LEARNING RESOURCE



# **ADVANCED TRAINING COURSE**

# Gender-sensitive and victim-centred approaches for frontliners

Approaches to working with victims of trafficking in persons





#### April 2023

**Disclaimer**: The Advanced Training Course has been developed by the ASEAN Commission for the Promotion and Protection of the Rights of Women and Children (ACWC), supported by the Australian Government funded ASEAN-Australia Counter Trafficking (ASEAN-ACT) program. The views expressed in this course do not necessarily represent the views of the Australian Government.

i

# ACKNOWLEDGEMENTS

The ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) spearheaded the development of the "Training Modules on Gender-sensitive and victim-centred approaches for frontliners: Approaches to working with victims of trafficking in persons" as part of its "Multi-Year Project on Capacity Enhancement of Frontline Responders in Counter Trafficking Using Victim-Centred and Gender-Sensitive Approaches" ("Project"), which is led by ACWC Indonesia.

The training modules include the E-learning Introductory Course and the Advanced Training Module on Gendersensitive and Victim-centred Approaches for Frontliners in Trafficking-in Persons (TIP) as innovative approaches to provide better services to victims of TIP. The Introductory Training Course optimises the use of digital spaces to reach out to more learners in the ASEAN region while the Advanced Training Course aims to strengthen the service workforce, especially the frontliners providing services to trafficked persons, with improved capacities and competencies.

The ACWC expresses its appreciation to H.E. Sri Danti Anwar, Indonesia's Representative on Women's Rights to the ACWC, for successfully leading the implementation of this Project with the completion of these important learning modules. Her strong leadership, genuine commitment, and wide experience in promoting the rights of women and children have been pivotal to ensuring that the training modules on gender-sensitive and victim-centered approaches would be useful for ASEAN frontline service providers.

The ACWC acknowledges with appreciation the invaluable support of the Technical Working Group and the ASEAN Secretariat through the Poverty Eradication and Gender Division in providing strategic guidance and substantive inputs to the training modules. The TWG is comprised of H.E. Yanti Kusumawardhani (ACWC Representative on Children's Rights for Indonesia), H.E. Lourdesita Sobrevega-Chan (ACWC Representative on Women's Rights for The Philippines), H.E. Ratchada Jayagupta (ACWC Representative on Women's Rights for Thailand), and H.E. Wanchai Roujanavong (ACWC Representative on Children's Rights for Thailand).

The ACWC deeply appreciates the support from the ASEAN-Australia Counter Trafficking (ASEAN-ACT) Team in developing the E-Learning Introductory Module and Advanced Training Module, especially to Ms. Darlene Pajarito, the Justice System Director; Mr. Archemides Siguan, the ASEAN Program Director and Ms. Nurul Qoiriah, the GEDSI and Victim Rights Director for their inputs after the pilot test of the modules with Malaysia Stakeholders on 15-17 May 2023.

Finally, the ACWC expresses its high regard for the expertise of Ms. Froniga Greig, as the consultant commissioned by the ASEAN-ACT to develop the training modules. Her outstanding support in ensuring an impactful learning journey for the target users of these training modules is truly commendable.

#### **TABLE OF CONTENTS**

Introduction	6
Course overview and objectives	6
Learning approach	6
Module 1: Remembering key gender sensitive and victim-centred concepts and approaches 4 hours	9
1.1 Learning Objectives	9
1.2 Course materials (slide deck and exercises)	9
1.2.1 Definitions and concepts	9
1.2.2 Human rights and victims of trafficking in persons	14
1.2.3 Why an intersectional lens is fundamental to gender sensitive, and victim centred approaches	15
1.2.4 Practical applications of gender sensitive and victim centred approaches	15
Exercise 1: Analysing vulnerabilities of victims of trafficking in persons	16
Exercise 2: Power flower	17
1.3 Supplementary materials and activities	21
List of references	21
Activity 1: Two-minute mixer	22
1.4 Quiz	22
Module 2: Victim identification and referral 3 hours	24
2.1 Learning Objectives	24
2.2 Course materials (slide deck and exercises)	24
2.2.1 Understand the goals of victim identification from a gender sensitive and victim centred perspective .	24
2.2.2 Factors that hinder victim identification	25
2.2.3 Identify common harms or risks associated with victim identification	26
2.2.4 Assess potential harms for specific groups of victims of trafficking in persons	27
2.2.5 Apply gender sensitive and victim centred approaches during victim identification	29
Exercise 1: Getting our priorities right	32
Exercise 2: Role play meet the victim	33
Exercise 3: Reflecting on the specific needs of diverse groups of victims	35
2.3 Supplementary materials and activities	35
List of references	35
Activity 1: Two truths and a lie	37
2.4 Quiz	37
Module 3: Reflection period, recovery, and shelter 3 hours	40
3.1 Learning Objectives	40
3.2 Course materials (slide deck and exercises)	40
3.2.1 Understand the goals of reflection, recovery and shelter from a gender sensitive victim centred	
perspective	
<ul><li>3.2.2 Identify common harms and risks associated with reflection, recovery, and shelter</li><li>3.2.3 Assess potential harms for specific groups of victims of trafficking in persons</li></ul>	
	11

3.2.4 Apply gender sensitive and victim centred approaches in reflection, recovery, and shelter	43
3.2.5 Case studies of shelter models	44
Exercise 1: Pros of a residential shelter model	46
Exercise 2: Debating shelter practices	47
Exercise 3: Offering hope for recovery	48
3.3 Supplementary materials and activities	50
List of references	50
Activity 1: Choosing a different path	51
3.4. Quiz	51
Module 4: Return and Reintegration 3 hours	53
4.1 Learning Objectives	53
4.2 Course materials (slide deck and exercises)	53
4.2.1 Understand the goals of return and reintegration on victims of trafficking from a gender sensitive an victim centred perspective	
4.2.2 Identify common harms and risks associated with return and reintegration	54
4.2.3 Assess potential harms for specific groups of victims of trafficking in persons	55
4.2.4 Apply gender sensitive and victim centred approaches during return and reintegration	56
Exercise 1: Frontline responder mapping	57
Exercise 2: Reflecting on return and reintegration practices	57
Exercise 3: Reflecting on the needs of specific groups of victims	58
4.3 Supplementary materials and activities	59
List of references	59
Activity 1: Eyewitness game	60
4.4 Quiz	60
Module 5: Medical and mental healthcare 3 hours	62
5.1 Learning Objectives	62
5.2 Course materials	62
5.2.1 Understand the goals of medical and mental healthcare for victims of trafficking	62
5.2.2 Identify common harms and risks associated with medical and mental healthcare	63
5.2.3 Assess potential harms or risks for specific groups of victims of trafficking in persons	63
5.2.4 Apply gender sensitive and victim centred approaches when providing medical and mental healthca to victims of trafficking	
Exercise 1: Hot seat	66
Exercise 2: Reflecting on appropriate, adequate, and sensitive medical and mental healthcare	66
Exercise 3: Case study discussion Naomi	67
5.3 Supplementary materials and activities	68
List of references	68
Activity 1: A Big Picture	69
5.4 Quiz	69
Module 6: Supporting victims to engage in the criminal justice process 3 hours	71

6.1 Learning Objectives7	'1
6.2 Course materials7	'1
6.2.1 Understand the goal supporting victims of trafficking in persons to engage in the criminal justice process	'1
6.2.2 Identify common harms and risks associated for victims of trafficking in persons in the criminal justice process	
6.2.3 Assess potential harms for specific groups of victims of trafficking in persons7	'3
6.2.4 Apply gender sensitive and victim centred approaches for victims engaging in the criminal justice process	'4
Exercise 1: Watch the video to learn more https://youtu.be/vxceK9VyiOg7	'6
Exercise 2: Video and discussion7	'6
Exercise 3: Power Walk7	7
6.3 Supplementary materials and activities7	'9
List of references7	'9
Activity 1: Recreating a story	30
6.4 Quiz8	35
Module 7: Self-care, partnerships, and networking for frontline responders 3 hours	37
7.1 Learning objectives	37
7.2 Course materials8	37
7.2.1 Promoting gender sensitive and victim centred approaches into organisation or agency systems8	37
7.2.2 Self-care and its importance for frontline responders interacting with victims of trafficking in persons8	39
7.2.3 Useful self-care strategies for frontline responders interacting with victims of trafficking in persons9	)1
Exercise 1: Assessing organisational or agency strategies9	)3
Exercise 2: Self-care assessment tool9	)4
Exercise 3: Reflection on self-care practice9	95
7.3 Supplementary materials and activities9	)5
Activity 1: Headington's self-care and lifestyle inventory9	96
7.4 Quiz9	8

#### Introduction

#### Course overview and objectives

The eLearning introductory training course on gender sensitive and victim-centred approaches is a prerequisite for participating in this advanced training course. This training focuses on deepening frontline responders' knowledge, skills, and practical application of gender sensitive, and victim centred approaches.



**Frontline responders** are individuals/ institutions/agencies, organisations delivering assistance to victims of trafficking, including but not limited to social, psychological, medical, legal, protection and livelihood, whether from government or non-government organisations.<sup>1</sup>

By the end of this course learners will:

- 1. Develop a common understanding of key concepts relevant to gender sensitive and victim-centred approaches when interacting with victims of trafficking in persons
- 2. Analyse and assess appropriate gender sensitive and victim-centred approaches for diverse groups of victims of trafficking
- 3. Apply and recommend gender sensitive and victim-centred approaches when interacting with victims of trafficking.

The entire curriculum is structured around seven modules:

- Module 1: Remembering gender sensitive and victim centred approaches
- Module 2: Victim identification and referral
- Module 3: Reflection, recovery, and shelter
- Module 4: Return and reintegration
- Module 5: Medical, health and mental care
- Module 6: Criminal justice process
- Module 7: Self-care, partnerships, and networking for frontline responders

#### Learning approach

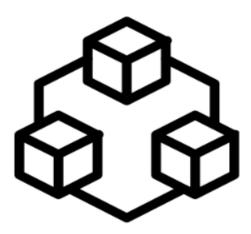
Each training module requires the learner to:

- Analyse: This includes analysing, understanding, and recogning the relevance of a gender sensitive and victim centred approach at each stage of the protection and support process.
- Assess: Learners will be provided with tools and skills needed to identify and assess the risks facing specific groups of victims during each stage of the protection and support process.

ACWC - Advanced Training for Frontline Responders on Gender Sensitive and Victim centred Approaches to Working with Victims of Trafficking in Persons

<sup>&</sup>lt;sup>1</sup> ASEAN. Gender Sensitive Guideline for Handling Women Victims of Trafficking in Persons. (Jakarta: 2016).

Apply: Learners will undertake practical exercises and activities which will allow them to reflect on what they are already doing in their work with victims of trafficking, adapt ways of working, and apply gender sensitive and victim centred approaches.



#### For example, in Module 2.

Learners will **analyse** the role they play in victim pre and identification and then be guided on how to recognise common harms or risks associated with victims of trafficking in persons.

Learners will then assess the potential risks or harms facing diverse groups of victims.

Learners will then discuss which gender sensitive and victim-centred approaches are relevant to this module and **apply** what they have learned through case studies, scenarios or by building a plan on how they intend to change their ways of working.

Throughout the training learners will be asked to reflect on their professional work experience, their personal attitudes, perceptions and behaviors and any prejudices or biases that may interfere with their work.

Learners will be required to participate in group work, discussion and develop action plans in their workbooks.

Each of the advanced modules is organised around the following structure:

1	2	3	4
Learning objectives	Course materials (slide deck and exercises)	Supplementary materials and activities	Quiz

Throughout the training materials, the following icons will guide learners:





reflections







definition

case studies

key messages

## **MODULE 1**

Remembering key gender sensitive and victimcentred concepts and approaches

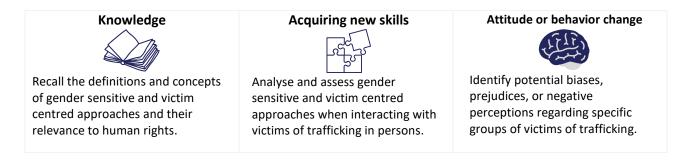
Estimated time to complete: 4 hours

- Learn objectives
- Course materials (slide deck and exercises)
- Supplementary materials and activities
- Quiz

# Module 1: Remembering key gender sensitive and victim-centred concepts and approaches (4 hours)

#### 1.1 Learning Objectives

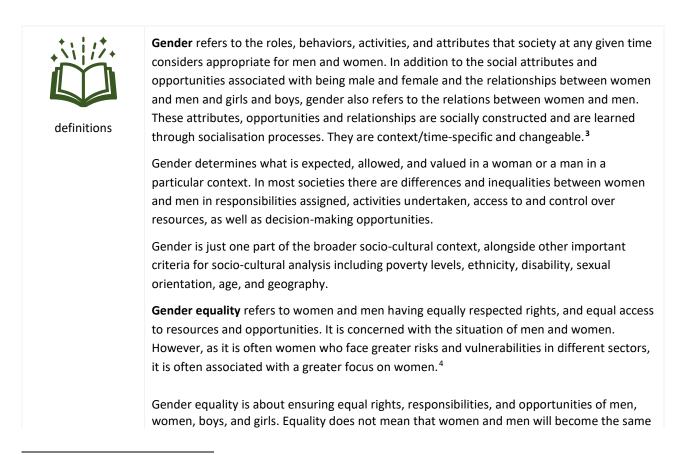
By the end of this introductory module you will be able to:



#### 1.2 Course materials (slide deck and exercises)

#### 1.2.1 Definitions and concepts

**Gender equality** and a gender sensitive approach is grounded in principles of equality, non-discrimination, empowerment, participation, **inclusion**, and **substantive equality**.<sup>2</sup> The principle of non-discrimination is expressly recognise in Article 1(2) of ACTIP as an overarching principle of ASEAN's anti-TIP commitments and the Convention of the Elimination of All forms of Discrimination Against Women (CEDAW).



<sup>&</sup>lt;sup>2</sup> United Nations Office on Drugs and Crime (2021) *Toolkit for Mainstreaming Gender Equality into Criminal Justice Interventions to Address Trafficking in Persons and Smuggling of Migrants*, page 12.

ACWC - Advanced Training for Frontline Responders

on Gender Sensitive and Victim centred Approaches to Working with Victims of Trafficking in Persons

<sup>&</sup>lt;sup>3</sup> https://analys.un.org/womenwatch/osagi/conceptsandefinitions.htm

<sup>&</sup>lt;sup>4</sup> ASEAN (2021) ASEAN Gender Mainstreaming Strategic Framework 2021-2025, page 31.

but that women's and men's rights, responsibilities and opportunities will not depend on whether they are born male or female.

**Equality and inclusion** are a set of principles aimed at ensuring that the rights of individuals are protected regardless of their ethnicity, age, gender, religion, disability, or migration status.

**Persons with disabilities** include those who have long-term physical, mental, intellectual, or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.<sup>5</sup>

**Substantive Equality:** The CEDAW Convention promotes substantive equality and consolidates two central approaches to equality:<sup>6</sup>

Equality of opportunity in terms and access to the resources of a country, to be secured by a framework of laws and policies, and supported by institutions and mechanisms for their operation.

Equality of results upon access and opportunity, toward achieving real change for women. State parties to CEDAW have a responsibility to ensure the practical realisation of rights, and are thus obliged to show results.

The concept of substantive equality arose out of the recognition that formal equality may not be sufficient to ensure that women enjoy the same rights as men.

The ASEAN Committee for Women and Children (ACWC) advocates gender equality and the application of gender sensitive approaches when interacting with victims of trafficking. Although, definitions of gender approaches are different, this training course uses the ACWC preferred language of gender sensitive. Other definitions of gender approaches are best understood with the assistance of the progressive gender scale moving from gender blind towards an approach which seeks to transform **gender roles, norms, and relations**. The gender equality approach continuum is described in figure 1.

GENDER	GENDER	GENDER	GENDER
BLIND	SENSITIVE	SPECIFIC	TRANSFORMATIVE
A gender-blind approach ignores the existence of inequalities, marginalization or exclusion of individuals based on gender or sexual orientation. This approach claims experiences or situations are neutral.	This approach acknowledges the existence of gender and sexual orientation inequalities and focuses on raising awareness and not necessarily identifying/ prioritizing actions for change.	This approach recognizes the importance of gender inequalities and takes remedial actions to address it. This approach may not make a significant contribution to challenging underlying power relations or social norms.	This approach addresses the causes of gender- based inequalities by transforming harmful norms, roles and relations through the inclusion of strategies to foster progressive changes in power relationships.

Figure 1 Gender equality approach continuum.

For consistency throughout this training course, we talk about *gender sensitive approaches* even though we are constantly trying to achieve more. As highlighted in the learning objectives for the eLearning and this course, this training seeks to promote awareness and knowledge, along with new skills and attitude and behavior change among

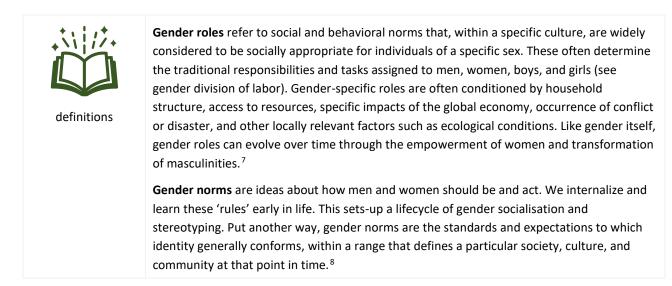
ACWC - Advanced Training for Frontline Responders

<sup>&</sup>lt;sup>5</sup> Article 1 of the Convention on the Rights of Persons with Disabilities.

<sup>&</sup>lt;sup>6</sup> Source: <u>https://cedaw.iwraw-ap.org/cedaw/cedaw-principles/cedaw-principles-overview/substantive-equality/</u>

on Gender Sensitive and Victim centred Approaches to Working with Victims of Trafficking in Persons

frontline responders. To keep things simple, in this training manual we refer to gender sensitive approaches with the understanding that the approaches we are promoting may also be called gender specific, gender responsive or even transformative by some professionals or organisations.





Here is a summary of the key gender sensitive approaches when working with victims of trafficking in persons already covered in the eLearning course:

- Breaking down gender bias, prejudice, stereotypes, and notions of the ideal victim.
- Promoting substantive equality and ensuring fairness in the treatment of victims of trafficking. The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) recognises the importance of ensuring that laws and policies protect women, but also that practices are in place to improve the lives of women day to day.
- Highlighting and analysing the gender dimensions of trafficking in persons, such as the gender division of labor, gender norms, access to and control over resources and benefits, and decision-making which may make one gender more vulnerable to trafficking in persons than another, or which may shape their experience of trafficking in persons.
- Responding to the security, physical and psychological healthcare, socio-economic and accommodation needs of
  a victim including those which are determined by the victim's gender and/or sexual.
- Identifying anyone who could be a potential victim of trafficking without bias or prejudice.
- Recognising the rights and agency of all victims of trafficking when determining their support and protection needs.
- Promoting the equal participation of all as frontline responders in the support and protection of victims of trafficking.



#### Stereotypes are:

- simplistic generalisations about a person, culture, or a group
- a way of imposing attributes, behaviors, concepts, and characteristics
- prevalent in images, songs, myths, stories, media representations, attitudes, or beliefs

<sup>7</sup> https://eige.europa.eu/thesaurus/terms/1209
 <sup>8</sup> Ibid.

ACWC - Advanced Training for Frontline Responders on Gender Sensitive and Victim centred Approaches to Working with Victims of Trafficking in Persons

definitions	<ul> <li>always discriminatory because it is based on preconceived perceptions</li> </ul>
	There are five common types of stereotypes:
	Individual stereotypes
	Gender stereotypes
	Cultural stereotypes
	Racial stereotypes
	Sexual stereotypes
	<b>Ideal victim</b> takes a narrow definition of who is a victim of crime. The ideal victim is accepted by society as a legitimate victim. Ideal victims are more likely to ask for help are more likely to receive help because ideal victims generate the most sympathy from society.
	This notion of the ideal victim is grounded in gender norms and simplistic ideas about trafficking in persons crime. For example, the ideal victim conforms with our understanding of men's and women's roles in society. Personality traits commonly ascribed to women and their perceived sexual powerlessness make them an ideal victim while personality traits commonly ascribed to males and masculinities overlook men as victims of trafficking in persons.
	The ideal victim is typically the victim who is highly visible and who gains legitimacy as a "revictim" of trafficking in persons. Sometimes trafficking victims who do not fit the ideal victim may go unassisted or worse, they can be wrongly perceived by frontline responders as perpetrators or criminals.



A victim centred approach is also known as a victim oriented, people centred, or survivor centred approach. It is a systematic focus on the needs and concerns of a victim to ensure the compassionate and sensitive delivery of services in a non-judgmental manner and to do no harm to the victim.<sup>9</sup>

You will recall the seven principles that underpin a victim centred approach already covered in more detail in the eLearning course:

- 1. Respect and dignity: Respect and dignity are human rights principles whereby a victim should be respected throughout the victim assistance process, and the victims shall be recognised as individuals (regardless of gender, age, race, ethnicity, religion, nationality, disability, or past experiences). Showing respect when interacting with a victim of trafficking this is about taking time to listen and interact with the victim to determine their appropriate support and protection needs.
- 2. Non-discrimination: Article 1(20) of ACTIP obliges ASEAN governments to apply the measures in the Convention based on non-discrimination. The ASEAN Regional Guidelines and Procedures recommend ASEAN governments to provide trafficked victims with "support and protection from further harm without discrimination on the basis of race, sex, national origin or other prohibited arounds and with due consideration to special needs such as those arising from age, sex, ethnicity, or disability." The ASEAN Gender Sensitive Guideline states that there should be no discrimination in the referral of the victim to services or assistance.<sup>10</sup>

<sup>&</sup>lt;sup>9</sup> This definition has been adapted from the Office for Victims of Crime.

<sup>&</sup>lt;sup>10</sup> See Paragraph 3.4.5.

- **3.** Non-punishment: Victims of trafficking may have engaged in illegal activities because of the trafficking experience. Victims of trafficking should not be prosecuted or otherwise punished for offences they commit as a direct consequence of being trafficked (ACTIP Article 14.7).
- 4. **Protection and safety:** Victims of trafficking are entitled to support, and protection measures regardless of whether they participate in the criminal justice process. Victims of trafficking are entitled to shelter and protection from their traffickers and from being exposed to further harm, revictimisation or trauma.
- 5. **Confidentiality and anonymity**: Victims of trafficking, including children are entitled to remain anonymous and any personal information related to victims of trafficking should not be shared.
- 6. Informed consent: Victims of trafficking have the right to choose if they want assistance and protection.
- 7. Voluntary assistance: Voluntary assistance acknowledges victims' rights, dignity, autonomy, and self-determination.

<b>Discrimination</b> is the unjust or prejudicial treatment of different categories of people, especially on the grounds of race, age, sex, disability etc. The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) defines discrimination against women as 'any distinction, exclusion or restriction made based on sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.'
<b>Intersectionality</b> is an analytical tool that assists in understanding that everyone has their own unique experiences of discrimination and oppression and that a person's gender, race, class, physical ability, age, and other factors can intersect or overlap to increase disadvantage, vulnerability, and discrimination.
An intersectionality framework can be used to help frontline responders understand how some victims or social groups face more than one form of vulnerability. For example, taking time to learn about the background of an adolescent boy trafficked by his family into sex work can help frontline responders to identify him as a victim of trafficking, as well as assist in determining his medical and mental healthcare needs and whether he can be returned to his community of origin.
<b>Vulnerability</b> refers to a situation in which the person concerned has no real or acceptable alternative but to submit to the abuse involved. Vulnerability is any state of hardship in which a human being is impelled to accept being exploited." This hardship includes physical, psychological, social, or economic hardship in which a human being is impelled to accept being exploited. <sup>11</sup> The situation might, for example, involve insecurity or illegality of the victim's administrative status, economic dependence, or fragile health. In short, the situation can be any state of hardship in which a human being is impelled to accept being exploited. Vulnerability in trafficking in persons is typically used to refer to those inherent, environmental, or contextual factors that increase the susceptibility of an individual or group to being trafficked. <sup>12</sup>

ACWC - Advanced Training for Frontline Responders on Gender Sensitive and Victim centred Approaches to Working with Victims of Trafficking in Persons

<sup>&</sup>lt;sup>11</sup> Explanatory Report to the council of Europe Convention on Action against Trafficking in Human beings Warsaw, 16.V.(2005) <u>https://rm.coe.int/16800d3812</u>

<sup>&</sup>lt;sup>12</sup> UNODC (2013) Issues paper Abuse of a position of vulnerability and other "means" within the definition of trafficking in persons, New York, p.13. <u>https://analys.unodc.org/documents/human-trafficking/2012/UNODC 2012 Issue Paper - Abuse of a Position of Vulnerability.pdf</u>

#### 1.2.2 Human rights and victims of trafficking in persons

The ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) is the foundational ASEAN-level regional instrument in the field of human rights and trafficking in persons.<sup>13</sup>

The ACTIP aims to prevent and combat trafficking in persons, provide for the effective punishment of offenders, promote legal co-operation and mutual legal assistance between states parties to meet the objectives of the ACTIP, and provide for measures for the protection, assistance, and repatriation of victims. The ACTIP also seek to promote coordinated enforcement and collaborative action amongst the ASEAN Member States to better prevent trafficking in persons and protect and assist victims.

Article 14 of ACTIP also provides for core rights and protections for trafficked persons, including:

- the right to physical and personal safety
- the right to privacy
- the right not to be held criminally or administratively liable, for unlawful acts committed by them, if such acts are directly related to acts of trafficking, and not to be placed in detention (this is known as the 'non-punishment' principle). For example, a person who is trafficked for forced labor into a country may have violated immigration laws due to not entering the country through regular channels or for working without a visa. However, due to the nature of trafficking as a crime of exploitation and control the victim is often likely to have unwillingly committed these crimes or may have been deceived or coerced into committing them by the perpetrator. Where such crimes are directly related to acts of trafficking, the victim must not be held liable for those offences whether under criminal law or administrative laws. The non-punishment principle also requires that states should not hold victims of trafficking in detention or prison prior to, during, or after, any civil, criminal, or administrative proceedings relating to trafficking in persons cases.<sup>14</sup>
- the right to access housing support, receive counselling and information, access medical and psychological services, material assistance, and employment and educational opportunities.
- the right to receive financial compensation.

Gender sensitive and victim centred approaches are closely linked to the application of a human rights-based approach to trafficking in persons. A rights-based approach promotes the human rights of victims in anti-trafficking policies, laws, and actions.



definition

**Human Rights Based Approach (HRBA)** entails consciously and systematically paying attention to human rights in all aspects of program development. The objective of the HRBA is to empower people (rights-holders) to realize their rights and strengthen the State (duty-bearers) to comply with their human rights obligations and duties.

States' obligations to human rights require them to respect, protect and fulfil women's and girls' rights, along with the rights of men and boys. A human rights-based approach (HRBA) to gender issues uncovers how human rights issues affect women and men differently and how power relations and gender-based discriminations affect the enjoyment of rights by all human beings.

<sup>&</sup>lt;sup>13</sup> Content for this section has been adapted from the AICHR Training Guide (forthcoming).

<sup>&</sup>lt;sup>14</sup> ASEAN Convention Against Trafficking in Persons, Especially Women and Children, Article 14(8).

# **1.2.3** Why an intersectional lens is fundamental to gender sensitive, and victim centred approaches

An intersectional lens or framework is critical when applying gender sensitive and victim centred approaches.

An intersectional analysis helps frontline responders understand how some victims or social groups face than one form of vulnerability. For example, a victim of trafficking in persons who is also a woman with a disability will have a different experience of trafficking and a face different challenges when interacting with frontline responders than a woman who does not have a disability.

Everyone has their own identities based on their gender, age, culture, ethnicity, religion, educational background, class, physical ability, or sexual orientation. We use our identities to join or fit into different communities. We may also participate in more than one community at a time. For example, you may have a professional identity as well as the identity of a wife or mother. For some people, they may experience discrimination or exclusion in one community but not in another.

For example, a doctor is respected in her profession but may also suffer gender-based violence at home in her private life. She experiences both privilege and domination at the same time.

Think of the intersectionality framework as: an analytical tool for studying, understanding, and responding to the ways in which our identities can intersect and contribute to unique experiences of oppression and privilege. Protection and support services need to recognise that victims have multiple identities and that there are risks when we slot people into simple categories like poor, girl, young, rural, migrant.

#### 1.2.4 Practical applications of gender sensitive and victim centred approaches

Throughout the training we will identify specific approaches when interacting with victims throughout the protection and support process, however, here are several practical ways to apply at work:



- Listening to the victim
- Being culturally sensitive
- Treating the victim like a person (asking their consent, providing information)
- Acting in a way that is inclusive and nondiscriminatory
- Respecting each victim's diversity (identities and experiences of trafficking in persons)
- Taking an individualised treatment and care approach suitable for each victim (recognise a victim's multiple identities)

- Promoting the victim's agency and participation in their recovery
- Respecting the integrity of the victim (anonymity, privacy)
- Creating an enabling environment for the victim to choose / access protection and support services
- Making decisions that are equitable and that involve the victim (where possible)

#### Exercise 1: Analysing vulnerabilities of victims of trafficking in persons

This is a group exercise to encourage participants to start working together and thinking about the vulnerabilities and different impacts of trafficking on specific groups.

Estimated time: 30 Minutes

Equipment needed:

- Markers
- Poster paper

- Adhesive to put the posters up on the wall
- Printed list of 4 questions



Divide learners into groups of 4. If the group is small groups can have two questions each.

Give each group one question each:

- 1. List the social groups that are most vulnerable to trafficking in persons?
- 2. What are the determinants of vulnerability relevant to victims of trafficking in persons?
- 3. What are the trafficking risks for specific groups? (Push and pull factors)
- 4. How does a person's age, gender, ethnicity, migration status or disability determine their trafficking experience? (Think about the sectors specific groups are trafficked into and the cultural norms which might determine / influence the purpose of trafficking)



Ask the group to discuss the question they received and write their notes on the paper.



Ask the groups to come together and then present in order.

As learners contribute new ideas and comments on the answers to the questions add to the posters.

Prompt learners to think about:

- Gender and social norms which determine education and employment opportunities and responsibilities for women and girls, men and boys, ethnic minorities, and persons with disabilities. Consider who migrates? What jobs?
- Remind learners of any groups they have forgotten.
- Alert learners of emerging / new forms of trafficking in persons.



Hang the posters on the wall and leave them in the room for the remainder of the training, referring to them when relevant.

Prompt learners to think about the context that these posters provide to the backgrounds of different victims and the country context which is driving trafficking in persons crime. Remind learners that understanding the crime of trafficking in persons and the victims is the first step in improving protection and support services.

#### **Exercise 2: Power flower**

This is a tool for self-reflection which has been designed for workshop and group meeting settings. It can be used at any point in time but ideally, it should be used at the start of any new initiative to positively influence our approaches and actions from the outset.

Everyone has multiple or nuanced identities that shape our lives. Just as our own identities are complex, so too are those of the people we work with and encounter. Gender, race, disability, ethnicity, age, education – among others – intersect and interact to shape who we are and what challenges and contradictions we confront. Exploring our multiple characteristics in a group setting helps build personal and collective awareness of our respective circumstances.

#### Purpose

- To introduce the basic concept of intersectionality, highlighting how diverse identities coexist within each of us and change throughout our lives from infancy to maturity.
- To explore the ways in which our own intersecting identities contribute to both oppression and privilege, illustrating how power is relational and always dynamic.
- To reflect on how these forces operate in people's lives, deepening our understanding of how identity, power, subordination, and exclusion affect our organisations, ourselves as individuals, and our social change strategies.

#### **Estimated time**

This activity takes between 90-120 minutes to complete depending on the size of group.

Provide a short break halfway through the session to allow any learners requiring a sensory break to have a brief rest.

Have some support assistants on hand for any learners who may request them.

#### **Equipment needed**

- Sheets of paper in a variety of colors with flower outline 1 per participant (see below)
- Flipchart sheets and cards
- Scissors
- Markers and pens
- Tape/blue tack or sticky wall
- Empty wall or floor space

1. Before the training cut out 12 large petal shapes and a medium-sized circle from flipchart paper and place them on the wall or floor, sticking them together so they are arranged in the shape of a flower.

2. Photocopy for each person an A4 sheet of paper with a pre-drawn flower with 12 petals.

Each petal will represent one category, which can include classifications such as: gender, race, ethnicity, language, faith, age group, socioeconomic status, education level, disability, location (e.g., urban, sub-urban, rural, remote), relationship status (e.g., married, divorced, partnered, single), sexual orientation, citizenship status, housing (e.g., owned, rented, subsidized, shelter, camp, none) etc. Therefore, prepare each category on a meta-card ready to place on each petal. With the group you will narrow this down to 12 categories, but it is a good idea to prepare a few more than you need and have some spare cards ready for relevant suggestions from the group.

The central part of the flower will represent the group's context for which they will reflect. This is typically the country that the group is based in but can be adapted to suit the scope of the exercise and make-up of the group to reflect other contexts such as a province, community or even a global organisation.

3. Seat the group in a circle or semi-circle depending on whether you have used the floor or wall to place the large flower. Introduce learners to the purpose of the activity, highlighting that this is a safe space for us all to reflect on who we are and how certain characteristics/identities we possess may enable or hinder not only our everyday lives, but also the lives of others.

4. Begin the activity by agreeing with the group the context that the activity will focus on (e.g., XX country) and write this on the centred circle of the flower. Then agree with the learners the different social characteristics/identities that they would like to explore the agreed context. The facilitator can kickstart this by suggesting some ideas from the cards already prepared. By the end, each of the 12 petals will have a category stuck to it.

5. Hand out the A4 sheet/card with the 12 flower petals to each participant and ask them to note both the agreed categories and their own personal characteristics/identities corresponding to each category.

6. After completing the individual flowers, reflect as a group on questions such as:

- a. Have any aspects of your identity changed over the years? If so, what factors influenced those changes?
- b. Which identities do you feel you have choice over and which do you feel are decided for you?
- c. How have the intersection of your identities affected who you are today?
- d. What aspects of your identity do you think have influenced your relationship with others?

7. By now the facilitator(s) should have created a safe space for learners to openly share their opinions and ideas. Next, go back to the main flower on the wall/floor and go through each category asking the group who they consider as having the most power within the context. (For example, which age group in XX country typically holds the most power?) Once there is consensus, write in these dominant characteristics one by one inside each corresponding petal.

8. When finished, ask the group to return to their in- dividual flowers and count the number of petals in which their personal characteristics/identities match those noted as dominant characteristics in the big flower. Learners will possess anything from zero to 12 matches.

9. Ask the group to stand up and reorganise themselves in the chairs according to their number of matches. One end of the circle will represent the highest number and the other the lowest.

10. Once the learners have found their new seats, ask them to sit down and look at the new arrangement. What patterns do they notice?



#### **11.**Facilitate a discussion around the following questions:

- How does it feel to be where you are placed?
- Did you expect it? Why/why not?
- Do you think where you are sitting now provides a realistic reflection of your power status within your context? Why/why not?
- Are you surprised by where some other people are sitting in relation to you? If so, why?
- Were you ever conscious of your power and privilege in relation to others before?
- In the future do you think that you are likely to stay where you are, or move up or down the power ladder? Which characteristics are likely to influence your answer?

- If you were to change the context, say to your organisation, how different do you think the flower and your position would be?
- What does this activity tell you about your own power or potential for exercising power?
- If you now knowingly hold power and privilege over others, how might this influence your everyday life and work?
- How might you be able to redress the imbalance?



- For some people, this activity can be uncomfortable, so be prepared to step in when needed while also being sensitive to the existing power dynamics in the room.
- Highlight any observations you make that help to illustrate issues around intersectionality such as intersecting identities, relational power and time and space for example:

Because everyone has many identities, individuals can be dominant in one relationship and subordinate in another. We see this at home, work, in our social and political lives.

Power is often least visible to the powerful. Those with more power are often comfortable giving an opinion based on 'gut feeling' alone. The less power you have the less likely you are to speak without back-up evidence e.g., gender dynamics mean that women are more likely to feel the need to substantiate their opinions than men.

Those with more power can easily fall into the trap of looking at their power in relation to those more powerful than them (i.e., those not in the room) rather than those less powerful than them. Conversely, people with less power typically acknowledge that there are many more with less power than them.

Since everyone is made up of different characteristics, we need to find points of connection and action with people across these differences so that we can tackle the multiple forms of discrimination we face whether they be due to disability, class, race, gender, age etc.

This is intended to be a thought-provoking exercise which we encourage learners to continue to contemplate beyond the session. Everyone is urged to constantly check themselves – their beliefs, their judgements, their actions – as they go about their daily lives and think about what they could do differently or give more consideration to from this point onwards. Reflexivity is a key enabler for addressing intersectionality.

<b>Gender based violence (GBV)</b> is an umbrella term for any harmful act that is perpetrat against a person's will and that is based on socially ascribed (gender) differences betw females and males. The nature and extent of specific types of GBV vary across cultures countries, and regions. Examples include sexual violence, including sexual exploitation and forced prostitution; domestic violence; trafficking; forced/early marriage; harmful traditional practices such as female genital mutilation; honor killings; and widow inher The United Nation's General Assembly Declaration on the Elimination of Violence Agai Women (1993) defines violence against women as 'any act of gender-based violence the results in or is likely to result in physical, sexual or psychological harm or suffering to w (Article 1). Since trafficking results in all these three kinds of harms, the declaration clean lists trafficking as one of the forms of violence against women (Article 2).	ritance. inst hat vomen'
<b>Cultural competence / sensitivity</b> is the process of recognise, understanding, and listening to people from different cultures or belief systems without preconceived opinions, judgements, or prejudices. Cultural competence increases an individual's or organisations' ability to	

effectively provide services to diverse victims. The goal of acquiring gender and cultural competence for frontline responders is improved communication and interactions with victims of trafficking.
Cultural competence skills include:
<ul> <li>Becoming self-aware and reflecting on your own culture, and world view</li> <li>Adopting a positive (or neutral) attitude towards cultural differences</li> <li>Actively listening on respectful terms</li> </ul>
<b>Power</b> refers to the ability to control people or events. In terms of trafficking in persons the abuse of power is often referred to when describing a perpetrator's control over a victim, however, unequal power relations (due to authority gender, socio-economic status, migrant status, age, education etc.) also exist between victims and frontline responders.

#### Exercise 3: Reflecting on interactions with victims of trafficking in persons



This exercise can be conducted as an individual or small group reflection discussion. Learners are asked to take notes in their workbooks and summaries what they learned at the end of the exercise.

This exercise takes around 1 hour to complete depending on the size of the group.

Allow each person 5-10 minutes to reflect and share their answers to the four questions.

- 1. What tools do you currently use to make assessments of a victim's needs and potential harms associated with protection and support? (Think about the different stages of victim identification, investigation, court processes)
- 2. Describe a time when you have customized or adapted your approach to working with a victim of trafficking in persons because of their identity (child victim, victim with a disability, male victim, a person with different gender to your own). Why did you change your approach?
- 3. What would you do differently?
- 4. How would you do this differently?
- Once learners have completed the task ask for volunteers to share their answers with the larger group.
- While the volunteers are sharing their answers write any key ideas up on a white board or poster paper for everyone to see.
- Ask learners if they use the analyse, assess and adapt / apply approach in their interactions.

#### **1.3 Supplementary materials and activities**

#### List of references

ASEAN Convention Against Trafficking in Persons, Especially Women and Children ASEAN Plan of Action Against Trafficking in Persons, Especially Women and Children Bohol TIP Work Plan (ASEAN Multi-Sectoral Work Plan) ASEAN Gender Sensitive Guideline for Handling Women Victims of Trafficking in Persons ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) Regional Guidelines and Procedures to Address the Needs of Victims of TIP ASEAN Practitioner Guidelines: Criminal Justice Responses to Trafficking in Persons ASEAN Declaration on the Rights of Children in the Context of Migration ASEAN Human Rights Declaration ASEAN Regional Plan of Action on the Elimination of Violence Against Children ASEAN Regional Plan of Action on the Elimination of Violence Against Women (2016-2025) ASEAN Enabling Masterplan 2025: Mainstreaming the Rights of Persons with Disabilities ASEAN Gender Mainstreaming Strategic Framework 2021-2025 Bali Process Guide on Enhancing a Victim-Centered Approach

#### Activity 1: Two-minute mixer

To increase the group's energy and provide learners the chance to share their experiences of working with victims of trafficking.

Estimated time: 6-10 minutes

Write the following topics on the board or poster:

- you interacted with a victim who did not cooperate
- a victim showed signs of trauma
- you worked with a victim from a specific group (migrant, child, or person with a disability)
- you were a proactive bystander at work

Keep these topics (and any others you can think of) displayed for the entire training. You can return to this activity time and time again as a way of energizing the group and sharing ideas before delving into the contents.



Explain to everyone that when the alarm sounds, they will talk to the person nearest to them for two minutes.

The conversation starter is, "Tell us about a time...... (insert one of the topics)"

Both learners should share. The facilitator can take notes / write key ideas on the posters which can remind learners.

# STEP 2

Sound the timer after 2 minutes and encourage learners to talk to someone else – perhaps someone they don't know well.

Repeat.

#### 1.4 Quiz

1. Victims of trafficking are only women, teenagers, or girls.

- A. True
- B. False

2. What words best describe a gender sensitive, and victim centred approach?

- A. Individualized treatment and care.
- B. Rights based
- C. Empowering
- D. One size fits all
- E. Only A, B,C

3. An intersectional lens is useful to understand the multiple identities of a victim of trafficking.

- A. True
- B. False

4. A victim's willingness to access protection and support services may be determined by their:

- A. Age
- B. Gender
- C. Ethnicity
- D. Ability
- E. All the above

5. A gender sensitive approach to interacting with victims of trafficking relies on breaking down stereotypes and notions of the ideal victim.

A. True

B. False

# **MODULE 2**

# Victim identification and referral

#### Estimated time to complete: 3 hours

- Learn objectives
- Course materials (slide deck and exercises)
- Supplementary materials and activities
- Quiz



## Module 2: Victim identification and referral (3 hours)

#### 2.1 Learning Objectives

By the end of this module, you will be able to:



#### 2.2 Course materials (slide deck and exercises)

# **2.2.1** Understand the goals of victim identification from a gender sensitive and victim centred perspective.

Victims, or suspected victims of trafficking in persons are usually identified by border guards or police, however, this is not always the case. Where a victim's family is involved in trafficking, their identification may be more difficult. A victim of trafficking can be identified by anyone in the community, such as health workers, social service professionals and faith or community-based organisations. All these responders may encounter victims of trafficking in persons through their work and play a critical role in victim identification.

	The early and accurate identification of individuals as victims ensures that:
•••	<ul> <li>Individuals are correctly identified as potentially a trafficked person.</li> </ul>
	<ul> <li>Victims are removed from exploitation and placed in safe care, and receive protection, assistance, and support.</li> </ul>
key message	<ul> <li>Victims are separated from suspected traffickers to avoid the risk of intimidation or exploitation; and</li> </ul>
	<ul> <li>Trafficking networks are dismantled without criminalizing trafficked victims</li> </ul>

Notice that these four objectives of victim identification **prioritise the human rights of a trafficking in persons victim** and the delivery of protection, assistance, and support services, over the arrest or investigation of a trafficking case.

- Protection measures include ensuring a victim has access to victim identification, privacy, confidentiality, permission to remain in its territory (foreign national), physical safety, non-detention, and non-criminalisation.
- Assistance, and support may include housing, health, immigration, food, income, employment, and legal services depending on what is available locally.

Once a victim's rights are upheld and their needs are addressed, the following law enforcement objectives are more likely to be met:

A. Trafficking in persons networks can be identified and dismantled, and offenders are arrested and prosecuted.

B. Trafficking patterns can be monitored with a view to (1) developing effective targeted prevention programs and (2) developing effective counter-trafficking in persons policies.

Victims should be identified and offered protection, assistance, and support, even when law enforcement officials have insufficient evidence to mount a successful prosecution, or the trafficker cannot be identified or located.

In summary, the goals of victim identification are twofold, they are concerned with upholding a victim's human rights codified in international, regional, and national laws and commitments, and stopping the crime of trafficking in persons.



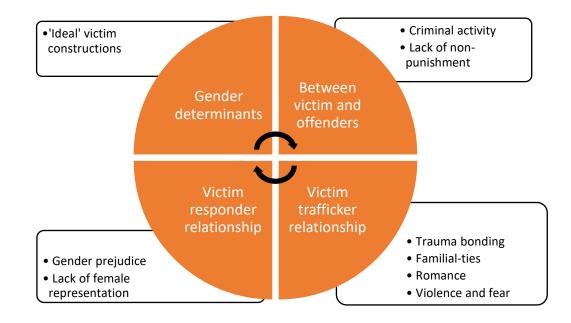
definition

**Human rights** are commonly understood as being those rights which are inherent to the human being. The concept of human rights acknowledges that every single human being is entitled to enjoy their human rights without distinction as to gender, race, color, language, religion, political or other opinion, national or social origin, property, birth, or other status. Human rights are legally guaranteed by human rights law, protecting individuals and groups against actions which interfere with fundamental freedoms and human dignity. They are expressed in treaties, customary international law, bodies of principles and other sources of law. Human rights law places an obligation on States to act in a particular way and prohibits States from engaging in specified activities. All human rights and instruments that concern them apply equally to men and women.

#### 2.2.2 Factors that hinder victim identification

Victims may choose to remain unidentified or may be overlooked by frontline responders. There are four factors that may hinder frontline responders from identifying victims. These factors include:

- 1. Gender determinants, including the gender specific needs facing victims and how victims are perceived by the frontline responder;
- 2. Interaction or relationship between the victim and the offender, such as whether or not the victim has engaged in criminal activity;
- 3. Interaction or relationship between the victim and the frontline responder, for example if the frontline responder is not trained in handling victims, if there is prejudice or bias or if there is a lack of female representation during the victim identification process;
- 4. Interaction or relationship between the victim and the trafficker, such as if the victim and trafficker are related, friend or in a romantic or co-dependent relationship.



#### 2.2.3 Identify common harms or risks associated with victim identification

Identifying a victim of trafficking and providing protection, assistance and support is not always simple because societal and gendered attitudes and biases manifest in the trafficking in persons victim identification process. This in turn may hinder the identification of different social groups of individuals that are vulnerable to trafficking, such as men, migrants, or persons with a disability.

Low rates of victim identification and a reluctance for victims to self-identify has the potential to hinder the prosecution process of traffickers. Failing to identify victims of trafficking can also lead to the deportation or detention of trafficking victims who are mis-identified as illegal migrants. The mis-identification of victims of trafficking can also cause delays in a victim's recovery as they are moved from one service provider to the next.

Victims of trafficking in persons can be men, women, teenagers, or children. A woman who presents at the emergency department at a hospital badly beaten, a migrant working on a local construction site, the sex worker at the local karaoke bar or the teenaged waiter at your favorite restaurant may all be victims of trafficking in persons.

Trafficking in persons is a crime that involves the exploitation of individuals. Exploitation may occur through force, fraud, or coercion. Exploitation may be physical, psychological, or economic and is not always obvious or visible to the public. A victim's experience of trafficking lives inside their body and for that reason it is very personal and needs to be handled with care. Victims' experiences of trafficking are complex and varied and may have involved commercial sex, debt bondage, slavery, involuntary labor, organ removal or even marriage.

Victims of trafficking may appear to frontline responders as unfriendly, untrusting or as people not interested in receiving assistance. Dealing with a victim of trafficking who does not want to cooperate with frontline responders can be difficult, however, it is up to the victim whether they accept or refuse assistance.



#### Several reasons why victims of trafficking in persons may remain unidentified:

 Victim identification may be based on the notion of an "ideal victim" or "victim profiling" which leads to the misidentification of victims of trafficking

- Victims may not identify as a victim but prefer to see themselves as a survivor capable of self-determination
- Victims may lack the understanding needed to come forward and receive help
- Victims may have faced discrimination, marginalisation, or exclusion within their communities before becoming a victim of trafficking and may not be aware that they are victims of trafficking
- Victims may have committed crimes associated with or prior to their trafficking experience.
- Victims may be experiencing trauma or shame surrounding their trafficking experience
- Victims may not want to be detained in shelters or forced to return to their country of origin
- Victims may face stigmatisation in their communities if they are identified as victims of trafficking
- Victims may have addiction or substance abuse issues which impair their decision-making processes.



**Traumatisation** refers to an instance where a victim re-experiences the trauma of their trafficking experience.

definition

**Revictimisation** refers to victimisation (victim blaming, insulting comments or actions) that takes place at multiple points in time. For victims of trafficking, revictimisation can occur at any time from identification to reintegration when victims are interacting (being interviewed, being sheltered, undergoing a medical check, being assessed for reintegration or recovery programs, or participating in the court process).

#### 2.2.4 Assess potential harms for specific groups of victims of trafficking in persons



In the process of identifying a victim of trafficking it is important to be mindful of specific categories of vulnerable people and their needs.

Here are some tips for assessing the needs of different groups of victims:

**Children:** A person who may be a child should always be treated as a child until their age can be determined. Under the Convention on the Rights of the Child (CRC), all children have rights by virtue of being children. Key red flags that can assist with identifying a child victim of trafficking include:<sup>15</sup>

- Living with employer
- Poor living conditions
- Multiple people in cramped space
- Inability to speak to individual alone
- Answers appear to be scripted and rehearsed
- Employer is holding identity documents
- Signs of physical abuse
- Submissive or fearful
- Unpaid or paid very little
- Under 18 and in prostitution

According to the CRC article 12 children are entitled to the following five forms of protection:

- 1. care and support for children must not be conditional on their cooperation with authorities
- 2. they must not be coerced into receiving protection and support

<sup>&</sup>lt;sup>15</sup> Source: <u>https://analys.childwelfare.gov/topics/systemwide/trafficking/identifying/</u>

- 3. non-citizen children must be entitled to care on an equal basis to citizens
- 4. they must be provided with information about their situation and entitlements; their views must be respected and given due weight
- 5. their privacy must be protected from arbitrary interference. In accordance with special needs, a legal guardian, organisation, or authority may need to be appointed to represent them.



definition

A **child** is any person under the age of 18.

**Child focused care** is a developmentally, linguistically, and culturally appropriate approach for dealing with children; designed with their needs, abilities, and best interests in mind; and intended to reduce harm.

**Migrants and displaced persons:** Migration is a key driver of trafficking in persons. Migration because of economic, social, and political contexts within the country of origin, such as poverty, war, violence, and persecutions make migrants especially vulnerable to trafficking in persons. Victims of trafficking who are identified by authorities may be migrants fleeing oppression in their own countries and may be eligible for asylum. Other victims may have been working undocumented when they were recruited by a trafficker and may be reluctant to identify as a victim of trafficking.

**Women:** Some women and girls have a heightened vulnerability to trafficking. Nonetheless, stereotypes and genderbiased construct of the ideal victim may impede the victim identification process. Women and girls may also become invisible victims due to the nature of their work such as domestic workers or brides in forced marriages.

**Men:** Despite the increased numbers of men and boys being trafficked including for the purpose of sexual exploitation, gender bias and stereotyping may hinder the victim identification process - male adults are often not perceived as victims of trafficking. In cases of trafficking for the purpose of sexual exploitation, men and boys are rarely perceived as victims, but rather as sex workers by choice. The social stigma of men as victims of trafficking persists as it is incompatible with notions of masculinity which portray men as strong breadwinners.

Some common gender forms of control which impact all genders include: physical, psychological, economic and emotional factors.

#### Gendered means of control

- physical force/abuse
- debt bondage
- brainwashing/mind control
- sexual violence
- drug/alcohol dependency

- confiscation of ID/Documents
- Verbal threats/abuse
- Fraud
- Romantic relationships
- Family-like relationships

**Persons with disabilities**: Persons with disabilities may have difficulty interacting and communicating with frontline responders which may lead to their being overlooked as victims of trafficking. A victim of trafficking may have acquired a disability because of their trafficking experience. Washington Group questions on disability provide guidance on the type of assistance a person with a disability may require.

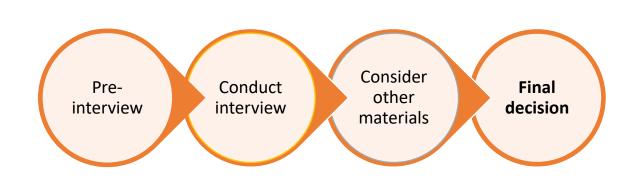
Remember that a victim may have **multiple or intersecting identities** which may influence how they interact with frontline responders. For example, a victim of trafficking may be a migrant or a child living with a disability. Consider these different identities when interacting with victims of trafficking and where possible consult the victim and inform them of the various protection, assistance, and support services available in the area.

#### 2.2.5 Apply gender sensitive and victim centred approaches during victim identification

Frontline responders play an essential role as an initial and ongoing point of contact for victims of trafficking. Frontline responders are the gatekeepers or caretakers of identification, support, and protection measures.

Frontline responders are solely responsible for determining, delivering and referral of immediate and longer-term protection and support measures to victims of trafficking in persons.

The victim identification process includes the following steps: pre-interview where an initial assessment is made to determine if the person could be a victim of trafficking, the formal interview, consideration of other needs and factors and the final decision which determines if the person is a victim of trafficking. At each step during the victim identification process frontline responders can apply gender sensitive and victim centred approaches.



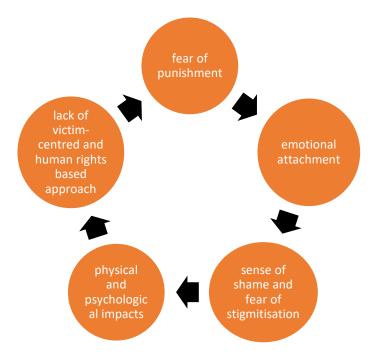
#### Victim identification process: common steps

Gender-sensitivity is required at every stage.

When interacting with victims of trafficking in persons, frontline responders should aim to:

- Prevent risks restoring a sense of safety, security, and stability to the lives of victims and their families.
- Facilitate cooperation and referral supporting victims to work alongside other frontline responders.
- Prevent further harm ensuring that no further harm comes to the victim throughout the identification, support
  and justice process caused by frontline responders, the trafficker, trafficking networks, members of the victim's
  community or the victim's own family.

Negative experiences can influence a victim's feeling and decisions at identification:



Frontline responders can mitigate risks and prevent harm by:

- Ensuring safety Conduct a risk assessment and mitigate any risks that could jeopardize the security of a victim.
- Obtain informed consent Always obtain informed consent before gathering information or conducting an interview. Remember a victim is free to change their mind or withdraw consent at any stage during the interview or discussion.
- Respecting confidentiality Confidential personal information including personal data such as information on their health, details of experience and other elements that can reveal the identity or the location of the victim should not be shared. If information is shared it should be with the victim's consent unless a child is involved, or the victim is threatening to harm themselves or others.
- Avoiding discrimination Reflect on your own prejudices and assumptions and offer all needed support and assistance to victims without discrimination, considering their needs, abilities, and cultural background.
- Ensuring that victims of trafficking in persons are treated as victims and not punished for any criminal activities committed because of their trafficking experience.
- Choosing a suitably qualified frontline responder or interviewer An interviewer should be selected based on their knowledge / expertise in trafficking in persons. If there is a staff member who speaks the same language as the victim, they are a good choice for working with the victim. Consider the gender of the frontline responder or interviewer victims should be asked if they prefer a male or female interviewer. Consider whether the victim understands the interviewer In addition to gender and language, it may be useful to consider whether the victim understands the purpose of the interview and questions being asked. This is particularly important when a victim is a person with disabilities or shows signs of trauma.
- Upholding a victim's right to choose / refuse assistance. Protection, assistance, and support should not be forced on a victim.



**Confidentiality** means that frontline responders should keep the affairs and information of victims confidential except where disclosure is required or permitted by the victim assistance process or permitted by the victim. In doing so, frontline responders should understand the difference between confidential information and general information, and maintain victim confidentiality, in relation to the media.

Practicing gender sensitive and victim centred approaches in your work with victims of trafficking requires the following actions:

- Check your attitudes, reactions, and behaviors: Recognise that power imbalances between a frontline responder and a victim exist is the first step towards professional and positive interactions with a victim of trafficking. Checking your attitudes, reactions and behaviors will prevent prejudice and unconscious bias which leads to discrimination of victims. Before evaluating the risks or needs of a potential victim of trafficking it is important to establish a rapport with the victim built on trust and professionalism. Negative judgements, comments and attitudes will prevent you from building a rapport. Evaluate or check your own attitudes, reactions and behaviors for prejudices or unconscious bias when interacting with a victim. Try not to let your family, education, socioeconomic status, culture, gender, or sexual orientation shape your interactions with a victim. Remember that it is expected and acceptable for you to have opinions or preconceived ideas about a victim, however, it is important to avoid forming judgements about a victim's situation, circumstances or experiences of trafficking based on their:
  - Gender
  - Ethnic or religious background
  - Profession
  - Disability
  - Education levels
  - Economic status
  - Migrant status
  - Family or friendships

These judgements interfere with the ability to protect, assist, and support victims of trafficking effectively and ethically. Remember the objective of victim identification is not to ask a victim "what is wrong with you?" instead we need to ask, "What happened to you?"

Assess the needs and vulnerabilities of diverse victims: Considering the specific interests, needs and concerns of ethnic minorities, migrants, persons with disabilities and children. Listening and interacting with victims without passing judgement requires believing that the victim is telling the truth. This can be difficult because there may be gaps or holes in a victim's story or you may have evidence which suggests that a victim is lying.

During this initial victim identification phase accept that you will not obtain all the information you want to know or, in the case of law enforcement, need to mount a case. The most important thing during the victim identification phase is to ensure the safety of a victim, address their immediate needs and not retraumatize or revictimize the victim.

Remain professional: As a frontline responder you are not qualified, nor required to, analyse, or diagnose a victim's life experience or their value as a person. As a frontline responder you should always be professional when interacting with victims of trafficking. During the victim identification phase your interactions with a victim may be limited to several minutes or hours. This time only allows you to see a snapshot of a victim's personality, identity, life experience and as much of their trafficking experience as they are willing to share. If you do not have the answers seek advice.

- Work in a team: Trafficking in persons is a complex crime and victim's of trafficking have diverse and specific needs. It is important that frontline responders work in partnership with organisations and services that can provide a range of support. A victim may be more willing to talk to a social worker or healthcare worker than law enforcement. You can improve the quality of information and evidence you acquire from a victim by working in a team and managing the case jointly. Ensure that you are familiar with the available organisations and services in your area, especially services that target specific groups of victims.
- Identify and respond to trauma: Knowing the signs of trauma and how to integrate trauma informed care in support, protection, and reintegration measures. By observing, listening, and telling you can recognise and respond to a victim's needs. Victims from specific groups may have different needs or require specific assistance. Remember to prioritize the safety of the victim by assessing any risks to the victim, practice non-judgmental communication and make yourself aware of the specialist services in your area that provide protection, assistance, and support for these groups.

Thinking through potential challenges will help you be prepared and better able to respond to the needs of trafficking victims. For example, what tools / approaches do you currently use to identify different groups of victims of trafficking? Are these approaches gender sensitive and victim centred?

Watch the following video on how to work with interpreters: <u>https://youtu.be/K\_A7mEGnvxI</u>





"**Trauma**" means experiences that threaten to overwhelm us. But it also refers to the effects those experiences have on a victim's body, mind, and nervous systems.

Trauma informed care is not about performing a single technique or checklist. It requires:

- definition
- Realizing how trauma affects people differently
- Recognise and paying constant attention to the signs of trauma
- Responding to the trauma with empathy, compassion and understanding
  - Avoiding traumatisation and revictimisation

#### **Exercise 1: Getting our priorities right**



As a frontline responder working with victims of trafficking in persons you are required to prioritize their protection, assistance, and support needs.

- This exercise takes around 1 hour to complete with discussion.
- Print off the list so there is one copy for each participant.

Exercise 2: Role play meet the victim

This exercise provides frontline workers the chance to practice meeting and interviewing victims and to assess their progress against a checklist.

- This exercise takes around 1 hour to complete with discussion.
- Divide the group into pairs.
- . Distribute one of the biographies to each pair. More than one pair can use the same biography.

#### **Biography 1. Dao**

Your name is Dao are a male, 21 years old from Myanmar. You found a job on a Thai fishing boat through a broker in Myanmar. When you arrived, you gave your identity papers to the boss. You have been working for 6 months, 7 days per week 12-15 hours a day. You have not been paid for several months, but you need to pay your broker money owed. You are seriously injured and have hurt your back. Your injury makes you slower and you are at risk of being fired. You have not been to the doctor because you cannot leave the boat.

#### **Biography 2. Lin**

Your name is Lin, you are a female around 18 years old. You have quite significant cognitive impairment which makes it difficult to organise your thoughts. You have been rescued from a begging ring in Jakarta. You are Indonesian but you do not speak Bahasa Indonesia fluently. You were taken from your village and have not been home in 2 years. You are not sure if your family cares about you because you cannot remember much

- There will be different priorities among the learners. This is fine and should not be debated. Remind all learners of the following goals of protection and support services:
  - 1. Building a rapport with the victim.

Divide learners into groups of up to four

the items on the list of needs (10 mins).

Each group should put items in order of

Distribute the lists and ask the groups discuss

priority by adding a number to each box. Ask

mentioned to help them prioritize victim's

the group to reflect on the approaches already

learners.

needs.

List for prioritisation

the victim

Interviewing victim

Finding a neutral /

private location to

Housing / Safe

assessment

Hygiene

accommodation

Building a rapport with

discuss with the victim

Psychological first aid /

•

- 3. Restoring the victim's sense of control over his or her life (food, accommodation, and decisions).

Restoring the victim's interpersonal connections and encouraging attachment to others. 4.

- 2. Restoring the victim's sense of safety.

- needs Safety
  - Information

Food/clothing

**Emergency medical** 

Legal advice

- Special guardian

- Transport
- Translator/Interpreter

Contact with family

Job seeking support 

**Reintegration advice** 

Life skills training

- Clothing
- Advocacy or lobby group for survivors

Counselling / therapy

Visa application support

#### Once the group has finished discussing the • ordering as a large group. Ask learners, "why has X prioritized before ANALYS?"

Ask the group, "are there any items on the list • which may be more relevant for specific groups of victims?" (e.g., special guardian is particularly relevant for children and persons with disabilities).

about them. You enjoy begging and selling flowers on the street because you meet a lot of kind people. You sleep and work with other girls and boys like you. Life is not so bad.

#### **Biography 3. An**

Your name is An you are 15 years old, but you look older. You have been rescued as part of a raid on a bar in Ho Chi Minh City. You applied for a job as a bar girl after you left your village in Cambodia 2 years ago. The owner of the bar is really kind to you and pays you in food and accommodation. Sometimes you are expected to have sex with male clients but overall, you are treated very well. You ran away from your home in a Cambodian village.

#### **Biography 4. Kim**

Your name is Kim you are a 50-year-old woman. You have been working in Saudi Arabia for the last 4 years. You moved to Saudi Arabia with the help of a friend and have been working as a domestic helper. You have been shackled by your boss and forced to sleep outside. Sometimes the trafficker rapes you. You gave birth to his baby, but it died.

#### Biography 5. Ly

Your name is Ly you are 10 years old. You work in a sewing factory in Vientiane with your brother and your mother. You moved to the city after your father died. At first you didn't work in the factory itself because you were too young. But for the last year you have been cleaning the floor of the factory and packing clothes for sale. You sleep on the factory floor and work so hard. If you make a mistake your mum hits you. You don't go to school. You fear being punished for speaking out.

- Both learners read and understand the facts in the biography.
- Each pair spends 5-10 minutes role playing the first meeting between a frontline responder and a victim.
   Frontline responders should take on a role they feel most comfortable with, for example, a medical officer, a social worker, law enforcement etc.
- At the end of the time the frontline worker should tell the victim what next steps they plan on taking including any referrals.
- Ask the pairs to switch roles and repeat the exercise.
- Distribute one checklist per participant and ask each person to complete the checklist for themselves. Ask the pairs to evaluate their approach.
- As a large group ask for a volunteer or two to share what went well? What could be improved from their perspective and vice versa). Go through the lessons learned notes.



Did you.....

- ✓ Introduce yourself
- ✓ Inform the victim of your role
- Ask the victim to consent to talking to you
- ✓ Put your own or the person's safety at risk
- ✓ Investigate or interrogate
- ✓ Question what victim was telling you
- Accuse the victim of lying or not telling you everything
- Contact authorities without informed consent (unless there is a danger to life!)
- ✓ Make false promises

- Ask guestions that can re-traumatize the person
- Ensure the safety of the victim and the staff
- ✓ Explain confidentiality
- Regularly provide relevant information (who you are, what is your role, available services, next steps...)
- Identify other support and protection services to refer the victim to
- Talk to your manager/coordinator to plan the support
- Inquire into the victim's specific needs
- Not pass judgement of the victim

Lessons learned next time we will ...

- Try to talk or listen to the victim and find out more information
- ✓ Ask if they want to report to the police; if so, contact the police
- Inform the person of their rights, as well as other frontline responders that can provide the necessary assistance
- ✓ Be careful not to endanger yourself or the victim
- Proceed the case according to organisational protocols
- ✓ Inform the police if the person or you are in immediate danger
- If time allows repeat the exercise applying what was learned. Use the checklist to guide the conversation. Ask one pair to volunteer to present to the entire class. Ask learners to think about any other consideration they would make during an interview, for example, the layout of the room, the type of room they would conduct the interview in and what changes they would make for different groups of victims, such as children.

#### Exercise 3: Reflecting on the specific needs of diverse groups of victims

To put learning into practice learners are asked to complete the following exercise in pairs or small groups.



- Learners should record their answers in writing in their learners' workbooks.
- This exercise will take around 1 hour to complete.
- This exercise can be repeated at the end of the training to check if attitudes have changed and if learners have acquired new strategies.
- Facilitators will be asked to check the workbooks to see if the learners have provided enough detail in their answers.
- Learners are encouraged to discuss their responses as a group.
- When interacting with different groups of victims (women, men, persons with disabilities, children, migrants, ethnic minorities) ask yourself the following questions:
  - 1. What safety issues are important for specific groups of victims?
  - 2. What attitudes or expectations do you have about interacting with specific groups of victims?
  - 3. What challenges do you anticipate when working with specific groups of victims?
  - 4. How would you change the way you interview a victim depending on their identity/ies?
  - 5. Which other organisations or specialists do you need to cooperate with when interacting with specific groups of victims?
  - 6. What protocols help when interacting with specific groups of victims?

#### 2.3 Supplementary materials and activities

#### List of references

*France terre d'asile* and Croatian Red Cross (2019) <u>The identification of victims of human trafficking in transit and</u> <u>destination countries in Europe: A practical guideline for frontline workers</u>

Human Trafficking Task Force e-Guide: Using a trauma-informed approach. Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. <u>https://analys.ovcttac.gov/taskforceguide/eguide/4-supporting-victims/41-using-a-trauma-informed-approach/</u> (accessed 15 October 2021)

IOM (2020) Trafficking in Persons: Victim Identification and Assistance Training Guide <a href="https://publications.iom.int/system/files/pdf/trafficking-in-persons-training-guide.pdf">https://publications.iom.int/system/files/pdf/trafficking-in-persons-training-guide.pdf</a>

(2018) Investigating Human Trafficking Cases Using a Victim Centred Approach

https://publications.iom.int/books/investigating-human-trafficking-cases-using-victim-centred-approach-trainersmanual-combating

OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (2021) *Applying gender-sensitive approaches in combating trafficking in human beings.* Vienna: OSCE.

OHCHR Recommended Principles and Guidelines on Human Rights and Human Trafficking OHCHR Fact Sheet No.36 on Human Rights and Human Trafficking

OVCTTAC (2014) <u>How to Identify and Communicate with Human Trafficking Victims with an Intellectual and/or</u> <u>Developmental Disability</u>

UNICEF (2018) *Gender Responsive Communication for Development: Guidance, Tools and Resources* <u>https://analys.unicef.org/rosa/media/1786/file</u>

University of California, San Francisco's Office of Diversity and Research Unconscious Bias Resources: <u>https://tinyurl.com/y5bjazb7</u>

Video testimonials on different victims of trafficking (queue video from minute 10:50-13:20) <u>https://analys.youtube.com/watch?v=nc4wIKURXaQ</u>

Video testimonial on trauma-informed care <a href="https://analys.youtube.com/watch?v=TZSFIBBTw40">https://analys.youtube.com/watch?v=TZSFIBBTw40</a>

#### Activity 1: Two truths and a lie

To introduce learners to each other and to demonstrate the importance of building a rapport with a victim of trafficking. This exercise promotes unity among members but also how easy it is to lie and have those lies accepted by others.

Estimated time: 15 mins



Begin by instructing everyone to write down two truths and one lie about themselves.



Drop written responses into a hat and allow time for learners to interact with one another. The learners should be attempting to trick the others into believing the lie they wrote down instead of their truths. While doing this, they should also be analysing the other team members to figure out what their truths may be.



After ten minutes, call the members back and gather in a circle. Proceed to draw the slips with the truths and lie out of the hat and read all three for everyone, keeping secret which fact is the lie.

This game can also be scored by how well the individuals convince the others that the lie is one of their truths or how many occasions an individual guesses correctly the truths and lie.

Ask the learners what criteria they used to determine the truths. Ask them if they used **stereotypes**, social and **gender norms**, or common perceptions based on age, gender, class, education etc. Remind them that we do this unconsciously when we meet people and perhaps in our work with victims of trafficking.

#### 2.4 Quiz

- 1. Victims should be identified and offered protection, assistance, and support, even if law enforcement officials have insufficient evidence to mount a successful prosecution or the trafficker cannot be identified or located.
  - A. True
  - B. False

2. The most important thing during the victim identification phase is to ensure the safety of a victim, address their immediate needs and not retraumatize or revictimize the victim.

A. True

B. False

3. Victims may refuse assistance from a frontline responder because:

- A. They do not identify as victims
- B. They lack the understanding needed to ask for and receive help
- C. They have faced discrimination, marginalisation, or exclusion within their communities before becoming a victim of trafficking
- D. They have committed crimes associated with, or prior to, their trafficking experience
- E. They are experiencing trauma
- F. They have addiction or substance abuse issues which impair their decision-making processes
- G. Any of the above

- 3. Frontline responders can avoid further harm by:
  - A. Obtaining informed consent
  - B. Ensuring confidentiality
  - C. Prioritizing safety
  - D. Discriminating
  - E. Judging a victim
  - F. All the above

G. A,B,C

- 4. Frontline responders should take the following steps during victim identification:
  - A. Observe, listen, talk, recognise, and respond
  - B. Observe, judge, and respond
  - C. Diagnose, talk, and react
  - D. None of the above

# **MODULE 3**

# Reflection period, recovery and shelter

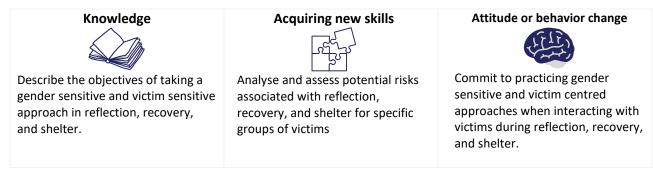
### Estimated time to complete: 3 hours

- Learn objectives
- Course materials (slide deck and exercises)
- Supplementary materials and activities
- Quiz

# Module 3: Reflection period, recovery, and shelter 3 hours

- 1. Learning objectives
- 2. Course materials (slide deck and exercises)
- 3. Supplementary materials and activities
- 4. Quiz

#### **3.1 Learning Objectives**



#### 3.2 Course materials (slide deck and exercises)

# **3.2.1** Understand the goals of reflection, recovery and shelter from a gender sensitive victim centred perspective

A reflection and recovery period are important aspects of a victim centred approach to assisting trafficked persons because it focuses on upholding a victim's right to respect, safety, protection, informed consent, and voluntary assistance.



The objectives of reflection and recovery periods are to provide victims:

- A period where they can begin recovering from their trafficking experiences
- Time to make an informed decision about whether to assist and cooperate in criminal proceedings
- The right to stay in the territory temporarily or permanently without risk of expulsion
- To provide initial protection, stability, and recovery to a victim through shelter.

ACTIP and the Palermo Protocol do not have a "recovery period" provision, however, the Conventions share similar principles of victim protection and support. Among others, it said that Member States shall consider adopting measures that permit victims to remain in the country, either temporarily or permanently. Humanitarian and compassionate factors are also explicitly stated as factors that should be taken into consideration.

The Bali process calls for a reflection period ranging from 30 days as part of the initial protection to be afforded to trafficking victims. As most of ASEAN Member States are also members of the Bali Process this is a significant step towards incorporating a reflection period in victim protection, assistance, and support.

The Council of Europe Convention on Action against Trafficking in Human Beings (Under Article 13) obliges Member States to provide a recovery and reflection period of at least 30 days when there are reasonable grounds to believe a person is a victim.

#### 3.2.2 Identify common harms and risks associated with reflection, recovery, and shelter

Victims of trafficking may face several harms during reflection, recovery, and shelter.

Between exiting the trafficking situation and entering the shelter a victim may have been:

- in prison
- living with a friend or family
- living undocumented in the country
- detained in a prison or detention centred
- living independently



Some potential risks victims of trafficking may experience during reflection, recovery and shelter include:

- Absence of reflection time to decide on options including to be identified or to receive assistance or to participate in a criminal proceeding against their traffickers
- Routine detention
- Lack of available shelter or temporary accommodation facilities
- Linking shelter with cooperation in a criminal justice process
- Shelter facilities that imprison or disempower victims and violate their rights to free movement and liberty
- Shelters which compromise a victim's right to privacy or bodily integrity e.g., victims are subject to body searches or forced medical examinations
- Inadequate recovery (psycho-social, medical, counselling) support within the shelter
- Inadequate access to basic needs such as food, water, sanitation, and hygiene
- Increased vulnerability of migrants to re-trafficking

#### 3.2.3 Assess potential harms for specific groups of victims of trafficking in persons

Different groups of victims may face a higher risk of harm when seeking shelter and recovery. Frontline responders can assess the potential risk of harm on specific groups of victims by considering the following factors:

#### Children

- Children may be subjected to the same arrest and detention as adults in countries where immigration laws do not distinguish between adults and minors.
- Institutionalized care, especially long term can lead to trauma. Home based or residential shelters have been shown to have better outcomes for child victims.<sup>16</sup>
- Child victims are sometimes detained in migration or deportation centred.
- Shelters may not have comprehensive Child Safeguarding Policies and children's rights may not be upheld by staff and visitors.
- Children who are prevented from having contact with their family may experience traumatisation.<sup>17</sup>

on Gender Sensitive and Victim centred Approaches to Working with Victims of Trafficking in Persons

 <sup>&</sup>lt;sup>16</sup> ECPAT, INTERPOL, and UNICEF (2022) Disrupting Harm in the Philippines: evidence on online child sexual exploitation and abuse. Global Partnership to end violence against children. <u>https://analys.end-violence.org/sites/default/files/2022-04/DH\_Philippines\_ONLINE\_FINAL.pdf</u>
 <sup>17</sup> See ACTIP Article 14 (8); ACWC Regional Review recommendation 6.2; UNICEF Guidelines on the Protection of Child Victims of Trafficking, Part 10.3).

- Child victims who have been transported to regional or national shelters where staff may not speak their language.
- Child victims may not be provided access to legal aid, a psychologist or social worker while in shelter.
- Shelters may not offer educational and creative programs for children.

#### Migrants

- Victims of trafficking may be denied essential rights based on their irregular migration status.
- Restrictive detention policies can increase a victim's vulnerability.
- Immigration detention centred can place victims of trafficking in exploitative situations, such as being subject to forced labor as a means of paying for their release, or even sexually exploited.
- Migrants may also be unfairly forced to cooperate in criminal investigations or transferred to facilities pending deportation.

#### Men

 Sometimes male victims of trafficking may end up in punitive detention due to a lack of appropriate shelter to accommodate them.

#### Persons with disabilities

- There is a belief among frontline workers that if victims are provided a recovery period they will forget about their experience and not be able to assist law enforcement, this is particularly relevant to victims who are mentally disabled or suffering trauma.
- Shelters may not provide the necessary facilities and support for persons with disabilities, such as
  infrastructure adapted to the physical need of persons with disabilities, while persons with non-physical
  disabilities may not be provided with the necessary specialized support and assistance.

#### 3.2.4 Apply gender sensitive and victim centred approaches in reflection, recovery, and shelter

A rights-based approach requires that shelter models are embedded into wider protection and assistance frameworks.

For many victims, shelters are an 'in-between state'. The shelter experience marks leaving the past behind and the start of life away from a trafficker. However, the road to recovery is not simple and many victims may view shelters negatively.

Routine detention of trafficked persons cannot be justified on policy grounds, no matter how well-meaning those policies are. Protection, assistance and prosecutorial rationales for curtailing victims' freedoms and liberties— regardless of whether those purposes are served—are incidental to whether interference with freedom of movement is justified in law.

Sheltering of victims is not a protection or assistance end but must be understood and approached as the beginning of a victim's recovery and their successful reintegration or integration into society, whether in countries of origin or destination, or in third countries elsewhere.<sup>18</sup>

Frontline responders play a key role in protecting, respecting, and fulfilling the rights of victims of trafficking in persons. You can achieve this by assessing practices to ensure that a victim is not disempowered, and that their rights (freedom and mobility) are not being violated.



Frontline responders can promote victims' rights by applying the following gender sensitive and victim centred approaches:

- 1. Checking the availability, accessibility, and appropriateness of information about victims' rights and support services
- 2. Promoting the freedom of movement of victims wherever possible
- 3. Considering home shelter or residential shelters as an alternative to institutionalized shelters
- 4. Creating time and space for victims to make informed decisions throughout the process (remembering that children may require longer time)
- 5. Separating the provision of shelter from criminal justice objectives
- 6. Gaining agreement from the professional team or taskforce (social workers, psychologists, medical officers) on the readiness of victims to participate in the process.

ACWC - Advanced Training for Frontline Responders

on Gender Sensitive and Victim centred Approaches to Working with Victims of Trafficking in Persons

<sup>&</sup>lt;sup>18</sup> McAdam, M (2022) Implementation of the non-punishment principle for victims of human trafficking in ASEAN Member States. Bangkok: ASEAN-ACT. <u>https://analys.aseanact.org/wp-content/uploads/2022/04/Non-Punishment\_print\_smallsise.pdf</u>

#### 3.2.5 Case studies of shelter models



The following case studies describe the experiences of different victims of trafficking during reflection, recovery, and shelter.<sup>19</sup> Think about how the six approaches above could have been applied to further assist these victims. Discuss how the identities of these victims is relevant and how different identities shape a victim's experience of shelter.

#### **Being protected**

- One man trafficked for work aboard a fishing boat was initially arrested by police and charged with irregular migration. However, staff from his country's embassy visited the prison and recognise him as a trafficking victim. The embassy worked alongside an NGO in his home country to secure his release and arrange for his return. Once home, he was identified as a trafficking victim and given money to travel to his village. Shortly thereafter another assistance organisation visited him in his village and offered him different forms of assistance. He asked to be trained as a barber and they arranged for him to attend a training course in a nearby town. He then received some funds to buy barber tools and has since set up a barber shop in his home village. He can support himself with this job and enjoys the work.<sup>20</sup>
- One woman received comprehensive assistance after her return from abroad, having been trafficked for sexual exploitation. She was accommodated in a shelter where she received a range of services. She studied to become a beautician, and after completion, was provided with a small grant to open her own salon. Her business is doing well, and she is now able to support herself and send money home to help her parents.<sup>21</sup>
- One woman was offered a job with high income in another province by a relative. During the journey, she was intoxicated and, after she regained consciousness, found that she had been sold to a man for marriage. After many years she managed to escape with the help of a neighbor and managed to return home. Having come back to her village after more than ten years, everything seemed different; even her husband had left with their child. She had lots of problems adjusting to her former home; she lost confidence, felt hopeless, and suffered from mental problems. All she could do was to help her elderly parents on the farm. Staff from an NGO or civil society organisation, jointly with local governmental authorities, visited her and provided reintegration assistance, including animals for livestock, health insurance, as well as training on more sophisticated farming techniques. Local authorities supported her to complete procedures for divorce and gave her the opportunity to attend a literacy course. Crucially, participation in a local self-help group for trafficking victims allowed her to regain confidence and self-esteem. Today, she has re-married, has a one-year-old child and lives happily with her family in the village.<sup>22</sup>

#### Going unprotected by choice

• A female victim was trafficked for sexual exploitation, making her own way home after escaping. Back in her village, she heard about an organisation that assists trafficked persons and contacted them for help. The organisation came to her village and interviewed her, offering her reintegration assistance in their program. Unfortunately, at that time, the organisation lacked funding and could not assist her immediately. They asked her to wait in her village for a few months until they secured funding, after which they contacted her and began her reintegration assistance. In the interim, the organisation did not refer her to another agency or institution for assistance, either short term or reintegration focused. She stayed in her home village with her

ACWC - Advanced Training for Frontline Responders on Gender Sensitive and Victim centred Approaches to Working with Victims of Trafficking in Persons

<sup>&</sup>lt;sup>19</sup> These case studies are from Prospect Regional training curriculum (January 2022).

<sup>&</sup>lt;sup>20</sup> Surtees, R. (2013) After trafficking. Experiences and challenges in the (re)integration of trafficked persons in the GMS. Washington, DC : NEXUS Institute and Bangkok, Thailand: UNIAP.

<sup>&</sup>lt;sup>21</sup> Ibid.

<sup>&</sup>lt;sup>22</sup> UNIAP, World Vision & NEXUS Institute (2012) (*Re*)integration: Perspectives of Victim Service Agencies on Successes & Challenges in Trafficking Victim (*Re*)Integration in the Greater Mekong Sub-Region. Bangkok: COMMIT, pp. 8.

family for three months, receiving no assistance and without a clear idea of when she might be able to receive support.  $^{\rm 23}$ 

One young woman trafficked for forced marriage had received no assistance since returning home. Her situation was very dire – she didn't have a regular job and her financial situation was extremely poor. She sometimes went without food. She talked about her sadness and frustration in having not assistance or support. She was considering migrating in the hopes of finding better opportunities.<sup>24</sup>

#### Being forcibly assisted

- One woman who returned after being trafficked for forced marriage was required to stay in three different shelters in three different cities for more than a month after her return. She was stressed by the delay in going home and described the shelters as "a waste of time" and "unhelpful."<sup>25</sup>
- One young girl trafficked to sell flowers and candy on the street was rescued by the police and assisted in a shelter for children for six months, unable to return home until she had testified against her exploiters. She testified several times and was subsequently returned home. She described being upset at the shelter. "I was upset at the shelter, I always cried and wanted to go home".
- One boy trafficked for fishing was assisted to return home and then referred to a shelter for assistance. He was told that he would first be taken to a shelter for a week and then he would be able to go home. He was also told that he would receive legal assistance in prosecuting the trafficker. In fact, he stayed many months at the shelter against his will. He attempted to escape because he did not want to stay there "it turned out I was in the shelter for seven or eight months ....I did not understand why I had to stay so long for such a long time at the shelter."<sup>26</sup>

# What are some of the opportunities that exist in your work to apply gender sensitive, and victim centred approaches?

• Partnerships with non-government organisations and civil society organisations that provide services



definition

Civil society organisations are the organisations and institutions that represent communities and their interests outside governments. In the context of trafficking and related crimes, these include organisations that deliver social welfare services to trafficking victims, represent migrant workers and/or advocate for human rights, gender equality and other forms of inclusion.

#### What are some of the challenges you can expect to face?

- Space / infrastructure
- Budget

#### What first steps can you take?

- Ensuring effective communication with the victim.
- Reassuring the victim that sheltering can be viewed as the start of a transition period that can bring safety.

- Laws
- Policies / protocols / procedures
- Assessing whether there are safety issues at the shelter facing the victim.
- Supporting the victims with the help and support services they need to start their recovery.

ACWC - Advanced Training for Frontline Responders

on Gender Sensitive and Victim centred Approaches to Working with Victims of Trafficking in Persons

 <sup>&</sup>lt;sup>23</sup> UNIAP, World Vision & NEXUS Institute (2012) (*Re*)integration: Perspectives of Victim Service Agencies on Successes & Challenges in Trafficking Victim (*Re*)Integration in the Greater Mekong Sub-Region. Bangkok: COMMIT, pp. 15.
 <sup>24</sup> Ibid.

<sup>&</sup>lt;sup>25</sup> Ibid.

<sup>&</sup>lt;sup>26</sup> Ibid.

<sup>- -</sup>

#### Exercise 1: Pros of a residential shelter model

This activity takes 20 minutes to complete.

Link to a 4-minute video on a model of residential care in the USA: <u>https://youtu.be/BYjNE4boX4s</u>



Watch the video and discuss the following questions:

- What are three positive aspects to the shelter?
- How would you describe the partnership between law enforcement and the Salvation Army?
- How does this shelter compare to shelters in your country?

#### Share and discuss the following examples from the region.

In Thailand, the <u>MSDHS</u> recognise the importance in the care of victims who identify as lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+).<sup>27</sup> Progress is underway to establish a dedicated shelter in Thailand to protect and support LGBTQI+ victims. In addition, efforts are being taken to set up a private area in every shelter to cater to the needs of this group.

In Singapore the NGO H.O.M.E. (Humanitarian Organization for Migration Economics) runs a shelter for migrant domestic workers who are in distress. <sup>28</sup> They reside in the shelter while they receive help from authorities in resolving their issues. Some of the issues could be due to disputes with the employer or employment-related issues. The shelter offers counselling and befriending programmes for better emotional support to the residents.

<u>She WORKS</u> is a faith-based organisation in the Philippines run by survivors of trafficking in persons. The organisation provides women survivors of sex trafficking with leadership skills, and livelihood and skills training.<sup>29</sup> Most of these women are single mothers who have experienced severe trauma.<sup>30</sup>

<sup>&</sup>lt;sup>27</sup> ASEAN ACT Thailand National Consultation Workshop, 28 October 2021.

<sup>&</sup>lt;sup>28</sup> Key informant interview conducted by ASEAN ACT with HOME Singapore, 1 December 2021.

<sup>&</sup>lt;sup>29</sup> Key informant interview conducted by ASEAN ACT with She WORKS.

<sup>&</sup>lt;sup>30</sup> Key informant interview conducted by ASEAN ACT with She WORKS.

## **Exercise 2: Debating shelter practices**

This activity takes about 1 hour to complete. It is designed to help frontline responders consider existing shelter practices and to come up with new approaches that might be trialed in their country.

- 1. Divide the learners into three groups:
  - A. Structured shelters
  - B. Personal freedom shelters
  - C. Hybrid shelter which combines the two
- 2. Ask each group to discuss shelter type they have been allocated. Have they seen/worked in shelters into the same category? What were the characteristics?
- 3. Ask each group to come up with a description of the shelter they have been allocated. The description should be like an advertisement or pitch for the shelter.

The description should include the following:

- i. a name for the shelter
- ii. who does the shelter accommodate?
- iii. rules (free to leave? Lights out? Communications?)
- iv. structure of the shelter
- v. security
- vi. description of staff (numbers, age, gender, education levels)
- vii. activities and programs on offer
- viii. attitude towards specific groups of victims
- ix. services available
- x. philosophy towards victim's recovery
- xi. Agency / funder for the shelter
- 4. Ask the groups to present their shelters to the larger group.
- 5. Ask each learners, "what are the strengths and weaknesses of the shelter?"
- 6. From a gender sensitive and victim centred approach which shelter is most suitable?
- 7. Do you think this type of shelter is suitable for all types of trafficking victims? Why?
- 8. How does this shelter compare to residential shelters?

At the end of the exercise share and discuss the following examples of good shelter practice from the region.

In the Philippines, certain shelters for child victims of trafficking are designed and constructed to feel like a "home." <sup>31</sup> In the shelter fences are not too high so children can see the outside surroundings, there is no external signage on the building and the shelter is staffed with social workers, psychologist and 'house parents.' Children are also allowed to attend school outside of the shelter. Children who are involved in court processes are informed of their shelter placement and its connection to the legal proceedings. Their views on shelter placement are also considered. Children are given a week to try out at a shelter before deciding if they wish to stay in it.

ACWC - Advanced Training for Frontline Responders

<sup>&</sup>lt;sup>31</sup> ASEAN ACT Philippines National Consultation Workshop, 19 October 2021.

on Gender Sensitive and Victim centred Approaches to Working with Victims of Trafficking in Persons

Singapore's government funds a few NGOs to provide shelter and care for victims of trafficking.<sup>32</sup> Singapore permits freedom of movement outside of these shelters for most victims except those deemed to be under physical threat. Victims can leave the shelters to train/work under a temporary job scheme lasting six months. This can be extended for victims who are involved in ongoing legal proceedings. This mobility is given on a case-by-case basis. Authorities agree that being locked up in a facility worsens the mental health of shelter residents. Employment for trafficked victims is not enshrined in the Singapore law but granted at the discretion of the investigating officer.

Thailand's 'Happy Shelter' model allows residents to freely use the telephone, encourages residents to engage in income generation activities to support their families, and reduces the trauma and worries of victims. <sup>33</sup> The government partners with local civil society organisations to deliver occupational training that takes into consideration victims' individual needs and employment aspirations. This is aimed at preventing their re-victimisation and inspiring them to start a new and stable life. The Ministry of Interior and Ministry of Labour have recently issued a special permission for foreign victim-witnesses who are involved in criminal proceedings to remain in the country and to take up employment outside of the shelter. In addition, shelter residents have reported being happier after using Line Application to video-chat with their families. This was introduced to mitigate movement restrictions caused by the COVID-19 pandemic.

### **Exercise 3: Offering hope for recovery**

This activity takes up to 1 hour to complete.

It is designed to promote discussion among learners on the purpose of shelters, the fears, and risks for victims of trafficking in shelters and practical solutions for interacting with victims in the context of a shelter.

The three categories can be discussed to demonstrate the linkages between a victim's agency or self-determination and their sense of hope. The hopeless category can highlight how feelings of hopelessness are often tied with fear, risks, and negative shelter experiences. The limbo category demonstrates the in-between feeling that many victims experience in shelters.

The quotes used in this activity are taken from research conducted with victims of trafficking residing in a shelter<sup>34</sup>.

- 1. Cut out the individual quotes and put three sheets around the room. Each sheet has one title: HOPEFUL, HOPELESS, LIMBO.
- 2. Divide the learners into three groups.
- 3. Give each group five quotes.
- 4. Ask each group to read the quotes they have been given.
  - A. "I'm not happy. With all the things that have happened to me, I have not been happy. All the time I live in fear. What if the traffickers know where I am. I still owe them money."
  - B. "I'm still in recovery, I cannot see a life outside of here! I can't go home, I left for a reason. They will kill me if I go home."
  - *C. "I keep thinking of the past, what happened to me. Am I going to be like this all the time? No one can help me."*
  - D. "We are here as girls amongst each other, we talk together, joke together, that makes you set your worries aside. It provides distraction."
  - *E. "I was in prison here for five weeks. I didn't commit any crime! They say it's because I don't have any documents and I am a kid."*
  - F. "I told a staff member about the abuse, and she told another guy and now everyone is calling me gay."

ACWC - Advanced Training for Frontline Responders

on Gender Sensitive and Victim centred Approaches to Working with Victims of Trafficking in Persons

<sup>&</sup>lt;sup>32</sup> Key informant interview with a Singapore stakeholder, 28 November 2021.

<sup>&</sup>lt;sup>33</sup> ASEAN ACT Thailand National Consultation Workshop, 28 October 2021.

<sup>&</sup>lt;sup>34</sup> https://bmcinthealthhumrights.biomedcentral.com/articles/10.1186/s12914-019-0185-7

- *G. "There are sometimes when you never trust anyone in your life, because if you consider what you go through, you know you will not trust too many people."*
- ANALYS. "Just tell me what I need to do to get back to my job? I need to send money back to my family. They are depending on me. I shouldn't be here. I'm not a victim. I am a man."
- *I. "I am supposed to fall asleep when they turn the lights off. But sometimes I lie awake for ten hours, until the morning. I can't read, think, or move. I just lie there frozen."*
- J. "When I do something, I am distracted from the past. I want to go to school."
- *K. "Maybe if we have opportunity to maybe arrange a football or the opportunity to go for swimming, and other places, meet with other people, you know, that will help us forget about the past, maybe."*
- L. "My social worker forced me to sign a protocol. I don't understand what it says. I know if I break the protocol I am out. Then what? I have nowhere to live."
- *M. "I'm seeing my days here as something like, what can I say, perhaps I should say it's my waste days, you know, like I'm wasting my time here."*
- *N.* "The longer you stay here, well, the more your mood changes, so to speak. There comes a moment when your mood changes, when you start thinking, where do I go from here? What's next for me."
- *O. "Look at my situation, I don't even have a mobile phone to call my family. I want to speak to people from outside about what happened to me."*
- 5. Ask each group to organise their quotes into the following themes HOPEFUL, HOPELESSNESS, LIMBO and stick them onto the three sheets.
- 6. Once the groups have finished as one group go through each quote and discuss whether learners agree with the placement. You can also ask people to say why they placed the quote in a particular category encouraging them to really try to understand who the victim might be.
- 7. For the quotes in the HOPEFUL category ask learners "how important is the victim's ability to determine their own choices and decisions?"
- 8. For the quotes in the HOPELESSNESS category what potential harms or fears do these victims refer to? Why are the victim's feeling hopeless? What needs to change to give them hope?
- 9. For the quotes in the LIMBO category what steps / approaches would you take as a frontline worker when interacting with these victims? Do you think these steps have been taken?

## 3.3 Supplementary materials and activities

#### List of references

ECPAT, INTERPOL, and UNICEF (2022) Disrupting Harm in the Philippines: evidence on online child sexual exploitation and abuse. Global Partnership to end violence against children. <u>https://analys.end-violence.org/sites/default/files/2022-04/DH\_Philippines\_ONLINE\_FINAL.pdf</u>

Latonero, M. (2011) Human Trafficking Online The Role of Social Networking Sites and Online Classifieds, University of Southern California, <u>https://cpb-us-e1.wpmucdn.com/sites.usc.edu/dist/e /695/files/2011/09</u> /HumanTrafficking\_FINAL.pdf

McAdam, M. (2022) Implementation of the non-punishment principle for victims of human trafficking in ASEAN Member States. Bangkok: ASEAN-ACT. <u>https://analys.aseanact.org/wp-content/uploads/2022/04/Non-Punishment\_print\_smallsise.pdf</u>

(2021) Continuing to pay the price for freedom: the ongoing detention of victims after their trafficking experience. Bangkok: ASEAN-ACT.

See videos related to non-punishment <a href="https://analys.aseanact.org/resources/non-punishment-study/">https://analys.aseanact.org/resources/non-punishment-study/</a>

Rousseau R. (2018) "From Passive Victims to Partners in Their Own Reintegration: Civil society 's role in empowering returned Thai fishermen", Anti-Trafficking Review, issue 10, 2018, pp. 88–104.

Surtees, R. (2013) After trafficking. Experiences and challenges in the (re)integration of trafficked persons in the GMS. Washington, DC: NEXUS Institute and Bangkok, Thailand: UNIAP.

UNIAP, World Vision & NEXUS Institute (2012) (*Re*)integration: Perspectives of Victim Service Agencies on Successes & Challenges in Trafficking Victim (*Re*)Integration in the Greater Mekong Sub-Region. Bangkok: COMMIT.

## Activity 1: Choosing a different path

To encourage learners to share their dreams and in doing so get to know their team members a little better. All learners are frontline responders but from very different backgrounds. Working with victims of trafficking is not an easy job, perhaps there are some learners who dream of doing something else. By sharing what other life paths, they would consider you may find similarities among the group.

Estimated time: 15 minutes



Stand in a circle. One person starts and says: If I could choose a different path I would ......



One by one each person goes around the circle and lists the ideas before them before sharing their own.

#### 3.4. Quiz

- Which of the following is NOT an objective of the reflection and recovery period?
- A period to begin recovery from their trafficking experiences
- B) Time for criminal justice officers to use the victim as a witness
- C) Time to make an informed decision about whether to assist and cooperate in criminal proceedings
- D) A period for the victim stays in the country.
- E) Initial protection, stability, and recovery to a victim.
- Detention of irregular migrants victims of trafficking is always necessary.

False

True

- 3. Which of the following statements is FALSE?
- A) Shelter need to limit victim's movement and be locked to ensure that victims are available to attend court proceeding at short notice
- B) Obtain written consent of victims upon entry to a shelter and at regular intervals thereafter.
- C) Give victims time to decided what they want to do (reflection period)

For example, If I could choose a different path, I would be a teacher, a dolphin, a woman, a nurse, an astronaut......



Discuss the different ideas at the end and ask two or three people to elaborate. Were there any similarities? Big differences?

- D) Explore alternatives to shelter through community-based care
  - 4. Which of the following statements is FALSE?
- A) Persons with disabilities cannot have a reflection period because they will forget about their experience and not be able to assist law enforcement.
- B) Shelters may not provide the necessary facilities and support for persons with disabilities, such as infrastructure adapted to the physical need of persons with disabilities, while people with psychological disabilities may not be provided with the necessary specialized support and assistance.
- C) Persons with disabilities should be considered a vulnerable group and provided with specific support.
- 5. The reflection, recovery and shelter period can be described as:
- A) An in-between phase
- B) The start of a victim's recovery period
- C) The end of a trafficking experience and hope for the victim to recover
- D) All the above

# **MODULE 4**

# **Return and Reintegration**

Estimated time to complete: 3 hours

- Learn objectives
- Course materials (slide deck and exercises)
- Supplementary materials and activities
- Quiz

## Module 4: Return and Reintegration (3 hours)

#### **4.1 Learning Objectives**

Knowledge	Acquiring new skills	Attitude or behavior change
Describe the goals of return on victims of trafficking in persons from a gender sensitive and victim centred perspective	Identify and assess potential gender sensitive and victim centred harms or risks during return and reintegration for specific groups of victims of trafficking in persons	Apply gender sensitive and victim centred approaches when interacting with victims of trafficking during return and reintegration

#### 4.2 Course materials (slide deck and exercises)

# 4.2.1 Understand the goals of return and reintegration on victims of trafficking from a gender sensitive and victim centred perspective

Recovery for trafficked persons can be a long and complex process. The common view is that victims should be repatriated and returned to live with their families is inappropriate and results too easily in victims being returned to a situation where they suffer further harm. Recovery is not simple. Returning and fully reintegrating a victim requires six elements: a reasonable standard of living, physical well-being, mental well-being, a safe environment, emotional and social support, and personal, social, and economic development. These elements are summarized in figure 2.



Figure 2 Surtees, R. and Johnson, L. (2021) Recovery and Reintegration of Trafficking Victims: A practitioner Guide, Bangkok Regional Support office of the Bali Process (RSO) and Washington D.C NEXUS Institute.

The ASEAN Gender Sensitive Guideline for handling women victims of trafficking in persons calls for a comprehensive program in the country of origin to be established that will ensure adequate recovery and reintegration services for trafficked persons.<sup>35</sup>



Considerations include:

- Provision of transport
- S Financial and economic support (including skills/job training)
- Safety at the destination, including preventing stigma and discrimination
- C Healthy (physically and mentally) to travel
- S Follow up support

#### 4.2.2 Identify common harms and risks associated with return and reintegration

Harms associated with returning and reintegrating victims of trafficking in persons centred around issues of:

- × Consent
- × Trust
- × Confidentiality
- × Anonymity
- × Safety

Common harms associated with returning or reintegrating victims of trafficking:



- 1. Forced return to place of origin such as deportation. Sometimes this may be within the same country in cases of internal trafficking.
- 2. Unsafe or return which increases the risks of reprisal, being re-trafficked, stigmatisation and rejection by family and community.
- 3. Reintegration services and support that are limited and/or do not meet the needs of victims.
- 4. Unsustainable reintegration services such as services that are not community based or that services that reinforce stereotypes or harmful social and gender norms.

The key to successful reintegration is adequate planning. When reintegration is poorly planned the risk of harm to a victim increases. Some of these risks include:

- placing unnecessary stress and burden on the victim
- exposing the victim to new / familiar social prejudices and community stigma
- revealing the person's identity as a victim of trafficking, especially when victims are required to register their residency in the new location

<sup>&</sup>lt;sup>35</sup> See article 3.7.1.

• reintegration which are lacking or do not meet the individual needs of a victim. For example, sometimes vocational and employment skills have limited resources or train victims for poorly paid or unskilled opportunities which do not reflect their aspirations.

#### Returning victims to the point of origin

Returning a victim to the point of origin requires cooperation between the countries involved. Each country has its own government department/s tasked with the return and reintegration of trafficking victims. Successful cooperation and communication between the countries will benefit the victim being returned and decrease their chances of being re-trafficked.

Returning victims to their point of origin can increase the risk of harm for some victims. Returning "home" often means placing victims in the same situation that they may have fled or back into contact with the people who trafficked them, or with limited access to support or income generating opportunities. For this reason, returning victims to their point of origin may increase their risks of being re-trafficked, isolation or unemployment. Victims who return to their point of origin may also experience violence or intimidation from traffickers— particularly if they have cooperated with criminal justice agencies or owe money that cannot be repaid.

The risks associated with returning a victim of trafficking to their point of origin are outlined in Article 15 of ACTIP states that the return of victims should be carried out, "with due regard for the safety of that person."

#### Local integration of trafficking victims

Where it is not possible to return a victim to the point of origin, a victim may be resettled locally. Resettling a victim of trafficking locally requires planning to ensure that the victim has access to employment, medical and other support services such as social support and housing and language training or interpretation. Thailand provides victims of trafficking a visa and an opportunity to find another job as an alternative to returning to their point of origin. In the USA, victims of trafficking may also be provided with a green card and eligible for family reunification visas where they can bring their families to the USA to live and work.

#### 4.2.3 Assess potential harms for specific groups of victims of trafficking in persons

It is essential that a reintegration or assistance plan meets the demands of complex cases.

#### Migrants

Male migrants and male victims of labor trafficking continue to be under-served by reintegration services that do not meet their needs. At the same time, delays and unclear processes may mean migrants are unable to reintegrate as quickly as they would like. When a migrant needs to transit in a third country or undertake a domestic transit there is also the chance that they may be re-trafficked. It is important for frontline responders to coordinate and communicate with the relevant authorities to ensure that the return is safe.

#### Persons with disabilities

Persons with disabilities, especially those with non-physical disabilities along with individuals with substance abuse and addiction issues may not be able to access continuity of care or longer-term support services.

#### Women who are victims of sex trafficking

Some non-government organisations (NGOs) and faith groups provide reintegration and support services to victims of trafficking may offer a one size fits all approach to livelihood development or support. Sometimes this approach reinforces negative gender stereotypes and harmful gender norms. For example, programs for women which focus on improving their domestic skills. These skills will lead to women being employed in low paying jobs with little social protection, thus increasing the risk of being re-trafficked.

#### Children

Children should not be returned to their countries of origin if there are no guarantees that the family or special institution will provide for the child's safety, protection, long-term care, and reintegration. The vulnerability of

children, who may be trafficked by their own families or persons from the same community, calls for additional safeguards to ensure their recovery and (re)integration. If the parents were involved in the trafficking of their child, the victim cannot be returned to their community. There may also widespread knowledge on the experiences of the victim. In these situations, the child victim cannot be returned to the origin and there is a need to work with the relevant authorities to identify a new location and community.

#### 4.2.4 Apply gender sensitive and victim centred approaches during return and reintegration

Gender sensitive and victim centred approaches to return and reintegration for victims of trafficking highlights that are:

- comprehensive
- sustainable
- self-determined
- integrated and/or coordinated
- focused on continuity of service provision
- population-specific ("categorical")
- individually tailored to provide individual care
- culturally appropriate care
- trauma-informed
- case management focused
- future orientated

When developing a socio-economic reintegration programs and plans consider the following: checklist



- 1. Engaging family and community
- 2. Avoiding stereotyping
- 3. Designing targeted programs for specific groups
- 4. A lack of continuum care at the place of return affects the ability of the victim to fully recover from his/her trafficking experience.
- 5. Identify support networks in communities
- 6. Map social networks within the community (COVID-19 considerations)
- 7. Engage victims as advocates
- 8. Design targeted programs and approaches (Women friendly spaces / support for male victims)
- 9. Address issues of privacy and stigma in communities
- 10. Financial literacy and skills development programs
- 11. Provision of life skills such as, communication, interpersonal skills to be provided to the victims.
- 12. Follow up (checking in after a year or two) Who is responsible for follow up?

#### **Exercise 1: Frontline responder mapping**

- The purpose of this exercise it for learners to map the roles and responsibilities of different organisations and agencies involved in the return and reintegration of victims of trafficking in their country.
- This exercise takes around 1 hour to complete.
- Write the following six headings on poster paper:
  - a. Transport (including transit)
  - b. Accommodation
  - c. Social support
  - d. Economic support
  - e. Healthcare
  - f. Monitoring / follow up
- Divide learners into groups of 4-5 people.
- If learners are from one country, then each group of 4-5 learners can be given one of the six headings to work on. If you have learners from more than one country, each country group should complete all six charts.
- Provide each group with markers and poster paper.
- Each group should then be provided 30 minutes to write which frontline responders perform each role.
- Once the group has completed the charts they should come back and present their findings.
- Discuss the importance of working together and any overlap between organisational or agency roles and responsibilities.
- Ask participants what their existing relationship is like with these organisations. Do they work together? What different modalities exist for partnering? Is it necessary to develop memoranda of understanding? Taskforces?

#### Exercise 2: Reflecting on return and reintegration practices



- This exercise is designed for learners to reflect on the roles and responsibilities different frontline responders
  play in delivering return and reintegration services of victims of trafficking in their country.
- This exercise takes 10-15 minutes to complete.
- Ask learners to answer the following questions in their learning workbooks.
  - a. Reflect on the mapping exercise which identified who is currently delivering return and reintegration services in your country.
  - b. What are you already doing that could be considered gender sensitive and victim centred?
  - c. How could these roles and responsibilities be changed to be more gender sensitive, or victim centred? e.g., who would be best to conduct follow up visits with victims after an extended period?
  - d. What are some of the challenges you face during the design or implementation of return and reintegration policies and programs?
  - e. How could you overcome some of these challenges?

#### Exercise 3: Reflecting on the needs of specific groups of victims

Learners can work in pairs or small groups.

This exercise will take around 1 hour to complete.

Facilitators will be asked to check the workbooks to see if the learners have provided enough detail in their answers.

Learners are encouraged to discuss their responses as a group.

Learners will be provided four mini biographies of victims and will need to answer the following questions:

When interacting with different groups of victims (Women, men, persons with disabilities, children, migrants, ethnic minorities) ask yourself the following questions:

- What specific groups do the victims represent?
- What safety issues are important for specific groups of victims?
- What attitudes or expectations do you have about interacting with specific groups of victims?
- Are there some groups you find easier to empathize with than others? Why?
- What challenges do you anticipate when working with specific groups of victims?
- How would you change the way you interview a victim (choose one biography) depending on their identity/ies?
- Which other organisations or specialists would you need to cooperate with when interacting with the victims included in the biographies?
- What protocols help when interacting with specific groups of victims?

#### **Biography 1. Star**

A woman aged 24 with cognitive disabilities due to a traumatic brain injury. The woman was forced to perform domestic labor, animal care, and purchase items with her benefits card. The trafficker used violence, threats, and humiliation to control the victim and her child.

#### **Biography 2. Tam**

Tam is a male 15 years old. He has been working in construction with his brothers and father for the last two years. He speaks a local dialect which makes communication difficult. When Tam was rescued his father escaped and is not able to be contacted. Tam is eager to get back to work and to find his father.

#### **Biography 3. Nga**

Nga is 45 years old. She was hired to work in a factory. She has been working 18-hour days for very little food and shelter. She was promised a salary which would directly be deposited into her account. So far she has not received any payment for work.

#### 4.3 Supplementary materials and activities

#### **List of references**

ASEAN (2019) Practitioners' Model Implementation Toolkit for the ACWC Regional Guidelines and Procedures to Address the Needs of Victims of Trafficking in Persons. Jakarta: ASEAN Secretariat.

IOM (2015) Enhancing the safety and sustainability of the return and reintegration of victims of trafficking in persons <a href="https://publications.iom.int/system/files/pdf/essrvt">https://publications.iom.int/system/files/pdf/essrvt</a> en 0.pdf

Meshkovska, B., Bos, A.E., & Siegel, M.R. (2021) Long-term (re)integration of persons trafficked for the purpose of sexual exploitation. *International Review of Victimology*, *27*, 245 - 271.

Surtees, R and Laura S. Johnson (2021) *Recovery and Reintegration of Trafficking Victims: A Practitioner Guide*. Bangkok: Regional Support Office of the Bali Process (RSO) and Washington, D.C.: NEXUS Institute.

Issara Institute and A Lisborg (2017) Towards Demand-Driven, Empowering Assistance for Trafficked Persons, Research Brief, May 2017 <u>https://docs.wixstatic.com/ugd/5bf36e\_f6df2997d6734cd1a35e74167adf182a.pdf</u>

Video testimonial on victim centred approach (queue video to 15:24 minutes) <u>https://analys.youtube.com/watch?v=nc4wlKURXaQ</u>



#### Activity 1: Eyewitness game

To compare how everyone's memory was similar and different as well as question what factors influence memory and what we choose to remember and why.

Estimated time: 5-10 minutes



Show the video <a href="https://analys.youtube.com/watch?v=KHamSNYwrpw">https://analys.youtube.com/watch?v=KHamSNYwrpw</a>



## STEP 2

After the video ask the group what they saw.

Who did they see? What do they think was happening?

Notice what types of things do the learners focus on (e.g., ages of people, ethnicity, language, groupings).

Compare how everyone's memory was similar and different as well as question what factors influence memory.



Watch the video again.

# STEP 4

Ask the group if they saw different things. If so, what?

#### 4.4 Quiz

- 1. Before a victim reintegrated, they should be deemed well enough to travel.
  - a. True
  - b. False
- 2. Before a victim is reintegrated frontline responders should develop a plan for further assistance and follow up.
  - a. True
  - b. False
- 3. Which of the following is not a consideration when reintegrating a victim of trafficking?
  - a. Safety
  - b. Consent
  - c. Access to support services
  - d. Social networks
  - e. Economic status

- f. Continuity of care
- g. None of the above
- 4. Which of the following does NOT describe gender sensitive or victim centred approaches to reintegration?
  - a. integrated and/or coordinated
  - b. self-determined
  - c. individually tailored to provide individual care
  - d. low cost
  - e. case management focused
  - f. future orientated
- 5. Reintegration training and skills programs should NOT reinforce gender stereotypes.
  - a. True
  - b. False

ACWC - Advanced Training for Frontline Responders on Gender Sensitive and Victim centred Approaches to Working with Victims of Trafficking in Persons

# **MODULE 5**

# Medical and Mental Healthcare

## Estimated time to complete: 3 hours

- Learn objectives
- Course materials (slide deck and exercises)
- Supplementary materials and activities
- Quiz



# Module 5: Medical and mental healthcare (3 hours)

#### **5.1 Learning Objectives**

Knowledge	Acquiring new skills	Attitude or behavior change
Describe the goals of medical and mental healthcare provision for victims of trafficking.	Analyse and assess gender sensitive and victim centred approaches when providing medical and mental healthcare to specific groups of victims of trafficking	Apply gender sensitive and victim centred approaches when providing medical and mental healthcare to victims of trafficking

#### 5.2 Course materials

#### 5.2.1 Understand the goals of medical and mental healthcare for victims of trafficking

The trafficking experience can impact the short and long term physical and mental health of victims. Healthcare workers may be called up to provide:

- Basic primary preventive care services
- Substance abuse treatment
- Diagnosis and management of chronic illnesses such as, HIV, hepatitis B/C, diabetes, asthma, depression, or anxiety
- Ongoing assessment
- Refilling essential prescriptions
- Oental care



Unlike most other violent crime, trafficking usually involves prolonged and repeated trauma. The physical and mental health of victims of trafficking may be damaged through:

- × physical, sexual, and psychological abuse and violence
- × deprivation and torture
- × forced use of substances
- × manipulation
- × economic exploitation
- × abusive working and living conditions.

The negative impacts of the trafficking experience may continue to impact a victim's health long after they are identified.

The trauma experienced by victims of trafficking includes post-traumatic stress disorder (PTSD), anxiety, depression, alienation, disorientation, aggression, and difficulty concentrating. Studies indicate that trauma worsens during the trafficking process and may persist far beyond the end of any exploitation.



**Post-traumatic stress disorder (PTSD)** can occur immediately after a traumatic event, or it may show up years later. People experience trauma differently and the triggers are also different from one person to the next.

All victims of trafficking in persons have a right to **appropriate**, **adequate and sensitive** medical and mental healthcare services. Healthcare providers play a critical role in the pre-identification of victims of trafficking and in assisting victims who have been referred to them by law enforcement. It is essential that health care professionals recognise and respond to the diverse and complex medical and mental healthcare needs of victims of trafficking.

#### 5.2.2 Identify common harms and risks associated with medical and mental healthcare

Victims of trafficking may experience harm when accessing medical and mental healthcare if:

- × Voluntary informed consent is not requested by the healthcare system
- × Healthcare workers stigmatize or blame victims for their injuries or poor health
- × The privacy, safety, and choice of victims of trafficking is violated
- × A fee is charged for healthcare services
- × Specialized services or long-term care is not provided to victims
- × Healthcare workers fail to adopt a trauma-informed approach
- × Healthcare workers fail to provide culturally appropriate or individualized care



definition

**Culturally appropriate care** refers to the provision of care that is attentive to the various ways people from diverse backgrounds experience and express illness and how they respond to care. It considers and respects their social, cultural, economic, ethnic, or linguistic backgrounds.<sup>36</sup>

#### 5.2.3 Assess potential harms or risks for specific groups of victims of trafficking in persons



Specific groups of victims of trafficking have unique needs when accessing health care services. This section outlines some considerations for different groups of victims along with the vulnerabilities they may face.

ACWC - Advanced Training for Frontline Responders on Gender Sensitive and Victim centred Approaches to Working with Victims of Trafficking in Persons

<sup>&</sup>lt;sup>36</sup> IOM (2009) Caring for Trafficked Persons, Guidance for Health Providers. Geneva: IOM.

#### Suspected victims of sexual abuse or exploitation

Victims of trafficking may not disclose if they have experienced sexual abuse or exploitation. The following red flags can assist healthcare workers who suspect sexual abuse or exploitation:<sup>37</sup>

- A child who is married or in a relationship
- Branding or tattoos on the back of the neck or under the arms or breast tissue
- Tattoos indicating ownership (e.g., dollar signs, property of, the life, or a specific name)
- Bald patches on the head where the hair has been pulled out
- Bite marks
- Strangulation marks on the throat
- Petechiae marks (pinpoint-sized spots of bleeding under the skin or mucous membranes, purple, red, or brown dots are not raised or itchy)
- Wounds in various stages of healing
- Vaginal or rectal trauma
- Sponges or cloths stuffed in the vaginal canal
- Untreated infections
- Broken bones
- Burn marks

Remember that victims of trafficking for marriage may have experienced sexual abuse and exploitation. Healthcare workers should remain calm and use non-judgmental language when discussing the cause of injuries or suspected sexual abuse and exploitation.

#### Substance users

Trafficked persons may turn to substance abuse to alleviate the pain of their situation, often resulting in addiction, organ damage, malnutrition, needle-induced infections, overdose, and death. Some victims of trafficking may have been forced to take drugs as part of their trafficking experience, particularly if they were working long hours. Where addiction is suspected, rehabilitation should be included in a long-term healthcare plan.

#### Victims with sexually transmitted infections (STIs) or HIV positive

Victims of trafficking for marriage or sexual abuse and exploitation may be infected with sexually transmitted diseases or HIV. However, some victims of sexual abuse, especially men may not be willing to disclose this information. Routinely, conducting STI and HIV checks for victims of trafficking is encouraged however, it is important that victims' anonymity and privacy is respected and that victims are not stigmatized because of their sexual abuse or HIV status.

#### Women who are pregnant or post-partum

Women may become pregnant or deliver a baby during their trafficking experience. Screening women of reproductive age for pregnancy is encouraged. All women and girls who are pregnant should be provided relevant information to make an informed decision about whether to continue with the pregnancy. If the pregnancy is the result of sexual exploitation or abuse, additional psychological screening and support should also be considered. If a woman or girl chooses to continue with the pregnancy, follow up care should be considered in the long-term health care plan.

#### **Child victims**

Child victims are especially vulnerable to physical and non-physical injuries or harm. Children are also at risk of forming bonds with their traffickers which can cause psychological trauma. At the same time, children may experience difficulties trusting adults or forming attachments. Children may experience stunting because of their trafficking experience along with developmental and social difficulties. Wherever possible a guardian should be present to assist

<sup>&</sup>lt;sup>37</sup> Camak, D.J., (February 25, 2021) "Recognise and Addressing the Needs of Sex Trafficking Victims" *OJIN: The Online Journal of Issues in Nursing* Vol. 27, No. 1.

the child. When a healthcare worker suspects that a child is a victim of abuse or trafficking, they should report this to the relevant child protection agency.

# 5.2.4 Apply gender sensitive and victim centred approaches when providing medical and mental healthcare to victims of trafficking



To fulfil their important role when interacting with victims of trafficking, healthcare workers can:

- Train healthcare workers on the crime of trafficking and the trafficking context facing most victims in the area
- ✓ Ask victims to consent to receiving medical care through a written agreement or verbal consent
- Encourage the victim to play an active role in determining their healthcare needs and making decisions about their treatment
- Ensure that communication is possible, and use an interpreter, social worker, or guardian for persons with disabilities or children
- ✓ Where a victim of trafficking has been identified the health worker should work in partnership with law enforcement
- ✓ When treating a suspected victim of trafficking has not been identified, the health worker can provide information to the victim but is not obliged to report the case
- ✓ When treating a suspected child victim of trafficking, the health care worker must report the case to child protective services
- Take time to build a rapport with the victim based on trust
- Provide medical or mental healthcare in a non-judgmental and professional way
- ✓ Provide healthcare services which meets the unique needs of specific groups of victims of trafficking
- ✓ Where relevant adopting a trauma-informed, child focused and culturally appropriate approach.

#### **Exercise 1: Hot seat**

- This exercise is designed to test the knowledge and reactions of learners to ideas shared in the training.
- This exercise takes 20 minutes to complete.
- Ask learners to stand in a circle and place one chair in the centred.
- Learners can walk around the circle until the facilitator calls on a learner.
- The learner sits in the seat and is asked one of the questions from the list.
- If the learner cannot think of an answer, they can ask to change the topic or pass to another learner.
   List of topics:
  - What is one sign of trauma?
  - Name one healthcare need for a male victim of trafficking who has been working in a mine.
  - Why might a victim not want a guardian or partner to accompany them during a medical exam?
  - Why do some victims not want to be identified?
  - Why might a victim refuse a medical exam?
  - What is the first thing you should do when you meet a victim of trafficking?

Once the person answers the topic, they re-join the circle, and everyone walks around.

Repeat but this time the person who was in the hot seat calls the name of another learner.

#### Exercise 2: Reflecting on appropriate, adequate, and sensitive medical and mental healthcare



This exercise requires learners to list down in their workbooks approaches to ensure they are delivering appropriate, adequate, and sensitive medical and mental healthcare.

This exercise takes around 20 minutes to complete.

Learners can work in pairs or individually.

Think about the needs for each of the 4 victims. Choose one and think about how would you deliver culturally appropriate and individualized care to them?

- 1. Thao, an ethnic minority male construction worker presenting with broken bones
- 2. Pin, a female child victim of child marriage
- 3. Chhay, a person with physical disabilities who was trafficked for begging
- 4. Ha, a woman who was trafficked to sell drugs

Ask for one or two volunteers to share their reflections with the group.

#### **Exercise 3: Case study discussion Naomi**

This case study is designed to dig deeper into the needs of victims with disabilities. 38

This exercise takes around 30 minutes to complete.

Divide learners into groups of 4-5.

Read the case study and discuss the questions.

Naomi, a 34-year-old woman, likes to be independent despite having cerebral palsy and diminished eyesight. She lives with her sister, who helps her get ready for work and provides transportation as needed. One afternoon while her sister is not home, Naomi is sexually assaulted by a neighbor who has been considered a friend. When her sister arrives home she finds Naomi very upset. She encourages Naomi to report the incident, but Naomi is ashamed and confused. She refuses, despite her sister's strong urging.

Several weeks pass and Naomi becomes very depressed and unable to sleep. She finally decides to report the incident. The police respond and, although it is a little difficult for Naomi to make herself understood, she can make the report with the help of her sister. However, she is traumatized by reliving the incident. Before they leave, the police suggest that Naomi visit a community crime victim advocacy centred.

Naomi decides to go to the advocacy organisation. She asks her sister to drive her but to wait outside and not accompany her inside the building. She believes it might be easier for her to speak with an advocate alone. Her sister reluctantly agrees.

When Naomi arrives, she has difficulty finding the advocacy office. In the lobby, the directory is in small type. There are also very few directional signs. When she finally finds the office, she has difficulty opening the door, which has a knob rather than a lever. She must knock to alert someone to open the door for her.

The receptionist who opens the door is very busy answering phones. She asks Naomi what she needs but cannot understand what she is saying. Eventually, the exasperated receptionist calls a counselor over to see if he can "figure out what she (Naomi) wants." The counselor determines that Naomi is the victim of a sexual assault but assumes she would be more comfortable with a woman, so he directs her to Jennifer, another counselor.

Naomi meets with Jennifer, who seems very uncomfortable. She does not look at Naomi, even though it would help in understanding her, and she seems distracted. After a brief interview, Jennifer discovers that Naomi's sister, who provides support and communication assistance, is waiting in the parking lot. Jennifer asks Naomi if she would go get her sister and bring her in to help with the interview.

Humiliated, Naomi decides to leave and not return. But she needs to use the restroom first. She manages to make herself understood to the receptionist, who explains that the public restroom is downstairs. When Naomi goes looking for the restroom, she discovers there is no elevator, and she cannot negotiate the steep stairs. By the time she returns to her sister, she is angry and upset, and vows never again to try to get help from a "support" system.

#### **Discussion questions:**

- 1. What physical and non-physical challenges does Naomi's disability present?
- 2. What could Naomi have done differently?
- 3. What could the frontline responders have done differently?
- 4. What barriers or challenges might a frontline responder face when providing support to Naomi?

ACWC - Advanced Training for Frontline Responders

on Gender Sensitive and Victim centred Approaches to Working with Victims of Trafficking in Persons

<sup>&</sup>lt;sup>38</sup> Source: https://analys.ovcttac.gov/views/TrainingMaterials/dspCVDisabilitiesCurriculum\_English.cfm?nm=wbt&ns=im

#### Tips:

- Establish physical and psychological safety
- Provisions for a guardian or companion to participate in meeting
- ✓ Consider peer to peer support
- Use calm clear communication
- Assess communication needs
- Assess trauma needs

- ✓ Reassure victim dignity, respect, privacy
- ✓ Listen attentively
- Always address the victim directly looking at them
- Assess needs for individualized support
- ✓ Contact relevant service providers
- Be patient

#### 5.3 Supplementary materials and activities

#### List of references

Camak, D.J., (February 25, 2021) "Recognise and Addressing the Needs of Sex Trafficking Victims" *OJIN: The Online Journal of Issues in Nursing* Vol. 27, No. 1.IOM (2009). *Caring for Trafficked Persons, Guidance for Health Providers.* Geneva: IOM.

OVCTTAC Supporting crime victims with disabilities curriculum https://analys.ovcttac.gov/views/TrainingMaterials/dspCVDisabilitiesCurriculum\_English.cfm?nm=wbt&ns=im

UN Women (2020). *The Gendered Dynamics of Trafficking in Persons Across Cambodia, Myanmar, and Thailand.* Bangkok: UN Women.

#### **Activity 1: A Big Picture**

To demonstrate the importance of an individual's contribution to the big picture or, a larger goal. It also demonstrates how one person's way of seeing the world is not necessarily the same as another person.

#### Estimated time: 15 mins

To prepare for this activity, the facilitator should find and print photos of celebrities or public figures known to the participants.



One person is identified as the leader. The leader chooses a photo of a celebrity / public figure from a stack. If the group is larger than 12 people, form two groups each with a leader and a different photo.



The team leader should cut the photo into a collection of pieces the same as the number of members on their team. Try to cut rectangles or squares roughly the same size.



Pass out the pieces and instruct the individuals to not share their piece of the image with the others around them.



Once each person has a puzzle piece, pass out markers, and sheets of paper ten times the size of each puzzle piece. Ask the learners to recreate their section of the image on the paper in front of them and emphasize the importance of striving to accurately represent the section of the image that they have been given.



When learners have finished drawing, instruct the individuals to arrange the enlarged pieces together until they have deducted what the overarching image is.

#### 5.4 Quiz

- Healthcare workers are only required to provide basic primary preventative healthcare to victims of trafficking.
  - A) True
  - B) False
- 2. All victims of trafficking are eligible for medical and mental healthcare.
  - A) True
  - B) False
- 3. A woman who has been trafficked for marriage does NOT need to be screened for sexual abuse or exploitation.
  - A) True
  - B) False
- 4. Culturally appropriate healthcare considers
  - A) The physical age and ability of a victim.
  - B) The culture of the healthcare provider treating the victim.
  - C) The social, cultural, economic, ethnic, and linguistic backgrounds of a victim.
- 5. Healthcare workers are obliged to report suspected cases of trafficking of children to the child protection agency in the country.
  - A) True
  - B) False

# **MODULE 6**

# Supporting victims to engage in the criminal justice process

Estimated time to complete: 3 hours

- Learn objectives
- Course materials (slide deck and exercises)
- Supplementary materials and activities
- Quiz

## Module 6: Supporting victims to engage in the criminal justice process (3 hours)

#### **6.1 Learning Objectives**

Knowledge	Acquiring new skills	Attitude or behavior change
Describe the goals of the criminal justice process on victims of trafficking in persons	Analyse and assess potential harms for specific groups of victims of trafficking in persons throughout the criminal justice process	Apply gender sensitive and victim centred approaches when interacting with victims of trafficking in persons in the criminal justice process
		criminal justice process

#### 6.2 Course materials

#### 6.2.1 Understand the goal supporting victims of trafficking in persons to engage in the criminal justice process

Victims have a choice whether they participate in the criminal justice process and can decide to end their participation at any time.

The ASEAN Regional Guidelines and Procedures affirm that all victims of trafficking participating in the investigation or prosecution of their exploiters should be provided with adequate, legally mandated protection, support, and assistance for the duration of their involvement in criminal proceedings. ASEAN countries are required to ensure that victims are aware of available remedies and put in place the necessary laws and procedures to ensure the possibility of compensation being obtained.



The United Nations High Commissioner for Human Rights - published the 'Recommended Principles and Guidelines on Human Rights and Human Trafficking:

Key important points from those recommended principles are:

- Victims of trafficking should be identified as victims of crime: "Failing to recognise a person as a potential victim of trafficking may not only violate that person's rights and cause harm, but also hamper opportunities to deal with trafficking in persons offenders through interdiction, investigation and prosecution."
- Victims should not be treated as criminals: The problems are compounded if victims or presumed victims is treated as a criminal. Building trust is essential to gaining the cooperation of a victim. An arrest and detention will cause a serious setback or destroy any chance of building that trust. While victim witnesses are paramount to successful investigation and prosecutions.
- Victims should not be treated only as a source of evidence: Victims are obviously a very significant source of evidence but if their basic needs are not taken care of, they are a source that may quickly disappear. Thus, treating a trafficked victim purely as a source of evidence is a short-term approach likely to fail.

# 6.2.2 Identify common harms and risks associated for victims of trafficking in persons in the criminal justice process

The common harms and risks associated facing victims of trafficking in persons as they engage in the criminal justice process are related to:

1. Absence of informed consent

- 2. Absence of safety and security
- 3. Absence of information on services
- 4. Intimidated or compelled into testifying against their exploiters
- 5. Loss of privacy and anonymity
- 6. Reprisal from traffickers
- 7. Re-victimisation during justice proceedings
- 8. Prosecution and adjudication decisions based on bias and stereotypes
- 9. Economic stresses and limited restitution or compensation

Victims of trafficking in persons experience the following common barriers when accessing or participating in the criminal justice process. For example, during investigation a victim's safety should be prioritized to ensure they are not re-victimized or placed in a position where they can face reprisals from their trafficker. During the investigation process frontline responders should also make victims aware of their rights including available services and information about the criminal justice process, including being a witness during a trial.

During prosecution some of the common barriers experienced by victims include a lack of access to services including social and medical support. While it is not expected that criminal justice professionals will be able to provide this support, they can form partnerships with organisations and services.

Finally, during the court process when a victim is also a witness, their privacy and anonymity should be protected.



Throughout every step of the criminal justice engagement a victim should also be allowed to withdraw their consent and participation.

To improve the way victims are treated in the criminal justice system in ASEAN countries ASEAN ACT has identified eight key indicators to encourage victim centred practices in courts. The eight indicators which promote victim's rights in the legal process include:

- 1. Victim safety and privacy to ensure victims are protected from further harm, threats or intimidation by traffickers and their associates.
- 2. **Evidence and proceedings** to ensure measures are in place and utilized to support and protect victims during the criminal process, particularly when they give evidence.
- 3. Justice sector personnel development of service standards and operating procedures focused on a victimcentric and trauma-informed approach for all judges and justice personnel.
- 4. **Information and services** provision of information and material in non-legal terms to trafficked victims about their right to services and remedies available to them.
- 5. **Physical, psychological, and social recovery of victims** development of inter-agency protocols for coordinated 'wrap-around' services for trafficked victims including counselling, medical, housing, education and training, legal advice, and broader social protection programs.
- 6. **Medical and forensic services** training conducted and protocols in place to ensure medical and forensic evidence is collected to the highest standards and in a manner that does not cause re-victimisation.
- 7. **Special provisions for children** the justice process and support services are adapted specifically for child victims and witnesses and are sensitive to the child's age and special needs.
- 8. **Special provisions for persons with a disabilities** the justice process and support services are adapted to meet the specific needs of victims and witnesses living with a disability.



# 6.2.3 Assess potential harms for specific groups of victims of trafficking in persons

#### Children

Child victims are particularly vulnerable to harm or re-victimisation when interacting with the criminal justice system and need to be handled in an age, culture, and gender appropriate way. The following measures have been put in place to protect the rights of child victims.<sup>39</sup>

- Allow a videotaped statement of the child's evidence
- Use closed-circuit television
- ✓ Alternative arrangements for giving evidence, such as screens
- ✓ Allow for the presence of a support person or advocate while the child is giving evidence
- ✓ Use of an intermediary to assist child witnesses to give evidence
- ✓ Prohibit the defendant from cross-examining the child victim in person
- ✓ Object to aggressive or improper cross-examination by the defence
- Close the court to the public
- Ban on the media
- ✓ Reduce the formality of the courtroom by measures such as removing advocates' robe

#### Persons with disabilities

Persons with intellectual disabilities may be deemed incompetent or unreliable witnesses. Providing persons with disabilities the information they need using appropriate formats and language.

Washington Group short questions on disability will alert court, government agencies and NGOs to the assistance a person with a disability may require.<sup>40</sup>

on Gender Sensitive and Victim centred Approaches to Working with Victims of Trafficking in Persons

<sup>&</sup>lt;sup>39</sup> UNODC (2008) *Toolkit to Combat Trafficking in Persons*. New York: UN.

<sup>&</sup>lt;sup>40</sup> See the list of Washington Group questions here: <u>https://analys.washingtongroup-disability.com/question-sets/wg-short-set-on-functioning-wg-ss/</u> and check out questions for children here: <u>https://analys.washingtongroup-disability.com/question-sets/wg-unicef-child-functioning-module-</u> <u>cfm/</u>

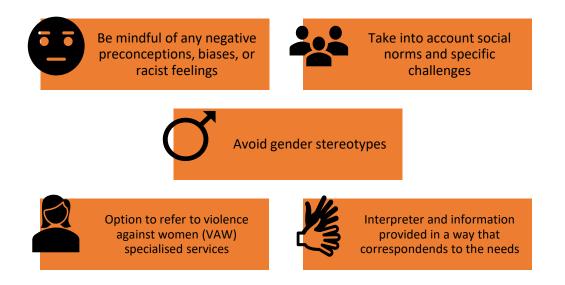
ACWC - Advanced Training for Frontline Responders

#### Women

Women particularly victims of sex trafficking or trafficking for marriage may be blamed or subtly discriminated against by the prosecution. Defense lawyers may also show pictures of the victim from social media platforms such as Facebook and Instagram, using them to attack her morality in the attempt to prove she is not a victim of trafficking.<sup>41</sup>

# 6.2.4 Apply gender sensitive and victim centred approaches for victims engaging in the criminal justice process

In general frontline responders involved in the criminal justice process can apply gender sensitive and victim centred approaches by avoiding the use of stereotypes, checking for unconscious bias or discriminatory behaviors or language, ensuring adequate interpretation, ensuring access to appropriate and individualized services and by considering any specific challenges or social norms which may impact communication with the victim.



Frontline responders can also apply various gender sensitive, and victim centred approaches when working with victims during the different stages of the criminal justice process:

#### Investigation

- Victims begin their engagement in the criminal justice process from their first interactions with law enforcement.
   Ensuring that victims have early access to legal assistance is an important step towards ensuring that their rights are being upheld. In practice, victims are largely dependent on NGOs for the provision of specialized legal aid, whereas NGOs are dependent on donors who are willing to fund legal assistance or lawyers who are willing to work pro bono.
- Throughout every stage of the criminal justice process victims should have access to interpreters and simplified, easy to understand legal advice and information.
- Obtaining informed consent and prioritizing a victim's safety are critical during the investigation process.

#### Prosecutions

- Legal counsel can assist victims to prepare pre-trial depositions or submissions in respect to providing evidence or restitution (e.g., expenses for psychological support).

ACWC - Advanced Training for Frontline Responders

on Gender Sensitive and Victim centred Approaches to Working with Victims of Trafficking in Persons

<sup>&</sup>lt;sup>41</sup> ASEAN-ACT (forthcoming) ASEAN Do No Harm Guidance.

- Frontline responders can apply a gender sensitive, and victim centred approach by ensuring that victims have
  legal representation and are provided with information on legal processes including information on how they can
  undertake civil actions for compensation and redress. Legal representatives should use pre-trial conferences and
  interviews with witnesses to agree a trial strategy with the victim-witness. At pre-trial conferences, the central
  issues in the case including possible defenses and witnesses to be called should be thoroughly discussed. Victimwitnesses should also be fully informed of what to expect during court proceedings and provided with additional
  counselling support in anticipation.
- Victims are eligible for civil and criminal compensation for loss of income or economic losses because of their trafficking experience. Informing the victim of their rights to compensation may be an incentive for them to continue in the criminal justice process. Evidence suggests that compensation can also minimize a victim's vulnerability to being re-trafficked.<sup>42</sup> Frontline responders play an important role in providing information to victims on the compensation and remedies available and in managing the victim's expectation on the amount of compensation. Find out what compensation is available (State and restitution) in your country and provide the victim information and support on how to access this compensation.
- Victims may also be offered work permits or visas to stay in the country where they have be identified as a victim of trafficking. Prosecutors should make victims aware of these rights if they are available in the country.

#### Courts

- Frontline responders need to ensure that they avoid harmful stereotypes, unconscious biases and prejudices when interacting with the victim. If frontline responders and legal counsellors are working as part of a team including interpreters, victim-witness advocates, or social workers it is important that these professionals also uphold the rights of the victims.
- During court appearances frontline responders can uphold a victim's privacy and anonymity by ensuring they enter and exit the court room discretely and to ensure no contact between the defendant and the victim.
- Evidence can be provided using cross circuit television.
- In some countries online testimony can be provided from the victim in their country of origin.
- Transportation to and from court should also be arranged for victims, and where a victim has special needs, such as a disability suitable transportation should be arranged.
- Ensuring a support person is available at the court to wait with the victim will make them feel safe.

ACWC - Advanced Training for Frontline Responders on Gender Sensitive and Victim centred Approaches to Working with Victims of Trafficking in Persons

<sup>&</sup>lt;sup>42</sup> ASEAN Commission on the Promotion and Protection of the Rights of Women and Children. *Regional Guidelines and Procedures to Address the Needs* of Victims of Trafficking in Persons. Annex: References and Good Practices. (n.d.).

### Exercise 1: Watch the video to learn more https://youtu.be/vxceK9VyiOg

- On a white board write down the key victim centred approaches listened in the video.
- Discuss the approaches and ask participants to share any they already apply and to suggest ones they would like to try.

#### **Exercise 2: Video and discussion**

- This exercise is designed to summaries some of the key gender sensitive and victim centred approaches in the criminal justice process and to encourage learners to identify other relevant approaches they have learned about or applied.
- This activity takes around 20 minutes to complete.
- Watch video from the Philippines on applying gender sensitive and victim centred approaches in criminal justice processes here <u>https://analys.youtube.com/watch?v=V7viXRpsng8</u>



- Discuss the following questions in a large group
  - What are the key messages from the video?
  - What approaches are mentioned in the video?
  - Which of these approaches are you already using in your work?
  - Can you think of any other gender sensitive, and victim centred approaches not mentioned in the video?
  - Were there any different approaches in the Philippines video compared to the AACT video shown earlier?

### **Exercise 3: Power Walk**



To have learners share what they have learned about vulnerability, discrimination, and marginalisation.<sup>43</sup>

Estimated time: 30 min

What you need: Flip chart, butcher paper and markers Character Cards



Have learners push all the chairs out of the way and stand in a single horizontal straight line across the room.



Give a character card to a few learners and ask them to read it to themselves. The characters should be chosen in advance to make them meaningful to and familiar in the context.

Power walk identities

VILLAGE CHIEF, MALE, AGE 62

YOUTH GROUP LEADER, MALE, AGE 29

GIRL WITH INTELLECTUAL / LEARNING DISABILITY, AGE 17

WIDOW, AGE 56, VISUAL IMPAIRED, NO CHILDREN

MALE AMPUTEE WITH DIABETES, SINGLE, AGE 31

FEMALE MARKET VENDOR, AGE 42 WITH 2 CHILDREN, CARING FOR ELDERLY IN-LAWS

COMMUNITY NURSE, FEMALE, AGE 28

FISHER - CRAB COLLECTOR, FEMALE AGE 38, MARRIED, 2 CHILDREN

SECONDARY STUDENT LIVING IN THE CITY, SEXUAL OREINTATION, AGE 16

HEAD OF WOMEN'S VILLAGE SAVINGS AND LOAN PROGRAM, AGE 48

PREGNANT WOMAN WITH 5 CHILDREN, AGE 35

WOMAN ETHNIC MINORITY, AGE 65

BOY WITH HEARING IMPAIRMENT, AGE 9

UNEMPLOYED WOMAN, AGE 31, 3 CHILDREN, HUSBAND IS SEASONAL WORKER

VISUALLY IMPAIRED MALE, AGE 26, LIVING WITH PARENTS

PRIMARY SCHOOL STUDENT LIVING IN THE VILLAGE, FEMALE, AGE 12

POLICE OFFICER, MALE, AGE 34

FARMER, MALE, AGE 28, UNMARRIED

PRIMARY SCHOOL TEACHER, FEMALE, AGE 32

ACWC - Advanced Training for Frontline Responders on Gender Sensitive and Victim centred Approaches to Working with Victims of Trafficking in Persons

<sup>&</sup>lt;sup>43</sup> Source Adapted from ACT Alliance, Activity – Power Walk and R. Baron, Facilitation Workshop Materials.

FEMALE AGE 59, CARING FOR 3 GRANDCHILDREN GARMENT WORKER, FEMALE, AGE 31 GIRL, 16 YEARS CARING FOR SICK MOTHER AND YOUNGER SIBLINGS UNIVERSTIY STUDENT, FEMALE, SINGLE, AGE 22 SHOP OWNER, FEMALE, AGE 31, UNMARRIED, 1 CHILD NGO COMMUNITY DEVELOPMENT OFFICER, FEMALE, AGE 26 SINGLE MOTHER, AGE 20, LIVING WITH WIDOWED MOTHER CHURCH/RELIGIOUS LEADER, MALE, AGE 69 COURT JUDGE, MALE AGE 56

WOMEN'S COMMUNITY REPRESENTATIVE, AGE 51, WIFE OF CHIEF

The learners are to mentally visualize themselves in the roles they have been given on the character slip. Explain to learners that their characters must be kept secret until asked to reveal it.



Read out the statements.

I can influence decisions made by the local government I have access to bank loans and other forms of credit I have access to health services when I need it I eat two full meals a day I am not in major danger of being sexually abused I live in a house with my own space to sleep I am a member of several groups and associations I am employed I find it easy to change jobs I can decide how my household income is spent I can decide what I do with my free time I have time for sports and leisure I can go to school The leader in my village listens to what I have to say I am treated well if I need to go to the police station or a government office I have access to transport

Ask learners to listen to the statements that will be read out and for every statement to which their character can answer yes, they should take one step forward.

If the answer is no, they should not move.



Read out the statements one by one. Check if the learners understand fully and move accordingly.

Continue until all the statements have been read.



When all the statements are completed, ask for volunteers to reveal their character/identity, and discuss:

- Why are they at the front/back or middle?
- What identities seem more powerful in this context?
- Are they mostly men or women? Why are they more powerful? To what extent do they exert power over the others? How?



Close by highlighting the following key messages:

- Discuss the concept of POWER and its link to diversity and difference; specifically, that society assigns certain
  groups more power and privileges than others and that leads to more ability to control or manage their lives.
- Discuss who can participate and influence decisions, what prevents/holds back these groups.
- Make sure to link it to previous discussions about stereotypes and privileges.
- Link people's individual reflections to their own stories of difference and diversity.
- Relations have a huge impact on us in terms of what we can become, what we can access, and what we feel we can do and what we feel is possible
- Lack of power can often lead to discrimination against and exclusion of those who do not have the power within to influence, access and control.
- Again, link this back to people's personal reflections on their own experiences of diversity and difference from the beginning of the day. Highlight that this gives them an ability to help change these power dynamics to be more inclusive since they can a) alter their own activities for inclusion and b) advocate for those changes with others

Facilitator's Note: character cards and statements can be adapted to each context

#### 6.3 Supplementary materials and activities

#### List of references

ASEAN (2019). Practitioners' Model Implementation Toolkit for the ACWC Regional Guidelines and Procedures to Address the Needs of Victims of Trafficking in Persons. Jakarta: ASEAN Secretariat.

OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (2021). *Applying gender-sensitive approaches in combating trafficking in human beings.* Vienna: OSCE.

Honk Kong's Dignity Institute: <u>https://hongkongfp.com/2022/09/04/no-longer-scared-silenced-a-hong-kong-domestic-worker-survived-trafficking-to-become-a-community-leader/</u>

Washington Group on Disability Statistics

https://analys.washingtongroup-disability.com/question-sets/wg-unicef-child-functioning-module-cfm/

https://analys.washingtongroup-disability.com/question-sets/wg-short-set-on-functioning-wg-ss/

Video testimonial on victim-centred approach (queue video from 13:30-15:20) https://analys.youtube.com/watch?v=nc4wIKURXaQ

Video testimonial on using video for victim witnesses in the courts (Bahasa Indonesia) https://analys.youtube.com/watch?v= N8n0MlLo4c

### Activity 1: Recreating a story

To demonstrate the how narratives can be remembered and framed in different ways and to facilitate communication skills and teamwork.

Estimated time: 15 minutes



Choose one or more story sequences depending on the number of learners. The story sequences are arranged to create a narrative. Print off the story boards and cut each picture out. Begin by handing each participant one picture out of sequential order. Instruct the learners to keep their picture secret.



Once all learners have a photo, the team members must work together to arrange the narrative into the original order without revealing each individual picture. The learners should describe each picture in detail to see if they are able to properly put the narrative back in sequential order.



Look at the completed story.

Ask someone to tell the story.

Does everyone agree on the story?

Who are the characters?

Does everyone agree?

What other scenarios / stories could the pictures represent?

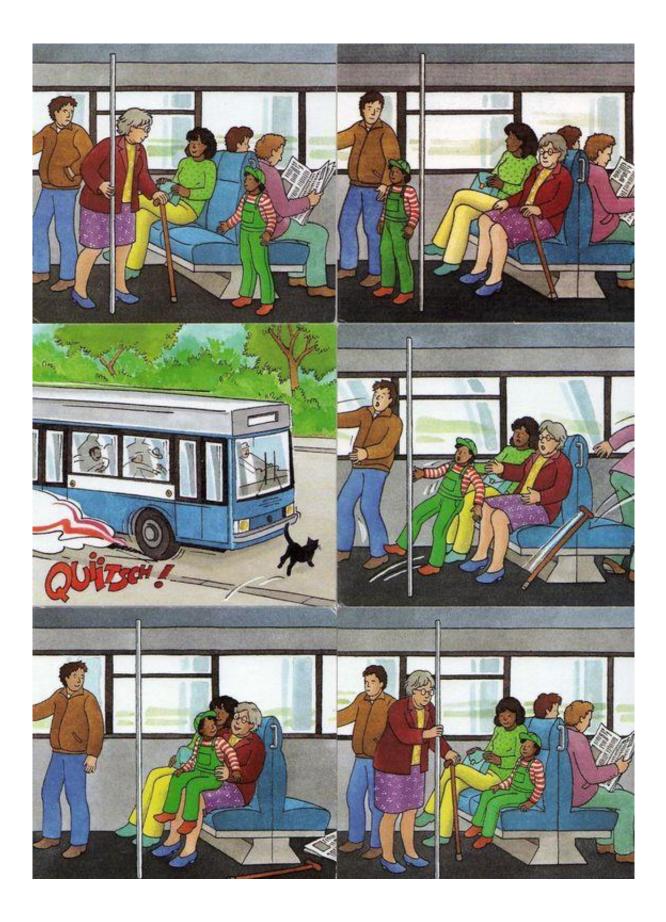
Discuss the fact that all stories are open to interpretation and remembered differently.

You can also apply the notion of intersectionality to this exercise. This exercise is also important to highlight that our individual identities (age, educational background, gender, culture, experiences of trauma or even a disability) all impact an individual's understanding of a story. No-one has a single story.

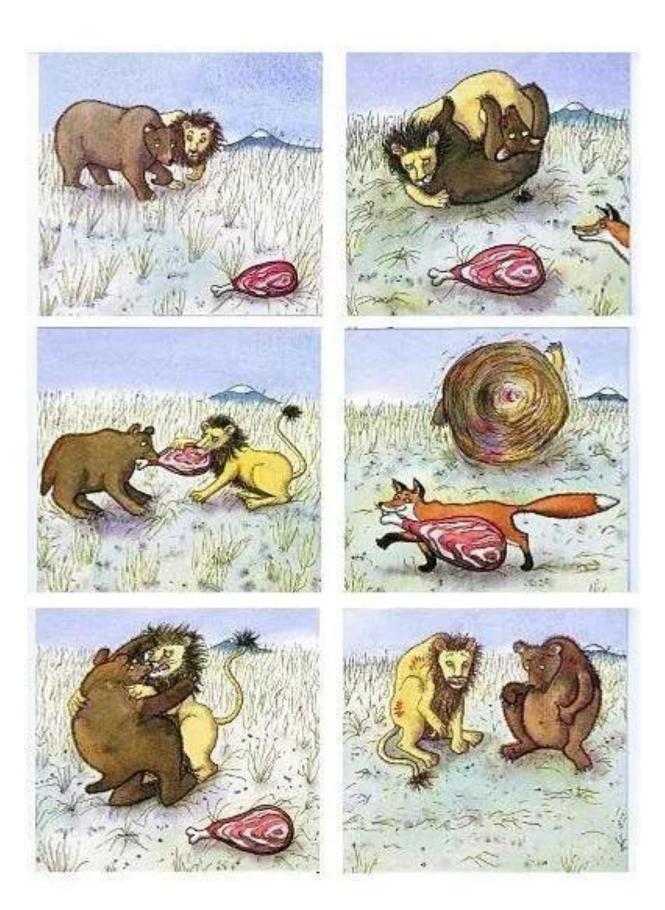
You can also remind learners of the importance of talking and gathering information, rather than assuming you know the experience based on previous cases, ideal victims, stereotypes, internal prejudices, or discrimination.

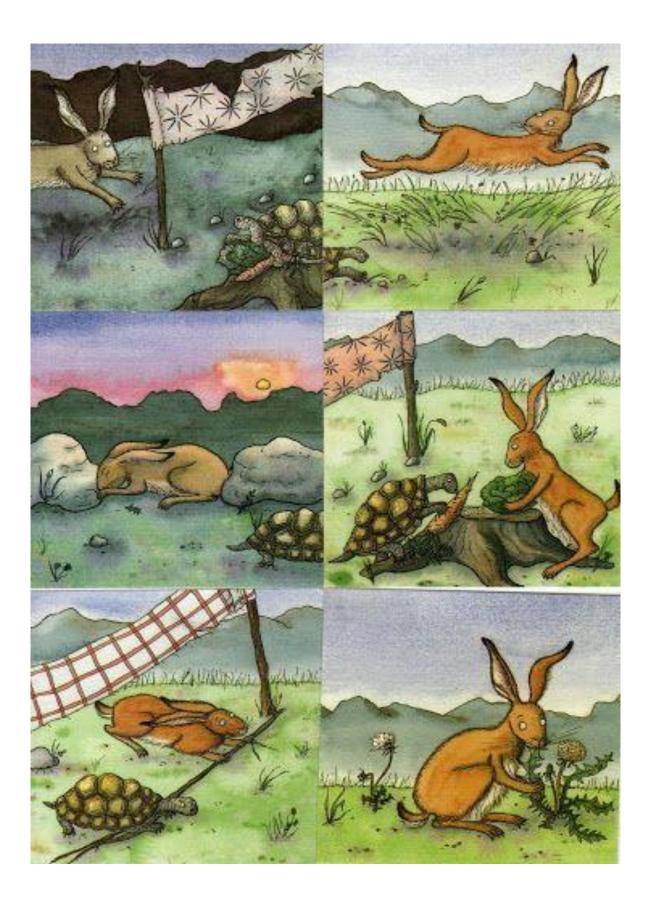
The skills used during this exercise are the same skills needed during an interaction with a victim of trafficking:

- 1. Analysis: Where are the gaps in understanding the context?
- 2. Adapt: What is the best approach / pathway to take?
- 3. Assess: What has been achieved? What still needs to be done?









#### 6.4 Quiz

1. All victims of trafficking are obliged to participate in the criminal justice process.

A. True

B. False

- 2. Which of the following can be considered as a gender sensitive or victim centred approach?
  - A. Presumed Victim Video testimonials
  - B. Victim witness statements
  - C. Legal counselling provided
  - D. Victim witness coordinator or victim advocate accompanied/support
  - E. Victim compensation granted
  - F. Available trained interpreter
  - G. Legal aid assistance provided
  - H. All the above
- 3. Legal counselling is an effective gender sensitive and victim sensitive approach because it can
  - a. Demystify the court process and language
  - b. Prepare victims for what to expect in court by providing a walk through
  - c. Guide victims on how to prepare their witness statements
  - d. Minimize the chance a victim has of facing their perpetrator
  - e. Minimize the chance of the victim being retraumatized
  - f. Minimize the chance of a victim dropping out of the court process
  - g. All the above
- 4. There is no role for NGOs once victims of trafficking in persons enter the criminal justice process.
  - a. True
  - b. False
- 5. Which of the following is NOT a gender sensitive or victim sensitive approach when interacting with child victims of trafficking in persons?
  - a. Having an advocate accompanying the child during testimony
  - b. Closing the court to media
  - Court proceedings that are only open to the child victim, perpetrator, legal representation, and judge (no others present)
  - d. Video or pre-recorded testimonials
  - e. All the above

# **MODULE 7**

# Self-care, partnerships, and networking for frontline responders

Estimated time to complete: 3 hours

- Learn objectives
- Course materials (slide deck and exercises)
- Supplementary materials and activities
- Quiz

# Module 7: Self-care, partnerships, and networking for frontline responders (3 hours)

# 7.1 Learning objectives

Knowledge	Acquiring new skills	Attitude or behavior change	
Describe the importance of self- care, partnerships and networking strategies for frontline responders	Analyse and assess self-care, partnerships and networking strategies for frontline responders	Commit to applying self-care strategies in your work.	
interacting with victims of trafficking in persons.	interacting with victims of trafficking in persons.		

# 7.2 Course materials

# **7.2.1** Promoting gender sensitive and victim centred approaches into organisation or agency systems

Frontline responders can effectively promote gender sensitive, and victim centred approaches in their work by incorporating gender sensitive and victim centred approaches into an organisation or agency's systems.



Organisations or agencies can take the following steps to promote gender sensitive and victim centred approaches:

#### Seek high level buy-in and leadership

High level buy-in and leadership from lead agencies is key to promoting gender sensitive and victim centred approaches. Without this support, agencies may challenge, such as limited resources (staff and time); conflict or general difficulty with other service providers; fear of unfavorable reputation among victims; competing priorities (leadership may priorities addressing other crimes or may not promote victim rights); or the prioritisation of one vulnerable population over another. Frontline responders can seek buy in by ensuring that gender sensitive and victim centred approaches are discussed at high level meetings and by collecting examples and statistics on the vulnerabilities of specific groups of victims of trafficking in persons.

#### **Review policies and procedures**

Organisation or agency ways of working have the potential to promote or hinder victim's rights. Policies should include strong safeguarding measures for specific groups of victims, such as children or sexual abuse victims. All policies and procedures should emphasize zero tolerance to violence and should proactively seek to prevent harm and reduce traumatisation of victims. At the same time, policies and procedures should promote principles such as respect, dignity, privacy, confidentiality and the agency and empowerment of victims. These considerations can be integrated into policies and procedures across all stages of the support and protection journey from victim identification (interview protocols, shelter policies, the provision of medical care and special considerations for victims participating in the criminal justice process).

#### Encourage partnerships and networking with other organisations

Partnerships with NGOs or civil society groups or other government agencies are fundamental to ensuring that victims require the unique support they need. Identifying who to partner with can be determined by the support services available but also by the needs of victims. For example, if you have a victim of trafficking with a disability, it is recommended that you seek out a partnership with an NGO working in this area along with a suitably qualified social worker or health worker. By signing a Memorandum of Understanding with the relevant partners will provide a clear pathway for what their involvement will look like in terms of case management and cooperation.

#### Develop the capacity and skills of staff and partners

Frontline responders often work in multi-disciplinary and multi-skilled teams or taskforces within their agency or organisation. Organisations or agencies can develop the capacity and skills of staff through peer-to-peer learning and training. Peer-to-peer learning is when one or more colleagues teaches others. Peer to peer learning provides a low cost, and effective way, for frontline responders to demonstrate gender sensitive and victim centred approaches to their colleagues. Sometimes it is also possible for frontline responders to work across agencies or organisations. For example, law enforcement may work with civil society groups on trafficking cases. Civil society groups may assist law enforcement in conducting interviews, counselling victims, or providing shelter. These partnerships also provide opportunities for peer-to-peer learning and the promotion of gender sensitive, and victim centred approaches. It is important that peer to peer interactions and learning promote equality among colleagues and partners rather than setting up an unequal power dynamic.



Definition

**Power** refers to the ability to control people or events. In terms of trafficking in persons the abuse of power is often referred to when describing a perpetrator's control over a victim, however, unequal power relations (due to authority gender, socio-economic status, migrant status, age, education etc.) also exist between victims and frontline responders.

#### Effective management and supervision

Frontline responders who lead teams, supervise or manage cases play an important role in promoting gender sensitive and victim centred approaches and effectively handling victims of trafficking in persons.

There are five steps to effective supervision:

- 1. **Provide frontline responders with the tools they need to do their jobs.** The tools that help a frontline responder do their job may include computers, telephones, transport, or a suitable space. It is critical that supervisors provide team members with the tools they need to support victims of trafficking.
- 2. **Provide frontline responders with the training they need to do their jobs.** The key thing to remember is that the learning process is often more difficult than we realise. Trafficking in persons is a complicated crime and supporting victims of trafficking requires specific skills. Where possible ensure that team members have the right professional training they need.
- 3. Help team members to set goals to improve their performance. It may be necessary to direct a team member to identify a specific goal or change to the way they are working. Over time, the team member should be able to set their own goals in conversation with you.
- 4. **Become a resource.** You can encourage frontline responders on your team to look to you for help if you show that you are available, approachable, and willing to listen with an open mind. However, you also must be careful to let employees retain responsibility for accomplishing their goals. You should be a resource, but you must not take on staff members' responsibilities.
- 5. **Hold staff accountable.** Make sure that all frontline responders working on the case have opportunities to account for the progress that they have made. Depending on the nature of the role, frontline responders should be asked to report on this progress periodically in written form.

In trafficking in persons cases, a supervisor can assign a case manager who is the point of contact for the victim. Case managers decrease confusion for the victim and streamline communication between various victim service providers and with law enforcement partners.<sup>44</sup> In addition, the supervisor can conduct regular case coordination or case management meetings to review the progress, needs, and challenges experienced by victims. The case conference brings together all relevant professionals involved in delivering support to the victim.

The case manager can promote gender sensitive, and victim centred approaches by:

- ✓ enthusiastically requesting and/or providing technical assistance to members of the team
- ✓ identifying potential resources
- strategising for individualized service delivery
- ✓ providing adequate supervision of the frontline responder team
- creating appropriate and individualised treatment and care interventions for victims as needed.<sup>45</sup>

# **7.2.2** Self-care and its importance for frontline responders interacting with victims of trafficking in persons

Self-care has changed a lot over the years.

1970s: Definitions of self- care focused mostly on aspects related to health or illness.

**1980s**: The focus of self-care was on providing choice and independence to patients on their treatment options.

**1990s**: Self-care is understood as actions people take for themselves to establish and maintain health, prevent, and deal with illness.<sup>46</sup>

**2000s**: The definition of self-care evolved further to include self-care behaviors to sustain positive living and promote health (including mental health), based on practical measures and expertise from skilled and non-skilled experiences.

Self-care is particularly important for frontline responders who are in day-to-day contact with victims of trafficking who have been exploited, may be suffering trauma or may show frustration and a lack of trust in you despite your role as someone providing support and assistance. Working closely with victims of trafficking in persons who are victims of abuse, emotional or traumatized may take a toll on your own well-being, may impact your ability to do your job, or negatively affect your personal life. Sometimes frontline responders dealing with victims of trauma might become overwhelmed and increase their risk of experiencing similar emotions and symptoms as the persons they are helping.



The different conditions faced by frontline responders working with victims of trafficking include:

- × Cumulative stress/burnout
- × Compassion fatigue
- × Vicarious trauma
- × Over-engagement

https://analys.ovcttac.gov/taskforceguide/eguide/4-supporting-victims/43-the-vital-role-of-case-management-service-planning/ 45 lbid.

ACWC - Advanced Training for Frontline Responders on Gender Sensitive and Victim centred Approaches to Working with Victims of Trafficking in Persons

<sup>&</sup>lt;sup>44</sup> OVCTTAC The Vital Role of Case Management & Service Planning

<sup>&</sup>lt;sup>46</sup> World Health Organisation (1998) The role of the pharmacist in self-care and self-medication. Report of the 4th WHO Consultive Group on the role of the pharmacist Geneva: World Health Organisation.

#### **Cumulative stress/burnout**

Workplace burnout is usually triggered by excessive workloads, inadequate resources, limited control with high accountability, low recognition and satisfaction by superiors, interpersonal conflicts or social isolation, inequality or unfair treatment, and unclear sense of purpose or values. Symptoms may be physical or mental.

#### **Compassion fatigue**

Compassion fatigue can be defined as behaviors, actions and emotions demonstrated by frontline responders in response to the traumatic content that a victim of trafficking is revealing. In this situation a frontline responder may feel unable to empathize and may have a low tolerance for the information the victim is sharing. Research has also found that practicing poor self- care, lacking social support, failing to control work stressors, having low work satisfaction are all directly related to increased compassion fatigue.<sup>47</sup>

#### Vicarious trauma

Vicarious trauma or secondary trauma occurs when a frontline responder begins to experience such symptoms as emotional stress, intrusive imagery, greater sensitivity to violence, difficulty sleeping, difficulty with trust, increased cynicism, and aggression as a direct result of witnessing the trauma of others. Frontline responders exposed to stories of traumatic experiences may find themselves unable to switch off or stop thinking about the victim. Vicarious trauma can occur slowly - an accumulation of years working with victims of exploitation, abuse, violence, and trauma – or it may come on suddenly without warning.

#### **Over engagement**

Over engagement is when you become too involved in a case. In this situation your professional boundaries may become blurred. You may feel that you need to do more to help the victim, yet no matter how hard you work it is never enough. When you are too involved in a case you might find yourself thinking of the victim after work or spending your lunch break or personal time with the victim. You may have shared personal information, contact details or phone numbers with the victim and might consider giving them special care or additional time. Investing too much time and energy with a victim can make it difficult to handover or refer the case to a colleague or support service. At the same time, becoming over engaged in a case may also lead to comments or judgements from colleagues or others questioning the appropriateness and professionalism of your behavior.

<sup>&</sup>lt;sup>47</sup> Harr CR, Brice TS, Riley K, Moore B. (2014) The impact of compassion fatigue and compassion satisfaction on social work students. Journal of the Society for Social Work and Research. 2014;5(2):233-51.

# 7.2.3 Useful self-care strategies for frontline responders interacting with victims of trafficking in persons

Self-care strategies are developed according to an individual's needs, beliefs, interests, lifestyle, and spirituality. A good self-care strategy for your colleague may not work for you. Self-care is about preventing and addressing cumulative stress before it leads to burnout, compassion fatigue, vicarious trauma and over engagement.

Self-care is not:

- × An emergency response plan
- × Activated when stress becomes overwhelming
- × Acting selfishly and thinking that "it's all about me"
- × Adding more tasks to your "to-do" list



Self-care strategies can be categorized into four areas:

1. physical	2. psychological
3. spiritual	4. professional

#### **Physical self-care strategies:**

- Taking time to eat, rest and relax, even for short periods of time
- Engaging in a healthy and moderate diet
- ✓ Stay active
- Engage in a regular sleep pattern
- Minimize your intake of alcohol, caffeine, or nicotine and avoid medications that are not prescribed by a physician
- Practice breathing / relaxation techniques

#### **Psychological self-care strategies**

- Talking to a counsellor or psychologist
- ✓ Being aware of your own fears or past traumas
- Peer support
- ✓ Find appropriate outlets for difficult emotions and frustration

### **Spiritual self-care strategies**

- Exploring your spiritual core
- Looking for deeper meaning
- Write down or document your thoughts
- Take time to meditate, pray or sit with your thoughts
- ✓ Set aside time for reflection spend time in nature, write in a journal, meditate.
- ✓ Change how you perceive stressors

#### **Professional strategies include:**

- ✓ Practice time management
- Ensure that you have a realistic and balanced workload
- Debrief cases with colleagues on a regular basis
- ✓ Set realistic goals, expectations, and boundaries for yourself and your clients
- Review how you are coping check with others to get an objective opinion
- Acknowledge what you can do to help victims, even in small ways
- Learn to reflect on what you did well, and to accept what did not go very well and the limitations of what you could provide given the circumstances
- Maintain division and boundaries; separate between professional and personal boundaries. Keep relationships courteous but professional; avoid expressing personal emotions or behaviors with persons that you might be close to in the workplace. Ensure that you act professionally and with courtesy with victims.
- ✓ Foster positive collegial interpersonal relationships with colleagues. Engage them with respect and openness and develop the ability to provide and receive constructive feedback about the work. Address differences in opinions in a mature and respectful manner. Deal with the arising conflicts in a direct and open way, with the intention of understanding the other person's perspective, taking the time to explain your perspective calmly, and being solution oriented.
- Avoid gossiping, it creates a negative atmosphere in the team that will end up by affecting you negatively
- If the workload seems overwhelming, or if you are unable to address a conflict with one of your colleagues, talk to your manager or a trusted colleague
- ✓ Participate in activities with co-workers (like having lunch together, or other activities during a break).

# Exercise 1: Assessing organisational or agency strategies

This exercise is designed to summarize strategies for promoting gender sensitive and victim centred approaches in organisations and agencies and to assess the enabling environment within learners' workplaces.

This exercise takes around 30 minutes to complete.

Divide learners into four groups:

1. Senior leaders	2. Case managers and supervisors
3. Capacity development	4. Partnerships

Ask each group to discuss and answer the following questions:

- 1. What can this group do to promote gender sensitive, and victim centred approaches in their work?
- 2. What challenges are they likely to face?
- 3. How can they better meet the needs of a:
  - a. Victim with a mental disability
  - b. Victim who is experiencing trauma
  - c. Victim who is a migrant
- 4. Once the group has finished they can report back and discuss with others.

#### **Exercise 2: Self-care assessment tool**

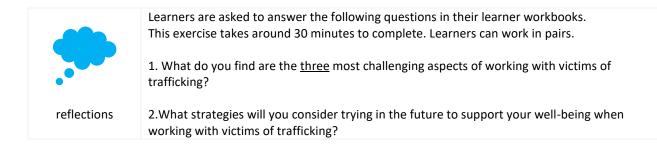
This exercise is conducted in pairs and takes around 20 minutes to complete.<sup>48</sup> Pairs can discuss any surprises among themselves. **How often do you do the following?** (Rate, using the scale below):

5 = Frequently 4 = Sometimes 3 = Rarely 2	2 = Never 1 = It never even occurred to me
<ul> <li>Physical Self Care</li> <li>Eat regularly (e.g., breakfast, lunch, and dinner)</li> <li>Eat healthfully</li> <li>Exercise</li> <li>Lift weights</li> <li>Get regular medical care for prevention</li> <li>Get medical care when needed</li> <li>Take time off when you're sick</li> <li>Get massages or other body work</li> <li>Do physical activity that is fun for you</li> <li>Get adequate sleep</li> <li>Wear clothes you like</li> <li>Take day trips, or mini vacations</li> <li>Get away from stressful technology such as telephones, e-mail, social media, etc.</li> </ul>	<ul> <li>Psychological Self Care</li> <li>Make time for self-reflection</li> <li>Go to see a psychotherapist or a counsellor for yourself</li> <li>Write in a journal or diary</li> <li>Read something unrelated to work</li> <li>Do something at which you are a beginner</li> <li>Take a step to decrease stress in your life</li> <li>Notice your inner experience - your dreams, thoughts, imagery, feelings</li> <li>Let others know different aspects of you</li> <li>Engage your intelligence in a new area - go to an art museum, performance, sports event, exhibit, or other cultural event. Practice receiving from others</li> <li>Be curious</li> <li>Say no to extra responsibilities sometimes</li> <li>Spend time outdoors</li> </ul>
<ul> <li>Emotional Self Care</li> <li>Spend time with others whose company you enjoy</li> <li>Stay in contact with important people in your life</li> <li>Treat yourself kindly (supportive inner dialogue or self-talk)</li> <li>Feel proud of yourself</li> <li>Reread favorite books, re-watch favorite movies</li> <li>Identify and seek out comforting activities, objects, people, relationships, places</li> <li>Allow yourself to cry</li> <li>Find things that make you laugh</li> <li>Express your outrage in a constructive way</li> <li>Play with children</li> </ul>	<ul> <li>Spiritual Self Care</li> <li>Make time for prayer, meditation, reflection</li> <li>Spend time in nature</li> <li>Participate in a spiritual gathering, community, or group</li> <li>Be open to inspiration</li> <li>Cherish your optimism and hope</li> <li>Be aware of nontangible (nonmaterial) aspects of life</li> <li>Be open to mystery, to not knowing</li> <li>Identify what is meaningful to you and notice its place in your life</li> <li>Sing</li> <li>Express gratitude</li> <li>Celebrate milestones with rituals that are meaningful to you</li> <li>Remember and memorialize loved ones who have died</li> <li>Nurture others</li> <li>Have awe-full experiences</li> <li>Contribute to or participate in causes you believe in</li> <li>Read inspirational literature Listen to inspiring music</li> </ul>
<ul> <li>Workplace/Professional Self Care</li> <li>Take time to eat lunch</li> <li>Take time to chat with co-workers</li> <li>Make time to complete tasks</li> </ul>	

- Make time to complete tasks
- Identity projects or tasks that are exciting, growth-promoting, and rewarding for you ...Set limits with clients and colleagues
- Balance your caseload so no one day is "too much!"
- Arrange your workspace so it is comfortable and comforting
- Get regular supervision or consultation
- Negotiate for your needs
- Have a peer support group

<sup>&</sup>lt;sup>48</sup> Adapted from Saakvitne, Pearlman, and Traumatic Stress Institute Staff, Transforming the Pain: A Workbook on Vicarious Traumatisation, 1996. Source: <u>https://analys.humanitarianresponse.info/sites/analys.humanitarianresponse.info/files/documents/files/national\_self-care\_manual-en.pdf</u> pages 33-34.

### **Exercise 3: Reflection on self-care practice**



# 7.3 Supplementary materials and activities

 Compassion fatigue and vicarious trauma

 Relaxation techniques for Stress Relief

 Self-Care Manual for Frontline workers

 Self-Care Starter Kit

 The Vicarious Trauma Toolkit

 Vicarious Trauma and self-care when working with victims of trafficking in persons

# Activity 1: Headington's self-care and lifestyle inventory

This scale is not a clinical diagnostic instrument and is provided for educational purposes.<sup>49</sup> It merely examines some of the more effective physical, psychological, and spiritual methods of staying balanced and preventing burnout. If you have any concerns about your state of emotional health, you should consult with a mental health professional.

**INSTRUCTIONS**: In a typical month, how often has the following been true for you? For each question, write the number that best fits your experience on the line before the question.

0 | Almost never 1 | Seldom 2 | Sometimes 3 | Often 4 | Almost always

- 1. I have at least one full day off work each week.
- 2. I take some time for myself to be quiet, think, meditate, write and/or pray.
- 3. I work no more than eight hours a day when not on deployment.
- 4. I exercise for at least 25 minutes five days a week.
- 5. I do something I find fun (e.g., play a game, go to a movie, read a book etc.).
- 6. I practice muscle relaxation, yoga, stretching, meditation, or slow breathing.
- 7. I share how I am feeling with at least one friend or my partner.
- 8. I sleep well and get 7-8 hours of sleep a night.
- 9. I am careful about what I eat and eat a balanced diet.
- 10. I drink at least 2 liters of water a day.
- 11. On balance I have more positive emotional experiences than negative.
- 12. At the end of the day, I can leave the pressures of work behind.
- 13. I slow down when I am becoming tired, run- down and vulnerable to illness.
- 14. There are people who care about me that I trust, to whom I can talk if I want.
- 15. I do something I find creative or expressive.
- 16. I feel I have the training and skills I need to do my job well.
- 17. I stand up for myself, saying "no" when I need to.
- 18. At work I take a brief break every two hours & switch tasks regularly.
- 19. I spend time with trusted others who are part of a community of meaning and purpose (e.g., church group, community volunteers, work colleagues, book group)
- 20. I feel good about my ability to communicate with others.
- 21. I spend my time and energy doing what is important to me in life.
- 22. I believe in my ability to accomplish goals, even when I encounter difficulties
- 23. I set realistic goals for my life and work towards them
- 24. I take good vacations.
- 25. I can let go of mistakes I have made.
- 26. I can manage conflict constructively.
- 27. I can let go of grudges.
- 28. I drink more than 1-2 alcoholic drinks, smoke, or use other recreational drugs.

<sup>&</sup>lt;sup>49</sup> Source: <u>https://analys.humanitarianresponse.info/sites/analys.humanitarianresponse.info/files/documents/files/national\_self-care\_manual-en.pdf</u> page 35-36.

(For this question) (0) Most days | (1) 3-6 times a week | (2) Less than 3 times a week | (3) Almost Never

TOTAL SCORE: \_\_\_\_\_

#### **INTERPRETATION GUIDELINES**

#### 0 – 29

A score in this range suggests that your self-care skills and lifestyle balance strategies may be poor, and that you could probably benefit from developing a plan to change your lifestyle and improve your self-care.

### <mark>30 – 5</mark>9

A score in this range suggests that your self-care skills and lifestyle balance strategies may be average, and that you could possibly benefit from developing a plan to improve your self-care, especially if you have more stress than is typical for an adult.

#### 60 - 84:

A score in this range suggests that you may have good self-care skills and lifestyle balance strategies in place but could benefit from preparing for times of high stress by adding some additional practices.

#### 85 and above:

A score in this range suggests that you may have good self-care skills and lifestyle balance strategies in place for building resilience.

# 7.4 Quiz

Please check the correct answer.

- 1. Which of the following is NOT a key strategy for promoting gender sensitive and victim centred approaches in organisations and agencies interacting with victims of trafficking in persons?
  - A) Seek high level buy-in and leadership
  - B) Encourage partnerships and networking with other organisations
  - C) Focusing on providing keeping the victim away from other frontline responders
  - D) Develop the capacity and skills of staff and partners
  - E) Effective management and supervision
- 2. Which of the following is NOT a condition associated with overworked frontline responders?
  - A) Cumulative stress/burnout
  - B) Compassion fatigue
  - C) Efficiency when managing cases
  - D) Vicarious trauma
  - E) Over-engagement
- 3. Self-care is defined as:

When a victim looks after their own health and social care needs.

- A) Aspects related to our health or illness.
- B) A patient having the choice and independence to choose a treatment.
- C) Behaviors to sustain positive living and promote health (including mental health), based on practical measures and expertise from skilled and non-skilled experiences.
- D) Actions people take for themselves to establish and maintain health, prevent, and deal with illness.
- 4. Self-care strategies can be physical, spiritual, professional, or psychological.
  - A) True
  - B) False
- 5. Which is NOT a recommended professional self-care strategy?
  - A) Practicing time management
  - B) Taking time to meditate, pray or sit with your thoughts
  - C) Debriefing cases with colleagues on a regular basis
  - D) Setting realistic goals, expectations, and boundaries for yourself and your clients
  - E) Review how you are coping check with others to get an objective opinion