




MASTER ENFORCEMENT TRAINING PROGRAM

Enforcing Labor and Criminal Law to Address Child Labor, Forced Labor, and Human Trafficking

REFERRAL



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Introduction to Module 3

Module 3 of the Enforcement Training Program focuses on referrals. This Module contains information relevant for groups that make or receive referrals for victim and survivor services or that are part of the criminal justice process, including first responders, service providers (including non-governmental organizations and civil society organizations), law enforcement, labor inspectors, and prosecutors. Referrals play an important role during child labor, forced labor, and human trafficking cases in helping cases move forward and progress through identification, investigation, and prosecution and ensuring that victims and survivors receive needed services. The Module begins by discussing victim and survivor services and victim and survivor needs, which is followed by a lesson on trauma-informed care, which is critical for those who work with victims/survivors to use in their work in the provision of services or as part of the trial process. The Module explains the role and structure of referral mechanisms, including National Referral Mechanisms, which can help streamline the referral process. The module also describes the roles and responsibilities of the agencies, offices, and organizations that work on child labor, forced labor, and human trafficking cases, including those that provide victim and survivor services. The Module introduces mandatory reporting and the benefits and challenges it brings. The Module has nine interactive exercises, including discussions, energizers, and group activities.



Photo Credit: JJ, 2008, Uganda

Lesson 3.1: Survivor Services

Objectives:

- Understand the impact of child labor, forced labor, and human trafficking on individuals and survivors' need for assistance once rescued and identified as survivors.
- Learn to identify the appropriate services necessary to meet those needs and how those services should be provided to assist the survivors most effectively.
- Understand the specific needs and services needed by adult survivors as well as child survivors.

Time:

 2 hours and 55 minutes

Steps:

- Exercise 3.1.1: Survivor Services Case Study Energizer
 - 35 minutes
- Present PowerPoint Presentation 3.1: Survivor Services
 - 1 hour
- Exercise 3.1.2: Determining the Needs of Survivors
 - 1 hour and 20 minutes

Supplies:

- Flip chart
- Markers
- PowerPoint Presentation 3.1: *Survivor Services*
- Projector
- Note cards
- Pens/pencils
- Copies of Enforcement Training Program Case Study
- Copies of Handout 3.1.2: *Case Study on Survivor Needs*

When providing assistance and protection to child labor, forced labor, and human trafficking victims and survivors, law enforcement officers and service providers must be careful to respect the victims' and survivors' fundamental human rights. Individuals should always be treated with dignity and respect for their humanity. Although survivors may have been involved in illegal or criminal activities while subject to trafficking, they should not be treated as criminals. For child survivors, special care should be taken to ensure that the best interests of the child are considered and realized. When using a survivor-centered approach, the assistance should be based on the best interest of the survivor, and the survivor should make decisions regarding the services he or she receives rather than having a third party initiate the services without the consent of or input from the survivor. Officers, agencies, and organizations should use this principle as a guide when assisting survivors.

Survivors of child labor, forced labor, and human trafficking have complex, multifaceted needs that likely cannot be met by one organization. Additionally, the law enforcement agency that identifies the victim/survivor may not have the ability

to provide the comprehensive services needed. Therefore, law enforcement agencies need to build relationships with organizations they can refer survivors to, such as non-governmental organizations (NGOs), civil society organizations (CSOs), and local service providers.

Collaboration is needed between multiple agencies and types of services that address different aspects of survivor needs, such as physical health, mental and emotional health, legal, shelter, educational, and basic needs to ensure the survivor receives services for all aspects of life so they can recover. Creating a successful coordinated response team for survivors will require collaboration between organizations, health care providers, criminal justice officials, housing and food assistance programs, lawyers, community social workers, and possibly immigration experts.

Survivor Needs

Many child labor, forced labor, and human trafficking survivors have faced violence and threats from traffickers and exploiters. Every situation is different, so it is important to communicate with each survivor to understand their situation and needs to provide them with safety and assistance in the most appropriate way. Survivors of child labor, forced labor, and human trafficking may need protection from harm or threats as well as access to services and assistance that will help them regain their safety and security. To avoid punishment, perpetrators often try to intimidate or threaten the survivors to stay quiet. For this reason, when working with organizations providing survivor services, the identities of survivors and their information must be kept confidential.

Survivors need to know all their options and information about their situation to make an informed decision about their safety and their future. Therefore, individuals must give their full and informed consent before being provided with any assistance, and information should be conveyed in a language the individual understands.¹ Not all survivors have experienced the same conditions or have the same needs; therefore, special care should be taken to ensure each individual is assisted based on individual needs, to the extent possible. After an individual is identified as a child labor, forced labor, or human trafficking victim or survivor, law enforcement officers and inspectors should immediately assess the victim/survivor's most urgent needs.

For survivors to recover fully, start new lives, and even assist in the investigation and prosecution process of suspected offenders, they must gain a sense of security and safety. The survivor should be an active part of creating a plan for his or her recovery and safety. Building trust with survivors, so they feel comfortable sharing their needs with law enforcement officers and labor inspectors, is crucial to effectively helping them find and receive the support they need to recover.²

Victims and survivors require support in many areas of life, including physical, psychological, and social assistance, and they have the right to support in these areas of recovery. Under the Palermo Protocol,³ when providing victims and survivors with recovery services and assistance, a trafficking survivor's age, gender, and special needs, including appropriate housing, education, and care, must be considered. This standard should be applied to child labor and forced labor survivors. **The following should be provided:**

- Safe and appropriate housing that meets the needs of the survivor
- Legal counseling and clear information regarding the legal process, provided in a language the survivor understands
- Medical and psychological care
- Material assistance
- Employment, educational, and training opportunities

1 *Handbook on Initial Victim Identification and Assistance*, The Hong Kong SAR Civil Society Anti-Trafficking Task Force, 2018. <http://www.respect.international/handbook-on-initial-victim-identification-and-assistance-for-trafficked-persons/>

2 *The Crime of Human Trafficking: A Law Enforcement Guide to Identification and Investigation*, The International Association of Chiefs of Police, 2007. <https://www.theiacp.org/resources/document/the-crime-of-human-trafficking-a-law-enforcement-guide-to-identification-and>

3 *Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime, 2000*. (Entered into force 25 December 2003) Article 6. [hereinafter *Palermo Protocol on Trafficking in Persons*] <https://www.ohchr.org/en/professionalinterest/pages/protocoltraffickinginpersons.aspx>

A survivor's needs and the support he or she requires will differ depending on whether or not the survivor intends to testify as a witness and assist in the prosecution process. Law enforcement agencies should not force a survivor to testify, as the survivor may have legitimate reasons for wishing to remain out of the legal process. For example, survivors may be reluctant to testify because of traumatization, fear of authorities, fear of retaliation from traffickers or exploiters, or fear of mental and emotional stress.

Reflection period: It is important to recognize that survivors of child labor, forced labor, and human trafficking have faced extended periods of trauma and stress, and their understanding of how the world operates is influenced by the people who trafficked or exploited them. When the victim/survivor's only information comes from a person engaged in criminal activity, it is likely that the victim/survivor has been warned not to trust law enforcement and told that if he or she goes to the authorities, he or she will be deported because they lack proper immigration papers or identification; this is particularly relevant for victims/survivors who were trafficked internationally or subjected to forced labor internationally. Therefore, once rescued, survivors will need, and should be granted, a reflection period, or a period of time to process their situation and decide whether they want to cooperate with law enforcement and criminal justice officials as a witness or to provide information.

During the reflection period, it is crucial that victims and survivors are properly informed of their rights and have correct information about the criminal justice process and the role of law enforcement officers. Even if the reflection period corresponds with the time when law enforcement is collecting evidence and could use the victim/survivor's assistance in the investigation and prosecution preparations, the reflection period should be respected. The victim/survivor should not be pressured to assist in any way; this may mean that the evidence will have to exclude the victim/survivor until he or she agrees to participate.⁴

The reflection period ensures that survivors have time to reflect on their needs and have access to secure housing, psychological counseling, medical and social services, and legal consultation. The reflection period gives survivors time to make an informed decision about whether they will assist in the prosecution process and confidence in their decision. When survivors have access to the appropriate services and assistance from the initial stages of their recovery process, they are more likely to trust the government and are often more willing to cooperate with law enforcement and criminal justice officials during investigation and prosecution. The recommended time period for the initial reflection period is thirty days.

Gender and survivor needs: It is important to consider gender-specific concerns when addressing survivor needs. There are many common misunderstandings about child labor, forced labor, and human trafficking linked to gender. The assumption that trafficking only affects women is false, as men and boys are also trafficked. Trafficking does not only include sex trafficking; this is a common misconception and leads to the assumption that trafficking survivors are predominately women and that women are only trafficked for sexual exploitation. Therefore, a comprehensive approach to survivor services for survivors of child labor, forced labor, and human trafficking must take into account the experiences of men and boys.

When assisting survivors of child labor, forced labor, and human trafficking, service providers should be sensitive to the needs of different genders in all forms of trafficking and exploitation; gender-sensitive services should be included for both men and women. Women and girls may have different needs due to increased vulnerabilities. **When considering the differing needs of male and female survivors, service providers should be mindful of the following:**⁵

- Men are frequently trafficked and subjected to forced labor in plain sight. Male victims/survivors are often overlooked because they are forced into labor in public, visible locations, such as construction sites or fishing boats, which makes the work appear normal, even though it is illegal. Victims and survivors of this type of forced labor may experience extensive periods of victimization before being rescued, resulting in mental and emotional strain and feelings of hopelessness that may require psychological attention during recovery.

4 *Anti-Trafficking Training Material for Judges and Prosecutors Handbook*, International Centre for Migration Policy Development, 2006. http://lastradainternational.org/lisidocs/540%20AGIS_JUD_Handbook.pdf

5 *The Gender Dimensions of Human Trafficking*, The Inter-Agency Coordination Group against Trafficking in Persons, 2017. <https://icat.network/sites/default/files/publications/documents/ICAT-IB-04-V.1.pdf>

- Many men are trafficked in fisheries, mines, forests, and construction sites, all of which are dangerous and expose victims to harsh environmental conditions, hazardous machinery, and long hours of work without breaks. These conditions could cause severe health conditions and injuries, for which victims and survivors will need medical services to help them recover.
- Men may experience heightened feelings of shame for being survivors of human trafficking, making them less likely to utilize therapy and psychological counseling; men need survivor support and access and encouragement to use these services.
- Female victims of sex trafficking can face female health issues, such as unsafe abortions, injury to their reproductive system, and exposure to sexually transmitted diseases. As a result, they will need appropriate, specialized healthcare services to address their needs and concerns.
- Many women are hesitant to report cases because they fear what their traffickers could do to them if they are found, especially if they are weak and unable to physically protect themselves. Therefore, female victims/survivors will need immediate protection, secure shelter accommodations, and safety protection during the legal process if they choose to participate as witnesses.
- Women may also have been afraid to seek services and help because of social and cultural reasons, such as fear of shame from their family members or stigmatization from their communities for working in the sex industry. Therefore, female survivors may wish to hide their identity if they do report their situation. Male survivors of sex trafficking may fear the same stigma and also have concerns about their privacy as well.
- When women are exploited in forms other than sexual exploitation, such as forced labor, begging, and domestic servitude, their traffickers and exploiters often use sexual violence to coerce and control the women into working. Therefore, all female survivors should be given access to specialized healthcare support for female health issues and psychological support for sexual trauma.



Photo Credit: Fairphone, 2014, Rwanda

Types of Services

After being identified as a victim/survivor of child labor, forced labor, or human trafficking, the individual should be given access to appropriate services to assist in their recovery. The first step may simply be to remove the survivor from his or her environment and place him or her in a safe and secure space until access to additional services are available. At that time, the survivor may need to be referred to appropriate services such as medical assistance, psychological assistance, shelter, education, vocational training, legal assistance, and reintegration services.^{6,7}

Medical: Survivors of child labor, forced labor, and human trafficking should have access to primary healthcare. While it may seem logical for survivors to receive a physical examination to assess their health needs, survivors should never be required to accept medical care. Additionally, survivors should never be forced into disease testing, including sexually transmitted diseases, such as HIV/AIDS.

After a survivor of child labor, forced labor, or human trafficking is identified and rescued, law enforcement officers' most immediate concern should be to address the survivor's medical needs. Survivors may be malnourished, exposed to disease, or have physical injuries. Trafficking survivors may also have sexual health issues that they are unaware of, but that need to be addressed. As always, confidentiality should be respected, but it is especially important when addressing sexual health issues to which the survivor may be sensitive and less comfortable discussing. All medical assistance should be provided in a manner the survivor is comfortable with and that is sensitive to cultural practices.

Psychological: Survivors of child labor, forced labor, and human trafficking face psychological challenges due to the trauma faced at the hands of traffickers and exploiters. **The most common psychological reactions include:**

- Fear of being alone or being found by trafficker or offender while alone
- Fear for their families' safety and worry that their family may be punished
- Fear of being deported because of illegal immigration status
- Anxiety about being considered criminals
- Anger about how their lives have progressed
- Lack of trust and fear of forming new relationships
- Feelings of helplessness

Post-traumatic stress disorder is common among survivors of child labor, forced labor, and human trafficking due to the cruel nature of their experience and the violent and coercive way traffickers and exploiters may have treated them.

Survivors will likely need both immediate and long-term psychological counseling to recover fully and successfully and ensure that their psychological needs are addressed. For child survivors, psychological care should come from professionals who specialize in childcare and child trauma. Psychological assistance and counseling services should focus on addressing the unique mental and emotional challenges survivors face. Counselors and professionals must understand the survivors' experiences and accompanying stressors and fears and be prepared to assist the survivors through a potentially long road to recovery. At the most fundamental level, psychological assistance should provide the survivor with someone with whom they can build a trusting and caring relationship and work through mental and emotional challenges.

6 *Handbook on Initial Victim Identification and Assistance*, The Hong Kong SAR Civil Society Anti-Trafficking Task Force, 2018. <http://www.respect.international/handbook-on-initial-victim-identification-and-assistance-for-trafficked-persons/>

7 *Trafficking in Persons Victim Identification and Assistance*, International Organization for Migration (IOM), 2020. <https://publications.iom.int/books/trafficking-persons-victim-identification-and-assistance-training-guide>

The following are basic goals of effective victim/survivor counseling:

- Restoring the victim/survivor's sense of safety.
- Restoring the victim/survivor's sense of control over his or her life and decisions.
- Restoring the victim/survivor's interpersonal connections and encouraging attachment to others.
- Restoring the victim/survivor's sense of confidence, self-respect, purpose, and dignity.

Shelters: Government agencies should work with NGOs, social workers, and CSOs to provide shelter for survivors. Shelters should have appropriate accommodations that meet the needs of child labor, forced labor, and human trafficking survivors. Additionally, the survivor's willingness to participate in the criminal justice process should not influence whether he or she receives adequate shelter, and provision of shelter should never be made contingent on the survivor serving as a witness.

After the survivor's immediate medical needs are addressed, the next step is to find a safe and secure shelter for the survivor where he or she can be out of reach of traffickers and exploiters. Without assistance in finding shelter, many survivors will return to suspected offenders because they have nowhere else to go, know of no other options or resources, and fear violence and retaliation from the trafficker or exploiter. Therefore, survivors need practical shelter options that they feel are safe.

Depending on whether survivors plan to stay in the destination country or return to their home countries, they will need assistance finding short- and long-term shelter throughout their recovery process. Various shelter options may include:

- **Short-term shelter**, which the victim/survivor will need immediately after contacting or being rescued by law enforcement officers or an assisting agency. The shelter must provide the victim/survivor with security from suspected offenders and ideally, would include medical care, psychological counseling, legal assistance, and even financial resources.
- **Temporary shelter**, which will facilitate the recovery process after the survivor's immediate needs are met. Survivors always need security. They will also need other assistance such as long-term medical and psychological care and reintegration support; and will also need assistance in the legal process should they choose to assist with investigation and prosecution.
- **Transitional housing and assisted living arrangements**, which will provide longer-term shelter if the survivor chooses to remain in the country and has secured a temporary visa or immigration relief. Often these types of shelters are available through support programs or partnerships with governments and immigration authorities. Survivors who require this type of housing may be facing challenges in the recovery process, so it is crucial that they have access to community services during their stay, are in a supportive environment, and are provided with information about how they can continue to get any assistance they need.
- **Independent living facilities**, which provide a permanent housing arrangement for survivors who have serious mental or psychological conditions as a result of child labor, forced labor, and human trafficking; this includes survivors with mental illnesses, diseases such as HIV/AIDS, or who have been rejected by their families or communities. With little opportunity for housing or employment on their own, these survivors need help from the government and NGOs to provide specialized care.
- **Other types of shelters:**
 - **Drop-in shelters and counseling centers.** These types of shelters do not provide overnight care but are resource centers for initial counseling; assessment of social, medical, and psychological needs; and referrals to other shelters and available social services.
 - **Confidential Shelters.** These shelters are necessary for survivors who need to protect their privacy and require security. The shelter should have a secret address for survivors to use when they are in danger of being found or hurt by traffickers and exploiters. Instead of a central building, confidential shelters are often discrete apartments scattered around a city, so they are not easy to identify as survivor shelters. These apartments may be rented by survivors for as long as they need security, but ideally, survivors are not in the same place for extended periods of time to decrease the risk of being located.

Education and vocational training: Education and skills training are necessary for child labor, forced labor, and human trafficking survivors during recovery if they hope to reintegrate into society and start a new life with prospects of a job and financial security. For child survivors, this may include reenrolling the child in the school system, which is discussed further below. Reentering the education system is difficult and may be even more challenging if the survivor is older or has never had formal education. The government should work with assistance organizations to facilitate the transition into schooling to ensure there is robust support and funding for education.

Vocational training is typically offered by NGOs, CSOs, charities, or educational institutions. When survivors receive vocational training, they are more likely to integrate successfully into society with confidence, independence, and employment prospects. However, because employment can be a stressful aspect of life for survivors who have only known work in the form of exploitation and trafficking, it is important to help survivors set realistic employment goals that align with their skills and abilities, so they can more easily imagine themselves finding success in a future job. For vocational and skills training programs, it's ideal to have partnerships between organizations and local companies to provide survivors with training and an opportunity to gain experience working in a real working environment through an internship or apprenticeship.

Figure 1: Victim/Survivor Participation in a Prosecution



Legal: During the criminal justice process, including investigation, pre-trial, and trial, the survivor's wishes, circumstances, age, gender, and well-being should all be considered, and support should be tailored to those factors. Survivors have many rights during the legal proceedings and have multiple options, including remaining silent, seeking compensation, serving as witnesses, and providing confidential information.⁸

Survivors of child labor, forced labor, and human trafficking are often hesitant to trust law enforcement and criminal justice officials. They fear they will be punished by their exploiters or traffickers for reporting their situation or will be rejected by family or society when they return home. They may also believe they will have a better life if they continue

⁸ *Investigating Human Trafficking Cases Using a Victim-centred Approach: A Trainer's Manual on Combating Trafficking in Persons for Capacity-building of Law Enforcement Officers in Antigua and Barbuda, Belize, Jamaica, and Trinidad and Tobago*, International Organization for Migration (IOM), 2018. <https://publications.iom.int/books/investigating-human-trafficking-cases-using-victim-centred-approach-trainers-manual-combating>

to work or simply lack correct information about how law enforcement and other organizations can assist them. These misconceptions often stem from what traffickers and exploiters, to avoid being caught, tell their survivors to keep them under their control.

Because of the potential for an initial lack of trust between law enforcement officers and victims/survivors, it is crucial for survivors to receive assistance and protection once they are working with law enforcement. This is particularly important when survivors agree to cooperate with law enforcement and serve as witnesses, as witnesses will need additional protection throughout the prosecution process.

The key survivor protections during the legal process include:

- Protecting the identity and privacy of survivors, which could include allowing the survivor witness to testify anonymously.
- Ensuring the physical safety of survivors, which may include relocating the survivor; allowing the survivor witness to testify virtually via video link; providing police escorts for survivor witnesses to and from court; keeping the survivor and accused offender separated in the courthouse; or holding accused offenders in custody before the final court hearing.
- Providing psychological protection, including allowing counselors to accompany the survivor to court, ensuring the survivor is completely informed of what to expect in the courtroom when serving as a witness, and keeping separate waiting rooms for witnesses and defendants.
- For child survivor witnesses, in particular, additional accommodations should be made such as prohibiting the defendant from cross-examining the child, using an intermediary to assist the child in providing evidence, closing the court to the public, banning the media during the child's testimony, and reducing the formality of the courtroom where possible.

Regarding the legal process, survivors who choose to participate in the prosecutorial process as witnesses need additional protection services. Lawyers must inform survivors of their rights and role in the criminal proceedings, help them assert their procedural rights, and assist them throughout the entire process. Article 6 of the Palermo Protocol outlines some recommended protection measures that governments should implement for survivors of trafficking while they are participating in prosecutorial efforts. **These include:**⁹

- Protecting the privacy and identity of survivors.
- Providing survivors with information on relevant court and administrative proceedings.
- Providing survivors with appropriate reintegration assistance to aid their recovery.
- Considering age, gender, and special needs of victims when providing assistance such as housing, education, and care.
- Providing for the physical safety of survivors.
- Ensuring national legislation allows survivors to obtain compensation for damage suffered.

⁹ Ibid. See also, the corresponding language in the Palermo Protocol:

1. In appropriate cases and to the extent possible under its domestic law, each State Party shall protect the privacy and identity of victims of trafficking in persons, including, inter alia, by making legal proceedings relating to such trafficking confidential.
 2. Each State Party shall ensure that its domestic legal or administrative system contains measures that provide to victims of trafficking in persons, in appropriate cases:
 - (a) Information on relevant court and administrative proceedings;
 - (b) Assistance to enable their views and concerns to be presented and considered at appropriate stages of criminal proceedings against offenders, in a manner not prejudicial to the rights of the defense.
 3. Each State Party shall consider implementing measures to provide for the physical, psychological and social recovery of victims of trafficking in persons, including, in appropriate cases, in cooperation with non-governmental organizations, other relevant organizations and other elements of civil society, and, in particular, the provision of:
 - (a) Appropriate housing;
 - (b) Counselling and information, in particular as regards their legal rights, in a language that the victims of trafficking in persons can understand;
 - (c) Medical, psychological and material assistance; and
 - (d) Employment, educational and training opportunities.
 6. Each State Party shall ensure that its domestic legal system contains measures that offer victims of trafficking in persons the possibility of obtaining compensation for damage suffered.
- Palermo Protocol on Trafficking in Persons, Articles 6(1)-(3), (6).

Legal assistance and advice should be available to survivors of child labor, forced labor, and human trafficking, regardless of whether they agree to serve as witnesses in the prosecution of their suspected offenders. Many survivors are fearful of and do not trust the government and authorities because of a lack of information or misinformation; therefore, it is crucial that professional legal assistance is available to survivors, so they have access to correct information. Survivors should be made aware of their rights as individuals and as survivors of child labor, forced labor, and human trafficking. Survivors likely will not have the finances to pay for legal services, so government-funded services must be available. It is in the government's interest to provide survivors with legal counseling because it will help ensure they understand their role in the prosecution and prepare them to testify, resulting in more helpful and coherent witness statements.

Survivors who have been transported across international borders are entitled to diplomatic and consular representatives from their home country. To ensure control over survivors, traffickers and exploiters may have confiscated victims/survivors' documentation. In these cases, survivors will need help securing the appropriate replacement travel documents from relevant government agencies. However, to protect the survivor's identity and privacy, only the minimum required information should be handed over to the government agencies when applying for necessary documentation.

Survivors of forced labor and human trafficking may need access to legal residence status, either permanently or temporarily, through obtaining a visa or stay of removal. This is both to protect the survivor's rights and to help law enforcement agencies prosecute suspected forced labor and human trafficking offenders with the assistance of the survivor as a witness and source of information during the investigation. It is in the interest of the country in which the forced labor or human trafficking occurred to help the survivor secure a visa because if the country is prosecuting the offender or investigating the situation, having the survivor in the country to serve as a witness or assist in the legal process is crucial to the prosecution process. The visa process differs in each country, so be sure to consult local immigration laws. In some countries, if the survivor does not have the appropriate legal status to secure a visa, it may be possible for the survivor to apply for temporary immigration relief to stay in the country to assist in the legal process. This may also give the survivor more time to apply for other visas during the investigation and prosecution process if they wish to stay in the country longer.¹⁰

Psychological support is essential to assisting survivors in their recovery process, especially as part of legal support services for survivors who choose to participate in legal proceedings as a witness. **During the legal process, survivors should be offered the following methods of support:**

- Survivors should be informed of what to expect in the courtroom.
- Survivors should have the option of being accompanied by expert counselors to court.
- Judges, prosecutors, and police who are specifically trained and aware of the special needs of survivor witnesses should be used when possible.
- Witnesses should have access to a separate waiting room to avoid being confronted by the defendant or associates of the defendant outside of the courtroom.¹¹

Reintegration: Survivors of forced labor and human trafficking who have been transported across international borders may choose to return to their home country voluntarily, or they may want to stay either temporarily or permanently in the country to which they were transported; survivors should have either option available to them to make an individualized determination. For trafficking survivors, the ability to remain in the destination country is governed by Article 7 of the Palermo Protocol. Article 8 discusses the home country's obligation to accept and ensure the safety of a human trafficking survivor who chooses to return home.¹²

10 *The Crime of Human Trafficking: A Law Enforcement Guide to Identification and Investigation*, The International Association of Chiefs of Police, 2007. <https://www.theiacp.org/resources/document/the-crime-of-human-trafficking-a-law-enforcement-guide-to-identification-and>

11 *Investigating Human Trafficking Cases Using a Victim-centred Approach: A Trainer's Manual on Combating Trafficking in Persons for Capacity-building of Law Enforcement Officers in Antigua and Barbuda, Belize, Jamaica, and Trinidad and Tobago*, International Organization for Migration (IOM), 2018. <https://publications.iom.int/books/investigating-human-trafficking-cases-using-victim-centred-approach-trainers-manual-combating>

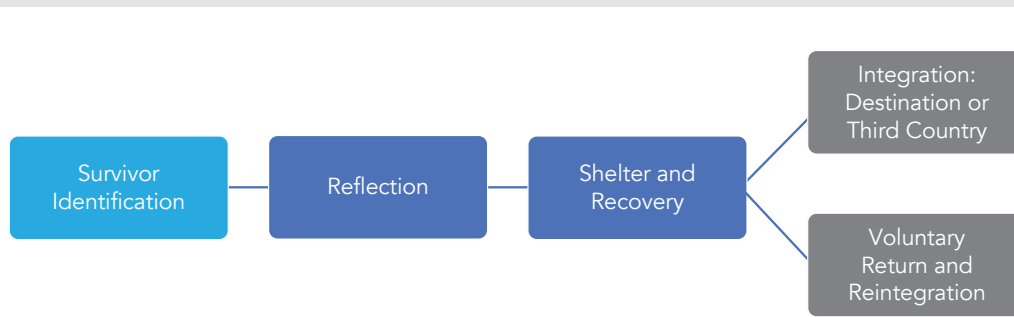
12 Palermo Protocol on Trafficking in Persons, Article 8.

Returning to one's country of origin can be challenging, so survivors returning home will likely need assistance from programs and organizations upon their return for reintegration to be successful. Without reintegration support, upon returning to their home countries, child labor, forced labor, and human trafficking survivors could face safety risks that hinder their recovery and put them in danger of falling back into the hands of traffickers and exploiters. Survivors will need programs offering psychological, social, and financial support to successfully return and reintegrate to their home countries.

Before the individual is repatriated, law enforcement officers should conduct a safety assessment of the home environment. Due to unfamiliarity with the home country's culture, available victim services, and language, the law enforcement officers conducting the assessment may need to coordinate with agencies, NGOs, and other organizations in the home country. The assessment should evaluate the conditions and services available in the survivor's home country because the victim will need access to adequate support services once home if they are to make a full recovery. The assessment should also evaluate the risks, vulnerabilities, or stigmatization the survivor might face that could hinder safety and recovery.

Adult survivors should have the autonomy to make decisions regarding the services they receive and options for their future, especially with regard to the legal process and reintegration.

Figure 2: Process for Rescuing Child Survivors



Children: When children are rescued, it is important that they have a safe place to go and that their immediate and most urgent needs are met, including food, health care, and counseling. Less immediate needs should be addressed secondarily but not overlooked. This will likely require coordinating with appropriate governmental and non-governmental organizations.

When assessing how to assist with a child survivor's recovery, it is essential to consider the unique needs of child survivors. Article 6 of the Palermo Protocol makes particular note of child trafficking survivors' special needs. If the child's age is uncertain, but there is reason to believe the victim/survivor is a child, countries should treat the victim/survivor as a child until his or her age is verified, in accordance with the Convention on the Rights of the Child. **For child survivors of child labor, forced labor, and human trafficking, special accommodations for survivors when providing survivor support services include:**¹³

- Appointing a guardian for the child
- Keeping the child separated from his or her suspected offender during the prosecution and trial process, when feasible
- Providing special protection for the child
- Finding appropriate shelter that accommodates the child's age and needs
- Considering the best interest of the child before taking actions to return the child to his or her home country, and finding the child long-term care and housing if the home country is not safe for the child

13 *Anti-Trafficking Training Material for Judges and Prosecutors Handbook*, International Centre for Migration Policy Development, 2006. http://lastradainternational.org/lisidocs/540%20AGIS_JUD_Handbook.pdf

Psychological services for children: Psychosocial counseling and support for children is different than for adults because being a child adds an additional layer of vulnerability and often exacerbates the negative effects of trauma.

Therapy services for children should:

- Always consider the child's best interest first
- Focus on treating each individual child and his or her particular circumstances
- Ensure the child's safety and security
- Avoid re-victimization or punishment of the child
- Provide a safe space for the child and potentially provide housing or shelter
- Aim to build trust between the counselor and the child
- Respect the child's confidentiality and privacy
- Promote growth and reintegration into society

Shelters for children: Shelters for children must address different needs than shelters for adults; therefore, separate shelters should be available to child survivors. Children may need either temporary or medium-term accommodations depending on the legal process, the length and intensity of the recovery process, the need to be close to counseling services, health needs, or when there is a lack of alternative shelter options. However, because children are more vulnerable because of their age, lack of experience providing for themselves, and lack of protection from family, they likely will need more secure shelters that they can stay at for longer periods of time than required by adult victims because the recovery period for children is often longer. It may be challenging to find adequate accommodations because children need not only shelter but also food, clothing, education, and healthcare, as well as staff to provide these services.

Education and life skills: Children who have been exploited have likely missed valuable years of education and experiences that would have taught them life and social skills. Missing fundamental years of education could make it challenging for the child to go back to school and build necessary skills. The child's educational level should be tested by a professional to assess the child's grade level so the child can either directly enter school or take transitional classes before entering. If reentering school is not possible because of the amount of time missed or if the child is too old to enroll in the level-appropriate grade, alternatives to traditional schooling could be that the child receives individualized lessons, follows a non-formal education plan, or receives vocational training so he or she can acquire the necessary skills for a proper job.¹⁴

Reunification with family and reintegration: Reintegration will look different for children than adults. Repatriation is challenging in itself, but for children, they cannot simply return on their own like adult survivors; first, they will need an adequate guardian. When child survivors are not accompanied by family members or relatives, the government should immediately attempt to identify and locate family members. If located, the child should be reunified with his or her family if it is in the child's best interest. If the family needs assistance to allow for the child's successful reintegration, the family should be offered support or directed to resources. More specifically, the family may need help creating a safe environment for the child where traffickers or exploiters cannot reach the child again. Survivors, especially children, face a large risk of being re-targeted for trafficking and child labor; this vulnerability should be noted, and special efforts made to ensure the child remains out of harm's way. This may mean that the child needs to stay in the shelter until it is established that there is a safe environment in the home community. The family may also need help providing the child with basic needs, such as dental and medical care, food and nutrients for a balanced diet, childhood education, and life-skills training. A service plan should be put in place to provide the family with access to services that will accommodate all these needs.¹⁵

14 *Training Manual to Fight Trafficking in Children for Labour, Sexual and Other Forms of Exploitation - Textbook 2: Action Against Child Trafficking at Policy and Outreach Levels.* International Labour Organization (ILO), 2009. https://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_10772/lang--en/index.htm

15 Ibid.

If returning the child to his or her family is not in the child's best interest, adequate care arrangements and efforts to find an appropriate guardian should be made. If the family pushed the child into child labor, forced labor, or human trafficking, reunification might not be appropriate without additional interventions for the family. Regarding reunification with family, if the child has strong opinions on and preferences for whether he or she returns to his or her family, those concerns should be considered when making the decision. However, the age and maturity of the child should be kept in mind, and as always, acting in the best interest of the child is the most important.

If the child needs to be appointed a guardian, the guardian should be a trained professional who can walk the child through each step of the reintegration process. Aside from reintegration assistance, the guardian will likely need to assist the child through all stages of the recovery process until the child is the age of majority.

The guardian will need to:

- Advocate for the child
- Ensure decisions made for the child align with the child's best interest
- Ensure the child is receiving appropriate care, legal assistance, and legal rights
- Connect the child to resources and agencies
- Accompany the child through the process



Photo Credit: World Bank, 120512, Herat Carpet Weaving, 2012 AREDP, 2014, Afghanistan

Non-Criminalization of Survivors

Survivors should not be subject to criminalization or punishment because of their role in the worst forms of child labor (WFCL), forced labor, or human trafficking. Survivors are not perpetrators and should not be treated as such and should not be re-victimized by law enforcement agencies. It is a best practice to include this in national legislation. In countries where this is not written into national legislation, judges and prosecutors should still be mindful of the importance of not prosecuting survivors.

The non-punishment clause should apply to acts that survivors committed that are related to the WFCL, forced labor, or human trafficking or which were committed because they were coerced into the act by their traffickers or exploiters. For example, survivors should not be prosecuted and detained because of prostitution, drug trafficking, illegal migration or lack of appropriate labor status. If possible, national legislation should go further to grant immunity to survivors of WFCL, forced labor, or human trafficking under certain conditions.¹⁶

Non-criminalization is also important because if a country does not ensure non-criminalization, immigration services might deport victims or survivors to their home country, which could be detrimental to the individual because their home country may prosecute the victim/survivor for reasons such as using false documentation, leaving the country illegally, or working in the sex industry. Whether prosecuted in the country where the WFCL, forced labor, or trafficking occurred or in the home country, survivors who are criminalized will have no access to the recovery assistance or protection they deserve and are entitled to as victims of a serious crime.

Survivors of WFCL, forced labor, and human trafficking already fear for their safety at the hands of their traffickers and exploiters. The additional fear of prosecution and punishment only exacerbates their trauma, discouraging survivors from seeking protection and assistance and disincentivizing survivors from coming forward and assisting law enforcement officers.

Because survivors of child labor, forced labor, and human trafficking are survivors and not criminal offenders, law enforcement officers should treat survivors as survivors by doing the following:¹⁷

- Rescue victims/survivors from perpetrators of child labor, forced labor, and human trafficking.
- Provide survivors with protection.
- Conduct a criminal investigation.
- Refer survivors to appropriate victim services.
- Check the survivors' documents related to immigration and work.
- Inspect places of employment.
- Conduct raids and patrol areas where suspected criminal activities occur.
- Offer assistance throughout the legal process.
- Keep survivors updated and informed.

Aside from the need to ensure that, from a legal standpoint, survivors of child labor, forced labor, and human trafficking are not punished for being involved in the trafficking or exploitation, governments should work to ensure survivors are not revictimized in the eyes of the public and society. Survivors should not be victimized by institutions and individuals in the community, as it is detrimental to survivors' recovery and will prolong their trauma. Initially, law enforcement officers often play a large role in potential revictimization. Law enforcement officers should be trained to treat survivors as survivors, and not as criminals. This is especially important in the initial stages after the survivors are rescued because survivors may not recognize they are survivors of a serious crime until law enforcement respects their rights to security and justice and shows the survivors that they have such rights.

16 *Anti-Trafficking Training Material for Judges and Prosecutors Handbook*, International Centre for Migration Policy Development, 2006. http://lastradainternational.org/lsidocs/540%20AGIS_JUD_Handbook.pdf

17 *Trafficking in Persons Victim Identification and Assistance*, International Organization for Migration (IOM), 2020. <https://publications.iom.int/books/trafficking-persons-victim-identification-and-assistance-training-guide>

Exercise 3.1.1: Survivor Services Case Study Energizer

Objective:

- To start thinking about the needs of child labor, forced labor, and human trafficking survivors by using an Enforcement Training Program (ETP) Case Study.

Time:

 35 minutes

Materials and Preparation:

- Flip chart
- Markers
- Note cards
- Pens/pencils
- Copies of one ETP Case Study (facilitator can select the case study that is most relevant for the training)

Steps:

- Explain the objectives of the exercise to the participants.
 - 2 minutes
- Give each participant one notecard. Read one of the ETP case studies aloud, or have the participants read the case study independently if they have their own copies. Have each participant write down one need they think the survivor has.
 - 5 minutes
- Have participants get out of their seats and group themselves with people who have the same answers (they will need to ask each other what their answers are). Once everyone is in their groups, have each group identify a service that could help address the need they have identified.
 - 15 minutes
- Have each group present the need they have identified, why they think it is important, and what service they feel could address that need.
 - 5 minutes
- Ask participants if, while they were finding their groups, they learned about other needs they had not initially identified.
 - 5 minutes
- Wrap up with key messages below.
 - 3 minutes

Key Messages:

- Survivors have a variety of needs that can be immediate or more long term.
- Not all survivors have the same needs; it is important to create individualized plans for each survivor of child labor, forced labor, and human trafficking.
- By learning about the needs that survivors may have and services that are available, more needs can be recognized and addressed, helping survivors recover.

Exercise 3.1.2: Determining the Needs of Survivors¹⁸

Objective:

- To identify the needs of survivors of trafficking and the potential risks that create those needs.

Time:



1 hour and 20 minutes

Materials and Preparation:

- Locate and make copies of Handout 3.4.2: *Case Study on Survivor Needs* for each group.
- Pens or pencils.
- Flip chart with the following questions written on it:
 - Who may be facing risks in terms of safety and security?
 - What are the risks?
 - What is the source of the risk?
 - What events could increase the risk level?

Steps:

- Explain to the participants the objectives of the exercise.
 - 5 minutes
- Ask participants to list and explain trafficking survivors' most common needs.
 - 10 minutes
- Ask participants to name some needs they think most trafficking survivors will have. Answers might include protection from harm or threats; physical, mental, and social assistance; legal aid; confidentiality protection; information explained in the survivor's native language; housing; material assistance; employment and educational assistance, etc. Ask participants to explain why survivors may have these needs.
- Divide participants into small groups of 4–5 people and provide each group with a copy of Handout 3.4.2: *Case Study on Survivor Needs*.
- Ask participants to read the case study and then work with their group to identify the survivor needs they think may be present and mark the part of the case study that indicates each need. Participants should also indicate at which stage different survivor needs arise (emergency response, transitional support, long term support).
- Instruct participants to respond to the discussion questions at the end of the case study, which are also on the flip chart at the front of the room.
 - 35 minutes
- Reconvene participants and ask each group to share their thoughts on the case study and their answers to each of the discussion questions. Encourage questions and comments.
 - 20 minutes
- Wrap up with Q&A and the key messages below.
 - 10 minutes

18 Adapted from *Investigating Human Trafficking Cases Using a Victim-centred Approach: A Trainer's Manual on Combating Trafficking in Persons for Capacity-building of Law Enforcement Officers in Antigua and Barbuda, Belize, Jamaica, and Trinidad and Tobago*, International Organization for Migration (IOM), 2018, p. 54. <https://publications.iom.int/books/investigating-human-trafficking-cases-using-victim-centred-approach-trainers-manual-combating>

Key Messages:

- Survivors of child labor, forced labor, and human trafficking have faced violence and threats from traffickers and exploiters. Each situation is different, so it is important to communicate with the survivor to understand their situation and needs to provide safety assistance in the most appropriate way.
- Needs should be assessed in an individualized manner, as each survivor has faced different challenges or could have reacted to situations differently. However, there are common needs that all survivors will have, such as physical, psychological, or social assistance, even though they may manifest in different ways. A survivor's need for these types of assistance should be assumed and addressed immediately.
- Needs may differ depending on the stage the survivor is at in the recovery and reintegration process.
- Survivors need protection from harm or threats as well as access to services and assistance to help them regain their safety, security, privacy, and legal rights.
- Survivors need to know all of their options and information about their situation. Therefore, information should be conveyed in a language the individual understands.



Photo Credit: Nelnel7, 2014, Tanzania

HANDOUT 3.1.2: CASE STUDY ON SURVIVOR NEEDS

Read the case study below and then answer the questions that follow.

CASE STUDY:

March 28, 2018, 11:30 p.m.

Due to the presumed age of one of the women living in the house, one of the police officers—Inspector Michaels—has advised that this is a possible case of human trafficking. The women appear to be traumatized and are afraid of the police officers. Inspector Michaels, who is attached to the Anti-Trafficking in Persons Unit within the police force, advises that it is best to treat all 15 women as presumed victims and as such, they should be taken to the shelter Women’s Aid, which is managed by an NGO. The shelter manager welcomes the women and advises the officers that she will need to ensure they are okay and mentally able to withstand interactions with law enforcement prior to the police returning to carry out interviews.

The police detain for questioning the man who was participating in the live act along with Blocker; the two women thought to be staff (identified as Veronica Machata, an irregular Petrolandian national, and Beatrice Carmen, a national of Country A); the six men who were receiving massages at the time of the raid; and the 15 male audience members of the live show. While the raid was ongoing, other police officers simultaneously visited the homes of Regina Maile and her brother Bernard Maile who were also taken to the police station. Previous investigations have revealed that the Mailes all have dual citizenship in Country A and Petroland.

March 28, 2018

Dr. Morrison calls the officers at approximately 10 a.m. and advises that, by her estimation, all the women currently in her care who arrived at Women’s Aid three days ago are vulnerable and in need of the State’s special protection. Her evaluation is that they have all been victimized and will need continuous care and counseling to increase the likelihood of recovery. She reports that the two women who arrived on the night of March 23 (Lisa Diego and Alicia Moreno) are a little bit hesitant to speak to the police, as they fear they will be prosecuted for entering the country illegally. She further advises that only nine of the women are recommended to speak with the police; however, not all nine are likely to cooperate. She reports that the other six are in an extremely vulnerable state and participating in an interview at this time might result in irreversible damage. She then provides brief accounts of the women in her care who she recommends for interviews with the police.

Lisa Diego, 24 years old, from Canne, Petroland: *Lisa was recruited in Petroland to work as an entertainer “dancer” in Country A. She was advised that this was legal and that the company she would be working for would arrange for her work permit and work visa. Due to the length of time it would take for the visa to be processed, she agreed to take a boat at night to Country A, especially because she was assured that it would be easier for her status to be regularized once she was in the country. She was also advised that it would be easier for her work permit to be processed once she arrived in Country A. Her future employees covered all the related costs for her travel. She arrived by boat in Country A on March 23 with three other women. Only one of the women was taken to the house with her the night before the police raid. They were both in the room watching the live shows along with a few “clients” when the raid took place. She was told she would not be paid until she repaid her debt in full, but, as an option, she could offer special services to clients as a way to repay her debt sooner. Even though she had not yet made a decision, she was beginning to consider the second option. Lisa indicated that Alicia, her boat companion, was really annoying and was crying all night since they arrived as well as during the live shows.*

Alicia Moreno, 20 years old, from Merida, Petroland: At a bar in Merida, Petroland, Alicia was introduced to the man who owned and operated a boat that smuggled people into Country A. She told him of her desire to go to Country A, where her sister currently resided, as things were really bad financially and she was tired of struggling, being hungry, and not being able to buy toiletries as the stores were always out. He told her he could take her to Country A for a fee of \$100 and that the next trip was the following day. She told him she did not have the money available and that it would take her a few weeks to put the money together. He advised her that he knew of a man in Country A who loaned people the money for the trip at a small interest rate. She agreed as she was desperate to leave and did not ask any questions. Once she arrived in Country A, she and one of the other females on the boat were introduced to their benefactor, Bernard. She wanted to contact her sister, but Bernard advised her that she would be allowed to call the next day after they worked out the payment details for her loan. They were taken from the port in a black van and ushered to a house that smelled of smoke and men who leered at them. The next day, Bernard informed Alicia that to repay her loan, she would be required to participate in live shows. Alicia did not know what this meant, but a woman named Victoria took her to a room to watch as part of her orientation. She was supposed to participate in the second show, but the police officers stopped that from happening. She is afraid of going to jail.

Bianca Flores, 17 years old, from Canne, Petroland: Bianca is from a large family; she is fourth in a family of six children. Her father is not in the picture, and her mother is blind as a result of untreated cataracts. Bianca heard about an au pair job in Country A at a career fair at her school on June 15, 2017, and applied. The company contacted her in January 2018 and helped her get a passport and a visa for Country A. She arrived in Country A via a boat on February 14, 2018. On arrival, she was advised that her job was to be an exotic masseuse and a dancer. Bianca did not want to do it, but after a few days, she gave in as this was the only way she could repay her debt and return home.

Ana Rodriguez, 16 years old, from Canne, Petroland: Ana heard about the job as an au pair in Country A at a career fair in her school on June 15, 2017; she applied for the job as it would offer the opportunity to learn English and some independence from her parents. The company contacted her in January 2018 and offered her the job. The employer assisted her with all the relevant documentation for her travel and even covered the airfare. Ana arrived in Country A via plane on February 14, 2018. On arrival, she was advised that her job was to be an exotic masseuse and a dancer. At first, she did not want to do the job, but she had no choice but to perform after a few days as she was hungry, and the traffickers threatened to tell her very religious parents that she was a prostitute and had knowingly agreed to this job before leaving Canne.

Rosa Fernandez, 23 years old, homeless, from Merida, Petroland: At 16, Rosa decided to leave her hometown on her own as she was being molested by her father, and her mother refused to believe her. She started working as a prostitute five months after leaving home because she was homeless. Her work as a prostitute provided her shelter at night. After three years of working as a prostitute and living on the street, she met a man named Bernard. He told her he could get her into Country A, where he operates an agency that can grant her asylum status. However, in return, she would have to work as a prostitute for five years. All her living expenses would be taken care of, according to Bernard. At the house where she is staying, she says she is treated well and does not have to worry about what she will eat or where she will sleep. She wishes she would at least get some of the money being collected for the work she does. She is extremely annoyed by the other women who complain all the time; after all, things could be much worse.

Ping Wu, 40 years old, from Beiling, Chinta: Ping, a native of Chinta, has been living in Country A for the past 10 years. She had been working as a cook in a Chintanese restaurant since arriving in Country A; however, in June 2017, the restaurant was closed down by the authorities. Her co-workers began to blame her for this as she was "too friendly" with the locals, particularly government workers. They believed that she was the one who talked too much and caused the restaurant to be closed. Since then, Ping had been having trouble finding a job in another Chintanese-owned restaurant. She was happy when Damien, who used to

visit every Wednesday at the restaurant where she worked, told her about a job at his workplace. Upon starting her new job, she finds out that the job is not what she expected. She is not allowed to leave, nor is she paid. Ping now cooks for 11 hours a day for the girls, guests, and the staff at the brothel.

Jenna Dyson, 25 years old, from San Fernando, Panland: Jenna had always dreamed of being a successful model and had done a few minor jobs for local retail stores in Panland. She was invited to a shoot in Port of Spain in December 2017, and soon after, she was offered an opportunity in Country A. A few of her friends tried to dissuade her from going. However, she thought they were just jealous and left without even giving them any contact information. Once in Country A, she was taken to a house and told she was really there to work as a prostitute. She refused initially, but after threats and a beating, she decided to do the job. Jenna stated that Errol Thomas, who was taken away by the police with Blocker and the other women, were in the same situation as she and the other girls. Errol is from St. Catherine, Reggae Rock, and had been recruited for a job opportunity in Dubai. He flew to Country A "in transit," and his documents were taken. Errol was forced to participate in the live acts at the brothel with the women and was beaten if he did not comply.

Naomi John, 22 years old, from a rural area in Country A: Naomi recently received her degree in mathematics from the University of the Westside. While trying to find a job, she is also trying to find love as most of her friends from university are in "serious" relationships. On December 11, 2017, she found the love of her life, Declan, on Caribbean Connect, a dating site. After communicating via telephone every day for two weeks, she shared some very risqué photos with Declan. After two months, she met Declan at a bar on Valentine's Day, and, despite reservations, she left the bar with him. She was taken to a house where she was forced to work as a prostitute, performing any act that the client desires. She keeps asking if she can get a few of the white pills to take the edge off this experience.

1. Who may be facing risks in terms of safety and security?
2. What are the risks?
3. What is the source of the risk?
4. What events could increase the risk level?

Lesson 3.2: Trauma-Informed Care

Objective:

- Understand the differences between stress and trauma
- Understand the impact of child labor, forced labor, and human trafficking on the mental health of victims and survivors
- Understand how to empower survivors and to avoid re-traumatization

Time



1 hour and 20 minutes

Steps:

- Exercise 3.2.1: Trauma Discussion
 - 15 minutes
- Present PowerPoint Presentation 3.2: Trauma-Informed Care
 - 20 minutes
- Exercise 3.2.2: Using the Enforcement Training Program (ETP) Case Studies to Provide Trauma-Informed Care
 - 45 minutes

Supplies:

- Flip chart
- Markers
- PowerPoint Presentation 3.2: *Trauma-Informed Care*
- Projector
- Copies of ETP Case Studies 1–4

Many survivors of child labor, forced labor, and human trafficking have undergone trauma. It is important to understand the distinction between stress and trauma when working with survivors.

Key differences between trauma and stress are:¹⁹

- Traumatic events are more extreme versions of stressful events
- Effects of stress are reduced when the stressor is removed
- Effects of trauma continue long after the traumatic events have passed
- The memory of traumatic events linger, affecting the body and mind of the survivor

Trauma can impact survivors of child labor, forced labor, and human trafficking in different ways, including physically, psychologically, spiritually, emotionally, and socially.

Using a survivor-centered approach can help victims feel empowered and more in control of their lives, which plays an important role in overcoming trauma.

¹⁹ BC/TIP *Trauma Counseling for Survivors Module*, Winrock International, 2020, p. 18.



Impact of Child Labor, Forced Labor, and Human Trafficking on Mental Health

Mental health is a person's psychological and emotional wellbeing. For survivors of child labor, forced labor, and human trafficking, impacts to mental health can occur after being removed from the exploitative situation, impacting how they think, feel, and act. Common symptoms experienced by survivors of WFCL, forced labor, and human trafficking include:²⁰

- Anxiety and depression: Feeling nervous, anxious, hopeless, sad, worthless, overwhelmed, and restless.
- Guilt, shame, fear, anger, worry, and inability to trust others.
- Bad memories, nightmares, flashbacks, avoidance, jumpiness, and edginess.
- Dissociation: memory loss, feeling of being disconnected from oneself and/or the rest of the world.

²⁰ Ibid. at p. 20.

Survivor Assessment

A survivor assessment is typically done by a counselor, often from an NGO specializing in working with survivors of child labor, forced labor, and/or human trafficking. The counselor's assessment will play an important role in the survivor's recovery and may also help plan for the survivor's role in the trial process.

During the assessment, the counselor will work to identify the survivor's strengths and get to know the survivor as a person, not just as a survivor of child labor, forced labor, and/or human trafficking. Focusing on the survivor's strengths and good qualities can help empower the survivor. It is a best practice to focus on the survivors as a whole, not solely viewing him or her based on the situation that happened to him or her.

Empowering Survivors

A key component of empowering survivors of child labor, forced labor, and human trafficking is to think of them as survivors instead of victims. Instead of viewing them as passive people who had something bad happen to them, think of the survivors as people who were strong enough to survive the experience and ultimately become victors. An empowerment approach focuses on the strengths of an individual survivor and works to validate his or her feelings by acknowledging his or her thoughts, feelings, emotions, experiences, and beliefs.

To help empower survivors, it can be helpful to ask strength-based questions such as those listed below:²¹

- Given all of the challenges you have faced, how were you able to survive?
- What have you learned about yourself during the struggles you have faced?
- What people or groups have been able to support you when you were struggling?
- What organizations have been able to support you?
- Do you think you can rely on these people, groups, and organizations in the future?
- What incidents in your life have given you hope?
- What do you want out of life?
- What are your special talents or abilities?
- What do you enjoy?
- What have you done that you are most proud of?
- What people do you enjoy being with?
- How do you think your life might change?
- What gives you a sense of purpose beyond yourself?

Sharing the Trauma Story

It is important for survivors of child labor, forced labor, and human trafficking to be able to share the story of what happened to them. It can be difficult for a survivor to remember exactly what happened and in what order, and a survivor's story may change over time due to trauma, but that does not mean the survivor's description of events is untrue. The survivor's counselor will work to help the individual share his or her story, which can help the survivor during the interview process. In some jurisdictions, counselors can be present during survivor interviews with law enforcement and prosecutors as well as during the trial, if the survivor is a witness. To enable victims to tell their story such as during interviews and trials, counselors work with survivors to help them control their memories, how they react to them, and understand their feelings and reactions.

21 *Guiding Principles for Agencies Serving Victims of Human Trafficking*, Office on Trafficking in Persons, September 2018. <https://www.acf.hhs.gov/otip/news/region4guidingprinciples>

Memories of traumatic experience can be overwhelming for many survivors, so initially it can be helpful for survivors to tell the story of what happened to them in small increments. Recording survivor interviews can help reduce the number of times a survivor has to tell his or her story during the investigation and prosecution process, helping to reduce the risk of re-traumatization. The counselor, and others hearing the survivor's story, should make it clear that the survivor will not be blamed, judged, or stigmatized. Some survivors, particularly children, may benefit from using pictures or props to help tell their story, such as by pointing on a drawing where they were injured.

Survivors' recovery from trauma is a process and how it affects an individual depends on a variety of factors such as, characteristics of the individual, characteristics of the event(s), developmental processes, and sociocultural factors.²² It should be noted that when conducting an interview with a survivor, the survivor may still be undergoing trauma. Therefore, during an interview it is important for the interviewer to be able to identify indicators of when to conduct less and more intense interviews. It is important that the interviewer is able to observe the interviewee's verbal and nonverbal communication and be aware of changes to an interviewee's tone of voice, facial expressions, posture and body movements.²³ If the interviewer can identify signs of stress, discomfort, irritation, or notice the survivor is not fully present, the interviewer should initiate a temporary break or change in conversation to meet the interviewee's needs and capabilities. Note that interviews may still take place, but the level of intensity must be compatible with the survivors' needs and abilities in that moment. Interviewers should not expect to receive the full account of the offense in one interview session. The interviewer should acknowledge and accept that the recovery from trauma and gaining trust of the survivor are both an ongoing process. Exerting pressure on a survivor to explore painful details can result in potential re-traumatization and cause the survivor to shut down and no longer participate in the process.²⁴

Reintegration

When helping a survivor during the reintegration, it is important to be mindful of the impact trauma can have during that process, as well as concerns a survivor may have about returning to his or her family and community. The survivor may fear being rejected by his or her family or community. The survivor may fear retaliation by his or her trafficker/exploiter or network after returning to his or her community. Survivors may also be worried about stigma and his or her future.

When preparing for reintegration, remember that return and reintegration is voluntary and needs to respect the rights of the survivor. Risks and safety concerns need to be discussed with the survivor. Reintegration should be conducted on an individualized basis, with the survivor aware of all important information. Safety of the survivor and his or her family should be factored into the reintegration plan, along with the risks the trafficker may pose.

22 *Trauma-Informed Care in Behavioral Health Services Chapter 3: Understanding the Impact of Trauma*, U.S. National Library of Medicine. <https://www.ncbi.nlm.nih.gov/books/NBK207191/#:~:text=Initial%20reactions%20to%20trauma%20can,effective%2C%20and%20self%2Dlimited>

23 Risan, Patrick, et.al., *Trauma Narratives: Recommendations for Investigative Interviewing*, U.S. National Library of Medicine, April 2020, pp. 678-94. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7901695/>

24 *Working with Victims of Trauma Guide*, International Labour Organization (ILO) Fair Migration Project in the Middle East. http://www.oit.org/wcms5/groups/public/---arabstates/---ro-beirut/documents/genericdocument/wcms_566923.pdf

Exercise 3.2.1: Trauma Discussion

Objective:

- To begin thinking about trauma and its impacts on survivors.

Time:

 15 minutes

Materials and Preparation:

- Flip chart
- Markers

Steps:

- Explain the objectives of the exercise to the participants.
 - 2 minutes
- Ask participants to discuss the following questions in a large group. Write key points on the flip chart:
 - How do you define trauma? Can you give examples?
 - What impacts does trauma have on people? How long do these impacts last?
 - 10 minutes
- Wrap up with key messages below.
 - 3 minutes

Key Messages:

- Trauma can be an intense form of stress.
- Trauma can be brought about by many things, such as violence, abuse, war, natural disasters.
- Trauma can have many impacts on people, which will be discussed in the lesson.
- The impacts of trauma can last long after the traumatic event has ended.

Exercise 3.2.2: Trauma-Informed Care Using ETP Case Studies

Objective:

- To incorporate trauma-informed care principles into interactions with and plans for a survivor.

Time:

 45 minutes

Materials and Preparation:

- Flip chart and markers for each group
- Copies of Enforcement Training Program (ETP) Case Studies

Steps:

- Explain to the participants the objectives of the exercise.
 - 5 minutes
- Split the participants into four groups, give each group copies of a different case study. Instruct each group to review their case study and identify the following:
 - Trauma-informed approaches for interviewing the survivor
 - Trauma-informed approaches for preparing a survivor to testify and for trial
 - Trauma-informed approaches for reintegration
 - 15 minutes
- Reconvene the groups and have each group present their plans. Allow time for comments and discussion.
 - 20 minutes
- Wrap up with Q&A and key messages below.
 - 5 minutes

Key Messages:

- Using trauma-informed approaches can help a survivor recover and tell his or her story. It is important to remember that a survivor's story may change over time due to trauma.
- Using empowering language can help a survivor regain confidence.
- Make sure to include the victim in discussions about services and reintegration; always being mindful of the survivor's safety.

Lesson 3.3: Referral Mechanisms

Objective:

- Learn about the role of National Referral Mechanisms and sub-national referral mechanisms and how they operate.

Time:

 1 hour and 45 minutes

Steps:

- Exercise 3.3.1: Referral Mechanisms Discussion
 - 15 minutes
- Present PowerPoint Presentation 3.3: Referral Mechanisms
 - 30 minutes
- Exercise 3.3.2: Using the Referral Mechanism with the Enforcement Training Program (ETP) Case Studies
 - 1 hour

Supplies:

- Flip chart
- Markers
- PowerPoint Presentation 3.3: *Referral Mechanisms*
- Projector
- Copies of ETP Case Studies 1–4
- Copies of national referral mechanism or sub-national referral mechanism (if such a mechanism exists)

Many countries have National Referral Mechanisms (NRM) and/or sub-national referral mechanisms for child labor, forced labor, and/or human trafficking. These referral mechanisms provide a process and framework for survivor identification and support in a way that increases the ability of government agencies and service providers to work together.²⁵ In some countries, there are formal memorandums of understanding (MOUs) between government agencies, as often NRMs and sub-national referral mechanisms are established through a cooperative agreement. Referral mechanisms rely on civil society and the services that NGOs are able to offer. Because referral mechanisms are dependent on the child labor, forced labor, and human trafficking situations in a specific country or locality and the actors involved in service provision, referral mechanisms are not uniform. Some countries have separate referral mechanisms for child labor, forced labor, and human trafficking because the responsible government agencies are different for child labor and trafficking cases. In instances where the reporting mechanisms are independent, it can be beneficial to ensure that the responsible ministries have regular contact with each other to help make sure that cases are properly identified, and best practices are shared.

25 *Victims of Modern Slavery – Frontline Staff Guidance*. Version 3.0, UK Home Office, 2016, p. 46. <https://www.antislaverycommissioner.co.uk/media/1057/victims-of-modern-slavery-frontline-staff-guidance-v3.pdf>

Role of Referral Mechanisms

Referral mechanisms help protect the rights of survivors while simultaneously providing them with access to needed services. These mechanisms can help implement national policy and may allow governments to better track data. NRMs and other referral mechanisms help streamline the process for identifying potential child labor, forced labor, and human trafficking victims and survivors and coordinating survivor services. Referral mechanisms can also help keep information about survivors confidential by ensuring that identifying information is only shared with those working on the individual case. Referral mechanisms help governments coordinate with NGOs, which are able to provide services that governments often cannot.

Sub-National Referral Mechanisms and NRMs: Benefits of a Localized Approach and a National Approach

NRMs can have challenges, indicating that survivors can benefit from a more localized approach, such as at the state, provincial, county, or municipal level. Even if there is an overarching national program, those programs are not always able to deliver what the survivor requires without a multi-agency approach to the coordination and delivery of support at the local level. The United Kingdom (UK) found that building local links with government departments, local authorities, housing associations, local health providers, and NGOs can provide more holistic support for the survivor.²⁶

There are benefits to using a national-level approach. Lack of funding and specific local agencies that have the training and connections to address survivor's needs can make it challenging for local referral mechanisms to fully protect survivors. Additionally, with an NRM in place, the larger organization can reach out to the local organizations and departments after first assessing what the survivors need and where to refer them. A centralized effort allows the government to tap into all necessary resources, which can be more efficient than a smaller, local organization trying to find necessary resources and reaching out to other local organizations if they do not have what they need. Because human trafficking often involves people subject to immigration control, which is typically addressed by the national government, there is a benefit to having the national government playing a role in survivor referral so that immigration issues do not hinder the assistance process.

If the local referral agencies do not have the capacity or resources, it is possible that survivors will not be identified. There is some concern that workers employed by local authority child protection services may not be aware of human trafficking. To combat this lack of knowledge, local authorities need to determine how their staff is trained and supervised to respond to this issue; this includes understanding the function of the NRM if there is one, and the need to collaborate with other organizations to address unique survivor needs.

Components of Referral Mechanisms

Before conducting outreach, safety and service protocols should be in place with law enforcement and social service providers.²⁷ When conducting direct outreach, the goal should be to provide an implicit promise to potential victims and survivors that help will be available when needed. Providing appropriate follow-through helps build trust.

A single agency or program may be able to meet some of the needs of a child labor, forced labor, or human trafficking survivor, but it is best to work with a network of service providers. A multidisciplinary team using a comprehensive services model is an evidence-based practice that has been shown to improve outcomes for survivors. It is crucial to develop relationships with a variety of service providers such as health clinics, refugee service agencies, labor rights networks, and culturally specific organizations that can help serve the needs of foreign national survivors. Training should be provided for service providers working with survivors of child labor, forced labor, or human trafficking.

26 *Review of the National Referral Mechanism for Victims of Human Trafficking*, UK Home Office, 2014. https://www.antislaverycommissioner.co.uk/media/1062/review_of_the_national_referral_mechanism_for_victims_of_human_trafficking.pdf

27 *Guidelines for Building a Response/Referral Mechanism*, Ohio Human Trafficking Task Force. <https://humantrafficking.ohio.gov/tool-kit-building.html>

In addition to developing relationships with service providers and law enforcement, relationships should be developed with organizations familiar with the ethnic group or language of the target population. For example, when conducting outreach to potential child labor, forced labor, or human trafficking survivors in agricultural settings, partnering with a migrant farmworker outreach program can help build trust with the target population and should inform how the outreach is conducted. Critical partners could include health outreach programs, community legal programs, sexual assault response teams, educational programs, churches, immigration assistance programs, and culturally specific organizations.

Referral mechanisms should include the following components:²⁸

- Identification of victims/survivors and how to appropriately treat and provide services to survivors while respecting their rights and allowing them to make decisions
- A system for referring survivors to service providers
- A formal mechanism designed to harmonize survivor assistance with investigations and prosecutions
- A multidisciplinary framework with participants from a range of sectors that can respond to survivor needs and conduct monitoring and evaluation

Referral mechanisms can also be centered around centralizing contact information for service providers and maintaining relationships with those service providers. **The service directory should include:²⁹**

- Who: Name of the organization or service provider and their contact information
- What: Type of assistance or services that they provide
- Where: Location(s) where their services can be accessed

To make the best use of a service directory, developing standard operating procedures (SOPs,) guidelines, or MOUs regarding coordination and service provision can be helpful. Additionally, creating a referral form can help streamline the process. **In establishing and using an NRM, these best practices should be followed:³⁰**

- Protecting survivors should be the first priority of all anti- child labor, forced labor, and human trafficking efforts
- The framework or infrastructure to address child labor, forced labor, and/or human trafficking should consider these issues broadly, considering all types of child labor, forced labor, and human trafficking and how they may evolve. Being flexible and open to change is important.
- Support and protection should be available to all survivors, regardless of the type of child labor, forced labor, or human trafficking they were subjected to.
- The NRM should include a broad range of services, which should be used to address each survivor's specific needs
- Human rights-based victim protection mechanisms can help prosecutions succeed
- Government and civil society should both be included to achieve a multidisciplinary, cross-sector structure
- The structure should assess and build on national capacity to create a sustainable framework
- The NRM should be transparent and should assign clear roles and responsibilities based on the capabilities and mandates of organizations and offices involved
- NRMs should engage in regional and international cooperation
- Implementation of the NRM should help ensure accountability and legitimacy

28 *National Referral Mechanisms: Joining Efforts to Protect the Rights of Trafficked Persons*, Organization for Security and Co-operation in Europe (OSCE), 2004, p. 16. <https://www.osce.org/odihr/13967>

29 *Trafficking in Persons Victim Identification and Assistance*, International Organization for Migration (IOM), 2020, p. 45. <https://publications.iom.int/books/trafficking-persons-victim-identification-and-assistance-training-guide>

30 *National Referral Mechanisms: Joining Efforts to Protect the Rights of Trafficked Persons*, Organization for Security and Co-operation in Europe (OSCE), 2004, pp. 23-28. <https://www.osce.org/odihr/13967>

Examples of NRMs and Sub-National Referral Mechanisms

The United Kingdom has an NRM for modern slavery, which includes human trafficking, forced labor, and some of the WFCL. In the United Kingdom, only staff at designated first responder organizations can refer cases to the NRM.³¹ If someone other than a first responder wants to make a report, they have to refer the case to one of the designated first responders, who can then make referrals through the NRM. To use the NRM, first responders must complete a form that provides information about the victim/survivor. There are separate forms for children and adults, and while consent is required to report adult victims/survivors, it is not required to report child victims/survivors.

In addition to the UK's NRM, London has a one-page online referral mechanism developed by the Metropolitan Police.³² The online referral mechanism can be accessed by 60 different organizations in London, making it easier for partners to identify and refer victims/survivors of human trafficking. The online referral mechanism has resulted in more trafficking survivors being identified and more trafficking investigations being conducted by the police.

In Colombia, suspected cases of human trafficking must be reported to the Human Trafficking Task Force of the Ministry of the Interior.³³ The Ministry determines if the case is a human trafficking case and makes referrals for services.

In the Netherlands, referrals for sex trafficking survivors are coordinated by the Dutch Foundation against Trafficking in Women (STV). Its help desk has four key tasks:³⁴

- Arranging shelter
- Keeping in touch with services providers who are assisting survivors
- Maintaining regional support networks and setting up new support networks
- Recording data about survivors and sharing data with the National Rapporteur

The STV does not run shelters but instead coordinates shelter with NGOs who can provide services. Cases are referred to the regional support networks, but if no regional support network covers the area a survivor is located in, the national STV will coordinate services. The STV help desk ensures that an individualized plan for services is developed for each survivor, which includes addressing immediate and long-term needs. The plan identifies the needed service providers, who are kept informed.

The NRM in Georgia is widely considered the best in the region in terms of how the mechanism is structured and the implementation of the framework. Potential victims/survivors are identified mainly by task forces and mobile units and referred to either the national police or the Permanent Group, a five-member board comprising NGOs and international organizations.³⁵ Both authorities can grant official victim status and full state services and support. This approach creates a much-needed alternative to law enforcement-controlled identification procedures for survivors who do not want to work with state authorities. It also alleviates many law enforcement-controlled identification issues like forced cooperation in investigations, penalization, and re-traumatization.

31 *National Referral Mechanism Guidance: Adult (England and Wales)*, UK Home Office, 2022. <https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/guidance-on-the-national-referral-mechanism-for-potential-adult-victims-of-modern-slavery-england-and-wales#Section-3>

32 Van Dyke, Ruth, "Monitoring and Evaluation of Human Trafficking Partnerships in England and Wales" in *Anti Trafficking Review*, Issue 8, 2017, pp. 131-46. <https://www.antitraffickingreview.org/index.php/atrjournal/article/view/230/220>

33 *Manual de abordaje, orientación y asistencia a víctimas de trata de personas con enfoque de género y derechos*, International Organization for Migration (IOM), 2012, p. 61. <https://publications.iom.int/books/manual-de-abordaje-orientacion-y-asistencia-victimas-de-trata-de-personas-con-enfoque-de> There is a sample reporting form (for international human trafficking) on page 65

34 *Protocol for Identification and Assistance to Trafficked Persons*, Anti-Slavery International, 2005, p. 82. <http://www.antislavery.org/wp-content/uploads/2017/01/protocoltraffickedpersonskit2005.pdf>

35 *2018 Trafficking in Persons Report*, U.S. Department of State, 2018, p. 195. <https://www.justice.gov/eoir/page/file/1078096/download>



Moldova has an NRM for human trafficking survivors, which is designed to provide possible trafficking victims/survivors with access to services from a network of service providers.³⁶ To improve the NRM's implementation, there are regional offices in each region of the country that work with local law enforcement, service providers, and schools to coordinate rehabilitation efforts.

In the U.S., many states have state referral mechanisms. In the state of New York, any law enforcement officer, social services, or legal services provider can make referrals for a person believed to be a trafficking victim/survivor.³⁷ The state of New York uses an electronic submission process. The Division of Criminal Justice Services, in consultation with the Office of Temporary and Disability Assistance, review referrals to determine eligibility. New York State funds the Response to Human Trafficking Program, which provides case management and referral services to confirmed human trafficking survivors in New York. The program focuses on survivors who cannot otherwise access services, such as those who have not yet been certified by the federal government. Services provided to the survivors include things such as shelter/rental assistance, medical services, mental health counseling, legal services, food assistance, and other needs identified on an individual basis.

36 An Assessment of Referral Practices to Assist and Protect Trafficked Persons in Moldova, United Nations Office on Drugs and Crime (UNODC), 2007. https://lastradainternational.org/lisidocs/721%20unodc_07_assem_ref_protect_0408.pdf

37 Division of Criminal Justice Services: Human Trafficking, New York State. <https://www.criminaljustice.ny.gov/pio/humantrafficking/humantrafficking.htm>

Exercise 3.3.1: Referral Mechanism Discussion

Objective:

- Discuss experiences with and perceptions of referral mechanisms to begin thinking about child labor, forced labor, and human trafficking mechanisms.

Time:

 15 minutes

Materials and Preparation:

- Locate and make copies of the local/national referral mechanism if there is a local mechanism for child labor, forced labor, or human trafficking
- Flip chart
- Flip chart markers

Steps:

- Explain the objectives of the exercise to the participants.
 - 2 minutes
- If there is a local/national referral mechanism, lead a discussion asking the following questions, recording answers on the flip chart:
 - Has anyone used the referral mechanism? What was that experience like?
 - Have there been efforts to increase the use of the referral mechanism? If so, what types of efforts?
 - What are your perceptions of the referral mechanism if you have not used it?
- If there is not a local/national referral mechanism, lead a discussion asking the following questions, record answers on the flipchart:
 - Are you familiar with other types of referral mechanisms or with referral mechanisms used in other countries? If yes, can you explain a bit about how they work?
 - Would a referral mechanism be helpful for child labor, forced labor, and/or human trafficking cases? How would it be helpful?
- 10 minutes
- Wrap up with the key messages below.
 - 3 minutes

Key Messages:

- Referral mechanisms help enforcement and service providers work together to identify victims/survivors and increase their access to services.

Exercise 3.3.2: Using the Referral Mechanism with the ETP Case Studies

Objective:

- To understand how to use the local/national child labor, forced labor, and/or human trafficking referral mechanism (if one exists)
- Practice using the referral mechanism
- Discuss how to improve the use of a referral mechanism
- Discuss the benefits and challenges of a referral mechanism

Time:

 1 hour

Materials and Preparation:

- Locate and make copies of the local/national referral mechanism if there is a local mechanism for child labor, forced labor, or human trafficking
- Flip chart
- Flip chart markers
- Make copies of Enforcement Training Program (ETP) Case Studies 1–4

Steps:

- Explain to the participants the objectives of the exercise. Identify the scope of the exercise (child labor, forced labor, and/or human trafficking)
 - 5 minutes
- If there is a local/national referral mechanism, split the participants into four groups, giving each group copies of a different ETP Case Study. Then have each group do the following:
 - Identify the services needed by the survivor in their case study.
 - Talk through the process of referring the case and providing referrals for survivor services. Track the process on the flip chart paper. After the process has been mapped, have participants reconvene.
 - Have each group present its use of the referral mechanism. Then ask the participants the following questions, recording answers on the flip chart paper:
 - What does the referral mechanism do well?
 - What could be improved about the referral mechanism and its implementation?
- If there is not a local/national referral mechanism, split the participants into four groups, giving each group copies of a different ETP Case Study. Then have each group identify the services needed by the survivor in their case study. Once this has been finished, have the groups reconvene.
 - Have each group present the services needed by the survivor in their case study. Then ask the participants the following questions, recording answers on the flip chart paper:
 - Would a referral mechanism be helpful for child labor, forced labor, and/or human trafficking cases? How would it be helpful?

- What challenges are likely to be faced in creating and implementing a referral mechanism? How can these challenges be overcome?
- What do you think should be included in a referral mechanism?
- Which agencies/offices are well placed to help design or implement a referral mechanism?
- 45 minutes
- Wrap up with Q&A and the key messages below.
 - 10 minutes

Key Messages:

- Referral mechanisms can help streamline referrals, improving the ability of survivors to access services.
- Referral mechanisms can encourage a holistic approach to victim services, ensuring that a variety of needs are met and that a comprehensive care plan is developed.
- Referral mechanisms can help ensure that cases are properly identified and are investigated.



Photo Credit: Denish C, 2012, Sri Lanka

Lesson 3.4: Process and Roles

Objectives:

- Learn about the roles and responsibilities of the different agencies, offices, and organizations that play a role in building child labor, forced labor, and human trafficking cases, including providing services to survivors
- Learn how to map the coordination and referral process

Time:

 2 hours and 20 minutes

Steps:

- Exercise 3.4.1: Telephone Energizer
 - 30 minutes
- Present PowerPoint Presentation 3.4: Process and Roles
 - 20 minutes
- Exercise 3.4.2: Referral Mapping
 - 1 hour and 30 minutes

Supplies:

- Flip chart
- Markers
- Handout 3.4.1: *Telephone Tip*
- PowerPoint Presentation 3.4: *Process and Roles*
- Projector

Roles and Responsibilities

Roles and responsibilities can vary by country. In many jurisdictions, there are hotlines that can be used to report cases of child labor, forced labor, and human trafficking. These hotlines can be operated by a government agency or NGO. Often there are separate hotlines for human trafficking and child labor. Common roles and responsibilities for government agencies, NGOs, and CSOs are described below.

Labor inspectors: Labor inspectors are typically authorized to inspect workplaces either in response to a tip or as routine inspections. In many jurisdictions, labor inspectors are authorized to investigate child labor cases and issue on-the-spot fines for labor violations. Labor inspectors can often work with employers to help them comply with local rules and regulations and do outreach about child labor, forced labor, and human trafficking. Labor inspectors often are responsible for bringing child labor cases to an administrative hearing at a Labor Office or Labor Court.

Police: Police officers are typically responsible for investigating forced labor and human trafficking cases. In some jurisdictions, they are also responsible for investigating child labor cases. Police often do the initial screening and often are the ones to identify survivors.³⁸ Police are typically involved in initial victim interviews and may need to make referrals for survivor services. Often there are specialized units of police who investigate human trafficking cases and cases involving children. These officers receive special training about victim/survivor needs and how to conduct interviews of victims/survivors and children.

Prosecutors: Prosecutors are responsible for prosecuting human trafficking cases. In many jurisdictions, they are also responsible for prosecuting forced labor and child labor cases. Often there is a dedicated unit of prosecutors who specialize in human trafficking cases. In some jurisdictions, prosecutors are also responsible for investigating cases. Prosecutors are responsible for ensuring survivors are prepared for the court process and securing available protections for survivors during the trial.

Judges: Judges are responsible for hearing human trafficking cases and often forced labor cases. In some jurisdictions, they may hear child labor cases either in the first instance or on appeal. Judges will often hear cases of WFCL. Judges are responsible for helping to create a survivor-sensitive trial.

Immigration and border officers: Immigration and border officers are typically responsible for screening people arriving in and departing from the country, which may include screening for potential trafficking cases. Should a possible case be identified, officers should conduct interviews if needed and make an initial referral.

Other government agencies: In many jurisdictions, there are several other government agencies that assist with child labor, forced labor, and human trafficking cases. Often social services assist by providing social workers who help provide counseling, develop survivor assistance plans, and are present at survivor interviews. Child welfare agencies may provide services for child survivors, such as being present at interviews, assisting with treatment plans, and identifying a guardian and housing if needed. The Ministry of Education will often help to assist in reenrolling children in school.

NGOs and CSOs: NGOs and CSOs are often well placed to provide survivor services. These organizations may also be able to assist with reintegration. NGOs and CSOs may do many things, including providing services like those listed below:³⁹

- Medical and psychological examinations, treatment, and counseling to survivors
- Family mediation and counseling
- Monitoring the survivor's reintegration process

38 *Investigating Human Trafficking Cases Using a Victim-Centred Approach: A Trainer's Manual on Combating Trafficking in Persons for Capacity-building of Law Enforcement Officers in Antigua and Barbuda, Belize, Jamaica, and Trinidad and Tobago*, International Organization for Migration (IOM), 2018, p. 55. <https://publications.iom.int/books/investigating-human-trafficking-cases-using-victim-centred-approach-trainers-manual-combating>

39 *The IOM Handbook on Direct Assistance for Victims of Trafficking*, International Organization for Migration (IOM), 2007, p. 86. <https://publications.iom.int/books/iom-handbook-direct-assistance-victims-trafficking-0>

- Monitoring children once they have been placed in a shelter
- Help re-enroll children in school
- Provide or help coordinate vocational training programs
- Help with job placement and career counseling
- Assistance in obtaining copies of documents such as birth certificates, passports, and other forms of identification
- Legal assistance in civil and criminal cases
- Assistance in obtaining visas
- Managing telephone hotlines that provide information and emergency support to survivors
- Providing safe transportation

For more information about the services provided by CSOs and NGOs, refer to Lesson 3.1: Survivor Services.

Mapping the Referral Process

Referral mapping, also known as coordination mapping, is an important process in identifying how survivor needs can and should be met. Mapping the referral process for child labor, forced labor, and human trafficking cases can be a useful process to understand the process within a country. To map the referral process for child labor, forced labor, or human trafficking cases, the first step is to map the stages of the case process for survivors and identify their needs at each stage.

Next, the agencies, offices, and organizations that are mandated to address each phase of the case process, and each of the survivors' needs should be identified. The mapping process should include identifying who will provide assistance to survivors at each stage and building a child labor, forced labor, or human trafficking referral system, as identified during the initial process mapping. **The referral process could include the following stages:**

- Identification, or who may receive tips or observe instances of child labor, forced labor, and/or human trafficking
- Investigation
- Victim/survivor services for emergency/immediate needs such as immediate housing, emergency medical treatment, and a security assessment
- Survivor services for intermediate needs such as short-term housing arrangements and additional medical and psycho-social services, including counseling, reentry into education, and legal support
- Interviewing survivors
- Survivor services for long-term needs such as education and employment support, additional legal assistance, and reintegration
- Preparing a survivor to testify in court
- Assisting a survivor during a trial
- Post-trial and follow-up

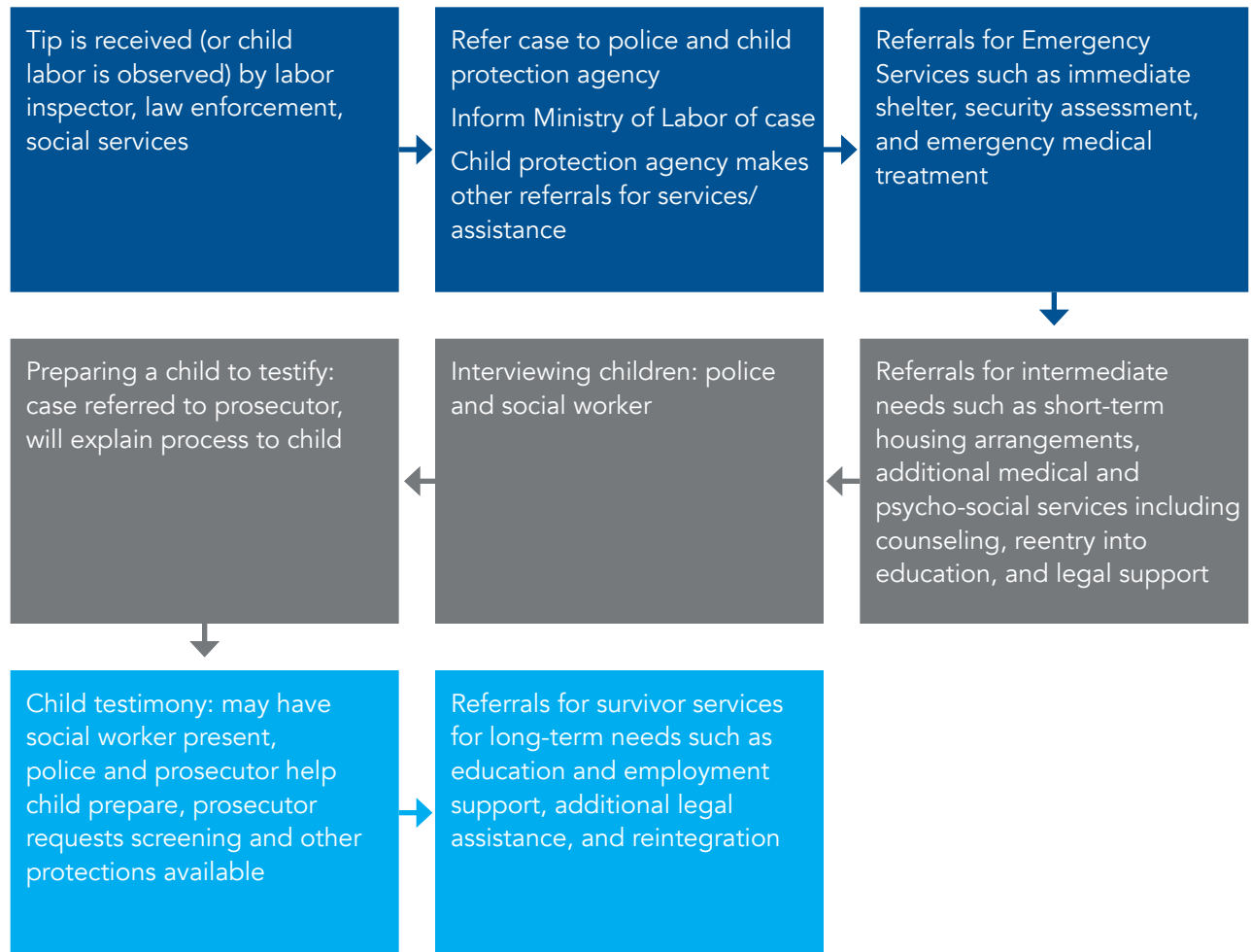
Once the roles and responsibilities have been identified, the groups in charge of the various stages listed above should be identified. Additionally, if there is a reporting hotline and/or agency responsible for coordinating referrals, that agency should be identified.

A process map should then be created. A flow chart is a good way to this. The sample flow chart below provides an example of what it might look like. The flow chart should identify roles and responsibilities at each stage of the child labor, forced labor, or human trafficking case, and when referrals should be made.

Sample Flow Chart

The chart below is a sample flow chart for child labor cases. It identifies roles and responsibilities of different actors, and when in the process referrals should be made to different offices, agencies, and service providers. The chart will not apply directly to all countries but is intended to demonstrate a possible product of referral mapping.

Figure 3: Sample Flow Chart for Child Labor Cases



Exercise 3.4.1: Telephone Energizer

Objective:

- Begin thinking about the importance of ensuring information is properly recorded and referred.

Time:

 30 minutes

Materials and Preparation:

- Copies of Handout 3.4.1: *Telephone Tip*
- Flip chart
- Flip chart markers

Steps:

- Explain the objectives of the exercise to the participants.
 - 2 minutes
- Instruct participants to get out of their seats and stand in a large circle. The facilitator should turn to his or her right and whisper the script on Handout 3.4.1: *Telephone Tip* into the ear of the person standing next to the facilitator, which is:
 - A suspected trafficking survivor needs assistance. A 17-year-old boy was rescued from a fishing vessel and needs immediate medical attention for an injury to his arm. He also needs housing and other services.
- 3 minutes
- Instruct the person who received the message to whisper it in the ear of the person next to him or her, continuing the process until the message makes it all the way around the circle. The final person to receive the message should repeat what they have heard out loud. Ask participants if the message is the same as what they were told.
 - 5 minutes
- Hand the copies of Handout 3.4.1: *Telephone Tip* to the person on the facilitator's right. Tell the participants you are referring a case to the agency/office in charge of coordinating victim services. Instruct the person holding the copies Handout 3.4.1: *Telephone Tip* to keep one copy and give the other copies to participants in the circle to refer the case to other service providers. Have the person who made the referrals read aloud what is on his or her sheet. Ask participants if the information they received is accurate.
 - 15 minutes
- Wrap up with the key messages below.
 - 5 minutes

Key Messages:

- Writing down information when it is received, and with the intention of sharing it, can help ensure that survivors receive the services they need. This information must be kept confidential and only shared with those assisting the survivor or investigating or prosecuting the case.
- Coordinating referrals for survivor services through a central office or agency can be more efficient and ensure that survivors receive needed services in a timely manner.

Exercise 3.4.2: Referral Mapping

Objective:

- To map the referral process for child labor, forced labor, and/or human trafficking cases.

Time:

 1 hour and 30 minutes

Materials and Preparation:

- Locate and make copies of Handout 3.2.1: *Referral Mapping Template* for each participant
- Pens or pencils
- Flip chart pages with the following titles:
 - Identification
 - Investigation
 - Survivor Services: Immediate Needs
 - Survivor Services: Intermediate Needs
 - Interviewing Survivors
 - Preparing Survivors to Testify
 - Assisting Survivors During a Trial
 - Survivor Services: Long-Term Needs
- Flip chart markers

Steps:

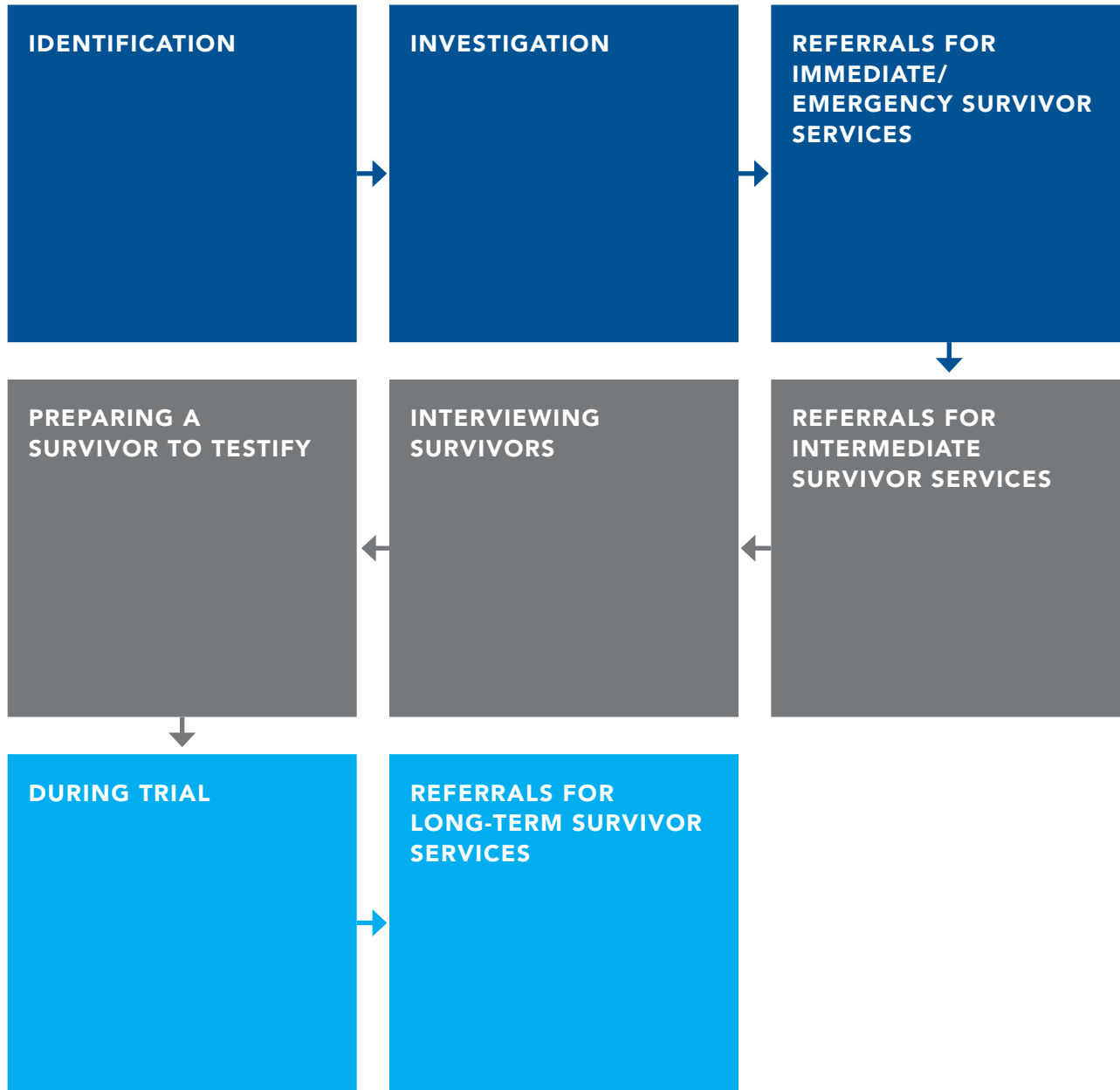
- Explain to the participants the objectives of the exercise. Identify the scope of the exercise (child labor, forced labor, and/or human trafficking)
 - 5 minutes
- Ask participants to introduce themselves, giving their names, their office/agency/organizations, and its role and responsibilities in child labor, forced labor, and/or human trafficking cases (if participants are from multiple offices and agencies). You can also have participants from the same agency/office/organization provide one brief overview of their agency/office/organization. The facilitator should take notes on a flip chart page noting each agency/office/organization present and its roles and responsibilities.
 - 20 minutes
- Ask participants to brainstorm the offices/agencies/organizations responsible for identification or who may receive tips or observe instances of child labor, forced labor, and/or human trafficking.
 - 5 minutes
- Ask participants to brainstorm the offices/agencies/organizations responsible for the investigation.
 - 5 minutes
- Ask participants to brainstorm the offices/agencies/organizations responsible for survivor services for immediate or emergency needs.
 - 5 minutes

- Ask participants to brainstorm the offices/agencies/organizations responsible for survivor services for intermediate needs.
 - 5 minutes
- Ask participants to brainstorm the offices/agencies/organizations responsible for interviewing survivors.
 - 5 minutes
- Ask participants to brainstorm the offices/agencies/organizations responsible for preparing a survivor to testify.
 - 5 minutes
- Ask participants to brainstorm the offices/agencies/organizations responsible for assisting a survivor during a trial.
 - 5 minutes
- Ask participants to brainstorm the offices/agencies/organizations responsible for long-term survivor services.
 - 5 minutes
- Working as a group, have participants identify which agency, office, or organization is responsible for each stage of the process and when referrals should be made and to whom, using a flow chart. If there is a central office responsible for handling referrals, make sure it is identified as well.
 - 20 minutes
- Wrap up with Q&A and the key messages below.
 - 5 minutes

Key Messages:

- There are many agencies, offices, and organizations that play a role in assisting child labor, forced labor, and human trafficking. Knowing the roles and responsibilities of these groups can help ensure that survivors receive needed services.
- Knowing when to make referrals and who to refer cases to helps ensure that survivors receive the services they need and in a timely manner.

HANDOUT 3.4.2: REFERRAL MAPPING TEMPLATE



Lesson 3.5: Mandatory Reporting

Objective:

- Understand the benefits and challenges of mandatory reporting
- Understand how mandatory reporting can work in practice

Time:

 45 minutes

Steps:

- Exercise 3.5.1: Mandatory Reporting Discussion
 - 30 minutes
- PowerPoint Presentation 3.5: Mandatory Reporting
 - 15 minutes

Supplies:

- Flip chart
- Markers
- PowerPoint Presentation 3.5: *Mandatory Reporting*
- Projector

Mandatory reporting creates a duty to report suspected child labor, forced labor, or human trafficking cases. Mandatory reporting can help countries to identify more victims and survivors; help identified survivors gain access to services; and can increase child labor, forced labor, and human trafficking investigations. However, mandatory reporting may also make survivors less likely to seek assistance if they believe their case will be reported to law enforcement.

Mandatory reporting is a legal requirement that certain individuals (often medical professionals or those who work with children) notify a designated agency when they suspect that someone may be a child labor, forced labor, or human trafficking victim or survivor. In some jurisdictions, consent may be required to report suspected adult victims or survivors. Consent is typically not required to report cases involving child victims or survivors.

In many jurisdictions, there is a mandatory requirement for medical practitioners and people working with children (such as teachers or social workers) to report suspected cases of child abuse. In most jurisdictions, this obligation covers child trafficking and WFCL and may include all cases of child labor. Reports are often made to law enforcement and child welfare/social services.

The obligation to report may vary within a jurisdiction. In the state of New York in the United States, for example, law enforcement and prosecutors are required to report suspected human trafficking cases, while social services and legal services must obtain consent to report adult cases.⁴⁰ Service providers and child welfare workers in New York are required to report suspected child sex trafficking cases to law enforcement.⁴¹

40 *Responding to Commercially Sexually Exploited and Trafficked Youth: A Handbook for Child Service Professionals*, New York State Office of Children and Family Services, 2016, p. 34. <https://ocfs.ny.gov/programs/human-trafficking/assets/docs/OCFS-Handbook-for-Office-print.pdf>

41 *Ibid.* at p. 37.

Benefits of Mandatory Reporting

There are several benefits to mandatory reporting. The first is that there may be an increase in reported cases, allowing more survivors to receive assistance and enabling the scope and nature of child labor, forced labor, and human trafficking in the country to be better understood. Mandatory reporting also encourages those who are required to report to learn how to identify child labor, forced labor, and human trafficking.⁴² Medical professionals are often the only people who can interact with child survivors in a way that is confidential enough for children to be identified as survivors.

Challenges of Mandatory Reporting

Mandatory reporting conflicts with the strict confidentiality requirements of the medical profession. If child labor, forced labor, or human trafficking victims/survivors become aware of mandatory reporting requirements, it may cause them to delay seeking medical treatment or not disclose information because of a fear of reprisals by their traffickers or employers, prosecution for crimes related to trafficking, or deportation.⁴³ If survivors are given access to services and are not prosecuted for crimes related to trafficking, it may be possible to begin countering these fears. Medical practitioners, teachers, and others who are required to report may need training to identify child labor, forced labor, and human trafficking. Some jurisdictions have developed training materials and tools for practitioners, such as lists of indicators. There are also concerns about penalties for failing to report cases and whether mandatory reporting creates an undue burden on those working with children. A final challenge in some jurisdictions is that the definition used to identify a victim/survivor of human trafficking and/or forced labor is very narrow, which means foreigners who are not initially identified as victims/survivors during screening can be quickly deported without recourse or appeal.

42 English, Abigail, "Mandatory Reporting of Human Trafficking: Potential Benefits and Risks of Harm" in *AMA Journal of Ethics* January 2017, Volume 19, Number 1, p. 58. <https://journalofethics.ama-assn.org/sites/journalofethics.ama-assn.org/files/2018-05/pfor1-1701.pdf> accessed 14 September 2020.

43 Ibid. at p. 58.

Exercise 3.5.1: Mandatory Reporting Discussion

Objective:

- Discuss the benefits and challenges of mandatory reporting

Time:

 30 minutes

Materials and Preparation:

- Locate and make copies of the local/national mandatory reporting requirements, if there are requirements for child labor, forced labor, or human trafficking
- Flip chart
- Flip chart markers

Steps:

- Explain to the participants the objectives of the exercise. Identify the scope of the exercise (child labor, forced labor, and/or human trafficking)
 - 5 minutes
- If there is a local/national mandatory reporting requirement, lead a discussion asking the following questions, recording answers on the flip chart:
 - Has anyone used the mandatory reporting mechanism or received a tip from it? How did it work? Did it increase your ability to identify, investigate, or prosecute cases?
 - What are the benefits of mandatory reporting?
 - What are the challenges of mandatory reporting?
 - What kinds of education and outreach have been done about mandatory reporting? Are additional efforts needed? If so, what types of efforts do you think would be successful?
- If there is not a local/national mandatory reporting requirement, lead a discussion asking the following questions, recording answers on the flip chart:
 - Would a mandatory reporting requirement be helpful? Why or why not?
 - What types of professions/offices/groups of people do you think should be included in mandatory reporting? Why? Do you think there will be challenges in including any of these groups? If so, what types of challenges?
 - What types of outreach or education would be needed to implement mandatory reporting?
- 20 minutes
- Wrap up with Q&A and the key messages below.
 - 5 minutes

Key Messages:

- Mandatory reporting can help identify cases of child labor, forced labor, and human trafficking, increasing the number of investigations and prosecutions.
- Mandatory reporting can pose challenges if victims and survivors fear being reported and decline to seek medical or other services as a result.

Lesson 3.6: Self-Care for Front Line Case Workers

Objectives:

- Learn about vicarious trauma and how to recognize it.
- Learn about self-care strategies.

Time:

 1 hour and 10 minutes

Steps:

- Exercise 3.6.1: Breathing Exercise
 - 10 minutes
- Present PowerPoint 3.6: Self-Care for Front Line Case Workers
 - 30 minutes
- Exercise 3.6.2: Identifying Self-Care Strategies
 - 30 minutes

Supplies:

- Paper
- Pens

Self-care is crucial for front line case workers who work with survivors of child labor, forced labor, and human trafficking. These case workers can experience vicarious trauma and secondary trauma, due to listening repeatedly and empathically to people who have undergone traumatic experiences.⁴⁴ It is often seen as an occupational hazard for service providers working directly with survivors. Vicarious trauma can be the result of a one-time exposure, or repeated interactions over time.⁴⁵ Vicarious trauma can have a profound impact on people, it can be as damaging as primary trauma. Vicarious trauma can increase when service providers have additional sources of stress, such as the COVID-19 pandemic.⁴⁶ Secondary trauma is based on clinical symptoms and is similar to PTSD. Service providers who work with survivors of child labor, forced labor and human trafficking are also at risk for burnout. Burnout and vicarious trauma can both be experienced by front line case workers.

Burnout typically occurs over a long period of time and is due to factors such as a lack of resources, long hours, and high caseloads. Burnout is not typically the direct result of working with survivors, but a lack of support by the organization to those working with survivors can contribute to burnout.⁴⁷

44 *Self-Care and Trauma Work*, National Sexual Violence Resource Center and National Sexual Assault Coalition Resource Sharing Project, 2012, p. 1. https://www.nsvrc.org/sites/default/files/Publication_NSVRC_Overview_Self-Care.pdf

45 Jan Coles, et al., "A Qualitative Exploration of Researcher Trauma and Researchers' Responses to Investigating Sexual Violence" in *Violence Against Women* 2014 20(1) 98. https://ovc.ojp.gov/sites/g/files/xyckuh226/files/media/document/imp_vt_in_sex_violence_research-508.pdf

46 *Vicarious Trauma and Self-Care Toolkit*, Toronto Youth Equity Strategy, 2020, p. 7. <https://www.toronto.ca/wp-content/uploads/2021/01/8bf8-Vicarious-Trauma-Toolkit-2020.pdf>

47 *Trauma-informed Toolkit*, Clinic Community Health Centre, 2013, p. 122. https://trauma-informed.ca/wp-content/uploads/2013/10/Trauma-informed_Toolkit.pdf

Vicarious Trauma is the experience of the trauma of others. It is caused by absorbing the sight, sound, smell, touch and feel when survivors share their trauma stories.⁴⁸

It is important to recognize that it is normal to be impacted by working with survivors.⁴⁹ Proper self-care can reduce the risk of burnout. Taking steps such as taking time off, getting enough sleep, exercise, and nutrition can help reduce those risks.⁵⁰ It is important to remember that self-care is not one size fits all, and that people need to identify the types of activities and practices that work best for them personally and fit well into their lives.⁵¹

Indicators of Vicarious Trauma and Secondary Trauma

There are many indicators of vicarious trauma and secondary trauma.

- Difficulty sleeping, nightmares
- Anxiety
- Numbness
- Excessive caregiving
- Cynicism
- Depression
- Exhaustion
- Increased self-criticism
- Feel estranged from others
- Guilt⁵²
- Fear
- Addictions
- Quality of work decreases
- Making decisions without reflection
- Making mistakes
- Taking on more work than manageable
- Avoiding commitments
- Excessive time off
- Blaming others

48 *Vicarious Trauma and Self-Care Toolkit*, Toronto Youth Equity Strategy, 2020, p. 7. <https://www.toronto.ca/wp-content/uploads/2021/01/8bf8-Vicarious-Trauma-Toolkit-2020.pdf>

49 *Self-Care and Trauma Work*, National Sexual Violence Resource Center and National Sexual Assault Coalition Resource Sharing Project 2012, p. 2. https://www.nsvrc.org/sites/default/files/Publication_NSVRC_Overview_Self-Care.pdf

50 *Vicarious Trauma and Burnout*, Office for Victims of Crime. <https://www.ovcttac.gov/taskforceguide/eguide/3-operating-a-task-force/34-addressing-common-operational-challenges/vicarious-trauma-and-burnout/>

51 *Vicarious Trauma and Self-Care Toolkit*, Toronto Youth Equity Strategy, 2020, p. 9. <https://www.toronto.ca/wp-content/uploads/2021/01/8bf8-Vicarious-Trauma-Toolkit-2020.pdf>

52 *Trauma-informed Toolkit*, Clinic Community Health Centre, 2013, p. 124. https://trauma-informed.ca/wp-content/uploads/2013/10/Trauma-informed_Toolkit.pdf

Risk Factors

Service providers who have previously experienced trauma themselves are at greater risk of developing vicarious trauma.⁵³ This risk increases if the trauma experienced by the front-line worker was similar to the trauma being described by the person receiving services. Additionally, the risk of secondary trauma increases with repeated exposure to trauma survivors and by working directly with those survivors (as opposed to working in an office that assists survivors but not working directly with victims).

Other factors that increase risk for Trauma Exposure Response:

- Having a past history of trauma
- Overwork
- Ignoring health boundaries
- Taking on too much
- Lack of experience
- Too much experience (being in the job for many years)
- Working with large numbers of traumatized children, especially sexually abused children⁵⁴

Strategies to Reduce Vicarious Trauma

It is important to develop ways to react positively to stress that work for you. In the long-term, our reactions to stress and trauma rely on our resilience, mindfulness, and ability to remain focused and energized.⁵⁵ Resilience can be boosted, increasing one's ability to reduce the impact of vicarious trauma. Several strategies can help address stress and trauma. One overall strategy to keep in mind is the ABCs of Addressing Vicarious Trauma.

The ABC's of Addressing Vicarious Trauma⁵⁶

Awareness: Being aware of your needs, limits, emotions, and resources. Being aware of all sources of information from all of your senses. Practice mindfulness.

Balance: Maintaining balance between your activities, including work, recreation, and rest.

Connection: Connect to yourself and others. Communicate with others and share your feelings to increase validation and hope.

Self-Care plays a crucial role in reducing and managing vicarious and secondary trauma. Taking time for yourself should be prioritized especially in situations in which it seems that you are too overwhelmed to devote any time to self-care. Practicing mindfulness and focusing on being in the moment can be helpful. This can include taking a few calming breaths throughout the day. These should be slow, intentional breaths during which you focus on the act of breathing. Physical activity and exercise can help shift one's focus and also serve as a stress release outlet. Finding activities that are soothing is important as they can be calming and create a positive mood. These can be a variety of activities such as art, music, puzzles, journaling, and playing games.

Getting outside support can play an important role in addressing vicarious trauma. This support can come in a variety of forms, such as a peer support group, debriefing with a supervisor, or other counselling services.

53 Ibid.

54 Bloom, S. L., *Caring for the Caregiver: Avoiding and Treating Vicarious Traumatization*, Maryland Heights, MO, GW Medical Publishing, 2003.

55 *Vicarious Trauma and Self-Care Toolkit*, Toronto Youth Equity Strategy, 2020, p. 12. <https://www.toronto.ca/wp-content/uploads/2021/01/8bf8-Vicarious-Trauma-Toolkit-2020.pdf>

56 *Trauma-informed Toolkit*, Clinic Community Health Centre, 2013, p. 128. https://trauma-informed.ca/wp-content/uploads/2013/10/Trauma-informed_Toolkit.pdf

Thinking long-term and setting life goals and taking time to reflect each day can help gain perspective and focus on positive things in your life as well as the future. Becoming part of a faith community can also be helpful. Take time off and take breaks to recharge.

Creating a work environment that is welcoming and comforting can help reduce trauma.⁵⁷ Decorating your workspace with things that have happy memories, such as souvenirs from trips and family photos.

Steps Organizations Can Take

Organizations can and should take steps to help reduce the vicarious and secondary trauma that employees experience as a result of their work with survivors of human trafficking, forced labor, and child labor. Organizations should work to recognize signs and symptoms of trauma in staff, patients, clients, and others.⁵⁸ Additionally, supervisors should be knowledgeable about trauma.⁵⁹ Organizations should also fully integrate knowledge and understanding of trauma into their work, policies, and procedures.

Teaching skills to staff, patients, and clients can help create a better environment for all involved, reducing retraumatization for survivors and vicarious trauma for staff. These skills include:

- Self-soothing
- Self-trust
- Self-compassion
- Self-regulation
- Limit setting
- Communicating needs and desires
- Accurate perception of others⁶⁰

It is important for organizations to develop and implement a plan to address these needs proactively. One component is to have regular check ins where staff can debrief and share their experiences,⁶¹ being mindful of any confidentiality issues. Organizations can also provide training and self-development focused on addressing vicarious and secondary trauma and developing healthy habits. Promoting self-care is also an important component of organizational plans. Self-care can include things like office activities such as meditation, yoga, and other exercise activities to help reduce stress as well as other activities focused on art, music, or other outlets. Additionally, organizations should encourage and allow employees to take time off to recharge. Organizations should also ensure that staff working with survivors have access to counselling if needed.

What an organization should do when an employee needs help

Organizations should work to identify when a service provider is experiencing vicarious trauma and take quickly address cases as they are identified, given the impact that vicarious trauma can have. Regular check-ins with staff can help to identify instances of secondary trauma. Front line case workers experiencing vicarious trauma should be given access to services such as support groups and counselling and should be able to take time off as needed. Organizations should work to determine if adjustments need to be made to caseloads as well.

57 *Self-Care and Trauma Work*, National Sexual Violence Resource Center and National Sexual Assault Coalition Resource Sharing Project 2012, p. 2. https://www.nsvrc.org/sites/default/files/Publication_NSVRC_Overview_Self-Care.pdf

58 *Trauma-informed Toolkit*, Clinic Community Health Centre, 2013, p. 16. https://trauma-informed.ca/wp-content/uploads/2013/10/Trauma-informed_Toolkit.pdf

59 *Ibid.* at p. 125.

60 *Ibid.* at p. 18.

61 *Self-Care and Trauma Work*, National Sexual Violence Resource Center and National Sexual Assault Coalition Resource Sharing Project, 2012, p. 2. https://www.nsvrc.org/sites/default/files/Publication_NSVRC_Overview_Self-Care.pdf

Exercise 3.6.1: Breathing Exercise

Objective:

- To have participants practice a breathing and mindfulness exercise as a way to practice self-care.

Time:

 10 minutes

Materials and Preparation:

- No materials required, but copies of the breathing exercise script can be printed and distributed

Steps:

- Have participants sit down and explain that before this lesson the groups will be doing a simple breathing exercise as a mindfulness and self-care exercise.
 - 2 minute
- Instruct the group to take four rounds of structured breaths. Allowing four seconds for the inhale, four seconds to hold their breath, and four seconds for the exhale each round. The instructor should count each stage for the group and tell participants when to shift their breath.
 - 4 minutes
- Review the key messages with the group
 - 4 minutes

Key Messages:

- Taking time to stop and breathe can help reduce stress and anxiety. It can also help bring back focus.
- Focusing on breathing can help calm the nervous system.
- Taking time each day for a simple breathing exercise such as this can be an easy way to incorporate self-care and mindfulness into your daily routine.

Exercise 3.6.2: Identifying Self-Care Strategies

Objective:

- To have participants identify self-care strategies that they can use.

Time:

 30 minutes

Materials and Preparation:

- Paper and pens

Steps:

- Explain the activity to participants.
 - 2 minutes
- Instruct the participants to each write down three activities they enjoy. Have them also write down one reason they enjoy each activity.
 - 5 minutes
- Instruct participants to form small groups of four to six people. Within the small groups, have each participant share the activities and why they are enjoyable. Participants should then identify if there are any overlapping areas of interest or if activities mentioned by other participants interest them.
 - 10 minutes
- Have participants return to the plenary. In the plenary lead a discussion with the following questions:
 - Do any of the activities you discussed help you relax or relieve stress?
 - What differences do you notice when you participate in activities you enjoy more or less frequently?
 - Are there any activities that you heard about today that you are interested in? If so, is there anyone in the workshop who can help you learn the activity?
 - Are there any activities that many people in your group enjoy? Do you think it would be possible to have a group at your organization that does this activity together?
 - 10 minutes
- Key Messages
 - 3 minutes

Key Messages:

- Participating in activities that are enjoyable or stress relieving can help reduce secondary trauma.
- Activities that help one person may not help others, but there are groups of people that enjoy some of the same activities and it can be beneficial to do activities with others to build a support network.

Lesson 3.7: Working with Vulnerable Children

Objectives:

- Learn about factors that increase children’s vulnerability to child labor, forced labor, and human trafficking
- Learn about best practices for working with vulnerable children

Time:



2 hours and 2 minutes

Steps:

- Exercise 3.7.1: Working with Vulnerable Children Discussion
 - 25 minutes
- Present PowerPoint 3.7: Working with Vulnerable Children
 - 30 minutes
- Exercise 3.7.2: Vulnerable Children Case Studies
 - 1 hour and 7 minutes

Supplies:

- Flip chart paper
- Markers
- Handout 3.7.1: *Vulnerable Children Case Studies*
- PowerPoint Presentation 3.7: *Working with Vulnerable Children*

Vulnerable children are more likely to engage in child labor and to be subjected to forced labor and human trafficking. When working with vulnerable children, it is important to remember that all decisions must be made in the best interests of the child and be free from any unfair discrimination. Children should be involved in decisions about their care, including medical care and other services they receive. When speaking to vulnerable children, it is important to have conversations without their employers present. It may also be necessary to have conversations away from their parents if you suspect that the child’s parents may have encouraged or been complicit in the child labor, forced labor, or human trafficking. It is a best practice to have a social worker present when possible for these conversations. Vulnerable children may not self-identify as vulnerable, front line workers may have to identify a child as vulnerable based on indicators. Many vulnerable children may be hesitant to trust front line workers if they or their family members have been in unhealthy or abusive relationships or had negative interactions with people in positions of authority, including other front-line workers in Thailand or elsewhere.

What makes children vulnerable?

Children can be vulnerable to child labor, forced labor, and human trafficking for many reasons. The list below includes several factors that can increase the vulnerability of children.

- Migrant
- Poverty
- Minority
- Displacement/conflict
- Loss of parent
- LGBTQ/I
- Domestic violence/other forms of abuse
- Child ran away from home/homeless
- Use of drugs
- Disability

It can be difficult to identify if a vulnerable child is at risk for exploitation or is a victim/survivor of child labor, forced labor or human trafficking. These challenges arise in part because the children often will not want to self-identify as a victim/survivor or “at risk.” For example, a girl may not view her “boyfriend” who groomed her for exploitation and encourages her to engage in prostitution for “their” financial gain as a criminal. Similarly, a child who misses school to work may see it as a way to help his or her family. Because of this, it is important to build trust and to look at things from the child’s point of view. It is also crucial to understand the child’s culture. If, for example, the child comes from a culture where it would be seen as dishonoring one’s parents if the child did not contribute to the family, this would need to be taken into account and the likelihood of the child returning to child labor or a situation of human trafficking would need to be considered.⁶² Additionally, children may fear being ostracized by their families or communities due to their sexual orientation or acts that were committed as a result of their being trafficked (such as prostitution or drug use).

It is important to avoid stereotypes when thinking about child labor, forced labor, and human trafficking survivors. Just because a child does not appear to be a “perfect survivor” does not mean that they are not a survivor. Not all survivors come from poor families.

Most jurisdictions have special protections for children in their legislation. It is important to review relevant legislation to ensure that children receive the services, protection, and assistance during the trial process that they are entitled to.

Working With Migrant Children

Migrant children are at increased risk of exploitation by child labor, forced labor, and human trafficking. Migrant children often work due to economic reasons and difficulties in accessing the education system. Additionally, as a result of the COVID-19 pandemic, migrant children have been subjected to increased domestic abuse.⁶³ This abuse further increased the vulnerability of the children involved.

When working with migrant children it is important for front line case workers to become familiar with the culture of the migrant communities in the area. For example, a migrant community may value educating boys more than educating girls. This familiarity will help make interactions more comfortable for migrants receiving assistance and reduce miscommunications and misconceptions. Additionally, front-line case workers should work with interpreters if interpretation services are needed. Front line case workers may need to do outreach in migrant communities to provide people with information about accessing services such as education and health care.

62 Laura C N Wood, “Child Modern Slavery, Trafficking and Health: a Practical Review of Factors Contributing to Children’s Vulnerability and the Potential Impacts of Severe Exploitation on Health” in *BMJ Paediatrics Open* 2020; 4(1): e000327. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7264998/>

63 *Migrant Children Facing Added Risk*, Bangkok Post, August 24, 2021. <https://www.bangkokpost.com/thailand/general/2170243/migrant-children-facing-added-risk>

Working with Children in Situations of Poverty

Children in situations of poverty have increased vulnerability to child labor, forced labor, and human trafficking. Families living in poverty may be unable to afford school fees and other related costs for all of their children, leading to children being pulled out of school and put to work. Additionally, parents may need the financial assistance of children to help support the family, particularly in cases where the family is doing piecework or paid by meeting a quota, or in cases where the family is paid less than the minimum wage. Parents and children living in poverty may be more focused on the short-term benefits of a child providing income than the impact leaving school can have on a child's long-term earning potential.

When working with children in poverty, it is important to remember that these children who may have been subjected to child labor, forced labor, and human trafficking often believe that they were doing what was necessary to help their families. They should not be blamed or judged for the decision to leave school to work. In many instances they may have performed dangerous work or worked for very long hours. Efforts should be made to re-enroll children in school. This may involve discussing the importance of education with the children and their families as well as explaining free education that is available and any local programs to assist with paying school-related costs as well as programs designed to assist impoverished families. The benefits of education to the long-term earning potential of families should be explained. It can be beneficial to do outreach in impoverished communities to provide information about education for children and the importance of avoiding illegal child labor, forced labor, and human trafficking.

Working with Minority Children

Children from minority groups are vulnerable to child labor, forced labor, and human trafficking because their communities can be more isolated, subject to discrimination, and lack access to education and work opportunities. In some instances, minority communities have high rates of poverty. In some minority groups, the knowledge of the local language and ability to communicate is limited, making it harder for members of the community to obtain high paying jobs or to seek assistance or services from the government and other service providers. In some instances, minority groups may have experienced violence or poor treatment by a government (such as experienced by the Rohingya in Myanmar) and as a result do not trust other governments easily. Minority communities often have distinct cultures and beliefs that can make them more likely to engage in child labor, such as if the community has higher rates of early marriage.

When working with minority children and their families it is necessary to understand their culture. If the community speaks a language other than the local language, make sure that an interpreter is available. It will be necessary to build trust with the child and demonstrate that you and your organization want to help the child. It is important to ignore any prejudices and treat the child in a manner that is respectful.

Working with Children Subjected to Displacement/Conflict

Children subjected to displacement and/or conflict are vulnerable to child labor, forced labor, and human trafficking. By being displaced, families and their children will have lost access to their local schools, employment, and in many cases their social safety nets. They may or may not have proper documentation if they had to leave quickly or documents were destroyed in a disaster. If children no longer have access to schools, they may begin working. Additionally, if their parents were injured or killed as a result of the conflict or disaster, the family may need additional economic support and turn to the children to provide it. People who are displaced are at increased risk for human trafficking as they often lack proper documentation and may not be able to afford or access regular means of travel and immigration. This may cause them to rely on smugglers who then subjected the families or children to trafficking. The families and children likely have experienced trauma due to conflict or other cause for their displacement.

When working with children and families that have been subjected to displacement and/or conflict it is important to remember that they may have undergone traumatic events and are trying to secure safety for their families. These

children may need counselling services in addition to other services. If the family comes from an area outside of Thailand it is likely that they will need interpretation services. The children and their families may not know about educational options, so it is important to educate them on the opportunities. Families may need additional assistance, such as working to obtain identification documents.

Working with Children who have Lost a Parent

Children who have lost a parent are at increased risk for child labor, forced labor, and human trafficking. These children will have lost some stability in their lives and may be living with other relatives or a guardian. The children may feel, or be told, that they need to work to supplement the income that the deceased parent would have provided. The children may be looking for a parental figure, which their employer or trafficker may have exploited.

When working with children who have lost a parent, it is important to remember that they are likely in need of someone who will put their best interests first, as they have lost one of the people who was responsible for doing so. It will be necessary to make sure that the child has a family member or guardian who can care for the child and ensure that he or she is enrolled in school and no longer in a situation of child labor or trafficking. It may be necessary to work with the child and family to educate them on the benefits of education.

Working with LGBTQ/I Children

LGBTQ/I children may fear their sexual and/or gender identity being revealed to their family and community, particularly if they come from a conservative community. The children may have left home or been kicked out by their families due to their sexual orientation. As a result, they may have started work or found an adult they believed would protect them, when in fact they were exploited. The children may have been trafficked in part due to their sexual orientation, with the trafficker aware that the child may be less likely to seek assistance from authorities particularly if the child was sexually exploited.

When working with LGBTQ/I children it is important to respect their sexual identity and gender. You should make it clear to the child that his or her sexual orientation will not be disclosed without his or her consent. Additionally, the child should be advised that the child will not be discriminated against by service providers and others working with him or her. Efforts should be made to enroll the child in school and provide other services as needed.

Working with Children who have Run Away from Home/are Homeless

Children who have run away from home or are homeless are at risk of child labor, forced labor, and human trafficking. Children who have run away from home will need to find a way to support themselves. They may have had to leave school. These children likely looked for someone who could help them, such as an employer or a “boyfriend” who then exploited him or her. They may have left home due to violence and may have experienced traumatic events. If a child’s family is homeless, it is likely that the family is struggling to access services such as education and health care and felt the need to either pull the child out of school to work or sent the child to stay with others, who then forced the child to work or exploited him or her.

When working with children who have run away from home or are homeless you will need to determine if it is in the best interest of the child to be reunited with his or her family, particularly if the child was abused by a family member or kicked out of the house. If reunification is not in the best interest of the child, a suitable guardian should be identified. The child should not be judged for having left home or for being homeless. Efforts should be made to enroll the child in school and to access other services. If the child’s family is homeless, the family should be provided information and assistance with accessing available assistance. The child should not be permitted to return to a “boyfriend” who exploited him or her. A child who was exploited in this way will likely need counselling to understand the harmful nature of the relationship, and what a loving relationship looks like, and how the child deserves to be treated.

Working with Children who Use Drugs

Children who use drugs are vulnerable to child labor, forced labor and human trafficking. In many instances the children may fear talking to law enforcement and service providers because they have committed a crime by using drugs. Often, a trafficker will force children to take drugs to increase their dependence on the trafficker. Children who use drugs may leave school and/or pursue dangerous work to obtain money for drugs. Often children who use drugs will be exploited by traffickers who identify this vulnerability.

When working with children who use drugs it is important to help them receive medical treatment to stop drug use. Children should know that they will not be judged for their drug use, particularly when it was facilitated by a trafficker. Children should be reunited with their families, if possible, service providers will need to determine if it is in the best interest of the child for families to be aware of the child's drug use. Children may be afraid of stigmatization should their families and communities become aware of their drug use. In other instances, the child may have been kicked out of his or her home because of his or her drug use. Effort should be made to re-enroll the children in school and to help them receive other services.

Working with Disabled Children

Disabled children are at increased risk for child labor, forced labor, and human trafficking. In many cases, disabled children are unable to attend schools either because local schools lack the facilities to accommodate the disability (such as teachers with the required skills to teach the blind or deaf) or families do not have the means to transport a child to a school located farther away that is able to properly teach the child. Many families may not see the need to educate a disabled child, who may instead be seen as a burden and therefore expected to work. In other instances, a disabled child may be sent away for what a family believes is an educational opportunity, but the child is trafficked instead. Disabled children are particularly vulnerable to forced begging.

When working with disabled children it is important to ensure that any special accommodations required are met, such as interpreters, having a wheelchair accessible facility, or others. The child should be told what is happening in a way that he or she can understand, particularly if he or she is blind or deaf. Efforts should be made to enroll the child in an appropriate school and for the child to access any other services that are needed.

Exercise 3.7.1: Working with Vulnerable Children Discussion

Objective:

- To have participants begin thinking about what can make children vulnerable to child labor, forced labor, and human trafficking.

Time:

 25 minutes

Materials and Preparation:

- Flip chart paper
- Markers

Steps:

- Explain the steps and objective of the exercise.
 - 2 minutes
- In a plenary, have participants brainstorm factors that can make children vulnerable to child labor, forced labor, and human trafficking
- Have participants discuss how those factors can make children vulnerable to child labor, forced labor, and human trafficking
- Have participants identify one step they could take when working with children with each vulnerability
 - 20 minutes
- Key messages
 - 3 minutes

Key Messages:

- Many factors can make children vulnerable to child labor, forced labor, and human trafficking
- Thinking about how factors can make children vulnerable to child labor, forced labor, and human trafficking plays an important role in identifying solutions.
- Several factors will be discussed further during this lesson, along with steps that front-line workers can take when working with vulnerable children.

Exercise 3.7.2: Working with Vulnerable Children Case Studies

Objective:

- To have participants identify best practices for working with vulnerable children.

Time:

 1 hour and 7 minutes

Materials and Preparation:

- Make copies of Handout 3.7.1: Vulnerable Children Case Studies

Steps:

- Explain the steps and objective of the exercise.
 - 2 minutes
- Split participants into 3 groups. Provide each group with copies of a different case study (1 group provided with copies of case study 1 etc.)
- Have participants read their case studies in their small groups and discuss the following:
 - What factors make this child vulnerable to child labor, forced labor, and human trafficking?
 - What needs and/or special protections might this child need?
 - What steps can be taken before interacting with the child to address the child's needs?
 - What steps should be taken while interacting with the child?
 - What interactions might be needed with the community the child comes from?
- 30 minutes
- Have the small groups return to the plenary. Each group should present their case study and findings. Allow time for comments
 - 30 minutes
- Key messages
 - 5 minutes

Key Messages:

- When working with vulnerable children it is important to focus on the specific child and their individual vulnerabilities.
- All children should be treated with respect and be provided with the services they need.
- Vulnerable children may be hesitant to trust law enforcement and service providers, it will be necessary to make efforts to build trust.

HANDOUT 3.7.2: VULNERABLE CHILDREN CASE STUDIES

Case study 1: Ali is a 16-year-old boy who works on a fishing boat. He started working a year ago when his father died. He has two younger sisters that he needs to help support because his mother has been unable to provide for the family on her own. She works in a fish processing plant. Ali's father worked on fishing boats before he died. Ali works hard but he earns less than the minimum wage and works very long hours, sometimes he is away from home on a fishing boat for a very long time. He thinks it is worth it though because his sisters are able to stay in school and he knows that he is helping to provide for his family. Ali was identified as in need of assistance when he went to a health clinic for treatment of an infected cut on his arm. His arm was cut on the fishing boat and he was unable to receive treatment until the ship came to shore two weeks later.

Case study 2: Kamea is a 14-year-old girl. She migrated from a neighboring country with her family. Her father had been unable to find a job that could support the family in their native country and he was able to find work on a farm in the country in which you work. Kamea and her mother found work in a nearby clothing factory that is run out of a lady's home. Kamea and her mother think they are lucky to have found jobs even though they do not have proper documents. Kamea works long hours in order to reach her daily quota of clothing pieces. The pay is low but she is saving some money. Kamea can only speak a little of the local language. She is trying to learn more but it is hard, partly because everyone she works with only speaks her native language. She hopes to learn more of the local language soon so that she can make friends and get a better job someday. Kamea left school when her family moved from her native country two years ago. She sees children her own age walking to school each day and wishes she could join them. Kamea does not think it is possible for her to attend school in her new country. Kamea was identified when a labor inspector conducted a site inspection of the factory.

Case Study 3: Arthur is a 15-year-old boy who is gay. His family is very conservative and does not approve of LGBTQ/I, because of this, Arthur looked for a boyfriend online. After a month of talking to his "boyfriend" Tom Arthur and Tom decided to meet up for an afternoon in a nearby town. Tom took Arthur to a hotel where they had sex. Afterwards, Tom told Arthur that someone took photos of the two of them and now he would need to become a prostitute or the photos would be sent to Arthur's family. Arthur felt that he had no choice because his family would disown him. Arthur receives a small amount of money as compensation for prostitution but knows that it is less than a quarter of what Tom is paid. Tom sometimes buys Arthur gifts and tells Arthur that he is his boyfriend. Arthur cares deeply for Tom but wishes that Tom did not make him work as a prostitute. Tom says that Arthur only has to work as a prostitute until enough money has been earned for them to emigrate somewhere else. Arthur was found when police raided a hotel.

Lesson 3.8: Trauma-Informed Care Case Studies

Objectives:

- Learn about how front-line workers can work with survivors in a trauma-informed way.
- Learn about best practices for trauma-informed care using case studies.

Time:

 1 hour

Steps:

- Exercise 3.8.1: Trauma-Informed Care Energizer
 - 15 minutes
- Present PowerPoint 3.8: Trauma-Informed Care Case Studies
 - 45 minutes

Supplies:

- Notecards
- Pens
- Flipchart paper
- Tape
- PowerPoint Presentation 3.8: *Trauma-Informed Case Studies*

When working with survivors of child labor, forced labor, and human trafficking it is crucial for front-line workers to always interact in a trauma-informed way. By interacting with survivors in a trauma-informed way, front-line workers can help prevent re-traumatization of survivors, increase the likelihood that survivors will receive needed services, and increase the likelihood that a survivor will assist in a child labor, forced labor, and/or human trafficking case. Best practices should be used, such as those highlighted in Lessons 3.1 (Survivor Services), 3.2 (Trauma-Informed Care), and 3.7 (Working with Child Survivors). Using case studies and working through responses and actions can serve as a valuable learning tool. There are many best practices to consider, some of these include:

- Asking questions in a trauma-informed way
- Identifying signs of trauma
- Avoiding stigma
- Avoiding victim/survivor-blaming

The following case studies work through ways first responders can work with survivors in a trauma-informed way.

Case study 1: The clothing factory

IDENTIFICATION

Your neighbor mentions that she thinks something fishy is going on in a building down the street. You have heard from others that there's some kind of small-scale garment manufacturing happening there, working on a piece work contract from a major company. You had been told previously that it seemed like a shared work space for a group of women to work. Your neighbor however has noticed that the workers are arriving very early in the morning and leave late at night, after dark. She tried talking to one of the women and it seemed like she didn't understand. Your neighbor thinks that she heard two of the women talking and it sounded like they were speaking a language other than the local language, she thinks it may have been a language from a neighboring country.

Discussion Question: Should you investigate further? How?

Talking Points: There are indicators that woman may be in a situation of forced labor or trafficking due to the long hours being worked and the inability of the women to communicate in the local language.

The case should be referred to the responsible investigating authorities. If you believe this to be a case of child labor, the case should be referred to the police.

POLICE INVESTIGATION

The case is referred to the police. The police decide to investigate further. They confirm that the workers appear to be working long hours and are likely migrants. The labor inspectors/police visit the garment factory to see what conditions are like. The room is small and very hot, with 20 women working in tight quarters. Several look young, it is unclear if they are children. It seems like one woman is in charge.

Discussion Question: How should the police proceed? Should they:

- a. Have conversations with people in the room?
- b. Speak to people individually outside of the room?
- c. Speak to everyone as a large group

Talking Points:

- a. **Incorrect.** Having conversations in the room means that victims/survivors would potentially be within sight or hearing range of their exploiter, which could cause them to change their answers out of fear. Additionally, conducting the initial interview in the location in which they were exploited could increase their trauma as they will likely not feel safe in that space.
- b. **Correct.** Speaking to people individually can help increase the likelihood that all people present will provide some information. Speaking individually can also reduce the chances of intimidation by others. By speaking to each person outside of the job site, the room in which they were exploited, can help victims/survivors feel safe.
- c. **Incorrect.** While in some instances conducting a group interview may be appropriate, it most often can lead to some victims/survivors not participating in the conversation. Additionally, some victims/survivors may be hesitant to share details if they fear retaliation from others.

It should also be noted that when possible, a social worker or other person trained on working with victims and survivors should be present. Having women available to interview female victims/survivors is another best practice.

INTERVIEW

When the interview begins it becomes clear that the workers do not speak the local language very well.

Question: What steps should the interviewers take?

- A. Determine what languages the women and girls speak
- B. Find someone at the job site who can serve as an interpreter
- C. Speak more loudly
- D. Insist that the women speak in their limited local language
- E. Identify a prescreened interpreter

Talking Points:

- a. **Correct**, to be able to identify an interpreter or interpreters it is necessary to identify the languages the women and girls speak. If there are people from different areas they may not all speak the same language.
- b. **Incorrect**. You should not have someone at the job site act as an interpreter because they could potentially intimidate the survivors, not translate information accurately, not understand how to treat victims/survivors in appropriate way, and potentially gain access to information that should be kept confidential. This is particularly important if they could also serve as a witness during the trial.
- c. **Incorrect**. Speaking more loudly will generally not help a victim/survivor who does not speak the local language understand you better. It may be seen to be insensitive, threatening, or insulting.
- d. **Correct**, using a pre-secreened interpreter who was not working at the garment factory is the best option for using an interpreter. This is because the interpreter will have been trained on how to properly interpret and how to interact with victims/survivors. Additionally, it is best if the interpreter does not already know the victim/survivor or have ties to his/her family. This is especially important for cases involving sexual exploitation because the victim/survivor will most likely not want that information being shared with his or her family or friends.

During a later interview with one of the survivors the survivor mentions that while she was not physically locked in the building her documents were kept by her employer.

Question: How should the interviewer respond?⁶⁴

- a. At least you were not physically abused.
- b. Why didn't you leave?
- c. I think we all go through difficult things, I'm sorry that this happened.
- d. It seems like you went through a lot of trauma at the factory. How are you processing it?

Talking Points:

- a. **Incorrect**. This answer implies that the manipulation and emotional abuse that the survivor suffered are not as serious as physical abuse.
- b. **Incorrect**. This response blames the survivor for not leaving. The response incorrectly assumes that the survivor had a choice to leave because she was not physically locked in the building.
- c. **Incorrect**. In this response the interviewer sympathizes instead of empathizes. It minimizes the survivor's story and appears to compare trafficking to other situations.
- d. **Correct**. This response shows that the interviewer understands that what the survivor went through was very difficult. The interviewer has not made any assumptions and allows the survivor to speak about what happened to her in her own way.

⁶⁴ *Trauma-Informed Care in Practice: Case Scenarios (Part Two)*, Salvation Army, 2019. <https://centralusa.salvationarmy.org/stopit/news/trauma-informed-care-in-practice-case-scenarios/>

Case Study 2: The Girlfriend

IDENTIFICATION

During a police raid of a hotel that doubles as a brothel, a girl who looks like she is 13-years-old is discovered in a hotel room with two men. The girl insists that one of the men is her boyfriend and that she wants to stay with the men. There is some money on the table and many empty beer bottles. The girl is not fully dressed.

Discussion Question: Does this appear to be a case of child labor, forced labor, or human trafficking? Why?

Talking Points: Many people are trafficked by someone who they refer to as their boyfriend or girlfriend. This is because many young people are groomed for sex trafficking by someone with whom they are in a romantic relationship. Additionally, traffickers cause victims and survivors to distrust law enforcement, particularly if they are forced to engage in illegal behavior, and to instead tell law enforcement that everything is fine. Given the girl's age, the appearance that someone is being paid, and her presence in the hotel that has a high incidence of prostitution, the case should be investigated further.

Discussion Question: What steps should be taken to interview the girl?

- a. The interviewer should identify if the girl needs urgent medical care.
- b. The interviewer should immediately ask if the girl had sex with the men.
- c. The interviewer should ask if the girl would like to have a female officer present for the interview.
- d. The interviewer should ask if the girl knows that prostitution is a crime.

Talking Points:

- a. **Correct**, the interviewer should identify if the girl needs urgent medical care. During the interview the interviewer should also determine if a rape kit is needed, a rape kit should be used only with the survivor's consent.
- b. **Incorrect**. This approach may retraumatize the girl. Additionally, she may feel judged by the question.
- c. **Correct**, interviewers should always ask if the victim/survivor would prefer having male or female interviewers. This is particularly important for survivors of sexual exploitation because of the sensitive nature of the topics to be addressed. Women and girls who have been sexually exploited by men may feel uncomfortable discussing their trafficking situation with men, and may feel unsafe if left alone with a man.
- d. **Incorrect**. By framing the question in this way, the interviewer may appear to be accusing the girl of committing a crime. This could imply that the girl is being treated as a criminal instead of as a victim/survivor.

Discussion Question: During the interview the girl mentions her boyfriend, how should the interviewer respond?⁶⁵

- a. When you say your boyfriend do you mean your trafficker?
- b. He does not seem like someone who should be your boyfriend.
- c. Tell me about your relationship with your boyfriend.
- d. If he was really your boyfriend he would not exploit you.

Talking Points:

- a. **Incorrect**. The interviewer is using a label that the girl did not use. The interviewer is depicting the relationship in a negative light when the girl may not see it that way, particularly if she believed that she and her boyfriend are still in a relationship.

⁶⁵ Ibid.

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- b. **Incorrect.** In saying this the interviewer is blaming the girl for her being trafficked because of a choice she made.
 - c. **Correct.** In this response the interviewer is using the same language as the girl (boyfriend), which shows the girl that her views are understood and respected. This response also allows the girl the opportunity to share her story.
 - d. **Incorrect.** This statement appears to blame the girl for her trafficking and for remaining in her relationship with her boyfriend.

Exercise 3.8.1: Trauma-Informed Care Energizer

Objective:

- To have participants identify trauma-informed best practices for working with survivors of child labor, forced labor, and human trafficking.

Time:



15 minutes

Materials and Preparation:

- Notecards
- Pens
- Tape
- Flipchart paper

Steps:

- Explain the objective and steps of this exercise.
 - 2 minutes
- Distribute a notecard to each participant. Instruct each participant to write down one example of how front-line workers can engage with survivors of child labor, forced labor, and human trafficking in a trauma-informed way.
 - 5 minutes
- Instruct participants to pass their notecards to the front and ask for a volunteer to help tape the notecards to the flip chart once they have been read aloud.
 - 1 minute
- The facilitator should read each notecard aloud. After a notecard is read, hand it to the volunteer to tape on a piece of flip chart paper. The flip chart paper should be hung at the front of the room during the lesson as a reminder of ways to work with survivors in a trauma-informed way.
 - 5 minutes
- Review Key Messages
 - 2 minutes

Key Messages:

- There are many ways to engage with survivors in a trauma-informed way.
- Sharing best practices is a way to help ensure that survivors are treated with the dignity they deserve and are not retraumatized.

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