



Consultation Response:

Draft Northern Ireland Human Trafficking and Exploitation Strategy 2015/16

(a Department of Justice Consultation)

August 2015

About NISMP

The Northern Ireland Strategic Migration Partnership is a cross-party partnership working across the spheres of government and between the public, private and third sectors to ensure that Northern Ireland effectively welcomes, supports and integrates new migrants in a way which contributes to future economic growth and vibrant, cohesive communities. The Partnership provides a regional advisory function which enables our partners and stakeholders to cultivate an appropriate Northern Ireland migration policy structure and works to ensure that Northern Ireland's needs and concerns in respect of immigration are recognised within the parameters of related UK wide policy.

This response has been approved by representatives on the Partnership. However this does not necessarily reflect the views of Partner Organisations, some of whom have not been canvassed.

General Comments

Questions 1, 2 and 3

The strategy meets the requirements outlined in the Act. The four strategic priorities provide a relevant and rational framework which will help coordinate the work of organisations towards the overall aim of driving out human trafficking, slavery and forced labour.

It is important, however, that in implementing the strategy, there is a particular focus on reducing the risk and providing suitable support for groups who are acknowledged in the OCTF research as being more at risk of trafficking, forced labour and slavery offences. It is of note that in 2013 and 2014 the UK and Ireland were respectively the 3rd and 4th most common countries of origin of potential victims. The strategy must therefore address the issue of exploitation as separate from immigration as well as exploitation which is compounded by trafficking across borders. Likewise, where appropriate, the activities should acknowledge the sectors where these offences have been more prevalent in

Northern Ireland. We have indicated in our responses to the questions below, the activities where we think this should be a clear focus.

The key performance indicators which are chosen to measure progress against each of the stated objectives should similarly be able to gauge how successful actions have been in reducing the risks for these vulnerable groups and within these sectors.

Strategic priority 1: Pursue: “Effective detection, disruption, investigation and prosecution of offenders”

Question 4(a) and 4(b)

In your opinion are the proposed objectives/actions appropriate? Are there any additional objectives/actions that in your opinion should also be included?

- We believe that although the objectives are appropriate, they are narrower in scope than what is required to achieve the aim of ‘effective detection, disruption, investigation and prosecution of offenders’. While the aim suggests clear roles for law enforcement, public prosecution and the judiciary, the objectives and related actions are limited to law enforcement and PPS. Achieving effective prosecutions resulting in ‘traffickers and enslavers receiving appropriate punishment’ (outcome against objective 4) will require a multi-disciplinary approach, which should include the direct involvement of the Judicial Services Board in addition to law enforcement agencies and PPS. Extending the scope of the objective on training to include training for the judiciary and including the Judicial Services Board as an integral partner in the delivery of the strategy would ensure that effective training, guidance and understanding is expected of all branches of the criminal justice system. This would promote a shared understanding of the nature of trafficking in Northern Ireland, of the legislative intent underpinning the Human Trafficking and Exploitation Act and of the actions required to deliver this as outlined in this strategy. This shared understanding should allow CJS to approach other agencies, whose actions and obligations can impact their work, and secure memorandums of understanding and expected responses. The assurance that all branches of the CJS are working towards the outcomes stated against the objectives for this strategic priority should encourage prosecutions which will test the robustness of the legislation which in turn could encourage more victims to agree to NRM referral.

- Objective 3: We welcome the inclusion of GLA and DEL EIA as principal actors under this objective as it recognises the importance of improving intelligence sharing between criminal justice agencies and those agencies responsible for the oversight and enforcement of employment regulations. We suggest that the 8th action listed under this objective is expanded to include other agencies which have responsibility for this oversight and enforcement e.g. HMRC, DARD.

Strategic priority 2: Protect and Support: “Provision of effective protection and support and improved identification of victims”

Question 5(a) and 5(b)

In your opinion are the proposed objectives/actions appropriate? Are there any additional objectives/actions that in your opinion should also be included?

- According to the Nov 2014 Home Office review of the NRM, many potential adult victims of trafficking do not consent to referral to the NRM. As the most comprehensive and appropriate support is only available to victims who give their consent to NRM referral, we believe that there should be an additional objective under this priority to increase the number of PVOTs which consent to referral to the NRM. This will require actions which address the concerns of PVOTs in relation to referral (these will include fears for personal safety, as well as fears of removal from the UK if they feel their immigration status is vulnerable); an audit of training and processes to ensure that these are tailored where necessary for groups identified as at-risk and longitudinal tracking of outcomes for victims to inform the development of identification and support systems.

Strategic priority 3: Prevent : “Prevent and reduce risk of human trafficking and exploitation in Northern Ireland”

Question 6(a) and Question 6(b)

In your opinion are the proposed objectives/actions appropriate? Are there any additional objectives/actions that in your opinion should also be included?

- Objective 1: The projected outcomes for this objective should include: ‘Fewer people from at-risk groups being drawn in to human trafficking or exploitation’. This will not only clearly link the outcome to the objective - which has a focus on at-risk groups - but will also ensure that indicators are in place which track how successful initiatives have been at reducing the risk for these groups. Focusing on at-risk groups will also ensure that the public is properly informed that human trafficking is a crime that can affect and be perpetrated by UK and Irish nationals as well as minority communities.

- Objective 1: There is currently no clear link between actions 2 and 3 with Objective 1's purpose of engaging with identified at-risk groups. We would suggest that rewording Action 2 ('Engage with community groups representing minority ethnic groups') to include a focus on at-risk groups would create this link. We would also suggest that Action 3 ('Engage in workshops within secondary education, university/college students, youth clubs etc') is more appropriate as an action related to Objective 2 which focuses on raising public awareness.
- Objective 3: As stated in our response to Q4a and 4b above, we believe that the Judicial Studies Board should be an integral partner in the implementation of this strategy. Therefore the action 'Write to JSB offering training' is too weak to ensure any contribution towards the projected outcomes.
- Additional Objective: We believe that an additional objective which promotes closer cooperation with and between agencies which oversee and enforce employment regulations is necessary if the aim of the strategic priority is to be achieved. The intention of this objective would be similar to that of Objective 3 of Strategic Priority 1. Close cooperation between agencies responsible for the oversight and enforcement of employment regulations would help build a picture of employment conditions and patterns of exploitation within sectors where forced labour has been identified as being especially prevalent, thus helping to target actions aimed at driving out exploitation within these sectors. Coordinating actions with work already being done in this regard by DEL would ensure that additional resources required are negligible.

Strategic priority 4: Partnership: "Effective partnership working, identification of best practice and lessons learned"

Question 7(a) and Question 7(b)

In your opinion are the proposed objectives/actions appropriate? Are there any additional objectives/actions that in your opinion should also be included?

- Objective 1: Cooperation between relevant statutory agencies should include agencies with responsibility for employment regulation.
- Objective 3: The 3 year review of the engagement group should also include a review of Immigration and Human Trafficking subgroup of OCTF.
- While we understand that the multi-disciplinary decision making panels are being piloted in England, the inclusion of an additional objective (or an additional activity under objective 2) to set the groundwork for the establishment of such a panel in Northern Ireland, will help ensure the integrity and independence of the decision making process.
- PCSPs should be given a clear role in the implementation of this strategy, being ideally positioned to both raise awareness and support the coordination of work at a local level.