# COMBATING THE TRAFFICKING IN CHILDREN FOR SEXUAL PURPOSES | A TRAINING GUIDE

ECPAT Europe Law Enforcement Group Programme against Trafficking in Children for Sexual Purposes in Europe in cooperation with ECPAT International.

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ISBN 90-74270-22-0
Amsterdam, Bangkok, 2006
ECPAT Europe Law Enforcement Group

Published in cooperation with ECPAT Netherlands, Defence for Children International the Netherlands and ECPAT International

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With thanks to the ECPAT Europe Law Enforcement Group and the core expert group.

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This publication was produced with the support of ECPAT International, and with financial support from the European Commission's AGIS Programme, the OAK Foundation and the Bodyshop Foundation. The sole responsibility lies with the authors. The European Commission is not responsible for any use that may be made of the information contained in this document

# COMBATING THE TRAFFICKING IN CHILDREN FOR SEXUAL PURPOSES | A TRAINING GUIDE

**For the Training of Multi-stakeholder Groups consisting of Law Enforcement Personnel, Social Workers and Caregivers**

ecpat

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# ACKNOWLEDGEMENTS

ECPAT Netherlands would like to gratefully acknowledge the contributions from all the partner organisations and a large number of experts from various organisations and institutions who gave input and commented on the training guide.

## Project Partners

- Children's Human Rights Centre of Albania (CRCA), ECPAT affiliate Albania
- Respect, ECPAT affiliate Austria
- Children not for Abuse, ECPAT affiliate Belarus
- ECPAT Belgium
- Neglected Children Society, ECPAT affiliate Bulgaria
- Ecumenical Network for Youth Action (ENYA), ECPAT affiliate Czech Republic
- Red Barnet, ECPAT affiliate Denmark
- Tartu Child Support Center, ECPAT affiliate Estonia
- ECPAT France
- ECPAT Germany
- ECPAT Italy
- Centre for the Prevention of Trafficking in Women, Moldova
- ECPAT Norway
- Save the Children Romania (Salvati Copiii),
- ECPAT affiliate Romania
- Saint-Petersburg NGO for social projects "Stellit", member of the ECPAT affiliate Russian Federation
- Beo Support, ECPAT affiliate Serbia & Montenegro
- All-Ukrainian Foundation for Children's Rights, Ukraine
- ECPAT UK

## Core Group Experts

- Council of the Baltic Sea States
- Dutch Police Academy
- Dutch Prosecutor's Office
- ECPAT International
- ECPAT International Child and Youth Advisory Committee
- EU Experts Group on Trafficking in Human Beings
- German Police

- General Prosecutor's Office of Ukraine
- ICMPD
- ILO/IPEC
- La Strada International
- NGO "Alexandra", Russia
- Terre des Hommes
- Unicef

## With special thanks to:

- Gina Badiu
- Chris Beddoe
- Farrah Bokhari
- Katlijn Declercq
- Stephanie Delaney
- Olga Kolpakova
- Mechtild Maurer
- Malle Roomeldi
- Maya Rusakova
- Georgi Vanchev
- Astrid Winkler
- Lydia Zagorova

# CHAPTER 1
# INTRODUCTION

## Background to the Project

This Manual is the result of the third stage of a programme to combat trafficking in children for sexual purposes. The Manual is devised by the ECPAT Europe Law Enforcement Group. This is a regional grouping of ECPAT Europe partners, coordinated by ECPAT Netherlands. As an NGO, ECPAT's particular focus is the sexual exploitation of children. It is in the context of combating such exploitation that this programme was initiated.

In the first and second stages of the programme, research in eight Eastern/Central European countries and eight Western European countries was published. This research focused on determining the features of the problem of trafficking in children, on the type of children who fall victim to trafficking, on national legislation and law enforcement, on prevention measures, and on the support and care facilities available to child victims of trafficking. It also examined the available international and regional standards and implementation mechanisms to combat child trafficking.

The research showed that among different stakeholders (police, social workers, state agencies) there is a lack of recognition of, and attention to, child victims of trafficking, and to the special protection and care that they need. Cooperation at international, regional, national and local level between responsible parties is lacking. Many professionals in law enforcement and social care organizations do not understand the effects of trafficking on children, and do not know how to work with and protect such children. It was concluded that training with a child rights based approach was needed for these professionals.

Given the cross-border and internal movement that comes with trafficking of persons, and the diversity of problems that face victims, it was considered important that training involve the diverse stakeholders, and emphasise the importance of cooperation and networking between them.

This Training Manual was developed in response to these conclusions. As with the research part of the project, 'twinning' partnerships between Western and Eastern European groups were formed to work on the Manual.

## Objectives of the Manual

The resources in this Manual are for the use of trainers who are seeking to train multi-stakeholder groups consisting of professionals who want to learn about the issue of child trafficking, to know how to protect children from being trafficked for sexual purposes, and to give appropriate protection and assistance to those children who come within their sphere of professional responsibility as victims of trafficking. The target audience is mainly

police men and women, social workers, and state agency employees concerned with child protection.

Although the Manual does not always distinguish between child victims who have been trafficked for sexual purposes, and those who have been trafficked for other purposes, its main focus is on the trafficking of children for sexual purposes. Within the overall context of 'child trafficking' therefore, the training seeks to target the care and protection in particular of children who have been trafficked for sexual exploitation, or those children who are at risk of sexual exploitation.

The Manual provides information, techniques and tools to make training effective. There are suggestions about

- The role of the trainer
- Understanding the target group
- How to manage challenging situations
- How to use diverse learning activities and technology
- Intercultural skills
- Time allocation and prioritisation
- How to ensure favourable training conditions

The Manual is a practical guide, and is not intended to provide a definitive programme. Trainers are encouraged to adapt the information to fit the needs of the participants that they are training, and to the particular circumstances of the country in which they are situated for the training.

## How to use this Manual

At the end of this manual there is a list of Resources, some of which have been used in the preparation of the Manual. They will be helpful as a reference guide and as source material.

Chapters 2 and 3 are intended to provide information and guidance to the trainer before undertaking the training.

In Chapter 2 the focus is on training techniques and tools necessary to conduct training successfully. It includes tips on what to do when facing difficult situations. This chapter also explains some techniques for active learning through role-playing, discussion, case studies, etc.

Chapter 3 provides guidance on how to develop a training programme, with reference to the overall aims of the training, the target groups and the length of the training. Chapter 4 consists of ten generic training sessions. The objectives of each session are explained, as well as the difficulties the trainer may face in the session. Trainers can adapt these sessions in the light of the objectives he/she needs to achieve, the country/cultural environment in which the training takes place, and the specific needs and capacities of the participants. A format is suggested for the session, and exercises or activities that will encourage active learning between the participants. Worksheets and Fact Sheets are provided to assist the trainer to deliver the sessions.

## This training manual was written by and for practitioners.

At the start of the programme, a questionnaire was sent to all partners in order to make an inventory of their needs and wants in relation to the issue of child trafficking. In March 2005, the first partner-expert meeting was held in Tirana, Albania, during which priorities for the contents of the training manual were discussed. Specialist experts from police services, prosecution services, social welfare services and international agencies, together with practitioner representatives of the 'twinning' partnerships, participated.

In October 2005, a first draft of the Manual was discussed and tested in Hissar, Bulgaria, by Bulgarian practitioners, including police men and women, social workers and employees of state agencies concerned with child protection. Comments were also sought on the draft from the project partners, the core group of experts and from the country teams who were implementing the project. The partners then began to translate and adapt the Manual to their national situations.

In all ten eastern and central European countries, the first training took place in November 2005. Four trainers (national and international) and around twenty participants were invited and selected, the latter being professionals from law enforcement and social workers/ caregivers.

Revisions and additions were made to the manual, incorporating comments received during the first training, and a second draft was prepared.

An evaluation meeting was held by the partners in December 2005 in Berlin, Germany.

In April 2006, the eastern European members of the partnerships sponsored one law enforcer and one social work practitioner from each of their countries, to attend a 'Train the Trainer' (TOT) session in Bucharest, Romania. The Manual was again amended to take account of the experiences gained during the TOT.

During the months following, each of the ten partners organised a training session in their own countries, to pilot the latest draft of the manual. The professionals who had already been trained to use the manual delivered the national training sessions. Participants were mainly police law enforcers or professional caregivers. However, in some cases, members of the judiciary and professional prosecutors also attended.

The results of the national trainings were evaluated at a final meeting in Sofia, Bulgaria, in September 2006, attended by the original core group of experts, together with trainers and practitioners from the partner countries and representatives from international agencies.

The experiences from the national trainings were incorporated into this final draft of the manual. The result is therefore the product of the expertise and experience of many professionals and practitioners.

# CHAPTER 2
# TRAINING SKILLS

As a Trainer, you need to have a number of skills in order to be able to control the programme and ensure that the participants acquire the information and achieve the level of understanding that you intend for them.

In *Information Sheet 2A* you will find a description of the various ways in which adults can receive and remember information. If you read this and think about the contents, it will help you to design your programme using a variety of learning methods.

In *Information Sheet 2B* you will find a list of the qualities of a good trainer. Obviously each person has his/her own characteristics and personal qualities, but by being conscious of the qualities that make up a good trainer, it will be easier to shape your own attitude during the training.

Training tools have been suggested and provided for all the sessions in the course. However, a trainer should feel free to bring other material and other techniques to the training sessions. The important thing is to use a variety of techniques, with an emphasis on practical activities, discussions, and on creative, memorable, presentations. It is also important that you choose exercises or techniques that will 'fit' the training outcome or learning objective that you want to achieve, and not just because you like them. In *Information Sheet 2C* you will find a number of suggestions for techniques and tools that will enhance your training skills.

A trainer will often come across a difficult participant who poses a threat to the stability of the whole group. The trainer needs to identify the situation as it arises, and to either stop it, manage it, or capitalise on it for the good of the group as a whole. In *Information Sheet 2D* you will find examples of difficult situations and participants, and how to manage them.

An appreciation of the cultural differences between people is extremely important when dealing with the issue of human trafficking. Culture can be described as a system of beliefs and values shared by a particular group of people. Culture influences the way we deal with other people and the way we solve problems. Our culture drives us to expect conformity to certain patterns of behaviour, depending on the groups to which we belong.

Child victims of trafficking are often from a culture and country or region that is different from that of the participants in the training session. As a trainer, you therefore need to be aware of and address the stereotypes that can be in the minds of participants when talking about 'prostitution', 'child', 'victim', etc. It might be difficult for some professional adults to see a 16 or 17 year old girl as a 'child' for example. To achieve good communication in a training session, a trainer has to open the minds of the participants to their own prejudices. But you also need to be able to empathise with the participants, and to

understand their perspectives, values and attitudes. People see the world through their own 'cultural spectacles'. You will find help on this issue in *Information Sheet 2E*.

It is very important to create a good atmosphere for the training. Adults coming to a training session can be nervous and unsure of themselves. A good result will depend very much on your own attitude, on your sensitivity to the persons coming for the training, and on your judgment in deciding which methods you will use to create a good learning atmosphere. During a training session, quick group exercises can lighten the mood and raise the energy levels of the participants. There are some suggestions about exercises on *Information Sheet 2F*. You can use them for making people feel more comfortable to work together, or to raise their energy levels, or focus their attention. Remember that such exercises should be kept simple, and be done quickly. You should be careful about the timeframe for these exercises, so that not too much time is spent on them. It is important that participants do not have time to think about what they are doing, but are acting spontaneously. Don't try exercises of which you have no experience; not only will it take too long to explain them, but you may use something that is not appropriate to the participants. Make sure you have had a 'run-through' yourself first.

## Information Sheet 2A

# Learning through training

An adult person receives information through three main sensory receivers:

- Sight
- Hearing
- Movement

However, one or more of these aspects is normally dominant. The dominant aspect defines the best way for a person to learn new information. But this aspect may not always be the same for all situations. A person may prefer one style of learning for one task and a combination of other styles for another task. In training, we need to present information using all three aspects, so that all types of learners can get the most out of the training.

## Learning by Sight

Visual learning may be linguistic or spatial. Persons who are visual-linguistic learners like to learn through written language tasks, such as reading and writing. They remember what has been written down, even if they do not read it more than once. They like to write down directions, and they pay better attention to lectures if they watch them.

To facilitate visual-linguistic learners

- Use Handouts
- Give written tasks
- Use visual written presentations (e.g. with Overheads)

Persons who are visual-spatial learners usually have difficulty with written language, and do better with charts, demonstrations, videos, and other visual materials. They easily visualise faces and places by using their imagination, and they seldom get lost in new surroundings.

To facilitate visual-spatial learners:

- Use graphs, charts, illustrations
- Include outlines, agendas, handouts for reading and taking notes
- Include content in handouts to re-read after the session
- Supplement textual information with illustrations
- Show diagrams and then explain them

## Learning through Hearing

For persons who learn best by hearing, you should

- Begin new material with a brief explanation of what is coming, and conclude with a summary of what has been covered. ("Tell them what they are going to learn, teach them, and then tell them what they have learned.")
- Include aural activities, such as brainstorming, "buzz" groups, etc.
- Leave plenty of time to debrief activities. This allows for connections to be made between what participants have learned and how it applies to their situations
- Ask the participants to verbalise their questions
- Develop a dialogue between the participants and the trainer

## Learning by Movement

Those who learn best by movement tend to lose their concentration if there is too little external stimulation or movement. When listening to lectures they may want to take notes. When reading, they like to scan the material first ('get the big picture'), and then to focus on the details. They like to use colour highlighters and to draw pictures, diagrams, or to 'doodle'.

To facilitate these learners, you should

- Use activities that get the participants up and moving
- Use coloured markers to emphasise key points on flipcharts or white board
- Give frequent 'stretch' breaks
- Provide highlighters, coloured pens/pencils
- Have the participants transfer information from the text to another medium, such as the flipchart

## For training adults, it is important to remember that

- *Adults learn from experience.* Therefore all new learning for adults is based on what they already know. The participants doing the training will probably have a wealth of experience, skills and ideas. They should be encouraged to use examples and share 'lessons learned' from their previous experiences as much as possible. Never assume that the participants know nothing about the subject matter.
- *Adults learn best from their peers.* The participants will receive and respect information they receive from their fellow professionals.
- *Adults learn best through discussion.* Try and use discussion as much as possible because it enables adults to be both learners and teachers. Lectures are less effective as teaching methods.
- *Adults learn best from those of similar age and similar background.* Encourage the participants to share their knowledge with one another.
- *Adults learn what they want to learn, what they are interested in, and what they think will be useful to them in their lives.* Training materials should be relevant to the subject you are teaching. You should be ready to adapt the materials provided in this Manual to the experience and knowledge of the participants.
- *As adults grow older their powers of observation and reasoning often grow stronger.* This ability to observe, think and analyse means that in adult education all are learners and all are teachers.

## Information Sheet 2B

# What makes a good trainer?

Some qualities of a good trainer, such as personal sensitivity and commitment, depend on the individual personality of the trainer. However, experience and awareness can improve everyone's skills.

A good trainer has

- *Sensitivity towards the feelings of others:* A good trainer will help to create and sustain an environment of trust and openness where everyone feels safe to speak honestly, and where differences of opinion are respected. Most people will not articulate their discomfort, hurt feelings or anger; instead they will silently withdraw from the discussion. Sensing how people are feeling and knowing how to respond is an important skill in training.
- *Sensitivity to the feeling of the group as a whole:* In any group, the whole is greater than the sum of its parts. Group 'chemistry' generally reflects shared feelings. A group may be eager, restless, angry, bored, enthusiastic, suspicious, or even frivolous. Establishing a collaborative dynamic is essential to a good learning environment.
- *Sensitivity to the status and capacity of the individual participants in the group:* In a multi-stakeholder group there will be participants with very different backgrounds and formation. A good trainer will be sensitive to how each participant perceives himself/herself and the others in the group. It can take time to build trust between them and to create the environment in which they will be comfortable with each other.
- *Ability to listen:* By listening both to the explicit meaning of words, and also to tone and implicit meaning, a trainer will be able to sense the feelings of individuals and the group. It is important to ensure that everyone feels included and has the opportunity to participate.
- *Ability to hold people's attention:* Body language, tone of voice, manner of dress, can all affect the way participants will react to a trainer. A trainer who appears confidant will give participants confidence that they are in good hands and will learn something important. A trainer who uses his/her hands in an expressive manner will give participants a feeling of being included. A good trainer will speak clearly, face the participants, and dress appropriately.
- *Ability to draw information from participants:* Engaging the participants in the proceedings will ensure that they learn from each other, and feel a part of what is happening.
- *Tact:* Sometimes the trainer has to take unpopular actions or say awkward things for the good of the group as a whole. The ability to do so carefully and kindly is important. Furthermore, the subject matter of the training can evoke strong feelings and painful memories for participants. A trainer needs particular tact to deal with emotional situations respectfully, but also firmly.
- *Honesty:* A trainer should be honest with participants about the limits to his/her own

knowledge. Instead of pretending to know the answer to a difficult question, see if another participant knows the answer, or undertake to find out the answer and bring the correct information at another time.

- *Commitment to collaboration:* Collaborative learning can seem frustrating and inefficient at times. It can be tempting for a trainer to take on the traditional role of 'teacher', and to lead rather than facilitate. A good trainer will realise the empowering value of collaborative learning, and will establish a collaborative relationship with participants in which the responsibility for learning rests with the whole group.
- *A sense of timing:* A trainer needs to develop a good sense for the timings during training. He/she should know when to bring a discussion to a close, when to change the topic, when to cut off someone who has spoken for too long, when to let the discussion continue over the allotted time, and when to let silence continue for a little longer. Timing is also important to provide the structure for learning. This includes setting and observing the times for the sessions, putting time limits on presentations, keeping to the agenda, and starting and finishing on time.
- *Flexibility:* A trainers must plan the sessions, but must also be ready to jettison the plans in response to a situation if that will make the learning experience more successful. Opportunities may present themselves in which it is appropriate to call on the talents and experiences of people in the group, or to use resources suggested by the participants. Flexibility towards delaying or bringing forward breaks in the session can also help to prevent the group from losing its concentration or becoming bored.
- *A sense of humour:* A trainer's ability to laugh at himself/herself, and to share the laughter of others, enhances the learning experience for everyone. The creation of a warm and friendly atmosphere will make people feel comfortable and open to learning.
- *Good organizational skills:* The trainer must make sure that the 'housekeeping' tasks are done, such as the preparation of materials, the arrangement of the meeting space, and providing essential information to participants. Good organisation will give the participants confidence that they are going to learn something important.
- *A positive attitude towards the participants:* Participants will react well when their opinions and contributions are treated with respect. A good trainer will find a positive way to react to the participants, even when he/she is correcting something or disagreeing with something.

A trainer is NOT

- *The person in charge:* The whole group is responsible for learning. The role of the trainer is to facilitate that to happen. Therefore the group should participate in deciding the agenda for the training.
- *A lecturer:* The trainer is a co-learner with the other participants; he/she is exploring the subject as an equal partner and contributing his/her own experiences.
- *Necessarily an expert:* Although the trainer will have prepared the sessions, he/she may not know as much about some parts of the course as some of the other members of the group.
- *The centre of attention:* A good trainer generally speaks less than the participants. Instead he/she draws the participants into the discussion or activity.
- *An arbiter:* In collaborative learning, no one determines that some opinions are correct or more valid than others although factual inaccuracies may need to be clarified.
- *The maid:* While the trainer takes the leadership in coordinating the sessions, he/she should not be the only person to take responsibility for the tasks associated with the training course.

## Information Sheet 2C

# Training techniques and tools

## These are some examples of training techniques

- *Brainstorming.* This is an idea generation technique. It consists of a rapid discussion that allows everyone to make their suggestions, or to provide their information. The group is given a topic, and is then asked to come up with opinions, ideas, experiences on the topic, with everyone contributing in a rapid and short way. Ideas are allowed to flow freely, without evaluation. Only a short amount of time is allowed, as the important thing is the quantity of the ideas, not the quality. The technique allows participants to realise that there can be many ways in which to look at a problem. While the ideas are being collected, use keywords to summarise the ideas on the flipchart.
- *Nominal group technique.* This is an alternative to brainstorming. It allows for the generation of ideas, and then the choice of a preferred course of action. A problem is presented to the group, and the participants are invited to come up with as many solutions as possible. The proposed solutions are written on a flipchart. When all the ideas are recorded, the participants are invited to discuss each one. The result is that the participants reach a clearer understanding of the problem. Later the participants can vote for their preferred solutions.
- *Dialogue.* This is a technique whereby the trainer sets the scene of a problem, and then invites comments from the participants. This allows for a wide variety of contributions to be made by the participants, so they can learn from each other. It also allows for the trainer to correct any misunderstandings or incorrect suggestions.
- *Working groups.* By setting up small Working Groups to discuss a particular problem, participants are enabled to express their own ideas and opinions as well as listen to others. Working in small numbers together, each one will be obliged to contribute to the effort. The groups are given a problem to solve and a limited time in which to discuss it and come up with their responses. Each group has to nominate a facilitator and someone to take notes. When the time is up, one of the nominated persons presents the work of the group to the general audience of participants. If the responses from all of the groups are likely to be very similar, the trainer can ask each group to only present its 'different' conclusions to the whole group.

- *Panel discussions.* If there is good relevant expertise among the participants at a training session, a panel discussion is a good way in which to share that expertise with everyone. A panel is chosen with two or three persons who have specific knowledge and expertise on a relevant topic. They are asked to make a short presentation to the whole group, and then there is a 'Question and Answer' session during which the group clarifies the information given, or contributes other opinions and information.
- *Role plays.* These are ways to practice skills. They are created situations or 'plays' in which participants are required to act a part. Role Plays need to be fully thought out by the trainer in advance of the session, and the expectations clearly explained to the participants. Each one needs to know the part they will play, and have a description of what their character will do, or is able to do. If a police man is asked to play the part of a victim, for example, he has to place himself in the situation of the victim, and will realize how powerless he can be in that situation. Role Plays can be a very enjoyable way in which to learn, but care is needed to avoid participants moving away from the point of the exercise, or exceeding their 'role' within the Play. It is also important to be sensitive to the willingness of participants to play a part. Some people do not like to pretend as part of a learning endeavour, and will resist this form of participation.
- *Warmers/Icebreakers/Energisers.* These are games designed to help participants to get to know each other and to feel comfortable with each other. They are important in creating a sense of trust between the participants. Games also help to clear the mind so that participants can concentrate better. You will find a number of suggestions for warmers/icebreakers/energisers in *Information sheet 2F*. The trainer should choose the games that are appropriate for the particular participants and that will suit the mood of the group. Games can also be used during or between the other sessions if the trainer feels that it would help the group to work better together. It is important to know what you want to achieve by doing the game, so that you choose the appropriate game at the right time.
- *Engaging the participants in practical activities*. A trainer can create opportunities for the participants to engage in practical activities, such as filling in parts of a map on a flipchart, or placing cards with information on a wall. Such opportunities allow the participants to move around, and to relate their intellectual understanding to a practical movement. Even the task of dividing into small groups could be made into an activity, for example by asking the participants to group according to hair colour or age range.
- *Drawing pictures*. This can be an activity for each participant, or for the participants to do in small groups. It can help them to visualize the issue they are discussing. For example, if you ask the participants to draw their idea of a 'child victim of trafficking', it makes them think about the signs that make such a child visible. It also provokes discussion about the issue. When the drawings are finished, the participants can discuss the differences and the similarities in the images they have produced, and the reasons behind those differences/similarities.
- *Reflecting/Checking Back.* If the trainer periodically spends a couple of minutes reflecting back on what has

been happening, and checking with the participants how they are reacting to the session, it helps to keep the group focused on the topic and the objectives of the training. It also helps the trainer to check that things are going well with the training.

- *Traditional teaching method.* If there is a lot of specialist knowledge to convey, it can be easiest to convey the information in a formal 'teaching' style. But in order to keep the attention of the group, it is important for the teacher to keep active, to use the flipchart, or to provide the information by Power Point presentation and handouts. Even using traditional teaching methods, it will help to interrupt occasionally and involve the participants in discussion or reaction.
- *Concentric circles.* This is a technique by which a lot of information can be shared in a short space of time. Place the participants in two circles – not more than 5 persons on the inner circle and 5 on the outside circle, facing each other. Give each person in the inside circle a theme which he/she has to explain and defend, and the outside circle a single issue which each participant has to explore with the inside circle. For example, the persons on the inside circle might be given one each of the following themes: child victim, policeman, teacher, judge. The persons on the outside circle might be given the issue of whether the criminal justice system should protect young children rather than criminalise them. The outside circle discusses the question with the 'person' in the inner circle for several minutes, and then moves to discuss the same question with the next person on the inner circle. The participants can change their place in the circles after the round has been completed, and new themes and issues used. However, this technique should only be used if you are confident with it and have practiced it already.

## These are some tools that can be used in training

- *Case studies.* Case Studies are stories/scenarios that seek to convey the reality of a problem situation. They are helpful in engaging the participants in the issue and making them think about real people and real-life situations, with problems that require realistic solutions. While there are a number of Case Studies provided in this Manual, others can be devised by the trainer, using the newspapers, court reports, cases known to the trainer, anecdotal reports of real cases, or an amalgam of several sources. Participants themselves may have case studies to suggest from their own experiences. If the persons in the Case Studies are realistic for participants, they are more likely to come up with good solutions to the problem being addressed. Case studies can also help to create an empathy between the participants and the victims whose situation they are examining in the study sessions.
- *Audio-visual and visual materials.* Visual materials are information tools that assist a training session by showing the information in video, film or picture images. They are useful to provoke discussion and to bring home the reality of what is being taught to the participants. The trainer should choose materials that will tie in with the objectives of the course, illustrate the session in a relevant way, and at the right time, and ensure that there is enough time and facilities to use the material effectively. Video clips might only take a few minutes,

but a film might need over an hour of time, and it might be preferable to select one or two excerpts, or to show the film as part of an evening activity.

- *Power point presentation.* This is a way in which the important points of an issue can be made clear to participants. Using pictures in the presentation can help tell the story. The presentation should only pick out the key concepts, and be made with short sentences. Presentations take time to prepare, and a trainer needs to be capable of using the computer software.
- *Use of information sheets and fact sheets.* A lot of information can be conveyed to participants on pre-prepared material. However, it is important not to distribute information at a time when it will just distract the participants. Give it when there is time to read it, or ask participants to read it overnight. Then find a way to check that the information has been absorbed, through a subsequent discussion or exercise.

## Information Sheet 2D

# Managing difficult situations and participants

## Here are some examples of a 'difficult person' situation, and how to manage it

- *'This will never work'.* Try to regard the statement of difficulty as an invitation to build, and not as an obstacle. Try asking the individual to suggest a solution to the problem they have identified. You should listen to the difficulty expressed, and try to deal with it, but under no circumstances should you allow the session to develop into a 'complaints' session.
- *Conflict between two persons.* You should be aware of the situation, but should not intervene too early, as this could lose you the support of the group. If you do have to intervene, try to emphasise the points of agreement that you have been able to identify and to draw others into the discussion. It is important to de-personalise the issue, and it may be appropriate to get the participants to agree to 'park' it for the time being. You can come back and deal with it later, when the situation has calmed down.
- *'I'm not going to say a word if I can help it.'* This person may be shy, or they might be nervous of speaking in front of their boss or their peers. He/she might find it easier to speak in a small group, which is why it is important to use a variety of learning styles. As the facilitator, it is important that you value everyone's contribution. Ask the person for their opinion about something; then they cannot make a mistake, because it is only their opinion. Be careful to acknowledge any contribution that they do make.
- *'I'm the expert on this subject'.* The person may be truly an expert, in which case you should show respect for what they can bring to the discussion. Use their expertise to help the learning experience of the others, but mentally set limits on how long you will allow them to talk, and stick to those limits. Use your body language to indicate when he/she should stop talking. Encourage the person to listen, and consider giving him/her a part to play in answering questions from other participants. If appropriate, invite the person to do a short presentation on the subject under discussion.
- *'I like the sound of my own voice'.* This individual is likely to want to dominate the discussion, and you must take control, but in a constructive way. Try to involve other participants by calling on them by name to get involved. In most cases you will find that the group itself will take control and tell the difficult person to stop talking.
- *'I've heard it all before'.* Whatever you do, don't get angry or defensive. Try to find some merit in what the person is saying. Encourage the person to focus on the positive.
- *'I won't attend all of this programme'.* It will be very difficult for the members of the

group to concentrate and trust each other if one participant is reluctant to be there or only wants to attend for part of the sessions. A participant will not get value from doing only part of a course you have designed. You will need to be strict, and insist that the person drop out of the course altogether.

- *'I don't agree'.* A person who is constantly disagreeing and raising objections can introduce a negative atmosphere into a training session. A good technique to use for such situations is for the trainer to move outside of the group while the problem is being discussed. This forces the person who is being negative to address the trainer at the exterior of the group. Moving to a space outside the group prevents the negative energy from entering the group. It allows the trainer to keep the positive energy within the group, and to return to that positive situation after dealing with the problem.
- *'I want to discuss a different and difficult issue'.* If an issue is brought up which will take too long to deal with immediately, or which is not appropriate for the session, 'park' it, and come back to it later. Write down the key word for the issue, and place it where it can be seen; explain to the participants that you will return to it at another time. The paper is a reminder that the problem remains to be tackled. Once you have dealt with the issue, take the paper away.

## Information Sheet 2E

# Working With Culture And Difference

Culture is sometimes referred to as a set of beliefs, ideas, customs or practices that belong to a group of people. While culture can sometimes be obvious – such as the way we dress or what we look like – a lot of it is hidden. Instead it shows itself in the attitudes and assumptions which shape the way we perceive the world and the sense that we make of it.

The notion of culture is further complicated by the fact that, as individuals, we belong to many different groups simultaneously. For example, the area where we live, the religion we practice (or not), our families and even the profession or place we work can all give us, whether we know it or not, a certain way of living, working and viewing the world.

Sometimes culture is described as being like a pair of spectacles or 'lenses' through which we see things, but although a useful illustration, this explanation can also be misleading. When we are wearing spectacles we tend to be aware we have them on! However our individual and unique culture is such a part of us and who we are that we are often unconscious of it. Nevertheless it does influence our thoughts and behaviour.

Normally this does not create many problems for us because we tend to mix with people from similar cultural positions. However, when working around trafficking issues it is likely that we are going to come into contact with people who have a very different frame of reference. This includes professionals, workers and children from different countries. If we are looking to repatriate children we will also need to work with families and communities from outside our own country.

When training people to work with children who have been trafficked, their communities and those professionals helping them, it is important to help workers to be able to reflect upon their own assumptions and beliefs and to think about how this might affect their work, both negatively and positively. Trainers will also need to be able to explore their own culture and how this affects them in the role of trainer.

Exploring culture and difference takes skill because the beliefs and ideas are often deeply held as they are so part of who we are and yet it is crucial that the trainer is able to challenge unhelpful stereotypes and ideas about others. In doing this, it is important to be able to convey a sense of being non-judgmental. Questions which are non threatening and communicate a real desire to understand, such as 'where do you think that idea comes from?' or 'what different thoughts / beliefs / feelings do you think others might have?' can be very useful in helping people explore their cultural beliefs.

John Burnham, a UK based family therapist and social worker, has developed a very useful list of principles when working with differences.

The most relevant of these have been adapted and reproduced here so give trainers some ideas for thinking about how they might both work with their own culture and help others to explore theirs, and what kind of strategies might be useful.

- *Culture should never be used as an excuse for abuse*
  While there are many different ways of living life that are equally valid, it is important to distinguish those that are abusive. A culturally pluralistic view, in which diverse styles are accepted and valued, recognises the importance of culture. Conversely cultural relativism, in which 'anything goes', can leave children unprotected. A particular trap is for workers to *presume* that a particular behaviour is a cultural practice and thus sanction it as being acceptable. At all times it is essential to consider the *effect or likely effect* on the child. If necessary guidance must be sought to work safely and ensure the child's protection.
- *Power imbalances & discrimination must be recognised*
  Dominant ideas exist in all societies about race, ethnicity and culture - it is important to recognise these and consider how and to what extent their effects can be minimised. While in many circumstances this can be facilitated by having a worker of the same ethnicity or cultural background as the client, this may not be practically possible or indeed may cause additional stress if the client is concerned about reports getting back to their country of origin.
- *Working in an open and transparent environment*
  A safe and supportive working environment needs to be created so that workers can explore their ideas. Assumptions and values can be made open to colleagues and clients to that they can be examined and challenged.
- *Culture & ethnicity are always important but not always obvious*
  It is essential to explore issues such as culture and ethnicity even when professionals and client 'look' the same.
- *People who are different (from the workers) are not necessarily the same (as each other)*
  Professionals and workers must avoid assuming that all people from the 'same' country, family or local culture follow the same rules of behaviour, preferences, etc.
- *Better to be 'clumsy' rather than 'clever'*
  While workers may be concerned about insulting or upsetting clients or colleagues because of a lack of understanding, it is safer to ask than be ignorant of the meaning of things. Questions such as 'can you help me understand why this is important to you?' or 'what do I need to understand so that I do not offend you?' can in fact help with building positive working relationships with those from a different cultural / ethnic background as they can be seen as a way of wanting to understand rather than judge.
- *Sensitivity is important, but superficiality must be avoided*
  It must be remembered that workers have a job to do. Children must be protected and this must not be compromised by a desire to be sensitive to anyone's particular culture.

## Information Sheet 2F

# Exercises for Warmers/ Icebreakers/Energisers

### The World is Distant:

Pick a question and ask people to stand up if they agree with it. Example:

- Is alcohol a problem in the world? (If you agree, stand up.)
- Is alcohol a problem in this country? (If you agree, stand up.)
- Is alcohol a problem in this city? (If you agree, stand up.)
- Is alcohol a problem in this room? (If you agree, stand up.)

This exercise helps people to relate global issues to their local situation.

### Two Truths, One Lie:

Break everyone into groups of between 3 and 5 persons. Each person in the group must tell the others two truths and one lie about themselves. The other members of the group must then guess which statement was the lie.
When finished, the groups can choose their best 'liar', who can then try and fool the rest of the groups.

This exercise helps people to realise how difficult it is to know a person just from external appearance and from what they say.

### Name Game:

This is a 'get to know you' game. Groups of about 10 persons are formed. The person who starts must say his/her name, as well as a word that starts with the same letter as the first letter of the name. The trainer could give a specific topic for the additional word, such as food or vegetables. The second person must give the name and additional word of the person before, as well as their own name and additional word, and so on until everyone in the group has said their own name and the names of everyone else.

For example, if the first person is called Karen and the second person is called Scott, then Karen would say 'Kiwi Karen', and the second person might say 'Kiwi Karen, Scallion Scott'. This exercise helps people to remember each other's names, and creates a fun atmosphere. But it is difficult to do with a large group.

### Movement Game:

Each person picks a movement for themselves, for example, putting out their right arm.
The person next to them has to imitate that movement, and create their own movement.
The next person has to repeat both the earlier movements and make their own movement, and so on.

### Country on Forehead:

Everyone has a sticker on their forehead with the name of a country. The person does not know what country is named on their own sticker. The participants must then ask questions of each other, to which the only answer can be 'yes' or 'no', and try to guess which country they have on their forehead.

This exercise helps people to get to know each other and to feel comfortable in each other's presence.

## WARNING!

The exercises are suggestions only. If you choose to use any of them, do so with care and sensitivity to the participants in the training session. Some people can become irritated or offended when asked to do certain activities, and the result could be negative rather than positive on the group learning experience.

### Blindfold Game:

Participants are divided into pairs, and one of the pair has a blindfold over their eyes. The other one has to lead the blindfolded person around the room and around obstacles in the room, such as tables, chairs, flipchart. After 5 minutes, the couple change roles, and the leader becomes the blindfolded person.
After the exercise, discuss with the participants how they felt during the exercise, and lead on into a discussion about how victims feel in their situation.

This exercise helps people to trust each other, but it also helps participants to realise what it is like to be in a vulnerable situation.

### Flip Chart Paper:

Give every participant a sheet of flip chart paper, and tell them to break it up into three sections. In each section they must draw a picture and/or write something in predetermined categories. For example, the categories could be: My Strengths, My Weaknesses, Why I am Here, What are my Hobbies, Where I want to be in Ten Years etc.

This game helps participants to identify the personalities and qualities of the other participants.

### Interviews:

Each person pairs off with one other and asks several questions. Then, having learnt something of each other, each partner introduces the other to the whole group. Some leading questions might be:

- When you hear the phrase "a human right," what do you think about?
- What animal best represents you?
- What event in your life has most affected your view of the world?
- What brought you here?
- What do you like most about your job?

This is an exercise for introductions and helps people to understand each other.

### In the Same Boat:

Explain that participants must locate others who share the same characteristic. Then call out some categories (e.g. those born in the same decade or month; those with the same number of children or siblings; those who speak the same language at home or the same number of languages).
This exercise creates a warm environment and helps people to recognise that they are the same as other people.

### Me Too!:

One person says his/her name and starts to describe himself/herself. As soon as another person hears something in common, that person interrupts, giving his/her name (e.g. 'I'm _____ and I too have two older sisters'). That person then begins their own self-description until yet another person finds

something in common and interrupts in turn. Continue until everyone in the group has been introduced.

This game creates a friendly atmosphere and helps the participants to remember each other's names and qualities.

## Snowball:

This is a game that asks for spontaneous responses from participants. It can be used for a quick evaluation, or to throw up ideas quickly. Make a ball out of paper. Call out your own opinion or idea, and then throw the ball to another participant, who then has to call out his/her opinion or idea before throwing to the next person.

# CHAPTER 3
# HOW TO DEVELOP A TRAINING PROGRAMME

## Objectives of the course

The sessions in Chapter 4 of this Manual provide a course for professionals who are law enforcement personnel, caregivers or service providers. The aim is to improve their capacities for combating the trafficking in children. This means not only learning to recognise a potential victim, or an actual victim, but also to know what to do for such children in the course of their work.

It is important to keep the focus on the 'child' during the training, and to emphasise the principle of putting the 'best interests' of the child as a priority in all professional dealings with children. While the participants will be professionals in their field, they may not be fully aware of the specials rights and needs of children.

The professional mix of the participants is an important aspect of the training. Human trafficking can only be effectively combated with a multi-stakeholder approach. When children are the victims of trafficking, and when victims have been sexually exploited, the network of stakeholders and the range of skills required is even wider.

In circumstances where it is not possible to work with a multi-stakeholder group, the importance of networking across professional boundaries should still be stressed in the training.

At the end of the course, you want the participants to

- know what 'human trafficking' and 'child trafficking' means
- understand how children can become involved in the phenomenon of human trafficking
- appreciate the particular dangers for children in being trafficked
- know their own responsibilities as professionals to protect child victims and to respect the human rights of children
- know what is required to deliver appropriate professional protection and assistance to child victims of trafficking
- know the areas of responsibility of other relevant professionals
- understand the importance of multi-stakeholder cooperation.

## Planning the course

An analysis of what is needed in the circumstances will help you to construct the most appropriate programme for the participants you have to train. You will find a suggested checklist in *Information Sheet 3A*. Make sure to have a thorough discussion with the organizers in advance of your planning to clarify their priorities and to learn about the

participants who are expected for the training.

Since the course is planned for multi-stakeholder participants, ideally there should be two trainers to deliver it: one from a law-enforcement background and one from a social care/NGO background. The trainers should plan the course together and be clear about their respective roles in each session. When one is taking the lead, the other can provide support. A good collaboration between trainers will demonstrate to participants the value of networking and skills-sharing. If you are asking outside experts to deliver part of the course, it is important to make clear to them what you expect, and respect the time they have available.

If you have a young person available to assist with the training programme, he/she could be a valuable resource, especially for Session 8 on Interviewing Children. Young people have a closer understanding of what it is like to be a child, and can convey that understanding to participants. Furthermore, the presence of a young person as a trainer helps to foster respect for young people.

For the design of the course itself, you have a basic tool in the 10 Training Sessions contained in this Manual. Make sure to use the national version when you are delivering training in your own country. It has been adapted to your local legal and social system, and it contains the relevant local information and contact details.

The sessions are intended to help the participants to

- Reach agreement on how they will work together during the training
- Learn about the subject of trafficking
- Understand the consequences for child victims of being trafficked
- Know how to identify children at risk and children who are already victims
- Know the laws of their countries on child trafficking and sexual exploitation of children
- Know what protection and assistance measures should be provided to child victims of trafficking
- Know how to investigate a trafficking crime, and how children should be protected in the course of an investigation
- Know how interviews with children should be conducted
- Know who are the relevant stakeholders to combat child trafficking, and how stakeholders can collaborate with each other for the better protection of children.

Finally there is an evaluation session so that the participants can react to the training they have received, and the trainer can appreciate whether the training was successful or not.

For each session, a Workshop Format is suggested, with Fact Sheets to give important and necessary information, and Work Sheets to do exercises. A time allocation is suggested, and the basic materials necessary to deliver the session are listed.

The programme you design must

- Meet the needs of the participants who will attend
- Fit within the available time frame
- Hold the attention of the participants
- Use the resources that are available

Therefore, you should make a plan setting out the timescale for the course, the course content, and the methods that will be used to deliver it. There is a template for such a plan in *Information Sheet 3B*. Your plan will be your reference point for the duration of the training. It should be checked each day in case that changes are needed. The plan will also form

the basis for the course programme that you will discuss and agree with the participants in the first session.

Make sure in the plan to allocate enough time for each activity. Identify where there will be breaks for coffee, meals, prayer. It is easy to underestimate the time that an activity will take, so be careful to think through the programme you will choose to fit the time available. Remember that people also like to have time for discussion and to compare experiences. The ideal time framework for this course is three days. If you have less time than that, you will have to prioritise and only choose part of the course, or limit the activities in some of the sessions.

Use your common sense when deciding how to use the material in the training guide so that it best fits the participants you will train. Think about the way you will deliver a session, and choose the methods that will work best for the group in question. Feel free to adapt the material to local circumstances. Situations vary from country to country and even from place to place within a country. If you are clear in your own mind about what a session is trying to achieve, you will be able to adapt the material and activities to suit the local social, political and cultural context.

## Adapting to the target groups

- Know your audience. This means finding out as much as possible about the participants beforehand, including rank, gender, age, attitudes, culture, experience, education, personality, religious background. This will allow you to appreciate the differences in their skills and experience, and to draw on their strengths and expertise throughout the training. It will also allow you to identify where the greatest common need is for improvement in knowledge.
- Attitude is very important. If you will be training a group of people who are 'hostile' to the idea of child protection and children's rights, then you will need to prioritise activities and plan sessions which are aimed at promoting understanding and breaking down those barriers. Developing an empathy with vulnerable children will do more to improve practice in relation to children than increasing knowledge about international legal standards, for example.
- Attitude can also be a problem between professionals. Choose activities that will enhance their appreciation of each other's skills and responsibilities.
- Be sensitive to local hierarchies. If you have several persons from the same organization, with different levels of authority, take care not to include activities that could cause them to 'lose face' in front of each other.

## Favourable training conditions

Pay attention to the following details:

- The place for the training should be light and large, and with a comfortable temperature.
- The chairs for participants should be placed in a circle so that they can see each other.
- Make sure that the teaching aids and equipment you will use are available and in working order.
- Check that there is enough paper, and enough handouts and writing materials for all the participants.
- Make sure there is a place that is easily accessible for you to keep materials you will use during the course.
- Check that the place where the participants will have their coffee breaks and meals is separate, but easily reached from the seminar room.
- Make sure that the participants will have the space and equipment necessary for

the activities you plan. (e.g. They will need tables if you want them to write; they will need space if you plan group 'role plays'.)

All your requirements should be made clear to the organizers before the training begins.

The maximum number of persons you should attempt to train with this course is 20. With a larger group it will be too difficult to ensure full participation.

## Certificates

Depending on the circumstances, it may be important to provide a Certificate of Attendance so that the participants can take something away with them which shows that they have done the training, and makes them feel that they have had a valuable experience.

# training needs analysis check list

| Element | Criteria | Check |
|---|---|---|
| 1. Determine the need for the course | 1.1 Identify and consult with Stakeholders to establish training aims & requirements | |
| | 1.2 Outline course proposal in line with stakeholders aims | |
| | 1.3 Identify existing courses or contributors that may be relevant | |
| 2. Identify the learner profile | 2.1 Potential learners are identified | |
| | 2.2 Determine any literacy or language issues | |
| 3. Develop course structure | 3.1 Core modules are identified | |
| | 3.2 Determine/document the relationship between modules and expected outcomes | |
| | 3.3 Identify prerequisites for the course and specific modules | |
| 4. Determine the training & evaluation requirements | 4.1 Determine the requirements for trainers | |
| | 4.2 Identify learning resources, materials, equipment, human resources | |
| 5. Define the training content | 5.1 Clearly specify the key learning points | |
| | 5.2 Identify what knowledge must be there at entry level | |
| | 5.3 Identify assessment/evaluation methods | |
| 6. Develop course monitoring methods | 6.1 Design mechanisms to monitor the course in consultation with stakeholders/trainers | |
| | 6.2 Make arrangements to ensure course can be evaluated against relevant performance indicators | |
| 7. Identify pathways | 7.1 Identify opportunities to link course completion to future pathways | |

# template for programme planning

| Time | Content | Methods | Who | Remarks |
|---|---|---|---|---|
| *Put the allotted time here* | *Put the part of the programme that will be done here* | *Put the type of activities that will be used here* | *Put the name of the person who will be managing the activity here* | *Put the important things that you need to remember here* |
| Example:<br>14.00 – 15.00 | Session 1:<br>Introduction<br>- introductions<br>- expectations<br>- learning agreement<br>- timetable | <br><br>Circle<br>Cards and board<br>Flipchart<br>Handout | <br><br>All<br>Trainer AB<br>Trainer CD<br>Trainer AB | <br><br>Marker pens?<br>Colour cards?<br>Handouts already in packs? |
| | | | | |
| | | | | |

# TRAINING COURSE ON COMBATING THE TRAFFICKING IN CHILDREN FOR SEXUAL PURPOSES

# SESSION 1
# TRAINING TOGETHER

## Objective

This session is intended to set the scene for a positive learning experience.

## Instructions for the Trainer

The participants will be from a variety of backgrounds and professional competencies, and it is important that they feel comfortable in each other's company. This is the first time they have come together; the trainer must make them feel safe, to know that their views and qualities will be respected, and that the learning experience will remain confidential. The session is designed for confidence building and the creation of an environment of trust.

Provide a period for introductions during which you encourage the participants to introduce themselves to the others, so that everyone knows who is present, and his/her professional background. Give out name badges to the participants and ask them to wear them.

Provide a clear and precise explanation of the objectives of the training, its duration, and the physical or technical constraints (e.g. lunchtimes, accommodation etc). The choice of programme should be open for discussion and if necessary changes made, depending on the make-up of the group, the time available, and the various needs and expectations of participants. Participants will want to be clear about how the time will be allocated, so that they can anticipate their own needs, e.g. for medication or telephone calls.

It is very important that you and the participants establish some ground rules that will apply for the duration of the training. In this way, participants will understand each other's expectations, and respect the common agreements. Poor timekeeping, for example, is something that can really aggravate people, so it is wise to make a rule about attending the sessions on time and respecting the break times.

It is important to know the expectations of participants before the training starts. This information will give a focus to the course. Knowing the expectations also enables you to evaluate later whether those expectations were met. See Session 10 (Evaluation) where an opportunity is given to check back on the expectations expressed in Session 1.

The trainer also needs to ascertain the general level of knowledge that already exists among the participants, so that the sessions can be 'pitched' at the right level of expertise and experience of the participants. Some alternative suggestions are given about how to get this information.

It can be important in a multi-stakeholder group to create a situation in which the participants confront their own attitudes to each other, so that the barriers between them can be broken down. Often professionals are suspicious of persons from other professions or have stereo-typical images of each other. These attitudes can affect the way professionals work

together. By making them confront their own attitudes, you can help the participants to see the person behind the professional opposite them. An optional exercise is provided for this situation.

## Suggested Workshop Format

a. The Trainer introduces himself/herself and any other Trainer involved in the training.
b. Ask each participant to introduce himself/herself and to describe their job. In their self-introduction each participant must identify one particular professional skill that they have which might be useful in combating child trafficking (e.g. empathy with abused children, forensic science ability, knowledge of another language, etc), and one area which is a challenge for them (e.g. no experience with children, no knowledge of international law, etc). (Three sentences allowed per person.)
c. *Addition/Alternative:* Do a Warmer/Icebreaker/Energiser with the participants that makes them use their own names.
d. Hold a discussion about Ground Rules, and ask the group to discuss what rules they want to make for working together, e.g. Time-keeping, confidentiality (among each other and towards their managers/employees), turning off mobile telephones. Write the agreed rules on a big sheet and place it where it can be seen throughout the course.
e. Ask the participants to write down their personal expectations of the training. What do they expect and want to learn? The expectations could be written on cards or 'post-its' and stuck onto a larger sheet. *Alternative:* make a drawing of a tree, and use the cards or 'post-its' to form the branches of the tree.
f. Give the participants a copy each of the Baseline Knowledge Test (Worksheet 1) and ask them to fill in the columns in accordance with their own personal opinions. Collect the sheets for later evaluation.
(*Alternatively* you could send the test to the participants and get it back from them before the course starts. In this way you could design the course with previous information about their knowledge and skills level.)
g. Present the programme chosen for the group, and explain what the group will study over the period of the course. Explain the objectives of the programme. Open the matter of the programme for a short discussion to ensure that everyone agrees with the overall plan, including the timetable.
h. *Alternative:* Ask the participants to place themselves on an imaginary line in the room which goes from 0 to 10 in accordance with their existing knowledge of the issue of child trafficking.
i. *Alternative:* Use the Baseline Knowledge Test (Worksheet 1) as the basis for a Quiz, asking questions such as: Who can define 'trafficking in children'? What is the first thing to do when you find children who have been trafficked? What professionals have responsibility for child protection in this country?
j. *Optional:* Hold a discussion on Attitudes between police, social workers and caregivers. Start the exercise by getting the participants to group in pairs, with each person of the pair coming from a different discipline than the other. Then call out some words, and ask them to tell each other what comes spontaneously into their minds when they hear the words. Use words such as 'Police', 'Police and Children', 'Social Worker', 'Trafficking Victim', 'Caregiver', 'Child', 'Child Abuse', 'Sexual Abuse', 'Delinquent' etc. After 5 minutes, re-group as a single group and ask the participants to share what came up between the pairs. Give time for discussion so that

each professional grouping can 'defend' or explain the attitudes that the other professionals think they hold.

| | |
|---|---|
| **Resources/Materials needed: Large sheet of paper, cards or 'post-its', name badges, copies of Worksheet 1, (Quiz questions), marker pen, place to pin up the sheet to a wall, sticky tape, pens.** | **Anticipated time: 45 minutes to 1 hour.** |

## WORKSHEET SESSION 1

# BASELINE KNOWLEDGE TEST

| | | | | | |
|---|---|---|---|---|---|
| **A** | How would you describe or define 'trafficking in children'? | Answer: | | | |
| | **Rate your knowledge of the following** | **Very poor** | **Poor** | **Good** | **Very good** |
| **B** | Consequences of sexual exploitation and trafficking – who are the victims, and what are the effects? | | | | |
| **C** | What laws we have and how they work regarding:<br>sexual abuse, sexual exploitation, prostitution, trafficking of minors, child protection? | | | | |
| **D** | Identifying children who have been trafficked? | | | | |
| **E** | Protection and Care Provisions for trafficked Children? | | | | |
| **F** | Investigating Trafficking Offences – how to get the evidence while protecting the victims? | | | | |
| **G** | Interviewing trafficked children? | | | | |
| **H** | Knowledge of child rights in a trafficking situation? | | | | |

# SESSION 2
# TRAFFICKING IN CHILDREN: BACKGROUND TO THE SUBJECT

## Objective

The objective of this session is to give the participants a good understanding of the subject-matter of trafficking in human beings, especially trafficking in children for sexual purposes, and to help them situate the problem in the reality of their own country and professional practice.

## Instructions for the Trainer

A Fact Sheet is provided containing the essential information. It is quite long, so you could decide to present this to the participants in advance of the training or to provide it as a handout at the beginning of the session, and make a presentation on Power Point or overheads of the contents.

Be familiar with the content of the Fact Sheet before you start; you need to have confidence in the material in order to present this session. Make sure that the participants have absorbed the information by asking for some feed-back. In particular, make sure that the definition of human trafficking and its application to children is understood.

There should be a discussion about how child trafficking manifests itself in your country. Use the discussion questions provided to get the discussion going, or make up your own questions. The important thing is to get the participants talking and thinking about the issue as it affects their country. Have the questions already written onto the flip chart, or on handouts.

If there are contradictions in the conclusions reached by the participants, pursue the discussion further until there is a clear understanding among all members of the group.

Instead of giving specific questions for discussion, you could present excerpts from a film, or show video clips, or hand out a newspaper article that demonstrates the issue of child trafficking, and ask the participants to discuss their contents. A good film to use is *Lilya4Ever*. Check the list of Resources in the back of this Training guide for more suggestions.

## Suggested Workshop Format

a. Give each participant a copy of Fact Sheet 2 and 15 minutes in which to read it.
b. *Alternatively* give Fact Sheet 2 as a handout, and present the contents in a Power Point presentation or with overheads.
c. Give the participants the opportunity to ask questions about the information given, or to clarify the contents of the Fact Sheet.
d. Hold a discussion with all the participants, asking them to express their views on the following questions:

- What do you think of the definition of child trafficking in the Fact Sheet?
- What is the essential difference between 'trafficking' of an adult and 'trafficking' of a child?

- How do you think a child's 'consent' is relevant to human trafficking?
- What are the 'push' factors that cause our children to leave the country or to leave rural areas for the cities?
- What are the reasons that non-national children are being trafficked to our country?
- What makes our children vulnerable to being trafficked?
- Which children in our society are at risk of being trafficked?
- To where will they be trafficked? (Is it inside or outside our country?)
- In what ways will children be trafficked? Are there patterns of this phenomenon in our country?
- What kind of 'exploitation' do our children risk?
- Do you think sexual exploitation is a particular risk to our children?
- Is it OK for a teenage girl to be prostituted by her boyfriend? Why? Why not?
- Do children have more 'human rights' than adults? Why?

e. *Alternative:* Show excerpts from a film or show video clips that demonstrate the problem of child trafficking, and ask the participants to give their opinion about what they understood from the visual material.

f. *Alternative:* Pass around copies of a newspaper or magazine article that describes a case of child trafficking, and ask the participants to give their opinion about what they understood from the material.
In the exercises described above, make sure that each participant voices at least one opinion. Write the key ideas and conclusions onto the flip chart. Discuss and clarify any contradictions in the contributions.

g. *Alternative:* Divide the participants into groups and give each group a large sheet of paper. Ask the groups to 'map' on the paper the "push" and "pull" factors that draw children into being trafficked.

| **Resources/Materials needed:** | **Anticipated time: 60 minutes.** |
|---|---|
| **Copies of Fact Sheet 2, flip chart, marker pen, (handouts with discussion questions, Multimedia projector/Overhead projector, Power Point presentation/ Overheads, audio-visual materials, copies of newspaper article, sheets of paper).** | |

# BACKGROUND INFORMATION ON TRAFFICKING IN CHILDREN FOR SEXUAL PURPOSES

## Definition of human trafficking

The most used international law definition is the one contained in Article 3 of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organised Crime 2000, and in Article 4 of the Council of Europe Convention on Action against Trafficking in Human Beings 2005:

*(a) "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.*

*Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;*

*(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used.*

## Definition of child trafficking

The articles continue:

*(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article.*

*(d) "Child" shall mean any person under eighteen years of age.*

## What is human trafficking?

Trafficking in human beings is a serious crime that many governments and other actors in the world are trying to address. Trafficking is different from smuggling of migrants and from individual migration, because the trafficked person is intended to be *exploited* by the persons involved in managing their movement from one place to another.

To be exploited means that someone other than the victim profits from the situation. In some jurisdictions the *mere exploitation* is enough for the case to be considered trafficking. However, in reality, it may be difficult to distinguish between smuggling and illegal migration and trafficking, because a person

may start a journey as a migrant, but end up in a trafficking situation.

Criminals gain large amounts of money by trafficking human beings, while their victims suffer terrible abuses, including death and disease. Other male and female intermediaries, including relatives, may also make profits, but not necessarily in large amounts.

Humans can be trafficked *within* their national borders or *across* borders. However, trafficking within a country might not be defined as 'trafficking' in the national legislation.

Humans are frequently exploited in the sex industry, but people can also be exploited by being used for running drugs or weapons, for begging and petty theft, for organ theft, for illegal adoption, for work in the informal labour sector, such as agriculture, and even in the formal labour sector.

*Sexual exploitation of children* is frequently the result, or even the origin, of a trafficking operation. Such exploitation is the sexual abuse by an adult or by a peer of a person under the age of 18, and remuneration in cash or in kind to the child or to a third person or persons. The child is treated as a sexual object and as a commercial object. The child may be used for prostitution or for the making of pornography. The commercial sexual exploitation of children constitutes a form of coercion and violence against children, and amounts to forced labour and a contemporary form of slavery.

## International collaboration

It is recognised that in our modern world of sophisticated communications, no government can address the problem of human trafficking in isolation. Following international agreements, governments are therefore making efforts to harmonise their laws and their law enforcement mechanisms, and to increase their collaboration, so that human traffickers can be arrested, and victims can be rescued. The task is not easy. Countries have different legal systems, different policing methods, different levels of resources available, and different languages. They are trying to uncover criminal networks that extend beyond national frontiers and that have acquired vast resources, since human trafficking is a very profitable crime.

## Supply and demand

Human traffickers operate in circumstances where there are large numbers of people who are desperate for a better life, because of poverty, or lack of real opportunities, or because of personal difficulties, and when there is a demand for their labour or services in another place. Much of the 'demand' is for sexual services. However, the victim do not always know that they will be exploited to provide sexual services; often they believe that they will go to a respectable job, and only find the true nature of the work after they arrive.

Sometimes the work itself is not providing sexual services, but the victim is later sexually abused because he/she is under the control of another person, and unable to make free decisions. So the exploitation may start out as exploitation of a person's labour, and end in their sexual exploitation as well.

## Children as victims

Significant numbers of trafficked human beings are persons younger than 18 years, in other words, children.

A 'child' is defined in international law as any person under the age of 18 years. Where children are the victims of human trafficking, the problem becomes even more difficult to combat, because children have special needs, and present additional challenges to the law enforcers and the child protection agencies or caregivers in the countries where they are

found. Moreover, states have obligations under international law to child victims of trafficking which are more onerous than their obligations to adults.

Children fall victim to human traffickers for many of the same reasons that adults become victims. However, children have less influence on their own lives, and the national systems of justice and child welfare often do not adequately protect them. Children are thus much more vulnerable than adults to exploitation.

There is not one 'typical' child victim, but there are many factors that make children vulnerable. A typical scenario is one in which the child agrees to go to another place, with no realisation of the exploitation that is awaiting him/her. Children are tempted by the chance to earn money and believe the stories they are told; many young people who fall victim to traffickers believe that they are going to a real job – in a hotel, a bar, a private house. Some believe that they will be getting married. Perhaps they are unhappy in their home situation and are trying to find a better life; many have suffered abuse from their parents and want to escape; many have not succeeded at school, and see no future for themselves in their own environment. Sometimes they are members of a minority that suffers discrimination in their own country, and they want to escape their poverty. Sometimes they are kidnapped by the traffickers and sold.

Children can become the victims of a trafficking operation at any age, depending on the form of exploitation to which they will be subjected. Teenagers are often trafficked for sexual exploitation. Sometimes older children even know that they will be used to provide sexual services to adults, but they are completely unaware of the level of abuse to which they will be subjected, or of the physical and psychological damage they will suffer.

Younger children are often trafficked to be turned into beggars and thieves, or exploited in the labour market.

Young people who want to get away from their home situations might not think about the possible problems they could face, and they do not have the experience to anticipate dangers. Children who have no one to protect them are easy to manipulate. The traffickers understand this vulnerability, and are ready to exploit it for their own purposes.

The common factor that identifies a *child victim of trafficking* is the ultimate exploitation to which he/she is subjected. The child may be earning money for the profit of another person, or be saving that other person from spending money: he/she is 'used' by someone else. Since, in law, the agreement of the child is irrelevant, *if the child is used for the profit of another person, then the child is the victim of trafficking.*

## The control mechanisms

The common ways in which traffickers keep young people submissive are:

- confiscation of their identity documents
- threats of reporting them to the authorities
- violence, or threats of violence
- threats of violence towards members of the young person's family
- social isolation
- keeping the young person locked up or limiting their freedom in another way
- claiming that the young person owes a debt of money
- depriving the young person of money

## Trafficking schemes

There are three phases in the trafficking process; the recruitment phase, the transit phase and the destination phase, but these phases can overlap. Some victims are trafficked over and over again.

As with adult victims, traffickers get hold of children and young people in many different ways. It is a complex crime, and not always easy to identify at first hand or recognize as such. For example, a young person might answer an advertisement for work in a hotel or bar, but end up prostituted in such a place. A young person might be promised work as a model, but be used to make pornography instead. A young girl may fall in love with a young man who promises to take her to a foreign country and marry her, but his real intention is to sell her to his friends for sex. A small boy might be offered a chance to go abroad and get an education, but find that he is put on the streets to beg and to steal for his master.

The traffickers themselves might be part of a well organised criminal network, or they might be individuals taking part in only one or more of the various stages of the operation, such as the provision of false documentation, transport, or a 'safe house'. These criminals are frequently highly dangerous, and willing to commit serious crimes of violence to avoid detection and protect their financial interests.

## The international context in which governments are trying to combat trafficking

In the year 2000, an international treaty was adopted by the states members of the United Nations. This is the UN Convention against Transnational Organized Crime. A supplementary part of that treaty is the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.* In the Protocol, states have agreed to combat human trafficking related to organised crime, to protect and assist victims, and to cooperate with each other within the context of combating organised crime.

European states have gone even further. Among the states members of the Council of Europe, a *Convention on Action against Trafficking in Human Beings* is being implemented. This agreement is complementary to the United Nations treaty, but it has a wider application. It does not rely on an organised criminal element to a trafficking operation, and considers that *any form of trafficking in human beings* is a violation of human rights and an offence to the dignity and integrity of human beings. Therefore European states have agreed

- To combat all forms of trafficking, whether national or transnational, and whether or not related to organised crime
- To extend protection to all victims, men, women and children
- To apply the protection of the Convention to all forms of exploitation (sexual, forced labour or services, etc.)
- Where the age of a victim is uncertain and there are reasons to believe that the victim is a child, it is presumed that the victim is a child

As a result of the internationally agreed standards, for adults to be considered the victims of human trafficking, there must be some element of force or coercion or deception that makes their migration a trafficking operation. In other words, there must be something that deprives them of their real 'consent' to what happens to them. In relation to children, however, that is, persons under the age of 18, there are very special protections. Under the international agreements, where the victim is a child, the issue of 'consent' is not relevant at all. A child does not need to have been forced, or threatened or deceived into migrating. It is enough that he/she is *exploited* in some way for the child to be considered as a victim of human trafficking. (See the precise definitions at the top of this Fact Sheet.)

## Other instruments applicable to children

In addition to the international treaties that specifically address the crime of human trafficking, children have special protections under other international instruments. The most important one is the *Convention on the Rights of the Child* (CRC). Under this treaty, every country in the world (except for the United States of America and Somalia) has agreed to protect children against all forms of sexual exploitation and sexual abuse, and to prevent children from being abducted, sold or trafficked for any purpose. An additional Protocol to the CRC sets out the minimum requirements for a national law that will protect children from sale, prostitution and pornography. Countries that have already ratified the CRC are now trying to ensure that their national laws are in line with the requirements of the Protocol so that the children within their jurisdictions can be properly protected against trafficking and exploitation.

The CRC defines a *child* as *'every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier.'*

In Article 35 of the CRC, States Parties agree to *'take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.'*

## The 'best interests' of children

Where children are victims, the international legal standards recognise that, because children are still developing both physically and emotionally, special protection measures are needed. But children are not only the 'objects' of protection. Under international human rights law, especially recognised by and outlined in the Convention on the Rights of the Child, children are recognised as persons having certain inalienable rights of their own.

The possibility of contradiction between what safeguards are required to protect children from harm, and what choices the individual child is entitled to make in his/her own right, is resolved in modern jurisprudence by having regard to 'the best interests' of the child. This means that in any decision regarding a child, the 'best interests' should be the primary consideration. Thus, any situation should be looked at from the child's own perspective, seeking to take the child's views into consideration, and with the objective of ensuring that his/her rights are respected. Any decision concerning a child should therefore be guided by what is *objectively best* for that child, given his/her age and maturity.

# SESSION 3
# WHO IS A CHILD? WHAT DO WE THINK ABOUT CHILDREN?

## Objective

The objective of this session is to ensure a clear understanding about who is a 'child' in the context of human trafficking. A second objective is to confront negative attitudes to vulnerable children.

## Instructions for the Trainer

The workshop format suggests that you begin with a 'brainstorming' on the definition of 'child'. Then there are a number of questions suggested to provoke a discussion about the legal meaning of 'child' by reference to the definition in the CRC. The important thing is to make the participants realise that while 'child' may mean one thing to them in a social or family context, there is a legal meaning that applies in their professional practices.

You want the participants to appreciate that anyone under the age of 18 is a child with a legal right to protection from trafficking and exploitation.

The second part of the session deals with attitudes towards children. Many professionals hold negative attitudes towards children, or have idealised notions about how a child who is a victim of crime should look or behave (the myth of the 'ideal' victim). You need the participants to realise that children who have been trafficked or otherwise exploited are victims and not the perpetrators of their own misfortunes. The Worksheet contains statements about children that will disclose attitudes. You can add statements of your own to the list; there may be local prejudices that you want to confront.

Leadership and sensitivity are needed for this session. Remember that some participants may themselves have come from families with social problems, or some may have developed attitudes from their own negative experiences as children. Some may resist the notion that children have rights. If you encounter negative attitudes, try to turn the discussion towards the root causes that make life difficult for children, or that turn them towards anti-social or criminal behaviour, and the responsibilities we have, as adults and/or state employees, to protect them.

The discussion in this part of the session might also start to move into wider social areas, such as child marriage, prostitution or criminality. Be careful not to allow personal attitudes about prostitution to distract from the child who is the victim. Try to focus the attention of participants on the duty of the state to protect children from all forms of exploitation, including sexual exploitation.

## Suggested Workshop Format

a. 'Brainstorm' on the meaning of the word 'child'. Ask participants to come up with their own definitions. Write the definitions offered on the flipchart. Refer back to

Fact Sheet 2 and to the definition for child trafficking.

b. Write the CRC definition of 'child' on the flipchart, and discuss the following questions:
   - What makes a child different from an adult?
   - When does a child become an adult?
   - If a 13 year old has sexual relations, is he/she still a child?
   - If a 15 year old has left school and is working, is he/she still a child?
   - If a 16 year old commits a serious crime and goes to prison, is he/she still a child?
   - If a 16 year old marries, is she still a child?
   - If a 15 year old gives birth, is she still a child?
   - If a 16 year old boy joins the militia or the army, is he still a child?
c. Give the participants Worksheet 3. Give them a few minutes to read the statements. Then vote on each statement by calling out the questions, and asking participants to vote on each of the possible answers. Write the results of the vote on the flipchart.
d. Spend a few minutes discussing the opinions expressed in the votes to identify and challenge negative attitudes towards children.

| **Resources/Materials needed:** | **Anticipated time: 1 hour.** |
| --- | --- |
| **Copies of Worksheet 3, handouts with definition of 'child' from CRC and definition of 'child trafficking' from Fact Sheet 2, flip chart, marker pen.** | |

## WORKSHEET SESSION 3

# ATTITUDES TO CHILDREN

| Ideas about children | Agree | Disagree | Neither agree nor disagree |
|---|---|---|---|
| 1. Children should grow up being looked after by their family. | | | |
| 2. Children should not be a burden on their families, and should be self-sufficient as soon as possible. | | | |
| 3. Children never lie about abuse. | | | |
| 4. Children tell lies all the time. | | | |
| 5. Children should always do what adults tell them. | | | |
| 6. Runaway children should be sent home immediately. | | | |
| 7. Children who run away from home have no sense of responsibility. | | | |
| 8. Children who decide to leave home deserve what they get. | | | |
| 9. Children who live on the street always want to live that way. It makes them feel independent. | | | |
| 10. Children who take drugs have only themselves to blame. | | | |
| 11. Children are ready for sex at a young age. | | | |
| 12. As long as a child consents to have sex, it doesn't matter what they do with their own bodies. | | | |

| Ideas about children | Agree | Disagree | Neither agree nor disagree |
|---|---|---|---|
| 13. Children like to experiment with sex and drugs; it never does them any harm. | | | |
| 14. Child beggars are a public nuisance. The police should clean up the streets. | | | |
| 15. Children who sell their body are themselves to blame for their abuse. | | | |
| 16. Children in prostitution should be locked up. | | | |
| 17. ..... | | | |
| 18. ..... | | | |
| 19. ..... | | | |

# SESSION 4
# CHILDREN AT RISK OF TRAFFICKING, AND ITS CONSEQUENCES

## Objective

The objective of this session is to enable participants to identify children who are vulnerable to being trafficked, or who have been trafficked, by describing the Risk Profiles for such children. The session also works towards an understanding of the consequences for children of being trafficked and/or exploited.

## Instructions for the Trainer

Fact Sheet 4 provides Indicators from a receiving and a sending country that can help identify a possible trafficked child victim. There is also a Risk Profile for a child that is vulnerable to being trafficked. Finally there is a description of the effects that trafficking and exploitation have on its child victims, particularly those who have been sexually exploited.

The Worksheet for this session contains a number of Case Studies, but you might want to choose case studies of your own, or take real cases from the newspapers or from anecdotal information. The participants themselves may have cases that reflect the Indicators and Risk Profiles in the Fact Sheet.

In the first part of the session, the participants are required to work out the characteristics that would allow them to identify a child who has been trafficked or a child who is at risk of being trafficked. In the second part, they look at the consequences of trafficking on children. It is intended that by relating the exercises proposed to the contents of the Fact Sheet, the reality of the lives of child victims will become clear.

## Suggested Workshop Format

a. Give the participants Fact Sheet 4 to read. Alternatively, present Fact Sheet 4 in a Power Point presentation or on overheads.
b. Hand out Worksheet 4. Divide the participants into smaller groups and ask them to relate the Indicators and the Risk Profile in Fact Sheet 4 to the cases in Worksheet 4 and to answer the questionnaire. Hold a general discussion on the results of this group work.
c. *Alternatively*, as one group, on the flipchart list the factors that affect whether the children in the case studies could be a victim, or become a victim, of trafficking.
d. *Alternative:* Divide the participants into small groups. Give each group a page of the flip chart and nominate one of the Case Studies in Worksheet 4 to the group. Ask the groups to list on their page the factors that made the child in their Case Study vulnerable to trafficking under three headings: Social, Economic and Personal. Each group then reports back to the large group to describe its conclusions.
e. Divide the participants into small groups. Give each group a page from the flip chart. Nominate a Case Study from Worksheet 4 to each group and ask them to devise a future for the child in the Case Study, with a ten year perspective. Each group must describe the situation of the child under four

headings: Physical health, Emotional health, Behaviour, Social Situation. Each group then presents its 'survival' story for their 'child' to the large group.

f. *Alternative:* Ask the participants to think about children they have met in the course of their work, and to consider whether, based on the criteria in the Fact Sheet, those children are vulnerable to exploitation. Ask for volunteers to present examples (without identifying the children) of such young persons. As the volunteer describes the factors or indicators that demonstrate vulnerability to trafficking, record them on the flip chart.

g. *Alternative:* Divide the participants into groups and give each group a page of the flip chart. Ask each group to draw their image of a child victim of trafficking. Put the images on the wall. Ask each group to explain the reasons for the images it made. Discuss the differences between the images.

| **Resources/Materials needed:** | **Anticipated time: 2 hours.** |
|---|---|
| **Copies of Fact Sheet 4, copies of Worksheet 4, (Power Point presentation/Overheads; Multimedia projector/Overhead projector), flipchart, (pages from the flip chart), marker pen, pens.** | |

WORKSHEET SESSION 4

# VICTIMS OF CHILD TRAFFICKING?

## Case 1: Paul

Paul is 12 years old. He lives with his family in a village in the mountains. One day his uncle visits from the city and offers to take Paul back with him to the city. He says the boy can work for him in his shop where he sells parts for motor cars. Paul's parents agree. The uncle says that he will pay the boy some money every week, and Paul will be able to send some home to his parents. The uncle has three children of his own, two boys and a girl. But they are at school and so they are not able to help in his shop.

## Case 2: Maria

Maria is 16 years old. She dreams of marrying a foreign man and of leaving her home in the city where her father drinks and her mother is always complaining. Her friend tells her about an advertisement in the newspaper in which a marriage bureau is offering to send photographs of young women to agencies abroad. Maria goes along to the office of the bureau. There she is asked to take off her clothes to be photographed in only her panties. There are other girls there too. They think the request is strange, but they go along with it.

## Case 3: Julia

Julia is 15 years old. She hates school. She hates being at home too, because her parents are always hard on her and want her to work in the house and to mind the younger children. She meets a young man in a nightclub who tells her he works abroad and makes lots of money. He takes Julia out for dinner and treats her well over the next few days. Then he says he is going back to the country where he works and asks her to go with him. He tells her he loves her. Julia doesn't tell her parents. She lets the young man arrange her papers, and follows his instructions to go to another town near the border and wait for him in an apartment there. There is a woman in the apartment who puts Julia into a taxi and sends her across the border. The taxi driver takes Julia's passport and does not give it back to her. He leaves her in another apartment in a town across the border. There is no sign of her lover.

## Case 4: Christo

Christo is 14 years old. He ran away from home because his father had deserted the family, and his mother had a new boyfriend, who beat him. Christo was begging on the streets of a big town when a man and woman offered to take him to Italy with them and find him a job. He goes with them, as he feels there is nothing for him in his own country, and he does not want to go home again. The man and woman provide him with papers, which show that he is aged 18. He is brought by bus to a town in Italy where he is made part of a

criminal gang that rob cars and other property. When he protests, he is beaten. He is told to follow the gang's instructions, or he will be killed.

## Case 5: Katya

Katya is 17 and very beautiful. She is doing well in school, but she finds her life very dull. She longs for a more adventurous environment. One day she answers an advertisement in her local paper offering a job as a model in Sweden. The recruiter tells her that she might also be asked to accompany clients in the evenings, and that she could also have sex with the clients, but only if she wants to do this, and wants to make some extra money. Katya has already had sex with a boy at school, so she feels she will manage a life where she sells herself for sex. She goes to Sweden willingly with the recruiter and two other girls. They are put into an apartment, but they are locked in and not allowed to leave. They are forced to provide sexual services to clients for 12 hours every day. One of the girls tries to escape, but a friend of the recruiter catches her, and beats her so badly that she cannot walk for a week. Katya is afraid the same thing will happen to her.

## Case 6: Sonya

Sonya is aged 14. She has lived in a Children's Home since she was 6 because her mother abandoned the family and her father could not manage by himself. She meets a man outside the gates of the Home who offers to take her across the border, and find her a job in a hotel kitchen. They cross the border at a place where there are no border controls, and he takes her to a town where he sells her to a brothel. The brothel owner tells her that he has paid a lot of money for her, and she has to earn that money back for him before she can leave. Sonya protests, but the brothel owner rapes her. When she gets pregnant, the owner forces her to have an abortion, and tells her that she also has to refund him the costs of the operation. Sonya feels that she will never escape, but she doesn't know what to do.

## Case 7: Natalia

Natalia is 8 years old. She lives in an orphanage. She is a very lovely and obedient little girl. A farmer's wife, who lives in the same neighbourhood as the orphanage, meets Natalia on the street every day, and likes to chat to her. One day the farmer's wife realises that Natalia has disappeared. She goes to the orphanage and asks about the child, because she is worried about her. The Director of the orphanage is very reserved in his response. He tells the farmer's wife that Natalia has gone back to live with her mother. But the woman knows that this cannot be true, because Natalia's mother died in a car accident some time ago, and Natalia had told her about this family tragedy. On the other hand, the orphanage is controlled by the state, so the farmer's wife does not think that anything can be wrong. She just regrets the fact that she will not see Natalia again.

*Case 8: Case from own experience*

.....

*Case 9: Case from own experience.....*

## WORKSHEET SESSION 4

# QUESTIONNAIRE

**Can you tell whether each of the children described in the Case Studies**
- **is at risk of being trafficked? or has been trafficked?**
- **is not at risk and has not been trafficked?**

Put a circle around the answer you want to give, and then list the reason for your answer, Using the Indicators in Fact Sheet 4.

| CASE | TRAFFICKED? | REASONS |
|---|---|---|
| 1. Paul | Risk / Been trafficked?<br><br>Not at risk / Not trafficked | |
| 2. Maria | Risk / Been trafficked?<br><br>Not at risk / Not trafficked | |
| 3. Julia | Risk / Been trafficked?<br><br>Not at risk / Not trafficked | |
| 4. Christo | Risk / Been trafficked?<br><br>Not at risk / Not trafficked | |
| 5. Katya | Risk / Been trafficked?<br><br>Not at risk / Not trafficked | |

| CASE | TRAFFICKED? | REASONS |
|---|---|---|
| 6. Sonia | Risk / Been trafficked?<br><br>Not at risk / Not trafficked | |
| 7. Natalia | Risk / Been trafficked?<br><br>Not at risk / Not trafficked | |
| 8. | Risk / Been trafficked?<br><br>Not at risk / Not trafficked | |
| 9. | Risk / Been trafficked?<br><br>Not at risk / Not trafficked | |

FACT SHEET SESSION 4

# CHILDREN AT RISK OF TRAFFICKING CONSEQUENCES OF TRAFFICKING

## Indicators for recognising a child victim

Trafficked children may be identified in the country to which they have been trafficked, or they may be identified after they have returned to their home country. Indicators have been developed in both 'receiving' and 'sending' countries which can help social workers and law enforcement authorities to recognise a child victim of trafficking.

### *Indicators from a 'receiving' country*

In the Prosecutor General's Office of the Netherlands indicators to identify a victim of trafficking have been developed in the context that prostitution is legal in the Netherlands for persons over the age of 18. The indicators are not specific to children, but can be applied to them too. In April 2006 a new list of indicators was developed that also includes other forms of exploitation. If a young person, of either Dutch or foreign origin under 18 is found involved in prostitution, the suspicion should arise that he/she is the victim of a trafficking operation. Suspicions will be raised on the following grounds:

1. Somebody other than the young person has arranged the journey or the visa
2. The young person does not have possession of his/her own travel documents
3. False papers are being used, and these have been provided by another person
4. Illegal entry into the country
5. The young person is afraid of being expelled
6. The young person does not have access to medical care
7. The young person is required to earn a minimum amount of money every day
8. The young person has to pay off an exorbitant debt, perhaps for the travel costs, before being able to control his/her own earnings
9. A large part of the earnings is handed over to another person
10. The young person receives less payment for services than a local person
11. A percentage of the earnings of the young person is paid by the exploiter to another person
12. The young person has limited freedom of movement
13. Relatives in the country of origin are being blackmailed or threatened
14. The family of the young person is in poor economic circumstances in the country of origin, and depends on the young person's earnings
15. The young person has to work excessively long hours and in poor conditions
16. The young person has been abused, or works under the threat of violence

17. The location of the young person's work varies
18. The person in control of the young person has applied for visas on behalf of many others, or acts as guarantor for other persons making visa applications
19. The person who guarantees the visa application has acted for other visitors who have not returned to their countries of origin on the expiry of the visa
20. The young person stays overnight at his/her working place
21. There is a relationship between the young person and people with relevant criminal records
22. The young person does not have his/her own place to live
23. The young person does not know his/her work address
24. The young person does not speak a language used in the Netherlands and is from a country known for human trafficking
25. The young person carries sub-culturally specific marks which point to dependency on a protector
26. The young person has history of non EU country of origin, marriage, and shortly afterwards of working in prostitution

*Indicators from a 'sending' country*

In Moldova, some indicators to identify trafficked victims have been developed through training under initiatives of the Stability Pact. They are not particular to children, but include:

1. Persons who approach organisations seeking specific social assistance
2. Persons who return home, having been found in a foreign country through police raids on brothels, or places used for prostitution including bars, hotels, apartments and private houses
3. Persons who have been deported from another country for visa violations
4. Persons who complain about ill-treatment to the police in another country

Those who can identify children who have been trafficked, or who are at risk of being trafficked, are not always from the law enforcement agencies. Teachers, street social workers, social workers, parents, and even clients have a big role to play in rescuing or protecting children.

## Indicators for children at risk

The following indicators, in any combination, make children especially vulnerable to being trafficked:

1. Factors relating to the family:
   a. Low level of education in the family
   b. Sexual abuse within the family
   c. Lack of family support within the educational system
   d. Substance abuse/addiction/alcoholism within the family
   e. History of abuse and violence within the family
   f. Lack of communication between parents and children
   g. Single-parent families, or families in which there has been a divorce
   h. Absence of parental care – children whose parents are absent, or children whose parents have placed them in institutions

2. Social and economic factors:
   a. Little or no access to education
   b. Lack of employment opportunities/high levels of unemployment/insecurity of employment/low levels of pay for unskilled work
   c. High levels of cyclical migration (seasonal working)

d. Local success stories from migration
e. Lack of information on migration opportunities
f. Lack of information on workers' rights
g. Lack of information about foreign countries (illusions about life in the west)
h. Lack of a child-friendly environment and lack of opportunities for children and adolescents
i. Lack of opportunities for girls and children from minority groups.
j. Lack of an effective child protection system.
k. Impact of the mass media forming negative and distorted attitudes towards sexual relationships
l. Children viewed as a commodity within their community
m. Girl children considered as property within their community
n. Cultural norms where children are expected to grow up early (early marriage, child labour..)
o. Poverty and extreme poverty

3. Children in difficult circumstances such as:
a. Children using drugs or alcohol
b. Neglected children
c. Children who have dropped out of school
d. Children in substitute care
e. Children who are refugees from local wars
f. Children who are members of marginalised or minority groups
g. Children involved in petty crime
h. Children who are already selling themselves for sex within their own communities
i. Children already involved in trafficking

## Consequences of being trafficked

Children who have been the victims of a trafficking operation will have suffered physical and/or sexual abuse, often of an extreme kind. They are beaten, raped, tortured, sometimes killed. They endure this suffering at an age when they should normally be trusting, healthy and energetic youngsters. During childhood children are developing in a physical, social and psychological way. When trauma occurs during this important stage in life, the consequences are devastating, and affect all aspects of their lives. Children can lose their independence, and the capacity to lead a meaningful adult life. They suffer resultant long-term negative effects on their health and life expectancy. They can suffer stigma in their families and communities when they return home. They can become involved in criminal activities.

Some children (former victims or others) may be recruited to take part in the exploitation of other children, or may set up their own systems of exploitation, thus perpetuating the cycle of child abuse.

Often children show a complex pattern of symptoms, related to the multi traumatic experiences. For some children the effects are clearly visible; others however suppress their feelings and symptoms, and it can take a while before symptoms show up; this can be especially the case with psychological symptoms. Some children will even repress and forget the traumatic experience, the memory of which will surface later on.

*All children who have been sexually exploited will suffer some form of physical or mental harm.* Where children have been enslaved and have had no control over their lives during their exploitation, they suffer trauma that is equivalent to the results of torture. Usually, the longer the exploitation goes on, the more health problems that will be experienced. But some children will suffer life-long damage very quickly, such as by contracting HIV.

The various effects on children that can result from being sexually exploited are summarized below.

*Effects on physical health may include*

- Victims acquire various diseases, including venereal diseases and HIV infection
- Victims suffer a whole range of symptoms such as: nausea, headache, chest pain and respiratory problems, dizziness, stomach and abdominal pain, backache, skin diseases
- Girl victims can become pregnant
- Girl victims can suffer complications of pregnancy and be made to undergo abortions
- Victims frequently suffer physical deprivations, including beatings, sensory deprivation and food deprivation
- Victims endure bruises, scratches, wounds on sexual organs

*Effects on mental health and emotional responses may include*

- Depression
- Feelings of hopelessness
- Feelings of guilt and shame
- Suicidal thoughts
- Exhaustion and sleeping problems (not sleeping or oversleeping)
- Flashbacks, nightmares, anxiety attacks, irritability and other symptoms of stress
- Dissociation, or emotional withdrawal
- Inability to concentrate/limited ability to organize and structure
- Loss of self-confidence (sometimes leading to overconfident manner to compensate)
- Low self-image, believing themselves to be worthless
- Low self-esteem/feelings of self-hate
- Easily feel 'picked on'
- See themselves as saleable commodities
- Feelings of degradation
- Anxiety
- Confused sense of time
- Confused feelings about love and sex
- Nervous breakdowns, sometimes with permanent effect
- Anger

*Effects on behaviour may include*

- Victims can be mistrustful of adults
- Victims adopt anti-social behaviour
- Victims can find it difficult to relate to others, including within the family and at work
- Victims frequently develop drug and alcohol addictions
- Suppression of anger can result in outburst of anger against others or against themselves (self harm)
- Victims can become aggressive and angry towards others around them
- Victims can develop dependant relationships with their abusers
- Victims worry that they will not be able to have a normal life
- Victims worry about people in their families and communities knowing what has happened to them, and become afraid to go home
- Victims develop eating disorders (not eating, overeating or binge-eating)
- Victims become hyper-active
- Victims are unable to discriminate in relationships (mix with the 'wrong' people)
- Victims become flirtatious and sexually provocative/wear sexy adult clothing
- Victims begin to steal/hoard
- Victims like to have and spend money
- Victims start to abuse or bully others, lie and cheat
- Victims run away from a protective environment
- Victims feel powerless and need to 'be in control' by getting their own way (temper tantrums)
- Victims harm themselves (self-inflicted cuts or other injuries)

While many children are resilient, with a high capacity to heal after abuse, if given the care and support they need, extreme stress and trauma resulting from sexual exploitation or other serious abuse can lead to an identifiable long-term illness called Post Traumatic Stress

Disorder (PTSD). PTSD can be difficult to diagnose and to treat. It is characterized by the following symptoms

- Re-living the event through dreams, nightmares, flashbacks and intrusive thoughts
- Avoidance of reminders of the event
- The person's general responsiveness is numbed to current events
- Persistent symptoms of high arousal such as sleep disturbance, aggressive behaviour and poor concentration

PTSD is known to affect memory in different ways. Children suffering from PTSD may even be unable to produce a description of what happened. Lack of cooperation, hostility, impaired ability to recall events in detail, are all likely to occur as a result of trauma.

### *Children remaining/returning to exploitation*

Even after being rescued, victims of trafficking run the risk of becoming victims all over again. As a result of their low self esteem, they are vulnerable to returning to exploitative situations.

Some victims, even when they are free from their trafficker, will continue to work in prostitution. This may be for several reasons. Feelings of hopelessness may give them the impression that working in prostitution is the only way to survive. Lack of social and psychological recovery is often a reason that victims fall back into prostitution. Prostitution makes fast money, and it might be difficult to find other paid work, because of their lack of education. But prostitution can also give a victim a sense that he/she has control of his/her life; working for yourself means you can decide what to do and you can keep the money. Victims might continue in prostitution because they have become used to sexual contact, or they might perceive themselves to be in a position of power towards their clients, which helps to restore their self esteem.

Typical attitudes among children who have suffered commercial sexual exploitation are

| GIRLS | | BOYS | |
|---|---|---|---|
| Fear | Pregnancy | Fear | Being / becoming gay |
| Feel | 'Not themselves'<br>Others see them as disgusting<br>They are to blame<br>They lack honour / dignity | Feel | That being with a paedophile is better than being with a homosexual<br>Prostitution is acceptable if one is poor (wish to look after others more vulnerable) |
| Present | Consider prostitution as 'just a job'<br>Need / want the money<br>Like not being alone | Present | Consider prostitution as 'just a job'<br>Need / want the money<br>Like not being alone<br>Like / enjoy the work |
| Wish | Fantasize about 'real love' and lasting relationships (being 'rescued') | Wish | Want to get out / Fantasize about 'caring' relationships |

Typical ways of coping through their situations include:

- Substance abuse
- Materialistic/consumerist attitudes or 'self indulgence' (clothes, food, etc)
- Rationalising their situation ('we are professionals')
- Pride in self-sufficiency
- Stoicism (pretending that the sexual exploitation has had no effect on them)

# SESSION 5
# THE LEGAL CONTEXT RELATED TO CHILD TRAFFICKING: WHAT LAWS WE HAVE, AND HOW THEY WORK

## Objective

In this session the objective is to familiarise the participants with the laws that apply in their country which are relevant to combating the trafficking and sexual exploitation of children. Since the current legal system may not be adequate to ensure proper child protection, the session encourages participants to positively apply existing remedies as well as identify any gaps.

## Instructions for the Trainer

There is a Template at Fact Sheet 5 that outlines the information you need to have available on the applicable legislation in your country for this session. Complete a national Fact Sheet in accordance with the outline in the Template prior to the training. If possible, the national Fact Sheet should be sent around before the training starts, with a request that the participants read it before coming to the session. The general contents will probably be familiar to most of them, but they will need to refresh their memories.

During the training session, you should remind the participants of the international instruments which have been ratified by your country, and pick out the articles that are relevant to human trafficking and child trafficking. If possible, have copies of relevant articles from the CRC and other instruments, properly referenced, available on the national Fact Sheet, so that the participants can relate their knowledge about national legislation to international standards. They can then keep the information as a permanent reference for themselves.

After the information about legislation has been absorbed, the participants can be asked to discuss or complete in small groups the Worksheet provided for this session. The participants should be able to answer the Worksheet questions by reference to the Fact Sheet, but you should make sure that all the correct information is available on the national Fact Sheet. There is also a blank box on the Worksheet for questions that you might like to add. Allow enough time for the filling of the Worksheet.

A quiz or discussion about national legislation would be faster, but the participants would learn more by thinking and talking through their answers in small groups. You will have to decide which method to use according to the time available.

Have the correct answers to the questions in the Worksheet already inserted in a handout, and give it to the participants later.

It is suggested that there should be a general discussion around a number of questions designed to get the participants thinking about how to use the laws and procedures that are already in the legal system of the country. You should be ready to come up with ideas or suggestions to prompt the participants to think 'outside the box'. Be careful to keep the focus on the laws and procedures that can be applied by the participants in their own

professional lives. Challenge them to think about their responsibilities to children under the applicable national laws and the relevant international standards.

Another suggestion is to focus the discussion on a real local case from a newspaper, and discuss the facts, the laws that were applied, the international standards that were relevant, what might have been done differently, etc.

## Suggested Workshop Format

a. Give the participants the national Fact Sheet 5 and allow a few minutes for them to read it. *Alternatively,* provide the Fact Sheet to participants before the session begins.
b. Divide the participants into groups of 4-6 persons to discuss and fill in the answers to Worksheet 5 and to agree on the answers.
c. *Alternative:* Ask for the participants to give the answers to the questions in the Worksheet like in a quiz. Call out the question and see who knows the answer.
d. Hand out Worksheet 5 with the correct answers already inserted. Get feed-back from the groups as to whether they had the same answers. Discuss any differences of opinion about the answers.
e. As one large group use the information on the completed Worksheets to discuss the following questions:

- Do our current laws adequately protect children from being used in prostitution or child pornography and from being trafficked?
- Do we use the laws pro-actively in our work to protect children?
- Do our procedures adequately protect children within the legal system and the criminal justice system?
- Are there ways we could use the existing procedures better?
- Do we have special protections for child victims of trafficking?
- Do we use those systems properly?
- Are there any major gaps in our laws and procedures which result in our country failing to comply with its international obligations towards children? Is there anything we can do about that?
- Do we, as law enforcers and professionals concerned with child protection, have ways in which we can improve the situation for child victims of exploitation in our everyday work?

f. *Alternative:* Use a real local case about a child trafficked victim and answer the questions:

- What laws were applied?
- What international standards were relevant?
- Are there gaps in the legislation that were shown up by this case? What were they?

| **Resources/Materials needed:** | **Anticipated time: 2 hours.** |
|---|---|
| **Copies of Fact Sheet 5 (adapted to the national legislation in accordance with the Template), copies of Work Sheet 5, Handouts of Worksheet 5 with the correct answers inserted, extracts from relevant international law applicable, (national case study), flip chart, marker pen, pens.** | |

WORKSHEET SESSION 5

# THE LEGAL SITUATION AFFECTING CHILDREN

Fact Sheet 5 provides the information about the legislation that applies in this country in relation to age of majority, child prostitution, child pornography, child trafficking, migration of children, child exploitation and child protection mechanisms. Using the Fact Sheet as a basis, fill in the Responses to the questions below.

| Issue | Response |
|---|---|
| *Child:*<br>(A child means every human being below the age of 18 years, unless under the law applicable to the child, majority is attained earlier. Source: CRC).<br><br>In our country, who is a child?<br><br>Who has the responsibility to care for a child? (Name the different persons holding legal rights over children)<br><br>At what age can a child marry?<br><br>At what age can a child consent to sexual relations with another person?<br><br>At what age can a child work in paid employment? | |

| Issue | Response |
|---|---|
| *Child prostitution:*<br>(The use of a child in sexual activities for remuneration or any other form of consideration. Source: Optional Protocol to the CRC)<br><br>In our country, is prostitution legal?<br><br>If it is not legal, what are the penalties for prostituting?<br><br>What are the penalties for pimping?<br><br>If prostitution is legal, are there restrictions on where sexual services can be sold?<br><br>When a child is in prostitution, is it a criminal offence, or does the child qualify for non-criminal measures?<br><br>If it is a criminal offence on the part of the child, what penalties are prescribed?<br><br>What constitutes anti-social behaviour/child delinquency in the criminal/administrative code?<br><br>Are there clear rules for the authorities to deal with minors who offer themselves for prostitution?<br><br>Who (else) can be prosecuted when a child is prostituting/prostituted (Client? Parent? Pimp?)<br><br>What are the penalties? | |
| *Child pornography:*<br>(Any representation of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes. Source: Optional Protocol to the CRC) | |

| Issue | Response |
|---|---|
| Does our legislation have a definition of child pornography?<br><br>In our country is making child pornography illegal?<br><br>Is distributing child pornography illegal?<br><br>Is possession of child pornography illegal?<br><br>Is downloading child pornography from the Internet illegal?<br><br>What are the penalties for<br>• making child pornography?<br>• distributing child pornography?<br>• possessing child pornography? | |
| *Child trafficking:*<br>(The recruitment, transportation, transfer, harbouring or receipt of a child for the purposes of exploitation shall be considered 'trafficking in human beings'. (Source: Council of Europe Convention on Action against Trafficking in Human Beings).<br><br>In our country is child trafficking a crime?<br><br>Does our law make any difference between trafficking of adults and trafficking of children? If so, what are those differences?<br><br>What are the penalties for child trafficking?<br><br>Is it a crime in our country if a child is trafficked from one part of the country to another part of the country? | |
| *Migration of children:*<br>Are there protection provisions for separated or unaccompanied children in our laws?<br><br>At what age can children enter or leave our country unaccompanied? | |

| Issue | Response |
|---|---|
| Under that age, what are the rules regulating children's entry to or departure from our country?<br><br>What documentation must children have when they enter or leave our country?<br><br>If an adult accompanies a child entering the country, does he/she have to prove any relationship to the child? | |
| *Child rights monitoring mechanisms:*<br><br>In our country, do we have any special protection mechanisms to recognise the rights of children (E.g. Ombudsman for children)?<br>If so, what is that mechanism?<br>What can it do for vulnerable children? | |
| *Child sex abuse:*<br><br>What do our laws say about sexual abuse of children?<br><br>What will happen to a person who sexually abuses children?<br><br>Does the law make any difference between a person who abuses a child for profit, and one who abuses a child for his/her own sexual satisfaction?<br><br>Which age categories are mentioned? | |
| *Procedures and measures for protection of children in criminal proceedings:*<br><br>Are there protections for child witnesses in our criminal procedures?<br><br>If so, what are they? | |

| Issue | Response |
|---|---|
| Are there protection mechanisms and special procedures to protect the rights of children who have been trafficked or who are the victims of sexual exploitation?<br><br>If so, what are they? | |
| *Other questions:* | |

# LEGISLATION RELEVANT TO COMBATING TRAFFICKING AND SEXUAL EXPLOITATION OF CHILDREN

## NATIONAL LEGISLATION TEMPLATE

This Fact Sheet should provide an overview of the national regulatory environment for combating child trafficking and the sexual exploitation of children. The template contains nine sections. Complete each section by inserting the details of the applicable national legislative provisions and regulations under the headings set out below. Where relevant, an international law definition has been given as a point of reference.

### *1. Child*

A child means every human being below the age of 18 years, unless under the law applicable to the child, majority is attained earlier. (Source: CRC).

Outline the national provisions that set out:

- Age of majority
- Age of criminal responsibility
- Minimum age for marriage
- Minimum age for consent to sexual relations with another person
- Minimum age for working in paid employment
- Persons who have legal rights over children or responsibilities for children (parents, guardians, teachers, carers, etc)

### *2. Child prostitution*

The use of a child in sexual activities for remuneration or any other form of consideration. (Source: Optional Protocol to the CRC)

Outline the national provisions that set out:

- Provisions concerning prostitution
- Penalties for prostituting
- Penalties for pimping
- Penalties on clients
- Penalties on owners of premises used for prostitution
- If prostitution is legal, restrictions on where sexual services can be sold
- The criminal or non-criminal measures applicable to a child found in prostitution, or to the parents/guardians of such child
- Penalties applicable if child prostitution is a criminal offence on the part of the child
- Anti-social behaviour/child delinquency provisions in the criminal or administrative codes
- Rules available to the authorities to deal with minors who offer themselves for prostitution

### *3. Child pornography*

Any representation of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes. (Source: Optional Protocol to the CRC)

Outline the national provisions that set out:
- A definition of child pornography
- The offence of making child pornography
- The offence of distributing child pornography
- The offence of possessing child pornography
- Penalties for making, distributing and possessing child pornography

### *4. Child trafficking*

The recruitment, transportation, transfer, harbouring or receipt of a child for the purposes of exploitation shall be considered 'trafficking in human beings'. (Source: Council of Europe Convention on Action against Trafficking in Human Beings).

Outline the national provisions that set out:
- A definition of human trafficking
- Offences relating to human trafficking
- Offences relating to child trafficking
- Penalties for human trafficking
- Penalties for child trafficking

### *5. Migration of children*

Outline the national provisions that set out:
- Protections for separated or unaccompanied children entering the country
- Age at which a person may leave the country unaccompanied
- Rules regulating children's entry to or departure from the country
- Documentation that must be produced for children entering or leaving the country

### *6. Child rights monitoring mechanisms*

Outline the national provisions that set out:
- Institutional protection mechanisms relating to children/children in need of special protection (Ombudsman for children, state services…)

### *7. Child sex abuse/Exploitation of children*

Outline the national provisions that set out:
- Offences relating to sexual abuse of children
- Offences relating to sexual abuse of children in situations of dependency
- Penalties for sexual abuse of children (include different age categories)
- Offences relating to the exploitation of children for profit (for labour/sexual exploitation)
- Penalties for exploitation of children

### *8. Procedures and measures for protection of children in criminal proceedings*

Outline the national provisions that set out:
- Procedural protections for child witnesses in criminal proceedings
- Mechanisms and procedures that protect the rights of children who have been trafficked or who are the victims of sexual exploitation

### *9. International instruments*

Outline the national provisions that implement the ratification by the government of:
- UN Convention on the Rights of the Child
- Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography.
- Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, Supplementing the United Nations Convention against Transnational Organised Crime
- ILO Convention No.182 on the Worst Forms of Child Labour

# SESSION 6

# CHILD PROTECTION PROVISIONS: CARE OF AND ASSISTANCE TO TRAFFICKED CHILDREN

## Objective

The purpose of this session is to identify the care options available for child victims of trafficking, and the principles that apply in protecting the rights of children after rescue.

## Instructions for the Trainer

In this session you are addressing the issue of care for trafficked children. The participants will need to be informed or reminded about the care options available for children in difficult situations in the country. Make sure that some of the participants are able to provide the information, so that the short brainstorming session proposed will have a concrete outcome. Otherwise you will need to make up your own Fact Sheet with the relevant details.

Fact Sheet 6 sets out the principles to be applied in caring for children who have been trafficked, with special attention to repatriation and to the needs of sexually exploited children.

A brainstorming on the needs of all children is suggested. These needs will include consistency, boundaries, love, shelter, food, sleep, etc. Then, through the questions, move the discussion to the special needs of children who have suffered sexual exploitation.

Worksheet 6A contains a Role Play about repatriation. It will focus the participants on the qualities needed to judge the best interests of children for whom repatriation is proposed. In the discussion after the Role Play, the participants will be able to reflect on their own experiences of dealing with the options for trafficked victims.

Worksheet 6B presents a number of scenarios, and then asks questions, allowing the participants to choose a number of possible answers. The optional exercise allows the participants to consider situations in which children can find themselves in danger of being exploited and/or trafficked, and what should be done to protect them.

## Suggested Workshop Format

a. Brainstorm briefly with the participants on the care options for neglected and/or traumatised and/or sexually abused children in the country. Summarise the available national care provisions on the flip chart. *Alternatively* present the options available in a Fact Sheet.
b. Go through the contents of Fact Sheet 6 or present it in a Powerpoint presentation or on overheads.
c. Brainstorm in a large group for a few minutes on the question 'What Every Child Needs'. Write the 'needs' on the flip chart. Then divide into groups of 4-6, give each group a sheet of paper, and ask them to consider these questions:

- What are the special needs of children who have been sexually exploited?
- What particular problems might arise when looking after such children?
- What qualities do Carers need to look after children who have been sexually exploited?

- What qualities do Carers need to look after children who have been repatriated after sexual exploitation?

Feedback the responses from the groups to the large group.

d. Choose three participants and Role Play the scenario in Worksheet 6A. Then ask all participants to comment on the Role Play by asking the following questions:

- Was the question of the girl's repatriation handled well by the social worker? Were there aspects that could have been included/left out?
- What actions should the social worker take to verify the information given by the girl about her situation if she returned home?
- What specialist services could the social worker recommend to be provided for this girl on her return?

e. *Optional:* Give the participants Worksheet 6B. Divide into groups of 4-6 persons and allocate two scenarios in the Worksheet to each group. The groups must suggest answers to the questions at the bottom of their scenarios. Ask the groups to present their answers in a feed-back session to the whole group.

f. *Optional:* Look at the cases at Numbers 3, 5 and 7 on Worksheet 6B, and discuss the following questions:

- What care provisions should be put in place before the girls in case No.3 are repatriated to their country of origin?
- What care provisions will be needed if the girls in the cases at No.5 and No.7 are repatriated home, having been sexually exploited abroad?

Note the conclusions on the flip chart.

| **Resources/Materials needed: (Fact Sheet with details of national care provisions), copies of Fact Sheet 6, (Powerpoint presentation/ Overheads; Multimedia projector/ overhead projector), copies of Worksheet 6A (and Worksheet 6B), flip chart, paper, marker pen, pens.** | **Anticipated time: 2 hours.** |
|---|---|

## WORKSHEET SESSION 6

# 6A ROLE PLAY ON REPATRIATION

Three persons: Social Worker, Girl Child, Observer

*Instructions for the Social Worker:*
You are from the destination country. You are about to inform the child that she is going to be sent back home. The authorities from the country of origin have recommended that she be reintegrated into her original family.
You will give the child details about the travel plans, and the arrangements for when she arrives back home.

*Instructions for the Child:*
You do not want to go home. You know that once you get home, you will face a lot of problems. Your father is an alcoholic. You don't like the school in your village, as you did not do too well in your studies before you left your country. Besides, you are content to stay in the country of destination. You have made friends in the shelter. You want to persuade the social worker that you should stay in the country of destination.

*Instructions for the Observer:*
You are to take notes about the behaviour of the child and the social worker. You are to check whether the social worker has behaved in an appropriate manner towards the child. You should notice the skills that were positive on the part of the social worker that will assist the repatriation process and those that were negative and will hinder it.

At the end of the role play, you will feed back your observations to the social worker.

WORKSHEET SESSION 6

# 6B SCENARIOS AND OPTIONS

*1. The street beggar*

A child is begging outside the Metro station. He seems to be about 8 years of age. It is during school term, so he should be in school. He looks malnourished. He looks different from other children, and might be from a minority group. He can speak a few words of the local language only.

| | |
|---|---|
| Is this a trafficked victim? | Yes<br>No<br>Maybe |
| Which services should be concerned? | A<br>B<br>C |
| Options for action: | A<br>B<br>C |
| What kind of care does this child need? | A<br>B<br>C |
| Which services can provide that care? | A<br>B<br>C |
| What steps can be taken to prevent this child from present and future exploitation? | A<br>B<br>C |

## 2. *The child working on the streets*

A young girl is hanging around at night in a part of town that is known to be a pick-up place for prostitutes. She seems to be only about 14 years of age. When a car pulls up beside her, she speaks to the driver, and is about to get into the car with him. However, an undercover policeman arrests her for soliciting and takes her to the police station.

| | |
|---|---|
| Is this a trafficked victim? | Yes<br>No<br>Maybe |
| Which services should be concerned? | A<br>B<br>C |
| Options for action: | A<br>B<br>C |
| What kind of care does this girl need? | A<br>B<br>C |
| Which services can provide that care? | A<br>B<br>C |
| What specialist services will this girl need to recover from her sexual exploitation? | A<br>B<br>C |

## 3. *The brothel*

The police station has received an anonymous report that there are children being offered for sex in an apartment in the district. They decide to raid the apartment. When they do, they find two middle-aged men in a state of undress, with two young women. There is also an older woman in the apartment. There are indications that this is indeed a brothel. The young women have no identity papers, and are not nationals. The police ask them what they are doing in the apartment, and they say they are visiting. They give their ages as 18, but they appear to be quite young. They also appear to be very afraid of the older woman.

| | |
|---|---|
| Are these trafficked victims? | Yes<br>No<br>Maybe |
| Which services should be concerned? | A<br>B<br>C |
| Options for action: | A<br>B<br>C |
| What kind of assistance can be given to these girls? | A<br>B<br>C |
| Which services can provide that assistance? | A<br>B<br>C |
| What specialist services will these girls need to recover from their sexual exploitation? | A<br>B<br>C |

### *4. The children's home*

A father complains to the social services that his son has disappeared from the children's home where he placed the child when his wife had left him and he had to move to another part of the country to find work. One year later, he has come back to collect the child, but the manager of the home has told him that the child was adopted a few months ago. The manager says that he was entitled to place the child for adoption, because the father had abandoned him. The father does not believe the manager. He had signed no papers to permit an adoption. In fact, he wants his son back so that the child can work for him as a vegetable seller and help with the family finances.

| | |
|---|---|
| Is the son a trafficked victim? | Yes<br>No<br>Maybe |
| Which services should be concerned? | A<br>B<br>C |
| Options for action: | A<br>B<br>C |

| | |
|---|---|
| If the child is located, what kind of care might he need? | A<br>B<br>C |
| Which services can provide that care? | A<br>B<br>C |
| If the child is recovered, should he be returned to his father? What other options are there? | A<br>B<br>C |

### 5. *The border*

A car pulls up at a border post. In it there is a male driver, and there is a young woman sitting beside him. The border guard asks to see the papers for the couple and for the car. The driver produces the papers for both himself and the girl. The girl's passport shows that she is 19 years of age. She looks younger. The guard asks her where she is going, and she says that she is going to a job in a town across the border; she says she has a job in a bar there. She seems pleased to be going to a new life.

| | |
|---|---|
| Is this a trafficked victim? | Yes<br>No<br>Maybe |
| Which services should be concerned? | A<br>B<br>C |
| Options for action: | A<br>B<br>C |
| What kind of assistance can be given to the girl? | A<br>B<br>C |
| Which services can provide that assistance? | A<br>B<br>C |
| If the girl is a runaway, what care options can be considered for her? | A<br>B<br>C |

### 6. *The travel agency*

In conversation over coffee, a friend mentions to a social worker that a small travel agency in town appears to be doing very good business. The owner has bought a new car, and a house in the country. This is strange, because for many years the agency barely made a living for its owner, and the economy has not improved so much as to explain the change in circumstances. Even when she had been inside the office delivering a parcel, she could not see where the new business was coming from. There were no customers, no travel posters, and the secretary seemed to be doing nothing. The social worker is curious and keeps an eye on the agency as she passes on her way to work. She notices young schoolgirls going into the office on several occasions after school hours.

| | |
|---|---|
| Are there trafficked victims going into the agency? | Yes<br>No<br>Maybe |
| Which services should be concerned? | A<br>B<br>C |
| Options for action: | A<br>B<br>C |
| What interventions can be made by state services? | A<br>B<br>C |
| If the girls are being used for the making of pornography, what care provisions should be made for them? | A<br>B<br>C |
| What specialist services will the girls need to deal with their sexual exploitation? | A<br>B<br>C |

### 7. *The school*

The teacher notices that Maria is not attending school regularly. When she does show up she seems very happy, and is wearing some nice new clothes. She has told her friends she has a new boyfriend, and that she doesn't care any more about staying in school, as he is taking her abroad soon. She laughs as she tells her friends that when she is settled in her new home, she will send for them to come and visit her. She says that she will have her own apartment, and a good job, housekeeping for a rich family.

| | |
|---|---|
| Is this a trafficked victim? | Yes<br>No<br>Maybe |
| Which services should be concerned? | A<br>B<br>C |
| Options for action: | A<br>B<br>C |
| What intervention should be made by state services? | A<br>B<br>C |
| If Maria returns home later, having been prostituted abroad, what care provisions will she need? | A<br>B<br>C |
| What specialist services will she need? | A<br>B<br>C |

### *8. The 'teacher'*

A single older man lives in a two-room apartment in a shabby building in town. His neighbour has noticed that he often brings home young boys to the apartment. The boys are aged 5 and 6 years old. When the neighbour asks him what these young boys are doing there, the man answers that he is teaching them. But the neighbour knows that the man is not a teacher, he is a gardener. One day the neighbour sees a little boy running away from the apartment, and he is crying. When he asks the man about the child, the man answers that the boy didn't want to learn any more. The neighbour continues to see young boys visiting the apartment.

| | |
|---|---|
| Are the boys trafficked victims? | Yes<br>No<br>Maybe |
| Which services should be concerned? | A<br>B<br>C |

| | |
|---|---|
| Options for action: | A<br>B<br>C |
| What intervention should be made by the state services? | A<br>B<br>C |
| If the boys are being sexually abused, what kind of care do they need? | A<br>B<br>C |
| Which services can provide that care? | A<br>B<br>C |

# THE CARE AND PROTECTION OF TRAFFICKED CHILDREN

## Basic Principles

- The best interests of the child are the primary consideration. Treat him/her as you would treat your own child and as a unique individual requiring a special approach.
- Be 'child friendly' and gender sensitive. Children are different from adults; boys are different from girls.
- Practice non-discrimination.
- Operate in a collaborative manner with all relevant agencies.

## Guidelines for Law Enforcement Personnel

- Make the child safe as a matter of priority. This means to remove the child from the presence of the suspected abusers to a place of safety and comfort. Collaboration with NGOs or with state or other agencies providing services to children will be necessary.
- Avoid any possible re-traumatisation or re-victimisation of the child. This means to avoid treating him/her as a criminal, to avoid behaving in a judgmental manner, and to avoid putting pressure on him/her to give information. Never treat the child in a degrading or humiliating way.
- Collect any possible evidence that would corroborate the suspicion that the child is a victim of trafficking with the objective of avoiding having to get evidence from the child himself/herself.
- Avoid multiple interviews of the child. All evidence collected should be documented and filed so that it is available for future reference.
- There may be important evidence that would emerge from a medical examination of the child. If this is the case, use a qualified medical practitioner to collect the evidence, and make sure that the child has suitable support during the examination to avoid further trauma.
- Verification of the age of the child is important. However, you are entitled to presume that a person is under the age of 18 if they appear to be so. A medical examination may help with the determination of the age of the young person. Otherwise an investigator should take into account the physical appearance of the child, his/her psychological maturity, documentation, and information obtained from national or foreign authorities.
- Give the child time to come to terms with what has happened to him/her. This may be a matter of days, weeks or even months. In the meantime, do not place the child in a law enforcement detention facility, but ensure appropriate residential accommodation.

- With the assistance of the appropriate professionals, make a full assessment of whether the child is capable of giving evidence that could convict the perpetrators. This means both a *Risk Assessment* of the dangers to the child if he/she becomes a witness, and a *Psychological Assessment* of whether the child would be capable of giving meaningful evidence. If, under either assessment, the child is not considered a viable witness, then no further effort should be made to obtain evidence through a statement from the child.
- Under no circumstances should a child be forced or coerced into giving evidence.
- Child victims who agree to testify must be accorded adequate protection measures to ensure their safety and that of their family members in the countries of destination, transit and origin.
- Follow the advice of the child welfare system to ensure a thorough follow-up of the child's best interests.
- Explain to the child what follow-up is being done, and engage him/her in the process.
- Ensure that a guardian or case manager is immediately appointed to take care of the child's interests.

## Priorities for Follow-up Care and Protection of Victims

- *Do a Needs Assessment*
- Refer victims quickly to appropriate services for their age and condition.
- Ensure immediate care and protection, including physical security, food, accommodation in a safe place, health care, psychosocial support, legal assistance, social services.
- Care and assistance must be suitable for the child's cultural identity/origin, gender and age.
- Care and assistance must be suitable for the protection of the child against the traffickers, other traffickers, the staff and other children in the same facility, the media, the public.
- Ensure educational possibilities and skills training as soon as the child is ready for reintegration.
- Provide appropriate assistance to children with special needs (psychosocial distress, pregnancy, etc).
- Do not return a child victim to his/her country of origin unless, prior to return, a suitable care-giver in the country of origin has agreed, and is able, to take responsibility for the child and to provide him/her with appropriate care and protection.
- Take the views of the child into consideration when considering family reunification and/or return to the country of origin.
- The reunion of a child victim with his/her family should be done through the social service authorities or other mechanism that will ensure the best interests of the child.
- The relevant Ministries, in conjunction with the relevant social work authorities and/or guardian, should establish whether or not the repatriation of a child victim is safe and in the best interests of the child.
- Children who are being returned to their own countries should be accompanied by a guardian or social worker assigned to the case until the child is placed in the custody of an authority responsible for his/her return, such as the Ministry of Interior or the International Organisation for Migration.
- If family reunification and/or repatriation is unsafe, then appropriate legal protections must be put in place for the child in the country of destination.
- If family reunification and/or repatriation is unsafe, adequate long-term care arrangements must be put in place for the child in the country of destination.
- Such arrangements should favour family/community based arrangements rather than residential care.

- An individual integration plan must be elaborated for each child.

While trafficked children are recovering, especially when they are in primary psychotherapy or counselling, it is important that they have a sense of security, predictability and control in their lives. This requires a consistent approach by the adults who come in contact with them, including the staff responsible for their day-to-day care, the professional responsible for medical treatment or therapy, and the police responsible for investigating the criminal aspects of the case.

## Issues around Repatriation of Children

The process of repatriation is a joint effort between two countries. Good cooperation and coordination will contribute to the successful and safe return of child victims of trafficking. The priority considerations should be

1 Ensuring safety
2 Carrying out a proper investigation in the country of origin
3 Elaborating a plan for social and psychological reintegration
4 Making suitable preparations for departure from country of destination
5 Arranging suitable reception in country of origin
6 Ensuring a suitable reintegration process

### *1. Ensuring safety* (See Guidelines for Law Enforcement Personnel and Priorities for Follow-Up Care above)

### *2. Investigation in country of origin*

This should include a *social enquiry* into the domestic situation, and an assessment of the parents' capacity to care for the child. It is important to consider the possibility that the parents themselves were involved in the trafficking process.

The investigation should also include a *risk assessment*. It is possible that the child could still be in danger from the traffickers, since the child will represent a form of investment to the exploiters. The child's family may also be in danger from the traffickers. Law enforcement agencies and the social services need to work together to ensure the safety of the child and the family.

*Community support* should be assessed. Many victims of trafficking are stigmatised within their communities when they return. A child should not be sent back into the community without the support of that community.

Take the *child's views about disclosure* of the trafficking abuse into consideration. The child may need psychological support in disclosing his/her abuse, and the family itself may need such support to be able to understand what the child has endured, and help him/her through the reintegration process.

### *3. Elaborating a plan for social and psychological reintegration*

The plan should include

- Proposals for safety measures (placement in a shelter for victims of trafficking/placement in a foster home/family reintegration)
- Proposals for education (school reintegration)
- Professional courses (obtaining a qualification for employment)
- Proposals for psychological counselling (both family and child)
- Measures for offering legal support (in proceedings against the traffickers, in getting legal documentation)

The plan should be realistic and offer concrete information about the situation in the country of origin. The responsibility for informing the child about the home situation lies with the social

workers from the country of destination. The information should be realistic and contain no false promises.

*4. Preparation for departure*

Counselling sessions in the country of destination should provide the opportunity for the child to express his/her hopes, dreams and fears. The information thus obtained is important for the specialists from the country of origin, because they will need to implement the reintegration plan in accordance with the child's expressed needs and best interests.

Prior to departure, arrangements must be made for

- Legal documentation (passport, departure and entry papers)
- Travel arrangements
- Material support (clothes, food)
- Travel escort
- The institutions in the country of origin (border police, international agencies, NGOs, social services) must be informed about the arrangements and of any special needs of the child

*5. Reception*

The local authorities should receive the child at the border crossing in the presence of the border police. The first contact with the child should take place in a child-friendly environment and in the presence of specialists who can assist child victims of trafficking. After reception, the child should be accompanied to a safe centre for child victims of trafficking.

*6. Reintegration process*

The reintegration process is a long-term one. The pre-existing problems of the child are even more acute than before the trafficking events, and the psychological effects of the trafficking period are very difficult to remove. The implementation of the plan for reintegration must take account of the trafficking history, the child's level of development, medical problems, the family situation, and the child's educational and vocational needs.

## Special Needs of Children who have been Sexually Exploited

Children who have been sexually abused and exploited are likely to have increased problems with health, such as sexually transmitted diseases, pregnancy, and psychological trauma. The health problems, being more obvious, are easier to address than the more subtle psycho-social impacts. The experiences such children have endured can affect their behaviour, and make the rehabilitation/reintegration process very challenging. They may have unresolved issues of sexual abuse, violence or neglect that occurred even prior to their exploitation in the trafficking.

For example, sexually exploited children may demonstrate

- *Sexualised behaviour*

  During abuse, a child's sexuality is shaped in inappropriate ways. As a result, children can become confused and have misconceptions about sexual behaviour and sexual morality. Unpleasant memories may be associated in the child's mind with sexual activity. If rewards have been given for sexual behaviour, children can learn to use such behaviour as a strategy for manipulating others in order to get what they want.

- *Problem behaviour*

  Sexual abuse and exploitation give children negative messages. Typically such messages affect children's ideas about themselves and their sense of worth, leading to feelings of self-blame. They may even run away from their protective environment and return to the exploitative situation. They can develop risky and dangerous behaviour, such as drug and alcohol abuse, partly as an 'escape'

but also because the child may feel unimportant and worthless.

- *Attachment difficulties*

Sexual abuse almost always involves the betrayal of the child's trust in an adult. People build their relationships on the basis of those that they have previously encountered. Therefore children who have been sexually abused typically find it very difficult to trust other adults. Part of our idea about ourselves is based on the nature of the relationships that we have with others. Therefore, for example, if a child does not experience a loving relationship with a trusted adult, he/she may gradually internalise that to mean 'I am not loveable'. This has implications not only for behaviour as a child, but also as an adult.

A consequence of sexual abuse is that the child's wishes, will and self-determination have been overruled in favour of the dominant wish of the more powerful adult or peer. Feelings of being powerless lead to feelings of vulnerability and, as a result, the child may seek out situations where they can feel powerful and in control.

The needs of children who have been subjected to commercial sexual exploitation should be assessed by health professionals who have experience of such cases. An appropriately trained expert will have the skill to recognise and uncover the specific forms of harm common to sexually abused children, as well as the sensitivity needed to enable children to talk about sexual abuse. He/she will also have an informed understanding of prognoses and paths to recovery.

These are the Services needed for the Rehabilitation/Reintegration of Children who have been sexually exploited include:

- HEALTH: Personal hygiene, nutrition, sex education, aftercare from the effects of drugs and alcohol, HIV and other STDs…..
- EDUCATION: Functional literacy and numeracy (e.g. dealing with money, time, etc.)
- POLITICAL: Access to justice, advocacy, rights…..
- ENVIRONMENT: Physical protection and basic needs, emotional safety…..
- VOCATIONAL TRAINING and income-generating schemes.
- PSYCHOLOGICAL SERVICES: To help undo the damage, e.g. creative therapy, group work, counselling…
- SOCIAL SKILLS: Protection and 'keep safe' understanding, new ways of relating to adults and other children…..

Even children who have been primarily exploited for their labour may also have been subjected to sexual abuse. They therefore also require specific treatment, but may be even less willing to admit that they were abused than children who were found being sexually exploited.

While it is important that sexually exploited children be checked for sexually transmitted infections, including HIV/AIDS, it is equally important that teenagers who are mature enough to understand the consequences *not* be compelled to test for HIV/AIDS. Those who do agree to be tested should receive pre-test counselling, as well as after-test counselling if the tests are positive.

The course of treatment for social and emotional problems takes time to have the desired effect. This is one reason for trafficked children to remain in residential care.

A rehabilitation and recovery programme for sexually exploited children has three stages:

- Establishing safety
- Exploring the traumatic experience
- Active pursuit of social re-connection.

The *first stage* involves the establishment of a safe environment, both emotional and physical, and the meeting of basic health needs, including sleep, food, exercise, and the control of self-destructive behaviours.

The *second stage* is only started once safety has been established. The child must be ready, and the work of exploring the traumatic experience must be done at the pace of the child. This work is often best done in support groups. It involves empathetic listening to the child, from a non-judgemental stance on the part of the worker.

The *third stage* of active social re-connection requires appropriate peer group support. It includes the exploration of ways in which non-abusive relationships with both family and strangers can be established, and the re-learning of ideas about self, including confidence and self-esteem. Links with societal structures, such as church, school, sports clubs, are gradually established. Finally, opportunities to develop the child's independence are identified.

## Qualities required of Carers of Sexually Exploited Children

In general, a good Carer will

- Be able to work collaboratively with other professionals and important people in a child's life, such as teachers and family members
- Provide structure and routine and meet the physical care needs of children
- Act as role model where appropriate
- Identify and develop the strengths of children
- Assist children in developing appropriate support and social networks
- Help children to learn 'life skills' that will assist them in living independently as an adult.

However, in addition to the normal qualities required of a good carer, Carers of children who have been sexually abused or commercially sexually exploited need to have professional training. They must be able to:

- Identify the additional physical safety needs required to protect children from placing themselves in positions of danger
- Know how to manage challenging behaviour and be able to work with children who misuse substances
- Provide emotional safety so that the child can begin to 'unpick' some of the unhelpful ideas they have about themselves and the adult world, and to experience healing and appropriate relationships with adults. To provide such emotional safety, Carers need to be reliable, consistent, dependable, trustworthy and patient.

# SESSION 7
# INVESTIGATING CHILD TRAFFICKING OFFENCES

## Objective

In this session, the objective is to increase the awareness of the participants about the complexities of the crime of human trafficking, and the need therefore to have such crimes investigated by the right professionals. A further objective is to demonstrate the particular vulnerabilities of children as the victims of trafficking crimes, and the duty to protect them in the course of a police investigation.

## Instructions for the Trainer

*Remember that only police professionals who have received specialised training do criminal investigations.* In many countries there are even specialised anti-trafficking units in the police. For this session, you need to have a clear understanding about the level of expertise of the participants. You do not want to offend the specialists, or to give an incorrect impression to non-law enforcement personnel.

For the group work, it is best if at least one person in each group knows how police work is done in a criminal investigation. If there are professional police or prosecution investigators among the participants, then you should give them a leadership role in the 'Investigations'. This will enable the other participants to really understand how a criminal investigation is done professionally, and the importance of preserving evidence.

It is important to highlight the situation of the child victim, and his/her 'best interests', in the investigation scenarios. In the discussion after the groups have told each other about their plans, you should encourage the participants to critique the plans from the point of view of the children involved in the cases.

## Suggested Workshop format

a. Divide the participants into groups of 4-6 and ask them to read together through Fact Sheet 7.
b. *Alternative:* Present Fact Sheet 7 as a Power Point presentation.
c. Brainstorm to encourage the participants to suggest more guidelines of what is important in the investigation of trafficking offences, with particular reference to child victims. Write up any additional points on the flip chart.
d. Divide the participants into two professionally mixed groups. Each group will plan a police investigation and raid. One group will use Worksheet 7A and the other will use Worksheet 7B to outline their plan and to list the actions they will take. Each group should write the main points of the actions it will take onto a page of the flip chart.
e. Using their flip chart page, the participants from each group report to the other group on their plan of the investigation, how they will go about the collection of evidence, and how they will handle the suspects and victims they encounter.
f. Ask the participants from each group to comment on the report of the other group using the questions:

- Were child victims put at risk during your investigation and raid? If so, what were those risks?
- Were there ways in which you could have protected the children better? What could you have done?
- Will you need to rely on the evidence of the children in court, or will you have enough to get a conviction without their evidence?

| | |
|---|---|
| **Resources/Materials needed: Copies of Fact Sheet 7, (Power Point presentation/Overheads; Multimedia projector/Overhead projector), copies of Worksheets 7A and 7B, pages from the flip chart, flip chart, marker pen, extra paper, pens.** | **Anticipated time: 2 hours.** |

WORKSHEET SESSION 7

# 7A PLANNING AN INVESTIGATION: THE JOB-AGENCY

## Circumstances

A taxi driver has reported to his local police station that he was taking some young girls from an office in town to the airport and one of the girls was very upset and crying in the car. She seemed to be upset at photographs that were taken of her, and was telling the other girls that 'she was not that type of person', and asking why it was necessary to have photographs taken with no clothes on for a job in a hotel abroad. The taxi driver believes that there is something 'fishy' about the office where he picked up the girls.

The police officer that takes the report from the taxi driver passes it on to his superior. The senior officer decides that the police should investigate this agency. Initial enquiries show that this is a business that arranges jobs abroad for young women, with the incentive that they can also study in a foreign country and learn a foreign language.

The police start an investigation into the agency. They suspect that it is in fact recruiting young women to work in the prostitution business abroad. It may be also making pornography. The agency is located downtown in the business section of a large city.

## The Task

Plan the investigation, including a raid on the agency.

Detail the work that will be done prior to the raid being carried out, which might include:

- surveillance
- taking of a statement from the taxi driver
- identification of any other relevant evidence about the agency
- requesting assistance from specialized police officers or other experts
- check of Missing Persons list; using taxi driver to identify possible victims; interviewing parents of missing persons
- requesting assistance from government or non-governmental child welfare organizations
- notification to border police and enquiries with the airport police

In planning the raid, take account of:

- the timing of the raid
- the search warrant you will need
- the personnel that should be present for the raid
- the back-up support you might need from your colleagues
- the back-up support you might need from other persons/organisations
- how you will handle any evidence you find
- what you will do with that evidence
- how you will handle any suspects you find
- how you will handle any clients of the agency you find
- how you will handle any victims of the agency you find, including minors
- what difficulties you might encounter in getting cooperation from others

Outline the plan of action for the investigation and list the actions you propose to take:

**Plan of Action:**

## List of Actions (who, where, what)

☐ _____

☐ _____

☐ _____

☐ _____

☐ _____

☐ _____

WORKSHEET SESSION 7

# 7B PLANNING AN INVESTIGATION: THE BROTHEL CATALOGUE

## Circumstances

A man tells a friend of his that he frequents a brothel in town, especially when his wife is away on business in another town. He himself is a rich businessman. He tells his friend that the clients of the brothel can choose their partners from a catalogue, and that he was surprised to see that very young girls and even boys were on offer. The ages were not given in the catalogue, but it was clear from the photographs that there were children on offer, and the catalogue encouraged clients with words like 'Baby Chick', and 'School Scamp'. However, he personally does not feel comfortable having sex with a minor, since he has young children himself, and he has not used one of these young prostitutes. He does, however, like to try out the different adult women in the brothel. There is a very wide choice, including African and Asian women. The friend is appalled at the idea that foreign women and children are being used for sex in his country. In his opinion this is encouraging the spread of AIDS. He telephones the police and reports the brothel, but does this anonymously, as he does not want to give the name of his friend, or his own name, to the police.

The brothel is in an apartment block in a prestigious part of the city. The police are concerned that some of the clients might be quite influential members of society. It is likely that the means of communication between the persons who own the operation are sophisticated, because this appears to be a high-class operation and highly secretive.

## The Task

Plan an investigation into a possible human trafficking operation, including a raid on the brothel.

Detail the work that will be done prior to the raid being carried out, which might include:

- staking out the brothel
- following any suspects emerging from it
- taking statements from the owners of property in the same building, or from businesses in the immediate vicinity
- enquiries with foreign police forces
- check of Missing Persons list
- requesting assistance from government or non-governmental child welfare organisations
- requesting assistance from specialised police officers or other experts
- checking newspapers or magazines for advertisements which might relate to the brothel

In planning the raid, take account of:

- the timing of the raid
- the search warrant you will need
- the personnel that should be present for the raid
- the back-up support you might need from your colleagues
- the back-up support you might need from other persons/organisations

- how you will handle any evidence you find
- what you will do with that evidence
- how you will handle any suspects you find
- how you will handle any clients of the brothel you find there
- how you will handle any adult prostitutes you find there
- how you will handle any prostituted children you find there
- what difficulties you might encounter in getting cooperation from others

Outline the plan of action for the investigation and list the actions you propose to take:

**Plan of Action:**

## List of Actions (who, where, what)

☐ _____

☐ _____

☐ _____

☐ _____

☐ _____

☐ _____

☐ _____

# INVESTIGATING TRAFFICKING CRIMES

1. In a criminal investigation, the task of the police officer is to
   - Establish that an offence was committed
   - Gather evidence of that offence
   - Find clues to assist in identifying the offender
   - Preserve the evidence
   - Prepare the case for the prosecutor
   - Present the evidence in court.

The crime of trafficking in human beings is different from other serious crimes because the scene of the crime is not always obvious, and it can move from place to place, and even into other countries.

Therefore
- wherever the victim is should be regarded as the first scene of crime
- where a number of venues are known, evidence should be gathered from each place.

It is part of the role of the police officer to protect victims from any form of harm or loss of life. In a case of human trafficking, the offences have been committed against the persons who have been trafficked.

2. In offences which involve the trafficking of human beings, victims are in danger of further abuse from their traffickers, and they are also likely to be further victimised and stigmatised when they return home. Therefore the protection of victims includes:

   - non-disclosure of their identity so that the fact of their victimisation does not become public knowledge
   - ensuring the security of their person so they are not further victimised
   - ensuring confidentiality of the information surrounding their experiences so as to avoid stigmatisation.

*Child victims are particularly vulnerable.*
Care should be taken that appropriate arrangements are made for the protection and welfare of such victims after they have been removed from a crime scene.

3. Coordinating the investigation is the role of the police officer in charge of the investigation. This police officer should carefully plan his/her investigation. In doing so, he/she should determine any assistance that he/she will require in gathering evidence from the victims, the witnesses, the crime scene, and the suspects.

If a raid is planned on a premises where victims of trafficking may be held, local conditions will dictate the level of resources needed. However, the following skills should be represented in the arrest team:

- if relevant, interpreters of the language of the suspects and the victims
- video and still photographers
- specialist search team
- forensic examination team
- specialist technical support, such as computer specialists

4. The arrest team should be divided into two segments: one part to remove and protect the victims, and the other to arrest and deal with the suspected traffickers. The victims should be removed from the scene as soon as possible to prevent the traffickers from intimidating them. They should also be protected from the media.

5. A video recording should be made of the arrests of the suspects, because it could provide useful evidence at a trial. Photographic evidence should also be collected. This might include photographs of injuries to victims, photographs of the crime scene, photographs of the location of physical evidence at the crime scene, and photographs of the suspects.

6. Where victims are found at a crime scene, they should be given the opportunity to collect their possessions. They should be taken to a different police venue from where the suspects are taken. They may be suspected themselves of committing crimes, such as travelling on false documentation. However, it is important that they are recognised at this stage as valuable witnesses to the larger crime of human trafficking.

7. Medical examination of the victims may be important, especially in the case of suspected sexual exploitation. The examination should take place at the earliest opportunity. *Where children are among the victims, they should be accompanied and supported by a suitable person or their guardian during a medical examination.*

8. The safety and welfare of witnesses is paramount. They are the victims of serious crime, and must not be re-victimised by law-enforcement agencies. Young persons under the age of 18, or suspected of being under that age, should be separated from adults and removed to a place which is not intimidating and is suitable for young persons. This might be into the care of a state agency, an NGO, or an inter-governmental agency. Therefore it is important to have established prior links with such agencies.

   If the law of the country allows for it, a legal guardian should be appointed for a child victim at the earliest opportunity. There are two types of guardians: a legal guardian who protects the child through the criminal justice system, and guardians who have a more general role in following up the best interest of the child in cooperation with that child.

   The police may need to connect with the national child welfare system to get guidance on safe housing and follow up care.

   The child might be interviewed to find out about their level of involvement in the criminal follow up. However, the child should not at any time be forced to participate in police or prosecution follow up. *Where the victims of a suspected trafficking operation are children, their 'best interests' take priority over everything else.*
   Where the age of a young person is uncertain, it should be presumed that he/she is under the age of 18.

9. The search of a premises suspected of being a crime scene for human trafficking needs to be comprehensive

and thorough. Even the smallest piece of documentation may contain important evidence, and could be crucial to a successful prosecution. Everything that can be seized at the crime scene, should be taken. Evidence should be properly sealed and recorded. If possible, the suspect from whom property is seized should countersign the inventory of seized items at the conclusion of the search, and before the premises is vacated. Exact records should be made of which individual was in possession of which item of property. Expert technical support should be used to disconnect and remove computer equipment.

Evidence will include:

- advertisements, appointment books, correspondence, keys
- cash, cheque books, credit cards, documentation relating to financial transactions, evidence of the rental of premises
- documentation to show payments made by the victims to the traffickers
- identification and travel documents, tickets
- documentation relating to travel including employment contracts, language school enrolments
- documentation or evidence showing prostitution, including condoms, sex aids, pornography, price lists
- all forms of communication and information, including mobile telephones, computers, personal organisers, Internet sites
- valuables that show expenditure in excess of known legitimate income

10. All the relevant premises should be thoroughly searched. This includes recruitment premises, 'safe houses', brothel premises, and home addresses of the suspects. Prior to searching, a video recording should be made of each room. This will be useful to corroborate witness statements later. Any brothel premises should be video-recorded in detail. This will show the character of the premises. Vehicles should also be searched.

11. Where child victims have been found, contact should be made with the child's parents or guardians. However, the parents themselves may be abusers, or part of the trafficking network, so the investigator must ensure that the child is willing for this contact to be made, and that it is safe for the child to do so.

12. Collaboration and cooperation with foreign police forces and with local non-governmental organisations can be important during a trafficking investigation. Links should be established in the course of planning the investigation so that information and assistance can be accessed quickly in case of need.

13. In collecting evidence for cases involving human trafficking, it may become clear that the victims are not capable of being witnesses to the crimes. Fear and trauma may affect them too deeply for them to be competent witnesses. This is especially the case where the victims are children. Therefore proper collection of all other available evidence becomes very important.

14. Where the victims are children, *the proof of their exploitation (their use for the profit or benefit of another person), together with proof of their 'recruitment, transportation, transfer, harbouring or receipt' will be enough to establish that the crime of human trafficking has occurred.*

# SESSION 8
# INTERVIEWING CHILDREN

## Objective

This session addresses the issue of obtaining evidence from a minor for the purposes of prosecuting a crime of human trafficking. The objective is to increase the understanding of the participants about children who have suffered trauma and to improve their professional responses to such children.

## Instructions for the Trainer

Fact Sheet 8A for this session contains Guidelines for obtaining evidence from and interviewing child witnesses. Fact Sheet 8B explains the model used by police in the Netherlands for interviewing very young children. Time will be needed for the participants to absorb the information. You could consider making a presentation on Power Point, or asking a child psychologist to make an expert presentation. You could also consider asking a young person to act as a resource for this session, and to contribute to the discussion and role play.

It is then suggested that a 'brainstorming' or discussion be held with the participants on how those Guidelines would be applied in practice, and in the circumstances of professional practices in the country. You should lead the discussion, using the questions provided, and relating them to the guidelines and the Dutch model. Encourage the participants to consider the interests of the child victim. This involves thinking about alternative ways in which evidence might be acquired that would not prolong the trauma for the victim, or ways to avoid interviewing the child completely. As an alternative, you could do the Case Studies first, and use the Fact Sheets as guidance.

Two Case Studies are provided in the Worksheet, but you can always come up with your own Case Study if you have one that is relevant and will provide a good learning experience.

The idea of asking the participants to suggest questions to the child in the Case Study is to use the group dynamics to find the best way in which to interview a child. The law enforcement participants will want to ask very clear and obvious questions, while the caregivers will want to find the information in a more gentle way. But it is also important to remember that the answers to the questions can provide important evidence. By working together, the professionals from different fields of work will appreciate how the other disciplines approach the problem of communicating with a child.

An alternative way to manage this session is to use a video demonstrating a role play of

a police interview, and to discuss it with the participants, identifying the good and the bad aspects of the interview.

For this session, it is important to give sufficient voice and role to the caregiver participants. They will probably have more experience of working with children in difficult circumstances and will have good insights to share with the law enforcers. On the other hand, your country may already have specialized police trained to interview children whose members have pedagogical backgrounds and training in psychology. Such police may have good examples to present; they may even already apply the model described in Fact Sheet 8B.

Pay attention to the way participants use the tones in their voices, and get them to think about the effect a different tone of voice can have.

See if the participants have suggestions to make about how the situation in the Case Studies should be handled, so that the child will feel more comfortable. The recommendations should be relevant to the age and nationality of the child.

See if the participants can come up with some basic rules for making children feel safe. Try to get the participants to realise that in order to communicate with a traumatized child they need to understand what the child is feeling. One way to make the problem real is to ask the participants to tell their neighbour about their last sexual experience. No one will want to do this, and you can use this realization to point out how difficult it will be for a child to recount their sexual encounters with adults.

## Suggested Workshop format

a. Ask the participants to read the Guidelines and the model for obtaining evidence and interviewing children in Fact Sheets 8A and 8B.
b. *Alternative:* Present the Fact Sheets on Power Point.
c. *Alternative:* Arrange for an expert to give a presentation explaining the psychological development of children, and to give guidelines for interviewing children.
d. Brainstorm in a large group on the practicalities of applying the guidelines contained in the Fact Sheets (or given by the expert) by asking the following questions:
   - What practical difficulties would we have in applying these guidelines in our actual working conditions?
   - How might the difficulties be overcome? Write the conclusions on the flip chart. Discuss the conclusions from a child protection perspective.
e. Hand out Worksheets 8A and 8B which contains casestudies. Ask the participants to suggest questions that they want to put to each of the victims in the case studies. As the questions are suggested, write them up onto the flip chart. After each suggested question, check whether any participant can suggest an alternative wording for the question, with more child-friendly language. Discuss the merits of the different options from the point of view of protecting the child victim and obtaining valuable evidence.
f. *Alternative:* Divide the participants into pairs and get them to 'role play' the interviews of the children in the Case Studies, with each one playing in turn the part of the child and the other playing the part of the professional. Ask the pairs to report back on whether as the child they felt safe, and whether as the professional they gained relevant information.

g. *Optional:* Ask the participants to make 3 suggestions on each Case Study about ways in which the child victim should be protected (e.g. location of the interview, gender of the interviewer, etc.)

h. *Optional:* Ask the participants to make a list of tips on how to protect children who are encountered in the course of a criminal investigation. Write the tips on the flip chart (e.g. place the child with other children, call the social worker…)

| | |
|---|---|
| **Resources/Materials needed: Copies of Fact Sheets 8A and 8B, (Power Point presentation/ Overheads; Multimedia projector/ Overhead projector), copies of Worksheet 8 with Case Studies 8A and 8B, flip chart, (video role play), (paper for writing), marker pen, pens.** | **Anticipated time: 2 hours.** |

WORKSHEET SESSION 8

# 8A CASE STUDY - SONIA

The victim is a girl, who appears to be aged about 16. We will call her 'Sonia'.

'Sonia' has arrived in the country by 'plane from The Netherlands. At the airport, the Passport Control officers notice that her passport is false. It is actually the passport of another girl, Maria, which was stolen two years earlier. Maria's passport identifies a girl who would now be aged 20.

'Sonia' appears to be a national, because she speaks the language fluently. She tries to persuade the passport official that the passport really was hers, and that she is the 'Maria' named on the passport.

The official is not at all convinced, and removes her to a small room at the airport where she is further questioned.

'Sonia' is very reluctant to give any information to the officer who questions her. She will not say where she comes from, how she is in possession of the passport, what she was doing outside of her country. She appears to have no money. When the officials examine her luggage, they only find some clothes and toiletries.

'Sonia' does not appear to be in good health. She is pale and very thin, and her skin is in bad condition. She is very nervous and upset.

The criminal police are called in to investigate the matter.

## You want to find out what has happened to SONIA. What questions would you ask in the interview?

**Sample:**

Question: We know your name is not Maria. What is your real name?
Alternative: How are you feeling? Would you like something to drink? What did your best friends call you at school?

Question: What is your address in this country?
Alternative: Is there anyone you would like me to contact for you? Does your family live far from here?

Question:
Alternative:

Question:
Alternative:

Question:
Alternative:

## Make recommendations for the best way to handle the interview situation

Recommendation 1:

Recommendation 2:

Recommendation 3:

## WORKSHEET SESSION 8

# 8B CASE STUDY - KATY

A police raid has been carried out on a brothel.

In the course of the raid a number of persons have been found on the premises. One is a middle-aged man who appears to be a client. One is a middle-aged woman who appears to be the 'Madam'. She is a national. There are four young women, all of whom appear to be in their twenties. Two of them are nationals, and the other two are foreign. There is one small girl, who appears to be aged about 10.

The child does not have any papers. The middle-aged woman says she is minding the child for a relative, but will not give the name of this person, and insists that she wants her lawyer present before she answers any more questions.

The young women tell the police that they don't know where the child comes from, as they cannot communicate with her. However, they say that the child is called 'Katy'.

The child does not speak the local language very well, and cannot answer any questions put to her by the police. She appears to be drugged.

She is immediately taken to a hospital by the police while they continue with the investigation. They discover the child comes from Russia. However they have no idea how she arrived in the country.

A few days later, one police man is instructed to interview the child. He brings an interpreter with him.

## You want to find out what has happened to KATY. What questions would you ask in the interview?

**Sample:**

Question: How long have you been in this country?
Alternative: I've brought someone who can talk in your language. Are you feeling better?

Question: Who brought you from Russia?
Alternative: Can you remember your Mama? Do you miss her?

Question:
Alternative:

Question:
Alternative:

Question:
Alternative:

## Make recommendations for the best way to handle the interview situation

Recommendation 1:

Recommendation 2:

Recommendation 3:

# 8A OBTAINING EVIDENCE FROM A CHILD TRAFFICKED VICTIM

1. Children who have been trafficked will have suffered serious abuse at the hands of their exploiters. The abuse may involve rape, beatings, and deprivations of various kinds. As a result, they will probably suffer from a serious medical condition known as Post Traumatic Stress Disorder, or trauma. Their behaviour will be affected to the extent that they will not be able to respond as a young person of their age would normally respond. They may
   - De-personalise the abusive experience, and regard it as having happened to another person
   - Not remember where they have been or what happened
   - Appear apathetic and disinterested, or 'numb'
   - Suffer 'flashbacks' and become extremely distressed
   - Have an emotional attachment to the abuser and seek to protect him/her
   - Be afraid and scared.

2. The recuperation and recovery of children who have been traumatized by their exploitation is a long process that requires both time and specialized support. In the meantime, they may display hostility towards their rescuers, and have extreme difficulty in trusting and integrating into their new situation. The longer the time between the contact with the traffickers and the interview, the more likely the child will be to feel safe and to disclose details of the experience.

3. The child may be terrified by threats of reprisals by the traffickers against his/her family, or the possibility of shame and rejection by his/her family. The child may also be afraid of being prosecuted for criminal offences.

4. The young victim may deny that he/she has been trafficked, be unable to give coherent information, or be inconsistent or contradictory in the statements made.

5. No incentives to give evidence may be offered to child victims of trafficking in exchange for giving evidence, such as temporary residence that might be offered to adults. The safety of the child may not be jeopardized in order to secure a conviction.

6. An investigating police officer is challenged by the need to
   - Identify whether the young person is actually the victim of a trafficking operation.
   - Identify whether the young person is under

the age of 18, and therefore entitled to the presumption of being a victim in a trafficking operation.
- Find out whether the trafficked child is a useful potential witness against the traffickers, and capable of giving the necessary evidence.
- Carry out a formal assessment of the risks to the safety of the trafficked child, and his/her family or close associates, so that adequate protections can be put in place. (The assessment should examine whether any threat exists to the child not only during legal proceedings, but also afterwards, and in the country of origin, destination, or third country.)
- Put the 'best interests' of the child first. This may mean that no interview can take place at all, for example if the 'best interests' of the child dictate that the victim be returned to his/her country of origin, or reunited with his/her family immediately.

7. *Guidelines for interviewing*

Interviewing children in relation to criminal matters is a skill, and should only be done by officers who have been trained. This Fact Sheet should not be considered adequate to constitute such training.
If it becomes necessary to interview a child victim of trafficking, then the following guidelines should be applied in arranging the interview:

- Ensure that the child has a support person present during the interview. This could be a relative, but only if there is no suspicion that the relative was involved in the abuse of the child. Otherwise it could be a social worker, or a person who has been involved in the care of the child since the rescue. A legal guardian should be appointed if possible.
- Ensure that there is a person who can interpret in a sympathetic manner if the child is a foreign victim who does not understand or speak the local language.
- The gender of the investigator and interpreter may be important; a child who has been sexually and/or physically abused by men will probably feel safer in the presence of women. Sometimes, however, children (including girls) prefer talking to a man. Having perceived them as "protective" figures, it is sometimes easier for children to communicate with men. Therefore, interviews with children should be carried out through a team approach involving both a woman and a man.
- Avoid a multiplicity of interviews. If possible, arrange one interview only, taking time to involve all the relevant authorities in its planning. Care should be taken to avoid intimidating the child with too many people present, but it is also important to ensure that the child will not be subjected to several interviews and to re-live the abuse repeatedly. All persons participating in the interview must clearly understand their roles.
- Always use simple language, taking into consideration the age, apparent maturity, and intellectual development of the child. Use vocabulary that is understandable to the child at his/her level of development.
- Under no circumstances should the suspected offender or any person associated with him/her be present.
- The child should be completely shielded from any contact with the media.
- Record the interview on video tape, or at least on cassette (or other electronic equipment) if at all possible. If recording the interview in writing, ensure that it is accurate by checking with the child at the end of each answer.

Here is a simple framework from the Manual of the Consortium on Street Children[1] for the appropriate way to speak to children during interviews:

| Avoid | Use |
|---|---|
| 1. Long sentences<br>2. Complicated sentences<br>3. The passive voice ('What was done by him?')<br>4. Negative sentences ('Didn't you tell her?')<br>5. Questions with more than one meaning<br>6. Double negatives ('Didn't your mother tell you not to go out?')<br>7. Hypothetical questions ('If you are tired, tell me') | 1. Short sentences<br>2. Simple sentences<br>3. The active voice ('What did he do?')<br>4. Positive sentences ('Did you tell her?')<br>5. Questions with only one meaning<br>6. Single negatives ("Did your mother tell you not to go out?')<br>7. Direct approach ('Are you tired?') |

Another suggestion is to use the technique of *Active Listening* when interviewing children. This technique works on the basis that a child is much more likely to continue his/her story if he/she is met with constant verbal and non-verbal approval. It relies on the repetition back to the child of the facts that he/she has just delivered. For example:

*Child:* He then slapped me in the face.
*Interviewer:* He slapped you in the face?
*Child:* Yes, it was awful. It hurt, and I started to cry.
*Interviewer:* It hurt you, and you felt awful?

But the interviewer has to be careful not to bring in emotions or events that have not been expressed by the child, because otherwise this could distort the evidential value of the interview.

8. *Location of the interview*
   The location of the interview can significantly affect the responsiveness of the child. Ideally it should be
   - Comfortable, friendly and inviting for the child and the police officers.
   - Attractive to children, with things like dolls, coloring books and pencils for young children, and colorful furnishings for older children.
   - A private and quiet area.

   If there is no suitable area at the police office, arrangements should be made with a care organization to conduct the interview at their premises.

   If the room is equipped with a one-way mirror so that the interview can be observed from outside, and a system for recording the interview on video, it improves the quality of the investigation.

9. *Prepare for the interview*
   This includes obtaining background information on the child beforehand. Background information on the child may be obtained from the child himself/herself,

[1] *Police Training on Child Rights and Child Protection 2004*

but in this case, it should be obtained in a prior informal interview dealing only with biographical data and social history. Once obtained, this information will not only help the police officer to situate the child in the criminal investigation, but will also help in building up a rapport with the child during the formal interview.

The interview questions should be planned in advance, to ensure that all the elements of the crime under investigation are covered. The officer should also find out what measures will be put in place or are in place to protect the child, and what is planned for the immediate future for the child, so that he/she can answer any questions from the child about future arrangements.

10. *Avoid confusion and fear in the child*

During the interview itself, care must be taken to avoid confusion and fear in the child. Therefore the investigating officer should

- Remain calm and kind throughout the interview. Adopt interested and good eye-contact with the child, and speak to the child from a position that is at eye-level to him/her.
- Avoid frowning or body language that conveys a negative attitude.
- Understand the basic needs of the child for toilet breaks, something to drink, not to sit still for too long.
- Use any of the background information that you have learnt about the child in a manner aimed at making them feel comfortable and safe to disclose sensitive matters to you.
- Always show a caring attitude to the child, but avoid touching them. The support person can touch the child if he/she becomes distressed.
- Explain how the interview is being recorded, and explain that they must speak slowly and clearly.
- Introduce the other persons present and explain their roles.
- Be completely honest about the reason for the interview and the context of a criminal prosecution, but using words and language that are appropriate to the age of the child's understanding.
- Do not pre-judge or show any displeasure if the child reveals details of his/her abuse or exploitation.
- Do not offer the child any inducements for talking to you.
- Do not interrupt the child, unless to clarify a piece of information he/she is giving you.
- Avoid asking leading or suggestive questions. Allow the child to tell the story in their own way and in their own time.
- Avoid asking more than one question at a time.
- Avoid asking the question 'Why', as this will cause the child to feel responsible for causing their own exploitation.
- Explain to the child the guarantees in place for their safety, and what will happen after the interview is over. This will include an explanation of when a prosecution is likely to take place, the child's role in that prosecution, and the safety measures in place to protect the child from recrimination from the traffickers.
- Make clear to the child that he/she cannot be forced to give evidence if they do not want to do so. This may involve explaining the use to which the information that has been obtained in the interview will be put.
- Allow the child to ask you any questions they feel are important. Be honest in your answers.
- Repeat to the child the evidence he/she has given you, in words that he/she

can understand, and give him/her the opportunity to add to the statement, or clarify anything in it.

- If the child is a foreigner, find out whether he/she wants to return to his/her country and family. Check the child's preferences, and the background, without making promises about what will happen in the future. Make sure that a legal guardian is appointed for the child.

11. *Guidelines for age determination*

It can often be difficult to know whether the young person in front of you is really a child.

- Ask him/her how old he/she is.
- If he/she doesn't know, or you don't believe the answer you are given, ask questions that give you an idea of the approximate age. For example 'Do you remember….?', 'Were you born in the year that….?', Were you at school before….?'
- Use your judgment based on other children that you know or ask a medical professional to help with determination.
- If in doubt, always treat him/her as a child.
- If you are contacting the child's parents/ guardians, ask them to bring identification if possible.

12. *Preparing a child witness for court*

If the child has been assessed as being a competent witness and is willing to testify, then good preparation is important. The following steps should be taken by the law enforcement officer dealing with the case:

- Notify the child, the parents or the carer of the date and time of the court hearing; ensure that a support person and a legal guardian can accompany the child while he/she gives evidence.
- If possible, ensure that the evidence of the child can be taken by video link from a safe location and in the presence of a support person and/or a legal guardian.
- If the evidence is being taken by video link, explain to the child how this will work.
- If the child has to appear physically in court, then, before the hearing date, take the child into the courtroom where the case will be heard, and show him/her the location.
- Give the child the opportunity to sit in the witness box, and talk to him/her while in the box so that the child can become familiar about being spoken to in that position.
- Indicate to the child where each person will sit when the case is being heard; if possible introduce the child to the prosecutor in advance of the hearing.
- Explain to the child the roles of the persons involved in the case, including the judge, prosecutor, defence counsel, court recorder etc.
- Explain to the child that the offender will also be in court, and explain why he will be there, and the kind of security measures that are in place to prevent the offender from escaping.
- Explain to the child the kind of questions that will be asked, and the way in which he/she can answer the questions, e.g. by taking time to think about the answer, by asking for clarification if the question is not understood, by only answering the question asked, etc.
- Explain to the child what will happen during cross-examination, and reassure the child about his/her status as the victim in the case

## REMEMBER!

*If a child is begging, 'loitering', or is the victim of commercial sexual exploitation (in prostitution) he/she should NOT be considered as being in conflict with the law. If the national law in your country states that these are criminal acts, then the national law is contrary to international human rights standards. Such children are in need of care and protection. It is the 'clients', pimps, traffickers and exploiters who are guilty of offences and who must be prosecuted, not the children themselves. Treat the child as being in need of care and protection or, if there is evidence enough to pursue a criminal case against the abuser, treat the child as a victim in terms of interviewing and procedure. In any case, treat such a child psychologically as a victim/survivor: be sensitive, understanding and compassionate at all time.*

# 8B THE 'SCENARIO MODEL' A METHOD FOR INTERVIEWING YOUNG CHILDREN USED BY POLICE IN THE NETHERLANDS[2]

Public discussion in the Netherlands about incest and sexual abuse of children led to an increase in the reporting of such crimes during the 1980s. At the same time, international research had established that young children could in fact be reliable witnesses for court proceedings.

The idea grew that interviewing children is part of the job of the police, but only when the police officer has been professionally trained. In the Netherlands, a police officer must be certified to interview children under the age of 13, and will be trained for 14 months before obtaining the required certificate.

Interviews are held in special rooms that are suitable as places to interrogate young children. The interviews are video-taped so that the child's evidence only has to be taken once. In the Dutch legal system, a child is not examined in court. The witness is interviewed by the police, and all the other players in the legal process have to rely on the statement, on the basis that it has been obtained in the most reliable circumstances possible. The written transcript of the interview is accepted by the judge as evidence, and the tape is available as supporting evidence that can be shown to the prosecutor, defence lawyer or the judge in court.

Over the years, the Dutch police have developed a method for interviewing young children that they describe as the 'Scenario Model.' It is a working tool to obtain a statement from young children between 4 and 12 years of age, the use of which is considered 'best practice' in the Netherlands. The method is quite demanding for the interviewing officer, and requires a lot of practical training as well as theoretical knowledge.

The Scenario Model allows the interviewer to react to the witness on an individual basis, and to different situations. Each interview can be adjusted, but in a structured way, and as required by the interview process. The interviewer can switch to a different scenario in the course of the interview so as to obtain the best result in the situation.

The ideal situation is Scenario A. In this scenario, the child witness discloses

[2] *K.M.C. Dekens. (2005), Dutch Police Academy.*

spontaneously what happened, and the interviewer can ask factual questions to receive detailed information.

If there is no spontaneous disclosure, the interviewer switches to Scenario B, and starts to ask the child indirect questions to help the child disclose information, or uses drawings and visual images to elicit information. If the child then starts to disclose, the interviewer reverts to Scenario A again.

If the indirect route does not result in a disclosure, the interviewer reverts to Scenario C, and confronts the child with information about the allegations. If the child confirms the information, the interviewer again switches to Scenario A and starts to ask for more detailed information. If the child denies the information about the allegations, the interview is concluded. The interview should be limited to a maximum of 1.5 hours.

The Scenario Model consists of three parts: An Introduction, a Case-oriented part, and a Closing part. The underlying principles are:

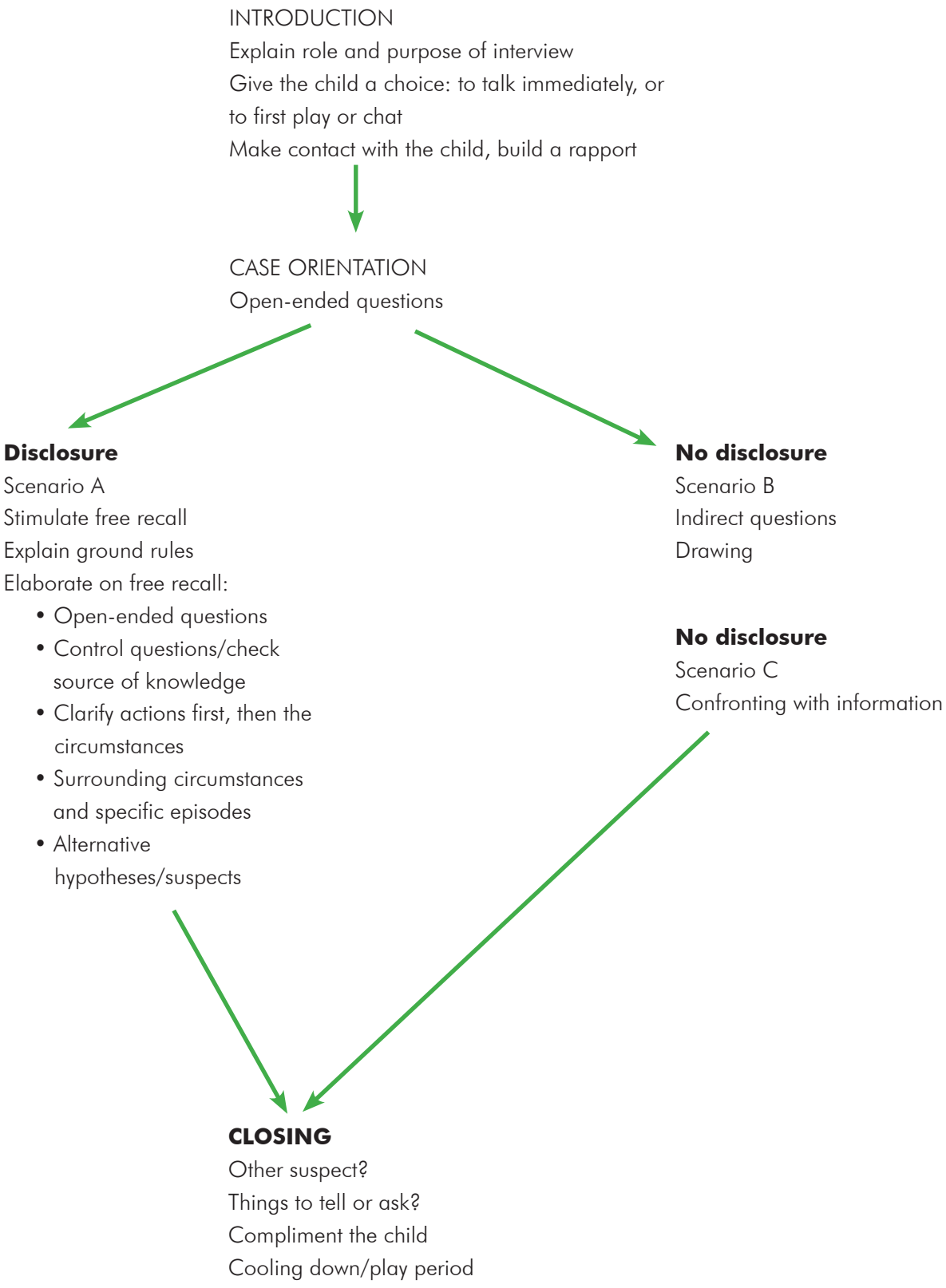
- the interview must be *adapted to the child*
- the interview must *gather evidence*
- the interview must *be reliable*

To *adapt* the interview to the child, the interviewer will focus on making contact with the child and building a rapport with him/her. The interviewer will make clear to the child what will happen, and seek the child's agreement. The interviewer will be flexible and sensitive to the individual needs of the child – his/her level of concentration and attention, his/her level of understanding, and his/her willingness to engage with the process.

To *gather evidence*, the interviewer will ask questions about specific events and all the surrounding circumstances, and check actively for alternative possibilities or suspects apart from the allegations under investigation.

To obtain a *reliable* statement, the interviewer will make sure that the child has a full understanding of the questions. Any information that the child gives must be given voluntarily, and without suggestion or pressure. The interviewer uses the techniques of the Scenario Model. He/she will check back with the child that the information is correct, and will avoid influencing the answers from the child. The Dutch police are trained to recognise the real danger of the power imbalance between an interviewer and a child. The task of the interviewer is to help the child to disclose and tell his/her own true story that consists of factual and detailed information. To achieve this, the interviewer has to minimise his/her own influence.

# THE SCENARIO MODEL



# SESSION 9
# STAKEHOLDERS AND THEIR ROLES

## Objective

The objective of the session is to recognize who are the stakeholders involved in combating child trafficking, to realize how stakeholders should collaborate with each other, and to appreciate the value of such collaboration.

## Instructions for the Trainer

This session is quite practical. It has two aspects: one is for the participants to gain information about stakeholders and their roles, and the other is for them to think about future possibilities for cooperation between themselves and other stakeholders.
It is a long session, so plan the use of time carefully.

Before the session, check Worksheet 9A (Stakeholder Template) for country specifics, and make sure it is accurate. Add or delete information as necessary. The participants need to be clear on who does what in your country, and the limitations on the roles of the various stakeholders/actors. Give an opportunity for the participants to suggest any changes that they feel should be made to the description of the roles in the Worksheet.

If you prefer to just use the Template as background information, you could work with the participants to draw a Stakeholder Map as a visual representation on the flip chart. Make sure to 'map' the links between the various stakeholders.

A Case Study is provided (Worksheet 9B) on which the participants could 'role play.'
Give the participants the opportunity to decide which are the relevant institutions, and which roles should be 'played'. It is better if there is at least one person in each 'role-play' group who knows the role of the agency he/she will represent; otherwise participants will not be sure whether their decisions about actions are possible or not. If 'role play' is not appropriate, you could replace it with a discussion about the Case Study, and the various stakeholders that have a part in it.

It is important in this session to include discussion about how stakeholders can collaborate with each other, and the value of working together. In this way the participants will see how they can use the contacts and information from the course to improve their responsibilities towards children in the future. Use Fact Sheet 9A (which described the system in Italy) as a starting point for the discussion.

In the context of solutions, it is also useful to discuss the topic of a National Referral Mechanism as a structure to combat human trafficking, and the possibility of establishing such a mechanism in the country (see Fact Sheet 9B). If such a national mechanism

already exists, make sure the participants know how it operates, and how they might work with it in the future. Prepare or obtain a Fact Sheet/ Information Sheet about your national structure to hand out to participants.

If there is a National Plan to combat human trafficking, this would also be a useful information and discussion point for the session, and you should obtain information and handouts about it.

A Contact List is a very useful tool for the participants to take away with them at the end of the course. There is a model for such a list provided on Worksheet 9C. The participants could 'brainstorm' together to fill in the Worksheet. Otherwise you could complete it beforehand, and distribute it at the end of the session.

## Suggested Workshop Format

a. Hand out Worksheet 9A. Working together as one group, ask the participants if they agree with the description of the roles listed in each category of stakeholder.
b. *Alternative:* Use the categories of stakeholders in Worksheet 9A to brainstorm and construct a Stakeholder Map. Draw the services identified on the flipchart, and mark the connections between those services.
c. Give the participants Worksheet 9B. This is a Case Study. Ask the participants to read it individually.
d. Divide the participants into not more than 6 groups of 4-5 persons, and allocate a role to each group. The possible roles are:
   i. Law enforcement officers/Prosecution services
   ii. State bodies (Ministry of Education, Ministry of Social Welfare etc.)
   iii. Child protection agency
   iv. NGOs (non-governmental bodies) and IGOs (inter-governmental organisations)
   v. Parents/Schools
   vi. Embassy/Consulate

The groups must analyse the Case Study from the perspective of their role to answer the questions at the end of the Case Study.

e. One group reports back to the big group with their answers. The remaining groups are given the opportunity to comment on the answers, and to compare the answers with their own 'role' answers and expectations.
f. *Alternative:* Hold a discussion about the Case Study, using the questions at the end of the Case Study.
g. Use Fact Sheet 9A to explain the way in which trafficked victims are given assistance in Italy. Hold a general discussion on whether stakeholders in the country could work more effectively together to protect children. Use these questions to start a discussion:
   - What kind of collaboration from other stakeholders would help you protect children better in the course of your work?
   - What initiatives could you take yourself to make sure that you got such collaboration?
h. Use Fact Sheet 9B to explain National Referral Mechanisms. Ask for suggestions about how such a structure could work in your country. *Alternatively,* hand out information about the actual National Referral Mechanism, and/or National Action Plan, and ask participants how they do/ could work with these mechanisms.
i. Present an outline 'Contact Sheet' (Worksheet 9C). Ask the participants to 'brainstorm' together to fill in the Sheet. Each participant should fill in their own contact sheet with the relevant information.

j. *Alternative:* Present an already completed Contact Sheet. Ask the participants to review it. They can make additions to it if they like, and then take it away with them.

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| **Resources/Materials needed: Copies of Worksheets 9A, 9B and 9C, (completed Worksheet 9C), Fact Sheets 9A and 9B, (information on National Referral Mechanism or National Action Plan), flip chart, marker pen, pens.** | **Anticipated time: 3 hours 30 minutes.** |

WORKSHEET SESSION 9

# 9A STAKEHOLDER TEMPLATE

| Stakeholder | Role |
|---|---|
| *1. Law enforcement*<br>• *Police*<br>• *Border police*<br>• *Immigration services* | • Prevent illegal activities and crime<br>• Preserve peace and order<br>• Protect life and property<br>• Investigate crimes under direction of Prosecutor<br>• Collect evidence<br>• Effect arrest of suspects<br>• Effect search and seizure to collect evidence<br>• File complaint and recommendations with Prosecutor's Office<br>• Liaise with relevant law enforcement bodies from other countries (e.g. Ministries of Interior, Ministries of Foreign Affairs) |
| *2. Prosecution*<br>• *Prosecutor* | • Investigate complaints<br>• Direct police investigation of crimes<br>• Collect, examine and analyse evidence<br>• Determine what crime, if any, should be charged<br>• Dismiss complaint or issue indictment (or formal criminal charge in court)<br>• Prosecute cases in court |
| *3. Courts*<br>• *Investigating judge*<br><br><br><br>• *Trial judge* | • Issue warrant of arrest for suspects<br>• Issue order for detention<br>• Issue substitute restrictive measure or conditional release<br>• Issue order for forensic examination<br>• Issue order for search and seizure<br>• Conduct review hearing of arrests and detention<br>• Conduct trial hearings<br>• Hear the facts of case and determine law applicable to facts<br>• Determine guilt or innocence of accused person<br>• Impose penalty or sentence<br>• Order alternative or other disposition measures (alternatives to detention: e.g. probation, community service, suspended sentence, vocational training) |

| Stakeholder | Role |
|---|---|
| 4. *Child protection system*<br>• *Social worker*<br>• *Legal guardian*<br>• *Doctor*<br>• *Psychologist* | *a) Case management*<br>• Ensure best interests of the child is the first priority<br>• Carry out individual case assessment to determine the child's needs, develop individual care and protection plan, and refer child to appropriate services<br>• Work with child victims in identifying the children's needs and problems, assessing the psychosocial problems, and finding and implementing solutions<br>• Conduct social case investigations, diagnostic assessments and rehabilitation plans<br>• Provide children with the support, counselling and motivation which they need in implementing rehabilitation plans<br><br>*b) Assistance during legal / court process*<br>• Prepare / submit social case study reports with case assessments and recommendations on the best interests of the children<br>• Advise court actors on child-friendly procedures<br>• Ensure the children's representation/presence during court hearings<br>• Accompany and advise children during the investigation and trial process<br>• Advise children and their families of case status and case developments<br><br>*c) Delivery and facilitation of accommodation, rehabilitation and reintegration services*<br>• Provide safe shelter for the child<br>• Provide social counselling and rehabilitative assistance for the child victim<br>• Provide counselling to prepare for the social reintegration of children<br>• Facilitate family reunification<br>• Assist in reintegration of children to their communities through facilitating access to school, vocational training and other community activities or programmes<br><br>*d) Short-term care and durable solution*<br>• Trace and locate child's family<br>• Carry out security and risk assessment to determine best long-term care arrangement for child (family reunification, repatriation or reintegration)<br>• Facilitate implementation of durable solution |

| Stakeholder | Role |
|---|---|
| *5. Community*<br>• *Church*<br>• *schools*<br>• *NGOs*<br>• *community organisations*<br>• *child protection networks*<br>• *media*<br>• *universities*<br>• *etc.* | • Crime prevention<br>• Detect and report crime<br>• Help lines<br>• Victim support and assistance (shelter, medical, psycho-social and economic)<br>• Rehabilitation / education<br>• Reintegration<br>• Advocacy<br>• Prevention of exploitation<br>• Informing and sensitising the general public |
| *6. Private sector*<br>• *Tourism industry*<br>• *Transport industry*<br>• *Taxidrivers*<br>• *Hotel*<br>• *restaurant*<br>• *leisure and entertainment businesses* | • Crime prevention through awareness-raising<br>• Detect and report exploitation<br>• Code of Conduct for the protection of children from (sexual) exploitation<br>• Prevention of exploitation |
| *7. Other*<br>• *Ministry of Education,*<br>• *Ministry of Interior,*<br>• *Ministry of Foreign Affairs* | • Implementing policies<br>• Assisting liaison between national authorities<br>• Providing legal documentation |

WORKSHEET SESSION 9

# 9B KATRIN AND ANNA

In a village in Country A, there are two girls who are close friends. Their names are Katrin and Anna, and they are aged 16. Katrin has dropped out of school. She is the eldest in her family, and her parents are poor, so she decides that there is no point in staying at school and she should get work and help them out. But she cannot find any work in her village. Sometimes she helps out a friend of her family who is a farmer, and sells his vegetables in the market. But he cannot pay her much money.

It is in the market that Katrin meets a woman who knows the family, and they get talking. The woman tells her that there are plenty of good jobs abroad, and that she could recommend her to a man who can arrange for such a job. Katrin is thrilled. She takes the name and number of the contact.

Katrin persuades Anna that the two of them should leave their country together. Anna agrees. She misses Katrin at school, and she is having problems at home anyway. They contact the man who is recommended by the friend of Katrin's family by telephone. His name is Stefan. He gives them an address in the capital city of Country A, and tells them to go there and meet him the following week-end.

The two girls leave their village together by bus. Katrin's parents are happy for her, but also somewhat worried, because the girls have no address other than the address to which they will go in the city, and the name of the contact, Stefan. Anna does not tell her parents that she is leaving, and just writes them a letter, which she leaves in the house so that they will find it later. The girls promise Katrin's parents that they will write immediately they are settled in their jobs abroad, and that they will be sending money to both families.

After a long and tiring journey, the girls arrive in the city and go to the address they have been given. Eventually Stefan arrives. He seems very nice. He takes them into his apartment, and gives them a place to sleep on the floor. He explains that in order to go abroad, they will need travel documents, and it will take a few days to arrange them. As they don't have any money, he gives them money, and tells them that they can pay him back later when they are earning good money.

Passports are arranged for the girls. It costs a bit of money, because Stefan has to bribe a Notary to provide forged 'consent' forms to show that the parents consented to the issue of the passports and to their daughters travelling abroad. Stefan also arranges the tickets to their destination, which they are told will be Country B. He is rather vague about the jobs they will do, but they are happy to be going away, and don't like to pester him too much.

After a few days in the apartment, the girls are brought to the train station and sent on their way by Stefan. He explains that his friend will meet them when they arrive in Country B. His

friend will settle them in their jobs, and will collect the money owed to Stefan out of their first weeks' earnings. The girls don't know exactly how much they will owe to Stefan.

The train stops at the border, and a border guard examines the passports and papers of the girls. He asks them where they are going, and they tell him that they are going to Country B to meet a friend.

The following day the girls arrive at their destination. At the station they are met by Stefan's friend, whose name is Yuri. He is not friendly at all to them. He insists on taking their papers from them. Then he brings them to a room in a hotel where there are several other girls. There are some men there who are looking at the girls, asking to see them without their coats on, and checking their ages. To the girls' distress, Yuri 'sells' Katrin and Anna to one of the men, and tells them that this is their new employer, and they will be working in a shop. The girls can see that Yuri is paid a lot of money. Yuri tells them that he will use some of the money to pay off Stefan for their debts. Yuri hands the girls' passports and papers over to the employer.

The employer's name is Adrian. He brings the girls to an apartment on the outskirts of the city. Adrian cannot communicate with Katrin and Anna very well, because he does not speak their language, and they only understand a little of what he says. Once in the apartment, Adrian becomes very violent. He shouts at them that they will work for him as prostitutes, and he rapes each of them in front of the other, to show them what he means.

From then a life of horror for Katrin and Anna begins. Adrian locks the girls in the apartment, only allowing them out to take them to meet clients. He brings the food they will eat, and occasional toiletries. He forces them to take oral contraceptives. At first the girls protest and cry, but it isn't any use. Adrian just tells them that for every client they refuse to service, they will owe him even more money than they already owe for the cost of their purchase. The longer they behave this way, he says, the longer it will take to pay off the debt. He promises that once the debt is paid, he will give them some money for themselves to send home.

Living in the apartment is like living in a prison. When the girls are in the apartment, the doors are locked and they cannot leave. When they are taken out, it is always in the company of Yuri or one of his workers. They are driven to a client's house or apartment, and the 'minder' waits outside. When the client is finished, the 'minder' takes the girls back to the apartment. The girls are miserable and depressed, and their health is suffering. They don't speak the local language, they don't know exactly where they are, and they have no way to communicate with anyone they know. They often have to provide sexual services for up to 5 'clients' a night. This situation continues for ten months.

One of Anna's 'clients' likes to try out his sexual perversions on her. She has already been to his house on two occasions and has come back to the apartment traumatised and bruised from physical assaults. One day when the 'minder' has told her that she will be going to this client again, Anna is totally in despair. She opens a window in the apartment and jumps out.

Katrin cannot get out to go to her. She can just see Anna's body lying on the ground below the apartment.

Eventually some policemen come to make enquiries about the dead girl. When they cannot get into the apartment, and hear Katrin calling from inside, they break down the door. They find Katrin in a state of shock and distress.

Katrin is taken to the police station where she is questioned about the dead girl. She needs an interpreter, who cannot come until the next day, so she spends the night in the police station. She is asked for her papers, but she doesn't have any because Adrian had kept them and had never given them back to her.

During the interrogation next day, Katrin is asked for details about how she came to be in the apartment, and what she knows about Adrian and his friends. She is afraid to tell them anything. She is terrified that her parents will learn about what has happened to her, and that Anna's parents will blame her for the death of their daughter. She prefers to say as little as possible. The police in Country B accuse her of non-cooperation, and bring her before the courts as an illegal immigrant. An order is made against Katrin for her deportation back to Country A.

About six weeks after she was taken from the apartment, Katrin is deported back to her own country. She is handed over by the police of Country B to the police of Country A. The police of Country A put her into a detention centre, and charge her with the offence of having no papers. Katrin spends two months in detention. She has a medical check-up during this time, and is told that she is HIV positive. Eventually she is released.

On her release, Katrin is afraid to go home. She is ashamed and afraid. She has no home, no job and no money.
Katrin starts to prostitute herself on the streets of her capital city to survive.

## The Questions

1. If this country was Country A of the Case Study, what actions could you have taken for Katrin and Anna?
2. Why would you take those actions?
3. What skills would you have needed to take those particular actions?
4. Could you have used cooperation from others? If so, what kind of cooperation would you have liked to get?
5. Do you have expectations about the role of the other groups, and if so, what are those expectations?

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| 1. |
| 2. |
| 3. |
| 4. |
| 5. |

WORKSHEET SESSION 9

# 9C CONTACT SHEET

## Particular questions to think about in filling in this sheet

- Law enforcement: Are there special units in your police station? Is any particular officer experienced in handling children? Do you know who to contact in the case of an emergency?
- Social work: Do you know how to contact the social worker on duty?
- Community: Are there local clinics and hospitals with paediatric services? Are there telephone help-lines for children? Are there crisis centres/refuges/drug rehabilitation centres? Are there NGOs or community organisations providing shelter for street/abandoned children? Are there supportive groups based in churches/mosques?
- International agencies: Is there an office of IOM or UNICEF? Are there international project offices working to combat trafficking?

| Name of institution / organization/unit | Type of service/ support offered | Main contact person/s | Contact details (address, phone – office/ cell/, email, fax) | Hours contactable | Who to contact out of office hours | Additional information |
|---|---|---|---|---|---|---|
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FACT SHEET SESSION 9

# 9A ITALY: ASSISTANCE TO TRAFFICKED VICTIMS ARTICLE 18 OF LEGISLATIVE DECREE NO.286/98

As combating the trafficking of human beings has become a priority for the Italian authorities, Italy has taken several judicial and humanitarian initiatives to deal with the phenomenon of the influx of trafficked women and girls from Eastern Europe and Africa.

The Italian Department for Equal Opportunities coordinates an inter-Ministerial Commission with responsibility for the management and implementation of Article 18 of Legislative Decree No. 286/98. Through Article 18, Italy has tried to respond to the problem of human trafficking. The provision allows the granting of a special *residence permit* to victims of trafficking, and for their participation in a social and integration assistance programme.

Article 18 is therefore a tool for legal action, but it is also a humanitarian measure. It allows for assistance to and protection of trafficked women, who would otherwise often not be regarded as the victims of a crime, but as offenders themselves.

The granting of a permit and insertion in a social protection programme does not impose an obligation on the victim to report to the police. Instead, it supplies the authorities with information and cooperation from the victim. The provision is innovative because it extends immediate protection to all victims of trafficking, and it provides an incentive for them to cooperate in the investigation. Its rationale is that victims can cooperate more effectively from a position of security and when they have rights.

The permit is granted *'whenever police operations, investigations or court proceedings involving any of the offences…or whenever the social services of a local administration, in the performance of their social assistance work, identify situations of abuse or severe exploitation of a foreign citizen, and whenever the safety of the said foreign citizen is endangered as a consequence of attempts to escape from a criminal organisation, which is engaged in one of the above-mentioned offences, or as a consequence of statements made during preliminary investigations, or in the course of court proceedings'* (Art.18, paragraph 1).

The request for the residence permit can be made by the local authority or by a private organisation. The decision to grant the permit is taken by the 'Questore', who must be informed of the integration programme provided for the trafficked victim. The residence permit is granted initially for 6 months. It can

be renewed for a period of one year, or longer if required for judicial purposes. The permit is revoked if the foreign victim leaves the integration programme that has been provided.

Within the framework of Article 18, national funds have been allocated to the Department for Equal Opportunities to support and implement two types of programmes: social protection projects, and system initiatives.

Social protection projects provide foreign women and children, who are victims of trafficking, with a high level of social protection. This may include a special residence permit, suitable shelter, information about their rights, social and health services, medical and psychological care, assistance in finding employment, vocational training, legal advice, and the services of a competent translator during legal proceedings. It is hoped that this type of support and protection will encourage victims to cooperate with the authorities by identifying the traffickers, especially through the judicial process.

System initiatives support such programmes through awareness campaigns, research, training activities for public and private operators of the social protection programmes, technical assistance, and monitoring of projects. The most relevant system initiative is the Free Telephone Helpline, which allows victims of trafficking to make contact with professionals who can assist them. The number started operations in July 2000.
Two other important system initiatives are

- The national monitoring of activities and follow-up of reports against traffickers (under the Research Department at the University of Trento)
- Assisted voluntary repatriation and reintegration of victims of trafficking in their countries of origin (in collaboration between the Ministry of Interior and the International Organisation for Migration). Two hundred cases have been assisted within a five year period of operation.

FACT SHEET SESSION 9

# 9B National Referral Mechanisms

A National Referral Mechanism (NRM) is a process of identifying presumed trafficked persons by different stakeholders, and cooperation among stakeholders to ensure that victims are referred to specialised services. The law enforcement bodies may be the main authority responsible for the identification of victims, but many other institutions and individuals also come across presumed victims, and are an important source of information. A well-established NRM with informed stakeholders should involve all partners in the identification process.

In the Republic of Moldova, an NRM is in place since the beginning of 2004. It is a cooperative framework through which state actors fulfill their obligations to protect and promote the human rights of trafficked persons. Efforts are coordinated in a strategic partnership between the law enforcement authorities and civil society.

The basic aims of the NRM are to ensure that the human rights of trafficked victims are respected, and to provide an effective way in which to refer victims to the services available. In Moldova this means that the NRM

- Provides guidance on how to identify and treat trafficked persons appropriately, respecting their rights and giving them power over decisions that affect their lives.
- Provides a system to refer trafficked persons to specialised agencies that offer shelter and protection from physical and psychological harm, as well as support services. Services made available include medical, social and psychological support, legal advice and services, assistance in acquiring identification documents, and facilitation of voluntary repatriation.
- Establishes mechanisms to harmonise victim assistance with investigative and prosecution efforts.
- Provides an institutional framework that enables a multidisciplinary and cross-sector participation to human trafficking, thus enabling monitoring of the phenomenon and evaluation of the responses to it.

NRM Cooperation Agreements between state and non-state structures can come into being as a result of a Directive under which presumed trafficked persons are transferred from police custody to support and protection services operated by NGOs. Or they can come into being through a formal Memorandum of Understanding.

Experience shows that cooperation agreements between state and non-state actors increase the rate of successful prosecutions of human traffickers.

Research in Western Europe has shown that over 40% of trafficked persons are identified through outreach work by NGOs, local authorities and Helplines. Clients of prostitutes and other citizens identify more than 22% of victims. Less than 14% of genuinely trafficked persons are identified by the police. In research on victim-support programmes in South-Eastern Europe it was shown that only one third of all presumed trafficked women were identified by law-enforcement agencies. The majority of victims were not referred to support programmes and shelters, but were sent to detention centres and prisons prior to deportation.

A complex system of stakeholders can and should be involved in identifying presumed trafficked victims. Those actors should be trained and interconnected to ensure seamless referrals.

The identification process should include respect for the views and autonomy of the victims themselves. The process should therefore form an integral part of the victims' protection.

# SESSION 10 EVALUATION

## Objective

This is the final session. Its objective is to assess the extent to which the training has met the expectations of the participants, whether it has changed their attitudes, increased their knowledge, and whether they will be able to put the things they have learned into practice.

## Instructions for the Trainer

A good evaluation will help you to identify the parts of the training that work well, and the parts that are not successful, and thus allow for improvements to be made the next time.
It is suggested that the participants fill in a second Baseline Knowledge Test (Worksheet 10A). They do not put their names on the sheet, and should be encouraged to be honest about their reactions to the training, because this will help you to see where improvements can be made.

A discussion on how expectations were met is also suggested. Look back to the expectations that were voiced in the first session, and compare the notes. The comments from the participants will help identify gaps in the training, and give the trainer an opportunity to suggest further training or reading to those participants who need it.

It is also good for the participants to be given the opportunity to express their personal feelings about the experience. Expressing their reactions and responding to the questions suggested will help to relate the training they received with their own work reality.

Finally, the completion of a Course Evaluation Questionnaire may be valuable for the institutions that have funded the training; it is also a learning tool for the organisers.

The session could be ended by playing a game. A Quiz is suggested, and there are several other possibilities described in Chapter 2. The choice depends on the time available and on the group dynamics. Above all, the training course should end with good humour and on a positive note.

## Suggested Workshop Format

a. Hand out the Baseline Knowledge Test (Worksheet 10A). Ask the participants to complete it anonymously and to hand the sheets to the Trainer.
b. *Alternative:* Refer back to Session 1 and ask the participants to place themselves again on the imaginary line which goes from 0 to 10 in accordance with their knowledge about child trafficking after the training. See if they have moved position since the first time.
c. Hold a discussion about whether the course met the expectations of the participants. Refer back to session 1 and to the expectations that were recorded at that time.
d. Discuss the following questions with the participants:
   - Do you feel you would recognise a child who is a potential victim of trafficking?

- Do you feel you would recognise a child who is a potential victim of sexual exploitation, or who has been sexually exploited?
- Would you feel that you would have to do something to help the child? Why?
- Would you know what services are available to help the child?
- What might you do differently in the course of your work as a law enforcement officer in investigating crime where a child is involved?
- What might you do differently as a caregiver?
- What might you do differently as a service provider having responsibilities towards children?

e. *Optional:* Give each participant a 'post-it' slip, and ask them to write down one thing that they consider of value that they have gained from the course. Put the papers into a box. Pull them out, one by one, and read them. Stick them on the flip chart.

f. *Alternative:* Play a 'snowball' game by throwing a paper ball from one participant to another, and each one who catches the ball has to call out one thing of value he/she has gained from the course.

g. Ask the participants to complete Worksheet 10B, the Course Evaluation Questionnaire, and to give it to the Trainer when they leave.

h. *Alternative:* Draw three faces on a page and ask the participants to put a mark beside the face that most represents the way they are feeling after the course. One face is smiling, one is neutral and one is glum.

i. End the session by everyone playing a game together. *Optional:* Play a Quiz game with questions from the information that was learned during the course.

| **Resources/Materials needed:** | **Anticipated time: 1 hour.** |
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| **Copies of Worksheets 10A and 10B, (pad of 'post-its', box, sticky tape, paper ball, large sheet of paper, Quiz questions), pens.** | |

## WORKSHEET SESSION 10

# 10A BASELINE KNOWLEDGE TEST

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|---|---|---|---|---|---|
| **A** | How would you describe or define 'trafficking in children'? | Answer: | | | |
| | **Rate your knowledge of the following** | **Very poor** | **Poor** | **Good** | **Very good** |
| **B** | Consequences of sexual exploitation and trafficking – who are the victims, and what are the effects? | | | | |
| **C** | What laws we have and how they work regarding:<br>sexual abuse, sexual exploitation, prostitution, trafficking of minors, child protection? | | | | |
| **D** | Identifying children who have been trafficked? | | | | |
| **E** | Protection and Care Provisions for trafficked Children? | | | | |
| **F** | Investigating Trafficking Offences – how to get the evidence while protecting the victims? | | | | |
| **G** | Interviewing trafficked children? | | | | |
| **H** | Knowledge of child rights in a trafficking situation? | | | | |

WORKSHEET SESSION 10

# 10B COURSE EVALUATION QUESTIONNAIRE

This evaluation form is to get your opinions at the end of the course and to help us in planning future courses. We would ask you to spend a few minutes filling it in.

Name of Course: Training for police and social workers on child rights and child protection in relation to Trafficking in Children for Sexual Purposes

**Please rate on a score of 1-5 (1 = poor, 5 = excellent)**
Mark out of 5

1. Value of this topic in relation to my job _____
2. Usefulness of the course content _____
3. Presentation methods used _____
4. Trainer's ability to transfer knowledge _____
5. Atmosphere conducive to participation _____
6. My opinions were taken into consideration _____
7. Value of the Fact Sheets _____
8. Relevance of the Work Sheets _____

**Please answer the following questions in your own words**

9. Have you suggestions about additions to the course?

10. Is there anything you think should have been dropped from the course?

11. What did you enjoy most about the course?

12. What did you dislike most about the course?

13. What aspect of the course did you find most useful?

14. What aspect of the course did you find least useful?

15. Was the course(please tick)

a) Too long b) Too short c) The right length

16. Do you have any comments to make about the administrative arrangements for the course? (e.g. room, food).

17. Do you have any other comments to make?

## THANK YOU!

# REFERENCES AND RESOURCES

The following materials may be useful to consult when designing a training programme on combating child trafficking.

## REFERENCES


- ECPAT International (2005). The Psychosocial Rehabilitation of Children who have been Commercially Sexually Exploited. A Training Guide (2nded) by Stephanie Delaney & Colin Cotterill. www.ecpat.net
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This publication was produced with the support of ECPAT International, and with financial support from the European Commission's AGIS Programme, the OAK Foundation and the Bodyshop Foundation.

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