

- ❖ Outreach – link with partner orgs
- ❖ Deliver integrated ALN courses e.g. photography, creative writing, personal presentation.
- ❖ Provide ALN support e.g. CV writing, budgeting etc.
- ❖ Individual & group learning

Campaigns and events to raise awareness for violence against women and women’s experiences.

Barriers to learning are varied and many, they include low level of confidence, low level of education, social exclusion. To overcome these barriers the Routes Out staff provide continued, extensive intervention & support during training and also facilitate progression to further education.

Criteria: Past/current involvement in prostitution or at risk of involvement.

Trainees do not receive payment for attending course but do receive travel expenses.

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Dignity STUDY VISIT – Plenary Session

May 12th 2009

Glasgow Community & Safety Services Offices

Attendance:

Visiting Delegates: Vytaute Grybauskaite, Laima Rokanskiene & Vytaute Glioszeris (Klaipeda Social & Psychological Services Centre), Grainne Healy (Project Coordinator), Nusha Yonkova & Denise Charlton (Immigrant Council of Ireland), Claire McKeon (Irish Police), Marion Walsh (AHTU, Dept of Justice), Adesola Mobolaji (Women's Health Project HSE), Sharon Cosgrove (Sonas Housing), Karen Reid (DEP Administrator – Minutes)

Scottish Partners: Ann Hamilton & Claire Smith (Glasgow Community & Safety Services), Bronagh Andrew, Carolann Nesbitt, Anushya Kulupana, (TARA), Kirsty Thompson (Legal Services Agency), Arlene Smith (Strathclyde Police)

Overview:

The meeting was a success, Glasgow Community & Safety Services and all their local partners were commended for hospitality and excellent organisation & clear, informative presentations. The purpose of the visit was to dig down into the systems and models of work in Glasgow and that was achieved.

Presentations to be forwarded to DEP & will be made available to all (possibly through website)

It was noted we missed Child Trafficking study visit due to time restraints (Ann will forward presentations/information).

Some notes for future study visits:

- ❖ Noted it would have been useful to have printouts of presentations while happening.
- ❖ Translators will be required for future study visits.
- ❖ Time pressure was apparent so important for future meetings that 2 full days are set aside for meeting.
- ❖ Networking with colleagues extremely useful.

Other Discussions:

Irish Delegates interested in further information re:

- ❖ legal services / resources / cooperation between legal professionals & Police. Statement taken by Legal Services given to and used by police as formal statement.
- ❖ Safe Accommodation – guidelines
- ❖ Risk Assessment – are there any guidelines/templates?
- ❖ How does Psychological Assessment work?

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❖ Sweden – names & contacts of Swedish Delegates who visited Glasgow?

Session with Glasgow Police was very informative although difficult for Lithuanian and Spanish delegates to understand. Police will draft notes from session and circulate. Advisable to have an expert witness at start of trial to explain to jury and court what human trafficking is.

Prosecutor is key; protocol is there for street prostitution but not for victims of trafficking. It is vital to understand the practical issues of implementing criminalisation of buying sex e.g. resources/training as well as legislative changes.

Swedish model of criminalising buying of sex and decriminalising prostitution – public support is needed as are support/harm reduction services for prostitutes are in place. These services are not widely available in Sweden. They have managed to make buying sex socially unacceptable.

There are harm reduction supports in Scotland but they do not collude with the harm and focus is on prevention & protection.

In Ireland services & resources need to be dramatically increased before a campaign of the size required to effect change could be realised.

Campaign planned in Glasgow during summer, slogan will probably be “End Prostitution Now”.

Scotland intends going further with legislation than UK (England almost legalised brothels). Scotland has influenced UK in not doing this although lobby groups are calling for normalising prostitution in UK. It is vital to tackle demand for prostitutes and prolific extent of sex industry e.g. lap-dancing clubs advertising on city taxi cars and people’s perceptions of the industry. There is a confused notion of what it means to be “liberal”.