

Supporting Victims of THB

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Basic Principles and Key Guidelines

A commitment to curtail human trafficking and to protect the rights of those who have become victims of trafficking, and to act to achieve respect for and protection of the human dignity and well-being of victims.

Key Guidelines to Keep in Mind:

- 1) Do no harm
- 2) Individualised Treatment and Care
- 3) Continuing Comprehensive Care
- 4) Victim Interviews and Informed Consent
- 5) Self-Determination and Participation
- 6) Non-Discrimination
- 7) Confidentiality and Right to Privacy



Security and Risk Assessment

The capacity of the traffickers to retaliate against victims who have managed to escape and/or have testified against them is well documented.

- The first step in confronting this threat is to properly **identify and assess the level of risk**. Effective risk assessment involves **a generic risk assessment conducted in the country, continuous review of the risk assessment, and specific assessment of risk in response to specific events**
- **It is of critical importance to conduct an ongoing process of assessing generic risk.**
- Each risk assessment, be it generic, review or specific, must be accompanied by a risk management plan designed to address the areas of risk identified during the assessment process:



Handling and Security of Confidential Personal and Trafficking Data

It is of critical importance to handle confidential data concerning the victim, the trafficking process and the service delivery organization staff with all due regard to security considerations and rules.

- ▶ The key principle governing the handling of confidential as well as more general data concerning victims and trafficking is the “need to know” basis. Service delivery organization staff should follow this rule in all cases and disclose data internally and externally only to such persons whose need and right to receive such information is acknowledged.
- ▶ Even in the presence of written consent from the victim, service delivery organization staff members are still bound to assess the contents of the data to ensure that disclosure does not increase the risk to the victim or member of their family, any other victim or member of the service delivery organization staff.
- ▶ **All members of staff engaged with direct contact with trafficking victims should bear in mind that proven cases of infiltration of victim assistance programmes have already been identified and staff should always remain alert to the risk.**



Initial Victim Contact

Upon first contact with a victim, it is crucial to keep the above-mentioned security protocols in mind, in addition to greeting the victim with empathy, patience and understanding.

- ▶ Obtain full particulars and details of how to contact the victim, establish a contact system with the victim, giving them relevant phone numbers for contacting your organization, but not disclosing your street address or location.
- ▶ If the victim cooperates, obtain telephone number and ring back immediately to confirm and discuss the situation.
- ▶ Be aware while on the phone of who may be within earshot.
- ▶ If the victim has established contact through a different service organisation, ensure that staff members do not disclose any details other than those indicated above (E.g.: Phone numbers or other contact details)

Screening and Identification of Victims

The screening and identification process begins by considering the circumstances surrounding each case before asking the person concerned specific trafficking-related questions.

▶ The following indicators should be considered as part of the screening process:

- ▶ Age
- ▶ Sex
- ▶ Nationality/Ethnicity
- ▶ Documentation
- ▶ Last location
- ▶ Signs of abuse
- ▶ Context

The screening process consists of two stages:

- 1) An assessment of a range of indicators, to consider the circumstances of each individual case before asking the individual specific trafficking-related questions (This information could already be made available by the referring agency)
- 2) An interview with the individual, consisting of questions related specifically to the trafficking experience (E.g.: Recruitment, Forms of exploitation, etc.)



Ethical Principles for Interviewing Victims

Interviews are likely to be a daunting and difficult experience for victims, and it is crucial to approach this step with sensitivity and respect for her/his experience.

- ▶ The following principles should be kept in mind when conducting interviews with victims:
 - ▶ **Information provision:** Give a brief explanation of 1) The content of the interview, 2) The potentially distressing nature of the topics addressed, 3) How the information provided will be used, 4) Of the role of the organisation in the provision of assistance to the victim, 5) Alternative support options if the service organisation is unable to provide the direct assistance necessary.
 - ▶ **Re-assure the victim of the following:** 1) They can take time in answering questions and are able to take breaks during the interview, 2) The interview is voluntary and that person is not required to answer any questions (Add that the more information is provided, the better support can be given)
 - ▶ **Ensure interview conditions are appropriate and safe:** 1) Ensure a closed private space, 2) Allow only essential persons to be present (Victim, Interviewers, Interpreter) and 3) Establish rapport and adopt a non-judgemental or interrogative interview style



Ethical Principles for Interviewing Minors

« Interviews of minors should take place in the presence of a parent. In cases where this is not possible, due to a parent not being present or in case there is suspected or known family involvement in the trafficking, in the presence of a trained guardian, psychologist or social worker. »

Some essential guidelines for interviewing minors are as follows:

- Only staff trained in the special needs/rights of children should question child victims.
- Collect as much information prior to the interview and make clear/friendly introductions
- Create a child friendly environment through inclusion of positive stimuli such as toys, books and games
- Do not assume air of interrogation or press for responses
- Use child-friendly simple language
- Begin with open-ended questions and allow the child to give his/her account
- Do not pursue or press for details when the child has given signs that they have disclosed all they know
- Questions should be adapted to consider the age and mental capacity of the child

Victim Response to Assistance

A crucial element in the process of supporting victims, is remaining cognisant of the psychological distress and traumatic experiences they have endured and adapting assistance mechanisms accordingly.

- It is important during the course of the interview, **to monitor non-verbal forms of communications such as signs of anxiety or fear.**
 - Everything should be done to put the victim at ease.
 - Approach to questions and interview format should be adapted to the state of the victim.
 - If the person shows acute signs of anxiety or distress, the interview should be suspended or terminated until it is possible to continue.
 - Applying a slow pace, with a calm tone of voice and a non-interrogative disposition is helpful.
- Victims of trafficking have many legitimate reasons why they may be **reluctant to discuss the details of their trafficking experience**, especially during initial interviews:
 - Fear of traffickers
 - Fear of law enforcement
 - Loyalty to traffickers
 - Lack of trust
 - Memory Loss