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About the authors

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Anna Edman Bastos is an equality and human rights professional, who works internationally. For several years, she was a Regional Advisor at the Equality and Human Rights Commission, and prior to that appointment, she worked as a Policy and Programme Advisor at the Commission for Racial Equality in the United Kingdom. Ms. Edman Bastos was responsible for the establishment of a network of UK statutory bodies and voluntary sector organizations working to prevent and combat human trafficking in relation to the 2012 London Olympic Games. Ms. Edman Bastos also has experience of anti-human trafficking work in the Arabic Gulf countries. She is the Treasurer and member of the Board of the non-governmental policy institute, Institute for Feminism & Human Rights.

Karin Werkman is a Dutch Feminist and researcher. She has expertise on a number of topics including about the effects of environmental degradation and climate change on the conditions of women and girls globally. Over the past many years, Ms. Werkman has focused her research attention on laws and policies regarding prostitution and trafficking in women, in particular in her country of origin, the Netherlands. Ms. Werkman regularly assists non-governmental organizations in EU countries with research on different current topics. She has experience in policy making, and as an appreciated speaker at different regional and national institutions. She is the Secretary and member of the Board of the non-governmental policy institute, Institute for Feminism & Human Rights.

Sarah Benson is the current Chief Executive Officer of Ruhama and has eighteen consecutive years-experience of direct engagement with An Garda Síochána as an NGO representative in the fields of: community development, youth intervention, domestic violence, prostitution and sex trafficking.

Sarah has extensive experience in training development and delivery for law enforcement, with 7 years training (2002-2010) of phase-three Gardaí on the issue of policing Domestic Violence; 8 years (2010-present) development and delivery of dedicated training programmes to Gardaí on the policing of prostitution and sex trafficking in

conjunction with Garda trainers - advocating a best practice partnership approach to victim identification, mutual referral and support.

Through work on policy development, Sarah has engaged in successful advocacy and lobbying of Garda representatives at all levels to encourage support for progressive victim centred legislation and for internal policies and procedures to reflect same, including engagement with Senior Gardaí in the development of a draft 'Guidelines for policing prostitution'.

Sarah represented Ruhama in project partnerships which included An Garda Síochána and also has an excellent understanding of policing approaches to prostitution and trafficking in different legislative contexts, and from a transnational perspective - having met and engaged with police representative from many countries including: Germany, Sweden, Norway, the United States and also from Europol and Interpol.

Introduction

This paper is a deliverable of the Disrupt Demand project which is designed to support efforts to prevent human trafficking for sexual exploitation by reducing demand, through researching successful strategies involving legal changes, and fostering cooperation among key stakeholders. Addressing and discouraging demand that fosters exploitation, especially of women and children, is recognised as an effective prevention strategy in all major international treaties dealing with human trafficking. The EU law (Directive 2011/36/EU Art 18[1] & [4]) and the current EU Strategy towards Eradication of Trafficking in Human Beings have a special focus on demand reduction. Given that trafficking for sexual exploitation represents the most prevalent form of trafficking in Europe (Eurostat 2014), this project focuses on the demand generated by users of sexual services, which is of particular importance in destination countries throughout the EU. The objective of the project is to reduce demand fuelling trafficking for sexual exploitation, as a way of prevention, by mapping and researching legal changes to that effect, sharing information on successful campaigning elements that achieved the legal change, and resulted in activities that fostered cooperation among key stakeholders. For this purposes, existing implementation strategies of new laws, and mechanisms for monitoring their effectiveness will be analysed with a view to identifying and promoting good transferrable practice among EU Member States.

As part of the project's implementation, a series of roundtables were held involving the project partners and experts. The purpose of these roundtables was generating knowledge and gathering and disseminating information in key areas, relevant to the focus of the project.

This paper is based in part on a roundtable held in Stockholm in March 2018 hosted by the National Rapporteur and the Institute for Feminism and Human Rights looking at Police-NGO cooperation in the area of demand for human trafficking for sexual exploitation. NGO representatives, prosecutors, specialized police officers from the Prostitution Unit of the Stockholm Police, human rights organizations and international project partners were present.

The paper presents two case studies from Ireland and Sweden, exhibiting different forms of cooperation between NGOs and Police in campaigns leading to legal change and during the implementation of laws targeting demand for human trafficking for sexual exploitation and in other related areas. Drawing from these examples, the paper further presents a number of recommendations.

Context

European Union Member States have the primary responsibility for the national implementation of obligations committed to under different international agreements with the objective to prevent and combat trafficking in human beings, and to protect and strengthen the human rights of women and girls.

However, in the global struggle against trafficking in human beings for sexual purposes, the collaboration between state agencies and experienced local, regional and international non-governmental organizations is indispensable to ensure acceptance and sustainability of laws, policies, strategies and actions. To establish a platform for dialogue and concrete cooperation with a wide variety of experienced human rights, and other civil society organizations should be a priority in all national action plans for the prevention and combat of trafficking in human beings.

Such collaboration is encouraged in several international and regional agreements. Article 9 of the Palermo Protocol underlines the importance of Government cooperation with community non-governmental organizations when establishing policies, programs and other measures to prevent trafficking in human beings for the purpose of discouraging the demand.

In particular, women's/feminist associations have an important role to play, not only as the primary organizers in local communities of diverse awareness-raising actions against trafficking in human beings for sexual purposes, but their advocacy is often key as initiators of law and policy reforms to discourage the demand.

Likewise, in order to ensure that women and girls do not fall victim of prostitution users, procurers and human traffickers, frontline victims support organizations and other relevant community organizations should be closely involved in the work to alleviate factors that make them "vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunity" (Article 9.4 of the Palermo Protocol).

The collaboration with front-line anti-violence women's organizations is crucial when establishing effective, and functioning mechanisms for the protection, support and reintegration of victims of trafficking in human beings for sexual purposes locally, nationally, and in the countries of origin, transit and destination.

Their involvement is particularly significant as supporters of victims, who have agreed to testify against the organizers of prostitution activities locally, against prostitution users, and as partners with local law enforcement agencies to ensure the protection against retaliation by members of organized crime networks.

Swedish Case Study

Anna Edman, Gunilla Ekberg and Karin Werkman

Collaboration between the Swedish National Rapporteur and community organizations

In 1997, Sweden was the first country in the European Union to appoint an independent National Rapporteur on Trafficking in Human Beings following a joint declaration, The Hague Declaration, of the European Union earlier in 1997. This Declaration recommends that all EU member states appoint National Rapporteurs, who are “to report to governments on the scale, the prevention, and combating of trafficking in women.”

The Swedish National Rapporteur investigates, monitors and analyzes the character, state and scale of prostitution and trafficking in human beings for all forms of exploitation to and within and from Sweden, and publishes annual reports with comprehensive recommendations. The nineteenth annual report for 2017 was released in October 2018 (Nationell rapportör 2018).

In 2018, the Swedish Government decided to amend the National Police Authority Regulation to include the Office of the National Rapporteur as a permanent function with placement at the Department of National Operations at the headquarters of the National Police Authority. The full independence of the function should be retained, and the annual reporting and recommendations requirements would remain the same. (Amendments to Förordning (2014:1102) med instruktion för Polismyndigheten, forthcoming)

Since the establishment of the Office of the Swedish National Rapporteur on Trafficking in Human Beings in 1997, the National Rapporteur collaborates closely with individual non-governmental organizations, such as the Institute for Feminism & Human Rights, and with the major women’s coalitions such as the Swedish Women’s Lobby, and the National Organization for Women’s Shelters and Young Women's Shelters.

The collaboration focuses on law and policy reform, different aspects of the prevention of prostitution and trafficking in human beings, the consistent enforcement of the offence that prohibits the purchase of a sexual service, other actions to ensure demand reduction, and on the provision of direct support and shelter to victims.

An early example of successful cooperation is a case involving the national Police Authority and the national child rights organization, ECPAT Sweden (ECPAT). ECPAT observed that the number of Swedish men travelling to countries such as the Philippines and Thailand, where they sexually exploited children, had increased dramatically over the past several years. ECPAT raised this issue with the National Police Commissioner, and proposed changes to the enforcement of the Swedish legislation that allows the prosecution of Swedish perpetrators of child sexual exploitation in other countries to be prosecuted in Sweden (.

This meeting resulted in the creation of a project within the Police Authority in 2009 with the purpose to explore the problem more in depth, and to initiate a number of police investigations. The results of the project were encouraging, leading to the project being

made permanent, and funding was secured to continue the work. Today, the work to investigate and prosecute perpetrators of child sexual exploitation is a core activity of the Department of National Operations, involving extensive collaboration not only with relevant community organizations, but also cross-border investigations involving police forces in the relevant countries.

Data collection

Article 19 of the 2011 EU Directive on preventing and combating trafficking in human beings and protecting its victims, which requires EU Member States to establish National Rapporteurs, also underlines the importance of “close cooperation with relevant civil society organizations active in the field” when gathering statistics and reporting.

Since 2013, the National Rapporteur on Trafficking in Human Beings collaborates with the Swedish Platform Civil Society against Human Trafficking on the collection of data in regard to victims of all forms of trafficking in human beings. The Platform, which was created in 2013, organizes some twenty community organizations that are in direct contact with victims of human trafficking, including human rights associations, frontline victim support providers, crime prevention associations, legal aid law firms and individual lawyers.

The Platform functions as a reference group for the collection of certain data on the scale and extent of prostitution and trafficking in human beings.

Together, the National Rapporteur and the members of the Platform have developed a data reporting tool and questionnaire that is distributed to the member organizations with the purpose to collect data to be used in the annual reports of the National Rapporteur. The reporting from the community organization concerns, in particular, the situation, background, circumstances and conditions of victims of prostitution and human trafficking, the forms for exploitation that they are subjected to by prostitution users, procurers, facilitators and traffickers, and potential contacts with law enforcement agencies.

The data also includes, to a lesser extent, certain details about the traffickers, trafficking routes and the sites of exploitation. This allows the National Rapporteur to develop a wider picture of the current on-the-ground situation of prostitution and trafficking in human beings in Sweden, that can inform effective law enforcement, but also the reporting requirements under international agreements on trafficking in human beings such as the Council of Europe Convention on Action Against Trafficking in Human Beings, and the CEDAW:

Equally important of this mutual exchange of knowledge and data, is the opportunity for community organizations to utilize the annual reports of the National Rapporteur in their advocacy work for law and policy reform directed to law makers. One example is the advocacy by Swedish community organizations in relation to the complexity involving the use of temporary residence permits that are available for victims of trafficking in Sweden, including about the consequences of the requirement for the victims to participate in the

prosecution of perpetrators as witnesses on their protection and safety in Sweden and in their home countries.

The National Rapporteur participates regularly in the meetings of the Platform to inform community organization about the concrete actions of the national and regional law enforcement agencies in cases of prostitution and trafficking in human beings within the limits of privacy laws. These meetings also focus on discussion about the viability, effectiveness and impact of the current legislation in the area, and ongoing discussions about additional law reforms measures. The presence of the Platform meetings by the National Rapporteur often leads to informal contacts with individual community organizations in concrete cases, but also allows community organizations to provide information and observations in relation to local challenges and trends.

Since her appointment in 1997, the National Rapporteur regularly participates in research, awareness raising and law reform projects coordinated by Swedish community organizations, both in Sweden and internationally. This collaboration includes working with Swedish organizations that make representations to international bodies such as the United Nations and the European Union about the Swedish approach for the prevention and combat of prostitution and trafficking in human beings – through joint lectures, and joint provisions of expert advice to international and national consultations on Swedish law and jurisprudence.

For this cooperation to be successful, it is important that the organizations have a gender equality focus. It is also necessary that the proposed actions are in line with the Swedish approach to gender equality, prostitution and human trafficking, as well as being in line with the official Swedish standpoint on sexual and reproductive rights, and the bodily integrity of women and girls.

A vital aspect of the engagement of the National Rapporteur on Trafficking in Human Beings with non-governmental organizations is the knowledge exchange with non-profit community organizations visiting Sweden for the purpose of learning more about the Swedish approach, and how to integrate a gender equality-perspective into the work to prevent and combat prostitution and trafficking in human beings.

Collaboration between regional law enforcement agencies and community organizations

In January 2015, the Swedish police went through a wide-reaching reorganization. The 21 regional police authorities, the National Police and the Security Police were amalgamated into one national Police Authority, and the country was divided into seven police regions, while the Department of National Operations was tasked to be the national focal point for the enforcement work to counteract trafficking in human beings.

The purpose of the reform was to create a clearer governance structure, higher quality of services, increased cost effectiveness, greater flexibility and improved results (Government Bill 2013-14/110).

In five of the seven police regions, specialized anti-trafficking law enforcement teams have been established, including the Stockholm Region Anti-Prostitution Team, and in six

of the regions action plans for the continuing actions to prevent and counteract trafficking in human beings have been developed.

Today, most of the work to counteract trafficking in human beings takes place at a regional or regional level, with actions against human trafficking being part of one of the four pillars – the fight against organized crime - of the national operative strategy of the Police Authority.

A primary objective of the reorganization of the Police Authority was to ensure that decision making is based on local conditions, and stronger involvement of the local communities and citizens in crime prevention and law enforcement. Since 2015, this new direction has also brought about increased cooperation between the regional police forces with community organizations that work on different aspects of prostitution and trafficking in human beings, such as shelters for women victims of violence, crime prevention groups and migrant associations among others.

There is a general agreement within the police forces that this cooperation has brought an improved understanding about the background and circumstances of victims, and how their situation informs their ability to e.g. testify in court against the perpetrators. Importantly, community groups often are in contact with victims that do not report the crimes that they have been subjected to the police due to the lack of trust, or to the risk of reprisals for testifying. Victim support service organization can also raise issues that inform and can strengthen law enforcement against the perpetrators of prostitution and trafficking in human beings – prostitution users, procurers and traffickers.

One example concerns information not known by local police, which was provided by community groups about the situation for victims of trafficking in human beings for sexual purposes from Albania. Recently, victim support groups encountered a smaller number of women from Albania, who were trafficked to Sweden for the purpose of forced marriages. When they arrived in Sweden, they were forced to engage in prostitution activities, usually through online escort service websites, or the recruitment of prostitution users through word of mouth.

These women are often too afraid, because of the high risk of retaliation from the perpetrators, to report the crimes they have been subjected to the police. They are also reluctant to return to Albania, where they risk becoming victims of honour related crimes, due to the “shame,” they have brought to their families – not only because they were exploited in prostitution, but also because they have broken up from their (often) violent marriages. Some of these victims have been assisted by community groups to apply for asylum in Sweden.

Another example of law enforcement – community cooperation is the potential for knowledge exchange, often resulting in concrete actions. Some years ago, the Salvation Army in the southern city of Helsingborg organized a conference about prostitution activities that took place in local hotels and youth hostels, with the National Rapporteur as an invited expert. The conference resulted in the creation of a local cooperation committee with members from local law enforcement agencies, social welfare agencies,

the Salvation Army as well as other community association, facilitating exchanges of operative information, and eventually leading to a decrease in active cases.

Through conferences and knowledge seminars, local and national law enforcement agencies and community organizations have the opportunity to exchange views on current law reform issues, and develop strategies about how the Swedish approach can be adapted to local conditions, and be applied at a local level.

The cooperation between law enforcement agencies and community organizations is also indispensable in the efforts to discourage the demand. Not only does the information that local police force can provide about the demographics of men, who purchase sexual services, inform the advocacy work of community organizations. The proactive enforcement of the offence that prohibits the purchase of a sexual service also facilitates the discovery of victims of prostitution and trafficking in human beings that, with the assistance of community organizations, can be provided necessary support and assistance. These victims can, in turn, provide key information about the organized crime networks– directly or through the intervention by community organizations to law enforcement agencies – that eventually can result in larger investigations and the prosecution of key offenders.

The Swedish approach has been in place for twenty years. The support for this comprehensive approach is strong among the Swedish non-profit community organization sector. The support for the Swedish approach by community organizations and the public is key to its sustainability, not only because these organizations actively promote the positive, concrete and normative effects of the approach, but also because they take part, jointly with state agencies and law enforcement, in developing its implementation.

Irish Case Study

Sarah Benson

This case study will focus on the collaboration and engagement between a frontline Irish NGO, Ruhama, which supports women affected by prostitution and sex trafficking and the Irish Police Force (An Garda Síochána).

The focus for this case study is any collaborative work between 2010 and the present date, May 2018, which can be said to have influenced efforts in Ireland to disrupt demand for the purchase of sex, as a mechanism to reduce the exploitation of prostitution and sex trafficking, including through the introduction of the Criminal Law (Sexual Offences) Act 2017, which criminalises the purchase of sex.

The Irish Sex Trade

While inevitably a challenging figure to establish with certainty, research estimates that there are approximately 1000 women, a significant minority of transwomen & very small numbers men involved in the indoor sex trade in Ireland. Numbers are far lower on-street with an estimate of about 200 nationwide, the majority being in Dublin and other large cities. The majority of those in on-street prostitution are Irish nationals, in contrast to the indoor trade where in excess of 90% are migrants. Ruhama has worked with women of over 60 different nationalities since it began its work. In 2016 the top 4 nationalities supported by Ruhama were: Irish, Nigerian, Brazilian and Romanian. The spread across continents and not just countries is indicative of the global nature of the Irish sex trade.

Off-street prostitution is generally highly mobile and organised through apartments, hotels, and massage parlours. The flexible organization of prostitution is facilitated through a combination of internet advertising & mobile phones for contact purposes. Women are mainly advertised online, particularly via dedicated 'escort' websites, which give the illusion of independence. Modern technology has facilitated this expansion through easier communication globally and locally, enabling all involved in the trade to operate with greater anonymity and invisibility. This increased ability to operate under cover greatly advantages the sex traffickers and controllers of the sex trade, allowing them to operate behind the scenes with near impunity. It also reduces the risk of exposure for men who buy sex. The bulk of prostitution in Ireland is connected with organised criminality. It is also an international trade with criminal gangs of numerous nationalities operating in the country. The women, particularly those controlled by pimps and traffickers, are often cut off from all contacts, outside of their buyers and pimps, making access to services very difficult. Moving women regularly has 3 purposes: it avoids the attention of the authorities, provides a constant stream of 'new girls' for the buyers and prevents the women from 'putting down roots' and seeking help.

In Ireland, as in all jurisdictions, there are systems of prostitution rather than disparate 'individual' actors. In addition to those who are selling or being sold for sex, there are procurers, traffickers, pimps, organised crime networks, landlords, advertisers, acting in

concert to provide a 'service' demanded by the customer driving the trade: the sex buyer. The trade in Ireland is worth at least €250,000,000 per year to these parties, where the majority of the money will not end up with those actually prostituted. There are therefore significant vested interests in play.

Legal & Policy Context

On Tuesday 14 February 2017, the Criminal (Sexual Offences) Act 2017 finished its passage through both houses of the Irish Parliament. The act is now on the Irish statute book and introduced into Irish law a provision whereby "a person who pays, gives, offers or promises to pay or give a person (including a prostitute) money or any other form of remuneration or consideration for the purpose of engaging in sexual activity with a prostitute shall be guilty of an offence".

In addition, the act shifts the burden of proof onto defendants being prosecuted for an additional offence of purchasing sex from a trafficking victim. Thus, it is now the sex buyer who must prove they were unaware of the status of the seller, as a trafficking victim. There is a separate Human Trafficking Act 2008 which deals with additional Human Trafficking offences

A final, critically important, component to the 2017 legislation was the removal of the offence for "soliciting or importuning for the purpose of prostitution" in a public place. This effectively decriminalised individuals selling sex in on street environments as well as indoors (while retaining the offence for sex buyers on-street). It had not, prior to the passage of the 2017 Act, been illegal to sell sex as an individual indoors, though the running of a brothel, organising prostitution and living on the earnings of prostitution (of another person) were and still remain criminal offences under the Criminal Justice, Sexual Offences Act 1993

The passing of the act can be attributed to the successful campaigning of the 70+ partners of the Turn off the Red Light campaign, of which the Immigrant Council of Ireland and Ruhama were two of the leading partners.

The policy framework underpinning the change of legislation was a shift to recognition by the Irish State of:

- the fundamental inequality, harm and danger of the system of prostitution
- the vulnerability of the vast majority of those in, or at risk of prostitution and sex trafficking
- the need to refocus criminal sanctions towards sex buyers and away from prostituted persons: to target demand as a measure to reduce the exploitation of prostitution and trafficking
- the benefit of a declarative statement to the effect that there is no human right to buy sex in Ireland, but there is a human right not to be bought

Particular attention will be given in this case study to the engagement Ruhama had with An Garda Síochána as a part of the advocacy by Civil Society in relation to both the policy and legal changes sought by the Turn Off the Red Light Campaign.

Ruhama and An Garda Síochána: degrees of engagement.

Ruhama has worked closely with the Gardaí, in the interests of women affected by prostitution and sex trafficking, since its foundation in 1989, but for the purpose of this case study the focus will be on the years leading specifically up to the abovementioned change in Ireland's prostitution laws.

While Ruhama supported and advocated for the model of legislation first enacted by Sweden in 1999, having learned about it and compared it to other legal models, between the years 2000 and 2008 Ruhama was focused heavily on advocacy to have human trafficking recognised as a crime in Ireland. The organisation was seeing increasing numbers of trafficking cases, and there was no recourse for victims through the Irish Criminal justice system. Human Trafficking legislation was finally enacted in 2008. Then, in 2009 research was published: commissioned by the Immigrant Council of Ireland and produced in collaboration with the dedicated sexual health service for women in prostitution the HSE Women's Health Service, and Ruhama. This research set the foundation for a campaign to amend the prostitution laws in recognition of the sex trade as the locus for the majority of sex trafficking.

This study therefore will focus on the period from 2010 to present an overview of the various ways in which a specialist NGO can collaborate with police in efforts to reduce the exploitation of prostitution and sex trafficking – including disruption of demand.

The following sections will examine:

- Overall communications between Ruhama to An Garda Síochána: between whom and why?
- Training development and delivery
- Operational partnerships
- Advocacy partnerships
- Policy Development, including with regard to legislative policy positions.

Communications between Ruhama & An Garda Síochána: with whom, and why?

Rather than begin with the 'who' part of the question above it is worth noting the very compelling reasons 'why' both Ruhama and An Garda Síochána might engage in reciprocal communications at a broad range of levels in both organisations. Both begin from a shared desire to establish mutually beneficial partnerships, but each has its own distinct motivations with regard to the 'benefits' that might accrue from such associations. The main benefits are summarised below.

For Ruhama (the Non-Governmental Organisation)

- Enhance victim support
- Increase sympathetic perspective towards those in prostitution on the part of police.
- Increase targeting of Pimps/Traffickers

- Gain support for Demand reduction focus – including legislation - in the policing of prostitution/sex trafficking.

An Garda Síochána (the Statutory Agency)

- Access to a referral point for victim support (especially in emergencies)
- Gain enhanced awareness of realities for those in prostitution/victims of sex trafficking to support investigations
- Partner on specific policing initiatives which would benefit from non-statutory input (e.g. Operation Kerb, Community Policing operation DMR)

It is very important to note from the outset that Ruhama took the view that - whether legislation ultimately changed or not –awareness of the sex trade and the attitude of police towards the circumstances of those in prostitution was critical to achieve positive outcomes for this highly vulnerable cohort who are often subject to a range of crimes including: robbery, assault, rape and sexual assault and of course human trafficking. Therefore the organisation pursued this approach to collaboration first as a frontline service provider and only secondly as an agency advocating for legal change in Ireland.

For their part, An Garda Síochána have in recent years been developing a markedly more open perspective when it comes to engaging with specialist NGOs and community groups. In the past there may have been a more ‘closed’ or defensive position taken, and a more acute sensitivity to perceived criticism from outside. Ruhama’s more intensive engagement coincided with a more progressive movement among some Gardaí at senior levels who had responsibility for policing prostitution to engage and even partner with NGOs as a means to improve their policing outcomes. This attitude and open -ness at a high level facilitated a broad range of innovative partnerships between Ruhama and the force in different way with different sections, whereby they were endorsed by senior Gardaí - a requirement in such a hierarchical organisation.

Different representatives of Ruhama connected with different sections of the force. For example: the CEO and Policy Manager engaged with senior management, including the Garda Commissioner to discuss policy and higher level policing matters whereas the Service manager would liaise with the Superintendents or Inspectors in the Garda National Protective Service Bureau, Garda National Immigration Bureau or the National Protective Services Bureau to discuss specific operations, implementation of policies and access to justice for individual victims reporting crimes. The Service Manager also provided the main point of contact for Gardaí outside regular office hours seeking support for victims. Caseworkers liaise with local Gardaí, including the “Quest Team” through mutual referrals of women and on ongoing cases they support women with. The Volunteer Manager, through co-ordination of Ruhama’s Street Outreach service, acted as a liaison with Gardaí in the Dublin Metropolitan Area should any issues emerge in relation to the policing of street prostitution, including facilitating women to report information to Gardaí in relation to dangerous predators targeting them. The CEO and Policy & Communications Manager also worked with the Management of the Dublin Metropolitan Area, the “Quest Team”, the National Bureau of Criminal Investigation and, latterly, the

National Protective Services Bureau specifically in relation to development and delivery of specialist training for Gardaí.

Training Development and Delivery

Prior to 2010 Ruhama already contributed a component of the Anti-Human Trafficking training programme which is delivered to An Garda Síochána twice annually. In 2011 the organisation additionally collaborated with key members of the National Bureau of Investigation (NBCI) and the Quest team to develop an innovative new training session which was approved for delivery by the Garda Commissioner. This training is a full day and is a collaborative and interactive session which includes trainers from Ruhama, and also from the Quest Team as well as an independent trainer who is an expert in interviewing techniques and was previously an Inspector in An Garda Síochána. This training is delivered 2-3 times annually.

The core objectives of the course are for participants to:

1. Consider the relationship of prostitution to society as a whole, in addition to the experiences of individual women.
2. Gain a deeper awareness of the reality of prostitution in Ireland today and the complex individual needs that women affected by prostitution may face.
3. Enshrine a human rights focus for Gardaí in respect of interactions with persons in prostitution.
4. Emphasise that targeting those in prostitution with arrest and criminalisation does not represent a meaning full medium/long term policing solution to tackling the issue.
5. Raise awareness of services available to women in prostitution/sex trafficked
6. Gain an insight into key considerations for the policing of organised prostitution.
7. Have the opportunity to explore best practice responses to policing prostitution.

The training has a particularly potent impact with the unique combination of NGO perspectives directly complimented by operational experienced members (and retired members) of the force itself. The messages delivered by the three trainers are mutually reinforcing and facilitate participants to achieve a greater level of empathy with the experiences of those who are in prostitution/victims of sex trafficking while also receiving a range of practical tips and guidance on how to police the sex trade. In addition, An Garda Síochána and Ruhama have invited participants from specialist teams from the Police Service of Northern Ireland (PSNI) and representatives from the Defence forces to participate alongside Gardaí and this has proved a successful dynamic, and networking opportunity for those taking part. This is of relevance given the open border between the Republic of Ireland and Northern Ireland whereby organised crime operate prostitution and trafficking operations fluidly between the two jurisdictions.

The course has been consistently evaluated extremely positively by participants. In 2017, following the passage of the Sexual Offences Act Ruhama developed a half-day session for the Dublin Metropolitan Area division which highlights the changes to the law including for street prostitution and this course was delivered three times in the autumn of 2017. Again it has been very positively evaluated and there is a request for Ruhama to deliver it again in 2018. Additionally, the PSNI contracted Ruhama in 2018 to adapt the training for the Northern Ireland jurisdiction and deliver a session to their Human Trafficking officers, with a second session planned during the year.

Operational Partnerships

This section highlights two partnership initiatives. Firstly an operation focusing on street prostitution between the Gardaí and support services, which directly embodies the policing approach advocated by Ruhama to reposition the policing lens on demand rather than those in prostitution. The second is a community policing initiative focused on indoor prostitution, which developed on foot of the success of the first operation.

A 2009 research into on-street prostitution in Dublin found that individuals in on-street prostitution “... have an increased risk of violence...the vast majority had been physically and/or sexually assaulted by a customer or had witnessed violence [and]...are also at risk of being mugged, of stranger assault...”

Ruhama offers a unique Street Outreach service through a specially adapted van which operates up to 4 nights each week in Dublin’s ‘Red Light Areas’. While street prostitution has reduced over the years there remains a significant number selling sex and the majority still experience complex issues with drugs and alcohol. They are often highly marginalised and isolated from other social supports.

The van provides a safe, welcoming space where women can have some of their very practical and immediate needs met, such as hot drinks, snacks, hats and gloves and sexual health and safety supplies. These practical services are offered alongside essential emotional support and onward referrals to Ruhama’s own and other specialist services.

Most of the women in street prostitution Ruhama encounters lead complex and in some cases chaotic lives. Women are typically facing a range of vulnerabilities and challenges including poor physical and mental health, family breakdown, domestic violence, poverty, debt and control/coercion by third parties.

Further highlighting the vulnerability of those in on street prostitution who have specific issues with drug and alcohol misuse, which the majority of this cohort do, “the literature suggests ... higher rates of HIV (Darrow, et al. 1991) and HCV infection (Harcourt, et al. 2001), [that they] are more likely to be homeless (Paone, et al. 1999), have poorer safety outcomes of the sex encounter (Barnard 1993a; Barnard 1993b; Minichiello, et al. 2001), have high levels of depressive health symptoms (Alegria, et al. 1994; Kidd and Krai 2002; Paone, et al. 1999), are at greater risk of violence (Hester and Westmarland 2004; May, et al. 1999; Sanders 2004), and have more contact with the criminal justice system (Hester and Westmarland 2004; Logan, et al. 1998).”

Operation Kerb

“Operation Kerb” was formulated and executed in 2010-2011 as collaboration between Ruhama and Unit D of the Bridewell Garda station in Dublin City Centre, which is situated in an area known for street prostitution. The Gardaí in this station, and the Chief Superintendent with responsibility for this area recognised the vulnerability of the women (and small numbers of men) selling sex on the streets. They acknowledged that fining a person desperate for money and criminalising them was not a useful approach for prevention either of the public order issues which street prostitution sometimes created, or of the overall exploitation and harm experienced by those on the streets. At this time also there were also a number of violent attackers targeting women in prostitution and this initiative was also aimed at building better trust between women and the police.

Operation Kerb worked with undercover female Gardaí on street and buyers were charged when they approached them to solicit the purchase of sex. In the meantime the Gardaí from the unit made contact with women and passed them information about Ruhama, the dedicated HSE sexual health services and a local drugs project which had a service specifically for women in prostitution. These three services also conducted street outreach and facilitated the women to share information with police, even where they did not wish to make formal statements about crimes committed against them – or to support them to report if they did.

The operation was very successful:

- Over 90 men were arrested fined over the life of the initiative which extended into 2012 – with a 0% recidivism rate
- The local community supported the initiative, having identified the buyers as the main concern (soliciting young women from the community for example) and recognising the vulnerability of the women in prostitution.
- Women’s confidence in police generally increased, and their mistrust decreased. The profile of one particularly violent sexual offender was developed by Gardaí with the assistance of information from the victims and other women on the street and an arrest was made.

In general between 2010 and the present Ruhama has not identified as a major concern the criminal targeting of those selling sex in on street prostitution, which is very welcome. The change in law now has further emphasised the need for a genuinely compassionate approach on the part of police which was still lacking with some officers, and so improved relations continue to be fostered. Women met through Ruhama’s street outreach, for their part, indicated that they were still reticent about reporting crimes against them with a potential criminal charge hanging over them, even if it appeared unlikely that Gardaí would do so they could not be sure. They are very positive about the fact that this criminal charge has been removed. They say they would now be more likely to report a crime against them to police.

Community Policing Dublin North Central

Following the success of “Operation Kerb”, and taking findings from a community policing project in 2014, the Chief Superintendent for the Dublin Metropolitan Region (DMR) North Central (which includes the Bridewell station), in conjunction with representatives of the Quest Team and the National Bureau of Criminal Investigation, invited Ruhama and the HSE Women’s Health Service to partner in a new outreach initiative.

The afore-mentioned community policing project was a pilot that had been conducted with local Gardaí engaging with the community right across the DMR North Central to seek their concerns. They were surprised to discover that indoor prostitution in the North Inner City was coming up as a significant worry for residents. Recognising the non-punishment principle underpinning Operation Kerb, which was supported by the indoor policing approach of the Quest team who did not target those in prostitution for criminal sanction, the Chief Superintendent wished to try and engage with those in the indoor sex trade more empathically.

A ‘welfare check’ initiative was developed through consultation meetings and training provided by Ruhama to the management team of the DMR North Central. This was actively rolled out from 2014 whereby: community police called to known brothels but in a capacity to introduce themselves, share their contact information and also share a specially designed multilingual form which gave information about the free confidential services of Ruhama and the HSE WHS. Gardaí could take contact details of women with their informed consent and share with the services who could then make contact to offer their services.

This initiative has worked very well overall but a few limitations should be noted:

- Numbers of welfare visits are low comparative to the numbers in indoor prostitution in Dublin City Centre, with limited Garda hours dedicated to it.
- A request to roll out the referral form to other divisions (especially the DMR South Central) has met with positive responses in principle within An Garda Síochána but has been slow to actually happen.
- There is a concern that there are intelligence sharing gaps between community Gardaí conducting the welfare visits, and those tasked with organised prostitution whereby the vast majority of those in indoor prostitution will have some third party controller and be effectively part of organised prostitution groups in many cases.
- Over time Ruhama recognised the need for a resource for women who did not wish to share their contact information with police, and in 2016 they produced cards with free text information to allow them make contact with services if and when they wished.

Advocacy Partnerships

The REACH Project 2014-2015

REACH was the first ‘all island of Ireland’ initiative of its kind and was based on the work and expertise of a unique multi-agency partnership, which included:

- Republic of Ireland: the Anti-Human Trafficking Unit at the Department of Justice and Equality;
- Ruhama, the HSE, the Child and Family Agency, An Gardaí and Cosc;
- Northern Ireland: the Department of Justice, Northern Ireland Women's Aid and the Police Service of Northern Ireland (PSNI).

The purpose of the project was to contribute to efforts to combat the trafficking of women and girls through the following means:

1. increasing access among hard to reach victims/potential victims of human trafficking, especially women and girls to supports available to them and to equip such persons with sufficient information to allow them to assert their rights guaranteed under national and EU law;
2. encouraging zero tolerance of this form of violence against women and girls by raising awareness of the harms caused by the demand for sexual services amongst potential buyers of sex;
3. raising greater awareness of the indicators of human trafficking among professions likely to encounter victims/potential victims of human trafficking and setting out the appropriate course of action to be taken should they encounter a victim of human trafficking.

A range of products were developed to achieve the three complimentary objectives of the project. Examples of the 'products' of the campaign are set out below in figures 2, 3 & 4 below and can be viewed on www.wedontbuyit.eu and www.reachproject.ie There was involvement of women who had experienced prostitution and sex trafficking in the development of the Women & Girls campaign.

One of the work strands for the REACH Project was directly framed as a demand reduction action and resulted in the very successful "We Don't Buy It" campaign. This campaign focused on the vast majority of men who never buy sex to engage men the positive message of men as advocates to combat the exploitation of prostitution and sex trafficking. The campaign called on men to engage in conversations with their peers and boys in their lives. While the campaign ran for a short period it had a higher than usual public impact in terms of awareness.

In developing the training programme with accompanying mobile App and booklet, which featured the Gardaí as one of the key groups for people to call if they suspected someone they were engaging with was trafficked, an interesting conclusion from the evaluation was how Gardaí themselves reported the booklet and App as useful resources for them. They indicated that it was of assistance in advising how to engage with a potential victim and also to have contacts for other potential support agencies.

Since this project formally concluded at the end of 2015, Ruhama created small 'REACH' contact cards based on the "Women and Girls campaign" which the organisation gives to Gardaí to distribute if they are interacting with women in prostitution.

Now, following the passage of the Sexual Offences Act 2017 both An Garda Síochána and Ruhama have separately advocated to the Department of Justice and Equality for the adaption and reactivation of the REACH campaign as a resource, which can be a tool for awareness-raising about the legal changes among the public and those in prostitution alike.

Policy Development

Achieving support for the Equality Model of legislation within An Garda Síochána.

During the process of drafting of the Sexual Offences Act the views of the Gardaí were sought by the Department of Justice and Equality as the body which would be tasked with its implementation. Two key components were required to ensure the final law reflected the 'Nordic model' or 'Equality model' of prostitution legislation:

1. The criminalization of the purchase of sex
2. The decriminalization of individuals selling sex.

As it was already not illegal for individuals to sell sex indoors, the second component required the decriminalization of anyone selling (or soliciting or importuning to sell) sex in a public place. While there was general support for criminalizing the sex buyer within the Gardaí, there was initially some resistance to the proposition of decriminalizing those in prostitution within the force. Achieving endorsement from An Garda Síochána for this provision required a number of important interactions which are summarized below.

By building up positive relationships with key stakeholders within An Garda Síochána over a lengthy period, a mutual respect and ability to have frank, honest and constructive discussions was established. Ruhama demonstrated their practical value to the Gardaí, while retaining a key role of "critical friend" – articulated in the spirit of agreed shared objectives to reduce harm of prostitution/sex trafficking in Ireland. Importantly, Ruhama also listened to and responded to the specific concerns expressed from a policing perspective and then provided evidence and logical arguments to dispel fears about decriminalizing those in prostitution, rather than simply making a values based argument for support of the legislative change.

Key to the success of the final advocacy on the legislation was the work done prior to this, whereby the Garda Commissioner Noírin O'Sullivan established the new National Protective Service Bureau in 2015 and placed the remit for both Human Trafficking and organized prostitution within the new Bureau's remit. It has initially been mooted that trafficking alone would be included, but the clear articulation by Ruhama and others of the inherent harm of the overall sex trade, in addition to the evidence that sex trafficking occurred almost wholly in the context of Organised Prostitution, had the positive impact of ensuring that these two interrelated issues came under the ambit of a new section of the Gardaí, one which also holds responsibility for victim support. The positioning of prostitution in conjunction with victim support is also very important to support a message of sympathy by police towards those who are prostituted.

Ensuring the voice of survivor advocates was heard was critical to this process. The voices and experience of survivors of prostitution and trafficking was fundamental to the success of the overall Turn Off the Red Light Campaign, particularly through the work of Mia De Faoite and Rachel Moran of SPACE International, and advocacy with the Gardaí was no exception. Women's experiences are presented in the Ruhama training and during the campaign years Gardaí were invited to seminars and launches (including the "We Don't Buy It" launch) where survivors presented their direct experience and arguments in favour of the "Equality Model". During the advocacy process as the bill was drafted Ruhama met alongside survivors with senior Gardaí to advocate the need to remove the offence for those in on-street prostitution, and which they ultimately supported.

Case Study Summary and Conclusions

The case of Ruhama and An Garda Síochána can be said to form a positive example of the European Foundation for Quality Management (EFQM) Business Excellence Model in action. While this model commonly relates to individual organisations, it can also be applicable for two organisations collaborating with shared or complimentary objectives, as is the case here. The key to success is due to the fact that both organisations respectively:

- took leadership of the interaction - and also had their leaders engage actively in this interaction,
- agreed strategies for engagement on explicitly stated objectives,
- engaged their people at all levels required,
- engaged in partnerships and shared resources, in order to achieve positive social results.

With regard to NGO and Police co-operation to disrupt demand, this case study demonstrates that some great progress has been possible in Ireland, but it would be unrealistic not to recognise that there is still plenty of work to do. Below is a selection of key areas where work needs to continue.

The force comprises approximately 14,000 non civilian personnel and it is a challenge to achieve consistent attitudes and actions by such a large number on one particular area of law enforcement. There are plenty more Gardaí to train and engage with in order to influence wholesale positive policing practice and also to raise awareness among members of the force of the free services that are available to people in prostitution and victims of trafficking.

Attitudes and practices do not change overnight and police everywhere have many other competing interests so there is a continuing need to remain active in keeping this issue on the agenda at all levels of the force, and maintaining open dialogue between senior representatives of the NGO and the force.

Ruhama has engaged with members of the National Protective Services Bureau to support development of a practical "Guidelines for the policing of prostitution", which is in development within An Garda Síochána. Ideally such Guidelines will be adopted and

made distributed to all members to 'bed-in' a victim centred approach to individuals in prostitution, even among those who have not been trained.

Ruhama for its part does not have a dedicated training unit but relies on key staff, who have responsibilities additional to delivering training, so resources are a challenge for them. Feedback from the current training module evaluations indicates that there is a willingness by participants to take a fully victim centred approach, and to target demand rather than those in prostitution, however; it is those of Inspector rank and higher who dictate operational directions and therefore also need to be trained. Ruhama is currently examining, with support in principle from senior Gardaí, means to acquire resources to develop a training webinar for senior and specialist officers, as a mechanism to share the key principles and practices set out in the live training module with higher and more influential ranks.

Ruhama are committed also, to continuing to raise concerns if practice is not good within An Garda Síochána – taking the role of a “critical friend”.

Gardaí, themselves also need resources and leadership to generate positive outcomes in this area and there is a welcome rolling out of divisional Protective Services Bureau these Bureau must have the necessary levels of personnel with the required diversity of expertise to be effective. This includes technical capabilities to deal with online activities and the transnational nature of organised prostitution and sex trafficking as it manifests in Ireland, and potentially adopting new technologies to disrupt demand also.

In final conclusion, and most relevant to this examination of demand reduction, both Ruhama and An Garda Síochána are engaging together and also bilaterally with the Department of Justice and Equality and other key stakeholders in relation to the effective implementation and assessment of the new legislation which criminalises the purchase of sex, and which will be reviewed 3 years from commencement in 2020.

Working Paper Recommendations

Gender equality perspective

- All actions and initiatives to prevent the trafficking in human beings, especially women and children, have a gender equality and gender sensitive perspective, while taking into full consideration the diverse backgrounds, circumstances and needs of, and experiences and conditions that the victims live under when developing and implementation interventions.

Political priority

- Comprehensive and multidisciplinary actions for the prevention and combat of trafficking in human beings, especially women and children for sexual exploitation, should be undertaken as a political priority by all EU Member States.

Cooperation with NGOs

- All EU Member States should ensure that all their actions to prevent and combat prostitution and trafficking in human beings for sexual purposes are taken in consultation and cooperation with experienced non-governmental community organizations in line with article 9 and 10 of the United Nations Palermo Protocol and the EU Directive 2011/36.

Long-term strategies

- Member States should develop integrated and coordinated prevention strategies in consultation with experienced community organizations to address the demand for victims of trafficking for sexual exploitation. The introduction of laws relating to the elimination of the demand, prostitution-related activities and trafficking in human beings should be accompanied by a comprehensive range of measures, which include victim-focused enforcement policies, trauma-integrated protection and support for all victims of sexual exploitation, and comprehensive monitoring and evaluation initiatives.

Discouraging the demand

- Article 9.5 of the United Nations Palermo Protocol requires Member States to take comprehensive measures to discourage the demand. Article 18 of the EU 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, including to “establish as a criminal offence that criminalizes the use of services which are the objects of exploitation as referred to in Article 2, with the knowledge that the person is a victim of an offence referred to in Article 2,” provides a minimum standard for national implementation in EU member states.
- EU Member States should take into notice that the enforcement of an offence that criminalizes the purchase of a sexual act/service solely when there is evidence

that the perpetrator has knowledge that the person is a victim of trafficking in human beings or of procuring, has proven ineffective.

- In order to fully address the root cause of prostitution and trafficking in human beings for sexual purposes and exploitation; the male demand that fosters all forms of exploitation fosters all forms of exploitation of persons, especially women and children, that leads to trafficking, Member States should adopt a comprehensive criminal offence that fully criminalizes the purchase of a sexual service, accompanied by national policies and strategies that ensure full accountability of the perpetrators (Article 9.5 of the Palermo Protocol). Sentencing patterns should be monitored closely to ensure consistency and that the sentence is commensurate with the seriousness of the offence.
- Decriminalization of those, who are exploited in prostitution, including victims of human trafficking, should be an integral part of any legislative framework.

Adequate funding

- Specialist, dedicated law enforcement teams should be appointed and fully resourced, with investigations into the trafficking in human beings for sexual purposes, the purchase of sexual acts, organized criminality and national prostitution activities to be prioritized. Training for police should be done in cooperation with specialist women's organizations to ensure a consistent gender-specific, victim-centred, trauma-centred and human rights approach. Police and technical experts should also be resourced to investigate, track and prosecute the use of communications technology by organisers of prostitution.

Monitoring

- Member States should commit resources to research in order to provide reliable evidence in relation the effects, consequences and impacts of the legal and policy framework put into place to address prostitution and trafficking in human beings. Areas should include: mapping and analyzing the scale and extent of prostitution and trafficking for sexual exploitation, investigation in to the type and the number of prostitution-related activities and number of involved individuals online; research on the harmful consequences of prostitution for the health and well-being of girls and women and the ongoing needs and barriers for women in relation to exiting
- Independent National Rapporteurs should be appointed by each Member State. The Rapporteur should have the authority and resources to monitor and evaluate the situation related to trafficking in human beings for sexual purposes and prostitution in the Member States including through access to non-identifiable data from statutory agencies and community organizations.