



Coimisiún na hÉireann  
um Chearta an Duine  
agus Comhionannas  
Irish Human Rights and  
Equality Commission

An Rapóirtéir Náisiúnta  
um Gháinneáil ar Dhaoine  
a Chosc

National Rapporteur  
on the Trafficking of  
Human Beings

# Ireland's Actions Against Trafficking in Human Beings

Submission to the Council of Europe Group of Experts on Action  
against Trafficking in Human Beings (GRETA) on the implementation of  
the Council of Europe Convention on Action against Trafficking in  
Human Beings Fourth Evaluation Round  
Irish Human Rights and Equality Commission

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The Irish Human Rights and Equality Commission was established under statute on 1 November 2014 to protect and promote human rights and equality in Ireland, to promote a culture of respect for human rights, equality and intercultural understanding, to promote understanding and awareness of the importance of human rights and equality, and to work towards the elimination of human rights abuses and discrimination.

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# Executive Summary

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The Irish Human Rights and Equality Commission (the Commission) is both the ‘A’ status National Human Rights Institution (NHRI) and the National Equality Body (NEB) for Ireland.<sup>1</sup> The Commission was designated Independent National Rapporteur on Trafficking of Human Beings in 2020 with the role of assessment of trends, evaluation of anti-trafficking responses, gathering of statistics in cooperation with Civil Society Organisations, and reporting.<sup>2</sup>

Since its inception, the Commission has engaged with State Agencies and CSOs to collect relevant data on human trafficking on a yearly basis. This cooperation and engagement has been invaluable and is greatly appreciated by the Commission in our role as Rapporteur.

Since the last reporting period, the Commission has been designated the Independent Monitoring Mechanism (IMM) for Ireland under the United Nations Convention on the Rights of Persons with Disabilities (UNCPRD),<sup>3</sup> and will be assigned the role of Co-ordinating National Preventive Mechanism (NPM) under the Optional Protocol to the Convention against Torture, pending ratification.<sup>4</sup> Alongside Northern Ireland’s national human rights and equality bodies, we have a mandate to consider and report on equality and human rights issues with an island of Ireland dimension.<sup>5</sup> We also have legal powers under the Gender Pay Gap Information Act 2021,<sup>6</sup> and a role in relation to the EU Artificial Intelligence Act.<sup>7</sup>

In our Strategy Statement 2025–2027, we have the specific aim of maintaining and continuing to fulfil, at an expert level, our role as Independent National Rapporteur on Trafficking of Human Beings.<sup>8</sup>

The independent reports by the Commission as National Rapporteur provide a strong and credible baseline for national and external analysis. The National Rapporteur also contributes to the development of research and the evidence base required to underpin effective policy development. The Commission’s engagement with the Group of Experts on Action Against Trafficking in Human

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<sup>1</sup> Established under the Irish Human Rights and Equality Commission Act 2014

<sup>2</sup> IHREC ‘[Commission Takes on New Role as Ireland’s National Rapporteur on the Trafficking of Human Beings](#)’

<sup>3</sup> Section 103 of the [Assisted Decision-Making \(Capacity\) \(Amendment\) Act 2022](#) amends section 10(2) of the [Irish Human Rights and Equality Commission Act 2014](#) to provide that one of our functions is to promote and monitor the implementation in the State of the UNCPRD

<sup>4</sup> To be provided under the Inspection of Places of Detention Bill, when enacted

<sup>5</sup> We work with the Northern Ireland Human Rights Commission (NIHRC) in the Joint Committee, as set out in the Belfast Good Friday Agreement. Following the UK’s withdrawal from the EU, we, along with the NIHRC and the Equality Commission for Northern Ireland (ECNI) comprise the Article 2(1) Working Group of the Dedicated Mechanism. This group is mandated to provide oversight of, and report on, rights and equality issues falling within the scope of the Article 2 [Windsor Framework] commitments that have an island of Ireland dimension

<sup>6</sup> [Gender Pay Gap Information Act 2021](#)

<sup>7</sup> We have been included in a list of nine national public authorities responsible for protecting fundamental rights (Article 77 bodies) under the EU Artificial Intelligence Act. Department of Enterprise, Trade and Employment (2024) [Minister Calleary Announces Key Milestone in the Implementation of the EU Regulation on AI](#) (2024)

<sup>8</sup> IHREC (2025) [Strategy Statement 2025–2027](#)

Beings (GRETA)<sup>9</sup> is one of the main international reporting exercises as National Rapporteur on Trafficking in Human Beings.

We welcome the opportunity to submit to the GRETA fourth evaluation round of implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Ireland. This report is informed by data provided to us by State Agencies and public bodies engaged in the trafficking response through our annual data collection. It is also informed by the invaluable contributions of survivors, and information and insights from expert Civil Society Organisations over the years. Throughout the report, we provide an overview of the anti-trafficking response, including significant developments since our previous submission to GRETA.<sup>10</sup> A number of recommendations from the Commission are repeated across two or more questions due to their relevance to the questions themselves. The Commission has responded to selected questions from the GRETA questionnaire, according to relevant information available. The information provided should be read in conjunction with our three detailed Evaluation Reports, which provide a thorough analysis of the implementation of each Article of the EU Anti-Trafficking Directive in Ireland, analysis of the amended Directive,<sup>11</sup> and thematic chapters on emerging or under-researched issues.<sup>12</sup>

## Areas of Concern

While there have been significant positive developments in the overall anti-trafficking response since the last reporting period, areas of concern remain for the Commission.

### Assistance and supports for victims of trafficking

There were key improvements in the legal framework through the Criminal Law (Sexual Offences and Human Trafficking) Act 2024, but concerns remain regarding legal clarity on the assistance and supports available to victims of trafficking. This includes in relation to the provision of immigration permits and residence permissions, the non-prosecution principle, and safe and appropriate accommodation, among others.

### Accommodation

Concerns remain regarding the highly inadequate provision of accommodation to victims of trafficking. Most victims who are International Protection applicants continue to be accommodated in Direct Provision, which is wholly unsuited to their needs, particularly for female victims of trafficking.

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<sup>9</sup> The [Council of Europe Anti-Trafficking Convention](#) was the first international legal instrument to take a human rights-based approach to the fight against human trafficking

<sup>10</sup> IHREC (2021) [Ireland's Actions Against Trafficking in Human Beings. Submission by the Irish Human Rights and Equality Commission to the Council of Europe Group of Experts on Action against Trafficking in Human Beings \(GRETA\)](#)

<sup>11</sup> [Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA](#). The State must transpose the amended Directive by June 2026

<sup>12</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation on the Implementation of the EU Anti-Trafficking Directive](#); IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#); IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#)

The recent establishment of the first gender-specific specialised shelter (Rosa's Place) is very welcome and has been very positively received - but it is not enough to meet the need, with limited capacity at just eight beds, and other access issues, including restrictive eligibility criteria.

## **Identification and protection of, and supports to, child victims of trafficking**

The Commission has repeatedly highlighted the importance of identification and protection of, and provision of supports to, child victims of trafficking, recommending that the best interests of the child principle be explicitly included in a child-specific National Referral Mechanism, but this has not been implemented. While there have been welcome increased provisions for child victims of trafficking and the welcome presumption of minority was included in the final 2024 Act, concerns remain including regarding the need for a child-specific identification process and the absence of any age-estimation assessment. This is in a broader context of chronically low rates of identification of child victims.

## **The National Referral Mechanism and the Operational Guidelines**

The new National Referral Mechanism, due to be operational in the near future, is perhaps one of the most significant developments in the last number of years. The Operational Guidelines required for such operationalisation have not yet been finalised. The Commission calls for such Operational Guidelines to be clear, comprehensive, consultative, and rights-based, and swiftly finalised and published. Clear detail must be provided, including on access to assistance and supports, and child-specific identification processes, supports, and protection.

## **The EU Pact on Migration and Asylum**

The Commission has a number of concerns regarding the potential impact of domestic implementation of the EU Pact on Migration and Asylum on people at risk and victims of trafficking. The potential application of accelerated procedures to victims of trafficking and a screening procedure over a very truncated timeline are of concern. The Commission has raised specific concerns about the use of detention in any new system, given that detention is completely unsuitable for victims of trafficking and noting the lack of provision for robust oversight and human rights monitoring in the proposed domestic implementation.

# Emerging Trends and Statistics on Trafficking in Human Beings 2022-2024<sup>13</sup>

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As a National Rapporteur, the Commission collects and monitors statistics on identified and presumed victims of trafficking. The Commission has prepared a review of these statistics for the required period, with some limitations due to the reasons outlined below.

The Commission observes that Ireland is in the process of launching a new National Referral Mechanism (NRM) for the identification and assistance of victims of trafficking. However, in the reporting period 2022 – mid-2025, the identification of victims was completed according to the existing NRM, familiar to GRETA from previous reports, where the only Competent Authority entrusted by the State with the task of identifying victims of trafficking is An Garda Síochána (Ireland’s law enforcement agency).

Official statistics on identified victims are considered to be significantly lower than the actual numbers.<sup>14</sup>

As data for 2025 is not available yet, the Commission is reporting on the available data over the years 2022, 2023 and 2024.

A detailed breakdown of data for 2022 and 2023 has been already provided in the Second<sup>15</sup> and Third Evaluation Reports of the National Rapporteur,<sup>16</sup> which might also be of assistance to GRETA.

## Increasing number of identified Victims

In the three-year period from 2022 to 2024, the State formally identified 162 victims of trafficking, which represents an increase of 30% compared to the preceding three years (2019–2021), when 124 victims were identified.

Within the reporting period 2022–2024, the trend in victim identification is clearly increasing, which we interpret as increased efforts by the State to reform and improve its identification process.

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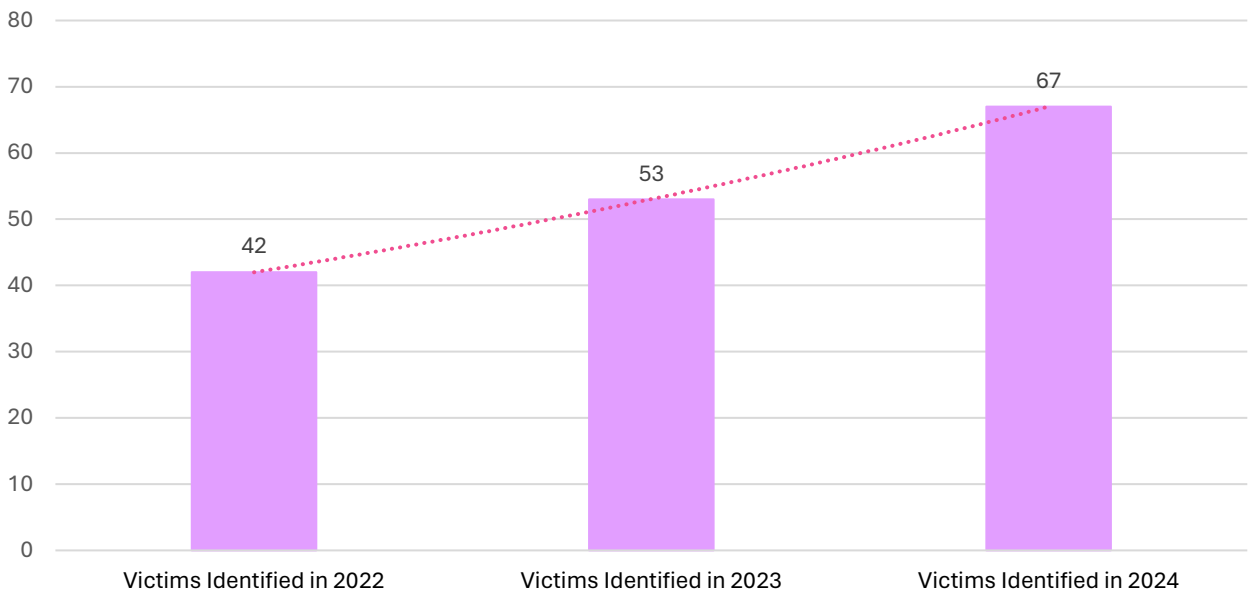
<sup>13</sup> Please note that this section responds to both questions 41.1 and 42.

<sup>14</sup> Chisholm A, Burland P, Dew J, Stephenson T (2023) *A Study on Human Trafficking between Ireland and Northern Ireland*. International Organization for Migration, London

<sup>15</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#)

<sup>16</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#)

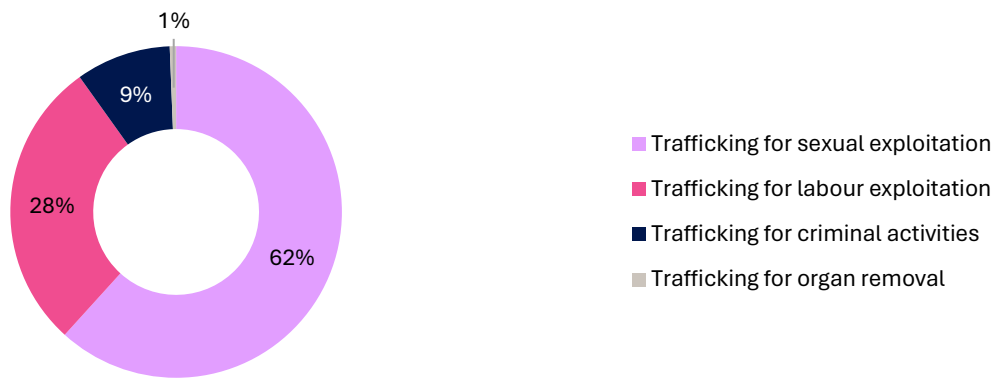
**Diagram 1. Number of Victims Formally Identified in 2022-2024**



### Prevalent forms of human trafficking exploitation

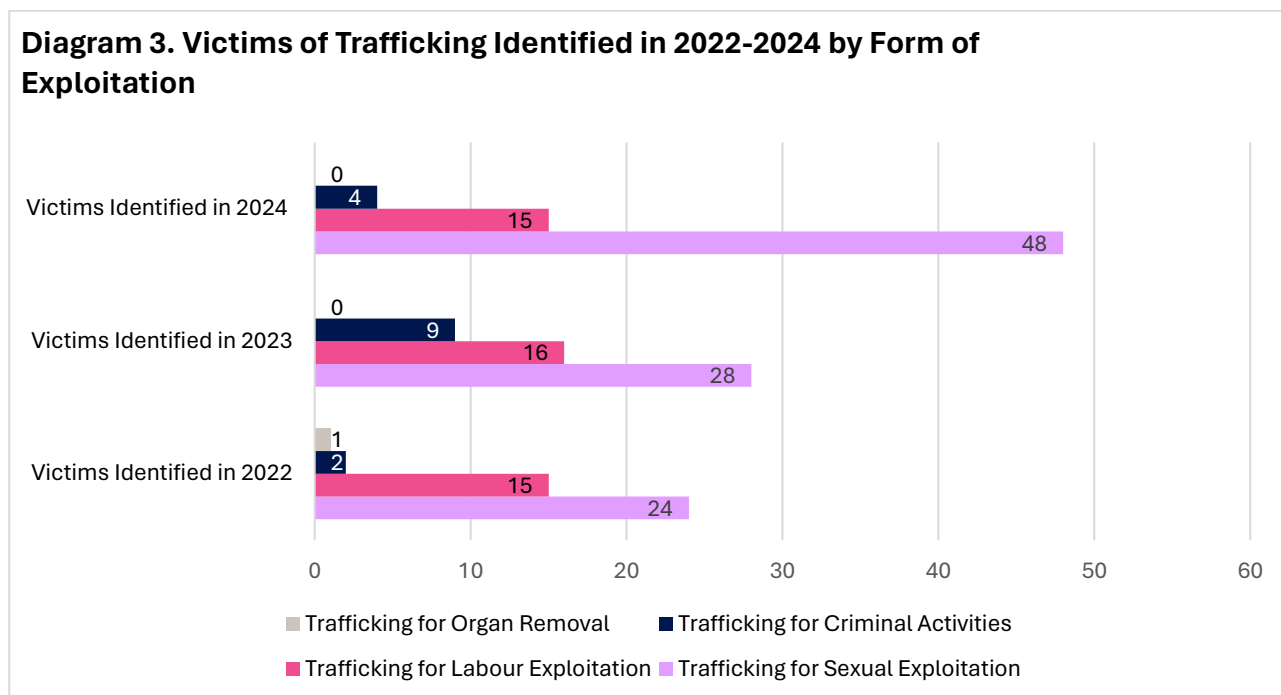
The most frequently identified forms of exploitation in the reporting period are trafficking for sexual exploitation (62%), trafficking for labour exploitation (28%) and trafficking for criminal activities (9%). In the reporting period there was one case of suspected trafficking for organ removal.

**Diagram 2. Forms of Exploitation 2022-2024**



Trafficking for sexual exploitation and trafficking for criminal activities have notably increased in the reporting period, while trafficking for labour exploitation has retained its level (see Diagram 3 below). The data indicates that trafficking for sexual exploitation has remained the most-often-identified form of exploitation and that it is increasing steadily from year to year. Trafficking for labour exploitation is the second-most-often-identified form of exploitation, and retains its level over the years, while trafficking for criminal activities is increasing (for more information on trafficking for labour

exploitation and criminal exploitation in Ireland, please see Chapters 2 and 4 of IHREC’s Third Evaluation Report).<sup>17</sup>



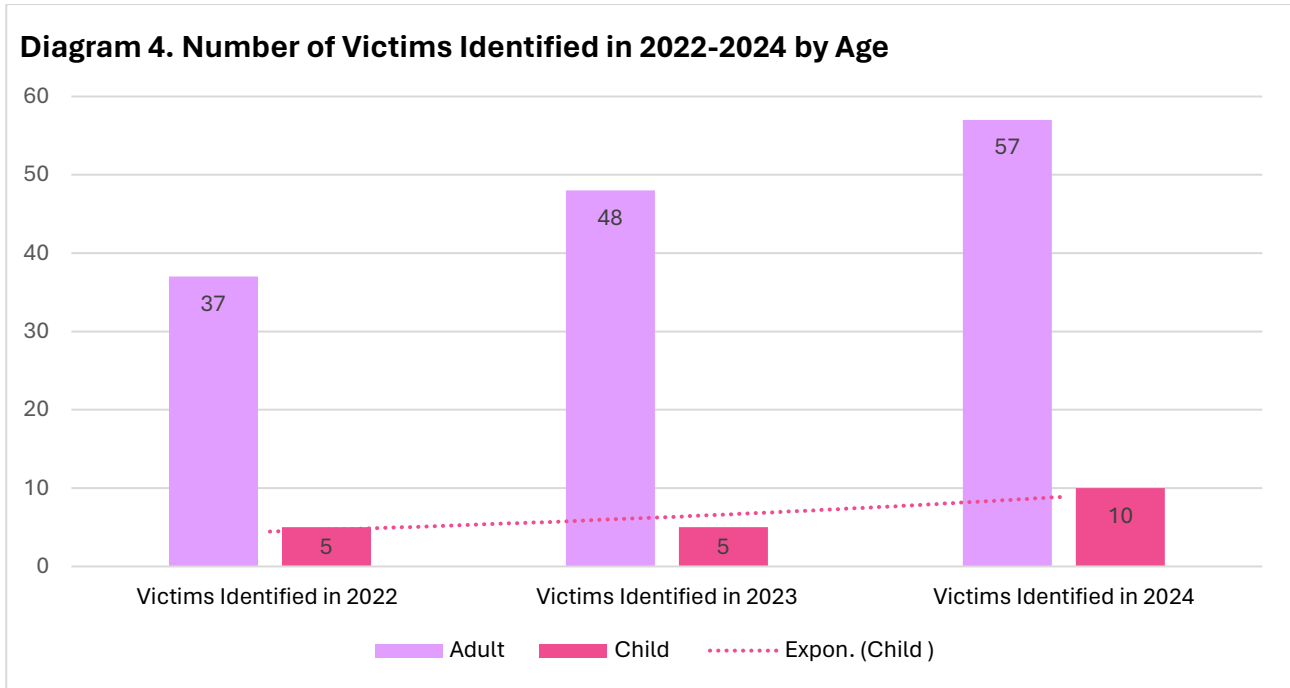
Other forms of exploitation that have not been identified formally but for which some anecdotal information exists are trafficking for forced marriages and trafficking for exploitative surrogacy. In light of the fact that the national legal framework has to transpose the 2024 amended EU Anti-Trafficking Directive by July 2026, which includes these forms of exploitation, the National Rapporteur has provided a detailed overview of the proposed regulation of international surrogacy in Ireland in Chapter 3 of the IHREC Third Evaluation Report.<sup>18</sup>

## Age of the Victims

Out of the 162 victims, 142 were adults and 20 were children. The data in the reporting period indicates increased ability of the State to identify child victims, which is an area of particular concern for the Commission. Overall, in the period 2022–2024, 20 child victims were identified compared to just nine in the preceding three years, an increase of over 50%.

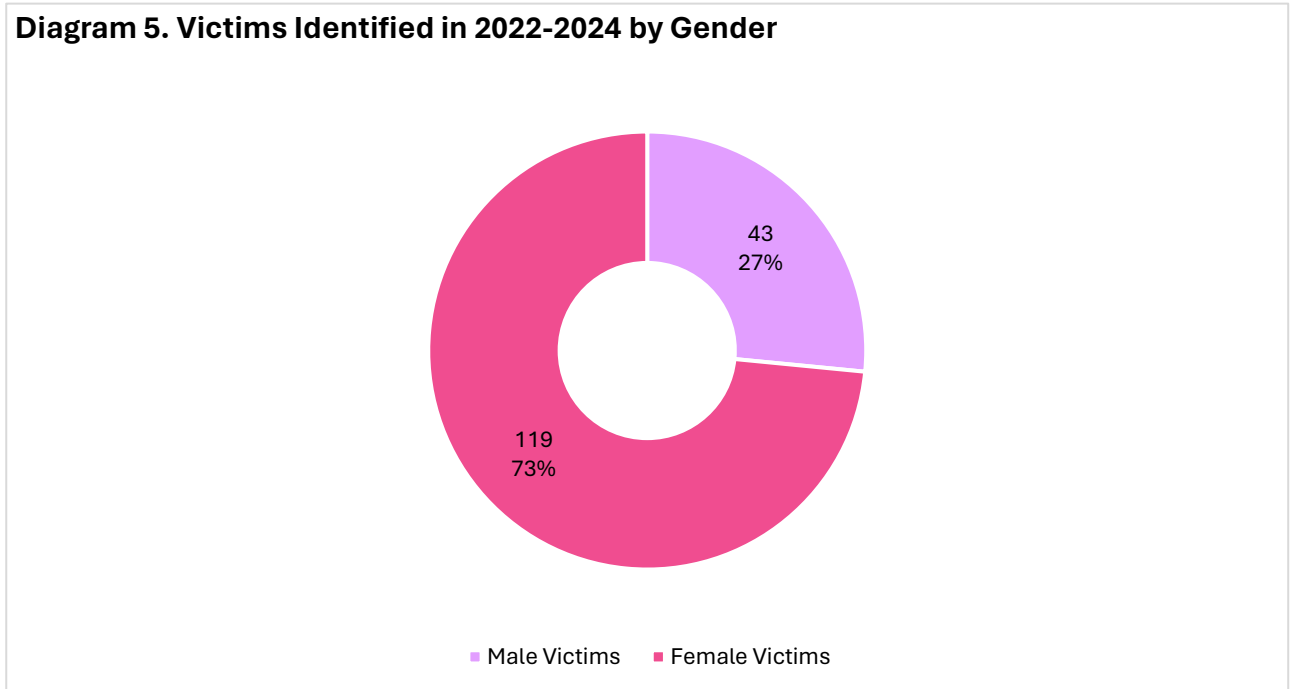
<sup>17</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), pp. 288–318 and pp. 345–390

<sup>18</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 319–344

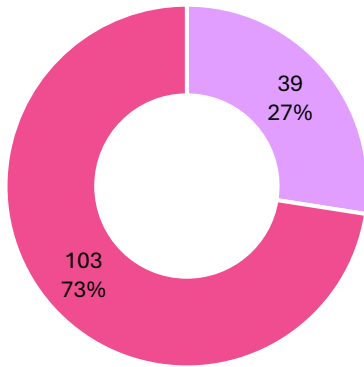


## Gender of the Victims

More female victims were identified in the reporting period 2022–2024 than male, which is not a new trend. The gender dimension of human trafficking is evident both in the profile of victims and in the prevalence of particular genders in the types of exploitation. More women have been identified than men and more girls have been identified than boys. No transgender cases have been identified in the reporting period.

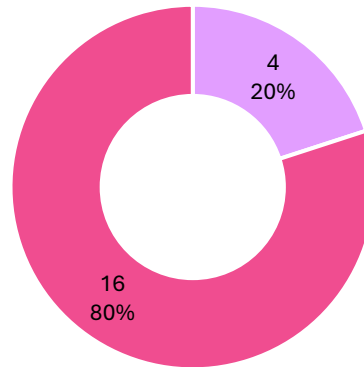


**Diagram 6. Adult Victims Identified in 2022-2024 by Gender**



■ Adult Male Victims ■ Adult Female Victims

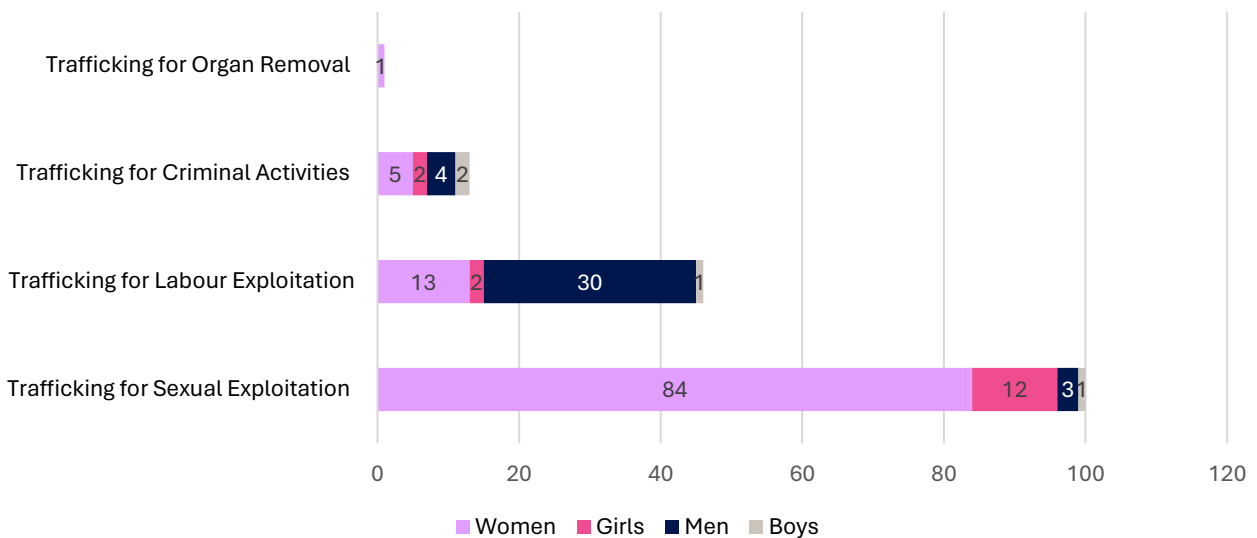
**Diagram 7. Child Victims Identified in 2022-2024 by Gender**



■ Child Male Victims ■ Child Female Victims

Trafficking for sexual exploitation continues to be highly gendered with women and girls representing more than 95% of identified victims. Girls are also present in trafficking for criminal activities, alongside boys, as well as in trafficking for labour exploitation. The dominant profile of the victims identified in trafficking for labour exploitation is male, while a notable number of female victims have also been identified.

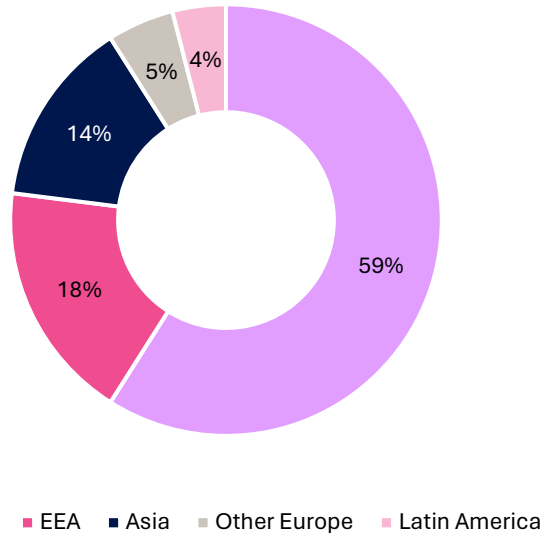
**Diagram 8. Victims of Trafficking Identified in 2022-2024 by Exploitation, Gender and Age**



■ Women ■ Girls ■ Men ■ Boys

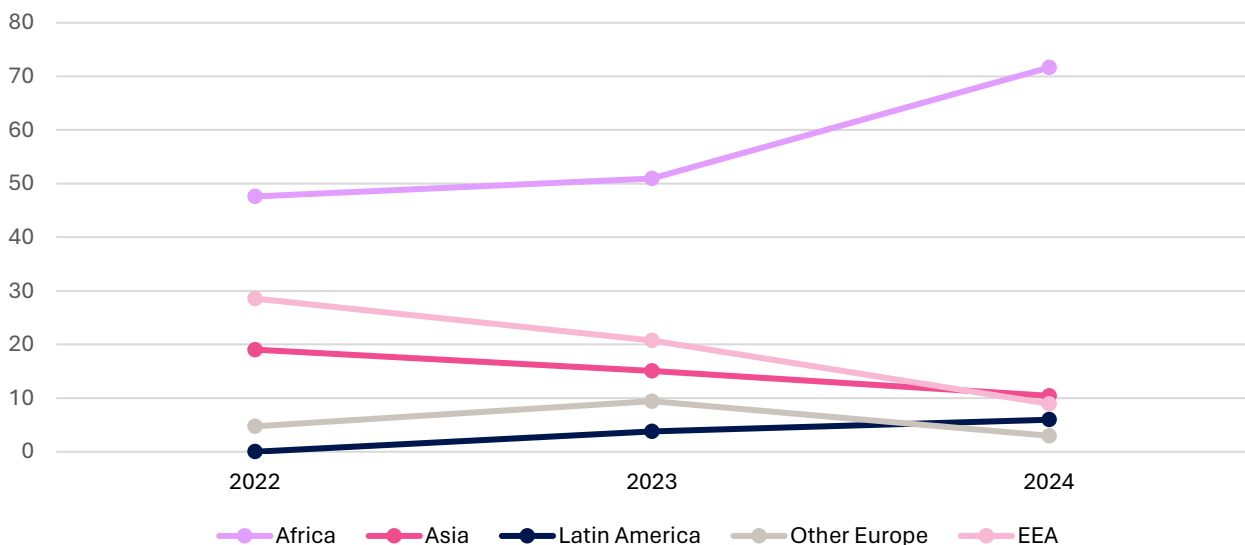
## Regions of origin of Victims

**Diagram 9. Identified Victims in 2022-2024 by Region of Origin**



Africa represents a major region of origin for victims, followed by the European Economic Area (EEA) and Asia, while some cases from Latin America and the rest of Europe have also been identified. The review of the period 2022-2024 showed that the number of victims of trafficking from Africa has been increasing, while the other main regions, such as EEA and Asia, have yielded decreasing numbers. This is an indication that third country national victims are in significant numbers within the formally identified cohort of victims. The Commission recommends the inclusion of immigration permits for victims in the provision of assistance.

**Diagram 10. Trends in Identified Victims' Regions of Origin 2022-2024**



# Addressing vulnerabilities to trafficking in human beings

## I. Prevention (Articles 5, 6 and 7)

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### **GRETA Question 1**

#### **Vulnerability to trafficking in human beings (THB) in Ireland**

Do you have specific data/research/analysis of what makes people vulnerable to trafficking in human beings (THB) in your country?

Please provide information on the categories/groups of people identified as being at risk of becoming victims of human trafficking, and how they are addressed in the national anti-trafficking strategy and/or action plan.

Have you identified geographical regions or economic sectors in your country as particularly vulnerable to THB, and how do you address them in your strategy or policy?

### **Specific data/research/analysis on vulnerability in Ireland**

The available data and research indicate that vulnerability to trafficking in Ireland is affected particularly by: gender, status as a migrant, being a child, and/or being a disabled person. From the official statistics, women and girls from a migrant background are particularly vulnerable to human trafficking in Ireland.<sup>19</sup> The availability of supports, particularly accommodation, is also a relevant consideration.

In terms of availability of relevant information, the current identification system in Ireland<sup>20</sup> is widely accepted to be problematic.<sup>21</sup> Official statistics on identified victims are considered to be significantly lower than the actual numbers.<sup>22</sup> The data and research available is therefore limited, presenting difficulties for full analysis. The Commission, as the National Rapporteur, remains particularly concerned about the chronically low rates of identification of child victims.<sup>23</sup>

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<sup>19</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 57

<sup>20</sup> Department of Justice, Home Affairs and Migration (2021) '[Government approves proposal for a revised National Referral Mechanism to make it easier for human trafficking victims to come forward and receive supports](#)' (9 June 2021)

<sup>21</sup> Breen M, Healy A, Healy M (2021) [Report on Human Trafficking and Exploitation on the Island of Ireland](#)

<sup>22</sup> Chisholm A, Burland P, Dew J, Stephenson T (2023) *A Study on Human Trafficking between Ireland and Northern Ireland*. International Organization for Migration, London

<sup>23</sup> This particular concern arises in circumstances where this cohort is a particularly vulnerable group. UN Global Compact (2025) '[Safeguarding children's rights: The role of business in ending child labour](#)' (9 June 2025)

## Gender

The Commission notes the consistent evidence of the gendered nature of trafficking in Ireland with women disproportionately affected.

From 2013 to 2024,<sup>24</sup> 633 persons were formally identified as victims in Ireland, with females representing 69% (434) and males representing 31% (199).<sup>25</sup> By 2023, the proportion of female victims had nearly doubled from 2021, and females represented almost 80% of the identified victims.<sup>26</sup> Trafficking in Ireland is highly gendered and racialised and affects migrant women and girls disproportionately.

From 2013 to 2024, trafficking for sexual exploitation (TSE) was the most prevalent type of trafficking with female victims representing over 95% of TSE victims.<sup>27</sup>

On average, from 2013 to 2024 there were more males (68%) than females identified in labour exploitation and marginally more males in trafficking for criminal activities (59%). Please see diagram 8 above for a visual representation.

## Recommendations

The Commission reiterates its recommendation that the State provide sufficient funding to organisations working to combat gender-based violence to enable them to participate in the delivery of trafficking-specific services to victims who have experienced domestic, sexual or gender-based-violence, and particularly to victims of sexual exploitation.<sup>28</sup>

The Commission reiterates its recommendation that the Health Service Executive (HSE) Anti-Human Trafficking Team retain its gender-specific expertise in the provision of care for victims of trafficking with special needs, especially those arising because of trafficking exploitation involving gender-based violence.<sup>29</sup>

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<sup>24</sup> Data is not yet available for 2025

<sup>25</sup> Department of Justice, Home Affairs and Migration 2025; 10% of the overall number of women identified were girls, and 6% of the overall number of men were boys

<sup>26</sup> In 2024, females represented almost 75% of identified victims. Department of Justice, Home Affairs and Migration 2025

<sup>27</sup> This trend persists over the 2022 to 2024 timeline, since the last reporting period. Department of Justice, Home Affairs and Migration 2014–2025

<sup>28</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 66

<sup>29</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 27

The Commission reiterates its recommendation that the Department of Justice (as the lead Department on domestic, sexual and gender-based violence) be tasked with<sup>30</sup> integrating victims of trafficking who have suffered gender-based violence into their overall domestic, sexual and gender-based violence response.<sup>31</sup>

The Commission reiterates its recommendation that the State develop trafficking and gender-specific pathways of care that are victim-centred, ensuring that specialist Civil Society Organisations with expertise of trafficking are fully supported and their role formalised within the reformed National Referral Mechanism.<sup>32</sup>

The Commission recommends that the State provide sustainable funding to specialist Civil Society Organisations providing services for victims of trafficking.<sup>33</sup>

The Commission recommends that the State undertake an independent and comprehensive review of the current statutory and policy framework on family reunification to ensure that the law and policies comply with national and international human rights and equality standards; that the review of the statutory and policy framework on family reunification be underpinned by relevant human rights and equality standards; and that there be clear ways for victims of trafficking to reunite with their families.<sup>34</sup>

## Migrants

Individuals from a migrant background are particularly vulnerable to human trafficking in Ireland.<sup>35</sup>

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<sup>30</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 27

<sup>31</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 27

<sup>32</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 27

<sup>33</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 27

<sup>34</sup> IHREC (2023) [Policy Statement on the Right to Family Reunification under the International Protection Act 2015](#), p. 2

<sup>35</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 57

Trafficking victims identified in the Republic of Ireland are predominantly coming from Africa and the European Economic Area (EEA), followed by Asia, non-EEA Europe and Latin America. In 2022, Civil Society Organisations (CSOs) reported that 85% of the victims of trafficking for sexual exploitation came from Africa.<sup>36</sup> In 2023, CSOs again reported the majority of victims originating from Africa.<sup>37</sup>

Official and unofficial data shows that in Ireland, women from the African continent are the most represented as human trafficking victims/survivors, particularly for the purpose of sexual exploitation.<sup>38</sup>

The identification of Irish victims is low, with none recorded in 2023<sup>39</sup> or 2024<sup>40</sup> and two cases of child trafficking identified in 2022.<sup>41</sup> This is in stark contrast to countries such as the UK (where UK nationals were the majority of identified victims in 2023)<sup>42</sup> and the Netherlands (where Dutch nationals made up the majority of potential victims at 26% in 2022).<sup>43</sup>

## Children

The Commission has serious concerns regarding identification and protection of child victims and children at risk in Ireland.

No child victims were identified in 2020 and 2021. In 2022 and 2023, five child victims were identified each year.<sup>44</sup> In 2024, the number of children identified was 10. While these increasing numbers may indicate some improvements in identification, our concerns persist.

The gendered impact of trafficking is reflected in its impact on child victims: 78% of identified child victims are girls and 22% are boys.<sup>45</sup> Eight girls were identified in 2024,<sup>46</sup> representing almost 12% of all victims identified the same year.

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<sup>36</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 377. In 2022, new cases of identified victims supported by CSOs originating from the African continent represented 68% of the total. In 2023 these reached 78%

<sup>37</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 410; IHREC Civil Society Organisations Consultation 2025

<sup>38</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 403; Department of Justice, Home Affairs and Migration 2025

<sup>39</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 403

<sup>40</sup> Department of Justice, Home Affairs and Migration 2025

<sup>41</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 403

<sup>42</sup> US State Department (2024) [Trafficking in Persons Report: United Kingdom](#)

<sup>43</sup> US State Department (2024) [Trafficking in Persons Report: the Netherlands](#)

<sup>44</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#)

<sup>45</sup> Department of Justice, Home Affairs and Migration 2025

<sup>46</sup> Department of Justice, Home Affairs and Migration 2025

## Separated, unaccompanied and age-disputed children

Separated and unaccompanied children and those whose age is in dispute are some of the groups most vulnerable to trafficking.

There is vulnerability to exploitation and human trafficking among separated, unaccompanied and age-disputed minors under State care.<sup>47</sup> Research published in 2023 identified the risks to and targeting of children in care homes in Ireland for sexual exploitation.<sup>48</sup>

In September 2023, the Irish Special Rapporteur on Child Protection<sup>49</sup> highlighted the issue of separated and unaccompanied minors as particularly pressing, expressing concerns regarding ‘a lack of oversight in Tusla’s management of reports to Gardaí of suspected abuse of unaccompanied minors in State care from Ukraine and other countries seeking asylum’ and that ‘Tusla could not be assured it was notifying Gardaí “in a timely manner” of suspected sexual or physical abuse of child refugees and asylum seekers in its care’.<sup>50</sup>

The Child Law Project reported that:

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The Child Care Act 1991 Act does not contain any specific reference to unaccompanied or separated minors. The Act is thus silent on the appropriate provision under which such children should (or may) be admitted to or maintained in care. Neither is there any policy guidance on how the CFA should respond to the needs of this cohort of children. The 2023 General Scheme does not address this gap. In practice, one of three approaches is employed: (i) the provision of accommodation for homeless children under section 5; (ii) admission to care under a voluntary care agreement under section 4; or (iii) by way of a judicial care order under sections 13, 17 and 18. Each of these provisions bestows on the child different rights and also grants the court and the CFA varying levels of authority in respect of the child.<sup>51</sup>

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The Commission is particularly concerned about the State and State agencies response to these vulnerable groups including in respect of assessment processes and accommodation provision.

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<sup>47</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 200. [Directive \(EU\) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#) ‘Children placed in residential and closed-type institutions are a group particularly vulnerable to trafficking in human beings. They can fall victim to trafficking when being placed in those institutions, during their placement and after.’

<sup>48</sup> Canning M, Keenan M, Breslin R (2023) [Protecting Against Predators: A Scoping Study on the Sexual Exploitation of Children and Young People in Ireland](#)

<sup>49</sup> Ms Caoilfhionn Gallagher KC was Special Rapporteur on Child Protection for a three-year term from 1 February 2023. The functions of the Rapporteur are to keep under review and to audit legal developments for the protection of children; to assess the impact, if any, that litigation in national and international courts will have on child protection; to prepare a report annually and to examine, upon request, the scope and application of existing or proposed legislative provisions and to make comments and/or recommendations as appropriate

<sup>50</sup> [Opening Statement to the Joint Committee on Children, Equality, Disability, Integration and Youth Caoilfhionn Gallagher KC, Special Rapporteur on Child Protection 20th September 2023](#). Tusla is the Child and Family Agency (CFA) in the State

<sup>51</sup> Corbett M, Coulter D (2024) [Falling Through the Cracks. Child Law Project An Analysis of Child Care Proceedings from 2021 to 2024](#). For further discussion see Corbett M (2023) [Scoping Paper on Care Status of Unaccompanied and Separated Children. Child Law Project](#)

The International Protection Office (IPO) holds obligations regarding age determination under the International Protection Act 2015 while Tusla is responsible for providing childcare services under the Child Care Acts.

The Commission is concerned that the IPO appears to consider Tusla's determination of 'ineligibility' for childcare services as sufficient grounds to deem a young person an adult. This can result in the young person then being referred to International Protection Accommodation Services (IPAS) accommodation often without a Vulnerability Assessment in relation to that accommodation provision.

The current practice appears to be that Tusla conducts an intake eligibility assessment on young people referred by the IPO. Where there is a dispute over the young person's age, this process is conducted over two assessments on different dates. Where Tusla determines the young person as ineligible for childcare services, the person is then referred back to the IPO for accommodation in adult IPAS accommodation centres, as noted above.

The Health Information and Quality Authority (HIQA) published an inspection report on the child protection and welfare service provided by Tusla's Separated Children Seeking International Protection (SCSIP) on 12 June 2025.<sup>52</sup> The SCSIP service is a standalone Tusla service to provide an urgent response to the needs of unaccompanied minors and separated children seeking international protection who arrive in Ireland. The inspection report found a number of issues of serious concern. In the previous inspection in 2023 nine of ten standards were not compliant – in this 2025 inspection, seven of the eight standards assessed were not compliant. The inspectors found that 'there remained growing concerns about the capacity of the child protection and welfare teams to develop and sustain service improvement initiatives in light of significant increase in referral rates to the service and continued deficits in resources and the risk this posed to children accessing the service.'<sup>53</sup> The report noted staffing and workload challenges.<sup>54</sup>

While it was found that the service responded in a timely manner with emergency response and immediate needs it also found that 'improvement was required to ensure the service responded appropriately to this vulnerable cohort of children'.<sup>55</sup>

Assessments 'required improvement to reflect all aspects of the child's circumstances, including risks such as trafficking and child exploitation', and to align with Tusla frameworks and obligations.<sup>56</sup> 'Safety planning was not routinely completed when a trafficking risk was identified for a child'.<sup>57</sup>

Not all children were allocated a social worker. Not all child protection concerns were managed in line with requirements. There were 'gaps in the identification of child protection concerns', 'gaps in referrals to An Garda Síochána', 'safety planning was not always completed and there was a lack of

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<sup>52</sup> HIQA (2025) [Children's services publication statement 12 June 2025](#)

<sup>53</sup> HIQA (2025) [Health Information and Quality Authority Regulation Directorate monitoring inspection of Child Protection and Welfare Services](#)

<sup>54</sup> It was also flagged in July 2024 that the SCSIP service did not have the required resources to 'meet statutory obligations or progress the agreed compliance plans

<sup>55</sup> HIQA (2025) [Children's services publication statement 12 June 2025](#)

<sup>56</sup> Tusla (2017) [Children First National Guidance for the Protection and Welfare of Children; Children First Act 2015](#)

<sup>57</sup> HIQA (2025) [Health Information and Quality Authority Regulation Directorate Monitoring Inspection of Child Protection and Welfare Services](#), p. 33

social work assessment of the concerns and risks to children'.<sup>58</sup> There were issues with delays to safeguarding visits and in three cases there were no records of safeguarding visits.<sup>59</sup>

Additionally, the prioritisation of child cases was not aligned with Tusla's official procedure. Inspectors found that 'children's cases were incorrectly classified as medium priority in cases where children were missing from care, deemed a flight risk, where there were indicators of trafficking and exploitation and where there were additional child protection concerns'.<sup>60</sup>

It also found that the service 'did not work closely with all relevant professionals to identify and respond quickly to protect vulnerable children, and that improvement was required in order to liaise with counterparts in other jurisdictions with respect to children missing particularly where there were concerns about child trafficking and exploitation'.<sup>61</sup> At the time of the inspection, data provided indicated that there were approximately 30 children missing and unaccounted for.<sup>62</sup>

The inspection found that there was mixed practice to managing risk when trafficking concerns were identified for children and that the use of safety planning required strengthening when there was a risk of trafficking for children:

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'The trafficking risk assessment was not used across the service and of the 50 case files reviewed there were nine cases which had the trafficking assessment on children's files. In two of the nine cases reviewed, there was evidence of safety plans which were reviewed appropriately and there were records of consultation with children's placement providers in relation to safety measures in place for children. However, inspectors found that where there were indications of trafficking on file, the trafficking toolkit was not routinely used to inform planning. Furthermore, when trafficking concerns were identified, there was no contact with counterparts in the UK to ground these concerns and inform safety planning for the child.'<sup>63</sup>

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The findings of this report are extremely concerning for the Commission as National Rapporteur.

According to the information provided by Tusla to the Commission in 2025 with regard to 2024 data, there were 'no ongoing cases to report on' in regard to child trafficking.<sup>64</sup> However, Tusla also indicated that '6 children were identified by SCSIP as potentially being victims of trafficking via internal assessment processes and were notified to AGS, either via formal notification or informal consultation'. In 2024, a total of 10 children were officially identified as victims by An Garda Síochána (AGS),<sup>65</sup> all of whom were non-Irish nationals.

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<sup>58</sup> HIQA (2025) [Children's services publication statement 12 June 2025](#)

<sup>59</sup> HIQA (2025) [Children's services publication statement 12 June 2025](#)

<sup>60</sup> HIQA (2025) [Health Information and Quality Authority Regulation Directorate Monitoring Inspection of Child Protection and Welfare Services](#), p. 36

<sup>61</sup> HIQA (2025) [Health Information and Quality Authority Regulation Directorate Monitoring Inspection of Child Protection and Welfare Services](#), p. 33

<sup>62</sup> HIQA (2025) [Health Information and Quality Authority Regulation Directorate Monitoring Inspection of Child Protection and Welfare Services](#), p. 47

<sup>63</sup> HIQA (2025) [Health Information and Quality Authority Regulation Directorate Monitoring Inspection of Child Protection and Welfare Services](#), p. 50

<sup>64</sup> Tusla 2025

<sup>65</sup> Department of Justice, Home Affairs and Migration 2025

Improved communication and reporting between AGS and Tusla on child trafficking are an imperative, as is a strengthened data-collection system managed by Tusla that supports the safety planning and support required by those at risk of child trafficking, presumed child victims and identified child victims.

The Commission remains concerned at the use of privately-run accommodation facilities for unaccompanied and separated children because of the recognised risk of exploitation and trafficking, and the recent evidence of grooming as detailed below.

According to Tusla, separated and unaccompanied children deemed eligible for services are accommodated in special emergency arrangements, including those whose age is in dispute and who are going through a Tusla intake eligibility assessment.<sup>66</sup> However, the Commission is concerned that in practice, the presumption of minority is not always applied to those seeking reassessment of eligibility for childcare services.

The Commission is also concerned at the use of special emergency arrangements for separated and unaccompanied children deemed eligible for childcare services. These are accommodation centres run by private providers, which are subject to lower standards compared to Tusla-run facilities and can have fewer qualified social care worker staff and a lower ratio of staff per child - reports suggest that qualification requirements for some Special Emergency Arrangements are not as high as residential homes run by Tusla, or other regulated providers.<sup>67</sup>

Tusla reported that age-disputed unaccompanied minors were also placed in special emergency arrangement accommodation (run by private providers) in 2023.<sup>68</sup> However, the CSO Safetynet previously reported eight case studies of child International Protection applicants whose age was in dispute, aged between 15 and 17, and who were placed in IPAS adult accommodation.<sup>69</sup> Most of these children were unable to enrol in school and experienced high levels of anxiety, including isolation and uncertainty, waiting for a decision from authorities.<sup>70</sup>

As of 2024, of the 166 children resident in special emergency arrangement accommodation, 105 were unaccompanied.<sup>71</sup> We have also raised concerns about the lack of allocated social workers for each separated and unaccompanied minor accommodated in special emergency arrangements, a concern recognised by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) in 2023,<sup>72</sup> and confirmed by the Health Information and Quality Authority (HIQA) in 2025.<sup>73</sup> According to

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<sup>66</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 205

<sup>67</sup> RTÉ (2024) [‘37 young people in emergency arrangements – Tusla’](#), RTÉ (1 September 2024); Byrne L (2024) [‘Babies in State care placed in vulnerable unregulated settings’](#), RTÉ (9 May 2024)

<sup>68</sup> Tusla 2025

<sup>69</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 204

<sup>70</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 204

<sup>71</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 213

<sup>72</sup> Department of Children, Equality, Disability, Integration and Youth (2024) [Written Answer to Parliamentary Question: Emergency Accommodation](#) (9 April 2024)

<sup>73</sup> Conneely A (2025) [‘Concern over unaccompanied children missing while in State care’](#), RTÉ (12 June 2025)

Tusla, every centre for unaccompanied children has a ‘Tusla link worker’, who is not necessarily a qualified social worker, despite every child being entitled to an allocated social worker.<sup>74</sup>

Evidence shows that the accommodation of children in State care institutions is associated with risks of exploitation and human trafficking,<sup>75</sup> with the Sexual Exploitation Research Programme (SERP) reporting evidence of organised groups of men targeting young people, especially girls, in residential care, for the purpose of sexual exploitation.<sup>76</sup> In 2024, the media reported Tusla’s acknowledgement of ‘the substantial risk of trafficking and sexual exploitation to children seeking international protection’ in the Agency’s 2023 Protocol for private providers (also known as special emergency arrangements) to accommodate separated Ukrainian children arriving in Ireland.<sup>77</sup>

It appears that Tusla is relying on a section of the Child Care Act 1991 (Section 5)<sup>78</sup> to accommodate some unaccompanied minors in special emergency arrangements.<sup>79</sup> This section of the legislation provides for an obligation on Tusla to provide accommodation to homeless children who are not being taken into care. The Commission is concerned at the use of this section for providing accommodation only (not childcare services) to unaccompanied minors who do not have a guardian in the State, particularly where the accommodation used is unregulated by Tusla, there is no guardian appointed to the young person and there is little, if any, oversight of the care and protection being provided to the young person by Tusla.

A further issue which can arise for these separated and unaccompanied young people is significant difficulty and delay in accessing supports available to other International Protection applicants, including the Daily Expense Allowance. This leaves the young people in a financially vulnerable position.

For the above reasons and due to their increased vulnerability and need for protection from human trafficking, the Commission reiterates a number of recommendations from the Children’s Committee<sup>80</sup> that can contribute to creating a protective environment for children (please see below).

## Children missing from care

According to the Government, as of 24 April 2025, there were nine children missing from mainstream care and 35 separated or unaccompanied children, who are the responsibility of Tusla’s SCSIP team,

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<sup>74</sup> McAuley E (2024) ‘[Teens in private residential care dropped off at Tusla HQ over safety concerns](#)’, *The Journal* (10 April 2024)

<sup>75</sup> [Directive \(EU\) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#), Preamble 17

<sup>76</sup> Canning M, Keenan M, Breslin R (2023) [Protecting Against Predators: A Scoping Study on the Sexual Exploitation of Children and Young People in Ireland](#), p. 4

<sup>77</sup> McAuley E (2024) ‘[Teens in private residential care dropped off at Tusla HQ over safety concerns](#)’, *The Journal* (10 April 2024). ‘In 2022, Tusla received 597 referrals to its SCSIP service. 301 of these referrals were minors from Ukraine, while 227 were from other countries including Afghanistan, Algeria, Congo, Georgia, Somalia and Zimbabwe and involved children ages 12–17 years old’, Irish Refugee Council (2025) [Country Report: Special Receptions Needs of Vulnerable Groups, Republic of Ireland](#)

<sup>78</sup> [Child Care Act 1991](#), Section 5

<sup>79</sup> Children’s Rights Alliance (2024) [Submission on Tusla draft Model of Care for Separated Children Seeking International Protection Service](#), p. 4

<sup>80</sup> Joint Committee on Children, Equality, Disability, Integration and Youth (2023) [Report on Refugees and Integration](#), pp. 80–81

missing from care.<sup>81</sup> Of those 35 children, four had been missing for one to two weeks, and 31 for over two weeks.<sup>82</sup> Despite the existence of a Joint Protocol between AGS and Tusla, in 2023 HIQA inspectors found that, in some cases involving children missing from care, there was no follow-up after reporting, as required by the Protocol and Children First, nor strategy meetings between Tusla and AGS or assessment of the degree of risk and vulnerability when an unaccompanied minor goes missing.<sup>83</sup>

A 2025 HIQA inspection has found that in one case a 12-year-old was missing for 18 months and no strategy meeting was arranged with AGS or the UK to locate them, despite the Joint Protocol being in place that mandates this.<sup>84</sup>

Migrant children going missing from care are at a particularly heightened risk of exploitation and human trafficking.<sup>85</sup>

## Children online

Children are particularly vulnerable to being targeted for exploitation online.

A study by SERP reports:

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... the explosion of online sexual exploitation of children and young people in recent years. This form of sexual exploitation is believed to be associated with the increased use of smart phones and social media platforms by children and young people and the length of time they spend in a vastly changing online world that many parents and caregivers are unable to understand and monitor, but which predators of sexual exploitation are using to their advantage.<sup>86</sup>

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This is a key issue, requiring measures from the State to mitigate these risks.

ICT facilitated trafficking is further addressed in question 15.

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<sup>81</sup> Department of Children, Equality, Disability, Integration and Youth (2025) [Written answer to Parliamentary Question: Children in Care](#) (29 April)

<sup>82</sup> Department of Children, Equality, Disability, Integration and Youth (2025) [Written answer to Parliamentary Question: Children in Care](#) (29 April 2025)

<sup>83</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), pp. 245–246

<sup>84</sup> Conneely A (2025) [‘Concern over unaccompanied children missing while in State care’](#), RTÉ (12 June 2025)

<sup>85</sup> European Parliament (2025) [‘Disappearance of migrant children in the EU’](#) (22 May 2025)

<sup>86</sup> Canning M, Keenan M, Breslin, R (2023) [Protecting Against Predators: A Scoping Study on the Sexual Exploitation of Children and Young People in Ireland](#), pp. 4–5

## Recommendations

The Commission recommends that Tusla be additionally and sufficiently resourced, staffed and equipped for its role in regard to child victims of trafficking, including in regard to any new role and expected increased demand for services regarding the new National Referral Mechanism.

The Commission recommends that Tusla ensure all staff, especially staff from the Separated Children Seeking International Protection team, be regularly trained in child trafficking, the organisation's procedures and Tusla's trafficking matrix to ensure early detection and referral to An Garda Síochána and the National Referral Mechanism for identification and assistance.

The Commission recommends that Tusla ensure that risk of trafficking and trafficking experiences be built into the safety planning and assistance designed for children under State care to ensure protection against trafficking and exploitation, and re-trafficking and exploitation.

The Commission recommends that Tusla be proactive and swift in providing the support and assistance that child victims of trafficking are entitled to as mandated by the 2024 EU Anti-Trafficking Directive, in addition to the needs-based provision.

The Commission recommends investment in the Tusla data-collection system and notes new obligations under Article 19a of the amended EU Anti-Trafficking Directive in respect of data.

The Commission recommends the implementation of the Intake Eligibility Assessment Guidelines, particularly in relation to the appeals process and the presumption of minority throughout the appeals process.

The Commission recommends that Tusla end the practice of providing 'accommodation only' (under Section 5 of the Child Care Act 1991) to unaccompanied minors who do not have a guardian in the State and ensure that this particularly vulnerable cohort of children are provided with the full suite of child services.

The Commission agrees with the recommendations issued by the Joint Committee on Children, Equality, Disability, Integration and Youth in its Report on Refugees and Integration.<sup>87</sup>

The Commission recommends that the Department of Children, Disability and Equality, and the Department of Public Expenditure, Infrastructure, Public Service Reform and Digitalisation, recognise the critical needs and gaps nationwide for children in need of State care, especially for unaccompanied minors, at risk children, and identified, and potential child victims of trafficking, and provide substantially increased and adequate ringfenced funding to Tusla and other relevant bodies to provide the specialist protection and support required.

The Commission reiterates its recommendation that specific guidelines be drawn up on the criteria officers' use to determine when a person may be a child, and when an adult is entitled to 'take responsibility' for a child, to provide clarity on Sections 14 and 15 of the International Protection Act 2015. This guidance must be circulated to all relevant persons and accompanied by regular child- and trafficking-specific training.<sup>88</sup>

The Commission recommends that, as a matter of urgency and in advance of the publication of the International Protection Bill, the State clarify its position and publish the detail of its intended age assessment process under the new system (EU Migration and Asylum Pact), so that meaningful pre-legislative scrutiny can take place.

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<sup>87</sup> Joint Committee on Children, Equality, Disability, Integration and Youth (2023) [Report on Refugees and Integration](#), pp. 80–81. These recommendations included: the allocation of additional resources to Tusla to assist in its response to the unprecedented increase of young people in need of care, assistance and protection in Ireland, including for separated and unaccompanied age-disputed minors; the establishment of a shelter for age-disputed people where they are treated as minors and not adults, and to end the placement of age-disputed minors in adult accommodation; professionals to be provided with published and accessible guidance around their role and pathways of advocacy, support and treatment of age-disputed minors; age-disputed minors to be allocated an advocate or Tusla social worker with capacity to ensure their access to child-specific and appropriate services, including but not limited to education and mental health support, as well as early and ongoing legal support

<sup>88</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 207

The Commission recommends that the proposed age assessment process set out clearly the roles and responsibilities (under International Protection legislation and not the Child Care Acts) for age assessments; the respective roles of the IPO, Tusla and any other proposed actors; the criteria for assessment of age; and provision for a transparent appeals process.

The Commission recommends that the Health Information Quality Authority perform an urgent audit of all State care residential centres to assess the risk of exploitation and human trafficking,<sup>89</sup> and take action to address it.

The Commission recommends that the State develop specific strategic plans aimed at preventing the trafficking of all children in Ireland, especially trafficking of children in State care accommodation, without regard to their country of origin or immigration status.<sup>90</sup>

The Commission recommends that the State urgently investigate and take action to address the coordinated grooming of children, especially girls, under the care of the State (Tusla).<sup>91</sup>

## Disabled people

All information and recommendations in respect of disabled people are included in the response to question 5.

## Accommodation

All information and recommendations in respect of accommodation and issues arising in respect of vulnerability and adequate access are included in the response to question 6 and in responses to other relevant questions.

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<sup>89</sup> As recommended by SERP scoping study, Canning M, Keenan M, Breslin R (2023) [Protecting Against Predators: A Scoping Study on the Sexual Exploitation of Children and Young People in Ireland](#); IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 213

<sup>90</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 214

<sup>91</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 156.

## Relevant national strategies and action plans

The Third National Action Plan to Prevent and Combat Human Trafficking 2023–2027 (NAP) is the main strategy policy document for the prevention and combatting of human trafficking in Ireland.<sup>92</sup>

The goal of the NAP Prevention Pillar is to prevent human trafficking and work towards stronger protections for vulnerable people, including via the elimination of the demand for services of trafficked persons. To achieve this goal, the Department of Justice commits to develop a training framework for those in contact with vulnerable victims (Action 1.1.1) and update guides and leaflets (Action 1.2.1). The HSE Anti-Human Trafficking Team (HSE AHTT) will develop an online presence to reach vulnerable and ‘hard-to-reach’ victims (Action 1.3.2), and the Department of Foreign Affairs will fund initiatives through overseas aid programmes (Action 1.6.2).

The Protection Pillar aims to identify and provide support to victims of trafficking, including establishing exit pathways for individuals impacted by prostitution who may be vulnerable to trafficking for sexual exploitation (Action 2.12).

The Prosecution Pillar aims to enforce the rights of the victim and bring the perpetrators to justice, including through enhancing Tusla’s and An Garda Síochána’s capabilities to locate children who are missing and may be vulnerable to human trafficking (Action 3.7).

The Partnership and Policy Coordination Pillar is a whole-of-government coordination approach to support victims and decrease trafficking, which will require to collect and analyse data on trafficking in human beings, including from across vulnerable groups identified to be at risk of trafficking (Action 4.7.1 and 4.8.2).

The Department of Justice has committed to a mid-term review of the NAP by Q4 of 2025.<sup>93</sup>

While the Commission welcomes the focus on groups vulnerable to trafficking within the NAP, we do not have detailed information on the implementation of these actions and any potential impact such actions may have had on those vulnerable groups. We await the mid-term review, committed to in the NAP and due in the latter half of 2025, with interest.

The need to address trafficking has also featured in the policy of the State and related action plan in respect of tackling domestic, sexual and gender-based violence.

Given the gendered nature of human trafficking as evidenced above, the Commission welcomed the adoption in 2022 of a National Strategy on Domestic, Sexual and Gender-Based Violence (DSGBV) that identifies human trafficking as a particular form of violence against women. We also welcomed the

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<sup>92</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), Action 4.8.2 at p. 36. The NAP makes several references to vulnerable people and victims across its actions and objectives, and although it does not define the concept of vulnerability, it mentions that groups such as those impacted by prostitution, undocumented migrants or unaccompanied children are identified to be at an increased risk of human trafficking

<sup>93</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), p. 22 and Action 4.11 at p. 37

commitments contained within the 2023–2027 NAP to synchronise response efforts with the aforementioned National Strategy on DSGBV.<sup>94</sup>

There is no clear strategy or action plan to identify and assist disabled people who are victims of trafficking. The forthcoming National Disability Strategy is not anticipated to incorporate actions related to disabled people who are victims of trafficking.

## Geographic regions

Geographically in Ireland, services for victims of trafficking are generally more concentrated in Dublin, so it appears more difficult for victims in other areas, particularly rural areas, to access support.

The HSE AHTT provides a vital service, and geographic reach should continue to be expanded. The Legal Aid Board (LAB) has anti-trafficking in-person services in Dublin and partially<sup>95</sup> in Galway. The Barnahus multi-disciplinary response model for children is only in the ‘West’ - based in Galway and serving the Northwest, West and Midwest- and more recently in the ‘South’ - Barnahus South is reportedly currently working from its existing Tusla, HSE and AGS locations in Cork City while awaiting a new building for the services, and the initial phase only serves Cork and Kerry.<sup>96</sup>

There are discrepancies in the data and approaches between the Republic of Ireland and Northern Ireland. An International Organisation for Migration (IOM) Study found that in 2022 the Republic of Ireland NRM identified 42 victims, while in Northern Ireland 547 people were referred to the NRM with 75 confirmed as victims within the same period.<sup>97</sup>

The new NRM is likely to impact the numbers of victims identified in the Republic of Ireland.

## Recommendations

The Commission recommends that the ‘Barnahus’ multi-disciplinary response model is made easily accessible to all children who need it, regardless of where they are in Ireland.

The Commission reiterates its recommendation that the funding of the HSE Anti-Human Trafficking Team service be enhanced to ensure branching out and geographical coverage throughout the country.<sup>98</sup>

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<sup>94</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 62

<sup>95</sup> Legal Aid Board, [Human Trafficking](#) [website]: ‘Legal advice will be provided by a specially-trained solicitor in our Smithfield Law Centre. If you live in the Galway/Mayo area, we may be able to provide you with services from our Galway Seville House Law Centre instead.’

<sup>96</sup> Tusla, [Barnahus Ireland](#) [website]

<sup>97</sup> IOM (2023) [A Study on Human Trafficking Between Ireland and Northern Ireland](#)

<sup>98</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 27

## Sectors of exploitation

According to the European Commission, prostitution, escort services, massage parlours, bars and nightclubs are the identified high-risk sectors for trafficking for sexual exploitation.<sup>99</sup> The commercial sex industry in Ireland is the main high-risk environment for trafficking for the purpose of sexual exploitation.<sup>100</sup> For evidence on technology-facilitated trafficking for sexual exploitation in Ireland and related recommendations, see response to question 15.

Regarding labour exploitation, relevant data is available from the Workplace Relations Commission (WRC), which carries out inspections in ‘high-risk’ sectors for the purpose of detecting indicators of human trafficking and other breaches of employment legislation.

High-risk sectors for trafficking for labour exploitation identified by the WRC include nail/hair and beauty salons, massage parlours, the construction industry, the agricultural sector, the hospitality industry, the fishing industry, the food-processing industry, the construction sector, seasonal work, the carwash sector, the cleaning and domestic work sectors, and waste disposal.<sup>101</sup> Trends in relation to trafficking for labour exploitation show surges in the identification of victims in Ireland in relation to specific high-risk sectors due to clustered cases. For example, for the period 2015 to 2018: in 2015 a number of victims were discovered in a temporary carwash business, in 2016 23 victims were detected in a waste recycling plant, in 2017 it was linked to trafficking indicators in the fishing industry and in 2018 in the farming industry.<sup>102</sup> Specialist CSOs have more recently reported detection of victims in the food-processing, forestry and entertainment industries.<sup>103</sup>

According to data from CSOs, the following are the economic sectors reported for trafficking for labour exploitation in 2022–2024:

- › 2022: hospitality (5), fisheries (4), food industry (4), agriculture (2), domestic work (1) and waste disposal (1).<sup>104</sup>

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<sup>99</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 100; IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 60

<sup>100</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 18

<sup>101</sup> In 2021, ‘high- risk’ sectors identified by the WRC included nail/hair and beauty salons, the construction industry, the agricultural sector, the hospitality industry, the fishing industry and the domestic work sector and in five cases indicators of trafficking for labour exploitation were found and notified to the Garda National Protective Services Bureau (GNPSB). In 2022, such high-risk sectors included the agriculture industry, the construction sector, seasonal work, the food-processing industry, the hospitality industry, the carwash sector, and the cleaning and domestic work sectors, which somewhat mirrors the EU picture. In 2023, the WRC identified nine suspected cases of human trafficking for labour exploitation and referred these to the GNPSB, from massage parlours, the food service industry, the carwash/valeting sector and the retail sector. In 2024 five suspected cases were identified and referred by the WRC to the GNPSB in the following sectors: meat processing; food service activities; carwashes/valeting and retail. Workplace Relations Commission 2022-2025

<sup>102</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 348

<sup>103</sup> *ibid*

<sup>104</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 376

- › 2023: restaurant (6), domestic work (5), food production/bakery (3), agriculture (2), metal work (2), animal care (1), fitness (1) and entertainment (1).<sup>105</sup>
- › 2024: food service industry, the carwash/valeting sector, the retail sector, and the meat-processing industry.<sup>106</sup>

The Migrant Rights Centre of Ireland (MRCI) reported the numbers of severe labour exploitation presenting to them as follows: 15 in 2022, 21 in 2023 and 40 in 2024. In 2024, nine of the 40 were suspected to be victims of human trafficking, with 5 referred to the NRM. For 2024, the MRCI reported severe labour exploitation was identified in the following sectors: restaurants (28%), agriculture (19%), care work (9%) and the welding industry (9%).<sup>107</sup> The MRCI considered that the 2024 increase was likely due to the increase in General Employment Permits issued in 2024.

CSOs reported being aware of situations of people experiencing severe labour exploitation who did not speak or come forward to speak with WRC Inspectors or Gardaí when they carried out inspections due to fear of making their situation worse.<sup>108</sup>

## Recommendation

The Commission reiterates its recommendation that the targeted inspections of high-risk sectors for human trafficking become a permanent practice of the Workplace Relations Commission, as a tool towards screening and early detection of possible cases of human trafficking.<sup>109</sup>

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<sup>105</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 410

<sup>106</sup> Workplace Relations Commission 2025

<sup>107</sup> Migrant Rights Centre Ireland 2025

<sup>108</sup> IHREC Civil Society Consultation 2025

<sup>109</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 144

## **GRETA Question 2**

### **Children’s vulnerability to THB**

What specific measures are taken to reduce children’s vulnerability to THB by creating a protective environment for children?

Please provide information in the following areas:

- a. protecting children’s rights from attitudes, customs, behaviour and practices that can have an adverse effect (including child, early and forced marriage, and illegal adoption);
- b. developing children’s life skills (including media literacy and online safety skills), knowledge and participation;
- c. putting in place a system for monitoring and reporting cases of abuse;
- d. providing training to child care professionals, legal guardians, education professionals;
- e. access to education and health care for vulnerable children, including from minority groups, unaccompanied migrant children, and children of migrant workers;
- f. birth registration for all children born in the country.

### **Measures taken to reduce children’s vulnerability to THB**

There is significant room for improvement in regard to measures to reduce children’s vulnerability to THB in Ireland, as evidenced in question 1. Serious concerns persist, including in regard to identification of child victims of trafficking, supports, and the protection of children, including in State care and online.

One of the protections afforded to identified and potential child victims of trafficking has been introduced by the Criminal Law (Sexual Offences and Human Trafficking) Act 2024 (the 2024 Act) - Section 26 recognises the presumption of minority for applicants,<sup>110</sup> establishing that the relevant

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<sup>110</sup> Section 26 of the [Criminal Law \(Sexual Offences and Human Trafficking\) 2024 Act](#) establishes ‘Where— (a) an applicant or appellant, as the case may be, or (b) in the case of an application under Section 27(4), the person making an application on behalf of an applicant or an appeal on behalf of an appellant, claims in the application that the applicant or appellant, as the case may be, has not attained the age of 18 years, the Competent Authority, the trusted partner, the operational committee or an appeals officer, as the case may be, shall presume, unless and until the contrary is proved, for the purposes of this Part, that that applicant or appellant, as the case may be, has not, at the date on which the claim is made, attained the age of 18 years.’

actors shall presume the minority of the applicant or appellant unless and until proven otherwise.<sup>111</sup> The EU Anti-Trafficking Directive outlines the ‘presumption of minority’.<sup>112</sup>

The placing of the presumption of minority on a statutory basis within the domestic legal framework has been welcomed by the Commission as a significant step towards enhancing the protection of affected child victims.<sup>113</sup>

## Specific measures to reduce children’s vulnerability – Policy

When it comes to policy developments, the NAP contains a number of actions that are aimed at assisting the prevention of child trafficking and increasing the protection of children at risk.

As noted elsewhere, the mid-term evaluation of the NAP is awaited.

The NAP makes explicit reference to the best interests of the child under the Prevention Pillar in relation to identification efforts and the training of professionals who may come into contact with children.

Action 1.10 mandates all relevant State Departments and agencies to ‘ensure that all professionals (to include, but not limited to, social workers, family support workers and social care workers) in contact with children, and working on child-related matters, are qualified in dealing with and recognising victims of trafficking and act in the child’s best interest’.<sup>114</sup>

The Commission considers it of utmost importance that those working with vulnerable children be well trained on the indicators of human trafficking not only to detect child victims but to also prevent child trafficking from occurring. This is especially so when it comes to children under State care and migrant children, particularly unaccompanied children, who are recognised as a cohort vulnerable to human trafficking, as outlined previously.

Following the publication of the NAP, Tusla established a working group to progress and implement the Agency’s obligations under it. Tusla staff, An Garda Síochána and MECPATHS are members. The

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<sup>111</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 194

<sup>112</sup> [Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA](#), Preamble 22: ‘In addition to measures available to all victims of trafficking in human beings, Member States should ensure that specific assistance, support and protective measures are available to child victims. Those measures should be provided in the best interests of the child and in accordance with the 1989 United Nations Convention on the Rights of the Child. **Where the age of a person subject to trafficking is uncertain, and there are reasons to believe it is less than 18 years, that person should be presumed to be a child and receive immediate assistance, support and protection.** Assistance and support measures for child victims should focus on their physical and psycho-social recovery and on a durable solution for the person in question. Access to education would help children to be reintegrated into society. Given that child victims of trafficking are particularly vulnerable, additional protective measures should be available to protect them during interviews forming part of criminal investigations and proceedings.’ [emphasis added]

<sup>113</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 194. It is of particular relevance that [Preamble 22 of the 2011 EU Anti-Trafficking Directive](#) instructs that in cases where age is uncertain ‘that person should be presumed to be a child and receive immediate assistance, support and protection’

<sup>114</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), p. 27

Commission is also part of this working group in an observatory capacity and supports members with evidence-based research and information on international obligations on child trafficking. We appreciate our inclusion in this important effort.<sup>115</sup>

The group is focused on developing guidance for frontline staff to recognise human trafficking indicators, developing metrics and an efficient database to extract numerical data of known and suspected child trafficking within Tusla's services, reviewing the notification policy with An Garda Síochána to include child trafficking victims, and developing a regular training framework for frontline staff likely to encounter child victims.<sup>116</sup>

## Recommendations

The Commission reiterates its recommendation that, in addition to the child-trafficking-specific response, the State take steps to strengthen the general child protection system response to children at risk of human trafficking.<sup>117</sup>

The Commission reiterates its recommendation to include the best interests of the child principle in every policy, action and strategy involving child victims of trafficking, and children at risk of trafficking within the national child protection system, in regard to prevention, assistance and protection in the criminal justice process. We welcome the inclusion of this principle within the Third National Action Plan to Prevent and Combat Human Trafficking 2023-2027.

The Commission reiterates its recommendation that the best interests of the child principle be explicitly included in the child-specific National Referral Mechanism Operational Guidelines, as well as in the policy being developed by Tusla's Working Group on Child Trafficking.<sup>118</sup>

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<sup>115</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 198

<sup>116</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 198

<sup>117</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 199

<sup>118</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 196

The Commission reiterates its recommendation that the State develops a separate mechanism for identification, referral and assistance of child victims of trafficking.<sup>119</sup>

The Commission reiterates its recommendation that every child victim be appointed a ‘Children’s Legal Advisor’ at the earliest stage of their referral to the National Referral Mechanism to ensure that the identification, assistance and protection during the process respects the views and best interests of the child.

The Commission recommends that the State ensure that a comprehensive review of the family reunification provisions within the International Protection Act 2015 includes consideration of the various barriers to family reunification faced by unaccompanied and separated children.

## **Training for childcare professionals, legal guardians and education professionals**

Systematic, high-quality, regular training is needed for all persons in contact with children at risk of trafficking, including childcare professionals, legal guardians and education professionals. This remains an area for improvement in Ireland.

On a positive note, since 2023, MECPATHS and Tusla have partnered to train child protection practitioners on child trafficking. In 2023, MECPATHS delivered seven face-to-face workshops for frontline screening and residential care staff, including private providers, with an estimated 400 staff in attendance.<sup>120</sup> MECPATHS delivered a further four anti-trafficking webinars targeted at social work staff, with around 450 staff availing of this training between 2022 and 2023. They also trained all members of Tusla’s Separated Children Seeking International Protection team (SCSIP).<sup>121</sup> Overall, during 2023, MECPATHS trained/informed almost 600 Tusla staff on child trafficking.

Tusla’s Workforce Learning and Development team, in conjunction with the Tusla National Office, has made available to staff a three-hour awareness-raising workshop developed by MECPATHS on

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<sup>119</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), pp. 30–35

<sup>120</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 275

<sup>121</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 275

‘Trafficking-Hidden in Plain Sight’, which is especially targeted at frontline screening staff and residential care staff.<sup>122</sup>

In 2024, MECPATHS trained a total 292 Tusla staff via their workshop ‘Hidden in Plain Sight’ across the country including in Cork, Meath, Donegal, Waterford, Galway, Westmeath and Dublin.<sup>123</sup> A reason for the decline in the number of professionals trained by the specialist NGO is the awaited NRM Operational Guidelines.<sup>124</sup>

## Recommendations

The Commission reiterates its recommendation that all members of the new National Referral Mechanism Operational Committee receive regular mandatory Anti-Trafficking training,<sup>125</sup> including specifically on child trafficking.

The Commission reiterates its recommendation that all child victims of trafficking be afforded the same access to and supports for primary and post-primary education, as well as training and employment, as Irish nationals.

The Commission recommends that social workers allocated to child victims of trafficking be trained and fully aware of the full suite of support services and statutory entitlements that child victims should have access to, including health support and immigration permissions.

The Commission reiterates its recommendation that any appointed guardians or social workers allocated to children who are potential and identified victims of trafficking be regularly trained, as well as availing of professional supervision.

## Health care for vulnerable children

We do not have information to report on the provision of specialist health care for child victims of human trafficking. The HSE AHTT services are not available to children.

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<sup>122</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 276

<sup>123</sup> IHREC Civil Society Organisations Consultation 2025

<sup>124</sup> IHREC Civil Society Organisations Consultation 2025

<sup>125</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 278

Barnahus, which translates as ‘Child House’, is the leading European model of a child-friendly multidisciplinary response. It is being established in Ireland to integrate health, medical, child protection, therapeutic and policing services for children and young people who may have experienced child sexual abuse.<sup>126</sup> The Council of Europe and the European Union have supported the Barnahus model in Ireland.<sup>127</sup> Barnahus West is based in Galway and serves the Northwest, West and Midwest of Ireland. Barnahus South in Cork has recently launched and is currently operating from existing Tusla, HSE, and AGS locations in Cork city while awaiting a new building ‘one house’ in which to provide the services. Its initial phase serves Cork and Kerry.<sup>128</sup>

## **Recommendation**

The Commission reiterates its recommendation that all child trafficking victims, irrespective of the form of exploitation they were subjected to be included in the Barnahus model already operating in the State, as well as the rollout of the model nationwide.

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<sup>126</sup> Tusla, [Barnahus](#) [website]

<sup>127</sup> [Support the implementation of the Barnahus project in Ireland - Children's Rights](#) [website]

<sup>128</sup> Tusla, [Barnahus](#) [website]

## **GRETA Question 3**

### **Vulnerabilities related to the gender dimension of THB**

What measures are taken in your country to address vulnerabilities related to the gender dimension of human trafficking?

The Commission has described in detail, in our First and Second Evaluation Reports, multiple gendered manifestations of the crime of human trafficking. These include the statistical prevalence of women among identified victims and particularly among victims of sexual exploitation; the gendered body-harms linked to gender-based violence and increased resources required for the recovery of such female victims; and the novel forms of trafficking that target and affect particularly women, such as forced marriages and as exploited surrogate mothers.<sup>129</sup>

We refer to the response to question 1 for relevant statistics and information in relation to the gender dimension of human trafficking and relevant policy responses.

### **Measures to address gender dimension vulnerabilities – Policy**

There have been developments in policy in the reporting period, with the publication of the NAP and the Third National Strategy on Domestic, Sexual and Gender-Based Violence 2022–2026 (DSGBV).<sup>130</sup>

We welcome the inclusion of actions (albeit a very limited number) on trafficking in the final phase of the implementation plan published in June 2025,<sup>131</sup> and we flag the importance of integrating trafficking throughout the DSGBV response and pillars.

### **Measures to address gender dimension vulnerabilities – DSGBV**

In order to deliver the National DSGBV Strategy, in February 2024 the Government established Cuan, the statutory domestic, sexual and gender-based violence agency. It is responsible for tackling and reducing domestic, sexual and gender-based violence under the aegis of the Department of Justice.<sup>132</sup>

Cuan's functions include the delivery of services to victims (safe accommodation, helpline and other supports); establishing national services standards and governance arrangements; researching to inform policy development including in collaboration with Civil Society Organisations; leading awareness-raising campaigns (designed to reduce incidence of DSGBV and to ensure that victims know how to access supports); and coordinating the implementation of the Third National Strategy on DSGBV. The Commission welcomes the recognition of the link between human trafficking and DSGBV,

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<sup>129</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 71

<sup>130</sup> Government of Ireland (2022) [Third National Strategy on Domestic, Sexual & Gender-Based Violence Implementation Plan](#), p. 5

<sup>131</sup> Government of Ireland (2025) [Zero Tolerance. The Third National Strategy on Domestic, Sexual and Gender-Based Violence Implementation Plan 2025-2026](#)

<sup>132</sup> [Domestic, Sexual and Gender-Based Violence Agency Act 2023](#)

and the establishment of the statutory agency Cuan to enhance and improve the coordination of the delivery of support and services to victims in both areas.

The development of the Cuan Corporate Plan ‘has been guided by the legislative framework and by the four key pillars set out in the Zero Tolerance Strategy which are grounded in the Istanbul Convention: Prevention, Protection, Prosecution and Policy Coordination.’<sup>133</sup> We flag that trafficking should be integrated across the work of Cuan and the four key pillars, which can also contribute to data collection and to measuring the impact of the planning and delivery of DSGBV support services for victims of trafficking.

## Recommendations

The Commission reiterates its recommendation that the State provide sufficient funding to gender-based violence organisations to enable them to participate in the delivery of trafficking-specific services to victims who have experienced domestic, sexual or gender-based-violence, and particularly to victims of sexual exploitation.<sup>134</sup>

The Commission reiterates its recommendation that the Department of Justice (as the lead Department on domestic, sexual and gender-based violence) be tasked with integrating victims of trafficking who have suffered gender-based violence into their overall domestic, sexual and gender-based violence response.<sup>135</sup>

The Commission recommends that Cuan, as a new statutory agency established to combat domestic, sexual and gender-based violence, clearly address integrating victims of trafficking who have suffered gender-based violence into their overall domestic, sexual and gender-based violence response and the delivery of its functions.

## Measures to address gender dimension vulnerabilities – Care planning

The HSE AHTT is responsible for care planning and for supporting all potential victims of human trafficking. The AHTT is co-located with the HSE Women’s Health Service (WHS).

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<sup>133</sup> Department of Justice, Home Affairs and Migration (2024) [Cuan Corporate Plan 2025-2027](#), p. 10

<sup>134</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 66

<sup>135</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 165

The Commission commends the holistic, gender-specific, and trauma-informed approach of the HSE AHTT. This approach should be replicated by other State agencies.<sup>136</sup> Overall, the work of the HSE AHTT adheres to best practice standards in many respects and is valued by service users.<sup>137</sup>

In 2023, the HSE AHTT indicated that its capacity to provide assistance had improved.<sup>138</sup> However, it is important to note that it reported in 2024 and 2025 having no backfill for the Principal Psychologist, who left in 2023. There is limited Principal Psychologist time allocated to AHTT on a temporary basis pending approval to backfill this important role. The provision of the Psychology clinic regrettably reduced in 2024 due to staffing constraints.

The HSE National Social Inclusion Office (HSE NSIO) is developing a webpage for the HSE AHTT, with the aim of reaching vulnerable and hard-to-reach populations.<sup>139</sup> The HSE NSIO is also currently finalising the development of a DSGBV-focused site within the HSE website that will include a section on human trafficking and a link to the HSE AHTT webpage.<sup>140</sup>

## Recommendations

The Commission reiterates its recommendation that the Health Service Executive Anti-Human Trafficking Team retain its gender-specific expertise in the provision of care for victims of trafficking with special needs, especially those arising because of trafficking exploitation involving gender-based violence.<sup>141</sup>

The Commission recommends that the HSE Anti-Human Trafficking Team be fully resourced to carry out its role, including the backfill of the role of Principal Psychologist in order to reinstate psychology service provision levels.

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<sup>136</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 102

<sup>137</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 165

<sup>138</sup> This included free GP services for potential victims who do not have a medical card or who have not been able to secure a personal GP; IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 163

<sup>139</sup> Health Service Executive Anti-Human Trafficking Team 2025

<sup>140</sup> Health Service Executive Anti-Human Trafficking Team 2025

<sup>141</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 164

The Commission recommends that the funding of the HSE Anti-Human Trafficking Team service be enhanced to ensure provision of a range of services and improved geographical coverage throughout the country.<sup>142</sup>

## Measures to address gender dimension vulnerabilities – Specialist CSOs

Specialist CSOs with extensive expertise in trafficking contribute significantly to supporting the needs of victims, through a trauma-informed, gender-specific and victim-centred approaches. All specialist services endeavour to accommodate and respond to victims with complex needs as a result of violations and combined types of exploitation.<sup>143</sup> They have provided invaluable input to the consultations of the Commission as National Rapporteur.<sup>144</sup>

Ruhama and the Dublin Rape Crisis Centre, and the Sexual Violence Centre Cork specialise in supporting victims of sexual violence. The Immigrant Council of Ireland (ICI) independent law centre has expertise in working with victims of crime with special needs<sup>145</sup> and with gender-based violence.<sup>146</sup> The MRCI works in the area of labour exploitation and redress, which affects both genders. MECPATHS specialises in child trafficking. The International Transport Workers' Federation (ITF) and Unite the Union have been working with sea fishers, an area of exploitation which predominately affects men. Other organisations, such as AkiDWA, Doras Luimní, Depaul, and alliances such as 'Cork Against Human Trafficking,' are important contributors in the field of human trafficking.

Several of the specialist CSOs are funded by the State, on an annual basis, for their work in the area of combatting trafficking, and to allow them to deliver independent specialist services. This funding has increased in recent years, dedicated to prevention of the crime.<sup>147</sup>

### Recommendation

The Commission reiterates its recommendation that the State develop trafficking and gender-specific pathways of care that are victim-centred, ensuring that specialist Civil Society

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<sup>142</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 165

<sup>143</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 102

<sup>144</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 170

<sup>145</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 102

<sup>146</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 170

<sup>147</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 166

Organisations with expertise of trafficking are fully supported through sustainable multi-annual budgets and their role formalised within the reformed National Referral Mechanism.<sup>148</sup>

## Measures related to gender dimension vulnerabilities – Gender-specific accommodation

The practical assistance and support that victims of human trafficking are entitled to pursuant to Article 12 of the Convention and Article 11 of the EU Anti-Trafficking Directive also comprise a gender dimension, particularly with regard to gender-specific safe accommodation.

Victims of trafficking, many of whom are applicants for International Protection, are generally housed in unsuitable accommodation under a system called Direct Provision, provided by the IPAS.<sup>149</sup> IPAS has reported encountering significant challenges in facilitating the transition of individuals who have been granted status from State-provided accommodation to independent housing.<sup>150</sup>

The Commission has welcomed the strong commitments contained within the NAP<sup>151</sup> to the development of further specialised accommodation for victims on a gender-specific basis but is concerned at the lack of clear commitments including specific time-bound actions and resource allocation.

In 2023, the Commission welcomed the establishment of the first gender-specific specialised shelter – Rosa’s Place – operated by the Depaul charity, with the support of Ruhama, and funded by IPAS on a pilot basis. The Commission has received positive feedback from the NGO sector and some previous survivor residents.<sup>152</sup> However, we have also noted the serious limitations of access to the shelter, including its capacity (eight beds), that it is not accessible to victims with physical disabilities, that children of victims cannot be accommodated, the intended limit of 120 days for residency, and that victims who are not eligible to apply for International Protection cannot access it.

Since the opening of this shelter, in November 2023 and up to December 2024, a total of 15 female victims of human trafficking have entered the shelter with an average length of stay of 175 days. As of the end of March 2025, seven residents were accommodated in the shelter.<sup>153</sup> Accommodation in the shelter was extended for all residents from 60 to 120 days as part of the ‘recovery and reflection’ period.

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<sup>148</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 170

<sup>149</sup> Irish Council for Civil Liberties (2019) [ICCL/ICHR submission to Oireachtas Justice Committee Consultation on Direct Provision](#); UCD (2022) [Ending Direct Provision](#); Government of Ireland (2021) [‘Minister O’Gorman publishes the White Paper on Ending Direct Provision’](#) (26 February 2021, last updated 11 April 2025); UCD (2022) [Ending direct provision](#)

<sup>150</sup> International Protection Accommodation Service 2025

<sup>151</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), Action 2.5.1, 2.5.2 and 2.5.3

<sup>152</sup> IHREC Civil Society Organisations Consultation 2024, IHREC Survivor Consultation 2024

<sup>153</sup> International Protection Accommodation Service 2025

A lack of follow-on accommodation options is reported to be a significant issue for women accessing the shelter. IPAS reported a small number of cases where residents who entered the shelter in 2024 were no longer eligible for IPAS accommodation (e.g. due to receiving refugee status or not being an International Protection applicant) and were looking for alternative housing options and unable to leave as a result. To be eligible for accommodation in Rosa's Place a victim must be an applicant for International Protection. Many victims are not International Protection applicants and are from the European Economic Area (EEA).<sup>154</sup>

In 2024, IPAS opened an accommodation centre specifically for women who apply for International Protection and are parenting their children alone. The unit has 10 bedrooms and offers specialist support based on needs (such as mental health, addiction, etc.), with the plan to allocate a keyworker to each family. Families can reside in the centre for a maximum of 9 to 12 months.<sup>155</sup>

The Commission looks forward to the results of the evaluation of the specialised shelter (Rosa's place), planned to be published by the end of 2025, and reiterates the urgent need for provision of further specialist shelters.

## Recommendations

The Commission recommends the State to plan for and invest in a sufficient number of gender-specific shelters and appropriate interim accommodation, in line with the Convention on Action against Trafficking in Human Beings<sup>156</sup> and following the strengthened provisions on accommodation of the amended EU Anti-Trafficking Directive.<sup>157</sup> Both short- and long-term accommodation is required for victims of trafficking in Ireland.

The Commission recommends that the pilot specialised shelter be swiftly evaluated and replicated in sufficient numbers to accommodate, in a gender-specific manner, victims of

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<sup>154</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 6

<sup>155</sup> International Protection Accommodation Service 2025

<sup>156</sup> [Council of Europe Convention on Action against Trafficking in Human Beings \(2005\)](#) Article 12 (1a) '1 Each Party shall adopt such legislative or other measures as may be necessary to assist victims in their physical, psychological and social recovery. Such assistance shall include at least: standards of living capable of ensuring their subsistence, through such measures as: appropriate and secure accommodation, psychological and material assistance'

<sup>157</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 160

trafficking recovering from gender-based violence trauma, without regard to their immigration status, as mandated by the EU Anti-Trafficking Directive.<sup>158</sup>

The Commission recommends that gender-specific specialised shelters be accessible and afforded the facilities to cater for victims who are mothers with children, given the significant proportion of female victims accompanied by children.<sup>159</sup>

The Commission recommends that specialised shelters also be opened for male victims of trafficking, as well as for entire families, whenever such needs arise.<sup>160</sup>

The Commission recommends that these actions regarding appropriate accommodation for victims of human trafficking be implemented independently and irrespective of the transformations envisaged for the International Protection Accommodation Service as a whole.<sup>161</sup>

## Measures related to gender dimension vulnerabilities – Legislation

Part 4 of the Criminal Justice (Sexual Offences) 2017 is also an element of the DSGBV framework in Ireland. The Act criminalises the buying of sex and decriminalises the selling of sex, which is an instrument towards demand reduction for trafficking for sexual exploitation in Ireland.

The amended EU Anti-Trafficking Directive makes it mandatory to criminalise the knowing use of services provided by victims of trafficking, an important measure towards stepping up demand reduction.<sup>162</sup>

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<sup>158</sup> [Directive \(EU\) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#) ‘5a. The shelters and other appropriate interim accommodations referred to in paragraph 5 shall be provided in sufficient numbers and shall be easily accessible to presumed and identified victims of trafficking. The shelters and other appropriate interim accommodations shall assist them in their recovery, by providing adequate and appropriate living conditions with a view to a return to independent living. They shall also be equipped to accommodate the specific needs of children, including of child victims.’; IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 160

<sup>159</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 162

<sup>160</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 162

<sup>161</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 163

<sup>162</sup> IHREC (2025) [‘The Commission recommends increased supports and exit pathways for people affected, to support legislation criminalising purchase of sex’](#) (27 March 2025)

Section 27 of the 2017 Act mandated the Minister for Justice to review the operation of Part 4 no later than three years from its coming into operation. After several delays, in 2024 the Department of Justice announced that its Data and Research Unit would internally complete the review after its initial commencement by an independent expert.<sup>163</sup> The Department of Justice published the review on 25 March 2025.<sup>164</sup> The Review recognises that there is an ongoing debate on the sale of sex and the most appropriate responses to it, reporting that the majority of contributors acknowledge the links between payment for sexual activity and human trafficking.<sup>165</sup> The review identified some key challenges are planned to be addressed by existing policy initiatives including:

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the launch of the Third National Strategy for Domestic, Sexual, and Gender-Based Violence (DSGBV), the establishment of Cuan, the initiative to expunge previous convictions for the sale of sex, the creation of a new National Referral Mechanism (NRM) for Victims of Human Trafficking under the Criminal Law (Sexual Offences and Human Trafficking) Act 2024, and the introduction of the Third National Action Plan to Combat and Prevent Human Trafficking.<sup>166</sup>

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With regard to trafficking for sexual exploitation, the review recognised that in Ireland, the use of web-based platforms is widespread, facilitating the buying of sex from potentially trafficked women.<sup>167</sup> The review observed the challenges faced by law enforcement and prosecutors and the lack of quality data when it comes to enforcement of the legislation.

The Commission recognises the value of the increased attention to the high-risk environment of the commercial sex trade brought about through the introduction of Part 4 of the Criminal Law (Sexual Offences) Act 2017.<sup>168</sup> Since the establishment of the Commission as National Rapporteur, we have consistently advocated for the proactive implementation of the 2017 Act as the main tool to tackle the demand for trafficking for sexual exploitation in Ireland. We welcome the review finding that there is a need for accurate data, comprehensive supports and improved training, identification, multi-agency collaboration,<sup>169</sup> and awareness raising.

Following the publication of the review, the Commission repeated its calls for adequate and appropriate supports to be put in place by the State, alongside funding, to ensure that all survivors of trafficking receive specialised assistance. It is crucial that this assistance be provided regardless of

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<sup>163</sup> Department of Justice (2024) [Answer to Parliamentary Question: Legislative Reviews](#) (22 February 2024)

<sup>164</sup> The review shares official statistics that show an increase of recorded offences related to the purchase of sex and a decrease of offences for soliciting and other related offences. Since the introduction of Part 4, there were a total of 161 prosecutions from January 2017 to August 2024 and 15 convictions up to July 2024. Since 2017 there have been 280 recorded incidents of payment for sexual activity. However, in 2023, incidents recorded for soliciting and brothel keeping were less than five. Department of Justice (2025) [Review on the Operation of Section 7A of the Criminal Law \(Sexual Offences\) Act 1993](#), pp. 45–46, p. 91

<sup>165</sup> Department of Justice (2025) [Review on the Operation of Section 7A of the Criminal Law \(Sexual Offences\) Act 1993](#), p. 93

<sup>166</sup> Department of Justice (2025) [Review on the Operation of Section 7A of the Criminal Law \(Sexual Offences\) Act 1993](#), p. 91

<sup>167</sup> Department of Justice (2025) [Review on the Operation of Section 7A of the Criminal Law \(Sexual Offences\) Act 1993](#), p. 82

<sup>168</sup> IHREC (2025) [‘The Commission recommends increased supports and exit pathways for people affected, to support legislation criminalising purchase of sex’](#) (27 March 2025)

<sup>169</sup> IHREC (2025) [‘The Commission recommends increased supports and exit pathways for people affected, to support legislation criminalising purchase of sex’](#) (27 March 2025)

their origin, nationality, statelessness, immigration status or a pending International Protection claim.

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## Recommendations

The Commission reiterates its recommendation that the State proactively implement the relevant provisions of the Criminal Law (Sexual Offences) Act 2017 to reduce the demand that fosters trafficking for sexual exploitation, alongside providing increased support for exit pathways for people affected, including potential victims of trafficking.

This must include at a minimum:

- a. legal, psychological and medical support;
- b. access to exit programmes;
- c. emergency and social housing;
- d. financial assistance;
- e. regularised immigration status with the right to work; and
- f. access to training and employment.<sup>171</sup>

The Commission reiterates its previous recommendation to GRETA that the State accompanies the implementation of the relevant legal provisions of the Criminal Law (Sexual offences) Act 2017 aimed at demand reduction with the necessary auxiliary measures, in particular exit strategies and awareness raising among the communities nationwide and provision of support and assistance.<sup>172</sup>

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<sup>170</sup> IHREC (2025) [‘The Commission recommends increased supports and exit pathways for people affected, to support legislation criminalising purchase of sex’](#) (27 March 2025)

<sup>171</sup> IHREC (2024) [‘Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive’](#), p. 283

<sup>172</sup> IHREC (2021) [‘Ireland’s Actions Against Trafficking in Human Beings. Submission by the Irish Human Rights and Equality Commission to the Council of Europe Group of Experts on Action against Trafficking in Human Beings \(GRETA\)’](#), p. 20

## Amending legislation – Online-facilitated trafficking for sexual exploitation

The Commission notes that Ireland has until 15 July 2026 to introduce legislation to comply with the amended Anti-Trafficking Directive, including on the use of Information and Communications Technology (ICT) as an aggravating circumstance.

In our 2023 Evaluation Report, we published research on online-facilitated trafficking for sexual exploitation illustrating that ICT has facilitated the expansion of the indoor commercial sex trade and trafficking for sexual exploitation, most specifically via commercial sex trade websites also known as sexual exploitation advertising websites.<sup>173</sup> While the previous Minister for Justice reported willingness to address these websites as part of the DSGBV response,<sup>174</sup> the Commission is not aware of any progress made on this area.

### Recommendation

The Commission reiterates its recommendation that the State use every available avenue to address technology-facilitated trafficking through penalties that exceed the minimum requirements of the amended EU Anti-Trafficking Directive, for example, by making the use of internet-based tools in the commission of the crime of human trafficking an aggravating factor.<sup>175</sup>

## Measures related to gender dimension vulnerabilities – Criminal trials

The gender dimension of human trafficking and the related vulnerabilities are also highlighted in the insufficient protection of victims of trafficking for sexual exploitation during criminal trials, when they are excluded from the majority of the protections available to other victims of sexual violence offences such as rape, serious sexual assault and sexual assault.<sup>176</sup>

The Department of Justice's Plan 'Supporting a Victim's Journey' included a recommendation to remove the restriction in the Civil Legal Aid Act 1995 that requires a prosecution to have been instituted before legal advice is available to victims of sexual crimes to be extended to witnesses/victims in all sexual exploitation offences including soliciting; importuning for the purpose of prostitution; making payment for sexual activity with a person in prostitution; loitering for the

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<sup>173</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 202

<sup>174</sup> Coyne E (2022) '[Justice Minister Helen McEntee says she wants Irish escort websites offering Ukrainian women for sex shut down](#)', Independent.ie (28 June 2022)

<sup>175</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 86

<sup>176</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 185

purposes of prostitution; organising prostitution; living off the earnings of the prostitution of another; and brothel keeping.<sup>177</sup>

The Commission considers that implementation of this recommendation would encourage victims/witnesses of prostitution-related offences to cooperate with law enforcement, which remains a challenge.

We have also advocated for separate legal representation for victims of trafficking for sexual exploitation under Section 4A of the Criminal Law (Rape) Act 1981 (in circumstances where an application is made to question a victim about other sexual experiences), to be extended to victims of offences committed under Section 4 of the Criminal Law (Human Trafficking) Act 2008.<sup>178</sup>

## Recommendation

The Commission reiterates its recommendation that an effective response to combatting trafficking for sexual exploitation and other sexual exploitation offences requires that these offences be categorised as sexual offences. Victims/witnesses of these crimes must be entitled to protections and arrangements that include, at a minimum: access to legal advice (without a prosecution being initiated), and anonymity.<sup>179</sup>

## Measures related to gender dimension vulnerabilities – ‘Pilot welfare visits’

From a prevention perspective with regard to vulnerable women in Ireland’s commercial sex trade, the practice of ‘welfare visits’ carried out by AGS is well-established in Ireland since the enactment of the Criminal Law (Sexual Offences) 2017 Act. These are ‘informal visits by AGS to premises known or believed to be used as brothels to check on the welfare of those present’,<sup>180</sup> particularly when they have suspicions of the presence of victims of coercion, trafficking or the exploitation of vulnerable persons. This is one example of the practices of AGS to proactively identify victims of trafficking for sexual exploitation, predominantly women from a migrant background.

From 2020 with the arrival of Covid-19 and up to 2022, AGS, the Police Service of Northern Ireland (PSNI) and relevant NGOs started an SMS campaign to check the welfare of those in the sex industry

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<sup>177</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), pp. 186–187

<sup>178</sup> IHREC (2023) [The Criminal Law \(Sexual Offences and Human Trafficking\) Bill 2023](#), p. 17; IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 187

<sup>179</sup> Exclusion of the public from trial and anonymity are available for offences of trafficking for sexual exploitation, but are not available for other sexual exploitation offences, which may involve potential victims of trafficking; IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 188

<sup>180</sup> O’Connor M, Breslin R (2020) [Shifting the Burden of Criminality: An Analysis of the Irish Sex Trade in the Context of Law Reform](#), p. 135

that involved the sending of four separate bulk SMS message in English, Romanian and Portuguese,<sup>181</sup> with any replies being responded to and further contact initiated as requested.<sup>182</sup> CSOs working on assistance to victims reported positive feedback by the recipients of the text messages.<sup>183</sup>

A number of pilots focusing on the welfare of those in the sex industry commenced in 2023. The HSE Social Care Team started to join AGS on their welfare checks to provide support and increase the identification of victims trafficked for sexual exploitation.<sup>184</sup> In 2024, 14 women were met through the initiative and were provided with information about the HSE Women's Health Service using an interpreter and information cards in the spoken language, three of whom followed up to access health care and other supports.<sup>185</sup>

Additionally, in 2023 representatives of Ruhama started to accompany officers from AGS on welfare checks in suspected brothels in Dublin, Limerick and Galway, with the aim of spreading awareness of access to independent supports and the fact that these are not conditional on engagement with AGS.<sup>186</sup> This continued over 2024.<sup>187</sup> The Pilot Welfare Visits initiative is set to conclude and be reviewed by March 2025.

The Commission acknowledges that these initiatives are important for prevention, and the detection and protection of victims of trafficking, the majority of whom are women in the commercial sex trade.<sup>188</sup>

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<sup>181</sup> The text of the message was alongside the following: Message from the Irish Police/Gardaí: Gardaí (Irish Police) are concerned for your welfare during these times. Should you have any concerns please contact on (087-xxxxxxx) us for assistance in emergency dial 999. Stay safe. From the Organised Prostitution Investigation Unit

<sup>182</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 106

<sup>183</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 106

<sup>184</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 263

<sup>185</sup> Health Executive Service Anti-Human Trafficking Team 2025

<sup>186</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 263

<sup>187</sup> IHREC Civil Society Organisations Consultation 2025

<sup>188</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 86

## GRETA Question 5

### Vulnerability to THB of persons with disabilities

What specific measures are taken to reduce the vulnerability to THB of persons with disabilities?

There appears to be consensus that, particularly until recently, sufficient consideration has not been given to victims of trafficking with disabilities, and that is reflected in the response in Ireland.<sup>189</sup>

The focus on disability and vulnerability in the current GRETA Evaluation round is welcomed and will significantly contribute to knowledge and focus in this area.

The Commission has welcomed the increased attention paid by the amended 2024 EU Anti-Trafficking Directive to persons with disabilities,<sup>190</sup> recognising their increased risk of becoming victims of trafficking and calling on Member States to consider the specific needs of victims of trafficking with disabilities when providing assistance and support.<sup>191</sup>

We also note that, to date, EU statistical reports on human trafficking do not present data on victims with disabilities.<sup>192</sup> The fifth report on progress made in the European Union in combatting trafficking in human beings does not contain detailed information on victims with disabilities in Member States.<sup>193</sup> Nevertheless, in 2022, the European Commission reported a rise in the number of trafficked victims with disabilities, for example, persons with physical or visual impairments being exploited for the purpose of forced begging, given the stronger impact on public sympathy.<sup>194</sup>

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<sup>189</sup> CEDAW (2020) [General recommendation No. 38 \(2020\) on trafficking in women and girls in the context of global migration](#)

<sup>190</sup> The amended Directive strengthens the response to victims of trafficking with disabilities by taking into account the disability perspective in the protection of victims (Recital 3), the provision of specialised assistance and support in a disability-sensitive manner (Article 11), prevention via awareness raising and risk reduction of persons with disabilities becoming victims (Article 18), and the provision of regular disability-sensitive training for professionals likely to come into contact with victims and those in the criminal justice system such as judges and prosecutors (Article 18b); [Directive \(EU\) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#)

<sup>191</sup> [Directive \(EU\) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#), Recital 17; IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 62

<sup>192</sup> Eurostat (2025) [Trafficking in human beings statistics](#)

<sup>193</sup> European Commission (2025) [Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and The Committee of the Regions on the progress made in the European Union in combatting trafficking in human beings \(Fifth Report\)](#)

<sup>194</sup> European Commission (2022) [Commission Staff Working Document Evaluation of the Proposal for a Directive of the European Parliament and the Council amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#), p. 36

Some of the existing gaps in data collection and reporting at EU level may be improved by the new Article 19a of the amended EU Anti-Trafficking Directive, which establishes an annual obligation for Member States to report disaggregated statistical data in relation to a number of categories including identified and presumed victims. Although neither disability nor other vulnerability circumstances (such as migration status) are explicitly included in the disaggregated data reporting obligation,<sup>195</sup> the strengthened focus on disaggregated data is an opportunity to also consider the collection of information regarding victims with disabilities.

The nexus between disability and human trafficking is not captured better at national level compared to the EU. The Commission is aware of isolated and anecdotal reports of victims with disabilities, but they have not been captured in the national reports as disaggregated data is not provided.<sup>196</sup> The Commission anticipates that this reporting will significantly improve with the implementation of the amended EU Anti-Trafficking Directive.

The HSE AHTT records data on disabilities when conducting health assessments of identified victims of trafficking, and these are recorded in their individual care plans.<sup>197</sup> The LAB, similarly, has reported that it is aware of clients with disabilities and that this is taken into account in the provision of their services although the data is not yet systematically collated and available for reporting purposes.<sup>198</sup> The LAB assists victims with their application for medical priority in terms of housing needs and on the Exceptional Social Grounds Scheme to access social housing, which may apply to victims with disabilities. In 2024, the HSE AHTT reported fewer than five victims of trafficking in receipt of the weekly disability allowance payment from the Department of Social Protection. In the case of children with disabilities, Tusla reports that it provides tailored services, including assessments and specialist disability placement via inter-agency collaboration as necessary; no disaggregated data is available to provide detail on the number of child victims with disabilities.<sup>199</sup>

We note that people with hidden disabilities can also be specifically targeted by traffickers. We note the lack of mechanisms available to identify this vulnerable group.

Unofficial reports collated by the Commission in 2023 from organisations that provide support to victims suggest that their teams have encountered cases of disabilities among victims of trafficking over the years, including visual impairment and mobility issues.<sup>200</sup> Other organisations reported victims with cognitive issues and disabilities affecting learning among those supported, which they highlighted as common. Depaul Ireland also reported cases of learning disabilities and acquired brain injuries in their research on the nexus between human trafficking and homelessness in the country.<sup>201</sup> Concerns were raised regarding the issue of victims of trafficking with undiagnosed psycho-social and intellectual disabilities, where the issues only become evident during the detection or investigation of

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<sup>195</sup> [Directive \(EU\) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#), Article 19a

<sup>196</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 68

<sup>197</sup> Health Service Executive Anti-Human Trafficking Team 2025

<sup>198</sup> Legal Aid Board 2025

<sup>199</sup> Tusla 2024

<sup>200</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 68

<sup>201</sup> The Passage and Depaul (2024) [An Overview of Homelessness and Human Trafficking in Dublin](#), p. 19

the crime.<sup>202</sup> In these cases, the ability of the victim to give informed consent to obtain assistance and to participate in investigations is linked to their more general capacity to consent, including within the definition of human trafficking. The State-certified process for assessment of both adults and children involves very long waiting times.<sup>203</sup>

The accommodations and supports provided to the victim to enable them to express their will and preference, to give informed consent to obtain assistance, and to participate in investigations is an important consideration not currently given due regard.<sup>204</sup>

Ireland's legal framework appears to contain provisions exceeding the minimum requirements of the EU Anti-Trafficking Directive by rendering the issue of consent irrelevant regarding the commission of offences against people with mental disability.<sup>205</sup> The Commission has no information on whether this provision has been relied on in court or given any judicial consideration to date.<sup>206</sup>

Additionally, the Criminal Law (Sexual Offences and Human Trafficking) Act 2024 contains provisions for the identification of, and access to assistance, for adults with diminished capacity, and for such victims to consent to their identification and support as victims of trafficking. The 2024 Act defines a 'relevant person' as a person who has '(a) a physical disability, (b) a mental or intellectual disability, or (c) a mental illness, which is of such a nature or degree as to severely restrict the person to guard himself or herself against serious exploitation'.<sup>207</sup> The 2024 Act sets out the conditions for a 'relevant person' to make an application for identification as a victim of human trafficking,<sup>208</sup> the referral of refusal of the application by a Competent Authority or Trusted Partner,<sup>209</sup> applications for reconsideration,<sup>210</sup> appeals,<sup>211</sup> and the sharing of information.<sup>212</sup> The 2024 Act also amends the

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<sup>202</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 68

<sup>203</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 68

<sup>204</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 68

<sup>205</sup> The prosecution does not need to prove deception or other means of coercion in those cases as Section 4(3) of the [Criminal Law \(Human Trafficking\) Act 2008](#) establishes that 'a person who traffics a person who is mentally impaired for the purposes of the exploitation of the person shall be guilty of an offence'. In this regard, the definition of 'mentally impaired' is provided by Section 5(4) of the Criminal Law (Sexual Offences) Act 1993 as the 'suffering from a disorder of the mind, whether through mental handicap or mental illness, which is of such nature or degree as to render a person incapable of living an independent life or of guarding against serious exploitation'

<sup>206</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 68

<sup>207</sup> [Criminal Law \(Sexual Offences and Human Trafficking\) Act 2024](#), Section 20

<sup>208</sup> [Criminal Law \(Sexual Offences and Human Trafficking\) Act 2024](#), Section 27

<sup>209</sup> [Criminal Law \(Sexual Offences and Human Trafficking\) Act 2024](#), Section 28

<sup>210</sup> [Criminal Law \(Sexual Offences and Human Trafficking\) Act 2024](#), Section 29

<sup>211</sup> [Criminal Law \(Sexual Offences and Human Trafficking\) Act 2024](#), Section 33

<sup>212</sup> [Criminal Law \(Sexual Offences and Human Trafficking\) Act 2024](#), Section 30

Criminal Law (Human Trafficking) Act 2008 to criminalise the trafficking of a relevant person and introduces the definition of a relevant person.<sup>213</sup>

The Commission welcomes these provisions, which we recommended in our analysis of the General Scheme of the Criminal Law (Sexual Offences and Human Trafficking) Bill 2024<sup>214</sup> during the pre-legislative process.<sup>215</sup> The Commission also welcomed the agency conferred on the victims of human trafficking for their identification by the 2024 Act.<sup>216</sup>

In relation to the provision of assistance and most importantly accommodation, most victims of trafficking who are third-country nationals and who apply for International Protection are accommodated in Direct Provision, which the Commission has repeatedly highlighted as absolutely inadequate for victims of human trafficking for many reasons: design, volatility, lack of gender and trauma approaches, institutionalisation and risk.<sup>217</sup>

Rosa's Place, the gender-specific shelter, is not accessible for victims with physical disabilities and needs to be evaluated and scaled up for demand, with great urgency.<sup>218</sup> Direct Provision is also considered problematic in regard to persons with disabilities, with a 2021 study finding 'Asylum seekers with disabilities are largely invisible in the International Protection system in Ireland. They face multiple and intersecting forms of discrimination as asylum seekers in Ireland's Direct Provision system, and as persons with disabilities.'<sup>219</sup>

The NAP, which is due for mid-term review in 2025, contains only a general reference to disability in the form of commitment to non-discrimination in the provision of support to victims regardless of 'gender, age, race, disability, religion, sex, sexuality, occupation, immigration status, family status, membership of the Roma or Travelling community or status as a victim of trafficking or the type of exploitation'.<sup>220</sup> References to specific needs are mentioned throughout the NAP in relation to health care and referral to services by the HSE (Action 2.4), which could be understood as also including the needs of victims with disabilities.<sup>221</sup>

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<sup>213</sup> [Criminal Law \(Sexual Offences and Human Trafficking\) Act 2024](#), Section 36

<sup>214</sup> IHREC (2022) [Submission on Part 3 of the General Scheme of the Criminal Justice \(Sexual Offences and Human Trafficking\) Bill 2022](#)

<sup>215</sup> IHREC (2023) [The Criminal Law \(Sexual Offences and Human Trafficking\) Bill 2023](#)

<sup>216</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 69

<sup>217</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 154

<sup>218</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 163

<sup>219</sup> Disability Federation of Ireland (2021) [Submission to the Department of Children, Equality, Disability, Integration and Youth Review of Direct Provision](#); Barry K (2021) 'Assessing Vulnerability: Asylum Seekers with Disabilities in Direct Provision in Ireland', Oxford Human Rights Hub (19 October 2021)

<sup>220</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), p. 19

<sup>221</sup> Action 2.4 'Identify specific health care needs for victims of trafficking to include: Access to medical card/ Identification of named GP, Referral to appropriate community/acute services in HSE, Referral to other NGO/community services'; Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#)

Persons with disabilities, including victims of trafficking, have a right to effective access to justice on an equal basis with others, with appropriate accommodation being made available to facilitate their participation in all legal proceedings, including at the investigatory and other preliminary stages.<sup>222</sup> The Commission welcomed the formalisation of the service provided by intermediaries for vulnerable victims in the criminal justice system<sup>223</sup> and the recently announced accredited training in the University of Limerick and pilot programme in the Courts Service.<sup>224</sup> Given the important role of intermediaries for both child and other vulnerable victims,<sup>225</sup> we are very pleased that the use of intermediaries has been formalised in Ireland. While we welcome the establishment of the register of qualified intermediaries, without published guidance it is unclear how this system will work in practice.<sup>226</sup>

In relation to prevention measures, the Commission noted a lack of nationwide awareness-raising campaigns in 2023, with Civil Society Organisations highlighting the lack of coordination and collaboration in prevention efforts as a significant challenge.<sup>227</sup> Nevertheless, we welcomed the focus on vulnerable and hard-to-reach populations, which should include victims with disabilities, in the commitments in the NAP and look forward to its implementation.

## Recommendations

The Commission recommends that the National Referral Mechanism includes processes for the proactive identification of people with disabilities.

The Commission recommends that the State engage with the early transposition of the amended EU Anti-Trafficking Directive, which benefits potential and identified victims of trafficking with disabilities.<sup>228</sup>

The Commission recommends that the State:

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<sup>222</sup> [Convention on the Rights of Persons with Disabilities](#), Article 13. Ireland ratified this Convention in March 2018; [2014] EWCA Crim 2064

<sup>223</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 184

<sup>224</sup> Department of Justice (2025) [Written Answer to Parliamentary Question: Victim Support Services](#) (9 April 2025)

<sup>225</sup> The term ‘vulnerable witnesses’, is not defined in legislation, but generally includes children, people with an intellectual disability and cases involving sexual offences

<sup>226</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 184

<sup>227</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 265

<sup>228</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 70

- develop a human trafficking data system that includes the possibility of accounting for disabled victims/survivors; and
- mandate all State agencies and bodies involved in the response to human trafficking (especially the State Departments and agencies designated as Competent Authorities under the revised National Referral Mechanism) to take steps to ensure that their respective data systems capture disaggregated data on human trafficking, including data on disabilities.<sup>229</sup>

The Commission recommends that the State fully implement the rights of persons with disabilities contained in the United Nations Convention on the Rights of Persons with Disabilities,<sup>230</sup> and specifically that the State ensure that adequate accommodation be available to disabled applicants for International Protection and temporary protection and that they are able to access appropriate supports from the date of their application.

The Commission recommends that the State reinstate Vulnerability Assessments for all applicants for International Protection; identify special reception needs, including for applicants with disabilities; and take measures to ensure recommendations arising from such assessments can be actioned.

The Commission recommends that the State consider the particular needs of victims of human trafficking with disabilities in its anti-human trafficking response, including but not limited to ensuring services (such as shelters) for victims are fully accessible to disabled people and designed considering diverse needs, in line with Article 9 of the UN Convention on the Rights of Persons with Disabilities.<sup>231</sup>

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<sup>229</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 70

<sup>230</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 71

<sup>231</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 71

The Commission recommends that the HSE Anti-Human Trafficking Team be entrusted with a clear role in the new National Referral Mechanism and resourced for wide geographical reach, due to its victim-centred, disability-sensitive and gender-specific approach.<sup>232</sup>

The Commission recommends that all Intermediary Panel members in the criminal justice system undertake trafficking and child-trafficking-specific training, and that their role be clearly outlined and integrated within the Operational Guidelines that will accompany the new National Referral Mechanism.<sup>233</sup> Such training and policies should be human rights-based, victim-centred and gender-, disability- and child-sensitive.<sup>234</sup>

The Commission recommends that the Department of Justice develop and coordinate annual nationwide campaigns focused on the online dimension of trafficking that are directed at hard-to-reach sectors and vulnerable groups such as children, young people, disabled people and migrants, and that it provides the materials for such campaigns in accessible formats.<sup>235</sup>

## The Convention on the Rights of Persons with Disabilities

IHREC is the official Independent Monitoring Mechanism under the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) responsible for promoting, protecting and monitoring the implementation of the Convention.

In a recent report to the UN Committee on CRPD, the Commission raised serious concerns in relation to the significant levels of institutionalisation and systemic failings of institutions providing educational, health and social care services to disabled people, including residential institutions.<sup>236</sup> Significant gaps in safeguarding and oversight were also identified. There is an overriding concern that the will and preference of disabled people are not being responded to in respect of their right to independent living.

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<sup>232</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 128

<sup>233</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 185

<sup>234</sup> [Directive \(EU\) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#), Article 18b (1); [Council of Europe Convention on Action against Trafficking in Human Beings](#), Article 5

<sup>235</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 266

<sup>236</sup> IHREC (2025) [Ireland and the United Nations Convention on the Rights of Persons with Disabilities](#)

## **GRETA Question 6**

### **Vulnerability and special needs of asylum seekers**

How do you ensure in practice that an assessment of the vulnerability and special needs of asylum seekers is carried out at an early stage?

What procedures are followed when vulnerability to THB is detected?

Please provide information on policies and measures in the following areas:

- a. provision of comprehensive and accessible information, in a range of relevant languages, on the rights of asylum seekers, indicators of THB, rights of victims of THB, and contacts of relevant organisations;
- b. access to legal assistance and representation;
- c. access to decent accommodation, health (including psychological) care, work and education

### **Assessment of vulnerability and special needs within the International Protection system**

The Commission considers it important that the asylum process has a formal, proactive mechanism to identify victims of human trafficking, and the Vulnerability Assessment represents a valuable tool in this regard.<sup>237</sup> In Ireland there are significant shortfalls with ensuring in practice that an assessment of the vulnerability and special needs of asylum seekers is carried out at an early stage.

Ireland has an obligation to carry out Vulnerability Assessments where an applicant has special reception needs in line with the EU Reception Conditions Directive.<sup>238</sup> Regulation 2(5) of the Reception Conditions Regulations defines a vulnerable person as ‘a person who is a minor, an unaccompanied minor, a person with a disability, an elderly person, a pregnant woman, a single parent of a minor, a victim of human trafficking, a person with a serious illness, a person with a mental disorder, and a person who has been subjected to torture, rape or other form of serious psychological, physical or sexual violence.’ Under the Reception Conditions Regulations, a Vulnerability Assessment must take place within 30 working days of a person communicating their intention to seek asylum.<sup>239</sup>

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<sup>237</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 38

<sup>238</sup> [Directive \(EU\) 2024/1346 of the European Parliament and of the Council of 14 May 2024 laying down standards for the reception of applicants for international protection](#)

<sup>239</sup> [SI No. 230/2018 - European Communities \(Reception Conditions\) Regulations 2018](#), Regulation 8(1)(a)

The State had not introduced Vulnerability Assessments by the end of 2020, despite Government commitments to implement a formal system by year end.<sup>240</sup> IPAS started a Vulnerability Assessment (VA) pilot, carried out by the IPAS Resident Welfare Team (RWT), at one reception centre, in January 2021. This pilot was extended to all new International Protection applicants in 2021. For this period IPAS VAs started with an initial interview with a Vulnerability Assessment Officer asking a standardised list of questions to be delivered in a sensitive and conversational manner with a gender-specific approach, and with interpretation as required.<sup>241</sup> In 2022, in response to the significant increase in the number of International Protection applications, IPAS introduced a preliminary screening process via a questionnaire for self-completion by applicants and a referral system aimed at the ‘earliest identification of vulnerable applicants.’<sup>242</sup> The VA pilot programme was then formally suspended in March 2024.

In November 2024, a new VA programme, outsourced by IPAS to ‘Good People Homecare Ltd’, was introduced only for families applying for International Protection.

The IPAS Resident Welfare Team (RWT) was initially in charge of the Vulnerability Assessments within the Irish International Protection system. In 2022, IPAS RWT included a Programme Manager, four Assessment Officers and two Social Work Leaders, who made determinations of the vulnerability status and reception needs of the applicants and referred them to services they might need.<sup>243</sup>

The change in approach to a self-referral system in 2022 appears to have affected the impact and scope of VAs, including in respect of identifying a vulnerability due to human trafficking.

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<sup>240</sup> Irish Refugee Council (2025) [Special Reception Needs of Vulnerable Groups Republic of Ireland](#)

<sup>241</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 87; IPAS’s Vulnerability Assessments used to begin with an initial interview with a Vulnerability Assessment Officer (VAO) from the Resident Welfare Team. Following a review in September 2022, a preliminary screening process via a questionnaire was introduced for IPAS VA. VAOs have been trained on the psychological impact of trauma in war and forced migration, on survivors of violence, intercultural awareness and interview and de-escalation skills. The officer asks a standardised list of questions in a sensitive and conversational manner with a gender-sensitive approach and interpretation as required. The questions relate to age, disability (both physical and non-physical), pregnancy, childcare responsibilities, serious illness and indicators of other vulnerabilities. To assess human trafficking, the VAO is required to ask, ‘Does the applicant indicate that they may be a victim of human trafficking or have been brought to the State against their will?’ followed by asking if the applicant is currently afraid of anyone in the State or of anyone present during the interview with the IPO. When the assessment indicates that the applicant has one or more vulnerabilities, the VAO may refer the applicant for one or more further assessments carried out by a social worker. The Resident Welfare Team holds regular Vulnerability Assessment Clinics in International Protection accommodation centres, where residents have an opportunity to discuss any special reception needs with the Resident Welfare Team directly. For more information see IPAS (2022) Vulnerability Assessment Pilot Programme (28 September)

<sup>242</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 107

<sup>243</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 107

Between February and December 2021, 686 VAs were carried out, which constituted 25% of International Protection applicants. Of these, 438 (63%) were found to have some form of vulnerability,<sup>244</sup> and 3% or 13 adults were found vulnerable due to human trafficking.<sup>245</sup>

In 2022, when VAs were available on the basis of self-referral, only 8% (1,097) of International Protection applicants undertook the assessment. From that 8%, 78% (829 applicants) had some vulnerability, compared to 63% (438) in 2021.<sup>246</sup> In 2022, six applicants (0.5% of those screened) were identified with vulnerability related to human trafficking.<sup>247</sup>

In 2023, a total of 1,949 VAs were undertaken, representing 14% of all International Protection applicants the same year (13,277).<sup>248</sup> Although this represented an increase from the 8% of 2022, it fell short of the 25% of applicants assessed in 2021.<sup>249</sup> Of those 1,949 assessments, vulnerabilities were found in 60% of the cases, many comprising multiple vulnerabilities. In 2023, four cases were identified with vulnerability related to human trafficking.<sup>250</sup>

The VA pilot programme was formally suspended in March 2024, explained by the State as due to the increase of arrivals and the constraints on available accommodation across IPAS.<sup>251</sup>

Up to the ending of the VA programme in early 2024, a total of 150 applicants were assessed (96 male and 54 female), of which 121 were deemed vulnerable.<sup>252</sup> Of those 121, five were recommended/actioned to transfer their accommodation.<sup>253</sup>

In November 2024, a new 'Good People Homecare' VA programme was introduced only for families applying for International Protection. Families are stated to be offered the assessment when they lodge their application for International Protection in the IPO. The external contractor, Good People Homecare Ltd,<sup>254</sup> then carries out the VA on behalf of IPAS, including for applicants who were awaiting assessment when the programme was suspended in March 2024.<sup>255</sup> Data from this period shows 673 people assessed, of whom one person was indicated to be a potential victim of trafficking following

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<sup>244</sup> Department of Children, Equality, Disability, Integration and Youth (2022), [Written answer to Parliamentary Question: International Protection](#) (3 February 2022)

<sup>245</sup> Department of Children, Equality, Disability, Integration and Youth (2022), [Written answer to Parliamentary Question: International Protection](#) (3 February 2022)

<sup>246</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), pp. 107–108

<sup>247</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 108

<sup>248</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 148

<sup>249</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 148

<sup>250</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 148

<sup>251</sup> Gov.ie (2024) [International Protection Accommodation Services \(IPAS\) Support Services Vulnerability Assessment Programme](#)

<sup>252</sup> International Protection Service Accommodation 2025

<sup>253</sup> International Protection Service Accommodation 2025

<sup>254</sup> VA use human trafficking indicators and all vulnerability assessors must be social care workers

<sup>255</sup> International Protection Service Accommodation 2025

IPAS review of assessment.<sup>256</sup> The detection of one potential victim of human trafficking in a short period in 2024, and through assessment of the family cohort only, highlights VA as an important tool for the detection of trafficking in human beings in the International Protection process.

IPAS reported that VA was expected to be expanded to include couples and single arrivals in early 2025.<sup>257</sup> In July 2025, IPAS informed the Commission that “VA process in addition to the VA being offered to families, was extended to couples and single female arrivals from 02/07/2025”.<sup>258</sup>

Given that within the current NRM most victims of trafficking identified in Ireland are third-country nationals (all 67 victims identified in 2024 were not Irish) and many are within the International Protection system, the Commission sees a particular need for the establishment of an effective and comprehensive Vulnerability Assessment process capable of identifying the special needs of all applicants. The provision of a VA for all International Protection applicants, including couples and single people, is critically important.

## Access to decent accommodation

As addressed in detail in question 3, a fundamental issue in Ireland is a lack of safe, gender-specific, specialised accommodation for victims of trafficking, particularly those who have suffered gender-based violence and/or sexual exploitation and abuse, and people with disabilities.

The Commission has repeatedly flagged that safe and suitable accommodation is of utmost importance for the recovery and protection of victims of human trafficking.<sup>259</sup>

There are serious issues with the Direct Provision system of accommodation.<sup>260</sup> The Government has committed to ending Direct Provision.<sup>261</sup> The housing crisis in Ireland poses difficulty in regard to accommodation generally.

From late 2023 to present, IPAS has been unable to provide accommodation to all single men arriving in Ireland seeking International Protection. The Commission brought legal proceedings in its own name in December 2023 to challenge the State’s failure to provide accommodation to single male applicants for International Protection from December 2023, and in that case the judge cited evidence before the Court from applicants who were highly vulnerable, who were street homeless, who

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<sup>256</sup> International Protection Service Accommodation 2025. Among other vulnerabilities found, 47% (317) were children; 36% (241) presented with vulnerability signs regarding torture, rape and/or trauma; 12% (84) a serious illness; and 11% (75) were single parents. Seven applicants (1%) assessed showed human trafficking vulnerability based on initial questionnaire responses from the applicant but following IPAS review of assessment that figure was reduced to only one person being indicated as a potential victim of human trafficking

<sup>257</sup> International Protection Service Accommodation 2025

<sup>258</sup> Correspondence from IPAS, 9 July 2025

<sup>259</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#)

<sup>260</sup> Irish Refugee Council, [Direct Provision](#) [website]; UCD (2022) [Ending Direct Provision](#)

<sup>261</sup> Department of Children, Disability and Equality (2021) [White Paper on Ending Direct Provision](#)

experienced attacks while street homeless, and who were destitute.<sup>262</sup> The State appealed the judgment, and the decision of the Court of Appeal remains pending at time of writing. The failure of the State to provide accommodation to single male applicants for International Protection persists, with 2,577 applicants awaiting provision of accommodation as of 20 June 2025.<sup>263</sup>

A Vulnerability Triage of newly arrived single male applicants was introduced some months following the suspension of the VA in 2024. The Vulnerability Triage is conducted at the IPO when an individual makes the initial International Protection application. It aims to identify those with ‘very high needs requiring priority for accommodation when available’, at the IPO; in light of this, it is not akin to a VA for the purposes of the Reception Conditions Directive.<sup>264</sup> The Vulnerability Triage identifies single male applicants who must be prioritised for accommodation.<sup>265</sup>

The Commission is concerned that the lack of accommodation provision to International Protection applicants increases their vulnerability to exploitation and potential trafficking.

## Provision of accessible and comprehensive information

With regard to the provision of accessible and comprehensive information, in 2024 IPAS produced a booklet of support services (it includes mental health support, homelessness, immigration, childcare, etc.) that also contains the contact details of relevant organisations that provide direct assistance to victims of trafficking (MRCI, ICI, Ruhama, etc.)<sup>266</sup> and is available within the IPAS Support Services webpage.

From January 2025, the booklet is to be provided to those residents who have undertaken a VA with the contractor Good People.<sup>267</sup> The booklet clarifies that the list of available organisations is not exhaustive, and according to IPAS, the team is currently reviewing how to make this information more

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<sup>262</sup> IHREC (2021) [Commission Welcomes Significant Judgment on the Human Rights of International Protection Applicants in Landmark Case](#) (1 August 2024). *Irish Human Rights and Equality Commission v Minister for Children, Equality, Disability, Integration and Youth and Others* [2024] IEHC 493; The judge held that ‘the State’s failure to provide for the basic needs of newly arrived International Protection applicants between 4 December 2023 and 10 May 2024, whether by way of the provision of accommodation, shelter, food and basic hygiene facilities or otherwise, is in breach of that class of persons’ rights pursuant to Article 1 of the Charter of Fundamental Rights of the European Union.’ The judge granted a declaration that: ‘the State’s failure to provide for the basic needs of newly arrived international protection applicants between 4 December 2023 and 10 May 2024, whether by way of the provision of accommodation, shelter, food and basic hygiene facilities or otherwise, is in breach of that class of persons rights pursuant to Article 1 of the Charter of Fundamental Rights of the European Union.’

<sup>263</sup> Department of Justice, Home Affairs and Migration (2025) [Statistics on International Protection Applicants not offered accommodation](#) (20 June 2025)

<sup>264</sup> Gov.ie (2024) [International Protection Accommodation Services \(IPAS\) Support Services Vulnerability Assessment Programme](#)

<sup>265</sup> In 2024, 6,624 single male applicants were assessed by VA Triage with the majority remaining unaccommodated (5,248). 180 single male applicants were recorded as ‘left IPO’ and 10 VA triages were recorded as ‘unable to complete’<sup>265</sup>

<sup>266</sup> Department of Children, Equality, Disability, Integration and Youth (2024) Support Services Information Booklet for International Protection Applicants

<sup>267</sup> International Protection Accommodation Service 2025

readily available to those who may need it.<sup>268</sup> The booklet seems to be available only in English and in non-readable pdf format.<sup>269</sup>

According to the IPAS RWT, they operate a complex case response and encourage open communication with management at accommodation centres, AGS, Tusla, HSE, CSOs and potential victims of trafficking for their cases to be reviewed, responded to and escalated as appropriate.<sup>270</sup> IPAS also reports that a HSE staff member is co-located with the National Social Inclusion Office (NSIO) and RWT in IPAS to ‘assist in addressing cases where International Protection applicants have complex medical needs and provide support and guidance to IPAS as required where a priority medical condition including disabilities and experience of violence is identified’. IPAS also reports having a parallel process in place for ‘Medical Transfer Requests’.<sup>271</sup>

## The EU Migration and Asylum Pact – Vulnerability Assessment

The Commission is closely monitoring the State’s plans for implementation of the EU Migration and Asylum Pact, which must be transposed by June 2026. The Government plans to issue new legislation to give effect to the Plan, overhauling the current International Protection 2015 Act, and to produce a National Implementation Plan, as required by the European Commission. Further discussion in relation to the Pact and transposing legislation is included at question 15.

### Recommendations

The Commission reiterates its recommendation that training of the personnel conducting Vulnerability Assessments within the International Protection process include human trafficking competence and basic identification skills, at a minimum.<sup>272</sup>

The Commission recommends that the Department of Justice, Home Affairs and Migration<sup>273</sup> designate resources to the International Protection Accommodation Service to allow them:

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<sup>268</sup> International Protection Accommodation Service 2025

<sup>269</sup> Gov.ie (2024) [International Protection Accommodation Services \(IPAS\)](#)

<sup>270</sup> International Protection Accommodation Service 2025

<sup>271</sup> International Protection Accommodation Service 2025

<sup>272</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 87

<sup>273</sup> This is the reiteration of a previous recommendation made to the Department of Children, Equality, Diversity, Inclusion and Youth which was previously responsible for IPAS (now the responsibility of the Department of Justice, Home Affairs and Migration). Please note that in 2025, responsibility for the International Protection Accommodation Service was transferred from the Department of Children, Equality, Diversity, Inclusion and Youth to the Department of Justice, Home Affairs and Migration. See Law Society Gazette Ireland (2025) [‘High Court immigration division to be set up’](#) (16 January 2025)

- a. to carry out quality Vulnerability Assessments with a sufficient spread as a strategy for the identification of potential victims;
- b. to organise an efficient referral of suspected victims to the specialised human trafficking framework; and
- c. to participate as a Competent Authority in the upcoming National Referral Mechanism reforms.<sup>274</sup>

The Commission recommends that the State take urgent measures to ensure Vulnerability Assessments are available in a timely manner to all International Protection applicants with special reception needs, as required by the recast Reception Condition Directive.<sup>275</sup>

The Commission recommends that the State ensure that legislative measures transposing the EU Pact on Migration and Asylum embed adequate safeguards for victims of trafficking seeking International Protection and do not expand the use of immigration detention.

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<sup>274</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 110

<sup>275</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 148

## **GRETA Question 7**

### **Vulnerability to THB of migrant workers**

What specific measures are taken to reduce the vulnerability to THB of migrant workers (including seasonal workers, seconded/posted workers, domestic workers, diplomatic household employees)? Please provide information on policies and measures in the following areas:

- a. provision of comprehensive and accessible information, in a range of relevant languages, on migration and labour laws, worker protection and contacts of relevant organisations;
- b. provision of clear employment contracts;
- c. access to decent work and housing, health care, social services and education;
- d. possibility to change employers;
- e. access to confidential complaints mechanisms;
- f. right to join trade unions and to engage in collective bargaining;
- g. legal avenues for regularising their stay in the country.

## **Measures to reduce vulnerability of migrant workers to THB**

Trafficking for labour exploitation (TLE) was the second most identified form of trafficking exploitation in Ireland in the reporting period 2022–2024,<sup>276</sup> accounting for 28% of all identified victims. TLE has retained similar numbers of identified victims over recent years with 15 victims identified in 2022, 16 in 2023, and 15 in 2024.

### **Inspections**

The WRC Labour Inspectorate plays a central role in reducing vulnerability to TLE.

As discussed at question 8, and question 20, the WRC has continued its policy of targeting high-risk sectors for human trafficking.<sup>277</sup>

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<sup>276</sup> Data for 2025 is not available yet, therefore IHREC will report on the available data over the years 2022, 2023 and 2024

<sup>277</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 142

## Domestic workers

Domestic work has been identified as a high-risk sector for trafficking for labour exploitation.<sup>278</sup> The EU Strategy on Combatting Trafficking for 2021–2025<sup>279</sup> also identifies domestic work as high risk for trafficking for labour exploitation.

Domestic workers enjoy the same protections as all other legally employed workers<sup>280</sup> but inspections of domestic work raise challenges for the WRC when compared to other places of work.

Undocumented domestic workers are hard to access,<sup>281</sup> and the WRC must request access to enter private houses. The WRC reports that inspections of domestic work are largely detected through referrals or complaints, or by examination of official records.

The WRC reported that between 2011 and 2024, 243 inspections were aimed at the domestic work sector with approximately €52,000 in unpaid wages recovered.<sup>282</sup> The Commission does not have information on the number of domestic inspections carried out specifically in 2024. No suspected victims of trafficking in domestic labour were identified for referral by WRC in 2024. The WRC reported its intention to focus on domestic work in 2026.<sup>283</sup>

Regarding access to private homes, it is WRC policy to request access to the workplace but if this is not possible then the employer has an obligation to make themselves available at another location.

The WRC has guidance for domestic workers<sup>284</sup> in eight languages.<sup>285</sup> The rights of persons employed in private homes<sup>286</sup> are set out in a Code of Practice<sup>287</sup> produced by the WRC in consultation with representatives of social partners. The Commission welcomes these measures.

The Commission also welcomes the WRC's continued focus on high-risk sectors, including its planned focus on domestic work, a high-risk sector, in 2026, and flags the importance of continued focus on this and other high-risk sectors.

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<sup>278</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 9

<sup>279</sup> European Commission (2021) [Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the EU Strategy on Combatting Trafficking in Human Beings 2021- 2025](#)

<sup>280</sup> Workplace Relations Commission (2024) [Domestic Workers](#) [website]

<sup>281</sup> Workplace Relations Commission 2025

<sup>282</sup> Workplace Relations Commission 2024. The main issues encountered related to employment records (51%), payslips (7%), wages (4.5%) and contracts (10%). In 2023, the WRC conducted 17 inspections in the domestic work sector; 94% of employers were found to be in breach of employment law

<sup>283</sup> Workplace Relations Commission 2025

<sup>284</sup> Workplace Relations Commission, [Employment Rights of Domestic Workers in Ireland](#)

<sup>285</sup> Workplace Relations Commission (2023) [Employment Rights of Domestic Workers in Ireland](#)

<sup>286</sup> Workplace Relations Commission (2024) [Domestic Workers](#) [website]

<sup>287</sup> Workplace Relations Commission, [Code of Practice for Protecting Persons Employed in Other People's Homes](#) [website]

## Sea fishers

Following a review and abolition of the Atypical Working Scheme for non-EEA workers on certain Irish registered fishing vessels, the role of ‘sea fisher’ has moved to the Employment Permit System.<sup>288</sup>

The WRC has reported continuing inspections in the commercial sea-fishing sector, including in 2024. The WRC reports that inspectors carried out inspections to monitor compliance with employment rights and Employment Permit legislation, checking that non-EEA fishers and employees generally on commercial fishing vessels were receiving their entitlements under employment legislation.<sup>289</sup>

The Commission welcomes this continued focus on the commercial sea-fishing sector given its high-risk nature and the increased susceptibility of the workers in this sector to trafficking notwithstanding changes to the work/employment permit system.

In 2023 the ITF reported that the WRC did not have enough prevention powers in regard to legal entities, for example, to have a dissuasive effect on the vessel owner community.<sup>290</sup> The ITF has since reported improvements with the situation of migrant fishers, attributed to the abolition of the Atypical Work Permit Scheme.<sup>291</sup> In a Civil Society consultation in 2025, it was reported however that issues remain in circumstances where the WRC does not have the power to inspect foreign-flagged fishing vessels and that since the abolition of the Atypical Work Permit Scheme, a lot of fishers working on vessels are no longer directly employed by the owner but rather are self-employed.<sup>292</sup> It was reported in the Commission’s CSO data-collection exercise in 2025 that, as of February 2025, only two fishers were legally recruited to be employed by vessel owners under the new permit scheme for fishers, which has been in place since July 2024. A ‘core challenge’ reported was ‘the ongoing absence of a serious deterrent to vessel owners contemplating engaging non-EEA fishers illegally by deceptive means and exploiting them’.<sup>293</sup>

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<sup>288</sup> The Atypical Scheme is effectively abolished. All documented fishers as of 3 January 2023 have the right to the visa Stamp 4 and full labour access. A steady number of undocumented fishers are likewise obtaining stamp 4 visas via individual applications for change of status, by solicitors on their behalf. If vessel owners wish to recruit new non-European crew, it will have to be on the basis of one of the Department of Enterprise, Trade and Employment’s more advantageous permit schemes, which have a higher salary threshold and provide for automatic progress to visa stamp 4, something denied in the Atypical Work Permit Scheme

<sup>289</sup> Workplace Relations Commission 2025

<sup>290</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 144

<sup>291</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 144. Several important WRC decisions are also of relevance. See [Ahmed Elganagy v Galopin Trawlers](#) [2023] IEHC 544 which related to workers’ rights to resting time and the responsibility of the WRC in ensuring these rights are upheld.

<sup>292</sup> IHREC Civil Society Consultation 2025

<sup>293</sup> IHREC Civil Society Consultation 2025

## Recommendations

The Commission recommends that the State use its bilateral and international connections to seek and establish clarity regarding the responsibility in reported cases of exploitation and potential human trafficking on foreign-flagged vessels operating in Irish waters.<sup>294</sup>

The Commission recommends that targeted inspections of high-risk sectors for human trafficking become a permanent practice of the Workplace Relations Commission, as a tool towards screening and early detection of possible cases of human trafficking.<sup>295</sup>

## Information provision

While there are some good examples, systematic, clear and regular information provision is a key issue in Ireland. The quality, availability, qualification and standards of interpretation service providers is an ongoing issue. Ireland does not have accredited training or competency standards for spoken language interpreters, unlike other countries.

The Commission is not aware of any one National State campaign regarding human trafficking.

The Prevention Pillar of the NAP plans for updated guidelines and leaflets for indicators of trafficking in multiple languages, which will be used to target those working with vulnerable communities, and those in health and social care settings.<sup>296</sup> It establishes that the Department of Justice and relevant Departments and State agencies in cooperation with CSOs will update guides and make them available in different languages, developed specifically for migrants with indicators at points of entry.<sup>297</sup> The Department of Justice and AGS also commit to supporting the development and evaluation of awareness-raising campaigns on the indicators of human trafficking and the supports available to victims, as well as developing information-raising approaches for hard-to-reach victims and communities.<sup>298</sup>

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<sup>294</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 145

<sup>295</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 144

<sup>296</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), Action 1.2. The NAP commits to disseminate information on trafficking in several languages and to support the development of campaigns. The NAP also commits to reducing the vulnerability of groups at risk of trafficking such as migrants entering Ireland in search of employment opportunities; it also aims to address root causes of vulnerability through engagement with and support of relevant stakeholders such as CSOs or overseas governmental programmes

<sup>297</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), Action 1.2.1

<sup>298</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), Action 1.3.1

While the Commission has welcomed the stated commitment to carry out these actions to raise awareness of human trafficking among vulnerable communities, we have not been informed of the progress of the NAP implementation, with a mid-term evaluation of the NAP due by Q4 2025 by the Department of Justice.<sup>299</sup>

In 2022, the WRC reported that its website provided information on employment rights and redress options in various languages.<sup>300</sup> Specific vulnerable groups (including fishers and domestic workers) have bespoke information relevant to their sector available in the most common languages of the workers in these sectors.<sup>301</sup>

The WRC's statutory responsibilities include the provision of information and awareness initiatives regarding employment law entitlements and obligations. The WRC will also be a Competent Authority under the new NRM, which will change the role it plays. It has worked closely with the relevant Departments in terms of identifying and preparing for potential demand on WRC services arising from the legislative process and ensuring that it will adjust its procedures/policies as necessary and provide information to potential users on how best to progress relevant matters of concern to the WRC.<sup>302</sup>

We welcome reports that the WRC has provided information to Ukrainian nationals in the Ukrainian and Russian languages about their employment rights in Ireland at the point of entry into the State and has drafted a leaflet in those languages about basic employment rights in Ireland. It was also reported that extensive information has been placed on both the WRC's and the Government's websites in Ukrainian and Russian about employment rights in Ireland, and that the WRC's *Guide to Employment Law* booklet has been translated into Ukrainian and Russian.

A summary of the principal employment rights of employees in Ireland along with the link to the website for the WRC is printed on the back of every Employment Permit.<sup>303</sup>

'Anyone Trafficked' is an IOM Ireland Counter-Trafficking Awareness campaign that is free and can be accessed online and in key transport hubs.

## Recommendations

The Commission recommends that all aspects of the new National Referral Mechanism be communicated effectively, including any new roles that the Competent Authorities and Trusted Partners will be required to take on.

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<sup>299</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), Action 4.11.1 provides that 'the Department of Justice will carry out a mid-term evaluation of the plan by Q4 2025 and will update the plan where necessary thereafter'

<sup>300</sup> Workplace Relations Commission, [Other Language Publications](#) [website]

<sup>301</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 131

<sup>302</sup> Workplace Relations Commission 2025

<sup>303</sup> Department of Justice, Home Affairs and Migration 2025

The Commission recommends that the mid-term review of the National Action Plan take place in Q4 of 2025 as committed to, and that this review be clearly communicated.

## Employment permits – Possibility of changing employer

The Commission has recommended that the Employment Permit System be reformed towards greater mobility of migrant workers, for example, as regards sectoral work/employment permits, as a means of prevention of abuse and exploitation. The introduction of sectoral Employment Permits may address power imbalances between workers and employers. There have been calls from CSOs for parity for all workers on Employment Permits – high and essential skilled – in respect of mobility and family reunification rights.<sup>304</sup>

## Employment contracts

Clear employment contracts can play an important role in reducing the vulnerability of migrant workers to trafficking in human beings. In Irish law, a contractual right depends on the existence of a valid and legal contract.<sup>305</sup> Section 2(1)(d) of the Employment Permits Act 2024 defines a contract of employment. A key ingredient of a valid contract is consent, whereas trafficking is characterised by its absence: the victim's acquiescence is obtained by fraud, deceit, coercion or abuse of vulnerability.<sup>306</sup> Another difficulty in this regard is that a contract which is illegal is normally unenforceable.<sup>307</sup> Therefore, if a migrant worker's contract is deemed illegal and unenforceable, this eliminates an otherwise feasible avenue of redress regarding employment-related compensation before the WRC.

## Recommendations

The Commission recommends that the State maintain closer synchronisation with other regulation of the employment of third-country nationals by participating in and opting into legal agreements of the EU, given that they represent minimum standards that countries are free to exceed.<sup>308</sup>

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<sup>304</sup> MRCI (2006) [No Way Forward: Identifying the problem of trafficking for forced labour in Ireland](#)

<sup>305</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 116

<sup>306</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 117

<sup>307</sup> [Quinn v IBRC](#) [2016] 1 IR 1

<sup>308</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 388

## Employment contracts: seasonal workers

The Commission has expressed concerns about the introduction of a Seasonal Employment Permit given its inherent risk of exploitation and human trafficking, and called for additional protection, rights (to information and complaint mechanisms) and mobility.<sup>309</sup>

Ireland has not opted into the EU Seasonal Workers Directive, but the standards and safeguards contained in the Directive are relevant as mechanisms to mitigate against the risk of abuse and exploitation of third-country national workers.

## Recommendations

The Commission recommends that the State considers all available learning and good practices from the provisions of the Seasonal Workers Directive and Employment Sanctions Directive and its implementation in other EU Member States since 2014.

The Commission reiterates its recommendation against the introduction of Seasonal Employment Permits, or at the very least on a limited basis only, and that the standards be on a par with those agreed by EU Member States.<sup>310</sup>

## Migrant workers – Access to decent work and housing, health care, social services and education

Responses to questions through this submission comment on access to supports.

By way of summary, the Commission has repeatedly recommended that services for victims of trafficking should be clearly outlined in detail in statute. The HSE AHTT provides a much-valued service for care-planning and accessing services in for trafficking victims in Ireland, including victims of trafficking for labour exploitation. Housing, as outlined throughout this report, is an area fraught with particular challenges.

## Health care

There is a relatively generous approach to health care for victims of trafficking, which includes access to free medical care and general practitioner doctor (GP) assignment for identified victims. The coordination of this task has been entrusted to the HSE AHTT, which is also the central point of individual care planning for victims. The HSE AHTT supports all identified victims of trafficking to access the medical card they are entitled to and a GP in the area of residence. Additionally, a HSE

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<sup>309</sup> IHREC (2022) Letter to Minister English and members of the Oireachtas Enterprise, Trade and Employment Select Committee, in relation to the Employment Permits Bill 2022, dated 25 November 2022

<sup>310</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 379

Social Inclusion GP is available to all victims regardless to their formal identification and entry to the NRM. Additionally, victims can also access psychology, mental health and social care support through the team.

It is encouraging to see that the HSE AHTT has introduced a new data collection system through share point to allow for ease of reporting and collection of data. Additionally, the HSE Women's Health Service has moved from paper data collection to a fully integrated patient management system. It is expected that both systems will improve the quality of care better ease of ongoing evaluation and reporting. The NAP reconfirms the objective of health care provision for victims of trafficking, including access to a medical card and designated GP and referral to community health care services.<sup>311</sup>

Geographical location can impact on the ease of access to services and health care for victims of trafficking.<sup>312</sup>

## Education

The NAP provides that the Department of Education should support child victims with education, providing access to the education system in a timely manner.<sup>313</sup> Regarding third-level education, the Department of Justice has indicated it will, with support from the Department of Further and Higher Education, Research, Innovation and Science, identify and review the obstacles that victims face when aiming to access tertiary education in developing the revised NRM.<sup>314</sup>

For further and third-level education, in 2023 International Protection applicants had access to the International Protection Student Scheme 2023/2024 from the Department of Further and Higher Education, Research, Innovation and Science. The Scheme was available to students in the International Protection system or at 'leave to remain' stage who were undertaking or wished to pursue a post-Leaving Certificate course, undergraduate course or postgraduate course.<sup>315</sup>

International Protection applicants also have access to the Voluntary Training Opportunities Scheme when they are the holders of a Temporary Residence Card and a work permit.<sup>316</sup> Those with Stamp 4 and refugee status may also have access to other government financial support for further education including Student Universal Support Ireland (SUSI) under certain eligibility criteria. In 2023 and 2024,

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<sup>311</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), Action 2.4 'Identify specific healthcare needs for victims of trafficking to include: Access to medical card/Identification of named GP, Referral to appropriate community/acute services in HSE, Referral to other NGO/ community services'

<sup>312</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 129

<sup>313</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), Action 2.15

<sup>314</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), Action 4.2.1

<sup>315</sup> Department of Further and Higher Education, Research, Innovation and Science (2024) [International Protection Student Scheme \(for FE/HE Students\) 2023/2024](#) [website]

<sup>316</sup> Irish Refugee Council, [Education State \(Government Funding\)](#) [website]

victims of trafficking identified and assisted through the current NRM who were holders of a temporary residence permit continued to be ineligible for some educational supports.<sup>317</sup>

CSOs have reported that holders of a residence permit based on their identification as victims of trafficking (as established in the current NRM via the Administrative Immigration Arrangements) are excluded from accessing SUSI.<sup>318</sup> According to one organisation, this exclusion is the main barrier for victims to access tertiary education.

The draft NAP contained a reference to SUSI in Action 4.3.2. The Commission regrets its removal from the final plan. We look forward to the State's review of the barriers that victims encounter in accessing third-level education, including access to SUSI and other financial supports, given the numerous benefits that being in education has for the recovery and reintegration into society of those victims/survivors.<sup>319</sup> Currently, the Commission does not have information on the implementation of this action.

Under the Department of Education, regional education and language teams support Ukrainians, third-country nationals and International Protection applicant children through allocating school places and supporting schools to meet the needs of these children.<sup>320</sup> Displaced Ukrainian students living in Ireland had access to a range of measures for the 2022/2023 academic year. The measures ensured they were treated as European students and not subjected to international fees. The national Erasmus grant allocation is also used to fund financial supports for qualified persons who undertake full-time studies in Higher Education Institutions, as well as displaced academic staff. Designated Ukrainian students are also eligible to access the Springboard+ programme and PLC courses.<sup>321</sup> It would appear that a review of this is underway.<sup>322</sup>

## Recommendations

The Commission reiterates its recommendation that all child victims of trafficking be afforded the same access to and supports for primary and post-primary education, training and employment as Irish nationals.<sup>323</sup>

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<sup>317</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), pp. 163–164

<sup>318</sup> For more information see <https://www.susi.ie/>

<sup>319</sup> HREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 164

<sup>320</sup> Department of Education (2023) [Educational Provision for Children from Ukraine, International Protection Applicants and Children with Recognised Status Guidance for Primary Schools September 2023](#)

<sup>321</sup> Department of Further and Higher Education, Research, Innovation and Science (2022) [Minister Harris announces new measures to provide access to further and higher education for displaced Ukrainian students](#)

<sup>322</sup> McQuinn (2025) [‘Review aims to bring supports for Ukrainian students in line with those for Irish nationals’](#) *Irish Times* (3 March 2025); Department of Further and Higher Education, Research, Innovation and Science (2025) [Answer to Parliamentary Question: Third Level Education](#) (29 April 2025)

<sup>323</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 362

The Commission reiterates its recommendation that the State guarantee access to SUSI for identified victims of human trafficking who wish to pursue tertiary education, regardless of the immigration permission they hold.<sup>324</sup>

The Commission reiterates its recommendation that legislation clearly set out assistance to and support for suspected victims of trafficking, especially the rights owed to third-country nationals and EEA victims, including through express provisions for:

- a. social welfare (free of any habitual residence condition tests, which must be irrelevant);
- b. housing assistance (that includes a specialised shelter and/or private arrangements); and
- c. immigration status, where necessary to facilitate the entitlement to the above limited assistance, before, during and after the formal identification process.<sup>325</sup>

The Commission reiterates its recommendation that the Department of Social Protection explicitly exempt all victims of trafficking from the Habitual Residence Condition to access statutory assistance.<sup>326</sup>

The Commission recommends that legislation be applied and any amendments to legislation drafted in a way that ensures the five years' reckonable residency requirement does not apply to victims of trafficking in a manner that is contrary to the EU Anti-Trafficking Directive.<sup>327</sup>

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<sup>324</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 362

<sup>325</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 125

<sup>326</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 139

<sup>327</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 158

## Possibility of changing employers

Perhaps the most significant change introduced by the Employment Permits Act is the option to change employer after nine months.<sup>328</sup>

These changes are an improvement and are welcomed, even though they fall short of the mobility that could be afforded by an occupational permit, as the link with a particular employer persists.<sup>329</sup>

## Access to confidential complaints mechanisms

Ensuring that undocumented migrants are able to obtain information about their legal rights and that support mechanisms for lodging complaints and legal assistance are available is a prerequisite to effective access to justice, in particular for those who are victims of abusive employers.<sup>330</sup>

Access to confidential complaints mechanisms is an issue in Ireland. Undocumented workers are precluded from bringing complaints before the WRC or the Labour Court, which operate as an avenue for documented workers to bring a complaint.<sup>331</sup>

While Ireland has not opted into either the Employment Sanctions Directive or the Seasonal Workers Directive, nonetheless, these Directives contain learnings which could be implemented by the State with regard to confidential complaints mechanisms.<sup>332</sup>

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<sup>328</sup> Houses of the Oireachtas Seanad Debates (2024) [Employment Permits Bill 2022: Committee Stage](#) (22 May 2024)

<sup>329</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 376

<sup>330</sup> European Commission (2021) [Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the application of Directive 2009/52/EC of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals](#)

<sup>331</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 362

<sup>332</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 352; Article 6 of the Employers Sanctions Directive provides for the facilitation of complaints. Article 13 provides an effective mechanism for lodging complaints against exploitative employers, providing that Member States must 'ensure that there are effective mechanisms through which third-country nationals in illegal employment may lodge a complaint against their employers, directly or through third parties designated by Member States as trade unions or other associations of a Competent Authority of the Member State when provided for by national legislation.' Article 15(6) of the Seasonal Workers Directive provides for the facilitation of complaints against an employer for not fulfilling their duties. Article 25 ensures there are effective mechanisms through which seasonal workers may lodge complaints against their employer either directly or through third parties who have, in accordance with national law, a legitimate interest in ensuring compliance

## Recommendation

The Commission recommends that the State considers all available learning and good practices from the provisions of the Seasonal Workers Directive and Employment Sanctions Directive and its implementation in other EU Member States since 2014.<sup>333</sup>

### Right to join trade unions and to engage in collective bargaining

Migrant workers legally employed in Ireland have the same rights as all employees in relation to joining trade unions and engaging in collective bargaining.

We note the importance of collective bargaining, the right to join a trade union, and the Directive on Adequate Minimum Wages in the European Union<sup>334</sup> to vulnerable groups in the workplace.<sup>335</sup>

### Legal avenues for regularising their stay in the country

Legal avenues for regularising status in the State is detailed in the response to question 11.

### Sectoral employment permits

There have been calls for the introduction of Sectoral Employment Permits to remove power imbalances between workers and employers so that workers can leave poor working conditions and change employment within a sector to a better job, as well as calls for parity for all workers on Employment Permits – high and essential skilled – in respect of mobility and family reunification rights.<sup>336</sup>

The Regularisation of Long-Term Undocumented Migrant Scheme was an administrative scheme established under the Minister for Justice's executive powers that aimed to regularise the status of long-term undocumented migrants residing in the State. Detail on the scheme is provided in the response to question 11.

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<sup>333</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 388

<sup>334</sup> [Directive \(EU\) 2022/2041 of the European Parliament and of the Council of 19 October 2022 on adequate minimum wages in the European Union](#)

<sup>335</sup> IHREC (2023) Eustace A, Kenny D, [Collective Bargaining and The Irish Constitution -Barrier or Facilitator?](#), p.1

<sup>336</sup> MRCI (2006) [No Way Forward: Identifying the problem of trafficking for forced labour in Ireland](#)

## **GRETA Question 8**

### **Labour inspectorates and other authorities**

Do labour inspectorates and other authorities checking workplace conditions possess a comprehensive mandate, and adequate human, financial and technical resources, to conduct regular, proactive workplace inspections in all economic sectors, with a particular emphasis on high-risk sectors prone to exploitation?

How do labour inspectors co-operate with other authorities and trade unions? Is there a separation between labour inspection and immigration control functions?

The WRC plays an important role in the early identification of victims of trafficking and this role will increase with the new NRM, when it will assume the role of a Competent Authority with the power to carry out preliminary identification (detection) of suspected victims.<sup>337</sup> Therefore, it is critical that the WRC possess a comprehensive mandate and adequate human, financial and technical resources to allow them to continue to play this key role.

The WRC currently has many different functions linked to the employment and immigration system as well as to labour regulation in Ireland for third-country nationals.

The WRC has wide-ranging powers to exchange information with other State bodies, and carries out inspections with other State enforcement bodies where such joint operations would enhance the effectiveness of the participating bodies. There is cooperation between AGS (Garda National Immigration Bureau and Garda National Protective Services) and the Employment Permits Unit in the Department of Enterprise, Trade and Employment (DETE).

In terms of data sharing between authorities, WRC Inspectors are authorised officers under Employment Permit legislation and as such, have full access to data held on Employment Permits in the DETE. WRC Inspectors have statutory access to information held by Revenue and DETE under the provisions of Section 31 of the Workplace Relations Act 2015. The WRC can share information with official bodies relating to the detection, investigation or prosecution of an offence under the provisions of Section 32 of the 2015 Act. The WRC also cooperates with the Garda National Immigration Bureau (GNIB) and the Department of Justice as regards data on an individual's immigration status.<sup>338</sup>

The WRC participates in a number of awareness-raising campaigns through its participation in the EUROPOL European Multidisciplinary Platform against Criminal Threats (EMPACT) Labour Exploitation group. These include:

- › EMPACT Joint Action Days (JADs) focus on labour exploitation and human trafficking and involve labour inspectorates and police forces across Europe.

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<sup>337</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 140

<sup>338</sup> Workplace Relations Commission 2025

- › The 2024 EMPACT Labour Exploitation campaign consisted of seven Joint Days of Action during the week of 20–27 April 2024. It involved WRC Inspectors, the Department of Social Protection, the Revenue Commissioner and Gardaí from the Garda National Protective Services Bureau (GNPSB) and GNIB. In total, 225 inspections were carried out during the campaign. Other issues outside the remit of the WRC were referred to other relevant State agencies.
- › The EMPACT Global Chain of Action on Labour Exploitation which took place on 6–7 June 2024. This focused among other things on identification of possible victims of human trafficking and disruption of possible supply chains in trafficking for the purposes of sexual exploitation, forced begging, and labour exploitation. Joint inspections were conducted between WRC Inspectors and officers from the HTICU. Overall, a total of 16 unannounced inspections were undertaken and four of the employers inspected were found to be in breach, or possible breach, of employment rights legislation, with three found to be in breach of the Employment Permits Act 2003.<sup>339</sup>

As noted, the WRC is the main body tasked with responsibility to conduct regular, proactive inspections across different economic sectors.<sup>340</sup>

In relation to capacity and staffing of the WRC, in 2023 there were 63 Inspectors employed by the WRC (inclusive of eight Inspector Team Managers), deployed in five regional offices. The WRC reported having 70 inspector posts (including eight Inspection Team Managers) in 2024, in five regional offices.<sup>341</sup> The WRC reported being down 15 inspectors at the start of 2025,<sup>342</sup> but it had been sanctioned for 10 additional inspector posts and a recruitment campaign was taking place in Q1 2025 aiming to bring the total allocation to 80 posts.<sup>343</sup>

As discussed at question 20, the WRC has adopted a policy of focusing on high-risk sectors for trafficking for labour exploitation, which is welcomed by the Commission.

In 2022, GRETA noted that the limited number of labour inspectors inhibited investigations into labour exploitation.<sup>344</sup> It is essential that the WRC's workforce is at sufficient levels in order for them to be able to deliver on its existing functions as well as the enhanced functions linked to the new NRM.<sup>345</sup>

The WRC plays no formal role in the identification of victims under the current NRM Administrative Immigration Arrangements. Currently, its inspectors refer any potential victims to AGS and have no more involvement after this occurs. This role will change under the new NRM.

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<sup>339</sup> Workplace Relations Commission 2025

<sup>340</sup> Workplace Relations Commission 2025. These sectors include forestry, fruit and vegetable farms, livestock farms (animal and poultry), meat processing, domestic work, commercial sea-fishing sector, and high-risk sectors including food service activities, wholesale and retail trade, hair and beauty, construction, beverage service activities, hotels, human health and social work, fishing and food service activities

<sup>341</sup> Workplace Relations Commission 2025

<sup>342</sup> Workplace Relations Commission 2025

<sup>343</sup> Workplace Relations Commission 2025

<sup>344</sup> GRETA (2022) [Evaluation Report Ireland. Third Evaluation Round. Access to Justice and Effective Remedies for Victims of Trafficking in Human Beings](#), p. 5

<sup>345</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 141

The WRC reports that there are sufficient firewalls in place in terms of any joint inspection activity that it carries out with the State's immigration enforcement authorities (namely AGS GNIB). The WRC reports that it implements a policy of not initiating prosecution against an employee when detected without a valid Employment Permit, and that in such circumstances, any prosecution proceedings are initiated against the employer only.<sup>346</sup>

Stakeholders have promoted the idea of separating labour inspections and law enforcement/immigration activities by means of a 'firewall', which would guarantee that irregular migrants detected during inspections would not be referred to immigration for return procedure.<sup>347</sup>

The Commission remains of the opinion that clear communicated firewalls are paramount to early detection of cases of exploitation, forced labour and human trafficking.<sup>348</sup>

## Recommendations

The Commission reiterates its recommendation that the labour inspectorate capacity be increased as planned and maintained at levels allowing the Workplace Relations Commission to fulfil its functions including in the anti-trafficking area, its new functions as a Competent Authority under the new National Referral Mechanism, and as a key body in preventing labour exploitation in Ireland.<sup>349</sup>

The Commission recommends that targeted inspections of high-risk sectors for human trafficking become a permanent practice of the Workplace Relations Commission, as a tool towards early screening and early detection of possible cases of human trafficking.<sup>350</sup>

The Commission reiterates its recommendation that the Workplace Relations Commission consider and plan for strengthened and clearly communicated firewalls between immigration enforcement and labour inspections, deriving from its role as a Competent Authority in the National Referral Mechanism, which, in addition to facilitating reports of possible

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<sup>346</sup> Workplace Relations Commission 2025

<sup>347</sup> European Commission (2021) [Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the application of Directive 2009/52/EC of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals](#)

<sup>348</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 142

<sup>349</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 141

<sup>350</sup> HREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 144

exploitation, has to protect the principle of non-punishment of detected victims of trafficking.<sup>351</sup>

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<sup>351</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 142

## **GRETA Question 9**

### **Employment and recruitment agencies**

How are employment and recruitment agencies regulated and monitored?

Are all stages of the recruitment process, including advertisements, selection, transport and placement subject to regulation?

Are recruitment fees and related costs prohibited from being borne by workers or jobseekers?

CSOs report issues with regulation of employment and recruitment agencies, and an increase in individuals reporting paying of very sizeable sums in recruitment/work permit fees to come to work in Ireland.<sup>352</sup> The Commission is aware of instances where migrant workers have been charged exorbitant fees for Employment Permits by those acting as ‘recruitment and employment agencies’ in their home countries and in Ireland, and when they arrive in Ireland they discover there is no employment available.<sup>353</sup>

A regulatory framework applies to employment and recruitment agencies. All employment agencies operating in the State must hold a licence to carry on their business.<sup>354</sup> The application process normally takes around two to three weeks.<sup>355</sup> The WRC accepts and processes applications for employment agency licences on behalf of DETE and also carries out inspections to ensure that agencies operate in compliance with the Employment Agency Act 1971.<sup>356</sup> Employment Agency licences are renewable on an annual basis. It is an offence under the 1971 Act for an employment agency to carry on business without an employment agency licence.<sup>357</sup> A licence may be revoked by the Minister in certain circumstances.<sup>358</sup>

In 2024, 1,063 Employment Agency licences were issued under the 1971 Act, an increase of 3.4% on 2023 (1,028).<sup>359</sup>

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<sup>352</sup> IHREC Civil Society Consultation 2025

<sup>353</sup> IHREC Civil Society Consultation 2025

<sup>354</sup> Workplace Relations Commission (2025) [Annual Report 2024](#), p. 18

<sup>355</sup> Department of Justice, Home Affairs and Migration 2024–2025

<sup>356</sup> Workplace Relations Commission (2025) [Annual Report 2024](#), p. 18

<sup>357</sup> [Workplace Relations Commission](#) Under section 10(1) of the 1971 Act, as amended by section 19 of the Protection of Employees (Fixed-Term Work) Act 2023, a person guilty of an offence under the Act shall be liable on summary conviction to a Class C fine not exceeding €2,500 and in the case of a continuing offence to a further Class D fine of not exceeding €1,000 a day

<sup>358</sup> [Workplace Relations Commission, Employment Agencies \[website\]](#): A licence can be revoked by the Minister if the holder has been convicted of an offence under the Act and has given false information in their application or where in the opinion of the Minister, the holder is no longer a suitable person to carry on the business of an employment agency, or the premises where the holder is carrying out the business of an employment agency no longer conforms to the prescribed standards

<sup>359</sup> Workplace Relations Commission (2025) [Annual Report 2024](#), p. 18

The Department of Justice reports that an applicant for an agency licence must, in the opinion of the Minister, be of good character and must be Garda vetted or produce a Police Clearance Certificate from their home country if not resident in Ireland.

The Department of Justice reports that the Employment Permits Act 2024 supports employment rights compliance in the State and the protection of employee rights for Employment Permit holders. The Employment Permits Act 2024 is discussed in response to question 41.

The Department of Justice reports that under the 2024 Act, an employment agency is precluded from applying for an Employment Permit acting in their capacity as an employment agency, as they are not considered to be an employer.<sup>360</sup>

Fraudulent recruitment by labour recruitment and employment agencies has been repeatedly raised as a concern by the US State Department in its Trafficking in Persons Report (TIP Report).<sup>361</sup> Despite the requirements for employment agencies being provided for in law, the TIP Reports have reported that recruitment companies and employment agencies often charge large sums of money for work permits and use debt bondage to control victims; Civil Society reported in 2023 that 75% of victims referred to the NRM were charged high permit fees.<sup>362</sup> The trend of illegal permit fees also appears to be the case in 2024 according to those providing direct assistance to migrant workers, as evidenced below. According to the 2024 TIP Report, the Government did not report efforts to prevent or deter fraudulent recruitment or to effectively enforce labour regulations to prevent recruitment fees charged to workers, increasing workers' vulnerability to trafficking.<sup>363</sup>

The MRCI has witnessed an increase in individuals reporting payments of very sizeable sums in recruitment/work permit fees to come to work in Ireland.<sup>364</sup> These are paid either directly to their employers or to an intermediary based in Ireland or in the person's country of origin. The MRCI reports this practice as a significant factor in labour exploitation as the person is often facing large ongoing debt repayments.<sup>365</sup>

The MRCI noted the following trends:

- › Recruitment fees paid have ranged between €2,000 and €40,000; with some being paid directly to the employer before and/or during the course of employment, which is a breach of the Employment Permits Act;
- › 94% of labour exploitation victims presenting to the MRCI involved workers paying some form of an illegal recruitment fee;<sup>366</sup> and

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<sup>360</sup> Department of Justice, Home Affairs and Migration 2025

<sup>361</sup> US State Department (2024) [2024 Trafficking in Persons Report: Ireland](#); [US State Department \(2023\) 2023 Trafficking in Persons Report: Ireland](#), [US State Department \(2022\) 2022 Trafficking in Persons Report: Ireland](#)

<sup>362</sup> US State Department (2024) [2024 Trafficking in Persons Report: Ireland](#)

<sup>363</sup> US State Department (2024) [2024 Trafficking in Persons Report: Ireland](#)

<sup>364</sup> The Commission is aware of further informal reports that workers are paying illegal recruitment fees to obtain employment permits

<sup>365</sup> Migrant Rights Centre Ireland 2025

<sup>366</sup> Migrant Rights Centre Ireland 2025

- › there has been a significant rise in recruitment fee complaints arising in the home care sector since Employment Permits started to be granted in January 2023.

Thus far the MRCI has provided assistance in 98 cases involving nine different care companies. Several cases involved workers who had no job or a completely different job on arrival. The MRCI has been actively liaising with the WRC Inspectorate and the DETE Employment Permits section in many of these cases, referring complaints for inspection and follow-up by supporting victims to secure their immigration status and alternative employment, recover their recruitment fees and make relevant WRC claims.<sup>367</sup>

## **Recommendation**

The Commission recommends increased research on, and monitoring and regulation of, employment and recruitment agencies.

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<sup>367</sup> Migrant Rights Centre Ireland 2025

## GRETA Question 10

### Prevention and sanction of abuses of legal constructions

How do you prevent and sanction abuses of legal constructions such as self-employment, letter-box companies, sub-contracting and posting of workers, which may be used to commit THB?

Traffickers are constantly seeking new ways to abuse legal constructions to exploit and traffic people. There are also cases where there is no intention to traffic a person, i.e. it is a business decision, but the result of which can potentially be exploitation. There is a need for a greater focus on sanctioning such abuses in Ireland.

Business decisions, such as outsourcing and subcontracting for the purposes of product cost reduction, and the restrictive regulation of the employment of third-country nationals, potentially contribute to labour exploitation.<sup>368</sup> The response to human trafficking in supply chains has been dominated by considerations of due diligence.<sup>369</sup>

The employment of third-country nationals is most commonly regulated through systems of work permits, which often create legally endorsed dependence on the employer and which could create a distorted dynamic conducive to exploitation in some instances.<sup>370</sup>

While Ireland has not opted into the Employers Sanctions Directive and the Seasonal Workers Directive, as noted, they contain some useful guidance with regard to abuse of legal constructions.

Reports have however indicated an enforcement problem in relation to the Seasonal Workers Directive and labour supply chains, especially in the agricultural sector.<sup>371</sup> Labour contractors often enter into arrangements with firms to supply them with a seasonal workforce.<sup>372</sup> Although the seasonal worker's employment contract is with the labour supplier, the principal contractor often controls the work that is on offer.<sup>373</sup> In situations where the labour supplier fails to pay wages, violates employment standards, or fails to adhere to the terms and conditions of employment, the seasonal workers may not have a right of recourse against the principal contractor.<sup>374</sup>

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<sup>368</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 346

<sup>369</sup> Van Buren HJ, Schrempf-Stirling J, Westermann-Behaylo M (2021) Business and Human Trafficking: A Social Connection and Political Responsibility Model. *Business & Society*, 60(2), pp. 341–375

<sup>370</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 346

<sup>371</sup> Allain J, Crane A, LeBarron G, Behbahani L (2013) *Forced Labour's Business Models and Supply Chains*, London: Joseph Rowntree Foundation

<sup>372</sup> Fudge J, Herzfeld Olsson P (2014) The EU Seasonal Workers Directive: When Immigration Controls Meet Labour Rights, *European Journal of Migration and Law* 16, p. 459

<sup>373</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 369

<sup>374</sup> Fudge J, Herzfeld Olsson P (2014) 'The EU Seasonal Workers Directive: When Immigration Controls Meet Labour Rights', *European Journal of Migration and Law* 16, p. 459

## Recommendation

The Commission recommends that the State maintains closer synchronisation with other regulation of the employment of third-country nationals by participating in and opting into legal agreements of the EU, given that they represent minimum standards that countries are free to exceed.<sup>375</sup>

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<sup>375</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 388

## **GRETA Question 11**

### **Migration legislation and policies to prevent THB**

How do your country's migration legislation and policies seek to prevent THB by enabling lawful migration and legal employment opportunities accompanied by decent work conditions?

As noted at question 7, there are various ways the State enables lawful migration and legal employment and different legal avenues which migrant workers can pursue in order to regularise their stay in Ireland.

Third-country nationals formally identified as a victim of trafficking can apply for and be issued with a Stamp 4 Temporary Residence Permit, which is renewable after six months. Identified victims of trafficking can be issued a Stamp 4 including when they cooperate with a criminal investigation as can individuals on other immigration stamps.<sup>376</sup>

The Regularisation of Long-Term Undocumented Migrants Scheme was an administrative scheme established under the Minister for Justice's executive powers and aimed at regularising the status of long-term undocumented migrants residing in the State.<sup>377</sup> It was open from 31 January 2022 to 31 July 2022 and provided a pathway to secure status for undocumented migrants. The Commission does not have information on whether or not any victims of trafficking availed of the scheme.

The Employment Permits Act 2024 contains provisions aimed at enabling lawful migration and legal employment opportunities and is discussed in detail in response to question 41.

Access to family reunification is reported to remain a problematic area.<sup>378</sup>

On a positive note, the Ministers for Justice and Trade and Employment announced that eligible spouses and partners of General Employment Permit holders have the right to work in Ireland provided they were granted Stamp 3 permission under the non-EEA Family Reunification policy. The spouses and partners will not be registered on a Stamp 1G, which is a 12-month visa, usually issued to those who have finished studies in Ireland or are graduates and allows them to work full time without a work permit.<sup>379</sup>

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<sup>376</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 123

<sup>377</sup> Department of Justice, Home Affairs and Migration, [Regularisation of Long Term Undocumented Migrant Scheme](#) [website]; Department of Justice, Home Affairs and Migration (2025) [Answer to Parliamentary Question: Departmental Data](#) (27 February 2025)

<sup>378</sup> IHREC Civil Society Consultation 2025

<sup>379</sup> Migrant Rights Centre Ireland (2024) [Changes to Employment Permits to Allow Spouses to Work](#) (16 May 2024); Department of Justice, Home Affairs and Migration, [Immigration permission/stamps](#) [website]

In various parliamentary debates, it was stated that family reunification is not a matter for DETE, but rather the Department of Justice.<sup>380</sup>

The Commission has consistently recommended that the State explore avenues for providing family reunification to victims of trafficking.<sup>381</sup> As a matter of principle, the Commission considers family reunification for long-term workers in the State a precondition to integration.<sup>382</sup>

Despite opposition, including by the Commission as National Rapporteur, the 2024 Act introduced Seasonal Employment Permits and provides that an Employment Permit may be granted to provide for the employment in the State of a foreign national who is employed by an approved seasonal employer in a seasonally recurrent employment.<sup>383</sup>

A Seasonal Employment Permit is a short-term employment permission for third-country nationals to work in the State for a maximum of seven months per calendar year and provides for the return of the worker each season, renewable across multiple years. It is designed to support sectors in addressing labour shortages and was developed in consultation with stakeholders.<sup>384</sup>

Under Seasonal Employment Permits the foreign national must not be paid less than the national minimum wage. The employer will directly provide any payment for either board and accommodation, or both. The employer will pay for health insurance in respect of a foreign national to cover any situation where they require medical treatment for illness or injury during the period for which the Seasonal Employment Permit is in force. The Minister may refuse to grant the permit where the person/business has not made appropriate arrangements to provide accommodation or has not made the appropriate arrangements for health insurance for the period for which they will be in the State.

As of May 2025, there were only 25 Seasonal Employment Permits active in Ireland, held by 14 nationals of Kyrgyzstan, ten of Tajikistan, and one from Kazakhstan.<sup>385</sup>

It was stated that extra resources have been provided to the WRC to enable it to be proactive regarding Seasonal Employment Permit inspections.<sup>386</sup> The Commission welcomes this commitment to providing these resources to the WRC.<sup>387</sup>

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<sup>380</sup> Houses of the Oireachtas Dáil Debates (2024) [Employment Permits Bill 2022: Report and Final Stages](#) (31 January); Houses of the Oireachtas Seanad Debates (2024) [Employment Permits Bill 2022: Report and Final Stages](#) (28 May 2024)

<sup>381</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 170

<sup>382</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 377

<sup>383</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 377

<sup>384</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 377

<sup>385</sup> Department of Enterprise, Trade and Employment (2025) [Written answer to Parliamentary Question: Work Permits](#) (20 May 2025)

<sup>386</sup> Houses of the Oireachtas Seanad Debates (2024) [Employment Permits Bill 2022: Report and Final Stages](#) (28 May)

<sup>387</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 378

While the proposed changes are an improvement, they fall short of the mobility that could be afforded by a sectoral/occupational permit, as the link with a particular employer persists.<sup>388</sup> The 2024 Act provides the option to change employer and for a more agile Employment Permits system.<sup>389</sup> It is envisaged that this flexibility and transferability will strengthen the employment rights of migrant workers.<sup>390</sup>

## Recommendations

The Commission recommends that:

- a. the State undertake an independent and comprehensive review of the current statutory and policy framework on family reunification to ensure that the law and policies comply with national and international human rights and equality standards;
- b. the review of the statutory and policy framework on family reunification be underpinned by relevant human rights and equality standards; and
- c. clear ways for victims of trafficking to reunite with their families be implemented.<sup>391</sup>

The Commission reiterates its recommendation that the State consider the introduction of occupation-specific work permits allowing mobility within sectors, as a measure to reduce labour exploitation.<sup>392</sup>

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<sup>388</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 376

<sup>389</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 374

<sup>390</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 374

<sup>391</sup> IHREC (2023) [Policy Statement on the right to family reunification under the International Protection Act 2015](#), p. 2

<sup>392</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 20

## **GRETA Question 12**

### **Law and policy to discourage demand that leads to THB**

How do your country's law and policies to discourage demand that leads to THB address particular vulnerabilities and groups at risk of THB?

The Criminal Law (Sexual Offences) Act 2017 remains the main legislation in Ireland aimed at discouraging the demand that leads to trafficking in human beings, relevant to Chapter II, Article 6 of the Convention, specifically to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking.<sup>393</sup>

In 2024 the EU Anti-Trafficking Directive was amended to provide for mandatory criminal offences to punish the use of services from victims of trafficking – Article 18a.<sup>394</sup> This is to be transposed in Ireland by mid-July 2026.

In Ireland, the NAP contains a pillar dedicated to prevention which aims to work 'towards the elimination of human trafficking and its demand' by training, awareness raising, reduction of vulnerability and reduction of demand for services of victims of human trafficking.<sup>395</sup>

### **Law and policies to discourage demand – Trafficking for sexual exploitation**

The main tool to discourage demand with regard to trafficking for sexual exploitation in Ireland remains unchanged. Article 18(4) of the original Directive was transposed into Irish law through the Criminal Law (Sexual Offences) Act 2017.

The 2017 Act criminalises the purchase of sexual services from a person who is a victim of human trafficking<sup>396</sup> and decriminalises the selling of sexual services, and also strengthens the national

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<sup>393</sup> Article 18 of the EU Anti-Trafficking Directive obliges Member States to take specific actions directed at prevention of the crime of human trafficking in their territories and also establishes that appropriate measures should be taken to reduce the demand that fosters all forms of exploitation, including through the internet. Article 18(4) of the EU Anti-Trafficking Directive contains a legal obligation to reduce the incentives for trafficking by targeting demand, which is an accepted major root cause of trafficking in human beings. Recital 25 provides that Member States should establish and/or strengthen policies to prevent trafficking in human beings, including measures to discourage and reduce the demand that fosters all types of exploitation, and to reduce the risk of people becoming victims, by means of research, including research into new forms of trafficking in human beings, information, awareness raising, and education. Education, training, awareness-raising campaigns, research and education programmes are the main actions that Member States must take to reduce and discourage the demand that fosters all forms of exploitation and reduce the risk of people, especially children, becoming victims of trafficking

<sup>394</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 280

<sup>395</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), p. 16

<sup>396</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 197

response to the online grooming of children for sexual exploitation.<sup>397</sup> As the commercial sex trade is a recognised high-risk environment for trafficking for sexual exploitation, the Commission has welcomed the increased attention paid to discouraging demand brought by the introduction of Part 4 of the Criminal Law (Sexual Offences) Act 2017 (for more detailed information on this see response to question 3).<sup>398</sup>

AGS has noted that the criminalisation of the purchase of sexual services has increased awareness of human trafficking when officers investigate and carry out targeted operations in relation to the purchase of sexual services and brothel-keeping offences.<sup>399</sup>

The NAP recognises that the demand for services of victims of trafficking fuels the exploitation model established by traffickers, and commits to developing campaigns to raise awareness of ‘the harm and illegality of purchasing sex’.<sup>400</sup>

Article 18a of the amended EU Directive on offences concerning the use of services provided by a victim of trafficking is discussed in more detail at question 37.

## Recommendation

The Commission reiterates its recommendation that the State proactively implement the relevant provisions of the Criminal Law (Sexual Offences) Act 2017 to reduce the demand that fosters trafficking for sexual exploitation, alongside awareness raising, and increasing support for exit pathways for people affected, including potential victims of trafficking.<sup>401</sup>

## Law and policies to discourage demand – Trafficking for labour exploitation

The 2017 Act transposed Article 18(4) of the original Directive in the context of criminalisation of the purchase of sexual services;<sup>402</sup> however, no such similar legislation has been enacted to tackle the demand which lies at the core of trafficking for labour exploitation.<sup>403</sup>

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<sup>397</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), pp. 154–155

<sup>398</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 155

<sup>399</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 282

<sup>400</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), p. 18

<sup>401</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 155

<sup>402</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 197

<sup>403</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 282

The ‘user’ of exploited services in the context of trafficking for forced labour is often many degrees separated from the trafficking victim.<sup>404</sup> In these instances, the trafficking occurred at some point within the company’s or business’s activities and supply chains, and therefore, the responsibility should lie with the company or business for failing to conduct due diligence with regard to the business activities and supply chains.<sup>405</sup>

The amended EU Anti-Trafficking Directive seeks to criminalise the users of services when they know that the service is provided by victims of trafficking, with scope for criminal sanctions on companies and businesses in their capacity as users in the context of their activities and supply chains and as legal persons. Article 18a (2) of the amended Directive provides that Member States shall take the necessary steps to ensure that this offence as established in Article 18a (1) is punishable by effective, proportionate and dissuasive penalties.<sup>406</sup>

Article 18(4) of the original Directive is reflected in the Prevention Pillar of the NAP, which includes a focus on reduction in the demand for services of human trafficking.<sup>407</sup> The NAP notes that it is a clear reality that the demand for the services of victims of trafficking fuel the business model of traffickers.<sup>408</sup> To reduce the demand for the services of those trafficked for labour exploitation, the Department commits to examine and identify enhancements to existing Employment Permit procedures through which migrant workers may leave potentially exploitative situations, and also to engage with trade unions and employer representative bodies to establish what role they can play.<sup>409</sup>

The Labour Exploitation and Trafficking (Audit of Supply Chains) Bill 2021,<sup>410</sup> which is currently at Third Stage in the Dáil, has the potential to contribute to tackling the demand that fosters trafficking for labour exploitation. Under this Bill, businesses would be required to report transparently and annually on the measures taken to guarantee products are free from human trafficking (including the exploitation of children).<sup>411</sup> We will continue to monitor any progress of this Bill and note that the EU

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<sup>404</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 153

<sup>405</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 281

<sup>406</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 285

<sup>407</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), p. 16

<sup>408</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), p. 18

<sup>409</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), p. 18

<sup>410</sup> [Labour Exploitation and Trafficking \(Audit of Supply Chains\) Bill 2021](#). A Private Members’ Bill is a new law, or amendment to existing law, introduced by a member of the Dáil or Seanad. Houses of the Oireachtas (2023) [How Laws are Made](#)

<sup>411</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 74. Under the proposed section 3 of the Labour Exploitation and Trafficking (Audit of Supply Chains) Bill 2021 (transparency in supply chains), the Minister can make regulations requiring businesses with a prescribed turnover to publish a labour exploitation and trafficking statement. The Bill enables the Minister to issue guidelines on the duties imposed by this measure and requires the Minister to publish any such guidelines on the Minister’s website. The guidelines may include further provision about the kind of information

Strategy for Combatting Trafficking in Human Beings 2021–2025 has identified such measures as a priority.<sup>412</sup>

## Recommendation

The Commission recommends that the State introduce the criminal sanctions or measures provided for in Articles 5 and 6 of the amended EU Anti-Trafficking Directive with regard to the responsibilities of companies and businesses implicated in the use of services of trafficked people, in the context of their business activities and supply chains.<sup>413</sup>

## Law and policies to discourage demand – ICT

This issue is dealt with in detail in question 15.

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which may be included in a labour exploitation and trafficking statement. An undertaking that contravenes regulations under the legislation will be guilty of a summary offence and liable to a fine. This is a measure that is not available in some of the legislative provisions elsewhere. A summary offence is an offence under criminal law.

<sup>412</sup> European Commission (2021) [Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the EU Strategy on Combatting Trafficking in Human Beings 2021–2025](#), p. 7

<sup>413</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 286

## **GRETA Question13**

### **Individual assessment of protection needs**

How do your country's legislation and practice ensure that there is an individual assessment of protection needs at the borders prior to any refusals of entry or expulsions?

### **Legislation and practice in Ireland on individual assessment of protection needs at the borders**

There are a number of concerns with the individual assessment of protection needs process at the borders.

Due to a lack of independent oversight and transparency at airports and ports of entry, there is insufficient data and information to indicate whether or not a person refused leave to land had protection grounds or had intended to apply for asylum.<sup>414</sup> According to the Border Management Unit (BMU) of the Department of Justice, a person arriving in Ireland via any port or airport might indicate their need to apply for International Protection, or the respective officer might identify this need. Section 13 of the International Protection Act 2015 establishes that in either case, the officer will conduct a preliminary interview with the person. There is however no access for independent authorities or CSOs at borders to monitor this situation, and no plans to allow this oversight in the future.<sup>415</sup>

The interview at the port of entry should be carried out with the assistance of an interpreter, when necessary, with one copy of the interview being kept by the officer and a second by the person interviewed.

According to Section 13, the interview seeks to establish:

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- '(a) whether the person wishes to make an application for International Protection and, if he or she does so wish, the general grounds on which the application is based,
  - (b) the identity of the person,
  - (c) the nationality of the person,
  - (d) the country of origin of the person,
  - (e) the route travelled by the person to the State, the means of transport used and details of any person who assisted the person in travelling to the State,
  - (f) the reason why the person came to the State,
  - (g) the legal basis for the entry into or presence in the State of the person, and

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<sup>414</sup> [AIDA \(2025\) 2024 Report Update on the Republic of Ireland](#), p. 36

<sup>415</sup> [AIDA \(2025\) 2024 Report Update on the Republic of Ireland](#), p. 36

(h) whether any of the circumstances referred to in Section 21(2) may apply.<sup>416</sup>

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The person interviewed is photographed and fingerprinted and directed to attend the IPO to continue with their application for International Protection.

CSOs report that persons arriving to Ireland seeking entry may be refused leave to land and may not have access to protection grounds or be asked if they are seeking to apply for asylum.<sup>417</sup>

Reports from 2022 and 2023 refer to stricter immigration checks at Dublin Airport for arriving passengers, including the establishment of a specific unit to reduce the number of individuals claiming International Protection in Ireland, the targeting of individuals arriving without valid documentation, and the carrying out of passport checks at the steps of aircrafts.<sup>418</sup>

Over 2024, these stricter immigration practices expanded considerably, with an increase in reports of arrests and convictions of persons who failed to produce a valid travel document upon request.<sup>419</sup>

As of end of September 2024, according to the Department of Justice, there had been a total of 132 charges in respect of Section 11 of the Immigration Act 2001 (persons over 16 years not being in possession of a valid passport or equivalent document) and 141 charges in respect of Section 12 of the Immigration Act 2004 (persons over 16 years failing to, upon demand, produce a valid passport or equivalent document establishing identity and nationality).<sup>420</sup>

In 2024, a total of 5,255 people were refused leave to land to Ireland in Dublin Airport by Immigration Officers. Of those, over 80% (4,317) indicated they were, or were identified as being in need of International Protection.<sup>421</sup> Refusals at other ports of entry managed by GNIB (the border with Northern Ireland, Cobh, Cork Airport, Cork Port, Dublin Port, Kerry Airport, Knock Airport, Rosslare Europort, Shannon Airport and others) amounted to 763 refusals.<sup>422</sup> There is no breakdown of data that allows extraction of the number of International Protection applicants among those 763 refusals. Every person refused entry to Ireland should be provided with the grounds for the refusal, according to Section 4(4) of the Immigration Act 2004.

As noted above, the Irish Refugee Council and other CSOs have criticised the lack of independent oversight and transparency at airports and ports of entry, with CSOs and other independent bodies not allowed to monitor the situation when persons are refused leave to land by the State.<sup>423</sup>

In 2021, the Department of Justice announced that a building at Dublin Airport had been refitted to contain the new Dublin Garda Station, which includes four single-person cells and two additional

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<sup>416</sup> Section 13 of the International Protection Act 2015. Section 21(2) of the 2015 Act reads as ‘(2) An application for international protection is inadmissible where one or more than one of the following circumstances applies in relation to the person who is the subject of the application: (a) another Member State has granted refugee status or subsidiary protection status to the person; (b) a country other than a Member State is, in accordance with subsection (15), a first country of asylum for the person’

<sup>417</sup> Irish Refugee Council (2025) [AIDA 2024 Report Update on the Republic of Ireland](#), p. 36

<sup>418</sup> Irish Refugee Council (2025) [AIDA 2024 Report Update on the Republic of Ireland](#), p. 37

<sup>419</sup> Irish Refugee Council (2025) [AIDA 2024 Report Update on the Republic of Ireland](#), p. 37

<sup>420</sup> Department of Justice (2024) [Written Answer to Parliamentary Question: Immigration Policy](#) (5 November 2024)

<sup>421</sup> Department of Justice (2025) [Written Answer to Parliamentary Question: Immigration Policy](#) (19 March 2025)

<sup>422</sup> Department of Justice (2025) [Written Answer to Parliamentary Question: Immigration Policy](#) (19 March 2025)

<sup>423</sup> Irish Refugee Council (2024) [Country Report: Access to the Territory and Push Backs](#)

detention rooms, to be used by GNIB when they detain persons who are refused leave to land.<sup>424</sup> The facility was fully operational from May 2022 and continued to operate throughout 2023 and 2024.<sup>425</sup> There is very little publicly available information on the operation and use of this facility.

The lack of any oversight of this detention facility is of serious concern to the Commission. Ireland is the only EU Member State not to have ratified the Optional Protocol on the Convention Against Torture (OPCAT) and therefore provide for a National Preventive Mechanism to monitor places of detention such as airport holding facilities or detention facilities.<sup>426</sup> Accordingly, individuals apprehended at the airport are not afforded the preventive mechanism deriving from OPCAT. OPCAT, when finally ratified, will cover both places of detention and *de facto* detention and there will be a requirement for the National Preventive Mechanism to include an agency/agencies that will inspect places of detention, including any immigration detention facilities.

The EU Migration and Asylum Pact (the Pact), due to be implemented by June 2026, provides for wide use of immigration detention and accelerated border procedures. The Commission has made a submission on the General Scheme of the International Protection Bill 2025 raising concerns about serious human rights issues arising, including from an anti-human trafficking perspective.<sup>427</sup>

We have highlighted concerns about the streaming of International Protection cases based on the status of countries of origin being denominated ‘safe country of origin’, noting the countries of origin of victims of trafficking identified by AGS may include ‘safe’ countries. It is possible for victims of trafficking to not have proper identity documents, with the EU Anti-Trafficking Directive noting in its preamble that signs of control of a trafficker over a victim could be established when the person is ‘not in possession of their national identity cards or passports’.<sup>428</sup> Given that traffickers make frequent use of forged or altered documents to traffic people<sup>429</sup> and that retention of travel or identity documents is a common form of coercion,<sup>430</sup> we have raised this in our comments on the General Scheme of the International Protection Bill 2025.

The Commission also raised concerns on the timelines for the disclosure of trafficking and the scope and timing of same. We also raised the question of how, in such a system, International Protection applicants who have been trafficked will be sufficiently supported and advised, and feel sufficiently safe to make such disclosure. The screening procedure is of particular concern in that regard, noting that it must be completed within seven days. We are also very concerned about the powers to detain International Protection applicants under the new provisions, given that detention is completely unsuitable for victims of trafficking, and noting the lack of robust oversight and human rights monitoring provided for by the Pact and by law more generally. We note Article 7 of the Convention regarding border measures.

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<sup>424</sup> Department of Justice (2021) [Written Answer to Parliamentary Question: Immigration Policy](#) (16 December 2021)

<sup>425</sup> Irish Refugee Council (2025) [Republic of Ireland Country Report: Place of Detention](#)

<sup>426</sup> [UN Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment](#); [UN National Preventive Mechanisms, Subcommittee on Prevention of Torture](#)

<sup>427</sup> IHREC (2025) [Submission to the General Scheme of the International Protection Bill 2025](#)

<sup>428</sup> [Directive \(EU\) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#)

<sup>429</sup> Europol, [Forgery of Administrative Documents and Trafficking therein](#) [website]

<sup>430</sup> ILO, [Deceptive recruitment and coercion, retention of passports](#) [website]

## Recommendations

The Commission recommends that the State's transposition and implementation of the EU Migration and Asylum Pact ensure respect for human rights, including from an anti-human trafficking perspective.

The Commission recommends that the State consult all relevant stakeholders, including Civil Society Organisations, in the implementation of the EU Migration and Asylum Pact, specifically in regard to its connection and relationship to the new National Referral Mechanism.

The Commission recommends and urges the State to include adequate safeguards in any legislation relating to the implementation of the EU Migration and Asylum Pact to ensure that potential victims of trafficking are not detained or *de facto* detained.

The Commission recommends that the State ensure legal advice and representation be available at all stages of the International Protection process, including early access to specialist legal advice.

The Commission recommends that the legislation which will transpose the EU Migration and Asylum Pact, be enacted at the same time as the full ratification of the Optional Protocol on the Convention Against Torture.

## **GRETA Question 15**

### **Online practices that may increase the risk of becoming a victim of THB**

Have you identified online practices that may increase the risk of becoming a victim of THB for different forms of exploitation?

What mechanisms have been developed to prevent the misuse of information and communication technology for THB purposes?

What is the practical effect of their implementation?

### **Online practices that may increase the risk of trafficking in human beings**

Research of the Commission as National Rapporteur on this topic is set out in the Second Evaluation Report,<sup>431</sup> highlighting that traffickers extensively use ICT in Ireland throughout the trafficking process, including in recruitment, movement, control, advertising and exploitation of victims. The internet, mobile phones and online platforms have become integral tools for trafficking in Ireland, as internationally, enabling traffickers to operate with increased anonymity and efficiency. The research underscores the urgent need for a coordinated, informed and multifaceted approach to tackle the intersection of technology and human trafficking.<sup>432</sup>

In regard to online practices that may increase the risk of becoming a victim of THB for different forms of exploitation, we note that there is extensive evidence that traffickers are using technology at all stages of their criminal activity, including recruitment, movement, control, advertising and exploitation of victims.<sup>433</sup> Advertising of victims of trafficking for sexual exploitation is being enabled via mainstream websites, and the sites are enabling demand, thus making it easier for users to seek sexual access to people for payment.<sup>434</sup> Transactions can be conducted without ever coming in direct contact with the organisers, traffickers or pimps, maintaining the illusion for buyers of an independent

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<sup>431</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 240: Chapter 2: ‘Technologically Facilitated Trafficking for Sexual Exploitation’

<sup>432</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 240: Chapter 2: ‘Technologically Facilitated Trafficking for Sexual Exploitation’

<sup>433</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 203; OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings and Tech Against Trafficking (2020) [Leveraging innovation to fight trafficking in human beings: A comprehensive analysis of technology tools](#) ; OSCE (2021) [Discouraging the demand](#)

<sup>434</sup> L’Hoiry X, Moretti A, Antonopoulos GA (2021) Identifying sex trafficking in Adult Services Websites: an exploratory study with a British police force, *Trends in Organized Crime*, p. 1; Ibanez M, Gozam, R (2016) Virtual Indicators of Sex Trafficking to Identify Potential Victims in Online Advertisements

and consenting person they are buying access to.<sup>435</sup> Studies on the nature and operation of the sex trade in Ireland have uncovered evidence of the use of ICT in the recruitment of women into prostitution, including victims of trafficking.<sup>436</sup> Evidence of the organised nature of the sex trade and the use of ICT was exposed in an investigative report by RTE in 2011. The Investigation also exposed the highly mobile nature of the sex trade.<sup>437</sup>

There are both technological challenges and opportunities in regard to TSE – for example, opportunities for the use of technology for investigation. For these technologies to be used, it is necessary for law enforcement to have the requisite skills, expertise and resources. The commercial sex industry depends on the availability and use of technology to maintain and expand their criminal enterprises. Technology can be used to counter and disrupt traffickers and those who use exploited people to meet their own demands.<sup>438</sup>

There is now little distinction between technology-facilitated trafficking and ‘traditional’ trafficking given the prevalence of technological components. The internet is a much faster and more efficient way than traditional offline means to target and recruit vulnerable people, especially girls and women, to market them in destination countries and to reach a large number of potential buyers.<sup>439</sup>

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<sup>435</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 207

<sup>436</sup> See for example Breslin R, Latham L, O’Connor M (2021) [Confronting the Harm: Documenting the Prostitution Experiences and Impacts on Health and Wellbeing of Women Accessing the Health Service Executive Women’s Health Service](#)

<sup>437</sup> A year-long intensive investigation of the Escort Ireland website for the RTÉ (the Irish national broadcaster) documentary *Primetime: Profiting from Prostitution* (2012) uncovered high levels of organisation and management behind the movement of women across Ireland for the purpose of prostitution. On average, during the period in question when they were monitoring the Internet, 438 women either moved or were moved every week. They witnessed rapid and forced movement of groups of migrant women by third parties in the early hours of the morning and the constant presence of pimps. Another indicator of the level of organisation involved comes from the evidence gathered on mobile phones. During the 12-month period of the investigation they found via online means that in excess of 7,300 mobile phone numbers were being used and that there was a linkage between 5,168 of these phones. In some cases, they had multiple users at different times and there were multiple profiles. In other cases, despite being used at different ends of the country – one in Cork and one in Belfast or Dublin, for example – the mobile numbers were just two digits apart. Mobile phone operators said that SIM cards are sold in packs of 10 with sequential numbers. Statistically, the odds of two numbers one or two digits apart appearing at different ends of the country are astronomically high. It does not make sense that two numbers from the same pack of 10 SIM cards, two digits apart, are used for prostitution and one appears in Cork a couple of days later. This was a pattern repeated across the country. In a statement to the same Committee Superintendent Fergus Healy stated that organised prostitution had advanced, with the expansion of technology, to the extent that the majority of the industry relies on the Internet and mobile phone technology to facilitate the smooth running of illicit operations. An analysis of Garda special operations targeting the sex trade concluded that mobile telecommunications advances had contributed significantly to the expansion of the industry. Brothels and ‘escort’ agencies advertise their services on numerous sites and provide their contact details, usually mobile phone numbers through these sites. The Gardaí expressed the view that without these phones the majority of brothels would cease to function

<sup>438</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 239

<sup>439</sup> Breslin R, O’Connor M (2024) [Commercial Sexual Exploitation: The Impact of Technology. Insights from the Irish Sex Trade](#), p. 16

Technology-facilitated trafficking is becoming ‘more diffuse and extending beyond specific online platforms such as online classified ads’.<sup>440</sup>

Mobile phones play a critical role in pimping and trafficking, as ‘criminal networks rely heavily on mobile connectivity for operational and coordination purposes’.<sup>441</sup> Smartphones create ‘a fluid environment’ where traffickers can recruit, groom, upload photographs, move people around, and use tracking systems to monitor the movements of the women and girls.<sup>442</sup>

ICT is also enabling traffickers and pimps to offer innovative new ‘services’, in particular: ‘live streaming of sexual acts, including of child sexual abuse ... a form of cybersex trafficking’.<sup>443</sup> Child sexual abuse is not a new crime, but the proliferation of child sexual abuse on the internet, including livestreaming of sexual acts with children, has multiplied a hundred-fold, according to some estimates.<sup>444</sup>

Technology and digitalisation have enabled the production and ‘commercialization at a massive scale of pornography made of trafficking victims’, allowing perpetrators to deliver this abuse online to a much broader customer base with an exponential increase in profits.<sup>445</sup> The production and commercialisation of pornography made of trafficking victims means there is a record of the sexual violation of victims on the internet even after a woman has managed to escape.<sup>446</sup>

Unlike traditional street prostitution, ICT also affords a far safer environment for traffickers and pimps, who can remain less visible to law enforcement. The sheer volume of ads online makes monitoring by

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<sup>440</sup> Latonero, M (2011) [Human Trafficking Online: The Role of Social Networking Sites and Online Classifieds](#). Los Angeles: University of Southern California, p. 18, cited in IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 204

Ibanez M, Gozam R (2016) [Detecting sex trafficking circuits in the U.S. through analysis of online escort advertisements](#), p. 892.

<sup>441</sup> Ibanez M, Gozam R (2016), [Detecting sex trafficking circuits in the U.S. through analysis of online escort advertisements](#), p. 892, cited in IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 204

<sup>442</sup> Hughes DA (2014) [Trafficking in Human Beings in the European Union: Gender, Sexual Exploitation, and Digital Communication Technology](#), p. 4, cited in IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 204

<sup>443</sup> ILO (2014) [Profits and Poverty: The Economics of Forced Labour](#), p. 13, cited in IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 205

<sup>444</sup> NCMEC, [NCMEC Data](#) [website] (accessed 8 May 2023), cited in IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 205

<sup>445</sup> Hughes DA (2014) [Trafficking in Human Beings in the European Union: Gender, Sexual Exploitation, and Digital Communication Technology](#), p. 13, cited in IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 205

<sup>446</sup> Breslin R., O’Connor M. (2024) [Facing Reality. Addressing the Role of Pornography in the Pandemic of Violence against women and girls](#), p. 19. Not in Irish but UK context. In addition to secret recordings is the filming and subsequent sharing on mainstream sites of acts which themselves were not consented to – including rape. Many cases have been documented of women and girls being raped or sexually assaulted and then subsequently discovering that recordings of them being violated have been posted online and hosted on mainstream pornography sites, often attracting hundreds of thousands of views, and further compounding the extreme trauma they have experienced.<sup>42</sup>

law enforcement difficult, and as anyone can post ads on the sites, while traffickers and pimps can post ads which appear to be posted by the person themselves.<sup>447</sup>

EUROPOL shows that digital activities can provide traffickers with opportunities to scale up the level and reach of their activities ‘on a massive scale’.<sup>448</sup> There are a number of ways that traffickers can use technology as part of their trafficking activity<sup>449</sup> including: sourcing and connecting with victims (e.g. via social media, apps, fake job agencies); the lover-boy technique (e.g. creating a relationship/trust online, then exploiting the victim); blackmail and coercive control (e.g. a strategy to collect compromising information then use it to pressure the victim) and surveillance (e.g. monitoring the movements of victims).<sup>450</sup>

## Recommendations

The Commission reiterates its recommendation that work be undertaken by the State to examine the most effective way of ensuring that where a perpetrator of trafficking has facilitated or committed, by means of information and communication technologies, the dissemination of images or videos or similar material of a sexual nature involving the victim, that such circumstances be regarded as aggravating factors in sentencing.<sup>451</sup>

The Commission reiterates its recommendation that the State use every available avenue to address technology-facilitated trafficking through penalties that exceed the minimum

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<sup>447</sup> Ibanez M, Gozam R (2016) Virtual Indicators of Sex Trafficking to Identify Potential Victims in Online Advertisements

<sup>448</sup> EUROPOL (2020) [The Challenges of Countering Human Trafficking in the Digital Era](#)

<sup>449</sup> GRETA (2022) [Online and Technology-Facilitated Trafficking in Human Beings](#); OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings and Tech Against Trafficking (2020) [Leveraging innovation to fight trafficking in human beings: A comprehensive analysis of technology tools](#) p. 19; EUROPOL (2020) [The Challenges of Countering Human Trafficking in the Digital Era](#); Polaris (2018) [On-Ramps, Intersections, and Exit Routes: A Roadmap for Systems and Industries to Prevent and Disrupt Human Trafficking](#); IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), pp. 276–277

<sup>450</sup> GRETA (2022) [Online and Technology-Facilitated Trafficking in Human Beings](#); OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings and Tech Against Trafficking (2020) [Leveraging innovation to fight trafficking in human beings: A comprehensive analysis of technology tools](#) p. 19; EUROPOL (2020) [The Challenges of Countering Human Trafficking in the Digital Era](#); Polaris (2018) [On-Ramps, Intersections, and Exit Routes: A Roadmap for Systems and Industries to Prevent and Disrupt Human Trafficking](#); IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), pp. 276–277

<sup>451</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#) p. 86

requirements of the amended Directive, for example, by making the use of internet-based tools in the commission of the crime of human trafficking an aggravating factor.<sup>452</sup>

The Commission reiterates its recommendation that the proposal of the OSCE for strengthened provisions on combatting tech-facilitated trafficking in persons and on reducing the demand that fosters trafficking of human beings be considered by the State.<sup>453</sup> Measures include establishing civil and criminal liability for online platforms<sup>454</sup> and mandating online platforms to:

- conduct due diligence of their operations and systems to identify risks of misuse of their platforms for the purpose of trafficking in human beings, and mitigate those risks;
- report illegal content to competent authorities, remove it, and preserve it for investigation and prosecution of illegal acts.

The Commission recommends that a National Strategy/Forum on Technology and Human Trafficking be developed.

The Commission recommends that this National Strategy/Forum on Technology and Human Trafficking contain a roadmap to tackle the abuse of technology by traffickers for the purposes of labour exploitation, including :

- the staffing, training and resources that will be required,
- the areas of online activity that will initially be targeted for attention,

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<sup>452</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#) p. 84

<sup>453</sup> OSCE (2022) Proposal for strengthened provisions on combating tech-facilitated THB and on reducing demand fostering trafficking for sexual exploitation

<sup>454</sup> As defined by Art 2(h) of the [Regulation \(EU\) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC \(Digital Services Act\)](#). Including websites, as well as their administrators, for complicity in human trafficking, e.g. facilitating or allowing exploitative acts – such as recruitment or advertising of trafficking victims – when such platforms knew or had reason to know about of the exploitation. OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings and Tech Against Trafficking (2020) [Leveraging innovation to fight trafficking in human beings: A comprehensive analysis of technology tools](#)

- the research agenda that will be conducted and the legislative gaps that will be addressed.<sup>455</sup>

## Mechanisms to prevent the misuse of ICT

As noted in our Third Evaluation Report, general regulation of cyber activity has been light in many jurisdictions, leaving open possibilities for traffickers to use the internet space to their advantage. Where restrictions or regulations exist, it is difficult for authorities to keep pace with advances in technology which provide ways around such restrictions.<sup>456</sup>

Notwithstanding these challenges, there is increasing awareness that combatting human trafficking requires innovative methods of detection including the use of new technologies and digital research methods. Technology can play a role in all forms of human trafficking, although that role may vary in terms of the ways in which it is used during different stages of the trafficking process, such as the recruitment stage, or vary due to the control and nature of the exploitation. It is important that the experiences of victims be used to inform strategies to tackle the use of technology by traffickers.<sup>457</sup>

The Council of Europe notes in its latest annual report that online-facilitated trafficking presents new challenges in the identification and prosecution of human trafficking cases. GRETA stresses the need for investment in training and digital tools to effectively combat human trafficking.<sup>458</sup>

Knowledge sharing between law enforcement agencies, government bodies, NGOs and academic researchers is crucial to combatting the trafficking of vulnerable persons.<sup>459</sup> The complexity as well as the inter-jurisdictional and cross-platform nature of sex trafficking requires a multi-stakeholder response. To effectively identify, investigate and prosecute trafficking activities occurring in online settings, there must be sufficient staff with the relevant expertise and sufficient resourcing. There must also be clear plans outlining who will address what issues – what, how and by whom issues related to technology and human trafficking can and will be tackled.<sup>460</sup>

The 2024 OSCE report *Policy action to address technology-facilitated trafficking in human beings*<sup>461</sup> included the areas of consensus identified around the centrality of technology to trafficking in human beings, the limits of self-regulation, and the importance of the victim-centred approach. Previous recommendations of the Commission align with the OSCE recommendations including to conduct

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<sup>455</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 283

<sup>456</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 283

<sup>457</sup> GRETA (2022) [Online and Technology-Facilitated Trafficking in Human Beings](#); IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 279

<sup>458</sup> GRETA (2025) [14th General Report. Group of Experts on Action against Trafficking in Human Beings](#)

<sup>459</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 209

<sup>460</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 279

<sup>461</sup> OSCE (2024) [Policy action to address technology-facilitated trafficking in human beings. Report of the regional consultations led in 2023 by the OSCE's Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings](#)

work to: identify and understand the problem; hold platforms accountable for technology-facilitated trafficking; introduce/enforce punitive measures for non-compliance; develop policy guidance and harmonise approaches; strengthen the criminal justice response; and enhance resourcing, including technical expertise.<sup>462</sup>

In the Irish context specifically, alongside introducing the Equality model,<sup>463</sup> Ireland has formally recognised prostitution and sex trafficking as a form of gender-based violence, based on an understanding of the inherent and gendered harms of sexual exploitation.<sup>464</sup> However, by failing to address the online advertising and promotion of prostitution, the State has continued to allow prostitution-advertising websites to blatantly flout the law which was intended to act as a deterrent and a demand-reduction measure, and to stop the trafficking of girls and women into this jurisdiction.<sup>465</sup>

Under the Criminal Law Sexual Offences Act 1993, it would appear that prostitution-advertising websites would already fall within the criminal law.<sup>466</sup> However, the penalties are minimal, and it does not appear that the law can be enforced in the online space. The UNODC Legislative Guide to the Palermo Protocol also highlights this aspect of the exploitation of the prostitution of others as

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<sup>462</sup> OSCE (2024) [Policy action to address technology-facilitated trafficking in human beings. Report of the regional consultations led in 2023 by the OSCE's Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings](#)

<sup>463</sup> Part 4 of the [Criminal Law \(Sexual Offences\) Act 2017](#)

<sup>464</sup> In 2022 the Government formally recognised prostitution and sex trafficking as a form of gender-based violence for the first time in Ireland in its new *Domestic, Sexual and Gender-based Violence Strategy* and accompanying Implementation Plan: Government of Ireland (2022) [Third National Strategy on Domestic, Sexual & Gender-Based Violence 2022–2026](#)

<sup>465</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 236; Breslin R, O'Connor M (2024) [Commercial Sexual Exploitation: The Impact of Technology. Insights from the Irish Sex Trade](#), p. 16. IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 84. It is relevant to note that the penalties under Article 4(3) of the amended Directive have been amended to include as an aggravating circumstance that the perpetrator facilitated or committed, by means of ICT, the dissemination of images or similar material of a sexual nature involving the victim. [Directive \(EU\) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#)

<sup>466</sup> [The Criminal Law Sexual Offences Act 1993](#) Section 10(1) states that: 'A person who knowingly lives in whole or in part on the earnings of the prostitution of another person and aids and abets that prostitution shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £1,000 or to imprisonment for a term not exceeding 6 months or to both.' The Criminal Justice (Public Order) Act 1994 23.—(1) A person who publishes or causes to be published or distributes or causes to be distributed an advertisement which advertises a brothel or the services of a prostitute in the State or any premises or service in the State in terms, circumstances or manner which gives rise to the reasonable inference that the premises is a brothel or that the service is one of prostitution shall be guilty of an offence. Cited in IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), pp. 236–237

generally to be understood as ‘profiting from the prostitution of another person’<sup>467</sup> equating the exploitation of prostitution of others to what is commonly known as ‘pimping’.<sup>468</sup>

The Online Safety and Media Regulation Act 2022 is a possible mechanism to disrupt advertisement of prostitution linked to human trafficking.<sup>469</sup> The Act provides for the establishment of Coimisiún na Meán, the agency in charge of regulating and developing a safe and trusted media landscape<sup>470</sup> in line with relevant EU Directives.<sup>471</sup> The Act allows authorised officers of Coimisiún na Meán to carry out investigations for the purposes of ensuring compliance with obligations imposed on persons by or under the Act and provides for sanctions, administrative and financial, to be imposed on persons for failure to comply with obligations.

The provisions in the Act should be carefully considered for their applicability to sites such as Escort Ireland (EI), with attention also given to the language used in the legislation in relation to the online platforms/websites located within this jurisdiction and in other Member States, which will be particularly relevant given that EI is based in another Member State.<sup>472</sup>

Following the public consultation to inform the development of Ireland’s first Online Safety Code in 2023, Coimisiún na Meán opened a second consultation requesting input on the draft Online Safety Code for Video-Sharing Platform Services. The Commission as National Rapporteur contributed to this consultation in the form of a letter issued to the Online Safety Commissioner highlighting relevant data on the use of social media and communication platforms by traffickers to sexually exploit victims.<sup>473</sup>

The role of Coimisiún na Meán is further discussed at question 31.

We have welcomed steps taken by the State towards becoming a party to the Budapest Convention on Cybercrime and refer to the response at question 39.

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<sup>467</sup> UNODC (2020) [Legislative Guide for the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime](#), para. 119; United Nations (2017) [Glossary on Sexual Exploitation and Abuse](#), p. 7, cited in IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 237

<sup>468</sup> UNODC (2020) [Legislative Guide for the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime](#), para. 119, cited in IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 237

<sup>469</sup> Breslin R, Latham L, O’Connor M (2021) [Confronting the Harm: Documenting the Prostitution Experiences and Impacts on Health and Wellbeing of Women Accessing the Health Service Executive Women’s Health Service](#), pp. 32–38

<sup>470</sup> [Coimisiún na Meán](#) [website]

<sup>471</sup> [Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 as amended by Directive \(EU\) 2018/1808 of the European Parliament and of the Council of 14 November 2018, Audio visual Services Directive](#), cited in IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 237

<sup>472</sup> Irish Human Rights and Equality Commission (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 237

<sup>473</sup> IHREC (2023) Letter to Online Safety Commissioner on ‘Consultation on the Draft Online Safety Code for Video Sharing Platform Services’ (31 January 2023)

## Recommendations

The Commission reiterates its recommendation that the recommendations proposed by the OSCE for strengthened provisions on combatting tech-facilitated trafficking in persons and on reducing the demand that fosters trafficking for sexual exploitation be considered by the State.<sup>474</sup> Specifically, the OSCE has identified the following measures:

1. Criminalising the creation and dissemination of explicit material from trafficking victims.
2. Establishing civil and criminal liability for online platforms, including websites, as well as their administrators, for complicity in human trafficking, e.g. facilitating or allowing exploitative acts – such as recruitment or advertising of trafficking victims – when such platforms knew or had reason to know about the exploitation.
3. Mandating online platforms to:
  - a. Implement age and consent verification mechanisms for individuals depicted in sexually explicit content;
  - b. Create content-removal-request mechanisms for non-consensual, sexually explicit materials;
  - c. Conduct due diligence of their operations and systems to identify risks of misuse of their platforms for the purpose of trafficking in human beings, and mitigate those risks;
  - d. Report illegal content to competent authorities, remove it, and preserve it for investigations and prosecutions of illegal acts.

The Commission reiterates its recommendations on addressing the online dimension of trafficking contained in the Second Evaluation Report that:<sup>475</sup>

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<sup>474</sup> OSCE (2022) Proposal for strengthened provisions on combating tech-facilitated THB and on reducing demand fostering trafficking for sexual exploitation

<sup>475</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#); IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 240 (Chapter 2: Technologically Facilitated Trafficking for Sexual Exploitation)

- a. The State develop extensive public awareness and educational programmes for young people, especially girls, to highlight the risks on social platforms of being groomed and recruited into the sex trade;
- b. National State-led campaigns be developed and targeted at demand, in particular addressing young men as potential buyers;
- c. An Garda Síochána be resourced to allow for the monitoring of prostitution-advertising websites to identify vulnerability, control, organising and trafficking;
- d. An Garda Síochána develop specific law enforcement measures to disrupt the business model and profits of prostitution-advertising websites;
- e. The Department of Justice develop a long-term legal and enforcement framework for prosecuting sites such as Escort Ireland for advertising the sale of controlled and trafficked women and minors and for profiting from the prostitution of others;
- f. Trends in the marketplace be monitored – paying particular attention in light of the war on Ukraine, to increases in relevant advertisements;
- g. Sex buyers’ review forums be monitored by law enforcement, NGOs and academics in order to identify trends related to sexual exploitation;
- h. Specialist services be resourced to meet the needs of women and provide pathways and support for exiting the sex trade;
- i. The Garda National Protective Services Bureau be resourced to ensure that it can continue to tackle organised crime in the sex trade, to prosecute buyers and to protect women and girls who are being sexually exploited;
- j. The Department of Justice, as National Coordinator, develop in collaboration with other experts detailed guidance on how the current legislation is applicable to the online dimension of human trafficking for sexual exploitation;
- k. The Government procure wide and comprehensive research on the online dimension of human trafficking for sexual exploitation in Ireland, including an extensive analysis of data contained in online environments available for traffickers, from prostitution-advertising websites such as Escort Ireland to social media platforms;

- l. The capacity and knowledge of those responsible for investigating cases of prostitution and trafficking for sexual exploitation be increased, through the inclusion of the latest technologies;<sup>476</sup>
- m. The National Coordinator develop and chair a Forum to examine ways to disrupt demand and combat technology-facilitated trafficking. This Forum must be multidisciplinary, bringing together technology experts, law enforcement, legal experts, data analysts, social scientists, health professionals and NGOs;
- n. Ireland examine ways to use its unique position as EU headquarters for the biggest social media companies to enforce minimum standards to protect users against exploitation and human trafficking; and
- o. Ireland examine legislative reforms that have been effective in disrupting the operations of prostitution-advertising websites in other jurisdictions, e.g. France, the US and Sweden, to see how they are disrupting the market.

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<sup>476</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 240

## **GRETA Question 18**

### **Experience of victims and at-risk individuals to inform policies and practices**

How are policies and practices aimed at preventing THB informed by the experiences of victims and at-risk individuals?

#### **Policies and practices informed by victims and at-risk individuals**

In Ireland, policies and practices aimed at preventing human trafficking are increasingly recognising the importance of victim and survivor input, but gaps remain, including regarding implementation. The evolving legislative and institutional framework demonstrates a commitment to a victim-centred and trauma-informed approach, as reflected in the NAP and associated developments. Nonetheless, concerns remain regarding an apparent lack of structured and meaningful survivor engagement in shaping domestic anti-trafficking responses.

It remains the case that there is currently no formal engagement forum for survivor input in Ireland. This is despite the clear commitments, which the National Rapporteur welcomed, in the NAP under Action 4.6 to ‘Incorporate victim/survivor input into anti-trafficking efforts’:

- › 4.6.1 ‘Devise a mechanism (with associated supports) to ensure the implementation of the Action Plan will be informed and influenced by the voices of victims/survivors’ ‘By Q2 2024 and biannually thereafter’, and
- › 4.6.2 ‘Incorporate the voice of the victim/survivor into new initiatives through engagement with specialist services and NGO partners’ ‘as required’.<sup>477</sup>

The Commission as National Rapporteur has expressed concerns regarding the apparent lack of consultation with survivors of trafficking on the development of the Operational Guidelines to accompany the NRM.

With regard to the draft Operational Guidelines, there was consultation with the Commission as National Rapporteur by the National Coordinator. There was consultation with the Stakeholders Forum, including specialist CSOs, on the draft, but the timeframe for that consultation was limited from 10 December 2024 to 17 January 2025 over a holiday period. As such, it is very unlikely that there would have been opportunity for the CSOs to consult with survivors, and CSOs may well have been challenged to meaningfully respond.

In June 2021, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) launched the International Survivors of Trafficking Advisory Council (ISTAC), consisting of 21 leading survivors of

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<sup>477</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), Action 4.6, p. 36

human trafficking from across the OSCE region.<sup>478</sup> This is an example of international best practice, and it is notable that this is being replicated at the national level in a number of countries.<sup>479</sup>

We note the OSCE Guidance on the establishment of Survivor Councils.<sup>480</sup> The OSCE has noted:

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Survivor leaders are people who have lived experience of surviving human trafficking and are recognized as professional innovators in anti-trafficking. They are essential for ensuring a paradigm shift in the effectiveness of anti-trafficking responses by using their lived experience and professional expertise to contribute to multidisciplinary national efforts to combat human trafficking. National Survivors of Trafficking Advisory Councils (NSTACs) should be a central component of effective responses to combatting trafficking in human beings (CTHB) and, ideally, an NSTAC should be a mandatory body working with National Referral Mechanisms (NRMs) or equivalent mechanisms.<sup>481</sup>

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The Commission's values are underpinned by a holistic, equality- and human rights-focused, victim-oriented, gender-specific and child-centred approach to human trafficking.<sup>482</sup> Integrating the survivor voice into the overall anti-trafficking response remains a key priority for the Commission.<sup>483</sup> Integrating the survivor voice, for example, in consultations, evaluation reports and public events has been a key practice for us.<sup>484</sup> Survivor feedback has been instrumental in highlighting much-needed reforms, including through the Commission's Evaluation Reports. The assistance of specialist NGOs in this regard has been critical.

Sustained, institutionalised involvement of survivors in shaping the anti-trafficking approach in Ireland – such as through a Survivor Council – is still lacking.

Survivors of trafficking must be involved in the design of the anti-trafficking response. To ensure the survivor voice is included in important reforms in the reporting period, such as the development of a new NRM and a new NAP, the Commission has recommended the establishment of a dedicated Survivor Council.<sup>485</sup>

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<sup>478</sup> OSCE, [ODIHR International Survivors of Trafficking Advisory Council \(ISTAC\) \[website\]](#)

<sup>479</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 102

<sup>480</sup> OSCE ODHIR (2024) [Guidance on Establishing and Maintaining National Survivors of Trafficking Advisory Councils \(NSTACs\)](#)

<sup>481</sup> OSCE ODHIR (2024) [Guidance on Establishing and Maintaining National Survivors of Trafficking Advisory Councils \(NSTACs\)](#)

<sup>482</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 4

<sup>483</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 102

<sup>484</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 8; IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 5; IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 3

<sup>485</sup> OSCE ODHIR (2024) [Guidance on Establishing and Maintaining National Survivors of Trafficking Advisory Councils \(NSTACs\)](#); IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#) p. 14

The establishment of a Survivor Council would need to be thoroughly researched and approached sensitively in an evidence-based and trauma-informed manner and with the involvement, expertise and support of specialists, particularly specialist CSOs and survivors.

## **Recommendation**

The Commission reiterates its recommendation to establish a dedicated Survivor Council to ensure that survivor voices inform the overall anti-trafficking response, including the new National Referral Mechanism, ensuring that this process is carried out in a trauma-informed manner and using evidence-based learnings from already-established survivor forums. This must be appropriately supported and resourced, with transparency and accountability as to how its recommendations are considered and incorporated.

## II. Identification of victims and protection of their rights (Articles 10, 11, 12, 14 And 16)

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### **GRETA Question 20**

#### **Measures to ensure that trafficked persons who are migrant workers are identified**

What specific measures are taken to ensure that trafficked persons who are migrant workers, including in an irregular situation, are identified as victims of THB and have access to the rights provided for in the Convention?

Is there cooperation with specialised NGOs, trade unions and employers to enhance the identification and protection of potential victims within these at-risk groups?

### **Specific measures**

Migrant workers, including those in irregular situations, are vulnerable and therefore more susceptible to exploitation by traffickers as discussed at question 1. Various measures have been taken to promote their access to rights as discussed at question 7.

As noted, the WRC plays a very important role through the early identification of victims of trafficking, awareness-raising campaigns, and the enforcement of the law. Specialist NGOs along with trade unions play a very important role in enhancing the identification and protection of regular and irregular migrant workers who may be potential victims of trafficking. Employers also have a role to play in this regard.

The identification of migrant workers, including those in irregular situations, is complicated by the fact that they may be unaware either that they are in an exploitative situation or of their rights.<sup>486</sup> This underscores the need for provision of information to irregular migrants, including by labour intermediaries, and placement agencies, as well as enforcement authorities (including labour inspectorates).<sup>487</sup> While this information can assist migrant workers with where to go to obtain supports and redress, it can also lead to the eventual identification of victims of trafficking.

In 2022, GRETA urged the Irish authorities to step up efforts ‘encouraging trafficked persons to self-identify as victims of trafficking, including through establishing safe reporting procedures for foreign workers and effective complaint mechanisms, concrete possibilities of regularisation of the trafficked person’s residence status and access to the labour market, the provision of targeted and tailored

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<sup>486</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 361

<sup>487</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 361

support services'. From the perspective of the Commission, while there has been progress in this regard, the recommendation remains valid in 2025.<sup>488</sup>

Migrant workers in the fishing industry have received a special focus in the human trafficking discourse in recent years.<sup>489</sup> Most WRC inspections in this sector are unannounced and undertaken in port, with 13 unannounced inspections taking place at fishing ports as part of Operation Glaucus.<sup>490</sup> In total, the WRC conducted 35 inspections in fishing vessels in 2022, compared to 88 in 2023 and 55 in 2024.<sup>491</sup> While this focus on the fishing industry is welcomed by the Commission, increasing the number of inspections in the industry would further support the prevention and tackling of exploitation and trafficking for labour exploitation.

Sanction has been obtained for 10 additional WRC inspector posts, bringing the total allocation to 80 posts. Training in identification of the indicators of trafficking in human beings has been provided to all current inspectors as of the start of 2025, and it is anticipated that further training will be provided in early 2025 as part of their statutory role in the new NRM.<sup>492</sup> This is welcomed by the Commission given the critical role labour inspectors can play in recognising potential victims and the broader role they will play in the new NRM as a Competent Authority regarding the identification of presumed and recognised victims.

As noted, in 2023, the ITF reported improvements with the situation of migrant fishers, attributed to the abolition of the Atypical Work Permit Scheme.<sup>493</sup>

## Recommendations

The Commission recommends that the newly recruited labour inspectors receive mandatory training on human trafficking as early as possible to allow them to contribute to the efforts around early detection of possible victims and that the Workplace Relations Commission ensures all inspectors are sufficiently trained in accordance with their role in the new National Referral Mechanism.<sup>494</sup>

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<sup>488</sup> Regularisation of Long-Term Undocumented Migrants Scheme' of 2022 was a key development during this period. Department of Justice, Home Affairs and Migration, [Regularisation of Long Term Undocumented Migrant Scheme](#) [website]

<sup>489</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 144

<sup>490</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 144

<sup>491</sup> Workplace Relations Commission 2025

<sup>492</sup> Workplace Relations Commission 2025

<sup>493</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 144

<sup>494</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 141

The Commission recommends trade union presence and support around the issue of trafficking for exploitation, including in relation to sea fishers.

The Human Trafficking Investigation and Coordination Unit (HTICU) has drafted a guidance document to assist frontline staff in victim identification. Each new victim referral which is distributed to Garda Divisions across the country is accompanied by this guidance.<sup>495</sup>

The HTICU also provided training to the BMU and the International Protection Office, which has tailored its screening procedure in respect of all migrants and International Protection applicants. The Department of Justice reports that this has resulted in increased capacity to positively identify victims of human trafficking. The BMU notes that formal risk assessments, based on formal training received on indicators of human trafficking, are carried out by BMU Immigration Officers on a case-by-case basis as vulnerable passengers present. They report that where an officer has any concern that trafficking may be taking place, a referral is made to AGS for formal assessment.<sup>496</sup>

## Role of NGOs in enhancing identification and protection

While frontline CSOs do not have a formal role in the identification of victims currently, the data demonstrates the critical role they play in the eventual identification of victims of trafficking through referrals to AGS.<sup>497</sup>

Five suspected victims were referred by the MRCI to AGS, with four formally identified within 2024;<sup>498</sup> in 2023, three suspected victims were referred and formally identified by AGS.<sup>499</sup>

CSOs which become Trusted Partners under the new NRM will be able to identify ‘presumed victims of trafficking’, which according to the Criminal Law (Sexual Offences and Human Trafficking) Act 2024, would grant these victims access to supports on an equal basis to those formally identified victims of trafficking while their application to be identified is being assessed.<sup>500</sup>

## Role of trade unions and employers in enhancing identification and protection

Until July 2024, the ITF employed a Dublin-based ‘campaign lead’ whose responsibilities included identifying suspected victims of human trafficking in the fishing industry and making appropriate referrals to AGS, among others. In 2024, two suspected victims referred to the NRM were formally

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<sup>495</sup> Department of Justice, Home Affairs and Migration 2025

<sup>496</sup> Department of Justice, Home Affairs and Migration 2025

<sup>497</sup> Department of Justice, Home Affairs and Migration 2025; IHREC Civil Society Consultation 2025

<sup>498</sup> Migrant Rights Centre Ireland 2025

<sup>499</sup> Migrant Rights Centre Ireland 2025

<sup>500</sup> Section 32

identified by AGS.<sup>501</sup> In 2023, one suspected victim was formally identified by AGS on foot of a referral made in December 2022.<sup>502</sup>

The Prevention Pillar of the NAP includes the strengthening of the role of trade unions and employer representatives in the prevention of trafficking for labour exploitation.<sup>503</sup> Unite the Union is a member of the Department of Justice Subgroup on Trafficking for Labour Exploitation.

We welcome the commitment of the Government to engage with trade unions and employer representative bodies to establish the role they can play in preventing trafficking for labour exploitation.<sup>504</sup>

## Recommendation

The Commission recommends that the Department of Justice, where appropriate, seek the collaboration of the private sector, especially in relation to trafficking for labour exploitation, to develop awareness-raising campaigns – following the mandate of the amended EU Anti-Trafficking Directive.<sup>505</sup>

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<sup>501</sup> International Transport Workers' Federation 2025

<sup>502</sup> International Transport Workers' Federation 2025

<sup>503</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), p. 24–27

<sup>504</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), Action 1.9.1

<sup>505</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 260

## **GRETA Question 21**

### **Measures to encourage victims of THB to report their situation**

What measures are in place to encourage victims of THB to report their situation to the authorities and/or civil society organisations?

### **Measures to encourage victims to report their situation**

There are various mechanisms in place to encourage victims to report their situation but concerns remain about their accessibility and effectiveness.

Action 1.2 of the NAP<sup>506</sup> provides for the dissemination of information to raise awareness of the indicators of human trafficking, towards facilitating victim identification.<sup>507</sup> The Department of Justice coordinates this action, with the support of NGOs and all agencies and Departments likely to encounter victims of trafficking. If implemented, this Action should significantly assist self-reporting by individuals as victims of trafficking. As of July 2025, the Commission does not have any information on the implementation progress of this objective.

As stated in question 20, in 2022 GRETA urged the Irish authorities to step up efforts to encourage victims to self-identify.

As referenced in question 3, between December 2023 and March 2024 there was a partnership between the HSE Social Care Team and AGS for the launch of a ‘Pilot Welfare Visits’ initiative. This aimed to enhance access to health care and support services for individuals in the sex trade and to increase identification of potential victims of trafficking for sexual exploitation.<sup>508</sup> From the 14 women encountered during the pilot, three followed up and accessed health care and other support. The pilot is to be reviewed, and further visits were scheduled in early 2025. Similarly, the HSE Women’s Health Service and AGS continued their partnership supporting women in the sex industry who are victims of crime, which led to a successful conviction in 2024. AGS distributes information material about HSE support and care during their welfare visits, especially when HSE WHS workers are not present.<sup>509</sup>

In 2025, AGS, the HSE AHTT, Ruhama and IOM Ireland jointly organised an awareness-raising session in Dublin Airport as a pilot action. It involved large public engagement with passengers and people using the airport. Further sessions are planned.<sup>510</sup> AGS and the HSE AHTT have reported continued engagement in awareness raising and information sessions at Dublin Airport on human trafficking.<sup>511</sup> Additionally, AGS has developed new posters on indicators of human trafficking, which are distributed

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<sup>506</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), p. 25

<sup>507</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), p. 25

<sup>508</sup> Health Service Executive Anti-Human Trafficking Team 2025

<sup>509</sup> Health Service Executive Anti-Human Trafficking Team 2025

<sup>510</sup> IHREC Civil Society Consultation 2025

<sup>511</sup> Department of Justice, Home Affairs and Migration 2025; HSE Anti-Human Trafficking Team 2025

and displayed in all police stations, and it is planned for them to also be placed in the toilet cubicles of airports across the country. The Commission is not aware whether additional posters in commonly spoken languages of victims of trafficking will be developed by AGS, in line with the NAP commitment.

Similarly, IOM Ireland has also developed a flyer and a poster on indicators and purposes of human trafficking with AGS contact details and access to their anyone Trafficked.com website campaign.<sup>512</sup> This is part of the wider 'Anyone Trafficked' awareness-raising campaign that IOM Ireland has developed over the last few years, and as a result of demand from service providers. The organisation also plans to deliver the physical materials to IPAS centres and other organisations.<sup>513</sup>

The Department of Justice continued the Blue Blindfold campaign,<sup>514</sup> which involves the maintenance of a website with information on human trafficking, including supporting organisations and the Garda Síochána confidential phone line available to report human trafficking and other offences. The website also displays a dedicated email address for anyone wishing to report or obtain information on human trafficking in Ireland, which is monitored by AGS Human Trafficking Investigation and Co-ordination Unit (HTICU) all year around.<sup>515</sup> However it appears from reports that in 2024, of the 125 reports to AGS via the Blue Blindfold email address only approximately 15% (18 emails) of the queries received were in relation to human trafficking.<sup>516</sup>

Part of the NAP's awareness-raising and evaluation objective provides for the availability of up-to-date information on human trafficking on relevant Government websites, which the Department of Justice, AGS and other relevant Departments and agencies are responsible for.

The Legal Aid Board's website contains information on human trafficking under 'Advice service for potential victims of human trafficking'.<sup>517</sup> We welcome that the LAB has recently updated its website.<sup>518</sup> The LAB is authorised to provide legal assistance to potential and self-identified victims of human trafficking who self-refer.<sup>519</sup> It is important that this is explicitly stated in its website information.

In 2024, the LAB reported 33 new referrals from AGS, one from an NGO and one from a health professional.<sup>520</sup> They advised that no child victims were referred and this is notwithstanding that 10 child victims were identified in the NRM in 2024. There are further discrepancies in the statistics: the LAB reported 35 new cases referred in 2024, while AGS reported 67 victims were identified in that

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<sup>512</sup> [IOM Ireland Poster](#) on human trafficking and [IOM Ireland Flyer](#) on human trafficking, both available on [IOM Ireland website](#)

<sup>513</sup> IOM UN Migration Ireland 2025

<sup>514</sup> Department of Justice, [Blue Blindfold](#) [website]

<sup>515</sup> Department of Justice, Home Affairs and Migration 2025

<sup>516</sup> Department of Justice, Home Affairs and Migration 2025

<sup>517</sup> Legal Aid Board, [Human Trafficking](#) [website]

<sup>518</sup> Legal Aid Board, [Our Legal Aid Service](#) [website]; Legal Aid Board, [Human Trafficking](#) [website].

<sup>519</sup> Legal Aid Board 2025

<sup>520</sup> Legal Aid Board 2025

period.<sup>521</sup> The importance of early notification and communication protocols is considered in question 40.1.

In relation to trafficking for labour exploitation, in 2024 the WRC continued raising awareness by providing information on employment rights to over 50,000 callers, holding 51 information sessions and providing bespoke information to fishers and domestic workers in the predominant language of the workers in these sectors.<sup>522</sup>

The WRC's participation in the European Multidisciplinary Platform against Criminal Threats (EMPACT) is detailed at question 8.

Other recent measures aimed at facilitating self-identification of victims of trafficking include CSO efforts. In 2025, Ruhama partnered with Circle K to raise awareness by displaying posters and stickers in the toilets of 167 petrol stations across the country, containing Ruhama's free and confidential hotline (9am to 5pm from Monday to Friday) and the text: 'Scared? Are you being held against your will? We can help.' In 2024, Ruhama's phone line was converted into a National Freephone, making the calls free for those in need and providing responses in English, Spanish, Italian and French, as well as basic Portuguese and Arabic.<sup>523</sup> During 2024, Ruhama outreach workers accompanied AGS on joint welfare checks to brothels for the detection of potential victims of trafficking, where they provided information on victims' rights, available supports and reassurance on accessing assistance without engagement with law enforcement.<sup>524</sup> In 2024, Ruhama received a total of 40 self-referrals from potential victims of trafficking,<sup>525</sup> compared to 29 in 2023.<sup>526</sup>

The MRCI has also reported expanding its awareness-raising and information initiatives by building on its informal networks and circulating information on services for victims of labour exploitation through a wide range of online/social media groups and channels, including those specifically targeting vulnerable work sectors and nationalities where there have been higher numbers of suspected victims.<sup>527</sup> This resulted in a large increase in severe exploitation cases presenting to the MRCI.<sup>528</sup> It is very positive that the MRCI conducted a survey of victims of severe labour exploitation and potential victims of trafficking for labour exploitation to whom they provide support in order to improve their ways of reaching out to other potential victims.<sup>529</sup> The MRCI has reported an increase in these cases presenting at the organisation as a result of this survey. It is also active in the Irish media, reporting WRC redress for victims of labour exploitation, with the aim of encouraging other victims to come forward and out of situations of severe exploitation.<sup>530</sup>

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<sup>521</sup> Legal Aid Board 2025; An Garda Síochána 2025

<sup>522</sup> Department of Justice, Home Affairs and Migration 2025

<sup>523</sup> Ruhama 2025

<sup>524</sup> Ruhama 2025

<sup>525</sup> Ruhama 2025

<sup>526</sup> Ruhama 2024

<sup>527</sup> Migrant Rights Centre Ireland 2025

<sup>528</sup> Migrant Rights Centre Ireland 2025

<sup>529</sup> Migrant Rights Centre Ireland 2025

<sup>530</sup> Migrant Rights Centre Ireland 2025

The Immigrant Council of Ireland, as an independent law centre, provides legal services and leads integration and policy campaigns benefitting trafficked migrant women in Ireland, including women exploited in the sex industry or through forced marriage.<sup>531</sup> Its website also provides a short animation ‘Know the signs of human trafficking’, which aims to explain what the signs of human trafficking look like so ‘you can know how to recognise it and what to do’.<sup>532</sup> It also provides a leaflet ‘ASSIST WOMEN – We are here to SUPPORT & ASSIST trafficked migrant women’ in several languages and other information on its website.<sup>533</sup> ICI reported dealing with 27 ‘new matters’ in relation to victims of trafficking in 2024, and did not refer any victims to the NRM for official identification in 2024.<sup>534</sup>

It is expected that the new NRM, once implemented, will encourage more reporting by victims of their situation.

## Recommendations

The Commission recommends that the Legal Aid Board update its new website<sup>535</sup> to ensure that the information regarding services to potential victims of trafficking clearly and explicitly reflects the fact that victims of trafficking can self-refer for legal advice and the steps to do so.

The Commission reiterates its recommendation on the need for all State agencies working on trafficking to maintain up-to-date websites that are trauma-informed<sup>536</sup> and that provide accurate information in appropriate languages and formats with working links to assist and enable victims of trafficking to navigate these complex processes.<sup>537</sup>

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<sup>531</sup> [Immigrant Council of Ireland, Trafficking of Women and Girls](#) [website]

<sup>532</sup> [Immigrant Council of Ireland, Trafficking of Women and Girls](#) [website]; Immigrant Council of Ireland (2021) [Know the Signs of Human Trafficking](#) [YouTube]

<sup>533</sup> [Immigrant Council of Ireland, Trafficking of Women and Girls](#) [website]

<sup>534</sup> The number of new victims presenting to ICI in 2024 unknown to the Commission at time of writing

<sup>535</sup> LAB website <https://www.legalaidboard.ie/our-legal-aid-service/how-we-can-help-you/other-areas/human-trafficking/> accessed July 2025

<sup>536</sup> Including quick ‘exit buttons’, careful consideration of images (do not use stock images that portray violence and can be triggering), ensuring that safety alerts and support services are unmissable, designed with mobile and touchscreen capabilities such as ‘call’ buttons

<sup>537</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 176

## **GRETA Question 22**

### **Measures to detect/identify and refer to assistance possible victims of THB**

What specific measures are taken in your country to detect/identify and refer to assistance possible victims of THB at the borders?

What measures are taken in your country to identify victims of THB during asylum applications and prior to the examination of asylum applications and prior to the return of those persons whose applications are rejected?

### **Specific measures taken at the borders**

A number of measures are taken at the borders to detect/identify and refer to assistance possible victims of trafficking in human beings, and to identify victims of trafficking during the asylum process as discussed at questions 13 and 20.

Further information available to the Commission on measures at the borders is included below.

Ireland has expanded its training initiatives for border management personnel, among others.

All newly recruited Immigration Control Officers in 2024 received online training on the indicators of trafficking through an eLearning module on human trafficking awareness for first responders provided by the UK Border Force through their ongoing cooperation with them on safeguarding measures.<sup>538</sup> This training was also provided in 2023.<sup>539</sup>

In 2023, BMU officers attended all-day training on prostitution and human trafficking for sexual exploitation provided by Ruhama.<sup>540</sup> Additionally, officers travelled to London Stansted Airport to witness a UK Border operation on human trafficking to gather intelligence and raise awareness in relation to exploitation in the construction industry.<sup>541</sup>

The HTICU has provided training to the BMU, which has tailored its screening procedure in respect of all migrants and International Protection applicants. This is reported to have resulted in increased capacity to positively identify victims of human trafficking.<sup>542</sup> While we are not aware of the specific

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<sup>538</sup> Department of Justice, Home Affairs and Migration 2025

<sup>539</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 271

<sup>540</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 271

<sup>541</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 271

<sup>542</sup> Department of Justice, Home Affairs and Migration 2025

circumstances in which each victim is formally identified and whether they were first detected at the border, in 2024 there was a clear increase at 67 victims identified overall compared to 53 in 2023.

The BMU notes that informal risk assessments, based on training received on indicators of human trafficking, are carried out by BMU Immigration Officers on a case-by-case basis as vulnerable passengers present. Where an officer has any concern that trafficking may be taking place, a referral is made to AGS for formal assessment. A passenger would not be turned away at the border in such circumstances.

As referenced previously, the EMPACT Operational Days of Action Global Chain is an international Joint Action which took place from 3 to 9 June 2024, targeting human trafficking for the purpose of sexual exploitation, forced criminality and forced begging in order to detect and disrupt Organised Crime Gangs exploiting vulnerable victims for financial gain. One of the aims of Operation Global Chain was to target hotspots including borders and in particular airports by carrying out enhanced enforcement checks.<sup>543</sup>

During the operation, enhanced law enforcement checks were carried out at Dublin Airport and Dublin Port on Monday 3 June, Tuesday 4 June and Wednesday 5 June 2024. HTICU members, supported by GNIB members, monitored flights and provided a visible presence at airports, seaports and train stations in the State.

Operation Liberterra II was a global week of action targeting, among other offences, human trafficking, and took place from 29 September to 4 October 2024. One of its aims was to identify and dismantle criminal organisations involved in the trafficking of human beings and also to ensure that assistance was provided to victims of trafficking and migrants in vulnerable situations. During this period, the GNPSB and GNIB worked together to combat human trafficking. Members of GNIB and HTICU were overtly present at Dublin Airport, conducting document checkpoints. A total of 120 flights were monitored, 14,472 people checked during the week, and two people arrested.<sup>544</sup>

Under the NAP, the GNIB and the BMU are to ensure that Port and Airport Authorities (all staff at ports of entry) receive training in relation to human trafficking and its indicators to enable them to recognise victims of human trafficking; the training must take into account current developments, trends and challenges.<sup>545</sup> According to the Garda Commissioner, a total of 59 members of AGS were trained as Immigration Officers assigned to Dublin Port (25), Rosslare Europort (10) and Cork ports (24) in 2023.<sup>546</sup> It is not clear whether all of these Immigration Officers were trained on human trafficking and its indicators for the detection of suspected victims, over the 2023 reporting period.<sup>547</sup> The Commission believes it is essential that these trainings continue to be provided.

Detailed information and relevant recommendations on Vulnerability Assessments is provided at question 6.

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<sup>543</sup> Department of Justice, Home Affairs and Migration 2025

<sup>544</sup> Department of Justice, Home Affairs and Migration 2025

<sup>545</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), Action 1.1.5

<sup>546</sup> Department of Justice and Equality (2024) [Written Answer to Parliamentary Question: Human Trafficking](#) (14 May 2024)

<sup>547</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 272

Detailed information and relevant recommendations on the transposition of the EU Migration and Asylum Pact is provided at question 13.

## GRETA Question 26

### Residence permit owing to the victim's personal situation

If there is a provision in your country's law that provides for the possibility of issuing a residence permit owing to the victim's personal situation, how is this interpreted in practice? Please provide examples.

### Temporary residence permits

The provision of temporary residence for victims of trafficking remains governed by the Administrative Immigration Arrangements. However, this approach arguably does not take into account the victim's personal situation and can be linked to their cooperation with the criminal investigation and proceedings.

The Commission has previously highlighted the importance of longer-term residence permissions being guaranteed to third-country nationals who will be determined by the Operational Committee of the new NRM to be an identified victim of trafficking. If, on completion of the identification process, or at any time after the identification process, the applicant is found not to be a victim of trafficking, their residence rights evaporate with implications for access to assistance and support.<sup>548</sup> We have called for this legislation to clearly outline the residence permission available to presumed and identified victims of trafficking.<sup>549</sup> This has not been reflected in the Criminal Law (Sexual Offences and Human Trafficking) Act 2024 and is of serious concern to us.<sup>550</sup>

In 2022, GRETA invited the Irish authorities to grant temporary residence permits to victims on the basis of their personal situation, in addition to the grant of a residence permit on the basis of the victim's cooperation in the investigation or criminal proceedings.<sup>551</sup> This has not occurred, and we remain concerned with the prospect that all immigration and assistance-related issues have not been explicitly addressed in the legislation establishing the new NRM, but will be outlined in (non-binding) Operational Guidelines instead. Such administrative policies are not equivalent to statutory protection. It is important that the new NRM does not perpetuate differential treatment of victims

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<sup>548</sup> P. v The Chief Superintendent of the Garda National Immigration Bureau, the DPP, Ireland and the Attorney General [2015] IEHC 222, at para 166

<sup>549</sup> IHREC (2023) [Trafficking in Human Beings in Ireland: Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 334

<sup>550</sup> Victims' rights to assistance and support must be enshrined in the legislation. The legislation should clearly state that the 60-day recovery and reflection period is automatically reviewed for a further 60-day period and/or until the Operational Committee meets to determine the application. [Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA](#), Article 11(1), 11(2), 11(3), 11(4), 11(5), 11(6) and 11(7); IHREC (2023) [Trafficking in Human Beings in Ireland: Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 334

<sup>551</sup> GRETA (2022) [Evaluation Report Ireland. Third Evaluation Round. Access to Justice and Effective Remedies for Victims of Trafficking in Human Beings](#), para. 116

depending on their nationality and immigration status, which would interfere with the principle of unconditional assistance and voluntary cooperation with the criminal justice system.<sup>552</sup>

## Recommendations

The Commission continues to recommend that the relevant immigration provisions for third-country national victims and stateless persons allowing access to the specialised measures for all victims is clearly set out in legislation.<sup>553</sup>

The Commission continues to recommend that it is explicitly stated in legislation that access to assistance and support, and the necessary immigration status for third-country national victims that underpins it, are not conditional on cooperation with criminal investigations and proceedings.<sup>554</sup>

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<sup>552</sup> IHREC (2023) [Trafficking in Human Beings in Ireland: Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 96

<sup>553</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 139

<sup>554</sup> IHREC (2023) [Trafficking in Human Beings in Ireland: Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 139

## GRETA Question 27

### Protection of the identity of a child victim of trafficking

What measures are in place to ensure that the identity, or details allowing the identification, of a child victim of trafficking are not made publicly known?

### Measures ensuring the protection of the identity of a child victim of trafficking

There are legislative provisions in place to ensure that the identity or details allowing the identification of a child victim of trafficking are not made public. However, concerns remain, including that the legislation should include all forms of trafficking as a form of child abuse.

Section 51 of the Children Act 2001<sup>555</sup> establishes the protection of the identity of children who have committed an offence, have accepted responsibility for their criminal behaviour, and are admitted to a diversion programme that aims to deter them from committing further offences. Regarding the protection of identity, Section 51(1) provides:

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Subject to subsection (2), no report shall be published or included in a broadcast – (a) in relation to the admission of a child to the Programme or the proceedings at any conference relating to the child, including the contents of any action plan for the child and of the report of the conference, or (b) which reveals the name, address or school of the child or any other information, including any picture, which is likely to lead to identification of the child.

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Section 51(2) clarifies that this protection does not include statistical information or the results of any *bona fide* research that is related to the programme.

Section 93 of the 2001 Act provides for restrictions on reports of proceedings before the Court concerning children. It sets out that no report shall be published or included in a broadcast that reveals the name, address or school or any particulars that can lead to the identification of the child, and no picture shall be published that is likely to lead to their identification. This section is interpreted as granting anonymity to accused children until the criminal process is finished (including appeals).<sup>556</sup>

The 2001 Act results in the protection of the identity of child victims of trafficking, thereby giving effect to the provisions contained in Chapter II, Article 11(2) of the Convention.

There has been recent judicial consideration of the granting of such anonymity in circumstances where the child reaches 18 following a conviction or during the proceedings. In a decision of the Supreme Court, in which the Commission appeared as *amicus curiae* (or ‘friend of the court’), a unanimous judgment was delivered finding that where a minor defendant had turned 18 years and lost

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<sup>555</sup> [Children Act 2001](#), Section 18

<sup>556</sup> O’Hanlon G (2025) ‘[Supreme Court: Anonymity rules continue to apply to offenders who turn 18 during the criminal process and thereafter](#)’, *Irish Legal News* (18 March 2025)

the protection of the Children Act 2001, due to prosecutorial delay, the court should consider making an order of anonymity, equivalent to Section 93 provisions.<sup>557</sup>

While these sections of the 2001 Act do not directly relate to child victims of trafficking, they might be relevant in cases of child trafficking victims for the purpose of criminal activities.<sup>558</sup>

Tusla retains responsibility for the safety and wellbeing of children, including victims of crime (including child trafficking victims), together with AGS. The Children First Act 2015<sup>559</sup> regulates the care and protection of children and the creation of the Child and Family Agency. In 2017, a revised version of the Children First National Guidance for the Protection and Welfare of Children<sup>560</sup> was issued as the main policy document on the protection of children against abuse and neglect, and for the promotion of best practices in child safeguarding.

More broadly, the Criminal Justice (Victims of Crime) Act 2017<sup>561</sup> as the legal instrument, and the Victims Charter<sup>562</sup> as policy, offer a framework for victims of crime in Ireland. The 2017 Act provides for the protection and rights of victims during the criminal proceedings, while the Victims Charter provides information on the criminal justice system with regard to the entitlements and rights to services offered by a number of State agencies working with victims.

In the Commission's experience with State agencies, such as AGS and Tusla, the identity of child victims has always been protected.

The Criminal Law (Sexual Offences and Human Trafficking) Act 2024<sup>563</sup> has removed the last obstacle to the ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.<sup>564</sup> This is looked at in question 32.

## Recommendation

The Commission recommends that the National Referral Mechanism Operational Guidelines contain strong protections for the personal data of presumed and identified victims of

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<sup>557</sup> O'Hanlon G (2025) '[Supreme Court: Anonymity rules continue to apply to offenders who turn 18 during the criminal process and thereafter](#)', *Irish Legal News* (18 March 2025); IHREC (2025) [Irish Human Rights and Equality Commission welcomes Supreme Court ruling in case concerning the anonymity of young persons charged with offences allegedly committed as children](#) (9 May 2025) [DPP v. P.B.](#) [IESC] 12

<sup>558</sup> Department of Justice, Home Affairs and Migration 2025. As noted elsewhere in this report, in 2023, three of the five identified child victims of trafficking were victims of criminal exploitation; in 2024, one out of ten children identified was a victim of trafficking for criminal activities

<sup>559</sup> [Children First Act 2015](#)

<sup>560</sup> Department of Children and Youth Affairs (2017) [Children First National Guidance for the Protection and Welfare of Children](#)

<sup>561</sup> [Criminal Justice \(Victims of Crime\) Act 2017](#)

<sup>562</sup> Gov.ie [The Victims Charter](#) [website]

<sup>563</sup> [Criminal Law \(Sexual Offences and Human Trafficking\) Act 2024](#)

<sup>564</sup> [UN Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography](#)

trafficking, including children, and those denied the status of presumed or identified victim of trafficking, especially children and adults with diminished capacity.

## **GRETA Question 31**

### **THB-related Internet content**

Are there requirements in your country's legal framework for the detection and removal of THB-related Internet content, and what are the sanctions for non-compliance?

Is there a code of conduct for providers?

If a person is detected as a presumed victim of THB in the process, how is this person referred to assistance?

## **Requirements for the detection and removal of trafficking in human beings-related internet content**

There are a number of pieces of legislation aimed at the detection and removal of trafficking in human beings-related content. However, concerns remain, including enforcement challenges due to the expansion of trafficking in human beings into the online sphere, and jurisdictional challenges in tackling the identification and removal of content.<sup>565</sup>

The Irish online safety framework comprises three key pieces of legislation: the Online Safety and Media Regulation Act 2022,<sup>566</sup> the EU Digital Services Act<sup>567</sup> and the EU Terrorist Content Online Regulation.<sup>568</sup> The Online Safety and Media Regulation Act 2022 provides that harmful online content includes a range of offence-specific harmful online content linked to 44 existing criminal offences in law. The Act transposed the revised Audiovisual Media Services Directive into Irish law.<sup>569</sup> The digital landscape in the State is particularly relevant given Ireland is the European headquarters of many major technology companies including Apple, X (formerly known as Twitter), Google, Microsoft, Meta, Adobe, Amazon, Intel and TikTok.<sup>570</sup>

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<sup>565</sup> IWF (2025) '[EU countries urged to have "courage" and push for better laws to protect children at IWF's Annual Report launch in Brussels](#)' (29 May 2025). An example of tackling the identification and removal of content includes the Internet Watch Foundation (IWF). Founded in 1996, it reports giving more than 2.7bn people from 53 countries [a safe place to report](#) online child sexual abuse images and videos for removal from the internet via 'reporting portals'. IWF has highlighted the need for a consistent and coordinated EU-wide framework for detecting, reporting and removing child sexual abuse material from the internet.

<sup>566</sup> [Online Safety and Media Regulation Act 2022](#)

<sup>567</sup> [Regulation \(EU\) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC \(Digital Services Act\) \(Text with EEA relevance\)](#)

<sup>568</sup> [Regulation \(EU\) 2021/784 of the European Parliament and of the Council of 29 April 2021 on addressing the dissemination of terrorist content online](#); Coimisiún na Meán (2024) [Online Safety Code](#), p. 2

<sup>569</sup> Gov.ie, [Online Safety and Media Regulation and Regulation Act 2022](#) [website]

<sup>570</sup> Children's Rights Alliance (2025) [Online Safety Monitor. Safeguarding Children's Rights Online](#), p. 11

As noted at question 15, the Online Safety and Media Regulation Act 2022 created an independent regulatory body, Coimisiún na Meán (the Media Commission).<sup>571</sup> Ireland's first Online Safety Commissioner was appointed in 2023. The Digital Services Act 2024 designated Coimisiún na Meán as the Digital Service Coordinator and lead Competent Authority.

## Code of conduct for providers

Coimisiún na Meán's Online Safety Code (the Code) is the legally binding Irish code of conduct that applies to video-sharing platforms headquartered in Ireland since November 2024. The Online Safety Code designates Facebook, Instagram, LinkedIn, Pinterest, TikTok, Tumblr, Udemy, X (formerly Twitter) and YouTube for regulation.<sup>572</sup> The Code aims to ensure these providers implement systems that protect people, especially children, from harmful content.<sup>573</sup> Section 10 of the Code establishes the main obligations of video-sharing platform providers, in accordance with the Online Safety and Media Regulation Act 2022 and the 2018/1808 Audiovisual Media Services Directive to protect:

- a) Children from content that may impair their physical, mental or moral development;
- b) The general public from content that incites to violence or hatred against a group of persons or a member of a group based on any of the grounds of Article 21 of the Charter of Fundamental Rights of the European Union; and
- c) The general public from content that disseminates an activity which is a criminal offence under EU law, namely public provocation to commit a terrorist offence, offences concerning 'child pornography', and offences concerning racism and xenophobia.<sup>574</sup>

The Code also establishes a number of obligations for video-sharing platforms to ensure the protection of people, especially children, from harmful content. These include:

- › Prohibition of uploading or sharing harmful content on their services including cyberbullying, promoting self-harm or suicide and promoting eating or feeding disorders, the incitement to hatred or violence, terrorism, child sexual abuse material, racism and xenophobia.
- › The use of age assurance to prevent children from encountering pornography or violence online and having age verification measures as appropriate.
- › The provision of parental controls for content which may impair the physical, mental or moral development of children under 16.<sup>575</sup>

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<sup>571</sup> [Broadcasting Act 2009, revised](#). Coimisiún na Meán is responsible for regulating broadcasters, video-on-demand providers and online platforms established in Ireland (powers and functions are provided in Section 7 of the Broadcasting Act 2009 as amended)

<sup>572</sup> Coimisiún na Meán (2025) [Register of designated online services](#) [website]

<sup>573</sup> Coimisiún na Meán (2024) [Coimisiún na Meán adopts final Online Safety Code](#) (21 October 2024) [press release]

<sup>574</sup> Coimisiún na Meán (2024) [Online Safety Code](#), pp. 10–11

<sup>575</sup> Coimisiún na Meán (2024) [Coimisiún na Meán adopts final Online Safety Code](#) [website]

Part B of the Code comes into force at the end of July 2025, by which time regulated platforms must provide Coimisiún na Meán with the measures they plan to put in place to restrict and remove illegal content, and how will they verify the age of users.

As referenced at question 15, in early 2024 the Commission contributed to the Coimisiún na Meán consultation on the draft Online Safety Code for Video-Sharing Platform Services,<sup>576</sup> noting that internet and web-based companies are profiting from the expansion of trafficking in human beings into the online sphere, allowing traffickers to expand their business opportunities in an unprecedented manner by exponentially expanding their global reach. It was noted that prostitution-advertising websites knowingly facilitate and profit from the prostitution of others.<sup>577</sup>

## Sanctions

Coimisiún na Meán has powers to impose administrative sanctions or daily payments when contraventions or infringements are found.<sup>578</sup> When ongoing infringement is identified, Coimisiún na Meán can apply to the High Court for an order to require an internet service provider to block access to an intermediary service.<sup>579</sup> Enforcement powers also include a number of criminal offences.

Administrative financial sanctions for contraventions defined in Part 2 of the Digital Services Act 2024 are six percent of annual income or turnover of the provider in the preceding financial year, or one percent of annual income or turnover of a person in the preceding financial year, and the sanctions must be proportionate to the nature of the contravention and aim to deter providers and other persons from committing further contraventions under the 2024 Act.<sup>580</sup>

Coimisiún na Meán is also able to impose a daily payment penalty after issuing a notice to end an infringement of the Digital Services Act 2024 under certain conditions, including offering a notice in writing on the intention to impose the daily payment penalty to allow the provider to take steps to end the contravention, informing the provider of the maximum daily amount of the penalty (of up to five percent of the provider's average daily turnover in the preceding financial year) and inviting the provider to make a written submission on the level of the penalty.<sup>581</sup>

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<sup>576</sup> IHREC (2023) Letter to Online Safety Commissioner on 'Consultation on the Draft Online Safety Code for Video Sharing Platform Services' (31 January 2023); IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), pp. 201–241. A copy of the chapter on 'Technology-Facilitated Trafficking for Sexual Exploitation' was provided

<sup>577</sup> Cross-Party Group on Commercial Sexual Exploitation (2021) [Online Pimping – An Inquiry into Sexual Exploitation Advertising Websites](#), p. 16. According to the UK's Joint Slavery and Trafficking Analysis Centre – a multi-agency intelligence unit established by policing, Her Majesty's Government (HMG) and the National Crime Agency 'Adult services websites represent the most significant enabler of sexual exploitation, in the UK measures such as safety-by-design and requirements for age verification are not, and will never be sufficient to guard against exploitation and are therefore inappropriate'; All-Party Parliamentary Group on Prostitution and the Global Sex Trade (2018) [Behind Closed Doors: Organised sexual exploitation in England and Wales](#), p. 2

<sup>578</sup> [Digital Services Act 2024](#), Section 43

<sup>579</sup> Irish Legal Blog, [Coimisiún na Meán](#) [website]

<sup>580</sup> Irish Legal Blog, [Coimisiún na Meán](#) [website]

<sup>581</sup> Irish Legal Blog [Coimisiún na Meán](#) [website]

For further information/response on technology-facilitated trafficking for sexual exploitation see question 15 and Chapter 2 of our Second Evaluation Report on ‘Technology-Facilitated Trafficking for Sexual Exploitation.’<sup>582</sup>

## Recommendations

The Commission recommends that the State increase investment in research and exploration of concrete initiatives and legislative approaches to combat ICT-facilitated trafficking, including internationally.

Noting that Coimisiún na Meán is relatively recently established, with new statutory powers, the Commission recommends that Coimisiún na Meán be adequately resourced and provided with sufficiently robust regulatory powers to address online exploitation, noting the significant part Ireland plays in regulation of technology companies and online activity.

## Children and ICT

The Programme for Government has committed that, under online safety, the Government will work to deliver on a new EU Directive to combat Child Sexual Abuse<sup>583</sup> ‘that protects children and young people and holds digital platforms to account’.<sup>584</sup> The Commission welcomes this commitment which could strengthen Ireland’s legal framework to detect and remove child trafficking related content from the Internet and increase identification and support of victims, including of child trafficking.

## Recommendation

The Commission recommends that the State strengthens the legal accountability and responsibility framework of technological platforms to protect children, including those at risk of child trafficking, and child sexual abuse, through the adoption, transposition and implementation of the recast EU Directive on combating the sexual abuse and sexual exploitation of children and child sexual abuse material.

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<sup>582</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), pp. 201–241

<sup>583</sup> [Proposal for a Directive of the European Parliament and of the Council on combating the sexual abuse and sexual exploitation of children and child sexual abuse material and replacing Council Framework Decision 2004/68/JHA \(recast\)](#)

<sup>584</sup> Government of Ireland (2025) [Programme for Government 2025. Securing Ireland’s Future](#), p. 65

### III. Investigation, prosecution, sanctions and measures (Articles 4, 18, 19, 23, 24, 27, 28 and 30)

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#### **GRETA Question 32**

#### **Abuse of a position of vulnerability and the law**

Is abuse of vulnerability part of the human trafficking offence in your country's law?

How are the concepts of "vulnerability" and "abuse of a position of vulnerability" defined in law?

Have they been subject to judicial interpretation? If yes, please provide relevant case law.

#### **Abuse of vulnerability as part of human trafficking offence**

While concepts of 'vulnerability' and the 'abuse of a position of vulnerability' form part of the offence of human trafficking in Ireland and are also provided for in European Union law, it is difficult to analyse their judicial interpretation due to a lack of case law.

#### **European Union Law – the EU Anti-Trafficking Directive**

While the legal definition of human trafficking was expanded under the amended EU Anti-Trafficking Directive<sup>585</sup> to explicitly include the exploitation of surrogacy, of forced marriage and of illegal adoption, the substance of the 'means' component of the definition of human trafficking was retained. To meet the legal definition of human trafficking under European Union law, the three constituent elements must be present – action, means and exploitation. Abuse of a position of vulnerability is a component of the means constituent. In cases of child victims of trafficking, the means element is not a requirement.

Article 2(1) of the EU Anti-Trafficking Directive provides that Member States shall take the necessary actions to ensure that intentional acts including the abuse of a position of vulnerability are punishable and Article 2(2) defines a position of vulnerability as a 'situation in which the person concerned has no real or acceptable alternative but to submit to the abuse involved'.<sup>586</sup> Recital 22 of the Directive outlines that Member States should ensure that 'specific assistance, support and protective measures

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<sup>585</sup> [Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA](#), Article 2

<sup>586</sup> [Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA](#), Article 2

are available to child victims’, and recognises the particular vulnerability of child victims of trafficking.<sup>587</sup>

## The Irish legal landscape

The Criminal Law (Human Trafficking) Act 2008 and the Criminal Law (Human Trafficking) (Amendment) Act 2013 deal with trafficking in Ireland. Section 4(1)(c) of the Criminal Law (Human Trafficking) Act 2008<sup>588</sup> provides:

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A person (in this section referred to as the ‘trafficker’) who trafficks another person (in this section referred to as the ‘trafficked person’), other than a child or a person to whom subsection (3) applies, for the purposes of the exploitation of the trafficked person shall be guilty of an offence if, in or for the purpose of trafficking the trafficked person, the trafficker—

...

(c) Abused his or her authority or took advantage of the vulnerability of the trafficked person to such an extent to cause the trafficked person to have no real and acceptable alternative but to submit to being trafficked.

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Section 25 (b)(ii) of the Criminal Law (Sexual Offences and Human Trafficking) Act 2024<sup>589</sup> provides the criteria for identification as a victim of human trafficking including the abuse of a position of vulnerability.

The passing of the 2024 Act has removed the last remaining obstacles to Ireland’s ratification of the Second Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography 2002.<sup>590</sup> While Ireland signed the Protocol in 2000, ratification remains pending.<sup>591</sup> In May 2025 the Minister stated that the Government is committed to ratifying the Protocol as soon as possible – stating that such ratification will be progressed in 2025 but not committing to a specific date by which this will be complete.<sup>592</sup>

Article 8 of the Second Optional Protocol to the ‘Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography’ provides that State parties shall adopt measures to protect the rights and interests of child victims of the practices prohibited under the present Protocol at all stages of the criminal process including recognising the vulnerability of child victims and adapting procedures to recognise their special needs, including their special needs as witnesses. Article 9 of the Protocol states that particular attention shall be given to protecting children who are especially vulnerable to such practices. Article 10 states that ‘State Parties shall promote the

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<sup>587</sup> [Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA](#), Recital 22

<sup>588</sup> [Criminal Law \(Human Trafficking\) Act 2008](#)

<sup>589</sup> [Criminal Law \(Sexual Offences and Human Trafficking\) Act 2024](#), Section 25 (b)(ii)

<sup>590</sup> [UN Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography](#)

<sup>591</sup> Department of Children, Equality, Disability, Integration and Youth (2025) [Written answer to Parliamentary Question: Legislative Programme](#) (29 May 2025)

<sup>592</sup> Department of Children, Equality, Disability, Integration and Youth (2025) [Written answer to Parliamentary Question: Legislative Programme](#) (29 May 2025)

strengthening of international cooperation in order to address the root causes, such as poverty and underdevelopment, contributing to the vulnerability of children to the sale of children, child prostitution, child pornography and child sex tourism’.

## Detection of offences/prosecution of offences

In dealing with the prosecution of human trafficking offences, a number of factors require particular attention. In their paper on ‘Prosecuting Human Trafficking Offences’, Fiona Murphy SC and Amy Deane BL state:

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Crucially victims tend to be vulnerable persons for various different reasons: poverty, no connections, isolated in an area they are not familiar with, language barriers, cognitive issues and may have particular physical vulnerabilities. In truth persons who find themselves in these situations are not persons who will feel empowered to make complaints to the authorities. As a result the proactive steps being taken by the Gardaí in this area are very significant.<sup>593</sup>

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Examples of structures put in place by AGS in an effort to assist the detection of human trafficking offences include linking with persons advertising sexual services online, making efforts to engage with travellers at point of entry, and increased efforts to detect at ports.<sup>594</sup>

The Director of Public Prosecutions (DPP) Guidelines for Prosecutors (2019) contain factors which ‘should’ be considered by prosecutors in their assessment of whether to commence or continue with a prosecution, including whether there was an abuse of vulnerability.<sup>595</sup>

In assessing whether the public interest lies in commencing or continuing with a prosecution, according to the Guidelines, a prosecutor should exercise particular caution where there is information to suggest that the suspect is a victim of a crime including a victim of trafficking. Such a person may be suspected of a range of offences from breaches of immigration law to offences related to prostitution. In a case in which there is credible information that a suspect is also a crime victim, the prosecutor should consider whether the public interest is served by a prosecution of the suspect.<sup>596</sup> Factors which should be considered in assessing whether to commence or continue with such a prosecution include: (i) the nature of the offence allegedly committed by the suspect; (ii) whether there is any information that coercion or duress was exercised against the suspect in the context of the alleged offence; (iii) where there are allegations that the suspect was subjected to duress – whether it is alleged that this included violence or threats of violence or the use of force, deceit or fraud, or an abuse of authority or exploitation of a position of vulnerability; and (iv) whether the suspect has cooperated with the authorities in relation to any offences believed to have been committed against the suspect.<sup>597</sup>

The Guidelines for Prosecutors do not contain definitions of ‘vulnerability’ or ‘abuse of vulnerability.’ While the Guidelines are not on a statutory footing, and do not explore the offence of human trafficking

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<sup>593</sup> Fiona Murphy SC and Amy Deane BL (2021) ‘[Prosecuting Human Trafficking Offences](#)’, pp. 6–7, Presentation at the 22nd Annual Prosecutors’ Conference, 29 October 2021

<sup>594</sup> Fiona Murphy SC and Amy Deane BL (2021) ‘[Prosecuting Human Trafficking Offences](#)’, p. 6, Presentation at the 22nd Annual Prosecutors’ Conference, 29 October 2021

<sup>595</sup> Director of Public Prosecutions (2019) [Guidelines for Prosecutors: 5th Edition](#), s. 4.8, p. 13

<sup>596</sup> Director of Public Prosecutions (2019) [Guidelines for Prosecutors: 5th Edition](#), s. 4.7, pp. 12–13

<sup>597</sup> Director of Public Prosecutions (2019) [Guidelines for Prosecutors: 5th Edition](#), s. 4.8, p. 13

itself, nonetheless they highlight the factors that ‘should’ be considered by prosecutors when making their decision. The use of the word ‘should’ in the Guidelines demonstrates vulnerability may be considered by prosecutors when deciding whether or not to commence or continue a prosecution. However, the wording suggests that there is no onus upon prosecutors to do so.

## Judicial interpretation

There is a dearth of case law in the area human trafficking for a variety of reasons. There is a low number of prosecutions and convictions, which results in very few examples of judicial interpretation of the concepts of both ‘vulnerability’ and ‘abuse of a position of vulnerability’.

The Office of the DPP reported that in 2022, there were nine individuals prosecuted with human trafficking (new and ongoing). In 2022, there were no human trafficking convictions.<sup>598</sup> In 2023, 11 individuals were prosecuted with human trafficking.<sup>599</sup> Also in 2023, there was one individual convicted but not sentenced, and two others who had been convicted of trafficking in 2021 had their convictions upheld on appeals and sentences increased.<sup>600</sup> In 2024, nine individuals were prosecuted for human trafficking.<sup>601</sup> In 2024, one individual was convicted of human trafficking but not sentenced.<sup>602</sup>

However, there was relevant judicial interpretation in the decision of *DPP v Edosa & Enoghaghase*.<sup>603</sup> It was the first case in Ireland involving an offence of human trafficking contrary to the 2008 Act. Both defendants were convicted of trafficking of persons other than children contrary to Section 4(1) of the 2008 Act. Ms Edosa had received an effective sentence of five years and eight months’ imprisonment, while Ms Enoghaghase had received one of five years and one month. The decision related to an appeal by the DPP to the Court of Appeal of the sentences imposed against both Ms Edosa and Ms Enoghaghase on grounds of undue leniency and appeals by Ms Edosa against conviction and by Ms Enoghaghase against the severity of sentence, having withdrawn an appeal against conviction.

Although not pursued at hearing, one ground of appeal raised by Ms Edosa was that the trial judge erred in law and in fact by refusing to direct verdicts of not guilty in respect of human trafficking in charges in circumstances where there was no evidence to infer the complainants were ‘vulnerable’.

The Director drew attention to a number of English cases including *R v Zielinski*,<sup>604</sup> where the UK Court of Appeal made observations about relevant factors when assessing gravity, with one being the level of vulnerability of the victims.

The Court stated in *Edosa and Enoghaghase* ‘Of note are the observations of the Court about factors relevant when assessing gravity, these being: ...(vii) the level of vulnerability of the victims’, and ‘The factors that would bring a trafficking offence into the higher range, according to the Director, would include: (x) advantage having been taken of victim’s vulnerability, including lack of familiarity with the

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<sup>598</sup> Office of the Director of Public Prosecutions 2025

<sup>599</sup> Office of the Director of Public Prosecutions 2025

<sup>600</sup> Office of the Director of Public Prosecutions 2025; One had their sentence increased to seven and a half years, the other to seven years one month. *DPP v Edosa & Enoghaghase* [2023] IECA 38

<sup>601</sup> Office of the Director of Public Prosecutions 2025

<sup>602</sup> Office of the Director of Public Prosecutions 2025

<sup>603</sup> [2023] IECA 38

<sup>604</sup> [2017] EWCA Crim. 758

county or environment in which they found themselves, linguistic difficulties, impoverished circumstances, and any belief on the part of victims, perhaps driving from traditional rituals, that they were obliged to obey all orders directed to them.’

The Court regarded this checklist as very helpful in identifying factors that would tend to put a trafficking offence into the highest category.<sup>605</sup> The Court also agreed with the Director that it is not expected that all factors will be present in any particular case, but that the presence of several of them would justify placing an offence in the highest sentencing range.

*Edosa & Enoghaghase* demonstrates that the concepts of ‘vulnerability’ and ‘abuse of a position of vulnerability’ form part of the human trafficking offence in Ireland’s law and that those concepts have been subject to judicial interpretation from the point of view of the legal definition and on assessing the gravity of the case to decide sentencing.

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<sup>605</sup> [\[2023\] IECA 38](#)

## **GRETA Question 33**

### **Special vulnerability of the victim as an aggravating factor**

Is the special vulnerability of the victim considered as an aggravating factor for the offender's sentence?

### **Special vulnerability as an aggravating factor in sentencing**

As discussed at question 32, owing to the dearth of case law in this area, there has not been extensive judicial consideration of whether special vulnerability is considered as an aggravating factor in sentencing, with the exception of the Court of Appeal decision in *DPP v Edosa & Enoghaghase*<sup>606</sup> discussed above. This decision indicated that vulnerability may constitute an aggravating factor in respect of sentencing and would place the sentence in the higher range.

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<sup>606</sup> [2023] IECA 38

## **GRETA Question 34**

### **National case law and vulnerability in THB cases**

According to national case law, what forms of vulnerability are mostly abused by offenders in human trafficking cases? Please provide specific examples that show how the concept of “abuse of a position of vulnerability” is used in practice.

What are the challenges in its application?

Is it sufficient to prove the existence of a position of vulnerability of the victim, or must it also be proven that the defendant knew or out to have known of the victim’s vulnerability, and intentionally manipulated the victim on this basis?

### **Forms of vulnerability abused by offenders**

As stated at questions 32 and 33, due to the lack of case law on human trafficking, it is difficult to provide any information on the forms of vulnerability that are mostly abused by offenders. As discussed at question 33, in *DPP v Edosa & Enoghaghase*,<sup>607</sup> the Court found the checklist provided by the Director to be very helpful in identifying factors that would place a trafficking offence into the highest category in terms of sentencing, and crucially, this included reference to vulnerability. As previously discussed, taking advantage of a victim’s vulnerability was one of the factors listed by the Director that would place the offence of trafficking in the highest sentencing category.

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<sup>607</sup> [2023] IECA 38

## **GRETA Question 35**

### **Criminal justice training and the concept of “abuse of a position of vulnerability”**

Is the concept of “abuse of a position of vulnerability” addressed in criminal justice training?

Is there any specific guidance on applying this concept? Please provide copies of guidance and/or training materials that shed light on how this concept should be applied in practice.

## **Criminal justice training**

There is limited information available to the Commission on whether the concept of ‘abuse of a position of vulnerability’ is addressed in criminal justice training.

The Judicial Council, which oversees standards in the Irish judicial system, has four main pillars: to achieve excellence in the performance of judicial functions; to maintain high standards of conduct among judges; to ensure an independent judiciary; and to maintain public confidence in the judiciary and in the administration of justice.<sup>608</sup>

The Judicial Council has a number of committees including the Judicial Studies Committee, the functions of which are to provide for the continuing education of judges in relation to matters of law, ethics and conduct, human rights, judge craft and information technology.<sup>609</sup> While trafficking is not listed, it would arguably fall under the Committee’s function regarding the continuing education of the judiciary under some of the headings.

The Department of Justice reported that since June 2020, the Judicial Studies Committee has provided training programmes to the Irish judiciary across a broad range of areas. This includes elements of economic, social and cultural rights. While in 2023 the Committee did not deliver programmes specifically focused on human trafficking, training programmes were reported as being offered in the areas of avoiding re-traumatisation of vulnerable witnesses and coercive control. It was reported that through these workshops, judges were provided with the opportunity to develop transferrable skills relevant to the area of trafficking.

The judicial training does not appear to specifically relate to whether or not the concept of ‘abuse of vulnerability’ is addressed in criminal justice training.

According to the Department of Justice, in mid-2023, the Committee engaged with an NGO in relation to the introduction of a dedicated human trafficking training programme. This was reported to be in development throughout 2024 and expected to be supported by multiple agencies involved in the area.<sup>610</sup>

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<sup>608</sup> [The Judicial Council, Judicial Studies Committee](#) [website]

<sup>609</sup> [The Judicial Council, Judicial Studies Committee](#) [website]

<sup>610</sup> Department of Justice, Home Affairs and Migration 2025

Currently, the Commission has no information on the development of the judicial training or on criminal justice training in general by other relevant actors within the criminal justice system such as AGS or the DPP.

## Recommendations

The Commission welcomes the judicial training that has been provided and recommends the timely introduction of the planned dedicated human trafficking training programme.

In addition to the training provided to law enforcement and prosecutors, as committed to in the National Action Plan 2023–2027 to Prevent and Combat Human Trafficking, the Commission reiterates its recommendation that judges be trained on a victim-centred, trauma-informed approach in relation to law enforcement efforts and trials, including their sensitisation to the severity of human trafficking crimes.<sup>611</sup>

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<sup>611</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 271

## **GRETA Question 36**

### **Specific needs of vulnerable victims in criminal proceedings**

What procedures and measures exist in your country to take into account the specific needs of vulnerable victims at the different stages of criminal proceedings?

### **Procedures and measures taking account of specific needs of vulnerable victims**

While procedures and measures are in place, a number of concerns remain in relation to their feasibility and effectiveness. There appears to be an understanding of the protection measures that victims/survivors may need within the criminal justice system. Notwithstanding this, many of these measures remain unfeasible for a number of reasons, including legislative (including jurisdictional), administrative, related to resource constraints, or operational.<sup>612</sup>

Assistance should be provided to victims of trafficking before, during and after the criminal process, including the trial.<sup>613</sup> This is vital to ensure their participation.<sup>614</sup> For example, safe and appropriate accommodation is essential to their recovery and to their potential participation in any investigation.<sup>615</sup>

In Ireland, victims' engagement and testimony are necessary for human trafficking-related prosecutions – the legislation does not allow for victimless prosecution.<sup>616</sup> Victim protections in criminal proceedings are mainly provided for in the Criminal Justice (Victims of Crime) Act 2017, which is not trafficking-specific and has not undergone material changes during the reporting period.

The 2017 Act provides for special measures for victims. While child victims are directly presumed to have protection needs, adult victims are assessed by AGS to determine their vulnerabilities and, hence, protection needs.<sup>617</sup>

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<sup>612</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 178

<sup>613</sup> [Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA](#), Recital 18

<sup>614</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 112

<sup>615</sup> Immigrant Council of Ireland (2020) [Housing Trafficked Women in Ireland. Submission to the Advisory Group on the Provision of Support including Accommodation to Persons in the International Protection Process](#), p. 1

<sup>616</sup> Department of Justice, Home Affairs and Migration 2025

<sup>617</sup> [The Criminal Justice \(Victims of Crime\) Act 2017](#) establishes that An Garda Síochána might carry out an assessment of a victim during offences investigations to identify any protection needs, ascertain whether and to what extent the victim might benefit from the protection and if the victim would benefit from special measures during the investigation and the criminal proceedings. In the case of children, the 2017 Act establishes that (a) the child shall be presumed to have protection needs, and (b) a member of the Garda Síochána or an officer of

Victims/survivors continue to express fear of reprisals against themselves and/or their families in their home country.<sup>618</sup> This issue arises often in our consultations with survivors.<sup>619</sup> Several CSOs that provide direct support to victims describe assisting clients with reports to AGS regarding threats made against them in Ireland and against their families in their country of origin, by the alleged traffickers.<sup>620</sup>

The Commission has stated that measures must be taken to tackle the threats that victims/survivors face, or that their families face in their home countries.

Article 12(4) of the EU Anti-Trafficking Directive requires the State to ensure that protection measures exist within the criminal justice system to protect victims of trafficking from secondary and repeat victimisation and to safeguard ‘the dignity of victims during questioning and when testifying’.<sup>621</sup>

In Ireland, protection measures that victims/survivors may be able to access include the use of screens in trials (victims have a right to apply for this measure),<sup>622</sup> restrictions on evidence adduced to protect the private and personal life of the victim/survivor,<sup>623</sup> use of video-link to provide evidence,<sup>624</sup>

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the Ombudsman Commission, as the case may be, shall, when carrying out an assessment, have regard to the following matters when determining whether and to what extent the child might benefit from protection measures or special measures: (i) the best interests of the child; (ii) any views and concerns raised by the child taking into account his or her age and level of maturity; (iii) any views and concerns raised by a parent or guardian of the child or any other person duly authorised to act on his or her behalf provided that such parent, guardian or other person has not been charged with, or is not under investigation for, an alleged offence relating to the child. [Criminal Justice \(Victims of Crime\) Act 2017](#), s. 15(7)(a). IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 178; IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 105

<sup>618</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 178

<sup>619</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 179

<sup>620</sup> IHREC Civil Society Organisations Consultation 2025

<sup>621</sup> As per the [Criminal Justice \(Victims of Crime\) Act 2017](#), Section 2(1) Protection measure ‘means a measure which is intended to safeguard the safety and welfare of a victim by limiting or preventing contact with, or repeat victimisation, retaliation or intimidation of, the victim by an alleged offender or any other person on his or her behalf and includes (a) advice regarding the personal safety of the victim; (b) advice regarding the protection of the property of the victim; (c) advice regarding safety orders, barring orders, interim barring orders and Protection Orders within the meaning of the Domestic Violence Act 1996; (d) advice regarding orders made under Section 10 of the Non-Fatal Offences Against the Person Act 1997; Section 10 1 of the Criminal Justice Act 2006 and Section 26 or 26A of the Criminal Justice Act 2007; (e) an application to remand the alleged offender in custody; and (f) an application that any admission of an alleged offender to bail be subject to conditions’. See also, [Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA](#), Article 18

<sup>622</sup> Under the terms of Section 19(2)(b) of the [Criminal Justice \(Victims of Crime\) Act 2017](#), which permits, at the court’s discretion, the use of screens, regardless of the nature of the alleged offence

<sup>623</sup> In order to avoid secondary and repeat victimisation, intimidation or retaliation, under Section 21 of the [Criminal Justice \(Victims of Crime\) Act 2017](#), in relation to evidence adduced or sought to be adduced and questions asked in cross-examination at the trial that are in relation to the private life of a victim where this is unrelated to the offence

<sup>624</sup> Under Section 16 of the [Criminal Evidence Act 1992 \(amended\)](#) in relation to proceedings under Part 1A of the Criminal Procedure Act 1967

and admission as evidence in trial of any fact stated as testimony or statement via video-recording during interview with a member of AGS in the case of child victims (under 18).<sup>625</sup>

Since the commencement of the Criminal Law (Human Trafficking) Act 2008, there have been four convictions for human trafficking offences in Ireland. In two of the prosecutions, special measures were applied for and were granted by the Court, to provide support to the victim during the trial process.<sup>626</sup> The special measures were to allow the giving of evidence via video-link in one case, and appointment of an intermediary to assist in giving of evidence in the other.

In our 2024 consultations, one survivor-consultant shared with the Commission a positive experience as a victim/witness in a trial: the accused was at a good distance, which made them feel somewhat safer, and they could not see the accused from the witness box. The survivor reported they were never rushed in giving their evidence, could take breaks during the trial when needed, had a support person from Victim Support at Court (V-SAC) and had access to a victim's room.<sup>627</sup> This experience illustrates the importance of assistance and practical support for vulnerable victims during criminal proceedings to ensure their effective participation.

The Commission as National Rapporteur has also acknowledged the potential role for intermediaries to assess the witnesses' needs in advance of the trial and to advise the Court and Counsel regarding any special arrangements required.<sup>628</sup> Intermediaries can facilitate communication between the vulnerable victim and the prosecutor, defence and judge to ensure that questions are asked in a way the victim understands and the Court receives the best evidence possible.<sup>629</sup> Section 14 of the Criminal Evidence Act 1992 as amended establishes the circumstances under which a victim can apply for an intermediary to be used in court, which includes

- › victims of any offence who are under 18 years,
- › victims under 18 who are to give evidence in a trial of a relevant offence (including trafficking in human beings),<sup>630</sup> and

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<sup>625</sup> Section 16 of the [Criminal Evidence Act 1992 \(amended\)](#)

<sup>626</sup> Department of Justice, Home Affairs and Migration 2025

<sup>627</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 184

<sup>628</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 184

<sup>629</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 184

<sup>630</sup> As per section 12 of the [Criminal Evidence Act 1992](#) as amended, 'relevant offence' means: (a) a sexual offence; (b) an offence involving violence or the threat of violence to a person; F8[(ba) an offence under section 10 (amended by section 23 of the Criminal Justice (Miscellaneous Provisions) Act 2023) of the Non-Fatal Offences against the Person Act 1997;] (c) an offence under [section 3, 4, 5 or 6](#) of the [Child Trafficking and Pornography Act 1998](#); (d) an offence under [section 2, 4 or 7](#) of the [Criminal Law \(Human Trafficking\) Act 2008](#); F9[(da) an offence under [section 33, 38 or 39](#) of the Domestic Violence Act 2018;] F8[(db) an offence under section 44 (1) of the Criminal Justice (Miscellaneous Provisions) Act 2023;] (e) an offence consisting of attempting or conspiring to commit, or of aiding or abetting, counselling, procuring or inciting the commission of, an offence mentioned in *paragraph (a), (b), F8[(ba), (c), (d), (da) or F10[(db)]*']

- › victims of any offence who are over 18 but have a communication challenge.<sup>631</sup>

Ireland formalised the role of intermediaries in court proceedings with the issuing of guidance and established a pilot scheme.<sup>632</sup> The Commission welcomes the publication of the Guidance document that offers clarity on the role of registered intermediaries in the Irish Criminal Justice System, to be reviewed following learnings from the 12-month pilot. The pilot is currently restricted to court proceedings where the witness is vulnerable as per Section 14 of the Criminal Evidence Act as amended, and applicable nationwide.<sup>633</sup> It does not apply to criminal investigations. It includes a total of 13 Registered Practitioners, whose information can be found on the Courts Service website.<sup>634</sup> While limited in scope to children and to adults with communication challenges, we believe this to be a positive development that seeks to ensure equal access to justice for vulnerable victims. Registered intermediaries have the potential to bolster successful prosecutions of human trafficking involving child victims and vulnerable adults with communication challenges. It is vital that they receive specialist training on human trafficking (and other relevant offences) as per Section 12 of the 1992 Act. We look forward to the review of the pilot.

We previously highlighted the effectiveness of ‘trafficking and exploitation risk orders’ and ‘trafficking and exploitation prevention orders’.<sup>635</sup> These tools, available in the UK,<sup>636</sup> can be adopted by the courts to authorise restrictions on the activities of individuals believed to be at risk of committing human trafficking offences.<sup>637</sup> The establishment of these orders in Ireland, under comprehensive statutory guidance, would support proactive, evidence-led investigations, especially where a victim/survivor is unwilling or unable to engage in the criminal justice process.<sup>638</sup>

The only comparable tools available in Irish law are Safety, Protection or Barring Orders, which the vast majority of victims of human trafficking will not have access to, given the restrictions associated with them including that they are restricted to the spouse or ex-spouse, co-habitant, parents and children of the applicant.<sup>639</sup> Assistance to and protection of victims of human trafficking in Ireland during

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<sup>631</sup> As per section 19 of the Criminal Evidence Act 1992 as amended ‘The references in F37[sections 14, 14B, 15 and 16] F38[to a person under 18 years of age] F39[...] shall include references to a person with F37[a mental disorder, within the meaning of section 5 of the Criminal Justice Act 1993,] who has reached the age concerned

<sup>632</sup> [Courts Service Information on Intermediaries; Eligible professionals can apply to join the Register of Court Intermediaries and must provide proof of training and professional indemnity cover](#)

<sup>633</sup> Department of Justice (2024) [Registered Intermediaries in the Irish Criminal Justice System](#)

<sup>634</sup> [Courts Service: Registered Intermediaries Register](#). Practitioners can now become ‘Registered Intermediaries in the Irish Justice System’ via University of Limerick’s postgraduate training to become qualified CORU-registered health and social care practitioners. The programme is funded by the Department of Justice for students commencing in September 2025

<sup>635</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 185

<sup>636</sup> UK Independent Anti-Slavery Commissioner (2022) [The Use of Modern Slavery Risk and Prevention Orders](#)

<sup>637</sup> These orders can be applied for by police, immigration officers, the UK National Crime Agency or the Gangmaster and Labour Abuse Authority

<sup>638</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 182; [Brown R and Brotherton V \(2023\) Slavery and Trafficking Risk and Prevention Orders](#), pp. 22–23

<sup>639</sup> Citizen Advice Bureau, [Who can get a barring or safety order?](#) [website]

criminal proceedings could be strengthened with tools that safeguard them against further abuse and potentially disrupt their traffickers' actions.<sup>640</sup>

## Recommendations

The Commission reiterates its recommendation that all Intermediary Panel members in the criminal justice system undertake trafficking, and child-trafficking-specific, training and that their role be clearly outlined and integrated within the Operational Guidelines that will accompany the new National Referral Mechanism.<sup>641</sup> Such training and policies should be human rights-based, victim-centred and gender-, disability- and child-sensitive.<sup>642</sup>

The Commission reiterates its recommendation that the Minister for Justice consider the introduction of both Trafficking and Exploitation Risk Orders and Trafficking and Exploitation Protection Orders as part of the review of the criminal justice approach to trafficking contained in the Third National Action Plan to Prevent and Combat Human Trafficking 2023–2027.<sup>643</sup>

## Coordination between services provided to victims during criminal proceedings

CSOs have reported that the current justice system is not sufficiently victim-centred, is not trauma-informed, and lacks both a gender-specific approach and cultural congruence.<sup>644</sup> Practitioners providing assistance and services to victims of trafficking highlight the need for comprehensive understanding of the trauma that victims experience, especially in relation to the extensive control that they experience at the hands of their traffickers,<sup>645</sup> and the need to avoid re-victimisation from repeated interviews that involve the re-telling of their trafficking ordeal.<sup>646</sup>

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<sup>640</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 182

<sup>641</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 185

<sup>642</sup> [Directive \(EU\) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#), Article 18b (1); [Council of Europe Convention on Action against Trafficking in Human Beings](#), Article 5

<sup>643</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 182

<sup>644</sup> IHREC Civil Society Organisation Consultation 2025

<sup>645</sup> IHREC Civil Society Organisation Consultation 2025

<sup>646</sup> IHREC Civil Society Organisation Consultation 2025

Practitioners and frontline workers also emphasise the need to provide relevant and comprehensive information to victims and potential victims. They flag that no interview should take place without the person having a clear understanding that they have a right to be accompanied by a legal representative/advocate of their choice at all stages. It seems that it is not standard practice for AGS to provide regular updates on the status of the investigation or criminal justice proceedings in general to the service providers that assist identified victims of trafficking, unless the client receiving the service is actively involved with the criminal proceedings.<sup>647</sup>

Some CSOs relayed that none of their clients were risk assessed while others do not have information on whether the assessment was carried out or not, or what form of additional follow-up or protection may have been offered to their clients.<sup>648</sup>

Service providers call for transparency and the establishment of a standardised framework for comprehensive risk assessments for all victims of trafficking<sup>649</sup> to provide tailored protection measures based on vulnerabilities and needs. We note that Recital 19 EU Anti-Trafficking Directive states that ‘on the basis of an individual risk assessment carried out in accordance with national procedures, victims should be protected from retaliation, from intimidation, and from the risk of being re-trafficked’.<sup>650</sup>

## Recommendations

The Commission recommends the establishment of a transparent and standardised framework for comprehensive risk assessments by An Garda Síochána for all presumed victims of trafficking to provide tailored protection measures and supports within the criminal justice system.

The Commission notes that threats are often made against the families of victims of trafficking in their country of origin, and flags the importance of family reunification for victims.

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<sup>647</sup> HSE Anti-Human Trafficking Team 2025; Legal Aid Board 2025

<sup>648</sup> IHREC Civil Society Organisations Consultation 2025

<sup>649</sup> IHREC Civil Society Organisations Consultation 2025

<sup>650</sup> [Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA](#), Recital 19

The Commission reiterates its recommendation that the State undertake a comprehensive review of the current statutory and policy framework on family reunification and ensure provision of and access to such reunification for victims of trafficking.<sup>651</sup>

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<sup>651</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 27

## Protection of victims/survivors of trafficking for sexual exploitation during criminal proceedings

An effective response to combatting trafficking for sexual exploitation and other sexual exploitation offences requires that these offences are categorised as sexual offences. Victims/witnesses of these crimes must be entitled to adequate protections.<sup>652</sup>

Victims/survivors of trafficking for sexual exploitation are excluded from legal protections available to victims of other sexual offences such as rape, serious sexual assault and sexual assault.<sup>653</sup> Section 26(3A) of the Civil Legal Aid Act 1995<sup>654</sup> provides for the granting of legal advice to a complainant in a prosecution for a number of specified offences.<sup>655</sup> Notably, this does not include sexual exploitation offences.<sup>656</sup> The O'Malley Review recommends that Section 26(3A) of Civil Legal Aid Act 1995 be amended to provide that legal advice be available free of charge to a victim of any sexual crime and that such advice should not be contingent on there being a prosecution.<sup>657</sup>

We reiterate our call for the implementation of recommendations 6.3 and 6.4 of the Department of Justice's Plan 'Supporting a Victim's Journey',<sup>658</sup> which committed to amending the Civil Legal Aid Act 1995 to 'provide that the Legal Aid Board may provide free legal advice to victims of sexual offences (and not just in cases where a prosecution is being taken)', and to extend the range of offences to which Section 26 (3A) of the Civil Legal Aid Act applies to include sexual assault and specified other sexual offences.<sup>659</sup> We have called for protections to be extended to victims/witnesses in all sexual exploitation offences such as soliciting or importuning for purposes of prostitution; making payment

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<sup>652</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 188

<sup>653</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 185

<sup>654</sup> Section 26(3A) of the [Civil Legal Aid Act 1995](#), as inserted by the Civil Law (Miscellaneous Provisions) Act 2008

<sup>655</sup> '(a) the offence of rape under the common law, (b) the offence of rape under section 2 of the Criminal Law (Rape) Act 1981, (c) the offence of aggravated sexual assault under section 3 of the Criminal Law (Rape) (Amendment) Act 1990, (d) the offence of rape under section 4 of the Criminal Law (Rape) (Amendment) Act 1990, (e) an offence under section 6 (substituted by section 2 of the Criminal Law (Sexual Offences) (Amendment) Act 2007) of the Criminal Law (Sexual Offences) Act 1993, (f) an offence under the Criminal Law (Sexual Offences) Act 2006, (g) an offence of incest under section 1 or 2 of the Punishment of Incest Act 1908'.

<sup>656</sup> IHREC (2023) [The Criminal Law \(Sexual Offences and Human Trafficking\) Bill 2024](#), p. 22

<sup>657</sup> O'Malley T (2020) [Review of Protection for Vulnerable Witnesses in Investigation and Prosecution of Sexual Offences](#), para 7.13

<sup>658</sup> Department of Justice and Equality (2021) [Supporting a Victim's Journey: A Plan to Help Victims and Vulnerable Witnesses in Sexual Violence Cases](#); IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 185

<sup>659</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 186

for sexual activity with a person in prostitution; loitering for the purposes of prostitution; organising prostitution; living off the earnings of the prostitution of another; and brothel keeping.<sup>660</sup>

A survivor expressed her disappointment that during her trial as a victim/witness the defence team tried to discredit her by bringing up details of her past, having previously worked as an escort, aiming to justify her later being forced into sexual exploitation.<sup>661</sup>

It must be recognised that victims/witnesses encountered by AGS during brothel investigations may be fearful or reluctant to cooperate with the investigation, and failure to provide protections and support might not only disrupt successful prosecutions but compound victims' vulnerability.<sup>662</sup>

## Recommendations

The Commission reiterates its recommendation that an effective response to combatting trafficking for sexual exploitation and other sexual exploitation offences requires that these offences be categorised as sexual offences. Victims/witnesses of these crimes must be entitled to protections and arrangements that include, at a minimum: access to legal advice (without a prosecution being initiated), and anonymity.<sup>663</sup>

The Commission reiterates its recommendation for the right to separate legal representation for victims (in circumstances where an application is made to question a victim about other sexual experiences) to be extended to victims of trafficking for sexual exploitation.<sup>664</sup>

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<sup>660</sup> Exclusion of the public from trial and anonymity are available for offences of trafficking for sexual exploitation, but are not available for other sexual exploitation offences, which may involve potential victims of trafficking. IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 187

<sup>661</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 187. The Victims of Sexual Violence Civil Protection Orders Bill 2025 is currently at first stage to address the impact that the disclosure of counselling notes of victims have in rape and sexual assault cases; [Victims of Sexual Violence Civil Protection Orders Bill 2025; House of the Oireachtas \(2025\) Dáil Éireann Debate Victims of Sexual Violence Civil Protection Orders Bill 2025: First Stage](#) (26 June 2025)

<sup>662</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 187

<sup>663</sup> Exclusion of the public from trial and anonymity are available for offences of trafficking for sexual exploitation, but are not available for other sexual exploitation offences, which may involve potential victims of trafficking; IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 188

<sup>664</sup> Victims of offences committed under section 4 of the Criminal Law (Human Trafficking) 2008 Act as amended. IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 188

## **GRETA Question 37**

### **Criminalisation of the use of services of a victim of THB**

If you have criminalised the use of services of a victim of THB, how is this provision applied in practice? Please provide any relevant case law.

### **Criminalisation of the use of services of a victim of human trafficking**

While there is legislation in Ireland criminalising the use of services of a victim of trafficking for sexual exploitation, no such legislation exists in the context of trafficking for labour exploitation.<sup>665</sup>

GRETA notes that criminalisation of the use of services can have a normative effect and increase public awareness of human trafficking issues, in addition to having a punitive function, and State Parties which have introduced this provision into legislation should disseminate information about it and promote its application in practice. We consider this very applicable to the legislation in Ireland, and national awareness raising will also be important.<sup>666</sup>

As noted, the Criminal Law (Sexual Offences) Act 2017 criminalises the purchase of sexual services,<sup>667</sup> including a specific offence of paying for sexual activity with a trafficked person. Importantly, the 2017 Act also decriminalises the selling of sexual services<sup>668</sup> and aims to reduce the demand driving commercial sexual exploitation,<sup>669</sup> and is an important step in the State's tackling of demand.<sup>670</sup> For more detailed information on this, please see question 3.

AGS reports that the criminalisation of the purchase of sexual services has been a factor in increasing awareness of human trafficking issues as well as increasing the visibility of Garda investigators

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<sup>665</sup> Chapter IV, Article 19 of the Convention provides for the criminalisation of the use of services of a victim

<sup>666</sup> In response to the Review on the Operation of Section 7A of the Criminal Law (Sexual Offences) Act, the Sexual Exploitation Research and Policy Institute indicated that they 'welcome Cuan taking a leading role, as recommended, in driving national awareness raising initiatives to enhance knowledge and understanding of the legislation, the illegality of purchasing sex and the harms of prostitution. It is essential that such initiatives are carefully underpinned by evidence from research on commercial sexual exploitation in Ireland, through consultation with the frontline support services assisting victims and survivors of the sex trade, and directly informed by those with lived experience of sexual exploitation'; SERP Institute (2025) [Statement on the Review on the Operations of Section 7A of the Criminal Law \(Sexual Offences\) Act](#), p. 8

<sup>667</sup> Criminal Law (Sexual Offences) Act 2017 Section 26 amends Section 5 of Criminal Law (Human Trafficking) Act 2008 by inserting (2A) A person who pays, gives, offers or promises to pay or give a person (including the trafficked person) money or any other form of remuneration or consideration for the purposes of the prostitution of a trafficked person shall be guilty of an offence

<sup>668</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 197

<sup>669</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 155

<sup>670</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 236

including their operations targeting the purchase of sexual services and brothel-keeping offences.<sup>671</sup> Arrests of persons who purchased sex were made and consequential court proceedings were expected to follow.<sup>672</sup>

Increased awareness is an important element in efforts to reduce the demand for sexual exploitation,<sup>673</sup> and must accompany the law criminalising the use of services. The NAP states that despite the purchase of sexual services being criminalised by the 2017 Act, it is a stark reality that there are still a number of individuals who purchase sex on a regular basis.<sup>674</sup> The Department of Justice commits to beginning campaigns on awareness of the harm and illegality of purchasing sex and to supporting CSO-led campaigns in this area.<sup>675</sup>

The 2008 Act criminalises the specific offences of attempting to traffic a person and applies to both adult and child victims in respect of the offences set out in Sections 2, 3 and 4. In addition, aiding, abetting, counselling and procuring acts are also criminalised by Section 7(1) of the Criminal Law Act 1997.<sup>676</sup> The inchoate liability offences of incitement and conspiracy to traffic are covered by the general common law.<sup>677</sup> While the 2008 Act does not criminalise the user of the service provided by the trafficked person, it does criminalise the procurement of acts in respect of adult and child victims.

Regarding child victims, the Criminal Justice (Engagement of Children in Criminal Activity) Act 2024 provides for two new offences which in many ways could be viewed as coming within Article 3, in addition to Article 2.<sup>678</sup>

Under the Labour Exploitation and Trafficking (Audit of Supply Chains) Bill,<sup>679</sup> currently at Third Stage in the Oireachtas, labour exploitation and trafficking means an activity that constitutes an offence under the Child Trafficking and Pornography Acts 1998 to 2004 and the Criminal Law (Human Trafficking) Act 2008, and includes making use of work done by a person under the age of 18 years (a child). In practice, the work done by a child would be captured by the legislation, along with the offences

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<sup>671</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 282

<sup>672</sup> Department of Justice, Home Affairs and Migration 2024

<sup>673</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 155

<sup>674</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), p. 18

<sup>675</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), p. 18; Linked to Action 1.1.3 in the Third National Strategy on Domestic, Sexual and Gender-Based Violence

<sup>676</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 81

<sup>677</sup> Such offences are known as secondary liability offences, which are distinguished from Inchoate Liability offences, see Law Reform Commission (2010) [Report: Inchoate Offence](#)

<sup>678</sup> This Act aims to target adults who procure children to commit offences and as such, where a person (a) compels, coerces or directs the child, or (b) deceives the child. Or where a person (a) induces or invites, or (b) aids, abets, counsels or procures a child for the purpose of causing that child to engage in criminal activity, they shall be guilty of an offence. The Criminal Law (Human Trafficking) Act 2008 is also relevant. It does not appear to criminalise the user of the service provided by the trafficked victim, but criminalise the procurement of children to offences

<sup>679</sup> [Labour Exploitation and Trafficking \(Audit of Supply Chains\) Bill 2021](#). A Private Members' Bill is a new law, or amendment to existing law, introduced by a member of the Dáil or Seanad. Houses of the Oireachtas (2023) [How Laws are Made](#)

contained in the two other pieces of legislation. While the Bill provides for both criminal and civil offences, it mainly approaches TLE from a civil perspective. See question 12 for further discussion of this Bill.

While data and detail on convictions is not easily accessible, the available information indicates that there has been an extremely low number of convictions relying on the above provisions. Please see question 32 for more information on convictions.

## Recommendations

The Commission reiterates its recommendation that the State proactively implement the relevant provisions of the Criminal Law (Sexual Offences) Act 2017 to reduce the demand that fosters trafficking for sexual exploitation.<sup>680</sup>

The Commission reiterates the recommendation from its last report to GRETA that the State urgently progress legislation criminalising the use of services which are the object of labour exploitation, as well as legislation to provide for transparent assessment and reporting of the risk of labour exploitation in supply chains.<sup>681</sup>

## The amended EU Anti-Trafficking Directive

The amended EU Anti-Trafficking Directive sets out new strengthened minimum standards of response including the criminalisation of the knowing use of exploited services.<sup>682</sup> Legal persons are punishable not only for the offence of human trafficking under Article 2, as well as aiding and abetting (Article 3), but now also in relation to the crime of the *knowing use of services of trafficked victims* (Article 18a(1)).<sup>683</sup> Therefore, Article 5 of the amended Directive provides liability of legal persons in respect of the new Article 18a(1) along with the offences provided for in the amended Articles 2 and 3. It is important to note that legal persons include both individuals and companies.<sup>684</sup> Article 18a(1) has

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<sup>680</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 283

<sup>681</sup> IHREC (2021) [Ireland's Actions Against Trafficking in Human Beings. Submission by the Irish Human Rights and Equality Commission to the Council of Europe Group of Experts on Action against Trafficking in Human Beings \(GRETA\)](#), p. 24

<sup>682</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 2

<sup>683</sup> [Directive \(EU\) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#), Article 5

<sup>684</sup> [Directive \(EU\) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#), Article 5(4)

been added to the list of offences included in Article 5(1) of the amended Directive.<sup>685</sup> The State has until July 2026 to transpose this Directive.

## Recommendations

The Commission recommends that when the State is transposing Article 18a (1) of the amended EU Anti-Trafficking Directive the concept of ‘recklessness’ be considered to make the evidential burden more practicable, thus making the offence of the knowing use of services provided by victims of trafficking easier to prove.<sup>686</sup>

The Commission recommends that the State ensure the new offence established by Article 18a(1) of the amended EU Anti-Trafficking Directive be transposed and applicable to all forms of trafficking; it is crucial that the penalties provided for when aligning Irish law with Article 18a(2) be sufficiently dissuasive to act as a deterrent to those who may wish to commit the crime established in Article 18a(1) and that this new offence not be transposed in such a way as to render its impact meaningless.<sup>687</sup>

The Commission recommends that the State introduce the criminal sanctions or measures provided for in Articles 5 and 6 of the amended EU Anti-Trafficking Directive with regard to the responsibilities owed by companies and businesses implicated in the use of services of trafficked people, in the context of their business activities and supply chains.<sup>688</sup>

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<sup>685</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 97

<sup>686</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 285

<sup>687</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 285

<sup>688</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 286

## **GRETA Question 39**

### **The Council of Europe Cybercrime Convention (Budapest Convention)**

In what ways, if any, does your country utilise provisions from the Council of Europe Cybercrime Convention (Budapest Convention) to fight THB?

If not, why is that the case?

### **How provisions of the Council of Europe Cybercrime Convention (Budapest Convention) are used to fight trafficking in human beings**

The Budapest Convention supports the fight against technology-facilitated trafficking, especially with regard to offences committed by ‘means of a computer system’ and those that require the collection of electronic evidence, and international cooperation on this.<sup>689</sup> Not all the provisions of the Council of Europe Cybercrime Convention (the Budapest Convention) are currently in effect as it has not yet been fully ratified by the State. With the evident increase in ICT-facilitated human trafficking worldwide and concerning EU data demonstrating a downward trend in the identification of child victims due to the use of technology since 2021,<sup>690</sup> the Commission is concerned by the slow pace of the Government in fully ratifying the Budapest Convention.

According to the Minister for Justice, most of the Budapest Convention’s provisions were incorporated into Irish law through the Criminal Justice (Offences Relating to Information Systems) Act 2017 with regard to prosecution of criminal offences, and the Child Trafficking and Pornography Act 1998, the Criminal Law Act 1997 and the Criminal Law (Sexual Offences) Act 2017 with regard to child sexual abuse material offences.<sup>691</sup>

In 2019, Ireland adopted the National Cyber Security Strategy, which committed to the ratification of the Budapest Convention by the Departments of Justice, Foreign Affairs and Trade, and the development of the National Cyber Security Centre by Q2 2021 to reinforce Ireland’s diplomatic commitment to cybersecurity.<sup>692</sup>

In November 2021, the Department of Justice reported it was working on a draft of a General Scheme of a Cybercrime Bill, to give effect to those provisions of the Budapest Convention not already

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<sup>689</sup> GRETA (2022) [Online and technology-facilitated trafficking in human beings](#), p. 91

<sup>690</sup> EU Anti-Trafficking Coordinator (2025) Meeting of the EU Network of National Coordinators and Rapporteurs on trafficking in human beings, concept note on child trafficking

<sup>691</sup> Department of Justice, Home Affairs and Migration (2025) [Written Answer to Parliamentary Question: Cybersecurity Policy](#) (25 March 2025)

<sup>692</sup> Government of Ireland (2019) [National Cyber Security Strategy 2019–2024](#), p. 45.

provided for in Irish law.<sup>693</sup> The Justice Plan 2022<sup>694</sup> of the Department of Justice made the same commitment to publishing a General Scheme to update certain provisions linked to the Budapest Convention on Cybercrime.

In 2024, the General Scheme of the Criminal Justice (Protection, Preservation of and Access to Data on Information Systems) Bill 2024<sup>695</sup> was published, with its main purpose being to give effect to outstanding provisions of the Budapest Convention, other than the provisions related to real-time collection and recording of data.

In 2024, the Department of Justice committed to issuing separate legislation to give effect to the outstanding provisions of the Budapest Convention, in particular Articles 20, 21, 33 and 34 in relation to real-time collection of traffic data, interception of content data, and mutual assistance.<sup>696</sup> In March 2025, the new Minister for Justice reiterated the Department's commitment to ratifying the Budapest Convention 'as soon as possible after that legislation [the General Scheme of the Criminal Justice (Protection, Preservation of and Access to Data on Information Systems) Bill 2024] is in place'.<sup>697</sup>

According to the Minister, the legislation to give effect to the remaining four articles will be addressed by two pieces of legislation that are currently being developed, and it is expected that, following pre-legislative scrutiny, the Criminal Justice (Protection, Preservation of and Access to Data on Information Systems) Bill 2024 will be published in 2025.<sup>698</sup>

Action 1.4 of the NAP commits to monitoring technological developments by 'evaluating new technologies to combat human trafficking, taking guidance from developments at EU and international level' by AGS, the Department of Justice, the then Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media, and Coimisiún na Meán (Ireland's media regulator).<sup>699</sup> The full ratification of the Budapest Convention would progress Action 1.4.<sup>700</sup>

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<sup>693</sup> Department of Justice (2021) [Written answer to Parliamentary Question: An Garda Síochána](#) (21 November 2021)

<sup>694</sup> Department of Justice (2022) [Justice Plan 2022](#)

<sup>695</sup> Department of Justice, Foreign Affairs and Migration (2024) [General Scheme Criminal Justice \(Protection, Preservation of and Access to Data on Information Systems\) Bill 2024 and Regulatory Impact Assessment](#)

<sup>696</sup> Department of Justice (2024) [Written answer to Parliamentary Question: International Agreements](#) (9 July 2024)

<sup>697</sup> Department of Justice (2025) [Written answer to Parliamentary Question: Cybersecurity Policy](#) (25 March 2025)

<sup>698</sup> Department of Justice (2025) [Written answer to Parliamentary Question: Cybersecurity Policy](#) (8 May 2025)

<sup>699</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), p. 26

<sup>700</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 40; IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 241; IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 88

## Recommendation

The Commission reiterates its recommendation that Ireland fully ratify and become party to the Budapest Convention on Cybercrime and further recommends the adoption of the Second Additional Protocol to the Convention as tools for law enforcement to enhance the fight against technology-facilitated trafficking in human beings in Ireland.<sup>701</sup>

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<sup>701</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 114

## Country-specific follow-up questions

### (GRETA Question 40) Information on measures taken in Ireland in respect of recommendations made in GRETA's previous reports regarding:

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#### **GRETA Question 40.1 Systematic early legal assistance**

Please provide information on measures taken in your country in respect of the following recommendations made in GRETA's previous reports:

ensure that legal assistance is provided systematically as soon as there are reasonable grounds for believing that a person is a victim of human trafficking, and that victims are appointed a lawyer with specialised knowledge to represent them in judicial and administrative proceedings, including to claim compensation

#### **Provision of legal assistance**

Provision of early and adequate legal assistance remains an issue in Ireland. Anecdotal reports suggest that asylum seekers frequently encounter significant obstacles in accessing legal assistance and advice. This is especially concerning for victims of trafficking within the International Protection process who have not yet been identified. While there have been some welcome operational changes regarding the capacity of the Legal Aid Board,<sup>702</sup> more are still required. It was reported in the media that the LAB has communicated to the Department of Justice a need for additional funding due to the significant rise in asylum seeker cases, especially due to the introduction of accelerated procedures to deal with applications for international protection made by applicants of certain countries of origin.<sup>703</sup>

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<sup>702</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 173

<sup>703</sup> Foxe K. (2025) ['Legal aid services 'overwhelmed' by asylum cases as board €1.3m over budget'](#), Extra.ie (22 July 2025). The International Protection Office has been accelerating the processing of applications for the two top countries of origin of asylum seekers in the last three months, Nigeria and Pakistan. Please see [International Protection Statistics 2025, June Statistics](#) [website]; Department of Justice, Home Affairs and Migration (2024) ['Safe Countries' and International Protection'](#); Department of Justice, Home Affairs and Migration (2025) ['Minister McEntee announces expansion of accelerated processing of International Protection'](#) (12 April 2025). International protection applicants that are refused protection in first instance under the accelerated procedure must appeal this decision in a shortened timeframe of 10 working dates from the date of the decision and do not

Legal assistance is especially important in Ireland, due to the specificity of the national anti-trafficking system, where details on assistance are not based in law, and where (State) service access assessments involve discretionary decision-making.<sup>704</sup> Legal assistance to victims is also important for their recovery, as well as for making informed decisions about their future prospects.<sup>705</sup>

The US State Department Trafficking in Persons reports have consistently recommended an increase in resources for legal assistance to victims of trafficking as well as the legal services provided, including assistance to victims through investigations and court proceedings, which can be accessed at the earliest opportunity and prior to engaging with the police.<sup>706</sup>

Under Action 2.11 of the NAP, the Department of Justice along with the LAB and NGOs, commits to providing victims of trafficking with enhanced access to full information and legal advice in a timely manner through the LAB, and through State-funded, NGO-provided legal advice.<sup>707</sup>

As noted, the LAB is the main State Agency with responsibility for the provision of legal assistance to victims.

The vast majority of victims of human trafficking access the services of the LAB once they are identified as ‘potential victims’ of human trafficking by AGS and the officer in charge refers them to the LAB for support via a ‘Notification of Potential Victim of Human Trafficking’. The LAB provides advice on status in the State; on the current National Referral Mechanism (the Administrative Immigration Arrangements), which provides for a ‘recovery and reflection’ period and temporary residence permit; and on seeking asylum. It provides information on what is involved in a criminal trial for a victim/witness, on compensation and on voluntary return home, as well as legal advice in relation to criminal matters related to the human trafficking offence.

With regard to legal representation, the LAB can provide free legal representation for victims of sexual offences in criminal prosecutions where an application is made to the court to adduce evidence about or cross-examine the complainant’s past sexual history. While the LAB does not provide advice or representation in criminal matters, it has supported clients by contacting a relevant solicitor for the criminal matters in order to make sure that a coordinated approach is taken.<sup>708</sup>

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have a right to an oral hearing, unless the International Protection Applicants Tribunal decides otherwise, which can be requested by the appellant’s solicitor. For more information see Irish Refugee Council (2025) [Accelerated Procedure](#). As reported elsewhere in this submission, most identified victims of human trafficking in Ireland are from Nigeria. The use of an accelerated procedure for this cohort is a concern for the Commission, noting the potential risk of not identifying those victims of human trafficking whose application is subject to the international protection accelerated procedure

<sup>704</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 138

<sup>705</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 138

<sup>706</sup> US State Department (2022) [2022 Trafficking in Persons Report: Ireland](#); US State Department (2023) [2023 Trafficking in Persons Report: Ireland](#); US State Department (2024) [Trafficking in Persons Report: Ireland](#)

<sup>707</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#)

<sup>708</sup> Legal Aid Board 2025

While the LAB can also provide advice about the WRC, it is not in a position to represent clients in this forum. Advice from the LAB is also available for compensation claims to the Criminal Injuries Board, but no such cases arose in 2024.<sup>709</sup>

The provision of legal aid is currently being reviewed as part of the overall Review of Civil Legal Aid Scheme. This Review was commenced in June 2022 and the recommendations from the Review Group are awaited, as of time of writing mid-2025, following a significant delay.<sup>710</sup>

The Commission engaged substantively with this Review and made several recommendations in respect of trafficking:

- › The Civil Legal Aid Act 1995 should be amended to provide that the LAB may provide free legal advice and aid to all victims of sexual offences.
- › The term ‘suspected victim of trafficking’ should be used in place of ‘potential victim of human trafficking’.
- › All suspected victims of trafficking should be proactively provided with adequate and early legal support.
- › The 1995 Act should be amended to allow for separate legal representation for victims of sexual exploitation offences committed under Section 4 of the Criminal Law (Human Trafficking) Act 2008, which would require an amendment to the 1995 Act.
- › The LAB should offer legal assistance to suspected and self-identified victims of human trafficking, including in cases where they have not been formally referred by AGS. This should align fully with the new NRM.
- › The 1995 Act should be extended to include sexual exploitation offences and such legal advice should not be contingent on there being a prosecution or on the person having been identified as a suspected victim of trafficking.
- › The Review should consider the specific needs of trafficked victims especially as related to compensation, most notably the use of Section 6 Orders as a means of compensating victims within the criminal process, and the potential need for separate legal representation for this purpose.
- › A clear policy should be developed on how children can access the services of the LAB in accordance with the Council of Europe Guidelines on Child-Friendly Justice, including individual eligibility assessments where necessary and appropriate.
- › The LAB should prioritise support and advice, and representation should have a human rights and equality focus that considers the needs and structural vulnerability of the applicant, and the urgency of the issue.

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<sup>709</sup> Legal Aid Board 2025

<sup>710</sup> Department of Justice, Home Affairs and Migration (2025), [Written answer to Parliamentary Question: Legal Aid](#) (25 March 2025)

- › The LAB should conduct stakeholder consultation to create broad categories which should receive priority support.<sup>711</sup>

We submitted that the Review should consider international good practices regarding the provision of early legal advice and legal assistance for groups covered by the discriminatory grounds under equality legislation and other structurally vulnerable groups.<sup>712</sup>

At a meeting in May 2025, the Minister for Justice provided no timeline for publication of the report of the Review of Civil Legal Aid and gave no indication that publication was imminent.<sup>713</sup> The Review of Civil Legal Aid was not included in the Programme for Government. A representative from the Department of Justice has indicated that further investment in the LAB will be necessary with reference to the EU Migration and Asylum Pact.<sup>714</sup> Notwithstanding the welcome attention to reform of civil legal aid, the Commission is disappointed that there is no clear timeline for publication of the review or indication that structural reforms will be forthcoming and adequately funded.

## Recommendations

The Commission reiterates its recommendation that survivors' legal needs must be a priority issue in the Review of Civil Legal Aid. The Review must consider the legislative reforms needed to expand the remit of the Legal Aid Board to offer legal advice, assistance and, where necessary, representation to victims of human trafficking in all relevant matters, both criminal and civil, including compensation, and before the Workplace Relations Commission.<sup>715</sup> The Review must be published together with an action plan to ensure timely progress in this area.

The Commission recommends that the Review of Civil Legal Aid be progressed as a matter of priority, and access to civil legal aid is broadened to quasi-judicial tribunals and bodies including the Workplace Relations Commission.

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<sup>711</sup> IHREC (2023) [Submission to the Independent Review of Civil Legal Aid Scheme](#), p. 2

<sup>712</sup> We define a structurally vulnerable group as one who is particularly vulnerable to violations of their rights due to political, economic, social and cultural structures. Instead of focusing on the personal characteristics of individuals and groups and viewing them as lacking agency, 'structural vulnerability' refers to the structures in place which render certain sectors of the population particularly vulnerable to inequality and human rights abuses. IHREC (2022) [Submission to the Department of Social Protection's public consultation on the Roadmap for Social Inclusion: Mid-Term Review](#), p. 7

<sup>713</sup> Meeting with Minister for Justice on 22 May 2025

<sup>714</sup> Department of Justice, Home Affairs and Migration NGO Forum on the EU Migration and Asylum Pact 20 March 2025

<sup>715</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 173

## Legal Aid Board engagement with adult victims of human trafficking

Once the LAB receives a referral from AGS, a file is opened, and the solicitor is notified. The solicitor then contacts the HSE AHTT regarding their involvement with the client and a consultation date is arranged. The client must also sign consent for the solicitor to contact AGS to inform them that the LAB has been instructed by the client and to seek periodical updates from AGS.

However, there is a lack of standard procedure between AGS and the LAB, for both the initial engagement and ongoing engagement throughout a case, which can lead to delays in providing prompt advice to clients and result in a challenge for the solicitors to provide early and full legal advice as required.

While both the HSE AHTT and the LAB should be notified about a 'potential victim of trafficking' by AGS at the very earliest stage, this is not always the case, with some legal referrals received months after first contact of the potential victim of trafficking with AGS.<sup>716</sup> The level of awareness, knowledge and training of members of AGS in charge of investigations is an important factor in regard to trafficking in human beings cases.

The Commission considers that all Gardaí should provide a notification to the LAB at the very earliest point possible to ensure that the victim of trafficking has access to early legal advice and that there should be clear protocols agreed and adhered to in relation to communication between these two key parties to ensure the victim of trafficking is fully advised and involved throughout the process.

As noted in question 36, practitioners and frontline workers have also emphasised the need to provide relevant and comprehensive information to victims and potential victims. They flag that no interview should take place without the person having a clear understanding that they have a right to be accompanied by a legal representative/advocate of their choice at all stages.<sup>717</sup>

In circumstances where the victim of trafficking has an application for International Protection, the LAB provides legal representation in addition to legal advice. This is often provided through a private practitioner from a solicitor panel due to capacity limitations within the LAB, meaning that the victim of trafficking may have two separate legal representatives. The LAB endeavours to keep these cases in-house for particularly vulnerable clients. There is a need for training on trafficking-related vulnerabilities for private solicitors and case workers. The LAB hopes to provide such training in 2025.<sup>718</sup>

A further challenge, highlighted by several frontline practitioners, relates to interpretation. There is no national accreditation and certification process for interpreters in Ireland.<sup>719</sup> Frontline practitioners report a wide variance in the standard of interpreters available for client consultations and other interpretation services.<sup>720</sup> In the context of legal aid, this requires careful management to ensure that

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<sup>716</sup> IHREC Civil Society Organisations Consultation 2025

<sup>717</sup> IHREC Civil Society Organisations Consultation 2025

<sup>718</sup> Legal Aid Board 2025

<sup>719</sup> The absence of a State-led accreditation and certification process was identified by GP services in an Equality Action Plan developed in respect of interpreter services. IHREC (2023) [Account of Equality Action Plan by the HSE regarding GP Interpreter Services](#)

<sup>720</sup> IHREC Civil Society Organisations Consultation 2025

clients and legal service providers alike have all of the relevant terminology in relation to a trafficking case and that a victim is properly understood by all parties.

## Recommendations

The Commission recommends that victims/survivors and/or their legal representative be given regular updates on their cases by An Garda Síochána, without delay.<sup>721</sup>

The Commission recommends that An Garda Síochána, and all referring organisations in the new National Referral Mechanism, provide notification to the Legal Aid Board at the earliest point possible to ensure access to early legal advice by potential victims of trafficking and that protocols be developed and adhered to in order to facilitate appropriate and timely information sharing throughout relevant investigation and/or assessment processes.

## Legal Assistance to child victims of human trafficking

Regarding child victims of human trafficking, the LAB contacts the allocated Tusla social worker to arrange a consultation with the child victim where Tusla is also present. The LAB has consistently reported working with extremely low numbers of child victims in general.<sup>722</sup>

We recognise that child victims have the same access to civil legal aid<sup>723</sup> as adult victims, as provided for in Section 23(b) of the Civil Legal Aid Act 1995.<sup>724</sup> Notwithstanding such provision, the Commission has continuously emphasised the need for a system of child legal advisors.<sup>725</sup> The existing legal provisions do not provide a higher level of legal assistance to child victims as required under Article 15(2) of the EU Anti-Trafficking Directive.<sup>726</sup> The lack of child-specific legal aid remains of deep concern and requires consideration.<sup>727</sup> The Commission has previously called for the extension of access to

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<sup>721</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 178

<sup>722</sup> Legal Aid Board 2025

<sup>723</sup> [Civil Legal Aid Act 1995](#), Section 26(3)(b)

<sup>724</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 230

<sup>725</sup> Community Law & Mediation (2025) [Meeting the Legal Needs of Children and Young People in Ireland and Enhancing Access to Justice. A Children's Rights Analysis](#)

<sup>726</sup> IHREC (2023) [Trafficking in Human Beings in Ireland: Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 230

<sup>727</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 231

legal assistance to family members of child victims of trafficking,<sup>728</sup> and this has not been implemented.

The Commission makes the following recommendations regarding the provision of legal assistance to child victims of trafficking.

## Recommendations

The Commission recommends that the Operational Guidelines which will accompany the new National Referral Mechanism include a specific obligation and procedures that require the child's appointed social worker to arrange that the child receive legal advice from the Legal Aid Board, without delay.<sup>729</sup>

The Commission recommends that funding be made available to the Legal Aid Board to enable it to establish a system of Children's Legal Advisors, which is essential to ensure that child victims of trafficking receive age-appropriate and trafficking-specific legal advice and support, on all criminal matters and for the purposes of claiming compensation.<sup>730</sup>

The Commission recommends that the reform of civil legal aid extend the provisions in Section 26(3A) of the Civil Legal Aid Act 1995 to the (safe) parent/guardians of child victims of trafficking.<sup>731</sup>

## Capacity of the Legal Aid Board

The LAB has recently increased its capacity by recruiting a solicitor in 2024 to assist the Principal Managing Solicitor offering trafficking advice to potential victims in the Smithfield Law Centre in Dublin, which deals with the majority of trafficking cases. The LAB also reported that in the other law centres where International Protection work is undertaken, there is a solicitor who can give trafficking advice. These are very welcomed developments.

We note that the Principal Managing Solicitor is now responsible for work on the EU Migration and Asylum Pact, a significant undertaking. We also note that the case load has increased significantly in

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<sup>728</sup> IHREC (2022) [Submission on Part 3 of the General Scheme of the Criminal Justice \(Sexual Offences and Human Trafficking\) Bill 2022](#), p. 15

<sup>729</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 231

<sup>730</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 231

<sup>731</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 232

the first half of 2025, with 29 new clients by April compared to 35 in total in 2024. Referrals currently come from GNIB. Dedicated clerical and administrative staff would also assist the team to enhance the service given the volume of coordination with different stakeholders required in trafficking cases.<sup>732</sup>

Despite this welcome increase in expertise, the resources available to the LAB continue to fall considerably short of what is required.<sup>733</sup> The increase in new cases referred to the LAB raises questions about its capacity to absorb this trend in the future.<sup>734</sup> It is expected that the LAB will have expanded responsibilities in the implementation of the new NRM and potentially in respect of the EU Pact. It is essential that the LAB be sufficiently resourced and given adequate notice to plan for its role in the new NRM and the Pact, the likely increase in demand for its anti-trafficking-related services and the complexity of the legal issues arising in the delivery of such services. It is vital that the LAB be sufficiently consulted in respect of any change of role, including in the context of the EU Migration and Asylum Pact, and be adequately resourced to fulfil its role and function.

Furthermore, given the likely increase in referrals to the Legal Aid Board that will result from the establishment of the new National Referral Mechanism, and the expert knowledge this will require, we recommend that legal services be expanded.<sup>735</sup>

## Recommendations

The Commission reiterates its recommendation that the Legal Aid Board be sufficiently resourced to meet the EU Anti-Trafficking Directive obligations. Along with an increase in permanent staff with adequate geographical reach and spread, this must also include clerical and administrative assistance to support the coordination with outside stakeholders, maintenance of the case management system, and data collection.<sup>736</sup>

The Commission recommends that the State further subsidise legal representation for victims of trafficking by continuing to increase dedicated expert services within the Legal Aid Board and increasing funding through a multi-annual budget for established independent law centres with trafficking expertise.

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<sup>732</sup> Legal Aid Board 2025

<sup>733</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 173

<sup>734</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 174

<sup>735</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 174

<sup>736</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 174

The Commission recommends that the Legal Aid Board offer timely and easily accessible legal assistance to potential and self-identified victims of human trafficking, including in cases where they have not been formally referred by An Garda Síochána. This must align fully with the new National Referral Mechanism.<sup>737</sup>

## Provision of Legal Assistance by CSOs

In addition to the LAB, a number of frontline specialist CSOs provide legal assistance to victims of trafficking. As an alternative to the LAB, some victims avail of legal services provided by independent law centres established at two specialist CSOs – the Immigrant Council of Ireland and the Irish Refugee Council.<sup>738</sup> The legal assistance offered includes legal advice, assistance with informed decisions and representation, in addition to the provision of legal information.<sup>739</sup>

The legal work of the Immigrant Council of Ireland represents a best practice example of comprehensive, specialised legal assistance offered to victims of human trafficking in Ireland.<sup>740</sup> Typically, its legal team offers holistic immigration legal services to victims, which can include applications for ‘recovery and reflection’ periods, temporary immigration permissions, other forms of residency application, family reunification, citizenship, etc.<sup>741</sup> The Commission has welcomed the allocation of State funding (provided for the first time in 2021) to the Immigrant Council of Ireland, which has been providing essential legal assistance and has advanced the standard of access to rights for victims in various aspects.<sup>742</sup>

According to the Department of Justice, the State funds NGOs, through the Victims of Crime Funding Call, to provide advice, including legal advice, to victims who are not yet ready to engage with State agencies.<sup>743</sup> The Immigrant Council of Ireland was funded €170,810 in 2024, which contributed to the provision of legal advice.<sup>744</sup>

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<sup>737</sup> IHREC (2023) [Trafficking in Human Beings in Ireland: Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 140

<sup>738</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 175

<sup>739</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 175

<sup>740</sup> Immigrant Council of Ireland 2024

<sup>741</sup> Immigrant Council of Ireland 2024

<sup>742</sup> IHREC (2022) [Trafficking in Human Beings in Ireland. Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 107

<sup>743</sup> Department of Justice, Home Affairs and Migration 2025

<sup>744</sup> Department of Justice, Home Affairs and Migration 2025

## Recommendations

The Commission recommends that all suspected victims of trafficking be proactively provided with adequate and early legal support.<sup>745</sup>

The Commission recommends that the State increase and provide multi-annual funding to established independent law centres and consider supporting independent law centres that wish to provide legal services to victims outside of Dublin to ensure geographical spread of vital legal assistance.<sup>746</sup>

## Compensation

Article 12(2) of the EU Anti-Trafficking Directive provides that victims/survivors ‘should be given access without delay ... to legal representation, including for the purpose of claiming compensation’.<sup>747</sup> This is still not the case in Ireland.<sup>748</sup> We refer to question 40.4 for detailed information and recommendations in this regard.

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<sup>745</sup> The Civil Legal Aid 1995 Act should be amended to provide that the separate legal representation provided to victims under section 4A of the Criminal Law (Rape) Act 1981 (in circumstances where an application is made to question a victim about other sexual experiences) be extended to victims of sexual exploitation offences committed under section 4 of the Criminal Law (Human Trafficking) Act 2008; it should be amended to allow for the provision of legal advice and assistance to victims of all sexual exploitation offences and such legal advice should not be contingent on there being a prosecution or on the person having been identified as a suspected victim of trafficking; and further consideration should be given to the specific needs of trafficked victims especially as related to compensation.

<sup>746</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 175

<sup>747</sup> [Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA](#), Article 12(2)

<sup>748</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 250

## **GRETA Question 40.2**

### **Strengthening the criminal justice response**

Please provide information on measures taken in your country in respect of the following recommendations made in GRETA's previous reports:

take steps to strengthen the criminal justice response to human trafficking and ensure that human trafficking offences for different forms of exploitation are proactively and promptly investigated, and that prosecutions lead to effective, proportionate and dissuasive sanctions

Prosecution efforts have not resulted in many successful convictions. However, of note is the increased number of investigations and prosecutions for trafficking-related offences and the first prosecution of traffickers for forced labour during the reporting period.<sup>749</sup>

### **Human trafficking offences**

The criminal justice response to human trafficking in Ireland remains unchanged since last reporting.

The Criminal Law (Human Trafficking) 2008 Act includes the offences of trafficking for the purpose of labour exploitation, sexual exploitation and organ removal, and the trafficking of children for labour and organ removal purposes. The Child Trafficking and Pornography Act 1998 makes the trafficking of children for sexual exploitation a criminal offence, including via use of information and technology communication. Both the 1998 and 2008 Acts were amended by the Criminal Law (Human Trafficking) (Amendment) Act 2013, which incorporates trafficking for the purpose of forced criminality and trafficking for the purpose of forced begging as criminal offences.

In relation to children, the blurring of the definition of child trafficking for sexual exploitation and child sexual exploitation *simpliciter* established by the Court of Appeal decision in *People (DPP) v LS & DS*<sup>750</sup> remains. The case, which established that the Child Trafficking and Pornography Act 1998 includes a standalone offence of sexual exploitation of a child that does not require the circumstances of the offence to involve trafficking.<sup>751</sup> On the contrary, the child trafficking offence in Section 3(2) requires that sexual exploitation be present.<sup>752</sup> The Commission believes that the reclassification of data collection by the Department of Justice since 2017 may have contributed to obscuring the true extent

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<sup>749</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 11

<sup>750</sup> [2021] IECA 308

<sup>751</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 73

<sup>752</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), pp. 73–74

of child trafficking in Ireland, as some offences committed under Section 3(2), although it is not a requirement, might involve an element of trafficking.<sup>753</sup>

## Recommendation

The Commission recommends that to achieve definitional clarity, the Criminal Law (Human Trafficking) Act 2008 (as amended) be amended to include the offence of trafficking of children for sexual exploitation, with all necessary consequential amendments to the 1998 Act.<sup>754</sup>

## Expansion of human trafficking offences

The amended EU Anti-Trafficking Directive 2024 has expanded the definition of trafficking in human beings to explicitly reference the exploitation of surrogacy, of forced marriage and of illegal adoption.<sup>755</sup>

The inclusion of ‘exploitation of surrogacy’ is particularly relevant as Ireland has enacted the Health (Assisted Human Reproduction) Act 2024. The Bill originally aimed to regulate, for the first time, domestic surrogacy in addition to other assisted human reproduction practices. However, at a later (third) stage during the legislative process, the regulation of international surrogacy arrangements, in Part 8 of the then Bill and now Act, was introduced.

In 2024, the Commission communicated concerns on the proposed amendments, specifically on the insertion of Part 8 to regulate international surrogacy, that it ‘would extend the legislation to a practice not permitted by any other EU State, in an area marred with increasing human trafficking’. The Commission expressed concern about the limited time for pre-legislative scrutiny and sought clarity on the consistency of the legislation with the revised Anti-Trafficking Directive.<sup>756</sup> At time of writing, the relevant provisions are awaiting commencement.

In addition to the exploitation of surrogacy, we believe that the State should evaluate how other forms of exploitation (illegal adoptions and forced marriage) contained in the EU 2024 Anti-Trafficking Directive are treated in national legislation to ensure full transposition. We note that the NAP was

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<sup>753</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 74

<sup>754</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 74

<sup>755</sup> [Directive \(EU\) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#), Article 1(3). Ireland must transpose the Directive by July 2026

<sup>756</sup> IHREC (2024) Letter to Minister of Health, Donnelly, cc'd Minister for Justice, McEntee, [RE: Revised EU Anti-Trafficking Directive Obligations to Prevent and Combat Exploitation of Surrogacy and Part 8 of the \(Amended\) Assisted Human Reproduction Bill – International Surrogacy](#), dated 11 April 2024

published prior to publication of the amendments to the Directive and makes no reference to this new Directive.<sup>757</sup>

## Recommendation

The Commission recommends that detailed analysis of the relevant national legislation be undertaken by the State to ensure that transposition of the amended Directive fully meets its objective and purpose. Furthermore, we recommend that the Third National Action Plan be amended to reflect the actions needed, and that all legislation enacted during the transposition period be considered with reference to and be consistent with the amended Directive.<sup>758</sup>

## Human trafficking-related offences

There are trafficking-related offences that complement the criminal trafficking response, including in the Criminal Justice (Smuggling of Persons) Act 2021,<sup>759</sup> the Criminal Law (Sexual Offences) Act 1993<sup>760</sup> and the Criminal Justice (Public) Order 2011 Act.<sup>761</sup> In relation to trafficking for labour exploitation, the Employment Permits Act 2024 contains civil offences that can be understood as related to some extent.

The Criminal Justice (Engagement of Children in Criminal Activity) Act 2024<sup>762</sup> provides two new offences (Section 2(1) and 2(2)) that target adults who procure children to commit criminal offences.<sup>763</sup> Penalties include a five-year sentence on indictment, while human trafficking can be punished with life imprisonment. Therefore, the 2024 Act carries a lower punishment than the

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<sup>757</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 79

<sup>758</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 80

<sup>759</sup> [Criminal Justice \(Smuggling of Persons\) Act 2021](#)

<sup>760</sup> These include soliciting in section 7, organisation of prostitution in section 9, living on earnings of prostitution in section 10 and brothel keeping in section 11 of the [Criminal Law \(Sexual Offences\) Act 1993](#)

<sup>761</sup> These include begging in section 2, directing or organising begging in section 5 and living off the proceeds of begging in section 6; [Criminal Justice \(Public\) Order 2011 Act](#)

<sup>762</sup> [Criminal Justice \(Engagement of Children in Criminal Activity\) Act 2024](#)

<sup>763</sup> [Criminal Justice \(Engagement of Children in Criminal Activity\) Act 2024](#) Section 2(1): ‘An adult who, knowing that a person is a child or being reckless as to whether a person who is a child (a) compels, coerces or directs the child, or (b) deceives the child, for the purpose of causing that child to engage in criminal activity, shall be guilty of an offence. Section 2(2): An adult who, knowing that a person is a child or being reckless as to whether a person who is a child is a child (a) induces or invites, or (b) aids, abets, counsels or procures, the child for the purpose of causing that child to engage in criminal activity, shall be guilty of an offence’.

punishment for trafficking of a child or adult for the purpose of forced criminality, as established by the Criminal Law (Human Trafficking) 2008 Act.<sup>764</sup>

The Commission believes that this legislation might present evidential challenges on its application, including instances when the offence is directed at family members of the child, or where the principal witness and offender may live together or have frequent access to each other.<sup>765</sup> The Act, however, provides for the power of arrest and detention for the purpose of questioning<sup>766</sup> and for ‘any criminal activity’, including minor offences. It is not required for the child to have committed any offence or even intended to do so.

Although the 2024 Act can be useful for investigating the criminal grooming of children and assisting the disruption of criminal networks,<sup>767</sup> it does not include any support for child victims targeted for engagement in criminality. In Ireland, trafficking for criminal activities is the third-most-identified form of exploitation, representing 6–7% of all cases. While official identification of child victims is very low, in 2023 three girls were identified as child victims of trafficking for criminal activities.

Other relevant criminal trafficking-related offences for children are those in the Criminal Law (Sexual Offences) Act 2017 (which amended the 1998 Act) that aim to combat the sexual exploitation and sexual abuse of children, including child sexual grooming, and to tackle child abuse material, termed ‘child pornography’ in the Child Trafficking and Pornography 1998 Act.<sup>768</sup> Overall, while trafficking-related offences might assist in the investigation of trafficking offences, it might also create confusion.

In relation to children, the Commission welcomes the Government commitment in the Programme for Government to complete a review of the maximum sentencing available for offences related to child sexual abuse, towards ensuring the punishment matches the severity of the crime.<sup>769</sup>

## Recommendation

The Commission reiterates its recommendation that the interplay between the offences contained in the Criminal Justice (Engagement of Children in Criminal Activity) Act 2024 and the trafficking offences outlined in the 2008 Trafficking Act (as amended) be recognised as forming part of a continuum of the exploitation of children for criminal gain and not as wholly distinct and separate offences. Irrespective of the offences charged, the children involved

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<sup>764</sup> [Criminal Law \(Human Trafficking\) 2008 Act](#)

<sup>765</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 74

<sup>766</sup> [Criminal Justice Act 1984](#), Section 6

<sup>767</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 75

<sup>768</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), pp. 75–76

<sup>769</sup> Government of Ireland (2025) [Programme for Government 2025. Securing Ireland’s Future](#), p. 121

must receive protection and assistance and not be punished for offences they were forced to commit, either as identified victims of trafficking and/or as victims of crime.<sup>770</sup>

## ICT human trafficking offences (and penalties)

Detailed information and recommendations on ICT human trafficking offences and penalties is included in responses to other questions, including in particular at question 15 and question 31.

## Human trafficking prosecutions and convictions

The Department of Justice reported in 2024 the first conviction for conspiracy to commit human trafficking.<sup>771</sup> The HTICU is currently pursuing prosecution against private employers in three cases that involved labour exploitation.<sup>772</sup>

The Office of the DPP reports that in 2022, there were nine individuals prosecuted (new and ongoing) with human trafficking. In 2022, there were no human trafficking convictions.<sup>773</sup> In 2023, 11 individuals were prosecuted with human trafficking. In relation to convictions, in 2023, one individual was convicted but not sentenced and two other individuals were convicted of trafficking in 2024 but had their conviction upheld on appeal and increased.<sup>774</sup> In 2024, nine individuals were prosecuted with human trafficking, new and ongoing.<sup>775</sup> In 2024, one individual was convicted of human trafficking but not sentenced.<sup>776</sup>

The Department of Justice reports that in 2024, there were six new victims in whose cases a prosecution was brought. Five of these led to charges for trafficking for the purposes of labour exploitation, and one led to charges under the Employment Permits Act 2006.<sup>777</sup>

Also in 2024, there was a conviction on a charge of trafficking of a child for the purpose of sexual exploitation, contrary to Section 3 of the Child Trafficking and Pornography Act 1998 (as amended).<sup>778</sup>

Additionally, there was the decision in *DPP v Edosa & Enoghaghase*, discussed above, relating to two counts of conspiracy to commit human trafficking contrary to Section 7 of the Criminal Law (Human Trafficking) Act 2008. The convictions in the *Edosa* case related to the trafficking of three victims. According to the Department of Justice, these were the first convictions for conspiracy to commit human trafficking in this jurisdiction.<sup>779</sup>

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<sup>770</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 76

<sup>771</sup> Department of Justice, Home Affairs and Migration 2025

<sup>772</sup> Department of Justice, Home Affairs and Migration 2025

<sup>773</sup> Office of the Director of Public Prosecutions 2025

<sup>774</sup> Office of the Director of Public Prosecutions 2025

<sup>775</sup> Office of the Director of Public Prosecutions 2025

<sup>776</sup> Office of the Director of Public Prosecutions 2025

<sup>777</sup> Department of Justice, Home Affairs and Migration 2025

<sup>778</sup> [Child Trafficking and Pornography Act 1998](#)

<sup>779</sup> Department of Justice, Home Affairs and Migration 2025

The Department of Justice also reports the following developments:

- › In 2023, the courts convicted two traffickers for money laundering and other non-trafficking crimes with a sentence of two years' imprisonment and a suspended sentence, compared with no convictions in 2022, three in 2021 and one in 2020.<sup>780</sup>
- › 2023 marked the first time charges were brought in respect of trafficking of a child for labour exploitation, another significant development.<sup>781</sup>
- › In 2023, two men were prosecuted for labour exploitation with each charged with four counts of human trafficking for the purposes of labour exploitation. The four victims were working in the forestry and bakery industries.<sup>782</sup>
- › In February 2023, the trial of two women charged with trafficking and other offences collapsed due to 'unforeseen circumstances'.

The Commission welcomes the increase in the number of human trafficking prosecutions and convictions, as well as those for trafficking-related offences. It indicates a possible increase in capacity and knowledge of the crime and a potential outcome of State efforts to strengthen the criminal justice response to human trafficking.

Nonetheless, the overall number of convictions remains low for a number of reasons including a reluctance on behalf of victims/survivors to engage with investigations,<sup>783</sup> which is a recognised barrier to securing prosecutions and convictions in trafficking cases,<sup>784</sup> and the lack of a standalone offence of forced labour. The cases highlight the profound toll investigations and prosecutions have on victims/witnesses.<sup>785</sup>

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<sup>780</sup> US State Department (2024) [2024 Trafficking in Persons Report: Ireland](#)

<sup>781</sup> Department of Justice, Home Affairs and Migration 2025. This concerned two individuals in which four charges were brought of human trafficking for the purposes of labour exploitation contrary to Section 4(1) Criminal Law (Human Trafficking) Act 2008 and two charges of trafficking a child for the purposes of labour exploitation contrary to Section 2(1) Criminal Law (Human Trafficking) Act 2008. The individuals have been sought for extradition from the US and the process is ongoing; IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 115

<sup>782</sup> Department of Justice, Home Affairs and Migration 2025; *Donegal Daily* (2025) '[Two men face lengthy trial over claims they aided human trafficking in Donegal](#)' (19 February 2025)

<sup>783</sup> There are a number of factors that influence and impact on a trafficking victim's ability or willingness to cooperate in an investigation and prosecution. While some of these are shared by victims of crime generally, it must be recognised that there are unique factors that affect victims of trafficking. These factors will be different depending on the particular vulnerabilities of the person and the form of exploitation they were subjected to. Fear of retaliation by the traffickers, wariness of possible implications of complicity in the traffickers' crimes, inability or unwillingness to identify themselves as victims, and lack of trust in authorities are just some of the reasons why victims/survivors may not be willing or able to cooperate with the criminal process. Farrell A et al. (2012) [Identifying Challenges to Improve the Investigation and Prosecution of State and Local Human Trafficking Cases](#); IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 16

<sup>784</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 181

<sup>785</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 117

Currently, there is no standalone offence of forced labour in Ireland, which has consistently been highlighted as a serious gap in the law. Labour exploitation is only classified as a criminal offence once it forms part of the trafficking offence under the 2008 Trafficking Act. This absence of a standalone contributes to the blurring of the line between forced labour and trafficking for forced labour. A standalone offence of forced labour would ultimately provide greater protections to victims as forced labour would be prosecuted as a separate and distinct offence to that under the 2008 Act, which required different evidential burdens to be satisfied.<sup>786</sup>

## Recommendation

The Commission reiterates its recommendation that a standalone offence is introduced in Irish law for holding a person in slavery, servitude or forced or compulsory labour.<sup>787</sup>

## Human trafficking penalties

The Criminal Law (Human Trafficking) Act 2008 as amended provides for sentencing of up to life in prison and, at the discretion of the court, an unlimited fine for all forms of exploitation currently covered by the Act.<sup>788</sup> Additionally, the Criminal Law (Human Trafficking) (Amendment) Act 2013 made an aggravated offence those committed by public officials. Further information on the case of *DPP v Edosa & Enoghaghase*<sup>789</sup> is included at questions 32, 33, and 34 1.

## Liability of legal persons and sanctions for human trafficking

Corporate bodies and legal persons can be convicted of human trafficking under Section 6 of the Criminal Law (Human Trafficking) Act 2008. While the maximum penalty is life imprisonment and/or a fine at the discretion of the court, a monetary penalty is the only viable option for a body corporate. Nevertheless, Irish law provides the possibility of secondary liability ‘for an officer of the body corporate where there has been “neglect on behalf of any person”, and if the body corporate is convicted of an offence’.<sup>790</sup>

In the case of legal persons, when proven that the trafficking offence ‘was committed by the consent or connivance of, or is attributable to any neglect on the part of, any person, such as a director,

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<sup>786</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 387

<sup>787</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 389

<sup>788</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 84

<sup>789</sup> [2023] IECA 38

<sup>790</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 90

manager, secretary, officer’ or ‘person holding themselves out as a person acting in any of those capacities’, that person will also be guilty of an offence’.<sup>791</sup>

With regard to sanctions, the 2008 Act does not provide for judicial supervision or temporary or permanent disqualification from the practice of commercial activities, except in situations of a winding-up of a company where the director can be disqualified under certain conditions.<sup>792</sup> While the Act does not provide for the winding-up of companies used to commit a human trafficking offence, the Companies Act 2014 may apply.<sup>793</sup>

In 2018, the Office of Government Procurement made mandatory the exclusion from public contract of those convicted of human trafficking.<sup>794</sup> The European Regulation to Ban Products of Forced Labour in the EU has the potential to strengthen the anti-trafficking response at national level.<sup>795</sup> The Commission has previously recommended the State conduct a comprehensive rights-led revision of the State’s procurement practices in the context of the UN Principles, the National Plan, and Section 42 of the Irish Human Rights and Equality Commission Act 2014.<sup>796</sup>

We believe that it is necessary to clarify and bring in line with other European instruments the sanctions for offences of human trafficking committed by legal persons. These include Directive 2014/23 on the award of concession contracts, Directive 2014/24 on public procurement, and Directive 2014/25 on procurement by entities operating in the water, energy, transport and postal services sectors, which establish a conviction for child labour and other forms of human trafficking by a final judgment as a ground for exclusion from participating in procurement procedures and concession of award procedures.<sup>797</sup>

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<sup>791</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 90

<sup>792</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 92

<sup>793</sup> [Companies Act 2014](#), Section 569(1), (e) and (g). The Act consolidates the previous Companies Acts and many of the related statutory instruments into a single statute and introduces significant reforms to Irish company law. The Act intends to facilitate companies to do business in Ireland both domestically or by using the country as a regional or global base. IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 92

<sup>794</sup> Department of Public Expenditure NDP Delivery and Reform and Office of Government Procurement (2023) [Public Procurement Guidelines for Goods and Services](#), p. 39

<sup>795</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 92

<sup>796</sup> [Irish Human Rights and Equality Commission Act 2014](#), s. 42(1) establishes that public bodies, in the performance of their functions, are required under this section to have regard to the need to eliminate discrimination, promote equality of opportunity and protect human rights. For further information, see [IHREC Public Sector Equality and Human Rights Duty](#) [website]

<sup>797</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 96

## **GRETA Question 40.3**

### **A revised National Referral Mechanism**

Please provide information on measures taken in your country in respect of the following recommendations made in GRETA's previous reports:

finalise the introduction of a revised National Referral Mechanism which ensures multi-agency involvement in the identification of victims of trafficking and gives a formal role in the identification process to a series of frontline actors, including specialised NGOs and labour inspectors

In 2024, the Criminal Justice (Sexual Offences and Human Trafficking) Act 2024 placed the new NRM for the identification and assistance of victims of human trafficking on a statutory footing. The Commission has extensively engaged in the legislative process of the Act since its inception as General Scheme.

While there have been key improvements in the legislation as finalised, gaps remain. We have consistently highlighted the importance of priority issues such as details on assistance (including around immigration permits and the non-prosecution principle) and a child-specific NRM, among others. These key issues need to be addressed, including in the Operational Guidelines, notwithstanding that addressing same in non-binding policy rather than primary legislation is problematic.

In this context we note and flag from the last GRETA report to Ireland that 'the authorities should enact statutory rights to assistance and protection for possible victims of trafficking, as specified in Articles 10 and 12 of the Convention, regardless of the victims' nationality or immigration status'.<sup>798</sup>

Below are details on the Commission's engagement with the legislation and draft Operational Guidelines relating to the NRM.

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<sup>798</sup> GRETA (2022) [Evaluation Report Ireland. Third Evaluation Round. Access to Justice and Effective Remedies for Victims of Trafficking in Human Beings](#), para 205, p. 48

## **IHREC Submission on Part 3 of the General Scheme of the Criminal Justice (Sexual Offences and Human Trafficking) Bill 2022 (on the National Referral Mechanism)**

In our submission on Part 3 of the General Scheme of the Criminal Justice (Sexual Offences and Human Trafficking) Bill 2022<sup>799</sup> we welcomed its publication and some of the positive approaches including the agency conferred on victims in the identification process, the multi-agency cooperation, the inclusion of stakeholders and the protection against deportation.<sup>800</sup> We also identified some serious omissions: the almost complete absence of child-specific identification, protection and assistance measures that recognise children as among the most vulnerable victims of human trafficking, and the absence of a 60-day ‘recovery and reflection’ period, as required by the Council of Europe Convention on Action against Trafficking in Human Beings.<sup>801</sup>

The Commission issued further recommendations in relation to novel forms of exploitation, identification threshold, child victims of trafficking, timelines, an appeal mechanism, victim assistance services, and the inclusion of a statutory defence for victims who committed a crime as a consequence of their being trafficked.<sup>802</sup>

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<sup>799</sup> IHREC (2022) [Submission on Part 3 of the General Scheme of the Criminal Justice \(Sexual Offences and Human Trafficking\) Bill 2022](#)

<sup>800</sup> IHREC (2022) [Submission on Part 3 of the General Scheme of the Criminal Justice \(Sexual Offences and Human Trafficking\) Bill 2022](#), pp. 10–11

<sup>801</sup> IHREC (2022) [Submission on Part 3 of the General Scheme of the Criminal Justice \(Sexual Offences and Human Trafficking\) Bill 2022](#), p. 11. The Commission also reiterated the need for equal access to and fair processes for all victims of trafficking, irrespective of their immigration status and nationality

<sup>802</sup> These recommendations include:

- amendment of the term ‘exploitation’ to incorporate novel forms of exploitation (illegal adoptions, forced/exploitative marriage and exploitation of surrogacy);
- removal of the ‘credibility’ requirement for the incorporation of a lower threshold of ‘a positive finding from trafficking indicators’ in line with best practice (‘credibility’ has been removed in the final Criminal Law (Sexual Offences and Human Trafficking) Act 2024);
- provision in statute of the operational framework of the Operational Committee to ensure parliamentary scrutiny;
- appointment of legal advisors for child applicants at the earliest stage of the referral and identification process;
- inclusion of appropriate and sufficiently short timelines for formal identification;
- an appeal and reconsideration process to ensure a victim-centred identification process (this has been included in the final 2024 Act);
- clear outlining of statutory entitlements for victims of trafficking that ensures the procedure is applied equally to all victims irrespective of their race, nationality, immigration status or international protection-seeking status, including a recovery and reflection period, gender-specific and child-specific assistance, immigration permissions and assistance not conditional on cooperation with criminal investigations;
- dedicated assistance and supports for victims of trafficking, separate from the international protection framework; and
- amendment of the Criminal Law (Human Trafficking) 2008 Act to include a statutory defence for victims of trafficking where they have committed crimes as a direct consequence of their being trafficked.

IHREC (2022) [Submission on Part 3 of the General Scheme of the Criminal Justice \(Sexual Offences and Human Trafficking\) Bill 2022](#)

From these recommendations only two have been included in the 2024 Act: ‘credibility’ has been removed as a requirement for the positive identification of victims, and an appeal and reconsideration process has been included.

## **IHREC submission on the Criminal Law (Sexual Offences and Human Trafficking) Bill 2023 (on the National Referral Mechanism)**

In our submission on the Criminal Law (Sexual Offences and Human Trafficking) Bill 2023<sup>803</sup> we welcomed and noted a number of improvements from the General Scheme: the explicit provisions for child victims and adults with diminished capacity, the inclusion of independent non-statutory organisations as ‘Trusted Partners’ for identification of victims, the criteria for identification of victims in line with the definition of the crime, the clarity provided with regard to the effect of referrals, grants and refusals to the NRM for both ‘presumed’ and ‘identified’ victims, the removal of the conditional assistance based on cooperation with investigations, and the introduction of an appeals mechanism and appeal officers.<sup>804</sup>

Despite these positive amendments, a number of significant gaps remained in the Bill including in relation to the definition of ‘exploitation’.<sup>805</sup> We noted a range of concerns regarding child victims including the absence of age assessments and the importance of child-specific assistance.<sup>806</sup> We recommended explicit inclusion of a presumption of minority, the term ‘age assessment’ and the responsibility of age assessments to be assigned to Tusla.<sup>807</sup> The Commission also reiterated its recommendation to remove the references to child trafficking for sexual exploitation from the Child Trafficking and Pornography Act 1998 and for this offence to be included in the Criminal Law (Human Trafficking) 2008 Act.<sup>808</sup> We also recommended that the Bill include a provision to amend the Children First Act 2015 to include all forms of trafficking against children, which would also include a statutory duty to refer the suspected child victim to the Operational Committee for identification.<sup>809</sup>

Although we welcomed the inclusion of NGOs as ‘Trusted Partners’, we highlighted concerns with regard to the risk of compromising the independence of these organisations or of influencing them to withhold criticism of anti-trafficking law and policy.<sup>810</sup> We recommended the inclusion of an

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<sup>803</sup> [Criminal Law \(Sexual Offences and Human Trafficking\) Bill 2023](#)

<sup>804</sup> IHREC (2023) [Submission on the Criminal Law \(Sexual Offences and Human Trafficking\) Bill 2023](#), p. 43

<sup>805</sup> IHREC (2023) [Submission on the Criminal Law \(Sexual Offences and Human Trafficking\) Bill 2023](#), p. 22. We noted the need to recognise emerging forms of exploitation as established in the 2024 Anti-Trafficking Directive

<sup>806</sup> IHREC (2023) [Submission on the Criminal Law \(Sexual Offences and Human Trafficking\) Bill 2023](#), p. 23. We also raised the issues of the absence of child-specific legal advice and representation and the continued conflation of the offences of sexual exploitation of children and child trafficking for sexual exploitation

<sup>807</sup> The Commission also recommended that such assessments be supported by guidelines that are child-centred and adapted to the person’s specific needs (cultural, gender, etc.), and that such assessments must not be based on a medical test and must include a ‘presumption of minority’. IHREC (2023) [Submission on the Criminal Law \(Sexual Offences and Human Trafficking\) Bill 2023](#), pp. 23–24

<sup>808</sup> IHREC (2023) [Submission on the Criminal Law \(Sexual Offences and Human Trafficking\) Bill 2023](#), p. 24

<sup>809</sup> IHREC (2023) [Submission on the Criminal Law \(Sexual Offences and Human Trafficking\) Bill 2023](#), p. 37

<sup>810</sup> IHREC (2023) [Submission on the Criminal Law \(Sexual Offences and Human Trafficking\) Bill 2023](#), p. 27

independent mechanism to review decisions related to ‘Trusted Partner’ status and immunity from suit for ‘Competent Authorities’ and ‘Trusted Partners’, or indemnity when decisions are challenged.<sup>811</sup>

In relation to the Operational Committee responsible for identification, we reiterated our recommendation for

- › its operational framework to be included in primary legislation;
- › the possibility of selecting relevant members from Competent Authorities;
- › Trusted Partners and experts to make identification and reconsideration decisions; and
- › a specific timeframe for the Committee to issue a decision.<sup>812</sup>

The threshold for the determination of applications to be identified as victims of trafficking was also an area of concern raised by the Commission. The Bill required the ‘Competent Authority/Trusted Partner and the Operational Committee to decide whether there were reasonable grounds to believe that the application was ‘credible’, which meant a higher threshold and the extra condition of ‘credibility’ in addition to ‘reasonable grounds’ for identification. This higher threshold contravened jurisprudence of the Irish courts, the EU Anti-Trafficking Directive, the Council of Europe Convention and the OSCE.<sup>813</sup> We recommended the removal of the ‘credibility’ requirement. The Commission instead recommended the inclusion of ‘reasonable grounds to believe’, the introduction of a specific timeframe to issue decisions on identification, and a requirement to communicate decisions to applicants in writing.<sup>814</sup>

To improve the identification process we recommended the introduction of a duty to notify for specific authorities that are likely to encounter victims of trafficking when they believe a person presents indicators. This would also contribute to raising awareness and obtaining a comprehensive picture of the scale and nature of trafficking in Ireland to inform law and policy development.<sup>815</sup> This duty to notify (anonymised and essential information only) would also apply in cases where a suspected adult victim of trafficking chooses not to make a formal application but the Operational Committee is aware of them.<sup>816</sup>

Clarity on the assistance entitlements of presumed and identified victims of trafficking within the law remained one of the main omissions from our perspective. The Commission recommended the statutory provision of immigration permissions for presumed and identified victims of trafficking as a fundamental protection measure, and for victims not be placed in a position in which they must

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<sup>811</sup> IHREC (2023) [Submission on the Criminal Law \(Sexual Offences and Human Trafficking\) Bill 2023](#), p. 28

<sup>812</sup> IHREC (2023) [Submission on the Criminal Law \(Sexual Offences and Human Trafficking\) Bill 2023](#), p. 29

<sup>813</sup> IHREC (2023) [Submission on the Criminal Law \(Sexual Offences and Human Trafficking\) Bill 2023](#), pp. 31–32

<sup>814</sup> IHREC (2023) [Submission on the Criminal Law \(Sexual Offences and Human Trafficking\) Bill 2023](#), pp. 32–33

<sup>815</sup> IHREC (2023) [Submission on the Criminal Law \(Sexual Offences and Human Trafficking\) Bill 2023](#), p. 36

<sup>816</sup> The duty to notify refers to notify any suspicions of trafficking even when the person does not want to be identified, and in these cases, no personal details or details of the trafficking situations should be provided. It is intended as a data-collection exercise to improve the response to trafficking, i.e. to compare those victims who decided to access the NRM for formal identification, and those who do not. IHREC (2023) [Submission on the Criminal Law \(Sexual Offences and Human Trafficking\) Bill 2023](#), p. 36

choose between applying to be identified as victims of trafficking or applying for International Protection.<sup>817</sup> We also raised concerns regarding provision of safe and appropriate accommodation for victims.<sup>818</sup> Overall, we reiterated our recommendation for the Bill to provide a statutory scheme of assistance and support entitlements for presumed and identified victims of trafficking.<sup>819</sup>

The Commission expressed concern at the absence of a specific statutory defence for victims of trafficking for crimes committed as a direct consequence of their being trafficked, and lack of extension of the expungement of criminal convictions to all victims of trafficking, as recommended by the Joint Oireachtas Committee on Justice.<sup>820</sup>

## **IHREC response to the Criminal Law (Sexual Offences and Human Trafficking) Act 2024**

The Criminal Law (Sexual Offences and Human Trafficking) Act was enacted on 17 of July 2024, providing for the first statutory NRM for the identification and assistance of victims and presumed victims of human trafficking.

The Commission welcomed the 2024 Act as perhaps the most significant development in the last 15 years and a major step in the fight against human trafficking at national level. In particular, the Commission noted: the multidisciplinary decision-making body, which includes independent organisations in addition to State bodies; the introduction of a two-stage procedure for identification that allows access to early assistance for ‘presumed’ victims; the provisions for people with reduced capacity to consent and for children within the identification process; the removal of the additional test of ‘credibility’ in the assessment of the identification of victims of trafficking; and the inclusion of a presumption of minority.<sup>821</sup>

Despite these positive amendments in comparison with the 2023 Bill, concerns remained for the Commission in relation to important gaps in the 2024 Act, which we interpret as a missed opportunity to establish a comprehensive and robust National Referral Mechanism. There are gaps in relation to the provision of:

- › Detailed assistance and support for presumed and identified victims in law;

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<sup>817</sup> [Directive \(EU\) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#), Recital 2, Article 11(4)(c) and Article 11a; IHREC (2023) [Submission on the Criminal Law \(Sexual Offences and Human Trafficking\) Bill 2023](#), p. 40

<sup>818</sup> IHREC (2023) [Submission on the Criminal Law \(Sexual Offences and Human Trafficking\) Bill 2023](#), p. 40

<sup>819</sup> IHREC (2023) [Submission on the Criminal Law \(Sexual Offences and Human Trafficking\) Bill 2023](#), p. 41

<sup>820</sup> Joint Committee on Justice (2023) [Report on Pre-Legislative Scrutiny of the General Scheme of the Criminal Justice \(Sexual Offences and Human Trafficking\) Bill 2022](#), p. 12. Evidence suggests that victims of trafficking are imprisoned and charged with criminal offences associated with trafficking. This could have been addressed by making the non-prosecution principle to be applied by the Office of the Director of Public Prosecutions less dependent on the identification process (many victims are not formally identified and might come to light once they enter the criminal justice system). Additionally, their trafficking situation could be counted as part of the general consideration of the strength of the evidence

<sup>821</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 10

- › Immigration permits as a vital part of assistance to third-country nationals who need them;
- › Special identification and assistance procedures for child victims and presumed child victims;
- › A statutory defence for victims of trafficking against prosecution for offences they committed as a direct consequence of their being trafficked;<sup>822</sup>
- › Victims of trafficking for the purposes of sexual exploitation not being afforded the same protections as victims of rape and other sexual assault offences in criminal trials.<sup>823</sup>

## **CSO response to the Criminal Law (Sexual Offences and Human Trafficking) Act 2024**

CSOs have also welcomed the enactment of the 2024 Act,<sup>824</sup> especially the inter-agency identification process,<sup>825</sup> with some raising the need for sufficient funding and resources to ensure the NRM is consistently applied across the country.<sup>826</sup> Organisations have also shared the need for those responsible for the implementation of the NRM to regularly engage with survivors, frontline service providers and victim/survivor advocates to inform best practices.<sup>827</sup>

Those who welcomed the 2024 Act also observed challenges remaining in the practical anti-trafficking response, including the need for adequate funding and resourcing for both CSOs and State services providing assistance to victims, the lack of specialist services in rural areas, the need for regular training for frontline professionals, the need to adopt a trauma-informed approach during the identification and assistance process for victims and presumed victims,<sup>828</sup> the need for clearer pathways for accessing justice and reparations, and the need for protections for all victims, regardless of their immigration status.<sup>829</sup>

## **The development of the NRM Operational Guidelines to accompany Part 3 of the Criminal Law (Sexual Offences and Human Trafficking) Act 2024 (on the National Referral Mechanism)**

It is expected that the Operational Guidelines will be fully operationalised in conjunction with the commencement of Part 3 of the Criminal Law (Sexual Offences and Human Trafficking) Act 2024,

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<sup>822</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 10

<sup>823</sup> IHREC (2024) [Commission welcomes new legislation that will support victims of trafficking](#) [press release]

<sup>824</sup> IHREC Civil Society Organisations Consultation 2025

<sup>825</sup> IHREC Civil Society Organisations Consultation 2025

<sup>826</sup> IHREC Civil Society Organisations Consultation 2025

<sup>827</sup> IHREC Civil Society Organisations Consultation 2025

<sup>828</sup> IHREC Civil Society Organisations Consultation 2025

<sup>829</sup> IHREC Civil Society Organisations Consultation 2025

which established the new NRM. Section 23(1)(c) of the 2024 Act describes the Operational Guidelines, which must be issued by the Operational Committee.<sup>830</sup>

The Commission has engaged substantively with the Department of Justice on two drafts of the Operational Guidelines, in November 2024 and in January 2025.

The following is a summary of our main observations:

## **The amended EU Anti-Trafficking Directive 2024**

The Directive provides new legally binding requirements for the NRM expected of Ireland and must be reflected in the guidelines for the identification and assistance of victims and presumed victims of trafficking.<sup>831</sup>

### **Detailed assistance to be provided to victims of trafficking**

Whereas the need for clear detailed assistance in legislation has been highlighted by the Commission at every opportunity during the legislative process of the Criminal Law (Sexual Offences and Human Trafficking) Act 2024, assurances were given that the Operational Guidelines would fill this gap.<sup>832</sup> We recommend that the Guidelines elaborate further Section 32 of the 2024 Act, including but not limited to:

- › The manner in which victim referral to services will be ensured in practice (clarity on how the notification to Competent Authorities and Trusted Partners will work),<sup>833</sup>
- › The manner in which the needs assessment will be carried out and the recommendations for services produced from that assessment, as well as the implementation of those in practice,<sup>834</sup>
- › The manner in which presumed and identified victims whose citizenship or immigration status is in doubt, particularly those without an automatic entitlement to statutory services, will

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<sup>830</sup> '(i) the circumstances and procedures related to applications, (ii) the indicators associated with human trafficking to which regard shall be had in decisions by (I) Competent Authorities and Trusted Partners under section 28, (II) The operational committee under section 29, and (I) An appeals officer under section 33, (iii) the procedures relating to decisions made by Competent Authorities and Trusted Partners in relation to referrals under section 28 and to those referrals, (iv) specific procedures for the identification and support of child victims of human trafficking and presumed victims of human trafficking who are children, and (v) to arrange for the issued Operational Guidelines to be published on a website maintained by or on behalf of the Minister.'

<sup>831</sup> IHREC (2024) Summary Comments on the Draft Operational Guidelines for the Revised National Referral Mechanism (submission to the Department of Justice), p. 3

<sup>832</sup> IHREC (2024) Summary Comments on the Draft Operational Guidelines for the Revised National Referral Mechanism (submission to the Department of Justice), p. 4

<sup>833</sup> IHREC (2024) Summary Comments on the Draft Operational Guidelines for the Revised National Referral Mechanism (submission to the Department of Justice), p. 4

<sup>834</sup> IHREC (2024) Summary Comments on the Draft Operational Guidelines for the Revised National Referral Mechanism (submission to the Department of Justice), p. 4

access assistance as victims of human trafficking (victims must have equal access to assistance, which is vital for their recovery);<sup>835</sup> and

- › The manner in which Section 32(3) of the 2024 Act, establishing that Competent Authorities/Trusted Partners or other relevant bodies are not statutorily obliged to provide services, will be reconciled with the obligations of the State to provide such services under Article 11 of the EU Anti-Trafficking Directive.<sup>836</sup>

## Clarity on the timelines

Part 3 of the Criminal Law (Sexual Offences and Human Trafficking) Act 2024 uses the statement ‘as soon as practicable’ throughout several sections to denote the procedures of Competent Authorities/Trusted Partners, the Operational Committee, the appeal process and appeal officers. The Commission believes that indicative timelines and reasonable deadlines must be included in the Guidelines to avoid unnecessary delays and the risk of backlogs.<sup>837</sup> A lack of clear timelines can cause insecurity for victims, with delays in their recognition as identified victims potentially amounting to a violation of their rights under EU and ECHR law.<sup>838</sup> The situation of backlogs is illustrated by the UK NRM, where in 2024 the waiting time for a conclusive ground decision was on average 630 days.<sup>839</sup>

We have also called for the inclusion of an extension request in the appeal process established in Section 33 of the 2024 Act for applicants to complete their statement of grounds. Applicants might be

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<sup>835</sup> IHREC (2024) Summary Comments on the Draft Operational Guidelines for the Revised National Referral Mechanism (submission to the Department of Justice), p. 5

<sup>836</sup> IHREC (2024) Summary Comments on the Draft Operational Guidelines for the Revised National Referral Mechanism (submission to the Department of Justice), p. 5

<sup>837</sup> IHREC (2024) Summary Comments on the Draft Operational Guidelines for the Revised National Referral Mechanism (submission to the Department of Justice), p. 5. In our submission to the General Scheme, we recommended that referral or refusal decisions be made in a matter of days with the possibility of a short extension in exceptional circumstances, see IHREC (2022) Submission on Part 3 of the General Scheme of the Criminal Justice (Sexual

<sup>838</sup> See *Rantsev v Cyprus and Russia* [2010] ECHR 25965/04. This landmark judgment emphasises that states must take proactive steps to identify and protect potential victims of human trafficking. The Court held that the failure of Cyprus to investigate properly the victim's situation, despite clear risks and the well-known exploitation of women in similar circumstances, amounted to a breach of the positive obligations under Article 4. The judgment clarified that states must adopt an appropriate legal and procedural framework to identify victims and provide protection. *L.E. v Greece* [2016] ECHR 71545/12. This case directly addressed the importance of the timely identification of trafficking victims. The Court found that Greece violated Article 4 due to the nine-month delay in recognising the applicant as a victim of human trafficking. The delay in identifying her as a victim hindered her access to protection and legal remedies, reinforcing the need for swift and effective identification mechanisms. *C.N. v the United Kingdom* [2012] ECHR 4239/08. The Court stressed that the failure of authorities to investigate claims of domestic servitude and to identify the applicant as a potential victim of trafficking constituted a violation of the State's positive obligations under Article 4. This case reiterated that identifying victims at an early stage is critical in preventing further harm and ensuring that victims are protected from exploitation

<sup>839</sup> Home Office (2025) [Official Statistics. Modern Slavery: National Referral Mechanism and Duty to Notify statistics UK, end of year summary 2024](#)

in a precarious or vulnerable situation and most likely will need legal assistance to produce the statement of grounds, which may take time to secure.<sup>840</sup>

## Conceptual clarity

Individuals apply to be *identified and protected as victims of trafficking by the State*. We note that the assessment of this application focuses on whether or not there are reasonable grounds for believing that the applicant is a victim of trafficking.<sup>841</sup>

## Communication with the applicant

The Guidelines need to specify the method of communication with applicants, as applicants may be in a precarious housing situation or experiencing homelessness, and should also consider the copying of a legal representative and other support workers<sup>842</sup> in correspondence to the applicant.<sup>843</sup>

## Child victim specific procedures

The Commission believes that the identification and assistance of child victims merits a separate mechanism with distinct protocols and procedures in light of the different definition of child trafficking.<sup>844</sup> Child-specific indicators should be included for each form of exploitation, with child trafficking experts and practitioners consulted to ensure those are relevant to Ireland.<sup>845</sup> Guidelines should detail the assistance, support and protection of presumed and identified child victims and how

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<sup>840</sup> IHREC (2024) Summary Comments on the Draft Operational Guidelines for the Revised National Referral Mechanism (submission to the Department of Justice), p. 5

<sup>841</sup> IHREC (2024) Summary Comments on the Draft Operational Guidelines for the Revised National Referral Mechanism (submission to the Department of Justice), p. 6

<sup>842</sup> The OSCE NRM Handbook identifies that '[i]ndependent advocates (allocated to adults) and guardian advocates (allocated to children) are professionals with a specific mandate for the protection and individual support of victims of trafficking. They accompany victims and survivors for the duration of the NRM Pillars, maintaining in-person contact and conducting appropriate adult and child assessments and devising ongoing safety planning. Their role includes coordination of individual support and advocating for victims' access to needed services. They act as a focal point for communications with all other parties, authorities, agencies and services.' See OSCE ODIHR (2022) [National Referral Mechanisms. Joining Efforts to Protect the Rights of Trafficked Persons](#), p. 19

<sup>843</sup> IHREC (2024) Summary Comments on the Draft Operational Guidelines for the Revised National Referral Mechanism (submission to the Department of Justice), p. 6

<sup>844</sup> IHREC (2024) Summary Comments on the Draft Operational Guidelines for the Revised National Referral Mechanism (submission to the Department of Justice), p. 7. This notes that the identification process will be marked by a different, lower threshold that does not require the State to prove intent through means such as deception, force or coercion

<sup>845</sup> IHREC (2024) Summary Comments on the Draft Operational Guidelines for the Revised National Referral Mechanism (submission to the Department of Justice), p. 7

can they access this.<sup>846</sup> The Guidelines are an opportunity to ensure that children have access to the support they require for their long-term recovery as survivors of human trafficking.<sup>847</sup>

We believe that the role and responsibilities of Tusla should be clearly outlined within the Operational Guidelines with accompanying protocols developed.<sup>848</sup>

## **NRM data portal and data collection as part of the National Referral Mechanism**

We have previously recommended that the State develop a centralised uniform data collection system for the NRM.<sup>849</sup> Anonymity, privacy, safety and GDPR must be addressed to ensure the protection of those who will have their personal information in the system. Blanket-sharing of data should not be allowed, to ensure protection of sensitive information. Data access rights should be only given with care to a nominated representative with the required expertise and relevant role within the NRM.<sup>850</sup>

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<sup>846</sup> IHREC (2024) Summary Comments on the Draft Operational Guidelines for the Revised National Referral Mechanism (submission to the Department of Justice), pp. 7–8. This is because the services might be different to those provided to adults given children’s increased vulnerability, and the Commission has recommended developing this section in consultation with Tusla and child trafficking specialists. Experts have recommended the development of a ‘safe house’ model for suspected child victims of trafficking and exploitation, and the prioritisation of their timely access to therapeutic, mental health and disability services for those entering or at risk of entering care due to additional vulnerabilities

<sup>847</sup> IHREC (2024) Summary Comments on the Draft Operational Guidelines for the Revised National Referral Mechanism (submission to the Department of Justice), p. 8. Previous recommendations issued by the Commission regarding child victims of trafficking more generally include:

Safe reporting procedures for child trafficking cases

The inclusion of explicit and practical steps to give effect to the principle of the best interests of the child in the identification and assistance of children

Allocation of social workers fully trained in child trafficking, who are aware of the full suite of support services and statutory entitlements

Early legal assistance

Use of Barnahus model for interviewing presumed child victims, irrespective of their form of exploitation

When applicable, assistance in relation to family reunification, immigration status and application to international protection following legal assistance only

<sup>848</sup> IHREC (2024) Summary Comments on the Draft Operational Guidelines for the Revised National Referral Mechanism (submission to the Department of Justice), pp. 8–9. These protocols should include: Tusla being immediately notified in any cases where there are concerns that a child is a victim of trafficking, as opposed to ‘as soon as practicable’; Tusla having a mandatory obligation to refer any suspected/presumed child victim to the Operational Committee; Tusla being present at every consideration of a presumed child trafficking victim by the Operational Committee

<sup>849</sup> IHREC (2024) Summary Comments on the Draft Operational Guidelines for the Revised National Referral Mechanism (submission to the Department of Justice), p. 13. This would facilitate the State’s obligation under Article 19a of the 2024 EU Anti-Trafficking Directive in relation to annual reporting

<sup>850</sup> IHREC (2024) Summary Comments on the Draft Operational Guidelines for the Revised National Referral Mechanism (submission to the Department of Justice), pp. 13–14

An NRM Portal that will contain anonymised information and decisions of decision-making bodies<sup>851</sup> would become a valuable database for the assessment of trends in human trafficking and the identification of needs for protection and support for victims of trafficking in Ireland.<sup>852</sup>

## Survivors' voices

As noted at question 18, survivors should be meaningfully consulted for the development of the Guidelines.

## Consultation

We had called for the draft Operational Guidelines to be shared in advance with Civil Society Organisations, the Commission as National Rapporteur and other relevant stakeholders with clear dates and stages in order to facilitate meaningful engagement and planning.

The Commission has also called for the State to consider consulting additional specialists on gender-based violence, children, disability and trauma-informed approaches.<sup>853</sup>

We believe that consideration must be given to the General Scheme of the International Protection Bill 2025, recently published by the Government to give effect to the EU Migration and Asylum Pact, which might require additional changes in the Operational Guidelines.

While the Commission notes the substantive initiatives and advances in proactive identification, as outlined elsewhere in this report, we recommend increased efforts towards proactive identification of potential victims of trafficking, an extremely hard to reach cohort. It is expected that, once the new NRM is operational, there will be a significant increase in the number of identified victims of human trafficking in Ireland. For comparative purposes, while 67 victims were officially identified in the Republic of Ireland in 2024, a total of 91 victims were identified as victims of trafficking in Northern Ireland only between January and June of the same year.<sup>854</sup>

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<sup>851</sup> Competent Authorities, Trusted Partners, Operational Committee and Appeal Officers

<sup>852</sup> IHREC (2024) Summary Comments on the Draft Operational Guidelines for the Revised National Referral Mechanism (submission to the Department of Justice), p. 13

<sup>853</sup> IHREC (2024) Summary Comments on the Draft Operational Guidelines for the Revised National Referral Mechanism (submission to the Department of Justice), p. 16

<sup>854</sup> IOM UN Migration (2024) [UK National Referral mechanism: Northern Ireland NRM Data and Analysis Briefing 2024 Mid-Year Review](#), p. 4

## **GRETA Question 40.4**

### **Effective access to compensation**

Please provide information on measures taken in your country in respect of the following recommendations made in GRETA's previous reports:

guarantee effective access to compensation for victims of human trafficking, including by ensuring that non-pecuniary damages are eligible for compensation in criminal and civil proceedings as well as under the state compensation scheme

There is a lack of compensation mechanisms that adequately address the specific needs of trafficking victims, particularly regarding pain and suffering. Victims face numerous barriers in accessing compensation including lack of information, awareness and difficulty in understanding legal processes and a lack of legal representation.<sup>855</sup> This is despite best practice requiring pecuniary compensation of victims, covering both material injuries (cost of medical treatment or unpaid wages, for example) and non-material injuries (pain and suffering resulting from the trafficking ordeal),<sup>856</sup> which is often especially severe for victims of trafficking for the purpose of sexual exploitation.<sup>857</sup>

### **EU Legal Framework on compensation of victims of human trafficking**

In 2022, the European Commission reported Ireland as one of only two EU Member States not to have fully transposed Article 17 of the EU Anti-Trafficking Directive. Currently, Ireland does not compensate victims of trafficking for pain and suffering, as 'the existing scheme for compensation to victims of violent crimes (namely, the Criminal Injury Compensation Scheme) only recovers verifiable expenses, and not pain and suffering'.<sup>858</sup> The amended 2024 EU Anti-Trafficking Directive provides more detail in Article 17 adding that 'Member States may establish a national victims fund or a similar instrument, in accordance with their national legislation, in order to pay compensation to victims'.

Article 12(2) of the 2004 EU Compensation Directive obliges the State to have a compensation scheme for victims of violent crime,<sup>859</sup> and Article 16(1) of the EU Victims' Rights Directive provides for victims'

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<sup>855</sup> IHREC (2023) [Submission on Compensating Victims of Crime to the Law Reform Commission on their Fifth Programme of Law Reform](#)

<sup>856</sup> GRETA (2022) [Evaluation Report Ireland. Third Evaluation Round. Access to Justice and Effective Remedies for Victims of Trafficking in Human Beings](#), p. 20

<sup>857</sup> Walby S et al. (2016) [Study of the Gender Dimension of Trafficking in Human Beings](#), p. 34

<sup>858</sup> European Commission (2022) [Commission Staff Working Document Evaluation of the Proposal for a Directive of the European Parliament and of the Council amending Directive 2011/36/EU on preventing and combatting trafficking in human beings and protecting its victim](#), p. 40

<sup>859</sup> [Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims](#)

right to compensation from offenders in criminal proceedings unless national laws allow for a decision on compensation in separate proceedings (namely, alternative mechanisms of compensation).<sup>860</sup>

Importantly, not all identified victims of trafficking in Ireland are third-country nationals. In fact, a sizeable number of victims are EEA nationals, and some are Irish citizens with habitual residence rights. In the case C-129/19 BV, the Court of Justice of the European Union clarified that the right to fair and adequate compensation applies to all victims of violent intentional crimes, not only to cross-border victims but also to habitually resident victims.<sup>861</sup> The Court described ‘fair and appropriate compensation’ as that which takes into account ‘the seriousness of the consequences for the victims of the crime committed’ and ‘represent[s] an appropriate contribution to the reparation of the material and non-material harm suffered’.<sup>862</sup>

## Compensation avenues for victims of trafficking

The State reported early this year that no victim of trafficking in Ireland has ever received compensation in a civil case for general damages.<sup>863</sup> The State-funded Criminal Injuries Compensation Scheme technically may pay compensation to victims in respect of personal injury where the injury is directly attributable to a crime of violence.<sup>864</sup> CSOs have indicated that any claim needs substantiating evidence and it can be prohibitively expensive to obtain this for victims of trafficking.<sup>865</sup> The State has reported that there were no compensation awards made to victims of trafficking under the Scheme in 2024.<sup>866</sup>

In 2023, the Commission made a submission to the Law Reform Commission’s Fifth Programme of Law Reform on ‘Compensating Victims of Crime’.<sup>867</sup> While the Commission welcomed this review and the opportunity to input, we are disappointed to see that the results have not been published yet, with the latest information being from March 2024 about the Law Reform Commission being unable to provide a delivery date.<sup>868</sup> Below is a summary of the analysis provided by the Commission, updated with the most recent information we hold (as of mid July 2025). We look forward to the publication of the Law Reform review.

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<sup>860</sup> [Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA](#)

<sup>861</sup> [C-129/19 Presidenza del Consiglio dei Ministri v BV. ECLI:EU:C:2020:566](#)

<sup>862</sup> [C-129/19 Presidenza del Consiglio dei Ministri v BV. ECLI:EU:C:2020:566](#)

<sup>863</sup> Department of Justice, Home Affairs and Migration 2025

<sup>864</sup> Compensation available under the Scheme is intended to cover vouched out-of-pocket expenses experienced by the victim of crime, such as for medical and dental treatment and loss of earnings to date and into the future, which were incurred as a result of the criminal injuries sustained

<sup>865</sup> IHREC Civil Society Organisations Consultation 2024

<sup>866</sup> Department of Justice, Home Affairs and Migration 2025

<sup>867</sup> IHREC (2023) [Submission on Compensating Victims of Crime to the Law Reform Commission on their Fifth Programme of Law Reform](#)

<sup>868</sup> Dáil Éireann Debate (2024) [Victim Support Services](#)

Obstacles for victims of trafficking in Ireland to access compensation include lack of awareness of their rights, lack of understanding of the criminal and civil compensation proceedings and lack of legal representation.<sup>869</sup>

The LAB provides victims of trafficking with general information on compensation.<sup>870</sup> According to the LAB, this issue did not arise among the clients/victims of human trafficking they assisted in 2024.<sup>871</sup> The Board also provides advice about the WRC but is not in a position to represent clients at its hearings. This is an issue under consideration under the Civil Legal Aid Review, to which the Commission also provided input, whereby we recommended the extension of LAB services to legal representation of clients in the WRC.<sup>872</sup> While some CSOs represent clients in the WRC, others report lack of funds to so.<sup>873</sup>

The MRCI provides support to victims of trafficking for the purpose of labour exploitation on compensation assessments and representation with redress claims in WRC adjudication services.<sup>874</sup> Both the HSE AHTT and the LAB make referrals to the MRCI for compensation matters, including for the provision of information.

In 2024, the MRCI represented a suspected victim of trafficking for labour exploitation in the WRC who was awarded €142,000.<sup>875</sup> The ‘employer’ dropped the appeal of the decision in the Labour Court and the case is currently in an enforcement phase. The MRCI also assisted two more potential victims of trafficking who were awarded €28,000 and €23,000, with the former case being currently in an enforcement process and the latter being appealed in the Labour Court.<sup>876</sup>

According to the MRCI, effective enforcement mechanisms to ensure victims obtain their monetary rewards in a timely manner are needed, as well as an amendment to allow for victims to be able to claim compensation for the entire period of their exploitation instead of the 6–12-month limitation provided for some breaches.<sup>877</sup>

Other organisations working in this area include the International Transport Workers’ Federation and Unite the Union, which also make representations before the WRC on behalf of migrant fishers specifically.<sup>878</sup>

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<sup>869</sup> IHREC (2023) [Submission on Compensating Victims of Crime to the Law Reform Commission on their Fifth Programme of Law Reform](#), p. 5. The lack of legal representation to pursue compensation, as distinct from legal advice, represents a major barrier for victims. The Commission has highlighted the urgent need to expand the remit of the LAB to offer legal advice, assistance and, where necessary, representation to victims in all relevant matters, including criminal and civil proceedings, and before the Workplace Relations Commission.

<sup>870</sup> Legal Aid Board 2025

<sup>871</sup> Legal Aid Board 2025

<sup>872</sup> IHREC (2023) [Submission to the Independent Review of Civil Legal Aid Scheme](#)

<sup>873</sup> Civil Society Organisations Consultation 2025

<sup>874</sup> Migrant Rights Centre Ireland 2025

<sup>875</sup> Migrant Rights Centre Ireland 2025

<sup>876</sup> Migrant Rights Centre Ireland 2025

<sup>877</sup> Migrant Rights Centre Ireland 2025

<sup>878</sup> International Transport Workers’ Federation 2025

Organisations progressing claims to the WRC raise concerns regarding the tight timelines within which to pursue these claims, and the challenges of enforcing orders and obtaining any monetary compensation from a respondent where an award is made.<sup>879</sup>

The NAP acknowledges the deficiencies in the avenues of compensation for victims of trafficking when it states that ‘not all may be optimum for the specificities of victims of trafficking’ and proposes a review of the compensation avenues for victims of all forms of exploitation.<sup>880</sup> The review of the compensation pathways is especially important given that the circumstances and the legal framework of the various forms of exploitation differ. The Commission has welcomed this review and the commitment to legislative amendments, if required, of the compensation framework,<sup>881</sup> in this arguably problematic area of the anti-trafficking response.<sup>882</sup> The Commission has no information on the implementation progress of this commitment and no information in respect of any mid-term review of the NAP.

## **Criminal Injuries Compensation Scheme**

The Criminal Injuries Compensation Scheme is a long-standing State mechanism that provides compensation to victims of violent crime. The Scheme was reviewed in 2021. Changes subsequently introduced included increased capacity of the Scheme, the requirement to publish the decisions, and an increased monetary threshold of awards.<sup>883</sup> There was also welcome removal of the prohibition against granting awards where a member or members of the same household committed the crime, which may be relevant for intra-familial cases of human trafficking. Applications are accepted by the tribunal adjudicating the Scheme not later than three months from the date of the event giving rise to the injury and for up to a maximum period of two years after the incident, if it is satisfied that the circumstances of the last application justify exceptional treatment.

According to the Department of Justice, while no victim of trafficking has been compensated under this scheme to date, there are a number of cases being processed currently.<sup>884</sup>

## **Section 6 of the Criminal Justice Act 1993**

It is our understanding that Section 6 of the Criminal Justice Act 1993 was not applied in the first human trafficking conviction. Section 6 orders allow a court to order a convicted person to pay such sum as the court sees fit to the exchequer to be used at the discretion of the Minister for Finance. Although a financial investigation uncovered that the defendants had assets in other countries, the

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<sup>879</sup> IHREC Civil Society Consultation 2025. It will be important to put in place effective State enforcement mechanisms to assist victims to get payment of awards in a timely manner. It will also be important that labour law be reformed in order to allow victims to claim for the entire period of their exploitation not just the previous 6–12 months as is the limit in some labour laws

<sup>880</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), p. 29

<sup>881</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), p. 29

<sup>882</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 248

<sup>883</sup> Gov.ie, [Criminal Injuries Compensation](#) [website]

<sup>884</sup> Department of Justice, Home Affairs and Migration 2025

judge did not order compensation to be paid by the convicted traffickers to the victims. The Commission notes with concern that Section 6 Compensation Orders are the exception rather than the norm, and there is no ring-fencing of confiscated funds directed to supporting victims.<sup>885</sup>

According to the State, the DPP proactively assists in locating and seizing realisable property to facilitate Section 6 Compensation Orders.<sup>886</sup>

Following a second human trafficking conviction in late 2024, the High Court granted a Criminal Justice Act 1993 Section 24 ‘restraint order’ (also known as a freezing order) on a property in Nigeria. The Section 24 Order is to be transmitted to the Central Authority to progress it.<sup>887</sup> Section 24 orders are a welcome development for the Commission. We reiterate our call to proactively compensate all victims of trafficking.

## Civil legal aid for compensation claims

Access to civil legal aid is not straightforward, particularly for victims of trafficking, and applicants must satisfy the ‘merit test’ to qualify.<sup>888</sup> Other obstacles for victims include the exceedingly long waiting lists, the absence of jurisprudence on civil cases for trafficking harms, the difficulty and fear in facing one’s traffickers, and the possible re-traumatising effects of entering another legal process.<sup>889</sup>

Although the LAB does not provide civil legal aid in respect of any tortious action as part of their services to victims of trafficking, victims are entitled to receive free legal aid (as distinct from legal representation) on such matters. If a victim wishes to seek free civil legal aid, they must apply for it and there is no prioritisation of trafficking cases as the system currently operates.<sup>890</sup>

According to survivors consulted by the Commission, they were generally not informed about their right to compensation. The Commission called for a victim-centred approach that supports victims of trafficking with all their legal needs, whether criminal or civil, to be a priority in the proposed reform of the Legal Aid Scheme.<sup>891</sup>

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<sup>885</sup> IHREC (2023) [Submission on Compensating Victims of Crime to the Law Reform Commission on their Fifth Programme of Law Reform](#), p. 8

<sup>886</sup> Department of Justice, Home Affairs and Migration 2025

<sup>887</sup> Department of Justice, Home Affairs and Migration 2025

<sup>888</sup> According to the Legal Aid Board, ‘If you need to go to Court, we will look at the merits of the case before we can allow a solicitor or barrister to represent you in Court. We consider whether an average person (not a wealthy person) would be willing to go to Court if they were paying for it with their own money. We also consider if a solicitor or a barrister acting reasonably would recommend that you go to court, knowing you were paying for it yourself and based on the facts of your case.’ For more information see Legal Aid Board, [Our Legal Aid Services](#)

<sup>889</sup> IHREC (2023) [Submission on Compensating Victims of Crime to the Law Reform Commission on their Fifth Programme of Law Reform](#), pp. 8–9

<sup>890</sup> IHREC (2023) [Submission on Compensating Victims of Crime to the Law Reform Commission on their Fifth Programme of Law Reform](#), p. 9; Legal Aid Board, [Waiting Times](#) [website]

<sup>891</sup> IHREC (2023) [Submission on Compensating Victims of Crime to the Law Reform Commission on their Fifth Programme of Law Reform](#), p. 9

## Recommendations

The Commission reiterates its recommendation that the Law Reform Commission consider the specific needs of trafficked victims in its review of compensation, for all types of exploitation, and especially in regard to the inclusion of ‘pain and suffering’ as a ground for compensation from the Criminal Injuries Compensation Scheme, ensuring provision is made for acquiring expert witness reports to substantiate claims related to these claims.<sup>892</sup>

The Commission reiterates its recommendation that the use of Section 6 Orders as a means of compensating victims within the criminal process be reformed, and an examination carried out of the potential benefits of providing separate legal representation to the victim/witness for this purpose.<sup>893</sup>

## Seizure, confiscation and use of criminal assets

Almost 10 years ago, Europol estimated that 1.1% of criminal proceeds are confiscated and criminal organisations are amassing revenue estimated to amount to at least €139 billion every year.<sup>894</sup> According to Interpol, transnational organised crime has grown and become more sophisticated, driven by advances in technology, the evolution of criminal activity and increased connections between different criminal groups.<sup>895</sup>

To the best of the Commission’s knowledge, Irish laws governing confiscation and seizure of instruments and proceeds from trafficking offences have not experienced any changes in this reporting period. The Justice Plan 2023 includes a commitment to strengthen the Criminal Assets Bureau<sup>896</sup> and in January 2024, the Minister for Justice secured funding to draft legislation to enhance the Bureau’s powers through the Proceeds of Crime (Amendment) Bill 2024.<sup>897</sup>

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<sup>892</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 251

<sup>893</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 251

<sup>894</sup> Europol (2016) [Does Crime Still Pay? Criminal Asset Recovery in the EU, Survey of Statistical information 2012–2014](#)

<sup>895</sup> INTERPOL (2023) [The Vienna Declaration: Challenging the rise of transnational organized crime](#)

<sup>896</sup> Department of Justice (2023) [Justice Plan 2023](#), Objective 32.2

<sup>897</sup> This includes the reduction from seven to two years of the time between an order being made that assets are the proceeds of crime and a final disposal order being available in respect of those assets; the provision for immediate and automatic appointment of a receiver to deprive respondents of the benefits of those assets, the limitation of respondents’ ability to reopen the question of whether assets are proceeds of crime at the point of a

The amended EU Anti-Trafficking Directive 2024 repeals Article 7 on seizure and confiscation of assets, on foot of the signing and coming into force of the Asset Recovery and Confiscation Directive in 2024.<sup>898</sup> The aim of the Directive is to better equip Member States to fight against organised crime and associated illegal profits, and it will oblige them to ensure that authorities have enough resources to achieve this aim.<sup>899</sup> Ireland has not opted into this Directive after voicing concerns over the possibility of conflicts between the asset recovery and confiscation Directive and domestic mechanisms for the same.<sup>900</sup> Ireland has a domestic mechanism to freeze and seize assets where these assets can be shown to be the proceeds of criminal conduct, also known as non-conviction confiscation.<sup>901</sup> Conviction-based confiscation is also provided for.<sup>902</sup>

In the Irish context there appears to be a separation between confiscation of assets and the compensation available to victims. Conviction-based confiscation orders must be utilised to ensure that assets acquired as a result of the trafficking of others are seized, confiscated and used for the redress of victims.<sup>903</sup> This is most urgent following Ireland's decision to opt out of the Directive on Asset Recovery and Confiscation and following the repeal of Article 7 of the EU Anti-Trafficking Directive 2011.<sup>904</sup> Linked to this, the Commission has previously highlighted the absence of ring-fenced funds or assets for compensating victims directly.<sup>905</sup>

The NAP commits AGS to 'identify possible assets and seize where relevant as the proceeds of human trafficking and as provided under legislation' and to 'liaise with international counterparts when

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disposal order being sought, the enhanced restraint and asset detention powers prior to the High Court, and the improved domestic and international information exchange powers. Department of Justice (2024) '[Minister for Justice secures approval to draft legislation to enhance Criminal Assets Bureau's powers](#)' (18 January 2024); IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 102

<sup>898</sup> [Directive \(EU\) 2024/1260 of the European Parliament and of the Council of 24 April 2024 on asset recovery and confiscation](#)

<sup>899</sup> Council of the European Union (2024) '[Organised crime: Council gives green light for EU law on asset recovery and confiscation](#)' (12 April 2024)

<sup>900</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 102. Not opting into the 2024 Directive on Asset Recovery and Confiscation could be seen as a missed opportunity for greater harmonisation on this issue

<sup>901</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 251

<sup>902</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 251. Section 9 Confiscation Orders (conviction-based confiscation) of the Criminal Justice Act 1994

<sup>903</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 103

<sup>904</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 103

<sup>905</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 252

appropriate'.<sup>906</sup> While the Commission welcomes these actions, the actions remain somewhat vague, without clear measures or indicators to review whether they have been achieved.<sup>907</sup>

## Recommendations

The Commission reiterates its recommendation that the State re-examine the decision to opt out of the Directive on Asset Recovery and Confiscation as this may be an opportunity to further strengthen efforts to harmonise the approach across Europe to better target and combat the pan-European and organised crime nature of human trafficking.<sup>908</sup>

The Commission reiterates its recommendation that proceeds from seizure and confiscation orders relating to trafficking activities – both pre- and post-conviction orders – be ring-fenced and used to establish a 'Victims of Trafficking Fund', either as a standalone scheme or as part of the reformed Criminal Injuries Compensation Scheme to support victims directly, and for other trafficking-related social supports.<sup>909</sup>

## Employment-related compensation

While some victims of employment law breaches may be compensated through the WRC and salaries recovered, this is not viable for most victims of trafficking for labour exploitation and certainly not for victims of other forms of trafficking.<sup>910</sup> A survivor of trafficking of labour exploitation consulted by the Commission explained how the WRC ruled that their 'employer' owes them €28,000 and the 'trafficker' keeps saying that he does not have the money. The survivor has not received any compensation.<sup>911</sup> CSOs have raised the challenges of recovering monies awarded due to former employers/traffickers being insolvent or not making payments, necessitating enforcement proceedings.

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<sup>906</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), Action 3.4.1

<sup>907</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 103

<sup>908</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 103

<sup>909</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 252

<sup>910</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 253

<sup>911</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 253

In 2024, in the WRC decision of *Bombay Limited t/a Bombay House*,<sup>912</sup> the complainant was awarded €143,268 for several breaches of employment law including discrimination on gender grounds (she was sexually harassed and harassed contrary to the Employment Equality Act 1998), unfair dismissal, unlawful wage deductions, and breaches of the National Minimum Wage Act 2000.<sup>913</sup> During the hearing, An Garda Síochána informed the Adjudication Officer of complaints of witness intimidation and the investigation of a complaint in relation to human trafficking that was ongoing. The hearing was conducted in public despite the respondent applying for the matter to be heard in private.<sup>914</sup> Consideration of any request for hearings to be in private should take account of any risks to potential victims of trafficking and any implications for future prosecutions.

In the recent related cases of *Mohamed Shokr Ghonin v Richard Brannigan*<sup>915</sup> and *Khaled Elgamy v Richard Brannigan*,<sup>916</sup> the WRC rejected the two complainants' wage claims for €61,649.96 and €65,326.31 on the basis that the evidence provided was not strong enough to prove their claim that they had worked 20 hours at sea on a prawn boat. The Adjudication Officer accepted that elements of the time worked submitted as evidence were unreliable and plain wrong, and both claimants were awarded €3,500 for employment law breaches, including €2,500 for breach of the Organisation of Working Time Act 1997 in relation to the provision of public holiday entitlements and a further €1,000 each for breaches of the Terms of Employment (Information) Act 1994.<sup>917</sup> Unfortunately, in reality most complainants who receive employment-related awards will never obtain the money for a variety of reasons. However, there are options to recoup the money in those instances.<sup>918</sup>

## Recommendation

The Commission reiterates our recommendation that civil legal aid be extended to include hearings before the Workplace Relations Commission.<sup>919</sup>

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<sup>912</sup> ADJ-00045992, March 19, 2024

<sup>913</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 253

<sup>914</sup> There is a process by which parties to any dispute in the WRC can seek to have hearings in private rather than in public. See *Zalewski v. Adjudication Officer and Ors*, [2021] IESC 24. See WRC (2024) [WRC Procedures in the Adjudication and Investigation of All Employment and Equality Complaints and Disputes](#)

<sup>915</sup> ADJ-00034912, March 14, 2024

<sup>916</sup> ADJ-00036011, March 14, 2024

<sup>917</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), pp. 254–255

<sup>918</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 255

<sup>919</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 255

## **(GRETA Question 41) Information on developments in Ireland since GRETA's third evaluation report concerning:**

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### **GRETA Question 41.2**

#### **Legislation and regulations relevant to THB**

Please provide information on developments in your country since GRETA's third evaluation report concerning:

the legislation and regulations relevant to action against THB

Since GRETA's third evaluation in 2022, there has been new legislation introduced, the most significant being the introduction of the Criminal Law (Sexual Offences and Human Trafficking) Act 2024. Relevant legislation is referenced below.

The Commission considers that every piece of legislation that might be related to human trafficking should be considered by the State with regard to the new obligations introduced by the amended EU Anti-Trafficking Directive.

#### **The Criminal Law (Sexual Offences and Human Trafficking) Act 2024<sup>920</sup>**

Once Part 3 of this legislation is commenced, a new NRM for identification and assistance of victims of trafficking will be placed on a statutory footing for the first time. Please see question 40.3 for more information.

#### **The Criminal Law (Human Trafficking) Act 2008 and the Criminal Law (Human Trafficking) (Amendment) Act 2013**

The Criminal Law (Human Trafficking) Act 2008 and the Criminal Law (Human Trafficking) (Amendment) Act 2013 remain the main legislation governing human trafficking.

The Administrative Immigration Arrangements for the Protection of Victims of Human Trafficking currently remain the central policy regulating identification in Ireland,<sup>921</sup> until the commencement of Part 3 of the Criminal Law (Sexual Offences and Human Trafficking) Act 2024 and the accompanying NRM Operational Guidelines. This remains a concern to the Commission.

#### **The Criminal Law (Sexual Offences) Act 2017**

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<sup>920</sup> [Criminal Law \(Sexual Offences and Human Trafficking\) Act 2024](#)

<sup>921</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 127

The Criminal Law (Sexual Offences) Act 2017 contains other criminal offences which, although not trafficking-specific, are nonetheless relevant,<sup>922</sup> including offences that aim to combat the sexual exploitation and sexual abuse of children, and new offences relating to child sexual grooming and to strengthening the tackling of sexual abuse material (termed ‘child pornography’) in the Act.<sup>923</sup> It also contains a new definition of ‘sexual exploitation’ in relation to a child.<sup>924</sup> In addition to criminalising the purchase of sexual services,<sup>925</sup> the Act includes a specific offence of paying for sexual activity with a trafficked person.<sup>926</sup> The Act also introduces new provisions regarding the giving of evidence in sexual offence trials.<sup>927</sup>

## The Employment Permits Act 2024<sup>928</sup>

This legislation came into effect in September 2024. It is relevant to human trafficking and related vulnerability to exploitation in at least two aspects – employment mobility for permit holders and new provisions for seasonal work permits, which usually concern high-risk sectors.<sup>929</sup> Its provisions serve to consolidate and update the existing legislative framework concerning Employment Permits. It also aims to improve efficiency in obtaining Employment Permits for both employees and employers.<sup>930</sup>

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<sup>922</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), pp. 75–76

<sup>923</sup> [Criminal Law \(Sexual Offences\) Act 2017](#) Section 3 – Obtaining, providing etc. a child for purpose of sexual exploitation; Section 4 – Invitation etc. to sexual touching; Section 5 – Sexual activity in presence of child; Section 6 – Causing child to watch sexual activity; Section 7 – Meeting child for purpose of sexual exploitation; Section 8 – Use of information and communication technology to facilitate sexual exploitation of child; Section 11 amends the Child Trafficking and Pornography Act 1998 to include – Organising etc. child prostitution or production of child pornography; Section 12 amends the Child Trafficking and Pornography Act 1998 to include – Producing, distributing, etc. child pornography; Section 13 amends the Child Trafficking and Pornography Act 1998 to include – Participation of child in pornographic performance; Section 14 amends the Child Trafficking and Pornography Act 1998 to include – Possession of child pornography

<sup>924</sup> [Criminal Law \(Sexual Offences\) Act 2017](#) Section 10 amends Section 3 of Child Trafficking and Pornography Act 1998 inserting the definition – ‘sexual exploitation’ means, in relation to a child— (a) inviting, inducing or coercing the child to engage in prostitution or the production of child pornography, (b) the prostitution of the child or the use of the child for the production of child pornography, (c) the commission of an offence specified in the Schedule to the Sex Offenders Act 2001 against the child, causing another person to commit such an offence against the child, or inviting, inducing or coercing the child to commit such an offence against another person, (d) inducing or coercing the child to engage or participate in any sexual, indecent or obscene act, (e) inviting the child to engage or participate in any sexual, indecent or obscene act which, if done, would involve the commission of an offence against the child, or (f) inviting, inducing or coercing the child to observe any sexual, indecent or obscene act, for the purpose of corrupting or depraving the child

<sup>925</sup> [Criminal Law \(Sexual Offences\) Act 2017](#) Section 25 amends the Criminal Law (Sexual Offences) Act 1993 – payment etc. for sexual activity with people in prostitution

<sup>926</sup> [Criminal Law \(Sexual Offences\) Act 2017](#) Section 25 amends the Criminal Law (Sexual Offences) Act 1993 – payment etc. for sexual activity with people in prostitution

<sup>927</sup> [Criminal Law \(Sexual Offences\) Act 2017](#) Part 6

<sup>928</sup> [Employment Permits Act 2024](#)

<sup>929</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 374

<sup>930</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 373

Perhaps one of the most important changes introduced is the option of changing employer where a foreign national has been granted a General Employment Permit or Critical Skills Permit when the prescribed period has elapsed since they first commenced employment in the State.<sup>931</sup> This period is nine months and is intended to protect migrant workers from unfair treatment by their employer by allowing them to change their current employer.<sup>932</sup>

The Act provided for Seasonal Employment Permits, which are discussed at question 11.

## **The Health (Assisted Human Reproduction) Act 2024**

In regard to the exploitation of surrogacy as a novel form of exploitation, the Health (Assisted Human Reproduction) Act 2024<sup>933</sup> became law but has not yet been commenced so it is not operational. The Commission's engagement and concerns regarding the legislation are discussed at question 40.2. As of May 2025, the commencement of the Health (Assisted Human Reproduction) Act 2024 had been delayed including the establishment of the Assisted Human Reproduction Regulatory Authority (AHRRA).<sup>934</sup>

It has been reported that the Department of Justice is working to ensure the Health (Assisted Human Reproduction) (Amendment) Bill is in line with the obligations of the 2024 EU Anti-Trafficking Directive, to ensure it 'has sufficient safeguards to protect the rights of surrogate mothers, including from the threat of human trafficking'.<sup>935</sup>

## **The Criminal Justice (Engagement of Children in Criminal Activity) Act 2024**

The Criminal Justice (Engagement of Children in Criminal Activity) Act 2024<sup>936</sup> was signed into law on 11 March 2024.<sup>937</sup> The Commission provided detailed observations on the General Scheme of the Criminal Justice (Exploitation of Children in the Commission of Offences) Bill 2020.<sup>938</sup> For a full analysis of this Act as regards human trafficking-related offences, please see question 40.2.

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<sup>931</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 375

<sup>932</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 376

<sup>933</sup> [Health \(Assisted Human Reproduction\) Act 2024](#)

<sup>934</sup> The Department of Health has indicated that following the identification of issues within the 2024 Act, the State has started the drafting of the Health (Assisted Human Reproduction) (Amendment) Bill 'which is largely concerned with outstanding issues of parentage and citizenship but also seeks to make other necessary amendments to various sections of the Assisted Human Reproduction (AHR) Act 2024 itself, including in respect of the "retrospective surrogacy" provisions', Department of Health (2025) [Written answer to Parliamentary Question: Assisted Human Reproduction](#) (13 May 2025)

<sup>935</sup> Tighe M (2025) 'Surrogacy laws delayed over human trafficking concerns', *Sunday Independent*, 25 May

<sup>936</sup> [Criminal Justice \(Engagement of Children in Criminal Activity\) Act 2024](#)

<sup>937</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 74

<sup>938</sup> IHREC (2021) [Observations and Recommendations on the General Scheme of the Criminal Justice \(Exploitation of Children in the Commission of Offences\) Bill 2020](#)

## The amended EU Anti-Trafficking Directive

The amended EU Anti-Trafficking Directive<sup>939</sup> was published on 13 June 2024 with Member States having two years to transpose it. The Department of Justice has stated it is working on its transposition.<sup>940</sup>

The amended Directive sets out strengthened minimum standards of response, including by explicitly recognising novel forms of exploitation and the online dimension of trafficking, adding mandatory sanctions against legal persons, the criminalisation of the knowing use of exploited services, and establishing the obligation of yearly collection of statistics.

### Recommendations

The Commission recommends that detailed analysis of the relevant national legislation be undertaken by the State to ensure that transposition of the recast Directive fully meet the objective and purpose of this new Directive including its expanded definitions. Furthermore, the Commission recommends that the Third National Action Plan be amended to reflect the actions needed, and that all legislation enacted during the transposition period fully respect the doctrine of consistent interpretation of EU law.<sup>941</sup>

The Commission recommends that the State develops National Referral Mechanism Guidelines for centralised uniform data collection and launch a data system which will facilitate the State in its new annual reporting obligations under Article 19b of the amended Directive.<sup>942</sup>

## The EU Pact on Migration and Asylum

As noted, the Department of Justice published the General Scheme of the International Protection Bill 2025 to transpose the Pact into domestic legislation.<sup>943</sup> In July 2025, the Commission published a submission on the General Scheme where we provided an analysis on key areas related to our

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<sup>939</sup> [Directive \(EU\) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#)

<sup>940</sup> Department of Justice, Home Affairs and Migration 2025

<sup>941</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 80

<sup>942</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 138

<sup>943</sup> Department of Justice, Home Affairs and Migration (2025) [‘Minister Jim O’Callaghan secures Cabinet approval for publication of the General Scheme of the International Protection Bill 2025’](#) (29 April 2025); [General Scheme of the International Protection Bill 2025](#)

functions and mandates as Ireland’s National Human Rights Institution and National Equality Body.<sup>944</sup> Further analysis and information on the Pact is included in other questions including question 13.

## The Ban on Forced Labour Regulation<sup>945</sup>

On 19 November 2024, the European Council adopted the regulation prohibiting products in the Union market that are made using forced labour, resulting in products made using forced labour being banned from the EU Single Market.<sup>946</sup> It will permit the EU to prohibit the sale, import and export of goods made using forced labour.<sup>947</sup> Member State authorities and the European Commission will be able to investigate suspicious goods, supply chains and manufacturers.<sup>948</sup> If the product is deemed to be made using forced labour, it will no longer be possible to sell it within the EU Single Market and shipments will be intercepted at the EU’s border.<sup>949</sup> The goods may be allowed back into the EU Single Market once the company in question eliminates forced labour from its supply chains. The Regulation also sets out penalties and provides that they should be effective, proportionate and dissuasive.<sup>950</sup>

The Department of Enterprise, Trade and Employment opened a consultation on the proposal, which closed in November 2023, with a number of organisations including Irish Business and Employers Confederation (IBEC) and Irish Congress of Trade Unions (ICTU) making submissions.<sup>951</sup>

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<sup>944</sup> IHREC (2025) [Submission on the General Scheme of the International Protection Bill 2025](#)

<sup>945</sup> [Regulation of the European Parliament and of the Council on prohibiting products made with forced labour on the Union market and amending Directive \(EU\) 2019/1937](#)

<sup>946</sup> [Regulation \(EU\) 2024/3015 of the European Parliament and of the Council of 27 November 2024 on prohibiting products made with forced labour on the Union market and amending Directive \(EU\) 2019/1937](#)

<sup>947</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 385

<sup>948</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 385

<sup>949</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 386

<sup>950</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 386

<sup>951</sup> Department of Enterprise, Trade and Employment (2023) [‘Public consultation on the proposal prohibiting products made with forced labour on the Union market’](#) (25 September 2023)

## **GRETA Question 41.3**

### **The institutional and policy framework for action against THB**

Please provide information on developments in your country since GRETA's third evaluation report concerning:

the institutional and policy framework for action against THB (co-ordinating bodies, specialised entities, national rapporteur or equivalent mechanism, involvement of civil society, public-private partnerships)

### **Policy framework for action against THB**

There were several important legal and policy developments in recent years, welcomed by the Commission and expected to improve the State's anti-trafficking response as discussed in the responses to preceding questions. The two main policy documents are the NRM Operational Guidelines (pending publication at the time of writing) and the National Action Plan to Prevent and Combat Human Trafficking 2023–2027. The State has responded well to important feedback by the Commission on the development of policy. However, areas of concern remain.

### **National Referral Mechanism Operational Guidelines**

We refer to question 40.3 for detail on the Operational Guidelines.

### **The National Action Plan to Prevent and Combat Human Trafficking 2023–2027**

The Commission welcomed the NAP<sup>952</sup> and also highlighted gaps, calling for it to be adequately budgeted for, flagging the absence of reference to age assessments, and calling for it to reflect the amended EU Directive.<sup>953</sup> We have no clear information on the monitoring of the NAP implementation or the mid-term evaluation due in 2025. For further information on the NAP please see question 41.4.

### **Institutional framework**

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<sup>952</sup> Government of Ireland (2023) [National Action Plan to prevent and combat Human Trafficking 2023–2027](#); IHREC (2024)

<sup>953</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 2. The amended EU Anti-Trafficking Directive is due for transposition by July 2026. It sets out new strengthened minimum standards of response, including by explicitly recognising novel forms of exploitation and the online dimension of trafficking, adding mandatory sanctions against legal persons, criminalising the knowing use of exploited services, and establishing the obligation of annual collection of statistics by the State

## Department of Justice as National Coordinator on Human Trafficking

The Department of Justice remains the designated National Coordinator and as such has overall responsibility for coordination of the trafficking response.<sup>954</sup> An important aspect of this role is ensuring that relevant State Departments, Agencies and bodies are fulfilling their obligations as part of the overall implementation of the EU Anti-Trafficking Directive.<sup>955</sup> The Department is the lead and coordinator on the implementation of the Third National Action Plan and also responsible for organising and chairing the Stakeholder Forum and related subgroups, such as the one on Trafficking for Labour Exploitation.

### Recommendation

The Commission reiterates the recommendation that the National Coordinator foster regular exchange between relevant State actors involved in the assistance of victims to ensure that any change in existing policies does not adversely affect them.<sup>956</sup>

## The Irish Human Rights and Equality Commission as Ireland’s Independent National Rapporteur

The Commission continues to act as Ireland’s Independent Rapporteur on the Trafficking of Human Beings since its establishment in October 2020 in accordance with Article 19 of the EU Anti-Trafficking Directive 2011.<sup>957</sup> Article 11 established a legally binding requirement for all European Union Member States to establish National Rapporteurs or equivalent mechanisms. Our functions include: ‘the carrying out of assessments of trends in trafficking in human beings, the measuring of results of anti-

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<sup>954</sup> IHREC (2022) [Evaluation of the Implementation of the EU Anti-Trafficking Directive Irish Human Rights and Equality Commission](#), p. 14. There are a number of State Departments and Agencies that play a key role in the anti-trafficking response in Ireland as referenced throughout this submission. These include: An Garda Síochána (including the Garda National Immigration Bureau), the Office of the Director of Public Prosecutions, the Workplace Relations Commission, the Border Management Unit (Department of Justice), the Health Service Executive, Coimisiún na Meán, the Department of Enterprise, Trade and Employment, the Department of Foreign Affairs, the International Protection Accommodation Service (Department of Justice), the International Protection Office (Department of Justice), the International Protection Appeals Tribunal (Department of Justice), the Legal Aid Board, the Department of Education and Youth (previously the Department of Education) and Tusla.

<sup>955</sup> IHREC (2022) [Evaluation of the Implementation of the EU Anti-Trafficking Directive Irish Human Rights and Equality Commission](#), p. 14

<sup>956</sup> IHREC (2022) [Evaluation of the Implementation of the EU Anti-Trafficking Directive Irish Human Rights and Equality Commission](#), p. 94

<sup>957</sup> [Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA](#)

trafficking actions, including the gathering of statistics in close cooperation with relevant Civil Society Organisations active in this field, and reporting'.<sup>958</sup>

The Commission, as National Rapporteur, has striven to actively and positively inform and contribute to work towards full compliance with modern human rights standards, ensuring a proactive response to emerging challenges in the area of anti-trafficking at national level.<sup>959</sup>

Since its inception, the Commission has engaged with State agencies and CSOs to collect relevant data on human trafficking on a yearly basis. This cooperation and engagement has been invaluable and is greatly appreciated by the Commission in our role as Rapporteur. The data is used to inform our reports and submissions.

Requests for and access to information and data by the Commission is not on statutory basis despite a previous recommendation by GRETA to the State in its last evaluation of Ireland in 2022.<sup>960</sup>

We note that the requirement for a National Rapporteur or equivalent mechanism has been changed in the amended Directive, now stating Member States 'may' also establish independent bodies,<sup>961</sup> such as independent National Rapporteurs, rather than placing a mandatory obligation on States to do so. We welcome indications from the State that the National Rapporteur role is valuable and will be retained. It is essential that the State clearly communicate its commitment to continue the role of the fully established independent Irish National Rapporteur on Human Trafficking.<sup>962</sup>

## Recommendations

The Commission recommends that the State clearly confirm its commitment to retaining the role of the Independent National Rapporteur on Human Trafficking, and that sufficient resourcing be provided through a multi-annual budget to ensure the mandate can be fulfilled.<sup>963</sup>

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<sup>958</sup> [Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA](#)

<sup>959</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 1

<sup>960</sup> GRETA (2022) [Evaluation Report Ireland. Third Evaluation Round. Access to Justice and Effective Remedies for Victims of Trafficking in Human Beings](#), p. 11

<sup>961</sup> [Directive \(EU\) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#), Article 19

<sup>962</sup> [Directive \(EU\) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#), Article 19

<sup>963</sup> [Directive \(EU\) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#), Article 19

The Commission reiterates its recommendation that, to enable it to fulfil its role as National Rapporteur, the right to request and receive relevant information and data from the State and State agencies be placed on a statutory basis.

## **Department of Justice Human Trafficking Stakeholders Forum and Labour Exploitation Subgroup**

The Commission attends the Human Trafficking Stakeholders Forum, which is provided for under the NAP and was established by the Department of Justice as National Coordinator. This forum comprises community and voluntary sector organisations, State agencies, State Departments and other expert stakeholders. The Commission also attends the Human Trafficking Labour Exploitation Subgroup, which is also provided for under Action 2.7 of the NAP. This multidisciplinary group was also established by the Department of Justice as National Coordinator in 2024 to examine what more can be done to identify victims of trafficking for labour exploitation. In 2022, GRETA called on the State to strengthen the Stakeholders Forum by clarifying its status and ensuring the subgroups were enabled to make progress.<sup>964</sup>

In consultations with the Commission in 2025, CSOs have flagged issues with communication from the State regarding the Stakeholders Forum, including around approaches to consultation, the scheduling of meetings, and the receipt of information sufficiently in advance of those meetings.<sup>965</sup>

In 2024, the Stakeholder Forum met twice, in May and December. The Commission believes that stricter periodicity and thematic sessions, including relevant updates on developments, are necessary for the Stakeholders Forum. The encounters are the space where all the main anti-trafficking actors, both from the State and independent organisations, encounter each other to discuss challenges and opportunities, and share the progress achieved individually and collectively.

## **Recommendation**

The Commission recommends the Department of Justice, as National Coordinator, establish a formal quarterly Anti-Trafficking Stakeholder Forum to update on progress in combatting human trafficking and facilitate the exchange of information and coordination between anti-trafficking actors.

## **Civil Society Organisations**

CSOs provide specialised services to presumed and identified victims, including legal and psychological support. They also deliver considerable education and training programmes to a

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<sup>964</sup> GRETA (2022) [Evaluation Report Ireland. Third Evaluation Round. Access to Justice and Effective Remedies for Victims of Trafficking in Human Beings](#), p. 11

<sup>965</sup> IHREC Civil Society Organisations Consultation 2024, 2025

number of sectors including private companies, migrant communities, service providers, students and emerging professionals.<sup>966</sup> Some receive funding from the Department of Justice to cover this crucial work, with funding increasing in recent years.<sup>967</sup>

These CSOs remain largely the same as in the previous reporting cycle to GRETA, with the addition of Depaul, a CSO active in the area of housing and homelessness.

Below is a summary of the key areas of activity for the relevant CSOs:

- › Ruhama is a charity organisation with long expertise in support of persons involved in prostitution and victims of trafficking for sexual exploitation and other forms of trafficking involving gender-based violence.
- › The Immigrant Council of Ireland (ICI) is an independent law centre and provides information and free legal assistance to migrants and their families, including to victims of human trafficking, as well as engaging in advocacy relating to policy and law reform.
- › The Migrant Rights Centre of Ireland (MRCI) is a national organisation working with migrants and their families in Ireland to promote justice, empowerment and equality. The MRCI is a national Assessment Centre for Trafficking for Labour Exploitation and part of the informal NRM at present.
- › MECPATHS is a non-governmental organisation that specialises in awareness raising and training on the issue of human trafficking of children. It is a unique organisation with a targeted focus on child trafficking in Ireland. Its work focuses on delivering training to frontline and emerging professionals.
- › The International Transport Workers' Federation (ITF) assesses migrant fishers working on Irish or foreign-flagged vessels operating in Irish waters who meet the Delphi criteria for human trafficking and makes representations on their behalf to the Gardaí or Police Service of Northern Ireland for their admission to the NRM and investigation of their complaints. Unite the Union also supports other workers, including migrants in vulnerable situations, against exploitation and trafficking.
- › The Sexual Violence Centre Cork (SVC) provides vital support to victims of sexual violence, including trafficking and sexual exploitation. In 2019 it established Cork Against Human Trafficking to raise awareness and educate the public on human trafficking, working with MECPATHS and other organisations (AGS, LAB, HSE, University College Cork (UCC) and Kevin Highland OBE).
- › Other organisations, such as AkiDWA, Doras Luimní, the Dublin Rape Crisis Centre, Act to Prevent Trafficking Ireland (APT) and more recently Depaul, are also important contributors to the response to human trafficking.

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<sup>966</sup> IHREC (2023) [Trafficking in Human Beings in Ireland. Second Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 199

<sup>967</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p.168

- › IOM Ireland and UNHCR Ireland also provide vital support to migrants and fulfil a raise awareness and education function on human trafficking at domestic level.

The Commission as National Rapporteur consults Civil Society Organisations yearly for information and data relevant to working to prevent and combat human trafficking in Ireland. We acknowledge the invaluable input of these organisations as experts to our consultations, which allows the Commission to fulfil our reporting functions as Rapporteur.<sup>968</sup>

## Recommendations

The Commission reiterates its recommendation that the State provide sustainable funding to specialist Civil Society Organisations providing services for victims of trafficking.<sup>969</sup>

The Commission reiterates its recommendation that dedicated multi-annual funding be made available to Civil Society Organisations to develop awareness-raising campaigns in their areas of expertise highlighting the specificities of each form of exploitation and/or encouraging the utilisation of their expertise in the development of such campaigns.<sup>970</sup>

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<sup>968</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), pp. 166–168

<sup>969</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 27

<sup>970</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 266

## **GRETA Question 41.4**

### **The current national action plan for combating THB**

Please provide information on developments in your country since GRETA's third evaluation report concerning:

the current national strategy and/or action plan for combating trafficking in human beings (objectives, main activities, budget, bodies responsible for the implementation, monitoring and evaluation of results)

### **The current national action plan**

In November 2023, the Commission welcomed the publication of the Third National Action Plan to Prevent and Combat Human Trafficking 2023–2027.<sup>971</sup> Ireland is ahead in regard to Article 19b of the 2024 Anti-Trafficking Directive, which establishes a new obligation for Member States to adopt National Action Plans by 15 July 2028. By that deadline, Ireland should be on its fourth NAP. References to NAP goals and actions are contained throughout this submission.

In relation to overall implementation of the Plan, we have observed important omissions and outstanding matters such as the allocation of resources and designation of appropriate budget for implementation of the Plan and the need to reflect the amended EU Anti-Trafficking Directive 2024 in the new standards and obligations it provides.<sup>972</sup>

Monitoring of implementation of the NAP to date is unclear to the National Rapporteur. The Plan committed to a Human Trafficking Government and Strategy Group and a Human Trafficking Oversight Group, but these are comprised of Departments and State Agencies only. CSOs have reported having a lack of information and clarity on implementation of the NAP.<sup>973</sup> There has not been a monitoring

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<sup>971</sup> IHREC (2023) [‘National Rapporteur calls for funding to match ambition of new National Action Plan on Human Trafficking’](#) (6 November). IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 54. Particularly the commitments in relation to engagement with survivors; the development of a comprehensive training framework for professionals likely to encounter victims; engagement with the findings of the review of the Law Reform Commission on compensation to victims of crime; study of the approach to trafficking for labour exploitation; and expungement of past criminal convictions in regard to prostitution, among others. Also, greater alignment with the Third National Strategy on Domestic, Sexual and Gender-Based Violence with regard to demand reduction for trafficking for the purpose of sexual exploitation and the provision of safe accommodation to victims. And with other national strategies on anti-racism, national minorities, migration and the Strategy on Women and Girls; Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#)

<sup>972</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), pp. 10–11; Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#)

<sup>973</sup> IHREC Civil Society Organisations Consultation 2025

mechanism such as a Strategy Committee<sup>974</sup> or other structure containing such stakeholders such as the National Rapporteur, CSOs and responsible State agencies put in place to monitor the NAP. The Trafficking for Labour Exploitation subgroup is tasked with specific areas of work, and does include CSOs, but it does not have such an overall monitoring role. The mid-term evaluation is due in 2025 but as stated, we do not have clear information on plans in this regard.

## Recommendation

The Commission recommends that the Third National Action Plan should be updated to reflect the actions needed to align with the amended Directive and to ensure all legislation enacted during the transposition period fully respects the doctrine of consistent interpretation of EU law.<sup>975</sup>

## Data collection

The amended EU Anti-Trafficking Directive strengthens the provision regarding data collection, for both detected and identified victims, with Member States having to submit disaggregated data annually in several categories. As noted, the Commission has called for the State to develop a centralised uniform data collection system for the new NRM.<sup>976</sup> The NAP commits to ‘agree[ing] common data-collection protocols, disaggregation and reporting timeframes to ensure a consistent approach across departments and agencies.’<sup>977</sup> For data collection to work, the case management system of those involved in the anti-trafficking response must be improved to support cross-departmental/agency collaboration and to minimise as much as possible the administrative burden on frontline workers.<sup>978</sup> There must also be careful consideration of data protection and data-sharing arrangements and protocols between all relevant State agencies and support services.

## Recommendation

The Commission recommends that all Government agencies and Departments that are part of the new National Referral Mechanism develop data systems that:

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<sup>974</sup> Department of Children, Disability and Equality (2021) [National Strategy for Women and Girls: Strategy Committee - Meeting Agendas and Minutes](#)

<sup>975</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 80

<sup>976</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 138

<sup>977</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), Action 4.7.2

<sup>978</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 138

- a. are designed to meet the requirements of the new National Referral Mechanism, including the Operational Guidelines;
- b. are fully compatible with other Competent Authority and Trusted Partner systems;
- c. can capture and disaggregate data with ease; and
- d. are user-friendly.<sup>979</sup>

## Accommodation

The NAP contains strong statements in relation to the accommodation of victims of human trafficking, also with a link to the National Strategy on Domestic, Sexual and Gender Based Violence to provide gender-specific accommodation to trafficked women.<sup>980</sup>

Action 2.5 commits to the provision of accommodation for victims of trafficking by the NRM Operational Committee, and the International Protection Accommodation Service, and since the formation of the new Government in early 2025, presumably the Department of Justice, Home Affairs and Migration.<sup>981</sup> To achieve the provision of accommodation, those bodies and the Department will, from 2023 on: identify short-term accommodation (safe houses and emergency accommodation), establish dedicated and gender-specific accommodation for victims, and provide suitable accommodation for victims based on their vulnerabilities.<sup>982</sup>

While the Commission has welcomed this commitment, we are not aware of any positive further developments on the provision of trafficking-specific accommodation since the very welcome opening in 2023 of the trafficking-specific shelter, Rosa's Place, with eight places for women victims of trafficking.

Furthermore, the number of identified victims is expected to increase under the new NRM.<sup>983</sup> There is a lack of step-down or independent accommodation options. We have received reports of residents having to return to IPAS/Direct Provision after their time at the shelter.<sup>984</sup>

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<sup>979</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 138

<sup>980</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), p. 19

<sup>981</sup> At the time of the publication of the NAP, the International Protection Accommodation Service (IPAS) was under the Department of Children, Equality, Disability, Integration and Youth, and as such the NAP reflects this Department as responsible for the implementation of Action 2.5. Since the formation of a new government in January 2025, IPAS is now placed under the Department of Justice, Home Affairs and Migration; Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), p. 28

<sup>982</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), p. 28

<sup>983</sup> Department of Justice (2025) [Written Answer to Parliamentary Question: Human Trafficking](#) (22 January 2025); Sheehy P (2024) [Hopes new law on trafficked victims enacted week](#), *RTÉ* (26 June 2024)

<sup>984</sup> IHREC Civil Society Organisations Consultations 2024, 2025

## Recommendations

The Commission recommends that the pilot shelter be swiftly evaluated and replicated in sufficient numbers to accommodate, in a gender-specific manner, victims of trafficking recovering from gender-based violence trauma, without regard to their immigration status, as mandated by the EU Anti-Trafficking Directive.<sup>985</sup>

The Commission recommends the State to plan for and invest in a sufficient number of gender-specific shelters and appropriate interim accommodation, in line with the Convention on Action against Trafficking in Human Beings<sup>986</sup> and following the strengthened provisions on accommodation of the amended EU Anti-Trafficking Directive.<sup>987</sup> Both short- and long-term accommodation is required for victims of trafficking in Ireland.

The Commission recommends that the State provide longer-term step-down and independent housing options for victims of trafficking to provide stability for such victims and to enable their recovery.

The Commission recommends that gender-specific shelters be afforded the facilities to cater for victims who are mothers with children, given the significant proportion of female victims accompanied by children.<sup>988</sup>

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<sup>985</sup> [Directive \(EU\) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#) ‘5a. The shelters and other appropriate interim accommodations referred to in paragraph 5 shall be provided in sufficient numbers and shall be easily accessible to presumed and identified victims of trafficking. The shelters and other appropriate interim accommodations shall assist them in their recovery, by providing adequate and appropriate living conditions with a view to a return to independent living. They shall also be equipped to accommodate the specific needs of children, including of child victims.’; IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 160

<sup>986</sup> [Council of Europe Convention on Action against Trafficking in Human Beings \(2005\)](#) Article 12 (1a) ‘1 Each Party shall adopt such legislative or other measures as may be necessary to assist victims in their physical, psychological and social recovery. Such assistance shall include at least: standards of living capable of ensuring their subsistence, through such measures as: appropriate and secure accommodation, psychological and material assistance’

<sup>988</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 162

The Commission recommends that specialised shelters also be opened for male victims of trafficking, as well as for entire families, whenever such needs arise.<sup>989</sup>

The Commission recommends that the actions of the Third National Action Plan 2023–2027 be implemented independently and irrespective of the transformations envisaged for the International Protection Accommodation Service as a whole.<sup>990</sup>

The Commission recommends that legislation be applied and any amendments to legislation drafted in a way that ensures the five years' reckonable residency requirement does not apply to victims of trafficking in a manner that is contrary to the EU Anti-Trafficking Directive.<sup>991</sup>

## Child trafficking

The NAP designates specific actions, separate from the identification of adult trafficking victims, for the identification of child victims. The issue of child identification has been repeatedly highlighted as a deep concern of the Commission. For this reason, it was encouraging to see the commitment to ensuring that by the second half of 2024, all professionals in contact with children and working on child-related matters are qualified in dealing with and recognising victims of trafficking, and acting in the child's best interest.<sup>992</sup> In 2023 Tusla established a working group to help to fulfil the obligations of the NAP with regard to child trafficking. The Commission participates on this group and has witnessed the efforts of the Agency and other member organisations to comply with the Plan. The work of the group halted in 2024 until the provision of the planned new NRM Operational Guidelines.

Among other actions the NAP commits (at 2.14.3) to '[d]evelop the NRM operational guidelines with the specific needs of child victims of trafficking taken into account. The guidelines will ensure that child victims are responded to in therapeutic ways and with an enhanced care package.' The Commission has consistently raised the need for such provision in the Operational Guidelines and remains concerned at the current gap.

The NAP also mandates the application of the best interests of the child principle under 'Prevention' in relation to identification efforts and the training of professionals. We welcome this, as this principle

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<sup>989</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 162

<sup>990</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 163

<sup>991</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 163

<sup>992</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), Action 1.10

should be central to all child-specific actions, including those dedicated to the assistance and protection of child victims in the criminal justice system.<sup>993</sup>

In relation to prosecution, the NAP obliges the Department of Justice, AGS and relevant State agencies, Departments and CSOs to reflect statutory obligations such as the Children First Act in the NRM Operational Guidelines. However, it must be noted that the Children First Act only makes reference to the trafficking of a child for the purposes of sexual exploitation. It does not include any other form of trafficking such as for labour exploitation or criminal activities. For this reason, we have previously recommended that all forms of trafficking (as a serious form of child abuse) be explicitly included in Children First Guidelines and all associated training. This is a serious omission, and we are disappointed that there are no commitments in the NAP to rectify this.<sup>994</sup>

A NAP action ‘to review, plan and implement an enhanced and coordinated operational response from Tusla and AGS to ensure that the response is effective, and fully meets the needs of child victims’ is included in the Protection Pillar, and there is a commitment that ‘a review of current arrangements in circumstances when a child goes missing from care will be undertaken and cases will be reviewed to identify potential linkages with trafficking’.<sup>995</sup> The Plan commits to other actions including: review of the operational response to child victims, review of the care provisions for child victims, access to education, and additional supports for child victims within the criminal justice process.<sup>996</sup>

Tusla anticipates challenges with the new NRM and the provision of care to identified child victims of trafficking, as required by Action 2.14.2: ‘Review and evaluate the care provision for child victims, to include resourcing issues, to ensure that any increase in child victims identified under the revised NRM framework does not affect the level of care provided.’ In particular, it is concerned about the expected increase in demand for its services with regard to assessments, care, protection, specialist interventions and accommodation, which will require additional resourcing and allocated social workers. Tusla has reported overall challenges with regard to human resources capacity. Details of the issues arising and gaps in protection are considered at question 1.

## Recommendations

The Commission reiterates its recommendation that the State develops a separate mechanism for identification, referral and assistance of child victims of trafficking that implements the distinct legal obligations of Article 2(5), Article 2(6) and Articles 13–16 of the

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<sup>993</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), Action 1.10

<sup>994</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 197

<sup>995</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), Action 3.7

<sup>996</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), Action 2.14 and 2.15

EU Anti-Trafficking Directive, corresponding to the modified definition of the offence and the enhanced set of assistance measures for child victims.<sup>997</sup>

The Commission reiterates its recommendation to include the best interests of the child principle in every policy, action and strategy involving child victims of trafficking, and children at risk of trafficking within the national child protection system, in regard to prevention, assistance and protection in the criminal justice process. We welcome the inclusion of this principle within the Third National Action Plan to Prevent and Combat Human Trafficking 2023-2027.

The Commission recommends that the best interests of the child principle be explicitly included in the child-specific National Referral Mechanism Operational Guidelines, as well as in the policy being developed by Tusla's Working Group on Child Trafficking.<sup>998</sup>

The Commission recommends that Tusla fulfils its statutory duties to vulnerable at-risk children in conjunction with other State agencies.

The Commission recommends that Tusla be provided with adequate resourcing and staff capacity for its role, including in relation to any new roles regarding the new National Referral Mechanism, to ensure it is able to fulfil its statutory duties to vulnerable at-risk children, in conjunction with other State agencies.

## Prevention and training

A section of the NAP is dedicated to prevention with the aim of eliminating human trafficking and demand via training, awareness raising, reduction of vulnerability and reduction of demand.<sup>999</sup> The NAP contains 10 commitments to prevention that must be implemented by the Department of Justice,

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<sup>997</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 194

<sup>998</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 196

<sup>999</sup> Government of Ireland (2023) [National Action Plan to Prevent and Combat Human Trafficking 2023–2027](#), p. 16

AGS, the HSE, the Department of Defence, the Department of Enterprise, Trade and Employment, the Department of Foreign Affairs and with support from CSOs.

Information on provision of training pursuant to the NAP and related recommendations is provided across other relevant questions.

## **GRETA Question 41.5**

### **Recent case law concerning THB**

Please provide information on developments in your country since GRETA's third evaluation report concerning:

recent case law concerning THB for different forms of exploitation

Relevant cases are considered across this submission related to specific areas including, in particular, labour exploitation and vulnerability.

In addition, following the decision of the Labour Court in *TA Hotels Limited et al.*,<sup>1000</sup> it would appear settled law that employees without valid immigration permissions will be prevented from bringing employment rights claims through the WRC and Labour Court. This may affect victims of trafficking who wish to recoup unpaid wages owed to them.

Overall, there is a dearth of case law concerning trafficking in human beings for different forms of exploitation. This makes it impossible to comment authoritatively on any patterns arising in sentencing.<sup>1001</sup>

The lack of legal precedent hinders interpretation of cases. Insufficient practitioner training and skills may exacerbate difficulties in identifying legal issues, gathering accurate data, and obtaining the evidence necessary for prosecution.<sup>1002</sup> One report into forced labour noted that this presents a major issue for prosecutorial evidence as it is vital to secure witnesses from among the victims themselves and corroborate those statements with supporting evidence.<sup>1003</sup>

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<sup>1000</sup> *TA Lynam's Hotel v Vireshwarsingh Khoosye and TA Hotels Limited t/a Lynam's Hotel v Preeti Khoosye* [2019] 12 JIEC 0408

<sup>1001</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 84

<sup>1002</sup> IHREC (2024) [Trafficking in Human Beings in Ireland. Third Evaluation of the Implementation of the EU Anti-Trafficking Directive](#), p. 294

<sup>1003</sup> Kyrianiou M (2015) [Study on Case-Law Relating to Trafficking in Human Beings for Labour Exploitation](#)

## Glossary

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AGS	An Garda Síochána
AHRRA	Assisted Human Reproduction Regulatory Authority
BMU	Border Management Unit
CFA	Child and Family Agency
CRPD	Convention on the Rights of Persons with Disabilities
CSDDD	Corporate Sustainability Due Diligence Directive
CSO	Civil Society Organisations
CTHB	Combatting trafficking in human beings
DCEDIY	Department of Children, Equality, Disability, Integration and Youth
DETE	Department of Enterprise, Trade and Employment
DSGBV	Domestic, Sexual and Gender-Based Violence
ECHR	European Convention of Human Rights
EEA	European Economic Area
EI	Escort Ireland
EMPACT	European Multidisciplinary Platform against Criminal Threats
GNIB	Garda National Immigration Bureau
GNPSB	Garda National Protective Services Bureau
HIQA	Health Information and Quality Authority
HMG	Her Majesty's Government
HTICU	Human Trafficking Investigation and Coordination Unit
IBEC	Irish Business and Employers Confederation
ICI	Immigrant Council of Ireland
ICTU	Irish Congress of Trade Unions
IHREC	Irish Human Rights and Equality Commission
IOM	International Organization for Migration
IPAS	International Protection Accommodation Service
IPO	International Protection Office
ISTAC	International Survivors of Trafficking Advisory Council
ITF	International Transport Workers' Federation

IWF	Internet Watch Foundation
JAD	Joint Action Days
LAB	Legal Aid Board
MRCI	Migrant Rights Centre of Ireland
NCMEC	National Center for Missing & Exploited Children
NDP	National Development Plan
NRM	National Referral Mechanism
NSIO	National Social Inclusion Office
NSTAC	National Survivors of Trafficking Advisory Councils
ODIHR	Office for Democratic Institutions and Human Rights
OPCAT	Optional Protocol to the Convention against Torture and other Cruel, Inhumane Degrading Treatment or Punishment
PSNI	Police Service of Northern Ireland
RWT	Resident Welfare Team
SCSIP	Separated Children Seeking International Protection
SERP	Sexual Exploitation Research Programme
SUSI	Student Universal Support Ireland
SVC	Sexual Violence Centre Cork
THB	Trafficking in human beings
TIP	Trafficking in Persons
TLE	Trafficking for labour exploitation
TSE	Trafficking for sexual exploitation
UCC	University College Cork
UNCRPD	United Nations Convention on the Rights of Persons with Disabilities
UNODC	United Nations Office on Drugs and Crime
VA	Vulnerability Assessment
VAO	Vulnerability Assessment Officer
WHS	Women's Health Service
WRC	Workplace Relations Commission



Coimisiún na hÉireann um Chearta  
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