

Comprehensive Care for Survivors of Human Trafficking - A Social Work Perspective

A WARNATH GROUP PRACTICE GUIDE



The WARNATH GROUP

Comprehensive Care for Survivors of Human Trafficking – A Social Work Perspective

PRACTICE GUIDE by The Warnath Group

“Too few governments recognize the value in investing in the creation of a meaningful system of care and support for those who have survived human trafficking. Meaningful services are a pillar of the foundation of good practices leading to success in addressing human trafficking cases. An investment in services to support the rebuilding of the lives of individuals who have been trapped in human trafficking is not only the right thing to do; it also is one of the best investments a country can make to support increased participation of victims in successful prosecutions of the perpetrators and prevention of re-trafficking.”

-Stephen Warnath, CEO & President, the Warnath Group

AT A GLANCE

Intended Audience:

- Policy-makers, government and non-government social service providers, social workers, case managers, shelter staff, and victim advocates working with survivors of human trafficking

Takeaway: Victims of trafficking are people from diverse backgrounds, life experiences and responses to their trafficking situation. Victim care and support should reflect this diversity by offering comprehensive care that addresses the individual needs of survivors as they begin rebuilding their lives. A comprehensive package of assistance should include care by professional social workers trained to work with victims of human trafficking. Care designed to address the individual needs of each survivor reduces their vulnerability to being re-trafficked or further exploited and seeks to ensure long-term community re-integration and social inclusion.

In This Practice Guide:

- Goals & Principles of Victim Support Systems
- Key Components of Case Management Programs

Introduction

Human trafficking takes many forms around the world and affects men, women, and children from a diversity of backgrounds in many different ways. Protection of victims in all of trafficking's forms is a central tenet of the original “3 Ps” paradigm (prevention, protection, prosecution) used around the world to combat human trafficking. Key victim protection provisions are articulated in Articles 6 and 7 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (“Protocol”), the international law ratified by 175 countries that has guided national anti-trafficking laws, policies and practices around the world. Over the years even broader regional and national obligations to

provide assistance and services to victims of trafficking have been adopted in many countries.

Unfortunately, in practice, the sufficiency of countries' programs for provision of services and assistance for those who have survived human trafficking is mixed. Many countries do not provide minimal levels of needed assistance and support. Numerous countries make victim protection and support conditional upon or linked to criminal justice proceedings. Some countries require a victim to cooperate with the criminal justice process in order to be officially designated a victim of trafficking and gain access to services. Thus, services and assistance offered are often limited to the provision of various short-term measures designed less to match the needs of each victim than to serve as an incentive or leverage to obtain victim cooperation through to the conclusion of criminal proceedings. Some countries may be constrained by a lack of resources. Unfortunately, it is not unusual for some of these countries to simply hold victims in shelters during the pendency of a criminal justice proceeding, or quickly remove victims from the country without ascertaining or coordinating to help ensure that a survivor can obtain meaningful longer-term care after being removed to the individual's country of origin. Victims who do not receive needed assistance will be required to fend for themselves to heal and rebuild. Instead, all countries should review and assess the effectiveness of their programs to ensure provision of services and assistance to meet the needs of the range of types of victims and the full range of forms of human trafficking and strengthen their cooperation to achieve this objective.

As much as possible, any system of support which includes services and assistance should seek, at a minimum, to restore each victim to the life situation they had before becoming a victim of the crime of human trafficking. Ideally the support system will enable every victim to build for a life of well-being and independence. These are minimal steps to begin to address righting the wrong inflicted upon each human trafficking victim and to prevent further exploitation.

A key to achieving this is for countries and NGOs to employ professional social work staff to design and deliver support programs based on each victim's needs and provided according to principles of social work.

Social workers are trained professionals who assist people with complex and challenging behaviors.¹ The role of social workers is to help improve outcomes in

¹ "Social Work", according to the International Federation of Social Workers is "a practice-based profession and an academic discipline that promotes social change and development, social cohesion, and the empowerment

people's individual lives. They maintain professional relationships and act as guides and advocates for social justice. They are a critical link between the lived experiences of victims and policymakers charged with providing effective victim support programs.

Governments who provide funding to NGOs or who operate departmental anti-trafficking victim support programs should allocate adequate funds to ensure that qualified professional social workers are in supervisory/management roles. If this is not possible, then professional social workers should be contracted to provide regular supervision to shelter and case management staff, victim advocates and other support workers. This will help ensure the professional provision of services and victim support and that a rights-based framework underlies service delivery.

A comprehensive approach to delivering support services recognizes that services may be non-linear, that people need to make choices for themselves and that they can recover from trauma. Some law enforcement procedures and outcomes may create obstacles to victims moving forward in rebuilding their life and reinforce the disempowerment experienced during human trafficking and slavery crimes. Adopting and integrating into all aspects of the criminal justice process victim-centered and trauma-informed practices is critical to addressing these potential obstacles. Because so many factors, including much of what they will encounter in the criminal justice system, are outside of the control of victims, any helping system should seek to restore or enable victims to have choice and control wherever possible.

Goals related to a support system should:

- 1) Reduce future vulnerability to exploitation, trafficking and other human rights abuses (prevention);**
- 2) Provide adequate safety and dignified assistance, care, and support to recover from human trafficking experience (protection);**
- 3) Provide access to comprehensive and timely criminal and civil remedies against the perpetrators (prosecution); and**
- 4) Be transparent and accountable in its relationships between agencies working to assist victims (partnership).**

and liberation of people. Principles of social justice, human rights, collective responsibility and respect for diversities are central to social work. Underpinned by theories of social work, social sciences, humanities and indigenous knowledge, social work engages people and structures to address life challenges and enhance wellbeing."

In more advanced victim support systems that provide for longer-term engagement of victims that have accessed support, co-design strategies should be implemented. Co-design is simply a range of activities and processes used in the design of services and products that involve the people who use or are affected by that service or product. It is logical to consult service users in the development of policies and programs designed to assist them. Co-design projects should ensure that any victims consulted are recognized for their expertise and compensated at the same level as other subject matter experts.

Victim Support Principles and Operational Concerns

Victim support should be as holistic as possible by providing for each victim's physical, emotional, psychological, social, and economic needs. This is often provided by a range of people, who should be trained and certified to perform their roles professionally, from multiple agencies including government and non-government organizations. The range of services and assistance that victims are eligible for should be explained, so that the victim can choose which, if any, of the available services and assistance they want to receive. A commitment to engaging each victim in these decisions is an important aspect of restoring choice and control that human trafficking has removed from victims and will assist them to develop effective and safe self-advocacy skills. Victims should never be required to accept any specific services, that they do not want or as a condition of receiving care. If a victim declines or disengages from any services at any time this decision should be respected and information about any opportunities to re-engage clearly provided.

Services should be offered in a way that is voluntary and transparent to victims especially in relation to how organizations are collaborating on their behalf and sharing information. Victims should have choice and control of when, how and to whom their information is provided and be able to decline provision of their information to others - including their national governments. All agencies working with victims should provide clear policies and procedures to each individual regarding confidentiality and how victims can provide informed consent to the use of their own information. Informed consent should be provided in a written format and detail what information is being shared, with whom, when and for what purpose as a regular procedure of victim support. Victims should also be advised of how their consent can be revoked or withdrawn by them at any time. Although this may seem cumbersome to agency staff, it is necessary to ensure that victims are making their

own choices. A clear explanation of how victims' information is stored and how they can access it should also be provided.

Professional Boundaries

Professional boundaries are vital in social care work because staff are working on a deep level with vulnerable people. Social care organizations have a responsibility to ensure that their help and support does not damage or disenfranchise the people they are supporting. Professional boundaries should be explained including how those boundaries are managed by senior staff. Support staff should never promise what they cannot deliver and should not develop personal relationships with victims while performing their professional duties. People who enter the caring profession are often genuinely compassionate and wanting to make a difference to others. However, there must be supervision of their interactions with vulnerable service users. This extends to law enforcement, government and other service providers such as interpreters. Clear and safe mechanisms for grievances should be provided if professional boundaries are breached.

Trauma-informed Care

All government and non-government staff engaging with victims should be provided with training on the impacts of trauma as many victims do experience trauma. This includes criminal justice professionals such as judges, prosecutors and police. Victims may present with symptoms of physical illness, challenging psychological behaviors, cognitive disturbances and struggles to regulate emotion – these are all normal responses to traumatic experiences such as human trafficking. However, these can impede a victim's ability to participate in legal proceedings, interfere with the tasks of daily living and stop them from accessing therapeutic support services. Trauma can alter the chemistry of the brain thereby affecting many of the brain's functions. When professionals understand the nature and effect of trauma and work from a trauma-informed approach, better outcomes are achieved for victims, within the systems designed to protect them and by the criminal justice system responsible for prosecuting traffickers, as well.

Case Management

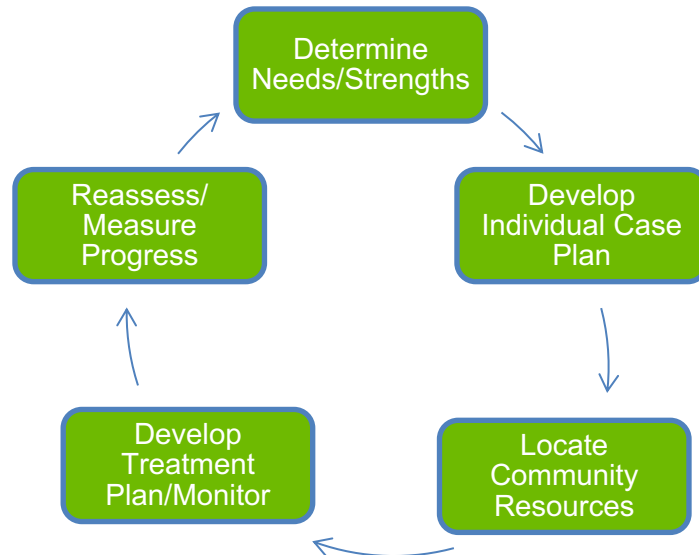
Case Management is a collaborative process of assessment, planning, facilitation, care coordination, evaluation and advocacy for options and services to meet an individual's comprehensive needs.

Key components of case management programs should include:

- a. Needs assessment (intake), service planning, monitoring and evaluation
- b. Case management meetings with partners
- c. Case management documentation
- d. Case review and supervision with a social worker/supervisor
- e. Evidence-based advocacy for improved policies for victims of human trafficking

Successful case management involves an ongoing process of assessment, treatment and reassessment (as displayed in Figure 1 below).

Figure 1: The Ongoing Process of Case Management



The ability of case managers to be effective in their work with victims of human trafficking is often limited by: 1) government policies that exclude victims from support; 2) inadequate funding of existing supports; 3) supports not designed to meet needs of victims; or 4) supports not available at all. Nevertheless, it is the role of case managers to work within the systems and constraints available to assist victims towards their goals. Case managers working on the front line with victims

should be regularly consulted to ensure that barriers to effective service provision can be communicated to key decision-makers.

There are a range of stages in case management for victims with key elements outline below:

1. Crisis Response Stage (addressing urgent needs)

Rapid needs assessment/intake (on-site, often with police)

risk assessment – (risks to victim, family, others) resulting in a risk management plan that is realistic to implement for the victim

material aid/financial assistance – food, clothes, phone, transportation, money, language assistance that is timely and culturally appropriate

crisis accommodation – feel safe from traffickers

urgent medical care – address injuries, illness, substance abuse access to medication

acute mental health – panic attacks, uncontrolled behaviors, suicidal ideation, contact with family if desired

legal advice related to both criminal and immigration proceedings – secure identity documents, stabilize migration status, support to effectively enable cooperation with law enforcement

Intensive case management (implementing a plan for support in partnership with victim and other agencies)

role of case worker – explained in detail and communicate the PROCESS of case work over time

role of victim/client/service user – how to partner with their case worker

culturally responsive support – how to access interpreters, observe their own culture, religion, respect for others if living in a multi-cultural environment

case planning and documentation tools – preparing them for paperwork, practicing how to sign documents, providing tools for engagement

managing service delivery timelines – setting expectations about when agreed tasks will be completed and how communication will occur

managing relationships with partners including law enforcement – explaining confidentiality and how it is managed

opportunities to build rapport/trust through activities

baseline social impact measurement – where is the victim starting from when engaged with support services?

2

² For more information please see The Warnath Group's Practice Guide "Providing Social Services Support for People Who Experienced Human Trafficking Acting as Witnesses in Legal Proceedings" which illustrates the role

2. Transitional Support Stage (reducing vulnerability, increasing independence)

Comprehensive needs assessment by case worker:

review risk assessment (risks to the victim, family, others) – to measure progress or to identify any new risks that need to be managed

material aid/financial assistance – access to employment and education

long-term accommodation – options for independent living

ongoing medical treatment – completing treatment for diagnosed conditions, access to medication

ongoing mental health services – completing treatment for diagnosed conditions, access to medication

comprehensive assessment of legal needs and support plan – free legal assistance in place to explain and address criminal, civil, migration and other legal proceedings as needed

rights education – as victim of crime, labor rights, other areas identified

education/employment assistance – to gain language skills, training/job skills, support to find and maintain a job

independent living skills development – as required

community and social supports/linkages/networks – access to social groups, religious organizations, sporting groups

social impact measurement

of social services staff in criminal justice processes using composite scenarios based on real cases and provides an overview on how to create safety and support plans and ensure the victim has the necessary information to exercise choice throughout the criminal justice process, available at <https://www.warnathgroup.com/practice-guide-providing-social-services-support-for-people-who-experienced-human-trafficking-acting-as-witnesses-in-legal-proceedings/>.

3. Outreach Support Stage (independent and thriving)

time-limited case work

exit planning from support services into safe and secure independence

exit from support services - client evaluation and feedback regarding services and seek consent for future related to co-designing services

supporting opportunities for survivor advocacy, peer mentoring and awareness-raising if there is an ethical framework in place to support this kind of engagement

Respite/Information and Assistance

Victims of trafficking and slavery who have disengaged or been exited from services may need to re-engage with previous supports from time to time. Unfortunately, after they may return to a crisis situation and need additional rounds of crisis support. Service providers should be prepared to reassess if: 1) short-term respite support can be provided; 2) a new crisis response is required, or; 3) a warm referral to another service is appropriate. A social service provider that has built a relationship of trust with a victim and that has his/her service history should be able to provide referrals and respond to occasional queries for assistance by reopening the victim's file or by initiating a new request. Examples include requests for copies of information held in agency files, obtaining letters of support or verification of services provided.

Prevention Support Services

Social service providers and law enforcement may become aware of people in the community, social welfare or criminal justice systems who are at-risk of human trafficking, slavery or slavery-like practices. There are, in many countries, minimum criteria that must be met to qualify for human trafficking victims to receive social services. There are situations where people at severe specific risk of trafficking do not quite meet the eligibility criteria for assistance and are denied social services. It is critical that social service providers have some flexibility and resources to intervene when such indicators are present so that those individuals' vulnerability to

human trafficking and slavery crimes can be reduced. Social service providers can advocate for expansion of services for these individuals and revising the criteria to expand eligibility to prevent individuals from being trafficked. Funding bodies should give consideration to the importance of these services being made available especially when no other specific prevention programs are in operation.

Measuring success – social impact evaluation/data collection

Most NGO service providers and law enforcement collect victim demographic and crime-related data and record services provided. Organizations with case management capability usually record inputs and activities related to victim support processes but not outcomes. Wherever possible, social impact measurement should be carried out to understand if and how an organization's activities are effective. This data provides an evidence base that can be used to improve responses of NGOs, law enforcement, national and international governments. Service providers should have policies and procedures in place regarding how to proactively and ethically communicate relevant data and respond to external requests in accordance with privacy laws in their jurisdiction. It is crucial that data be leveraged appropriately and consistent with protecting victims and their individual private data to inform key decision-makers, media and research towards prevention and better outcomes for survivors. Social impact measurement should be provided by an independent evaluator.

Acknowledgements

“I would like to thank Jenny Stanger who, working with our Warnath Group team, drafted this Practice Guide. Jenny, as a co-founder of the Coalition to Abolish Slavery and Trafficking (CAST) in Los Angeles in the late 1990s, is one of the distinguished pioneers in the modern slavery movement and the provision of specialized services to survivors of human trafficking.”

-Stephen Warnath, President & CEO, the Warnath Group

Copyright © The Warnath Group, LLC 2020 All Rights Reserved. No part of this paper may be reproduced without written permission.