

Reference: The Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill

Dear Justice Committee members,

I am writing to show my support for Lord Morrow's Human Trafficking and Exploitation Bill.

As well as showing general support for the entire bill I would like to draw particular attention to a few of the clauses, such as '**Clause 6: Paying for sexual services**'.

Although it is currently illegal in Northern Ireland to buy sex from someone if they are coerced, the offence has been very difficult to prove and has not worked in practice. There have been no convictions or even prosecutions to date. Criminalising paying for sex would simplify the current offence and make it workable so that a clear message can be sent to traffickers, especially as the majority of trafficking in Northern Ireland is connected with the sex industry.

This clause will help to reduce demand for paid sex and therefore reduce the incentive for traffickers to traffic vulnerable men, women and children into Northern Ireland to work in prostitution. It introduces a much more effective approach to tackling demand than the current offence under the Policing and Crime Act 2009, which requires proof of coercion within a tight timeframe.

The offence outlined in Clause 6 has already been proven to work well in other countries such as Sweden and Norway. Although there are concerns that criminalising the purchase of sexual services would drive prostitution underground, the evidence from Sweden indicates otherwise.. Kajsa Wahlberg, Swedish National Rapporteur on Human Trafficking has said,

"In Sweden there is relatively little prostitution. The perception that this is because prostitution has gone underground is not true. Prostitution cannot go underground because the buyers need to be able to find the women. Prior to the law prohibiting the purchase of sexual services the pimps could easily send the women out looking for buyers. Nowadays they have to advertise and make arrangements, which means that the risk of getting caught increases."

'Clause 12: Child Trafficking Guardian'

Child victims of human trafficking are particularly vulnerable to re-trafficking. When identified and located these children have to deal with many different agencies such as immigration officials, police officers, solicitors, and social workers. All this can be very daunting for them. Clause 12 requires a child trafficking guardian to be appointed as soon as a child is identified as a possible trafficking victim. Having a child trafficking guardian would ensure effective support could be given to these children. The child trafficking guardian would be a constant adult who would be able to both accompany and speak on behalf of the child throughout these interactions. Being a constant adult in the child's life would also provide the child with someone they could trust, an important need in the light of how adults have treated them previously.

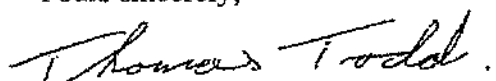
The 2013 "Still at Risk" report recommended that trafficked children should have a "trusted adult" who would help them navigate the different processes and agencies they will encounter and ensure that the child's voice is heard.

In Northern Ireland between January 2009 and September 2012 eight children regarded as victims of trafficking were taken into local authority care. Six of these children were allocated a *guardian ad litem*, a role that is restricted narrowly to the courts and has a much more limited brief than a child trafficking guardian. Three went missing. While a child guardian may not have necessarily prevented them absconding it certainly would have provided an extra level of support and security.

The provision of a child trafficking guardian is internationally recognised best practice for preventing the loss of rescued trafficked children. The provision of child trafficking guardians was recommended by GRETA in 2012, and the US State Department in June 2013. UNICEF has recommended and defined the role, which provides the model for Clause 12.

Although I am in support of the entirety of Lord Morrow's Bill, I particularly feel that the four clauses which I have highlighted are essential if Northern Ireland is to fully and adequately implement the relevant EU Directive, and where they go beyond that Directive, namely the criminalisation of paying for sex, they are necessary if we are to properly and adequately abide by the spirit of that Directive.

Yours sincerely,



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