Special and Additional Measures for Child Trafficking Victims



A Practitioner Guide



REGIONAL SUPPORT OFFICE THE BALI PROCESS



This Practitioner Guide was prepared by NEXUS Institute in the framework of the project: Improving the Identification, Protection and Reintegration of Trafficking Victims in Asia: Practitioner Guide Series, implemented jointly by NEXUS Institute and the Regional Support Office of the Bali Process. The Practitioner Guide Series supports the work of practitioners in ASEAN and Bali Process Member States by identifying, distilling and presenting existing evidence in a succinct and accessible format and offering guidance on how to address issues and challenges to improve the identification, protection and reintegration of trafficking victims in the region.

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Imagine how human trafficking robs the children it entraps of their childhood. Rescued or escaped children must be assisted and supported in reclaiming the possibility of experiences of childhood and in having a chance to experience the range of opportunities in life that trafficking disrupts. To do this requires understanding and implementing approaches that are tailored to effectively and appropriately working with children. This Practitioner Guide introduces the fundamentals of these special and additional measures designed to proactively advance the best interests of each child and, at the same time, urges countries to recognize how widespread adoption of these approaches, techniques and tools heightens understanding, trust, sensitivity, and support when interacting and working with child victims of trafficking and provides the best path to more effectively identifying, investigating and dismantling child trafficking criminal enterprises operating nationally and transnationally.

Stepher Warnath

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That child victims of trafficking require special and additional measures is well recognized by countertrafficking stakeholders. Less understood is how these special and additional measures can be implemented meaningfully in practice across the spectrum of protection and support obligations from identification through to recovery and reintegration. This Practitioner Guide sets out the challenges that practitioners face in protecting and supporting child victims of trafficking in accordance with international and regional laws and best practice standards. Extrapolating from actual experiences from across the Asia-Pacific and beyond, it offers guidance that practitioners can calibrate to their own contexts to ensure that special and additional measures are taken to address the particular needs of child victims of trafficking.

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About the Practitioner Guide: Special and Additional Measures for Child Trafficking Victims



What it is

This Practitioner Guide presents existing research and evidence on the needs and experiences of child trafficking victims, including challenges faced and the special and additional measures needed to assist and protect them. It is part of the NEXUS/RSO Practitioner Guide series: *Improving the Identification, Protection and Reintegration of Trafficking Victims in Asia,* which shares knowledge and guidance on different aspects of trafficking victim protection, including:

- Trafficking victim identification
- Trafficking victim protection and support
- Recovery and reintegration of trafficking victims
- Special and additional measures for child trafficking victims

This series is drafted by NEXUS Institute and published jointly by NEXUS Institute and the Regional Support Office of the Bali Process (RSO). Practitioners from Bali Process Member Governments of Australia, Indonesia, Malaysia, Philippines, Thailand and Vietnam contributed to the development of these guides in a virtual roundtable discussion convened by the RSO in April 2021. The project is generously funded by the Australian Department of Home Affairs, through the RSO. The series is available on the NEXUS Institute website and the RSO website.



Who it is for

This guide is for **practitioners** in Bali Process Member States as well as further afield, seeking to provide special and additional measures for child trafficking victims. This includes social workers and social assistants, healthcare practitioners, psychologists and counselors, child protection specialists, law enforcement, lawyers and paralegals, teachers and school administrators, vocational trainers, job counselors and business experts and public administrators. This Practitioner Guide will also be useful for **policymakers** tasked with improving practice and procedures to implement special and additional measures for child trafficking victims.

How to use it

This Practitioner Guide offers a comprehensive overview of key issues and challenges in ensuring special and additional measures for child trafficking victims. Practitioners can use this guide to better understand child victims' experiences as well as structural and institutional challenges in relation to the identification, protection and reintegration of child trafficking victims and when children serve as victim-witnesses. The guide also offers practical guidance on how practitioners can address these barriers and improve measures for child trafficking victims.



What are special and additional measures for child trafficking victims?

Child trafficking victims, by virtue of their age and stage of development, are uniquely affected by trafficking in persons. As a consequence, special and additional measures are needed to ensure the safety and well-being of child trafficking victims at every stage of their lives after trafficking.

These measures are needed in relation to:

- 1) identification and immediate first steps;
- 2) protection and support;
- 3) non-criminalization and non-detention;
- 4) supporting children as victim-witnesses; and
- 5) recovery and reintegration of child trafficking victims.



Identification and immediate first steps. The rapid

and accurate identification of child trafficking victims is an essential first step in ensuring their safety and well-being. Practitioners tasked with identification must ensure that the "means" element (coercion, deception, fraud, threat, abduction, force or abuse of power or position of vulnerability) is not required in the case of trafficked children, for whom it is only necessary to establish an "act" for purposes of "exploitation". Individuals who appear to be children should be presumed as such until determined otherwise. If a child is identified as a presumed trafficking victim, immediate first steps include involving child protection authorities and applying protective measures. If a child in a precarious situation is not assessed to be a trafficking victim, they should nonetheless be referred to child protection agencies for protection and support.

8.20

Child trafficking victim protection and support. Trafficked children are entitled to the same rights of protection and support afforded to adult victims. However, given their particular needs and vulnerabilities, trafficked children are granted special and additional entitlements that must be actively ensured, including the appointment of a legal guardian to safeguard the child's best interests at every stage of intervention. Protection and support should be provided on the basis of need; it should never be made explicitly or implicitly conditional on the child's cooperation with authorities. The child should never be forced or coerced into receiving care, including medical assistance and testing, unless demonstrated to be in the child's best interests. Each child's views are to be respected and given due weight in accordance with their age and stage of development. Children are to be provided with information about their situation and entitlements in a form and manner they understand and that is appropriate to their age and stage of development.

Non-criminalization and non-detention of child trafficking victims. Trafficked children should not be criminalized or held liable for any status-related offenses or offenses they were forced to commit while trafficked, such as illegal entry, illegal stay, illegal work, or criminal acts. They should be placed in appropriate accommodation and never detained in a law enforcement or immigration facility. Any decision to place trafficked children in a shelter should be made on a case-by-case basis and in their best interests, for the shortest possible time and subject to review. Trafficked children have the right not to be separated from family members unless in their best interests; to maintain contact with their families; to prompt access to legal and other assistance in an environment that fosters their health and well-being; and to challenge the legality of the deprivation of their liberty and to receive a prompt decision.



Supporting children as victim-witnesses. Trafficked children may wish or be called upon to participate in an investigation or the prosecution of their exploiters. Because child victim-witnesses are especially vulnerable to re-traumatization, intimidation and retaliation, it is essential to consider the risks carefully and manage them proactively, making all decisions about their involvement on the basis of the best interests of the child. Children must be informed of their rights, protection processes and legal proceedings in a language and manner/method that is appropriate for their age and stage of development. If assessed to be in the child's best interests, child victims-witnesses should be provided with a support person to safeguard their best interests in the legal process and offer protections available to child witnesses, such as alternatives to direct testimony and interviewing in court.

Recovery and reintegration of child trafficking victims. Trafficked children should be supported in their recovery and reintegration, which commonly (but not always) involves return and reintegration into their families and communities. This should occur without undue or unreasonable delay. Decisions about recovery and reintegration should take into account that child trafficking victims have often experienced significant trauma, with long-lasting, detrimental effects on their physical and psychological well-being and development. An individualized assessment should be conducted for each child trafficking victim to identify appropriate pathways for return, recovery and reintegration as well as any risks. The views of the child should be given appropriate weight and actions are to be undertaken in safe, child-appropriate and gender-sensitive manner, including, when needed, the appointment of a legal guardian, to protect the child's best interests.

All special and additional measures for trafficked children must be voluntary and confidential. They should be undertaken in a timely and appropriate manner, on an equal and non-discriminatory basis with no distinction between child nationals and nonnationals and with due attention to children with special needs (for example, the very young, those with disabilities and those who have suffered severe exploitation and abuse). Measures should be trauma-informed, victimsensitive, child-friendly, gender-sensitive and culturally appropriate. Every measure taken in relation to the trafficked child should be made on the basis of ensuring that child's best interests.



trauma-informed: recognize the impact of trauma and promote environments of healing and recovery

victim-sensitive: prioritize the victim's wishes, safety and well-being in all matters and procedures

child-friendly: design and implement measures with the needs, interests, safety and best interests of the child in mind gender-sensitive: treat all victims with equal respect regardless of their gender identity, refraining from stereotypes or assumptions on the basis of gender culturally appropriate: take into account and respect the victim's cultural and religious beliefs, values, norms, practices and language



Given that child trafficking victims have complex and diverse needs, a wide range of practitioners from different fields of work should be involved in their protection and support. This includes social workers and social assistants, healthcare practitioners, psychologists and counselors, teachers and school administrators, vocational trainers and job counselors, lawyers and paralegals, public administrators, law enforcement, prosecutors and child protection specialists and authorities.

While it is the responsibility of the state to implement special and additional measures for child trafficking victims, civil society organizations, especially those skilled in child protection and antitrafficking, have an important role in working to support states to fulfill their obligations.

Legal obligations related to child trafficking victims

Special and additional measures for child trafficking victims are addressed in some international and regional instruments, which may be relevant for domestic laws and policies.

International law and guidance

UN *Trafficking Protocol* (2000) calls on Member States to protect and assist trafficking victims (Article 2), taking into account the special needs of children (Article 6)

UNOHCHR Recommended Principles and Guidelines on Human Rights and Human

Trafficking (2002) call for special safeguards in the definition of child trafficking (Guideline 8.1); the rapid and accurate identification of child trafficking victims (Guideline 8.2); not prosecuting or punishing child victims for offences committed when trafficked (Guideline 8.3); providing additional protections in return appropriate to their needs and "best interests" (Guideline 8.4); and providing specialized policies and programs (Guideline 8.7).

G **UNICEF** Guidelines on the Protection of Child Victims of Trafficking (2006) call for the protection of privacy and the opportunity to be heard in judicial and administrative proceedings (Guidelines 2.1-2.9); rapid and proactive identification (Guidelines 3.1-3.2); appointment of a guardian (Guidelines 4.1-4.2); registration and documentation (Guidelines 5.1-5.3); regularization of status (Guideline 6); interim care (Guidelines 7.1-7.2); individual case assessments (Guidelines 8.1-8.3); integration, return and reintegration (Guidelines 9.1-9.4); access to justice, including non-detention (Guidelines 10.1-10.2); and financial assistance and compensation (Guideline 11).

UN Convention on the Rights of the Child (1989) establishes the rights of children and guiding principles for all actions with children: ensuring the best interests of the child (Article 3), non-discrimination (Article 2), survival and development (Article 6) and participation (Article 12). The CRC calls for protection of children from all forms of exploitation (Articles 19, 32, 34, 36) and support in recovery and social reintegration (Article 39).

Regional law and guidance

ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) (2015) recognizes that child trafficking victims

have special needs and additional rights that must be met and respected and calls for appropriate laws, policies and mechanisms to ensure the safety and well-being of child trafficking victims from identification to return and reintegration.

ASEAN Plan of Action Against Trafficking in Persons, Especially Women and Children (2012) calls for particular attention to child trafficking victims in establishing protection and assistance for physical, psychological and social recovery.

ACWC Gender-Sensitive Guidelines (2016) establish special safeguards in the definition of child trafficking (1.1.3); that a child should be considered a child until determined otherwise (3.2.3); and that child protection agencies should be contacted when a child trafficking victim is identified (3.2.9).

ACWC Regional Guidelines and Procedures to Address the Needs of Victims of TIP, especially women and children (2018) establish special and additional measures for child trafficking victims in Guiding Principle 4, including special attention to children with additional needs and those who have been severely exploited.

Council of Europe (CoE) Convention on Action Against Trafficking in Human Beings (2005) establishes specific measures to reduce children's vulnerability to trafficking (Article 5); to identify and protect child trafficking victims (Article 10); specific privacy protections for children (Article 11); specific forms of assistance (Article 12); application of the best interests of the child in repatriation and return (Articles 14, 16); and special protection measures for child trafficking victims (Article 28).

European Union *Directive 2011/36/EU* (2011) establishes the child's best interests as a primary consideration in all measures for child trafficking victims and provides for specific forms of assistance, support and protection to child trafficking victims (Articles 13, 14, 15, 16).

Issues and challenges in ensuring special and additional measures for child trafficking victims

Issues and challenges faced in the provision of special and additional measures for child trafficking victims center around two main themes:

- Child trafficking victim experiences and needs
- Structural and institutional challenges in measures for trafficked children



Child trafficking victim experiences and needs

- Physical, psychological and social impacts of trafficking
- Fear and risk of harm
- Issues of trust (believing and being believed)
- Insufficient understanding of trafficking status, rights and options
- Vulnerability and resilience



- Availability, accessibility and appropriateness of measures for children
- Some children are overlooked and underconsidered
- Importance of trust and a trusted practitioner
- Insufficient tools and procedures
- Insufficient knowledge, skills and sensitivity in working with child trafficking victims
- Insufficient coordination and referral between anti-trafficking and child protection systems
- Vicarious trauma and burnout among practitioners

Special and additional measures ensure children's protection and well-being after trafficking and their longer-term recovery and reintegration. However, in practice, not all child trafficking victims benefit from these measures. In some cases, this is because of children's individual experiences, which impacts their decision-making. In other cases, structural and institutional factors impede or undermine the provision of special and additional measures for children. It is important to understand these different and sometimes competing factors to ensure that trafficked children receive the support and protection they need.



Physical, psychological and social impacts of trafficking

Trafficking negatively impacts a child's physical, psychological and emotional well-being as well as their social relationships. This differs according to age, the nature and length of trafficking, pre-existing vulnerabilities, personal resilience and sources of support after trafficking. Generally, trafficked children's conditions improve over time, as they recover from trafficking. However, some children face crises and obstacles that arise in their lives, often due to the various impacts of trafficking.

Physical impacts. Children's physical wellbeing and development are impacted by unhealthy conditions while trafficked including lack of and/or poor quality food, unhygienic living conditions and poor personal hygiene, hazardous working conditions, lack of medical care, use of alcohol and/or narcotics, lack of access to education, isolation and exposure to unsafe and unhealthy relationships.

Many have also been physically and sexually abused while trafficked, as a form of exploitation, means of control or punishment. Some children become pregnant while trafficked and experience abortion, miscarriage and/or childbirth.

Trafficked children frequently suffer various physical injuries and illnesses. These include malnutrition, wounds (such as fractures, contusions and burns), dental trauma, substance misuse/addiction and sexually transmitted infections. Left untreated, illnesses or injuries can have a long-term and deleterious effect on their recovery as well as their physical development and well-being.

Psychological impacts. Children are often deeply traumatized as a result of trafficking, impacting their cognitive, emotional and relational development. Emotional, psychological and behavioral problems include symptoms of post-traumatic stress disorder (PTSD), depression, anxiety, low self-esteem, lack of confidence, eating disorders, self-harm, suicidal ideations, substance misuse, anger/combativeness and self-isolation from family and peers.



If they have been trafficked and they have not been looked after or cared for, then they may not have eaten properly, drunk properly, slept well. They certainly wouldn't have been given the immunizations they need, you know, all the basic things we take for granted. (Practitioner):



[We have seen trafficked children suffering from] blood poisoning...drug use...undernourished, anemic, [reported] to have numerous sexually transmitted diseases and [in] desperate need of a full medical and sexual health check. (Practitioner)ii



[The traffickers] hit me with a hot iron if I did not want to [serve clients]. [...] The bodyguards put it in the stove first. They said if I did not want to serve more, this is the torture ... they did it to my hand. [...] The place was so strict. They tortured us if we did not want to serve clients. (Child trafficking victim)



I have one brother who died...they worked him so hard even though he was a small boy. When he came home he was very sick and then died. He died because of what happened in the mines. (Brother of a child trafficking victim)_{iv} Child trafficking victims experience a range of emotions after trafficking, both positive and negative. Children are grateful and relieved when they escape or are rescued from their trafficking situations. At the same time, they are generally stressed, confused and traumatized in the immediate aftermath of trafficking and need time and support to stabilize and recover. They also worry about how they will cope with problems in their lives that existed before trafficking (for example, economic problems, debt, family conflict, family needs).

While it differs by child (and their age and stage of development), many trafficked children have not yet developed strategies to cope with their emotions and manage relationships. They often need support in processing and coming to terms with exploitation as well as challenges after trafficking, through trauma-informed, childfriendly and culturally appropriate measures.

Depending on the support they receive, children's emotions and reactions generally improve as they recover and reintegrate into their families and communities. Many children draw on their personal resilience to recover. They develop a sense of mental and emotional well-being including improved confidence and self-esteem over the course of reintegration. At the same time, child victims face emotional challenges in response to life events, crises and developmental stages.

Social impacts. Trafficking also impacts children's social environments including their family and community relationships. Many child trafficking victims and their families are anxious to be reunited as soon as possible; measures that delay or prevent this reunion are a source of stress and anxiety.

Many children are welcomed home by their families in spite of having been trafficked, which contributes to being accepted in the wider community. At the same time, children's family environments are not always supportive or healthy.



[One trafficked child] reported suffering from headaches, which do not ease. There are concerns about her emotional wellbeing, not sleeping, nightmares, suicidal thoughts and self-harm. She has previously planned to kill herself by drinking bleach. (Practitioner)_v



...in my daily life I would not dare to talk to anyone about these things. (Child trafficking victim)_{vi}



Disclosure is still a problem because [the child trafficking victim] does not want to remember or recall [their experiences] ... the interview was very emotional and we only discussed that "bad things" happened. (Practitioner)vi



[This trafficked child] just goes into convulsions when you start taking her down a certain line. She is petrified and couldn't give evidence. But she is safe and that's the key thing. She is out of whatever she was in. (Practitioner)



One of the remarkable things for me about working with trafficked young children is how some of them change my perceptions that they would all be kind of really traumatized by that – some of them are living quite active lives, and on the face of it admittedly seem quite mature in the way they've handled it. (Practitioner)ix



I have never been discriminated against by anybody in the community including my family and peers. (Child trafficking victim)_x Some child trafficking victims are treated poorly by parents, siblings or other family members. They are blamed because of what they were forced to do while trafficked (such as prostitution or petty crime) or because they return home emptyhanded (in many countries, being a "good son" or "good daughter" means helping to provide for one's family).

Some children are abused and mistreated because their family blames them for their trafficking. Others are rejected by their families, unable to return home. Some children come from and return to an abusive family environment. They suffer emotional, physical and sexual abuse at the hands of family members and lack support to recover and reintegrate.

Many child trafficking victims face stigma and discrimination when they return to their communities. They often try to keep their trafficking a secret to avoid community reactions and blame. Even if they do not reveal their trafficking in the community, they may still face rumors about their absence. In some cases, neighbors gossip about where the child has been and what they have done while away. Some children are perceived as "trouble" or "troubled" due to the impacts of trafficking and are looked down on in the community.

Some children are teased and bullied by peers when they return to school or by others in their neighborhood. In extreme instances this harassment involves violence. These children may also be combative and aggressive in interactions. Some children, particularly victims of sexual exploitation, suffer sexual



As a mother, as long as she has returned I am happy already. (Mother of a trafficking victim)_{xi}



They (my family and community) do not know about my bad experiences. If they know, our relation will be bad and they may not want to talk with me and they will look down on me and discriminate against me. (Child trafficking victim)xii



[After trafficking] everything was heavy but the most hurtful was that I was cast out by my father. I did not know where to stay. I was sent from one place to another by my own parents. They did not seem to care at all. With my difficult condition, my stepmother, my father, nobody wanted to take care of me. (Child trafficking victim)xiii



There were things with the school... There are some girls who say that I'm a whore... The others avoid me...If I go to my village they call me a whore; if I go to school they say the same thing and it's very hard to get over something like this. (Child trafficking victim)_{xiv}

harassment and violence in their home communities as a reaction to their sexual exploitation.



It is important that practitioners understand the diverse impacts of trafficking on children (physical, psychological and social) as well as the widely differing reactions and situations that they face in their families and communities. Employing approaches that are trauma-informed, victim-sensitive, gender-sensitive, child-friendly and culturally appropriate plays an important role in addressing the long-lasting and deleterious impacts of trafficking on children. What other impacts of trafficking have you identified in your work with child victims? How did you address them?





Fear and risk of harm

Further harm is a real risk in the lives of many child trafficking victims. They are often afraid at different stages after trafficking and in relation to different risks and harms that arise.

Traffickers use physical, psychological and sexual abuse as well as coercion, threats and manipulation to control children and prevent their escape. Risk of harm from traffickers often continues after trafficking ends including through intimidation and threats to harm the child or their family.

Harm also arises in children's interactions with practitioners. Children may be retraumatized if their experiences are not believed; not being believed also means going unidentified and unassisted. Children may even be considered responsible for acts committed while trafficked, leading to their arrest, detention and/or deportation.



[Some trafficked children are] very afraid because most of the families, they don't support the child. And...most of the traffickers are from within their community. Most of the time they are relatives or neighbors from the surroundings. So, after the case, if the child would have to go back to the community, [they are] definitely very scared. (Practitioner)xv



No, [the trial] didn't resolve any problems. They are all free. Immediately after I am out [of the shelter] they will find and kill me. (Trafficking victim)_{xvi}



I had a lawyer which come from my country, anything I said to her, she doesn't believe me ... She always like blaming me... She doesn't want to help me.... The lawyer, she blamed me [for] what happened. (Child trafficking victim)xvii Child victim-witnesses suffer harm when they are not appropriately supported and protected in legal processes. As a result, they may be re-traumatized from multiple retellings of their experiences, lack of childfriendly techniques in court (for example, not being separated from the alleged perpetrator or having the option to provide remote testimony), insensitive treatment by prosecutors and judges and lack of physical protection leading to reprisals from traffickers.

Harm may also occur when children are assisted. Some children assisted in residential programs face strict rules and restrictions (for example, not being allowed to contact family members, not being able to leave a shelter, unreasonably long shelter stays) and experience these as harm. Some children experience abuse or violence in shelters from other children or at the hands of practitioners.



My shelter friend commits physical violence on me and I also feel hurt emotionally by them. (Child trafficking victim)xviii



When my mother cursed me, she will just curse "if you want to be a prostitute girl, you can go or you want to sell your sex, just go." But even if I didn't do this, they [neighbors] will think that I do it because my mother always curses this terrible thing everyday... It is hard for me... she hit us [me and my younger sister]. (Child trafficking victim)xix

Some children also experience harm in their families, including emotional, physical and sexual violence. This may have preceded trafficking or occur as a result of it. Harm is also suffered by children in the community. Risks of harm in family and community seriously impede recovery and reintegration.



It is important that children are protected from the vast array of harms that they may face after trafficking – from traffickers, practitioners, family and community members. This requires learning from children about the harms they have faced and taking action to guard against them. Child protection policies and child safeguarding policies are among the tools that practitioners can use to address the risk of further harm. These policies should be based on and respond to children's lived experiences of harm.

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Issues of trust (believing and being believed)

Trafficked children have been betrayed or deceived, including by those they trusted. Children may also feel let down or abandoned by family members or friends who may have encouraged them to seek work or were complicit in their trafficking. It is, therefore, understandably difficult for trafficked children to know whom to trust and rely on.

Child trafficking victims often do not trust practitioners as they have been told by traffickers that they will arrest, deport or otherwise harm them. In addition, many children have had negative experiences with some practitioners, giving them well-founded reasons not to trust them. They may not trust that their experiences will be treated confidentiality and their privacy protected. They may also not feel confident that



These children need help in developing trust and healthy and lasting relationships with people who are trained. (Practitioner)xx



...there are times there are things that you could not disclose, because you can't trust anybody... you really don't know what the other person is thinking. (Child trafficking victim)xi

practitioners will understand what is in their best interests and act accordingly.

Some children are not believed or trusted by practitioners, even when they share their trafficking experiences and seek out assistance and support. Trafficked children face disbelief and suspicion by some practitioners who do not believe that they are "real victims" and treat them as irregular migrants, prostitutes, criminals or illegal workers. Some children are punished (arrested, detained, criminalized and deported) instead of protected as a consequence of not being believed. Being treated with disbelief can silence children and lead them to avoid identification or decline support and assistance. It may also impact their decisions in the long-term, including their willingness to accept the help that they need to recover and move on from trafficking.



It's not like they fully believe you, they don't fully believe it, that you are victim, you understand? And the one that fully believed I was a victim, doesn't want to share it with the team. (Child trafficking victim)_{xxii}



...sharing such pain, over and over again, is hard. It is even harder when people have done wrong to you and you have to repeat it in front of people again and again. The feeling of being wronged is difficult to express because you cannot be sure who understands it and who doesn't. (Child trafficking victim)



Child trafficking victims need to believe in practitioners and also feel that they are believed. It is important that practitioners are open to the experiences of child trafficking victims, recognizing that full disclosure is frightening and difficult and may only take place once time has passed and trust has been built. A trusting relationship allows practitioners to better understand what the child has suffered and what measures are needed. It takes time and tangible demonstrations that practitioners are trustworthy, non-judgmental and that proposed measures are genuine, wellintentioned and in the best interests of the child.



Insufficient understanding of trafficking status, rights and options

Many children do not fully understand their status as a trafficking victim and the measures in place to support them. They may not understand their right to services and how to access them or their rights in the legal process. Some also do not see themselves as trafficking victims.

Not understanding services and how to access them. Some child trafficking victims do not receive any information about their status as a trafficking victim and the assistance that they are entitled to. They also do not always understand how to access services, whether trafficking-specific or from child protection agencies.

Other children are informed about services but, for whatever reason, still do not understand their right to support and assistance. Psychological and emotional impacts of trauma make it difficult for children to understand and process information. This may especially be the case in the immediate aftermath of trafficking when children are shocked, confused and traumatized. Children's comprehension may also be influenced by the child's age, stage of development, literacy, education, analytical and decision-making skills, language and culture.

Child victims often need time to understand their rights and consider their options. Information should be repeated on multiple occasions as well as provided in a written form so that they can refer back to it. Even when child victims are aware of available support, they find it difficult to navigate what are often complex, bureaucratic and intimidating assistance systems. They need support in understanding and seeking out services. Practitioners play an important role in providing children with accurate information and working with them to explore their options, coordinate referrals, accompany them to access services and, when needed, advocate on their behalf.

Not knowing rights in the legal process. Child trafficking victims are generally unaware of their rights in the legal process – as victim-witnesses in a prosecution or in accessing remedies – including their right to refuse to be involved and options for child-friendly techniques and protections. They often believe or have been told explicitly that they must give



The assistance organizations should clearly explain about the assistance that I can get but I do not know that I have the right to receive assistance. (Trafficking victim)xiv



I could not decide anything yet [about assistance]. (Child trafficking victim)xxv



...I don't know who I can report to. I only have one [phone] number and if they stop contacting to me, I don't know what to do. (Child trafficking victim)xxvi



Before being trafficked I didn't know about such services. Neither did I know upon arrival [home]... It is hard to locate such services... Victims do not know where to appeal for assistance. (Trafficking victim)xxvii



[Most victims] do not know anything about legal issues, laws, and their rights. (Child trafficking victim)xxviii a statement or testify against their traffickers, which may not, in fact, be the case. Written information about child victims' roles and rights in various legal processes (including options to decline to be involved) is seldom available or provided in a child-friendly manner.

Not seeing their situation as trafficking. Some children do not understand that they have been trafficked. Many come from vulnerable families and communities and have already worked in difficult conditions at home. They may see work as their responsibility and not assess their situation to be exploitative or harmful, particularly when coming from environments with poor living and working conditions.

Other child trafficking victims normalize their situation, seeing it as "unlucky" or not as bad as it could be. Some do not feel that the victim identity fits their experience, seeing the situation as "survival" rather than "exploitation". As a result they may not identify as a trafficking victim or see available services

and support as relevant or useful for them.



My situation was not very much like trafficking. If trafficked, one should have had a very hard time. (Child trafficking victim)xxix



I think I was just unlucky. (Child trafficking victim)xxx



Child trafficking victims are entitled to information about their trafficking status and their rights and entitlements. Information should be provided to children in a manner that takes into account their age, stage of development, literacy, language and other characteristics. Information should be explained verbally as well as provided in a written format that is accessible to children. Practitioners may also need to support child trafficking victims in accessing available rights and services.

What can you do in your work to ensure that child trafficking victims understand their situation and options?



Vulnerability and resilience

Trafficked children demonstrate a striking combination of resilience and vulnerability. Many children seek out opportunities precisely because they are strong and resourceful (for example, because they want to help their families or find better opportunities). And in spite of acutely negative experiences and trafficking traumas, trafficked children draw on reserves of strength and courage to move on with their lives after trafficking.

Child trafficking victims leverage personal protective factors such as intellectual skills, a positive temperament and positive selfesteem and the ability to cope with past traumas. Some children are able and wish to manage on their own after trafficking and therefore decline assistance. They may also resist being seen or categorized as a trafficking victim and refuse services associated with this identity.

At the same time, being resilient is not always sufficient to recover from trafficking nor does it in and of itself ensure the child's safety and well-being. Resilience is not evenly distributed; a trafficked child may be resilient in one way but not another. For example, a child may be personally strong but nonetheless comes from an unhealthy or abusive family. Resilience, then, is important for practitioners and child victims to acknowledge and leverage but does not necessarily negate a child's need for services and support.

All too often we fail to recognize that victims have often been without healthy adult or family support for most of their lives, and they have been highly resourceful in getting their basic needs met. (Practitioner)xxxi



She went through so much in those initial stages, but she was so resilient in trying to make sure that she wasn't going to let this defeat her. (Practitioner)xxxii



... if a child's had a hard life then they're more mature, more streetwise, more equipped to deal with things... (Practitioner)xxxiii



[Some trafficked children are] emotionally well balanced and able to take care of [themselves]. (Practitioner)_{xxxiv}

Children's vulnerabilities and resiliencies also change over time and require adjustments in the provision of protection and support. Some children have other sources of support that they can rely on (for example, family, friends and community members). They may also have access to formal assistance outside of the anti-trafficking framework (for example, from child protection agencies, community-based services, religious organizations). Some child victims and their families prefer these other forms of support because they are more familiar with them and are available in local communities where children live. They may also be less likely to draw attention to the child as a trafficking victim.



Each trafficked child is both vulnerable and resilient. It is important to identify each child's strengths and resilencies, as well as their vulnerabilities. Encouraging their resilience is important in helping them to recover after trafficking while also ensuring that adequate support and protections are available to them. Draw on other forms of support to assist the child victim (both trafficking and non-trafficking services), when available.

Guidance for Practitioners

Be sensitive to the different impacts that trafficking has on child trafficking victims – physical, psychological and social. These will trigger both positive and negative feelings and reactions. Recognize and reassure the child that these impacts and reactions are normal and a natural part of the child's recovery and reintegration. Be aware that children will also face issues over the course of their lives after trafficking which will also impact their physical, psychological and social well-being.

Identify possible sources of further harm that child trafficking victims may face in their lives after trafficking ends – from traffickers, practitioners as well as persons in their family and community environments. Identify and assess these harms on a case-by-case basis and develop a strategy to prevent or mitigate these potential harms to child trafficking victims.

Be sensitive to children's lack of trust in those around them and how this impacts their interactions with practitioners at different stages of their lives after trafficking. Recognize the importance of building trust with child trafficking victims and work towards this goal. This involves children believing in and trusting practitioners as well as knowing that they are believed and trusted by practitioners. Take the time needed to build trust with child trafficking victims and find ways to demonstrate your trustworthiness in your interactions with them, including being truthful with children and not making promises that can't be kept.

Recognize the unique situation and vulnerabilities of unaccompanied children and those deprived of parental care and put in place measures to protect them as well as reunite them with family without undue delay if considered in their best interests.

Carefully and thoroughly inform child trafficking victims about all services and measures available to them, both in terms of assistance as well as in the legal process, including their right to decline interventions. Ensure that any measures have taken their views into account and are in their best interests. Obtain the child (and parent/guardian's) informed consent for any measures undertaken for their care and protection.

Ensure that child trafficking victims fully understand their status as a trafficking victim and their rights and entitlements as a consequence of this status. Support them in understanding and accessing these rights when needed. Children who do not see themselves as trafficking victims are nonetheless entitled to these rights, protections and services.

Provide child trafficking victims with clear and comprehensive information about their status as a trafficking victim, their rights and entitlements and all measures designed to support them. Tailor this information to children's ages, education and stages of development to ensure that they understand the material. Make this information available in relevant languages, including majority and minority languages in a country. Engage victims in developing this material to ensure that the information provided is clear and accessible to different child trafficking victims.

Be aware not only of children's vulnerabilities but also their strengths and resilience. Work with children to identify and be proud of their strengths. Leverage children's strengths and resilience in working with them to recover and reintegrate after trafficking. Be aware that children's strengths and resilience does not negate their need for support and assistance. Also be aware that children's vulnerabilities and resilience will change over time and require adjustments in protection and support.



Structural and institutional challenges in measures for trafficked children

Availability, accessibility and appropriateness of measures for children

Trafficked children, by virtue of their age, stage of development and trafficking experience, require special and additional measures. These may also be needed in response to crises or setbacks that emerge after trafficking or in response to specific life events or at different stages of development. Such measures, however, are not always available.



For a long time children will feel the consequences of what has happened to them and they need that support, there is something that these children have lost. (Practitioner)xxxv

Many children are unprotected and unsupported at different stages after trafficking, either within the anti-trafficking framework or the child protection system, both abroad and at home. In many cases, measures for trafficked children do not differ substantially from those for adult trafficking victims. Younger and older children also have different needs and, at times, require different or more tailored measures. Such tailoring by the child's age is largely absent. Special and additional measures are needed in relation to identification, protection and support, non-criminalization and non-detention, for child victim-witnesses and recovery and reintegration. These measures should be child-friendly, trauma-informed, victim-sensitive, gender-sensitive and culturally appropriate.

Measures in relation to identification.

Rapid and accurate identification of child trafficking victims is critical to their safety and well-being. However, not all child trafficking victims are identified either in a timely fashion or, in many cases, at all. This may be due to practitioners' poor understanding of the trafficking definition (including that movement is not required); that exploitation can take many forms (for example, sexual exploitation, labor, petty crime) and that the "means" element (coercion, deception, fraud, threat, abduction, force or abuse of power or position of vulnerability) is not required in the case of children. Non-identification may also be because practitioners lack skills, knowledge and tools to identify child trafficking victims.

When a victim's age is uncertain, they should be presumed to be children until determined otherwise. Nonetheless, many child trafficking victims (and particularly older teenagers) are treated as adults rather than presumed to be children.



[Identification is] a lot to do with observation. It is how they present when you ask specific questions about their background and their journey. You see what their responses are like and their interaction with you. (Practitioner)xxxxi



I do not think that those involved in working with trafficking are probably aware of a wide enough number of different profiles of signs and symptoms and behavior. It is more that they expect it will be about children going missing, and actually it isn't necessarily. (Practitioner)xxxvii



In some cases, it's very difficult to judge [a child's] age, to a definite age. (Practitioner)xxxviii In all instances involving children (whether or not they are trafficking victims), child protection authorities should be involved and a set of protective measures applied to protect the child's best interests. In practice, the extent to which children are referred to child protection agencies differs substantially. Many trafficked children do not benefit from the involvement of child protection workers at any stage after trafficking.

Measures in relation to the child's protection and support. Trafficked children should receive the same protection and support as adults (for example, accommodation, medical care, legal assistance, psychological support, among others), tailored to their needs, age and stage of development. Assistance should be voluntary, in the child's best interests and with their views given due weight in accordance with their age and stage of development.

In practice, however, protection and support is most commonly available to children in closed shelter programs where they stay for long periods of time, with restrictions on their movement, personal contacts and activities. Assistance in shelters is often limited in scope and short-term in nature. It is seldom oriented to long-term reintegration needs (for example, education in their national language and curriculum or vocational training relevant to the job market at home). In some cases, practitioners do not speak the child's language, undermining effective communication and service provision.

A legal guardian should be appointed when a child trafficking victim is deprived of parental care (for example, because of separation or parental complicity in trafficking) to ensure the child's best interests and well-being and represent the child in legal proceedings. This, however, does not generally occur and, when it does, it often involves one legal guardian responsible for an unmanageable number of children.

While trafficked children and youth should receive information, in an appropriate form and manner to be able to make decisions about their lives, most do not receive verbal or written information about their rights and



Most importantly, children should be respected first...We need to open a center or a place where there are people who listen to them without judgment. (Child trafficking victim)xxxix



Many trafficked girls who [come to this shelter], they need clothes and also food because some of them come starving. Some of them when they come here they come without taking a bath for many days. So they need to bathe. (Practitioner)_{x1}



Then they explained to me [in the shelter I would receive] three meals in the morning, afternoon and evening. They will also give us clothes and we need to stay here for two months...I said, "I don't want to go" ... they don't allow us to use the phone inside the [shelter]. (Child trafficking victim)xii



I don't like the shelter where I am taking the cooking skill now... So, I ran away... (Child trafficking victim)xiii



It turned out that I stayed in the shelter for seven or eight months... I did not understand why I had to stay for such a long time at the shelter. (Child trafficking victim)xiiii



Before the children come to this [shelter], they will need to be informed about where they are going because they are mostly nervous about the place that they are going (Child trafficking victim)xiiv entitlements nor are they always engaged by practitioners in a discussion about their options. While assistance should not be conditional on the child's cooperation with authorities, many children are pressured by law enforcement to give statements and serve as victim-witnesses.

Measures in relation to non-criminalization and non-detention. Child trafficking victims should not be criminalized or held liable for any status-related offences that they were forced to commit while trafficked, such as illegal entry, illegal stay or illegal work. And yet many children are criminalized for such acts and do not receive legal assistance or representation to address these charges or sanctions.

Trafficked children should never be detained in law enforcement facilities. However, some child trafficking victims are "protected" in prisons, police cells, immigration detention centers and other criminal justice facilities.

In addition, in many countries, child trafficking victims are detained in closed shelters without freedom of movement, little to no contact with their family and exposed to penalties or sanctions when they break rules or are perceived as uncooperative or unappreciative. They are seldom able to challenge the legality of their deprivation of freedom. This causes children considerable stress and anxiety and undermines their recovery and well-being.

Measures in relation to child victim-

witnesses. Trafficked children may be involved in trafficking-related legal proceedings as victim-witnesses or as victims of crime in compensation claims or civil proceedings. Whether a child should be involved in trafficking-related legal proceedings should be based on whether it is in their best interests, including recognition that, among other considerations, legal proceedings place children in a precarious position, with risks of re-traumatization and reprisals from traffickers.

And yet, in reality many trafficked children are victim-witnesses in circumstances that are not in their best interests.

[I told the police officer that I did not want to participate in court proceedings but they opened the case anyway]. I had to go to the court. There was no choice for me (Child trafficking victim)xiv



[I was sent to adult prison for having false documents]. I think [they aren't] supposed to put me in prison because I don't know what is happening. It's not me that, do this ... I [had] never travelled before. (Child trafficking victim)xivi



I stayed in prison there for six months because I had false documents because the trafficker took my passport and gave me false documents. (Child trafficking victim)xivii



There were a lot of rules [in the shelter] which made children feel bad...There were staff who took care of us, but in our minds we didn't have freedom. I felt like we were imprisoned... The rules were tight and staff's words were mean to us. (Child trafficking victim)xiviii



[It's] very difficult for the child to decide whether to file a case or not...because their constant fear is whether or not will they be supported by anyone during the legal process. (Practitioner)xix



During the hearing, the moment I was giving my statement, the relatives of the defendant...began to make fun of me...the judges started laughing along... This situation embarrassed and scared me. (Child trafficking victim) Some authorities strongly "encourage" child victims to be victim-witnesses and make protection and support conditional on their participation. Many child trafficking victims are told, or are under the impression, that they are legally required to provide statements and testimony against their traffickers. Children are often stressed and frightened about legal procedures but feel unable to refuse.

Many child trafficking victims do not receive clear and child-friendly information about their role as victim-witnesses, their rights and responsibilities or the process itself (for example, how many statements they will need to provide, how many times they will give testimony in court, how long the case will take, the likelihood of successful prosecution). They often receive very limited information from law enforcement and prosecutors during the legal process and other practitioners generally do not have access to information about legal proceedings. A support person should be assigned to all child victim-witnesses to protect their best interests, ensure their rights and keep them abreast of developments in their case.

The circumstances of a child's role as a victim-witness (particularly during long shelter stays away from home) are taxing and traumatizing. The way in which legal proceedings take place (for example, multiple statements and testimonies, testifying in the presence of their exploiter, harsh questioning by attorneys and judges, lack of interpretation and not understanding of what is happening) negatively impacts a child's well-being and recovery.

The behavior of legal practitioners may cause additional harm and retraumatization. Legal practitioners should have standards and protocols in place to safeguard the best interests of each child victim-witness and to ensure child-friendly justice. Legal practitioners should also familiarize themselves with child-friendly courtroom procedures that may be available.

Measures in relation to recovery and reintegration. Child trafficking victims should be provided with services to support their



Yes, the [police] said if I wished to be assisted in re-obtaining my passport, I had to give testimony against the traffickers. Otherwise, they would even place me into prison for falsifying documents. (Trafficking victim)



[The child must understand] ...what's going to happen next; who to expect to see; what they are going to ask; and how to respond or how to behave. (Child trafficking victim)



[The police] threatened me. They banged their hand on the table [while] telling me to be honest. They threatened to arrest me if I did not give a statement. (Child trafficking victim)



Staff in the shelter treated us badly and even the interviews were conducted in a way that discriminated against us...They looked down on us and did not care for us. (Trafficking victim)



I asked to leave, but the duration of approving was so long. It was over a half year before I could leave [the shelter]... it was still difficult for me. It was not easy like what they said. It was difficult in my family. (Trafficking victim)_{IV}



When I got sick [while] living in the centre, the centre sent me to a clinic or hospital for treatment...I got medicines at the centre. Now that I am at home, I do not receive what I used to receive. (Child trafficking victim)_M recovery and reintegration, based on an individualized assessment of their needs, views and wishes. Services should be individually tailored, comprehensive in scope and in the child's best interests. For many child trafficking victims, however, such assessments do not take place.

Reintegration support is commonly offered in residential programs, located in urban areas far from victims' homes and families. Reintegration services are often limited or unavailable to children when living in their home communities. Some assistance, like medical care, counseling, training and education, are only available through shelter programs. Some children (and their families) agree to shelter stays as the only means by which the child can be assisted.

Because many child trafficking victims come from vulnerable families, victims' family members also often need reintegration services (for example, a job for a parent or medical care for an ill sibling). When services are limited to only those directly for the child, it is difficult to foster an environment conducive to successful reintegration. For example, when a child's parent is unemployed the child may need to drop out of school to contribute to the family economy. Lack of attention to the family situation as a whole may make the child vulnerable to re-trafficking.

Trafficked children who are unable to return home (those without parents or a viable family environment) typically stay in shelters for many years. There are few options for kinship care or alternative placements for children who cannot reintegrate into their home

My family needs much assistance since we are very poor... We need a home and we also need money. The assistance is not enough but I am happy receiving this small assistance. (Child trafficking victim)



I want to send a message [to service providers] to extend assistance to both victims and their families, especially families who are poor and desperately in need. (Child trafficking victim)



I wish I could get a job. I don't have an identity card so I can't get one... I am already really alienated from my family and I will not travel back to [my hometown] to get my identity card. (Child trafficking victim)



When they are reintegrated, the support of family and continued support of staff from the organization are needed... the support of the surrounding people is needed. (Child trafficking victim)_x

environment. There is also limited support for trafficked youth in transitioning to an independent life when unable to return to their family and community.



It is important that practitioners implement special and additional measures for child trafficking victims at all stages of their lives after trafficking, to ensure their safety and well-being. The best interests of the child should guide all measures taken; such decisions should be done in consultation with the child. It is also important that practitioners assess and address gaps and issues in the provision of special and additional measures for child victims, including when actions are not in a child's best interests. Such an assessment should be guided by children's experiences.

What special and additional measures are available in your work with child trafficking victims? What further measures are needed?

	What measures exist?	What further measures are needed?
In relation to child trafficking victim identification		
In relation to child trafficking victim protection and support		
In relation to non- criminalization and non- detention of child trafficking victims		
In relation to child trafficking victims as victim-witnesses		

Some children are overlooked and under-considered

Some trafficked children are less likely to be identified and assisted and at risk of continued or further exploitation. Many practitioners focus on trafficking for sexual exploitation and overlook other forms of exploitation (for example, labor exploitation, petty crime or begging). Some common forms of child labor (for example, domestic work) may also go unrecognized, even when children are exploited in ways that rise to the level of trafficking in persons.

Similarly, some types of victims are underconsidered. Boys, for example, face barriers in being identified and receiving services, as they are not often perceived as being as vulnerable as girls. Boys are even less likely to be identified and assisted when trafficked for sexual exploitation, a form of trafficking not commonly associated with boys. Given



Social services will say, "No, they're over 16 so they're not our responsibility." The 16 to 18 age group is a massive problem for us. You're dealing with young police officers who perhaps don't know a lot about trafficking. (Practitioner)



I think people do tend to focus on girls for the simple fact that people know more about girls. ... people really have to try harder to try and sort of look at the sexual exploitation of boys. (Practitioner)

gendered expectations about vulnerability, boys may be less comfortable in sharing their experiences and being identified.

Child trafficking victims who identify as LGBTQI+ (lesbian, gay, bisexual, transgender, queer or questioning, intersex and selfidentified sexual orientations and gender identities) are often overlooked and may be discriminated against by practitioners. Transgender and gender-nonconforming child victims are socially marginalized and may face discrimination in accessing some forms of assistance (for example, housing, job placements) or need specific protection and assistance that is unavailable (for example, safety measures due to risk of discriminatory violence, family mediation, gender-affirming medical and mental health services). In countries where same sex relationships are criminalized, LGBTQI+ children trafficked for sexual exploitation may go unrecognized as sexually exploited and instead be misidentified and criminalized for engaging in same sex relations. Children who feel judged or unaccepted because of their gender identity or sexual orientation may also not trust practitioners with their stories.

Children with disabilities are often particularly vulnerable to trafficking in persons. They may also be especially difficult to identify. Victims with mental disabilities may not be able to articulate their exploitation, going unidentified and unassisted, and therefore under-considered. Trafficked children with disabilities, whether physical or mental, have specific assistance needs that are generally unmet given lack of attention to these needs.

Older children (teenagers who are approaching adulthood) also tend to be underconsidered. Practitioners often treat youth as adults (for example, they do not apply the presumption of age of minority and provide services in line with adult needs, such as training and jobs rather than education options). They are often also perceived as less vulnerable than younger children and, with limited resources, less prioritized as a result.

Child trafficking victims who are country nationals may also go undetected in settings where practitioners do not recognize that children are trafficked within their own country and that child trafficking need not involve movement or the "means" element.





Something that is coming more and more to notice now is that it is so much more difficult to get young men to talk about it...They may have been through exactly the same situation [as girls] but they are dealing with it in completely different ways because that is how they have been brought up. (Practitioner)



People think that when someone belongs to LGBTI community, they were born to be sex workers so it is not unusual to be abused. Police almost never agrees to file the case of LGBTI abuse. So, abuses mostly go unreported. (Transgender child trafficking victim)



Organizations only focus on girl children but boys are being victimized and abandoned too. So there should be a shelter home for boys as well. Where they could stay, they could get education. (Child trafficking victim)



[A child trafficking victim often won't use] those words...[they may feel] very angry that this happened and that [they were in] that situation. But...the words "trafficking" and "exploitation" are not words that most 14-year-olds would use on a day-to-day basis. (Practitioner)_{ixvi}



Adolescents are a high risk group...there is a danger that we focus too much on the risk to babies and very young children. We need to ensure that teenagers are seen in the same light (Practitioner)_{kvii} In some cases, children are distrustful, uncooperative and even combative with practitioners. They may be dishonest about what has happened to them or unwilling to disclose their real age (saying they are over 18). Practitioners' sensitivity to the reasons for children's reactions is key in fostering the feelings of trust and safety that will lead to a child's openness to support and assistance



It is important that practitioners are knowledgeable about and sensitive to the many different children who may be trafficking victims (children of all ages, genders, sexual identities, nationalities, ethnicities, social origin and other characteristics). This requires being informed about child trafficking as well as sensitive to how children's experiences may undermine their trust and confidence in practitioners.

Importance of trust and a trusted practitioner

Building and maintaining trust is critically important in the identification, protection and reintegration of trafficked children. Each child should be assigned a trusted practitioner (usually a case worker) to support their immediate care and subsequent reintegration. This practitioner helps children (and their families) to access information and support from different agencies, serves as a single point of contact for different agencies to communicate with, advocates on the child's behalf and acts as a consistent, trusted person for the child to engage with. In their relationships with children, case workers model trusting and supportive relationships, in contrast to the child's trafficking experiences.

Time is needed to understand the child's individual trafficking experience and life circumstances to be able to ensure that their best interests are guarded in all measures taken. This involves securing the child's trust and confidence and allowing them time to share what they have experienced, how they feel and what they need. It also involves supporting the child through the ups and downs of life after trafficking including being open and flexible with support and services and allowing children to return if they do drop out of the program or go back to exploitative situations.



A trafficked child] might be here for some time [is the practitioner] going to be available for that length of time? With the police officers, [we try] to ensure that somebody isn't going on leave or they're not part-time workers and things like that we tried to keep the same social worker, the same interpreter, the same officer dealing with it. (Practitioner)[xviii



[It is important to understand] that this process can take a while in gaining [the child's] trust, understanding of where she has come from, where she is, where she needs to be and what she needs to do to get there. (Practitioner)



I clearly remember [we] had yet another person change and it's just on [the child's] face "Oh God, have I got someone else again"...in hindsight we would have planned it very differently and made sure that whoever was there at the start was there at the finish. (Practitioner)Ixx

However, not all child trafficking victims are assigned a case worker and, even when this does occur, there is often a high staff turnover in assistance agencies. Trafficked children tend to interact with many different practitioners at various stages of identification, assistance and reintegration, which requires starting over with each new practitioner and re-telling their difficult and traumatic life events.

Children who speak other languages need trusted interpreters who understand their situation and are sensitive to their needs. Appropriate interpreters play an essential role in helping trafficked children to feel comfortable in disclosing their experiences and discussing their needs.

Using an inappropriate or insensitive interpreter puts the child at risk of anxiety and stress and inhibits them from sharing their experience. It can also lead to inaccurate information, which may result in unsuitable measures that undermine the child's well-being including protection, recovery and reintegration.



I think it's fair to say that had it not been for the [interpreter], we wouldn't have [been successful in gaining this child's trust], [the interpreter made] an outstanding effort on this young girl, from befriending her, to being able to relate to her. (Practitioner)^{txi}



The interpreter was "embarrassed by my life" I was an embarrassment to her. (Child trafficking victim)



It is important that children are assigned a case worker whom they trust and rely on and who works with them consistently over time. This helps to avoid children having to retell their traumatic experiences or to work with many different practitioners. Assigning a trusted and qualified interpreter, when needed, is also important in supporting child trafficking victims.

Insufficient tools and procedures

Tools, protocols and procedures are needed for the implementation of special and additional measures for child trafficking victims related to identification, protection and reintegration, as well as in legal proceedings. And yet, in many countries, child-specific measures do not exist or practitioners are not aware of these measures or trained in their use. Existing measures are not always accompanied by tools and procedures to support their implementation.

National ethical guidelines on working with child trafficking victims do not always exist, leaving practitioners without guidance on how to ensure the best interests of the child, privacy, confidentiality (and the limits of confidentiality), informed consent, participation, non-discrimination, safety and well-being and the child's right to participation in practice. Practitioners are not always aware of or do not have access to internationally available ethical guidelines. Such guidelines are also unlikely to be translated into local languages and adapted to the local context.

This means that practitioners are often not equipped to handle ethical issues that arise in working with trafficked children. For example, some child trafficking victims suffer ethical breaches and privacy violations when a



We've developed protocols from the way we work because it's very important that we can define what we do, so we're more open and people look at what we do for us to improve. (Practitioner)^{kxiii}



I do not trust or believe anybody because I noticed that when I share my story to others, they often share it to other [people]. (Child trafficking victim) practitioner shares their story with others or when their trafficking status is disclosed to the media or in their community. Some ethical issues are also legal issues and the two factors must be appropriately weighed. For example, children's right to privacy and confidentiality needs to be weighed against legal frameworks related to the limits of confidentiality and mandatory reporting in the country.



[We are working to] make better assessments at the beginning [to] have a safeguarding response...we've got that in place now, the case is both child protection and immigration case. The two areas of work have to be developed together. (Practitioner)

It is important that practitioners are familiar with and trained in tools, protocols and procedures for special and additional measures for trafficked children as well as ethical guidance. In the absence of national materials, practitioners may look to international guidance on special and additional measures. Child protection and child safeguarding policies play an important role in avoiding ethical and legal breaches and in ensuring the best interests of the child.

What tools, protocols and guidance do you have in your country / area to support your work with trafficked children?

What tools, protocols and guidance *do you need* in your country / area to support your work with trafficked children?"

Insufficient knowledge, skills, and sensitivity in working with child trafficking victims

Many child trafficking victims are supported by skilled, knowledgeable and sensitive practitioners who play an instrumental role in their recovery and ensure their best interests. However, this is not always the case. Many trafficked children interact with unqualified and insensitive professionals who do not act in their best interests or guard their safety and well-being.

Knowledge and skills in working with

trafficked children. Working with trafficked children requires specific skills and knowledge including an understanding of child trafficking, its impact on children, how to identify and assist trafficked children and child-friendly practices. Some practitioners have not been trained to work with children and lack the knowledge or capacity to identify and support them.

Many practitioners lack knowledge of child protection principles and children's rights as established by the United Nations *Convention on the Rights of the Child* (CRC). For example, immigration officials often see trafficked children as irregular migrants rather than as children in need of protection. Some trafficked children are never identified or assisted as a result. Others are not assisted in ways that ensure their best interests and well-being.

Sensitivity in working with trafficked children.

Many trafficked children are treated politely, respectfully and feel supported when interacting with practitioners. However, some trafficked children are poorly treated during identification, when reporting their case or when giving statements. They experience insensitive treatment, behavior and attitudes from different practitioners.

Law enforcement may approach identification as an interrogation and detain children in inappropriate conditions while their trafficking status is being assessed, rather than interviewing them sensitively. Lawyers may interview children in an intimidating, disorienting or frightening manner. Some healthcare professionals are discriminatory and judgmental in their behavior (for example, looking down on children for their sexual exploitation or for being "diseased").



[The practitioners] are okay but still I did not feel that they could understand me. They are young, inexperienced. I feel that they were there only because they were paid. And I couldn't speak to them. (Trafficking victim)boxyi



When I first went to the team ... police, social services, media, everybody talked about trafficking in relation to sex... It was all about sex trafficking And within six months of our team forming we realized that it wasn't all about that. (Practitioner)



I had no idea of the complexities until I got into this job. (Practitioner)xxviii



A police officer came by car to take me to this center...The psychologist talked to me and then she talked to my mother...They assured me that the information would be kept secret. It was very easy for me to speak to the psychologist... The people who interrogated me were very polite and friendly to me. (Trafficking victim)



[We see] discrimination... for our clients in terms of working with prosecutors, and people in law enforcement, and lawyers and judges and how it can be really discouraging for young people... just ignorance about the population and how to talk to, respond to, and support [them]. (Practitioner)^{box} Child trafficking victims may face insensitivity and discrimination due to their trafficking or based on personal and specific characteristics (for example, as a foreign national, being transgender or gender-nonconforming, having a disability).

Lack of sensitivity from practitioners hurts, stresses and re-traumatizes child trafficking victims who often lack coping skills to manage and overcome these experiences. It also compromises their trust in practitioners.

Negligence, maltreatment, abuse. Failure to identify child trafficking victims is, in some cases, negligence on the part of practitioners. Some child trafficking victims face maltreatment and even physical and verbal abuse at the hands of practitioners. Practitioners sometimes also fail to interfere in abuse committed by some children against others in care.

These encounters are uniquely stressful, intimidating and frightening. Depending on the circumstance, such acts may either constitute a professional breach of conduct or a criminal act that requires action on the part of authorities.

The doctors don't give us proper treatment either. Some doctors don't see us as normal human beings. (Transgender child trafficking victim)^{kxxi}



When that doctor checked me she behaved like she was disgusted to touch me. (Trafficking victim)



trafficking victim)

About the police, they asked for sex

[instead of taking] me to the police

nationality and beat me up. (Child

station, humiliated me for my

[At the shelter] they used to beat us with a stick... They shaved our heads, they said because we had lice. They used to mock us. (Child trafficking victim)

It is important that practitioners are skilled and knowledgeable to work with child trafficking victims and are sensitive, respectful, child-friendly and trauma-informed in their interactions. They should be trained in child protection principles and practice and have opportunities for on-going professional development. Cases of criminal negligence, maltreatment and abuse by practitioners are to be taken seriously and reported to law enforcement to hold those responsible to account. Reports of wrong-doing should also be reported and carefully investigated.

Insufficient coordination and referral between anti-trafficking and child protection systems

Child trafficking is a child protection issue; child protection refers to activities that prevent or stop children being abused or ill-treated including trafficking in persons. All children are to be protected without discrimination due to age, race, gender, language, religion, ethnic or social origin, birth or other status. Government agencies have a statutory duty and role to safeguard and promote the well-being of trafficked children. The primary consideration in all actions taken is that they are in the best interests of the child, to ensure the child's full and effective enjoyment of their rights and their holistic development.

However, many practitioners who encounter trafficked children do not apply a child protection lens nor consider the child's best interests. In many countries, children are treated as perpetrators or victim-witnesses. Child victims are not, as a result, referred to child protection agencies. Those whose age is in doubt are often treated as adults, leaving children and their rights unprotected.

Additionally child protection agencies often focus on safeguarding younger children with less attention to vulnerable teenagers. This seems to be, in part, because of a view of childhood that excludes adolescence. It may also be because child protection services have limited resources and focus on those perceived as more vulnerable. There is a need to pay equal attention to different problems and issues experienced by children of all ages, both within child protection and anti-trafficking frameworks and to implement measures that are in their best interests.

Assessing a child's best interests requires their participation. Children should express and have their views given due weight in accordance with their age, stage of development and capacity. Participation may also be therapeutic and strengthen selfesteem and confidence. In practice, children are often not consulted about their needs and interests in relation to identification, assistance and reintegration or in legal processes.

At the same time, determining what is in a child's best interests is complicated. The concept is broad and open to different interpretations. Practitioners and children may disagree on what measures are in their best interests. This requires weighing and balancing children's views with due consideration to their resilience and evolving capacities as well as their vulnerabilities and protection needs.

Child participation also provides valuable first-hand experience that can be leveraged to improve interventions. Overall children are not engaged in the design, implementation and evaluation of anti-trafficking measures that impact them. There also appear to be few mechanisms for feedback from trafficked children within organizations and institutions working directly with children.



Working together with other professionals – the more that happens the better it is for everyone. That frees us to support the young person it allows each professional to fulfill their specific role as best as possible. (Practitioner)



... there is a culture among different agencies and teams where they don't necessarily want to own decisions and the child [does not receive coordinated care]. (Practitioner)



[For some practitioners] it's like, as long as we cannot see any proof we don't believe you've been trafficked... The lady was telling [me] "a lot of kids make up things... you're one of those that probably made up things what happened to you". (Child trafficking victim)



They (the social workers) never listened to what I wanted. (Child trafficking victim)



In order to get real opinions from [children] about [our assistance], we use different methods such as complaint and suggestions box, evaluation forms, interviews by the program coordinator (not by staff that conduct activity) and in some specific cases, free discussion with the head of [the organization]. (Practitioner) To ensure each child's best interests, increased cooperation and coordination is needed between the anti-trafficking framework and child protection systems, leveraging different professionals (social workers, healthcare professionals, teachers, lawyers, law enforcement) from within these systems. This allows children to benefit from the range of measures and services from different organizations and institutions. However, many anti-trafficking practitioners are not knowledgeable about what services exist for children, who is eligible for them and how to access them. Child protection agencies are also often unaware of what support and services can be leveraged for children from anti-trafficking agencies.



It is important that child trafficking is treated as a child protection issue, with enhanced cooperation between child protection and anti-trafficking agencies to maximize available resources, avoid duplication of services and guard the best interests of each child. Engaging child trafficking victims in the design, implementation and evaluation of measures ensures that they are well designed and meet their specific needs. Careful attention is needed as to the best way to encourage meaningful participation of trafficked children of different ages and stages of development.

List the services in your country/region that are available to child trafficking victims, from anti-trafficking or child protection agencies including the types of victims they assist and how to access these services.

Type of services and support (accommodation, medical, counseling, education, training, economic opportunities, administrative support, legal assistance, protection, return, family support)	Provided by? (specify organization or institution)	Target group (gender adult/child, type of TIP)	Location and contact information

Vicarious trauma and burnout among practitioners

Working with child trafficking victims is taxing and emotional work. It involves listening to, witnessing and addressing situations that may involve extreme violence and exploitation of children of all ages. Practitioners are often responsible for many children's cases, including those who do not easily disclose what has happened, who may be difficult to work with or who may return to exploitative situations. Practitioners also face a range of other challenges, including limited resources, lack of skills or experience working with children and heavy caseloads. For some practitioners, child trafficking is only one of a range of emotionally challenging social issues that they work on.

Practitioners suffer stress, vicarious trauma (indirect exposure to trauma that results in similar feelings to those that victims experience) and face burnout. They need professional supervision and support in their individual roles as well as opportunities for expressing their needs and access to self-care. To be able to work effectively and sensitively with trafficked children, practitioners need emotional and psychological support to help them manage the stress and difficulties that they face on a day-to-day basis and to prevent exhaustion and burnout. Often lack of resources means that support and self-care are not possible.

Support is also needed by interpreters who work with trafficked children.



[To work with trafficked children] you obviously have to have the heart and you have to be strong enough... we've had cases who've passed away. We've had cases where I lost them because we failed. They got beaten up or they got damaged. (Practitioner)_{xc}



We've had one very severe case... this boy... his body was completely broken. He was five years old. So I just started throwing up in the bathroom. So you know, it just gets to a point where your body can't handle it... So I started counseling then just to talk about it. And that helped me. (Practitioner)_{xci}



[Child trafficking victims] will make bad decisions. It's not the end.... Prepare your heart. You will hear very bad stories. You can be so sad and may want to cry with them. Stay strong. (Practitioner)_{xcii}



...the interpreter that we had was obviously shocked by what she was hearing. That was a joint interview I did with a police officer and both of us had the same anxieties about what was being interpreted. (Practitioner)_{xciii}

Interpretation of traumatic experiences may also result in vicarious trauma and interpreters need support in managing difficult interviews and interactions.



Working with trafficked children is critical, lifesaving work, which takes a great toll on practitioners. Stress and burnout are real risks for practitioners and it is important that they are adequately supported in their daily work (with supervision and reasonable caseloads) as well as have the opportunity to seek support and care. Interpreters who work with trafficked children may also face vicarious trauma.

Guidance for Practitioners

Provide all child trafficking victims with special and additional measures, in line with their selfidentified needs, regardless of age, gender, sexual orientation, nationality, ethnic or social origin, disability or other characteristics. Such measures are needed in relation to identification, care and protection, non-criminalization and non-detention, child victim-witnesses and recovery and reintegration.

Ensure that all measures are based on the best interests of the child and are child-friendly, victimcentered, trauma-informed, gender-sensitive and culturally appropriate. Engage child trafficking victims in the design, implementation and evaluation of all such measures to ensure that they are appropriate, effective and in their best interests. Be accountable to trafficked children including through feedback and complaint mechanisms.

Ensure that no child trafficking victim is overlooked by practitioners, regardless of age, gender and gender identity, nationality or other characteristics. Understand and be sensitive to the reasons why some children may avoid being identified (for example, discrimination, embarrassment or poor treatment in the past) and work with them to ensure that they receive the measures they want and need. Challenge your own assumptions and biases about who is a child trafficking victim and forms of child trafficking.

Ensure that a trusted practitioner is assigned to work with each child trafficking victim and with the same child consistently over time. Avoid having children re-tell their experiences or work with many different practitioners. If translation is needed, assign a trusted and qualified interpreter who is able to understand and communicate sensitively and appropriately with the child trafficking victim.

Identify and familiarize yourself with existing tools, protocols or procedures in your country to implement special and additional measures with child trafficking victims. In the absence of such tools, identify international guidance that can be used to support your work with child trafficking victims. Develop local protocols and guidelines based on these standards and good practice to guide your work.

Adhere to ethical guidelines to guide measures for trafficked children particularly in relation to ensuring the best interests of the child, privacy, confidentiality (and the limits of confidentiality), informed consent, participation, non-discrimination, safety and well-being and the child's right to participation. In the absence of national guidance, follow international ethical guidance for working with child trafficking victims. Take steps to avoid revictimizing and retraumatizing child victims.

Ensure that you have sufficient knowledge, skills and sensitivity to work with trafficked children. Seek out tools and resources that can improve your skills and capacities; seek out professional development and capacity building opportunities wherever possible. Adhere to child protection and child safeguarding policies, ensuring that all practitioners are properly screened, trained and supervised in working with child victims.

Build and maintain partnerships and trust among practitioners and agencies working on antitrafficking and child protection, at local and national levels, to ensure a continuum of protection, support and care and comprehensive reintegration services for trafficked children, both in shelters and in their community.

Recognize the risk of stress and burnout in your work. Develop strategies to cope in your daily work and seek out support and care to prevent burnout and vicarious trauma.

Other Bali Process and NEXUS Institute resources on special and additional measures for child trafficking victims

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NEXUS Institute (2020) *Trafficking Victim Protection Frameworks in Cambodia, Indonesia, Lao PDR, Thailand, and Viet Nam: A Resource for Practitioners*. Washington, D.C.: NEXUS Institute, Winrock International and USAID. Available at: <u>https://bit.ly/39Kav65</u>

NEXUS Institute (2017) Supporting the reintegration of trafficked persons. A guidebook for the Greater Mekong Sub-Region. Washington, D.C.: NEXUS Institute and Bangkok: UN-ACT and World Vision. Available at: <u>https://bit.ly/3lL1vQz</u> (available in <u>Khmer</u>, <u>Laotian</u>, <u>Vietnamese</u>, and <u>Thai</u>)

UNIAP and NEXUS Institute (2013) *After Trafficking. Experiences and Challenges in the (Re)integration of Trafficked Persons in the Greater Mekong Sub-region.* Bangkok: United Nations Inter-agency Project on Human Trafficking (UNIAP) and Washington, D.C.: NEXUS Institute. Available at: <u>https://bit.ly/37KMDwC</u>

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