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Human Trafficking Overview

Human Trafficking Investigations Course
1/2025

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Learning Outcomes



- 01 Terminology
- 02 Human Trafficking Global View
- 03 Global Response
- 04 How Trafficking Presents in Australia
- 05 Australia's Response
- 06 Outlook and Areas of Focus
- 07 AFP's Response

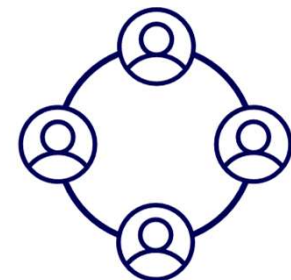
Activity

5 minutes



What do you perceive human trafficking and slavery to be?

What do you believe is the community's perception of human trafficking and slavery is?



How Modern Slavery Happens



TERMINOLOGY

Human Trafficking
Modern Slavery
Modern Day Slavery

Slavery



Servitude



Forced Labour



Forced Marriage



Deceptive Recruiting



Debt Bondage



Trafficking in Persons



Organ Trafficking



Harbouring a Victim

Human Trafficking

(sometimes called Modern Slavery) is an umbrella term that refers to all the human trafficking, slavery and slavery-like crime types.

WHAT IS HUMAN TRAFFICKING?

United Nations definition of Human Trafficking:

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

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

Article 3(a) of the **Protocol to suppress, prevent and punish trafficking in persons, especially women and children**

Human trafficking is the physical movement of people

- across or within borders
- by **coercing, threatening or deceiving** them,
- for the purpose of **exploiting** them when they reach their destination

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The elements of Human Trafficking:

Trafficking in persons:-

- the recruitment,
 - transportation,
 - transfer and harbouring
 - or receipt of persons
- } **ACT**

by means of **threat** or the **use of force** or other forms of **coercion**, (including abduction, **deception**, abuse of power, fraud, vulnerability, giving or receiving of payments or benefits to achieve the consent of a person, or having control over another person)

} **MEANS**

for the purpose of **exploitation**

} **PURPOSE**

HUMAN TRAFFICKING VS. PEOPLE SMUGGLING

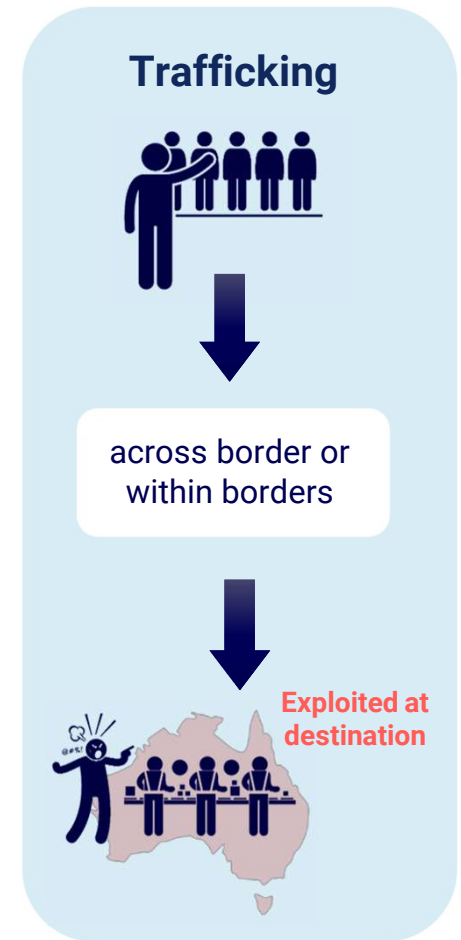
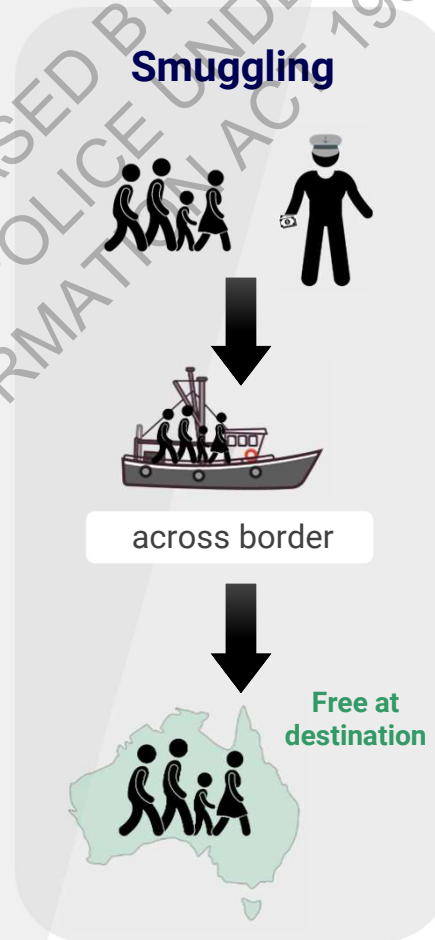
People smuggling involves moving another person/s **across a border** illegally for profit. Generally, a **voluntary contract on a payment for service basis**.

- Always transnational
- The facilitator/customer relationship comes to an end when the person has been moved to their destination

Trafficking is an **ongoing relationship of exploitation**.

The purpose of smuggling and trafficking is profit

- Smuggling – **profit** comes from the **movement**
- Trafficking – **profit** comes from the **exploitation**



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SOURCE, TRANSIT AND DESTINATION COUNTRIES

Human trafficking affects every country as a:

- **Source country**
(country of origin)
- **Transit country**
(transits through country on way to destination)
- **Destination country**
(location where the person is exploited)

or a **combination of all three**



Australia is traditionally considered a destination country

HOW TRAFFICKING PRESENTS - GLOBALLY

Human trafficking presents differently around the world:

- Child soldiers
- Child beggars
- Sex trafficking
- Organ trafficking
- Fishing boats
- Clothing trade (“sweat shops”)
- Crop minders
- Mining coal by hand
- Making wigs/hair extensions



Photographs from TIP Report 2019

HUMAN TRAFFICKING PUSH/PULL FACTORS

PUSH FACTORS	PULL FACTORS
Conflict - War, violence, genocide	Safety and security
Persecution	Freedom from persecution
Lack/limited employment & educational opportunities	Availability of employment & educational opportunities
Disasters, both natural and man-made	Improved quality of life
Poverty	



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UNITED NATIONS – TRAFFICKING PROTOCOL



United Nations

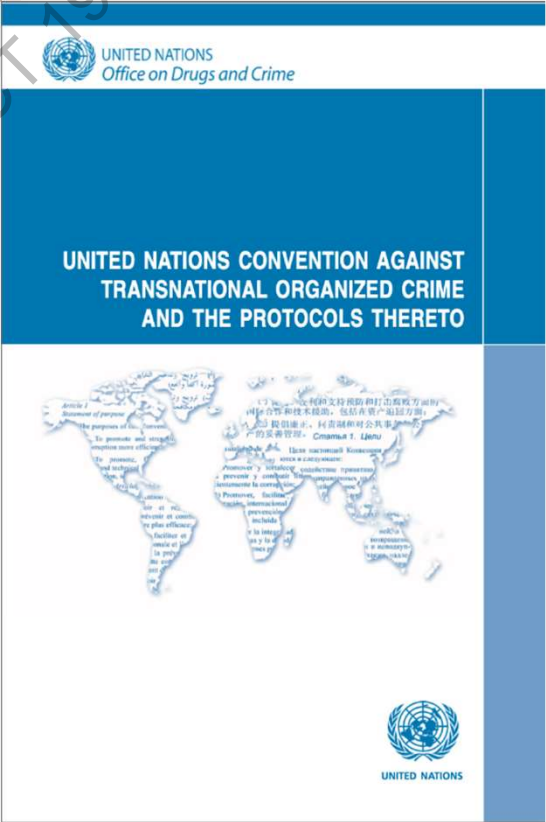
Office on Drugs and Crime

**UNITED NATIONS CONVENTION AGAINST
TRANSNATIONAL ORGANISED CRIME
AND THE PROTOCOLS THERETO**

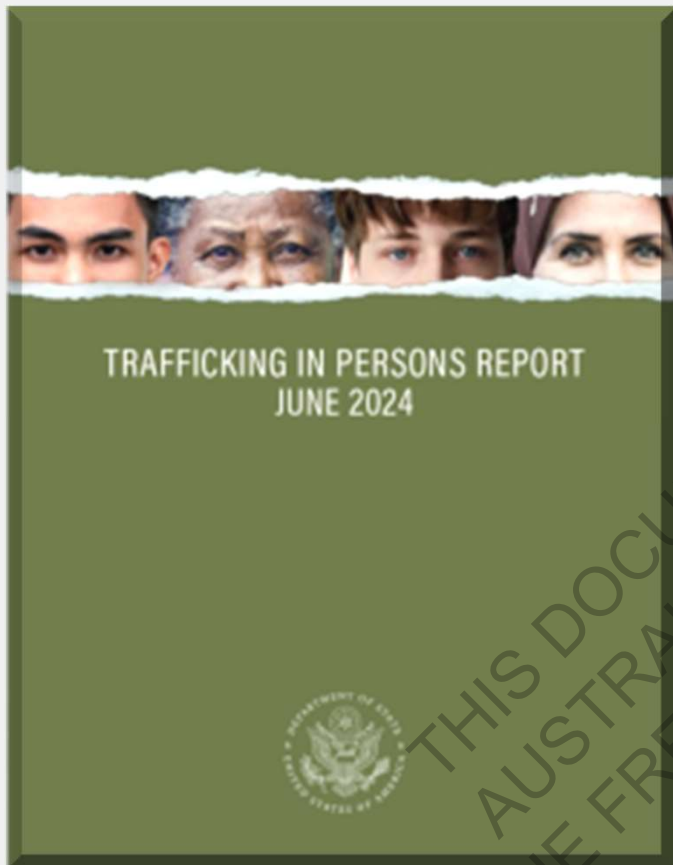
**Protocol to suppress, prevent and punish trafficking
in persons, especially women and children.**



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TRAFFICKING IN PERSONS REPORT (TIP REPORT)



TIP Report put out annually by US Department of State.

Ranks countries based on their government's perceived efforts to acknowledge and combat human trafficking.

Tier Ratings:

Tier 1

Tier 2

Tier 2 Watch List

Tier 3

Australia is Tier 1

HUMAN TRAFFICKING, SLAVERY AND SLAVERY-LIKE OFFENCE TYPES

Division 270 Slavery and slavery-like offences

- Slavery
- Servitude
- Forced labour
- Forced marriage
- Deceptive recruiting
- Debt bondage

Division 271 Trafficking in persons offences

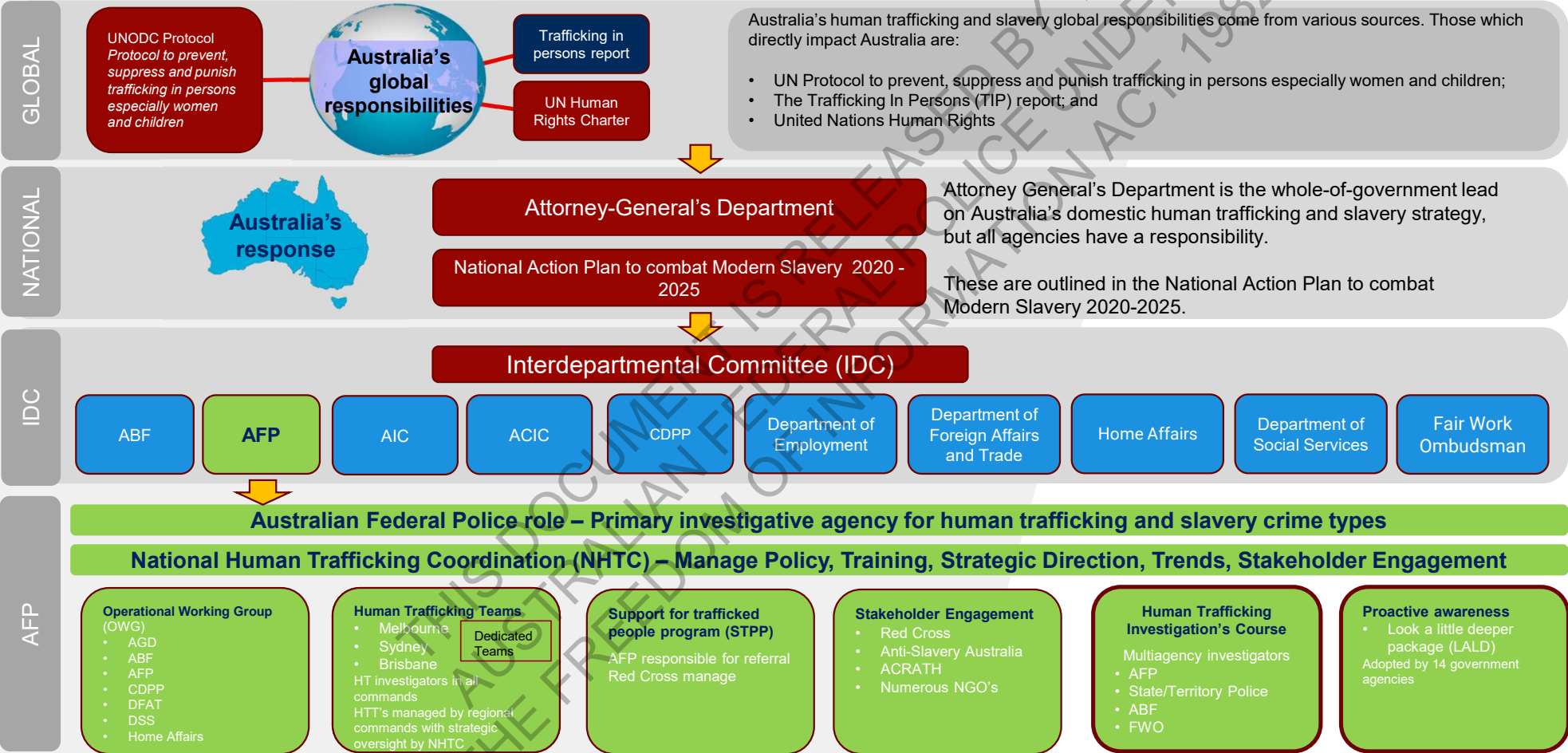
- Trafficking in persons
- Organ trafficking
- Harboursing a victim

Criminal Code Act
1995 (Commonwealth
Act)

In addition, the *Modern Slavery Act 2018*

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AUSTRALIA'S RESPONSE FRAMEWORK

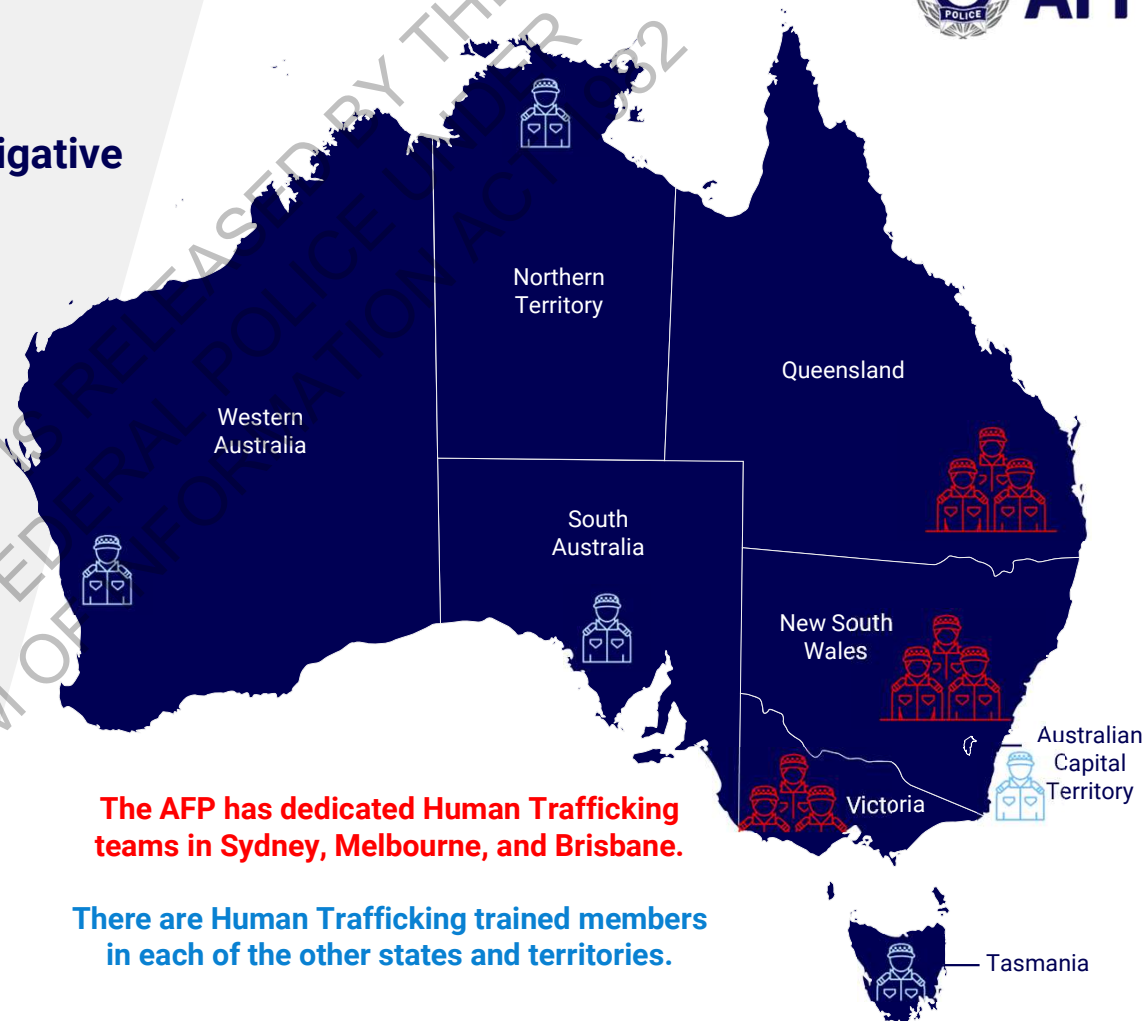


The role of the AFP

The Australian Federal Police are the lead investigative agency for human trafficking and slavery.

This involves:

- Protecting victims
- Investigating allegations
- Identifying offences
- Collecting evidence to support the prosecution of human trafficking and slavery offences



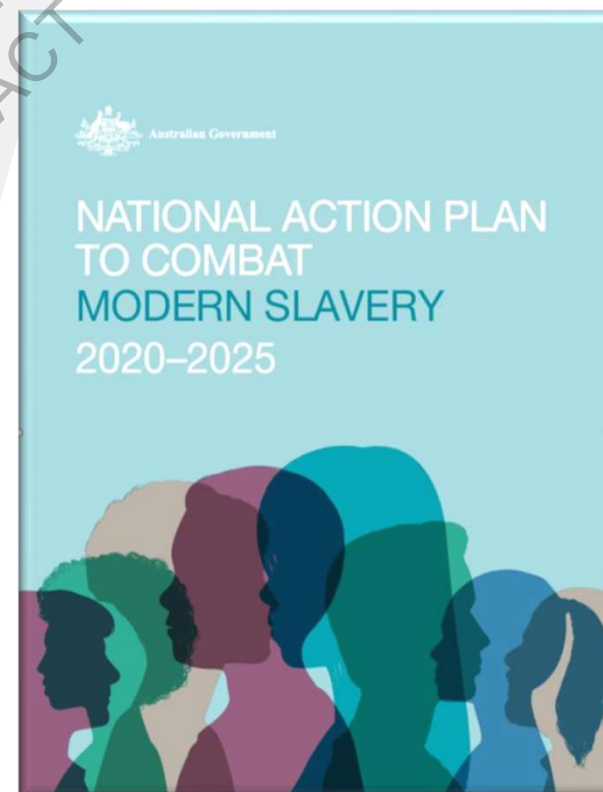
NATIONAL ACTION PLAN TO COMBAT MODERN SLAVERY 2020-2025



The current Whole of Australian Government **National Action Plan** launched in December 2020, replacing the previous *National Action Plan to Combat Human Trafficking and Slavery 2015-2019*.

Under the National Action Plan, the AFP continues to be the **lead Australian investigative agency** for all forms of human trafficking and slavery.

The AFP is committed to working in partnership to implement initiatives to prevent, disrupt, investigate, and prosecute perpetrators of these crimes, whilst supporting and protecting victims and survivors.



PARTNERSHIPS

Australian Border Force (ABF): responsible for protecting Australia's border and managing the movement of people and goods across it.

Department of Home Affairs (HA) collaborate with AFP in relation to policy, procedure and the human trafficking visa framework.

Australian Criminal Intelligence Commission (ACIC): works to develop a national understanding of serious and organised crime, including threats associated with human trafficking and slavery.

Attorney General's Department (AGD): lead agency for human trafficking legislation, policy, reporting to Government, education, coordination of NGO networks, broader communication, interagency coordination and convening of various forums.

Commonwealth Anti-Slavery Commissioner: established as an independent statutory office holder within the Attorney-General's portfolio, and represents a new, independent pillar in Australia's comprehensive approach to eradicating modern slavery.

Australian Institute of Criminology (AIC): responsible for the research component of Australia's response to human trafficking and slavery.

Commonwealth Director of Public Prosecutions (CDPP): responsible for prosecuting Commonwealth criminal offences, including human trafficking and slavery.

Department of Foreign Affairs and Trade (DFAT): regional and international role in the Government's efforts to combat human trafficking and slavery, including advocacy, engagement and development assistance. They also provide consular assistance and support to Australian citizens or residents who are victims of human trafficking and slavery crimes.

Department of Social Services (DSS): responsible for the administration of key programs dedicated to supporting victim-survivors of human trafficking.

Fair Work Ombudsman (FWO): enforcing compliance with Australian workplace laws. The FWO's services also involve the provision of education, assistance and advice about Australia's workplace relations system.

NSW Anti-Slavery Commissioner: responsible for advocating for action to combat modern slavery, providing support to victims, and offering education and training to prevent such crimes.



INTERPOL

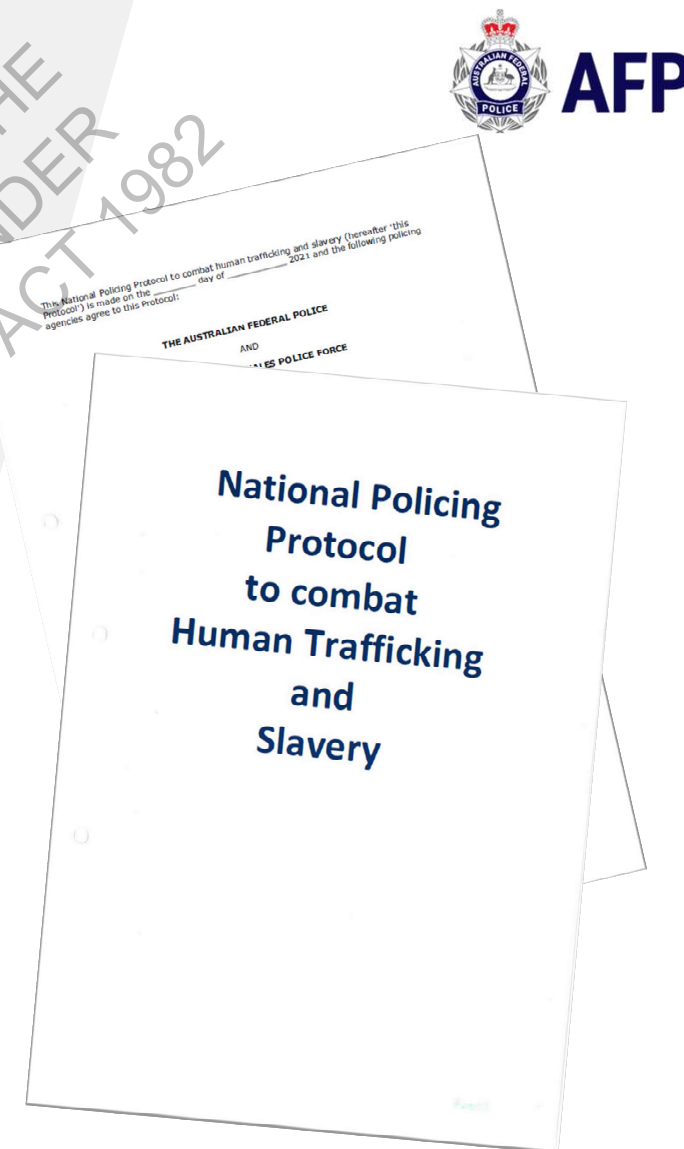


NATIONAL POLICING PROTOCOL to COMBAT HUMAN TRAFFICKING and SLAVERY

Under the National Action Plan, the AFP was required to develop a '**National Policing Protocol to Combat Human Trafficking and Slavery**' (the Protocol).

The Protocol seeks to provide a national framework for police services to combat all forms of human trafficking and slavery and formalises the AFP as primary law enforcement agency with responsibility for investigation and prosecution of human trafficking and modern slavery offences.

All Australian State & Territory Police Commissioners have signed and endorsed the Protocol – **March 2021**.



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VICTIMOLOGY

- Any gender and of any age
- Be imprisoned without physical restraint or abuse
- Have a current passport and valid visa
- Often same cultural background as the offender
- Has a vulnerability of circumstance
 - Poor socio economic background
 - Doesn't speak the language
 - Natural disaster or pandemic has occurred
 - Bad debt
 - Child

It is not unusual for a victim to become an offender; particularly if they are isolated and groomed into the role over a period of time

Victim Support Coordination

Coordination and management of AFP's response to providing victim support.

Practical support – meeting various needs including:



Safety, housing and accommodation



Physical and mental wellbeing



Preparing for life after the program



Financial support



Learning new skills



Visa options can be considered if eligible

Referrals:

AFP refers suspected victims to The **Support for Trafficked People Program** (STPP) – Provided by **Australian Red Cross**, administered by **Department of Social Services** (DSS)

The **Additional Referral Pathway** (provided by the **Salvation Army**) can assist people reluctant to engage with law enforcement, by referring them to the STPP and providing information and support.

Forced Marriage Specialist Support Program (FMSP) provided by **Life Without Barriers**, administered by DSS



Non-Punishment Principle

Human trafficking victims are often forced into committing unlawful actions as a result of their situation.

The non-punishment principle sets out that these victims should not be prosecuted or punished for unlawful acts committed as a result of trafficking.

We can utilise the defence of duress and ask CDPP to consider whether prosecution is in the interest of the community



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QUESTIONS?

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Human Trafficking Victim Management

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Why is victim management important?

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UNITED NATIONS – TRAFFICKING PROTOCOL



United Nations

Office on Drugs and Crime



II. Protection of victims of trafficking in persons

Article 6	Privacy (including legal proceedings)	Article 7	Legislative measures to permit victims to temporarily stay	Article 8	Facilitate and accept, with due regard for the safety of that person, the return of that person without undue or unreasonable delay.
Assistance and Protection	Information about the justice process	Status of Victims	Legislative measures to permit victims to permanently stay in appropriate cases	Repatriation of Victims	Due regard for safety and status of any legal proceedings, and shall preferably be voluntary.
	Views and concerns to be presented		Consider humanitarian and compassionate factors		Requested State Party shall, without undue or unreasonable delay, verify whether a victim is it's national or permanent resident.
	Provide for victim's physical, psychological and social recovery				State shall issue, at the request of the receiving State Party, such travel documents to facilitate return.
	Physical safety				
	Compensation for damage suffered				

Victim Management Principles

Non-Punishment Principle



Trafficked persons should not be subject to arrest, charge, detention, prosecution, or be penalized or otherwise punished for illegal conduct that they committed as a direct consequence of being trafficked.

Where does Australia Stand?

2021 Political Declaration on the Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons

'We also commit to intensify our efforts, subject to our national laws, rules and regulations, to implement the principle of non-punishment of victims of trafficking'

PRINCIPLES

The National Action Plan is underpinned by nine principles that will guide our work to implement the five National Strategic Priorities.



1

Australia responds to modern slavery in a manner that is comprehensive, effective, timely, coordinated and consistent with our international obligations.

2

Australia addresses the unique needs of women and children, who are disproportionately affected by modern slavery.

3

Australia maintains a strong deterrence framework which promotes investigations, prosecutions and the enforcement of civil sanctions, and penalises offenders to the full extent of the law.

4

Australia provides holistic, gender-sensitive, culturally-responsive, trauma-informed, victim-centred protection and support to all victims and survivors of modern slavery.

5

Australia affords victims and survivors of modern slavery access to effective remedies.

6

Australia promotes a collaborative response that is built on the participation of victims and survivors of modern slavery, government, civil society, business, unions, academia and the broader community working in partnership to prevent and combat modern slavery.

7

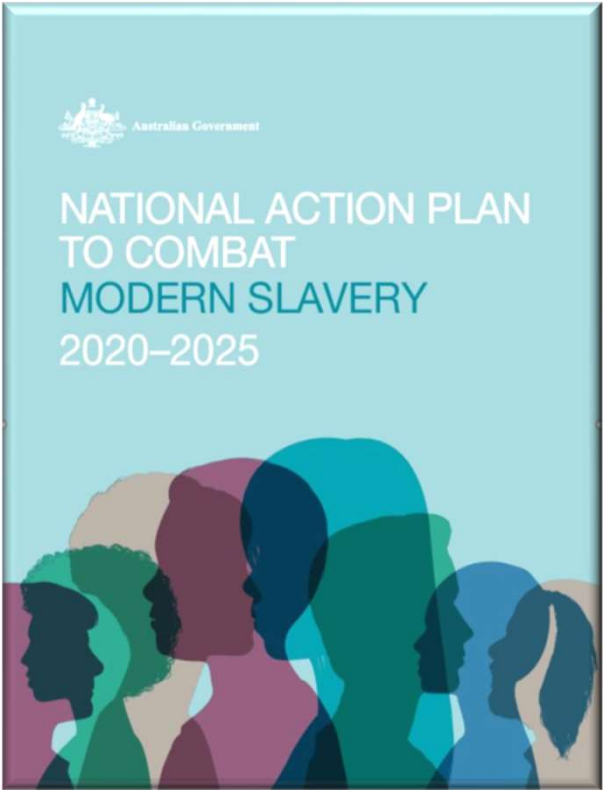
Australia strives to be an international and regional leader and partner in deterring and combating modern slavery, and works cooperatively with other governments both internationally and regionally towards this end.

8

Australia promotes an evidence-based response to modern slavery, and its root causes and drivers, to build our understanding of modern slavery and how to prevent it.

9

Australia ensures the voices of victims and survivors, particularly women and children, inform our responses to modern slavery.



Victim Management Principles

National Action Plan to Combat Modern Slavery



Victim Management - AFP Governance

AFP Better Practice Guide - Managing Victims of Crime



Fair and dignified treatment

Provision of Contact Details

Access to Support Services

Record Keeping

Inform about the investigation

Inform about the prosecution

Protection

Property & Victim Impact Statement

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Supporting survivors of human trafficking & slavery

Victim Management in the Criminal Justice Journey



AFP Human Trafficking and Slavery Strategic Plan 2023-2026

“Key priority areas of focus for the AFP is the prevention, disruption, and investigation of human trafficking and slavery practices and the protection and support of victims”



PREVENT



DETECT & DISRUPT



INVESTIGATE



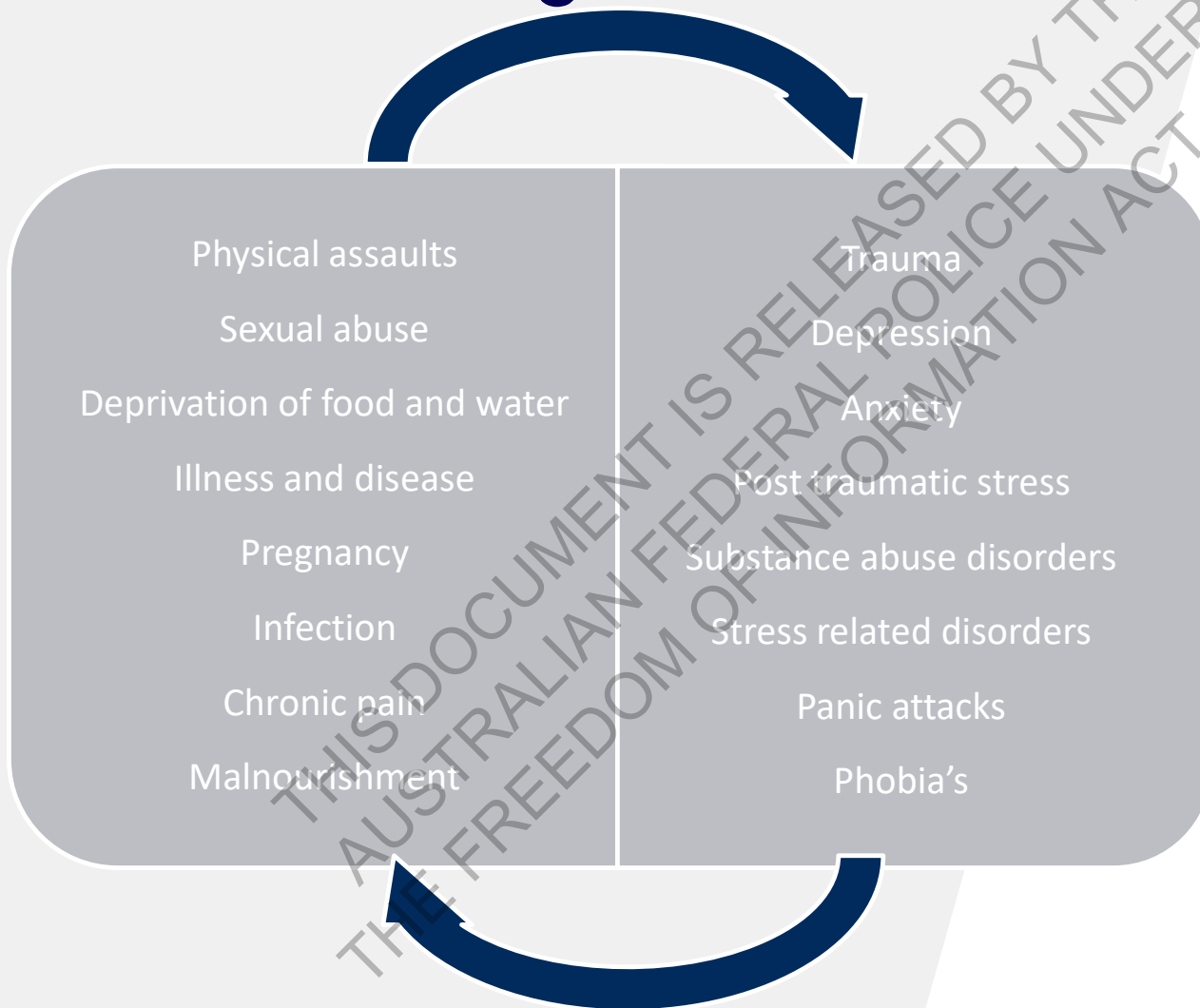
PROSECUTE



Identification



Human Trafficking Victim Health Needs



Assessment – Referral to STPP



Suspicion person is a victim of human trafficking



Located in Australia



Australian citizen, or holds a valid visa



Understands purpose of the STPP



Specialised Forced Marriage Support



Agree to be referred to the STPP

Ongoing Support



Assessment – Provision of Information

Roles

- Police
- Support Services
- Medical
- Prosecutors

Principles

- Welfare/safety is priority
- Victim centric
- Privacy
- Choice

Investigative/Court Process

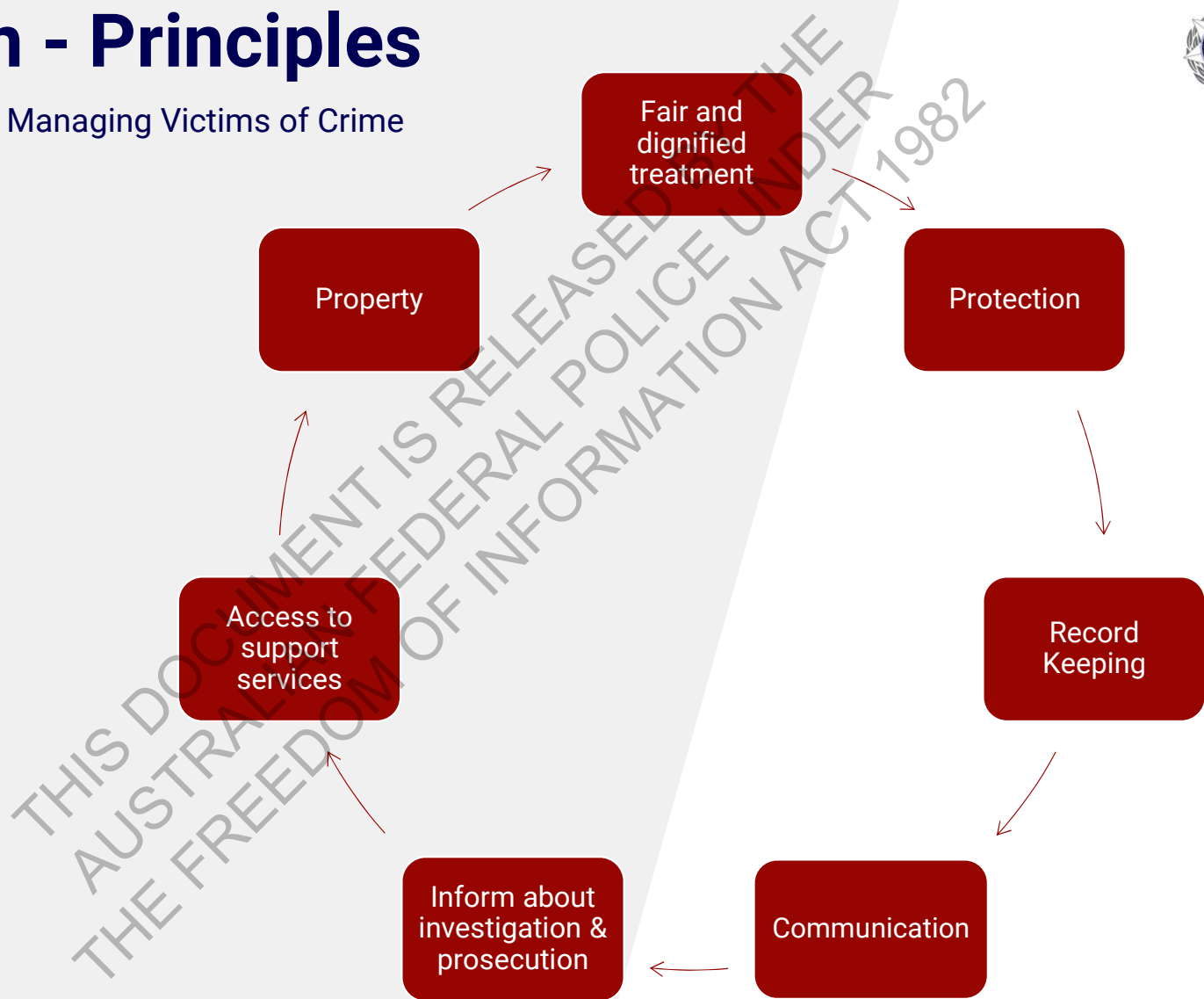
- Statement/EICI
- Phases of the investigation / court process
- Protections available

Safety & Support

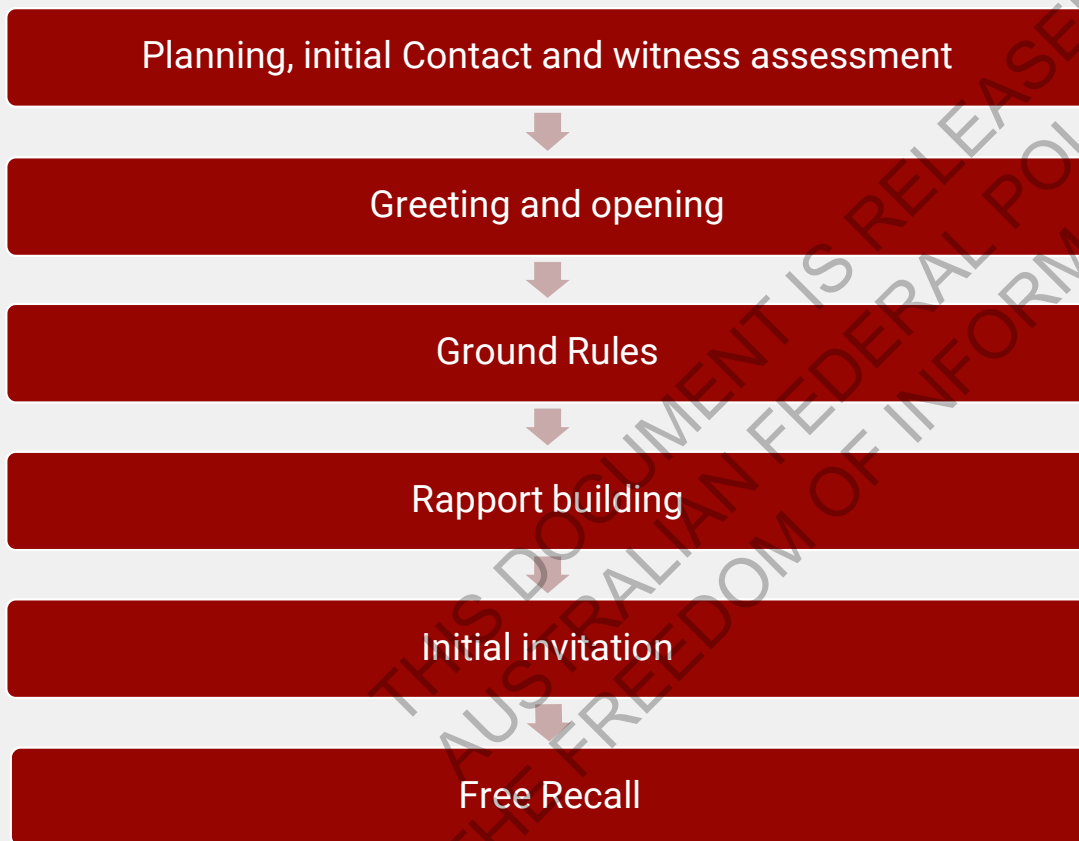


Investigation - Principles

AFP Better Practice Guide – Managing Victims of Crime



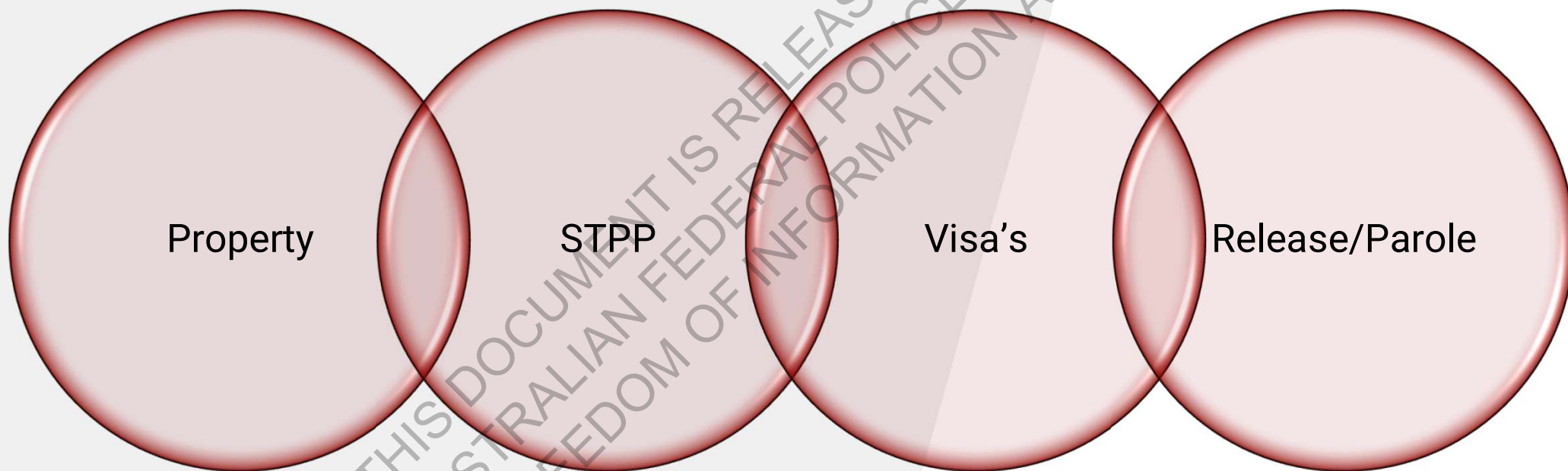
Investigation – Evidence in Chief Interviews



Prosecution



Post Court



Victim Support Coordination

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Preparing for life after the program



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Questions?

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Indicators & First Response

Human Trafficking Investigations Course
01-2025

March 2025

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Learning Outcomes



- 01 Human Trafficking Indicators
- 02 Areas you may see indicators
- 03 Human Trafficking Reports
- 04 First Response

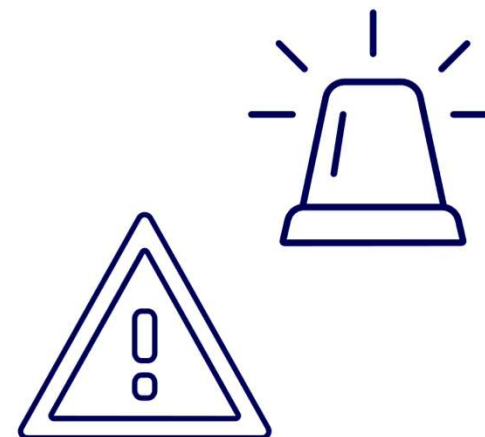
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Human Trafficking Indicators



Indicators are a sign that human trafficking **may** be occurring.

- Can be very subtle – important to ask more questions when something is not right
- AFP/NHTC provides guidance on indicators to assist identification of these crimes
- Recognising these indicators will help identify potential victims and assist



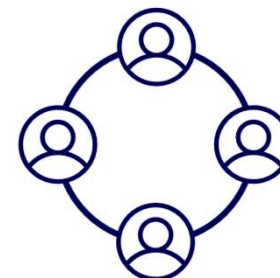
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Activity

10 minutes



In groups, think about what the indicators are for each of the crime types.



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Indicators

<https://www.afp.gov.au/what-we-do/crime-types/human-trafficking/human-trafficking-slavery-indicators>



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General Indicators



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• Violence or threats of violence • No access to or control of earnings • Limited or substandard food • Disciplined through punishment • Evidence of untreated physical injuries/illnesses or application of control measures • Movement being controlled • Showing fear, anxiety, distress & nervousness • Threatened with being handed over to authorities or deported • Afraid to of revealing immigration status • Not in possession of passports or other documents, instead held by someone else • Not knowing their home or work address	• No key to own address • Unexpected financial pressures within the family unit • Deceived about nature of job, location, migration status or employer • Believe they must work against their will • Feel they cannot leave their work environment or accommodation • False identity or travel documents • Unable to communicate freely with others • Respond as though coached by third party • Perception they are bonded by debt and are not free to cease work • Under psychological or physical control or surveillance by another person	• Allow others to speak for them • Forced to work under certain conditions/unable to negotiate conditions • Transported between accommodation and work by organisers • Evidence of economic abuse, dowry abuse or financial gain from the arrangement • Deterioration in self-esteem and appearance • Distrustful of authorities • Limited or no social interaction • Unfamiliar with local language • Poor social awareness • Poor or substandard accommodation • Limited or no contact with	• family/people outside immediate environment • Little to no payment for employment • Excessive cost charged for accommodation or living expenses • In a situation of dependence • Travel costs paid for by facilitators, whom they must pay back by working or providing services • Work excessively long hour over long periods • No days off or adequate breaks • Have acted on basis of false promises
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Activity

5 minutes

Identify areas where you may see indicators

Think of when you are performing your duties, and where you may have seen them in the past.



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Areas where we may see indicators in Australia

- Sex Industry
- Vehicle intercepts
- Homes (e.g. Family violence incidents)
- Agricultural/Farming Industry
- Hospitals
- Garment/Textile Industry
- Catering and Restaurants
- Manufacturing Industry/Construction Industry
- Service Industry (Massage shops, Nail Salons, Hairdressers)
- Entertainment Industry (Karaoke bars, bars, clubs)



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Threat *threat* means:

- (a) a threat of coercion; or
- (b) a threat to cause a person's deportation or removal from Australia; or
- (c) a threat of any other detrimental action, unless there are reasonable

grounds for the threat of that action in connection with the provision of labour or services by a person.

Note: **Threat** includes a threat made by any conduct, whether express or implied and whether conditional or unconditional (see the definition in the Dictionary).

Deception *deceive* means mislead as to fact (including the intention of any person) or as to law, by words or other conduct.

Coercion *coercion* includes coercion by any of the following:

- (a) force;
- (b) duress;
- (c) detention;
- (d) psychological oppression;
- (e) abuse of power;
- (f) taking advantage of a person's vulnerability.

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Activity

5 minutes



Identify the indicators in
this scene:

<https://www.youtube.com/watch?v=vTChQ6-yw7s>



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Human Trafficking Reports

- Border Force
- Intelligence / Overseas liaison
- State / Territory Police
- Victim of Trafficking (VoT)
- Red Cross / NGO
- Member of the public
- Family and Community Services / Child Protection
- Fair Work Ombudsman
- Schools

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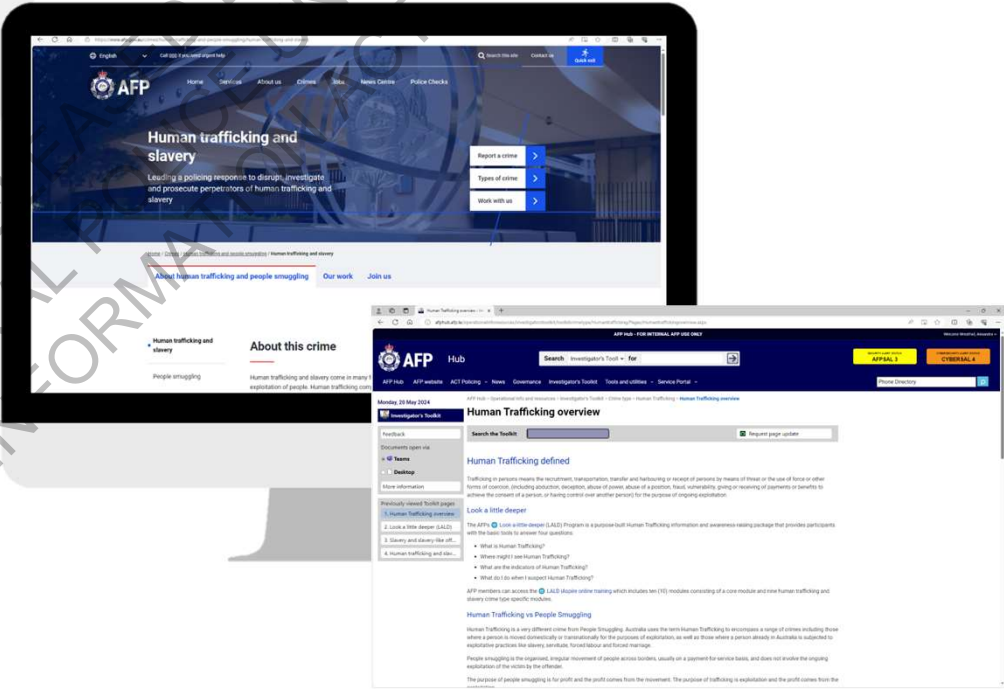
Human Trafficking Reports



RELEVANT RESOURCES

AFP Website: Report a Crime and Human Trafficking pages

AFP HUB: [Human Trafficking page](#)



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Activity

5 minutes



Identify barriers to reporting



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Barriers to Reporting

- Language barriers
- Cultural differences
- Fear generally
- Fear of police and authorities
- Threats from trafficker
- Not aware of their rights
- Don't see themselves as victims
- Isolation



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First Response

- The welfare of a victim has priority over prosecution of any offenders
- Initially, take everything at face value
- Non judgmental approach
- Investigate, test and confirm the victim's account
- Do no further harm – avoid re-traumatising the victim
- Help and advice is always available
- State / Territory Police contact AFP
- ABF / FWO follow internal reporting procedures



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First Response



First response members may need to address the following key aspects relating to a Human Trafficking investigation:

- victim account
- victim management
- corroboration
- crime scene preservation
- interviewing offenders
- evidence collection



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Victims

- Fear of Authorities
- Threats / Force / Intimidation
- Cultural Considerations / Shame / Language
- Victims lying
- Don't see themselves as victims

Competing Interests

- s 47E(d)

International Liaison

- Conflicting Offences / Conflicting policies / attitudes
- Death Penalty



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Challenges for Police and Authorities

Overt Policing Tactics

- Disruption and Compliance Pushing / Displacing Problem

Inter-agency collaboration

- Differing strategies / understanding roles

Inducements

- Visa regime

Justice System / Process / Prosecution/ Disruption

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Activity

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Identify strategies to overcome challenges



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ORIGINAL

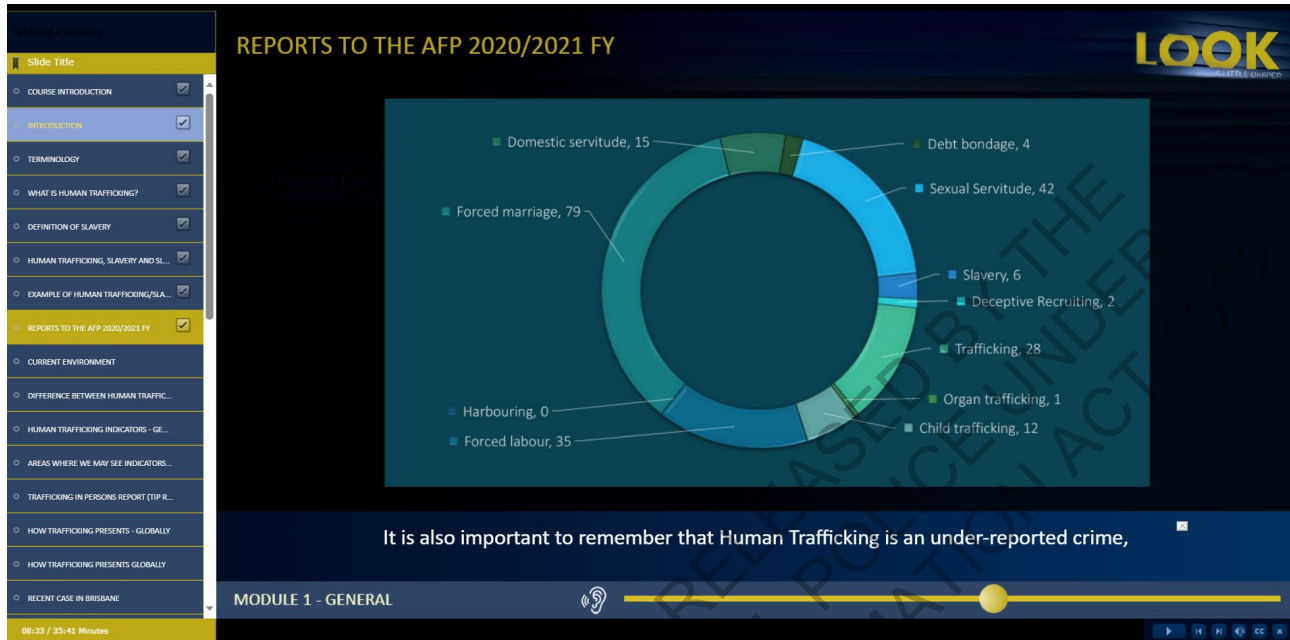


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Look A Little Deeper – Awareness Program

The Look a Little Deeper (LALD) program was developed to address an identified gap in member's knowledge on what human trafficking and slavery is and what should be done when it is identified. The program was designed by police for frontline responders and is aimed at increasing awareness of human trafficking and slavery among the frontline to increase detection of human trafficking cases and ensure their subsequent referral for investigation.

The following are slides from the general section of LALD and from the Debt Bondage and Forced Labour modules.



"It is also important to remember that Human Trafficking is an under-reported crime, and not all matters are reported to the police. In 2019, the Australian Institute of Criminology released a publication "Estimating the dark figure of human trafficking and slavery victimisation in Australia." Using a multiple systems estimation technique, it was estimate that the number of human trafficking and slavery victims in Australia in 2015-2016 and 2016-2017 was between 1,300 and 1,900. This means that for every 1 victim detected, 4 are missed."

VICTIMOLOGY

LOOK
AUGUST 2018

- Any gender and of any age
- Be imprisoned without physical restraint or abuse
- Have a current passport and valid visa
- Often same cultural background as the offender
- Has a vulnerability of circumstance
 - Poor socio-economic background
 - Doesn't speak the language
 - Natural disaster or pandemic has occurred
 - Bad debt
 - Child
- Victim becomes offender



"Victims can be of any age or gender. Even in crime types such as forced marriage, it is important not to get tunnel vision and think it applies only to underage females. The fact is, any gender or age can be a victim of any of the human trafficking crime types. Victims can be imprisoned without physical restraint or abuse. Sometimes threats are made to family members overseas so that the victim will comply. As an outsider, we may wonder why they didn't just leave?"

It is important to remember that traffickers have many ways of controlling a victim without locking them up, or physically abusing them; similar to what you may see in family violence situations. Victims are often from the same cultural background as the offender. This is usually because they are aware of their vulnerabilities of circumstance. Some vulnerabilities include: poor socio economic background; not speaking the language; natural disaster has occurred; they have incurred a bad debt; or the victim is a child. It is not unusual for a victim to become an offender particularly if they are isolated and groomed into the role over a period of time."

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BARRIERS TO REPORTING

LOOK
WATCH & LISTEN

Barriers to Reporting

- Language barriers
- Cultural differences
- Fear generally
- Fear of police and authorities
- Threats from trafficker
- Not aware of their rights
- Don't see themselves as victims
- Isolation



"The crime types of human trafficking and slavery are under-reported. This is because some victims don't want to come forward to police. Some of the barriers to reporting are that they don't speak the language or there are cultural differences. They may have a fear of police and authorities. This fear can be because they are from countries where police are involved in corrupt activity. They may be under threat by the traffickers not only here in Australia, but in their home country. It may be their families who are also being threatened. Some don't see themselves as victims. Isolation is another barrier, and is usually a result of the language barriers, cultural differences and not understanding they have rights in this country. If a victim comes forward to report to you, it is vital that the first interactions are supportive and considerate."

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UNDERSTANDING THE CRIME TYPE

LOOK
A LITTLE DEEPER

- May present as a different crime type (eg. domestic violence; physical/sexual assault; missing person; attempted suicide)
- May be reported to police from various sources including school counsellors; NGO's, other agencies; the public
- Could be other human trafficking or slavery crime types
- Victims don't understand terminology (e.g. Forced Marriage)
- Victims don't understand AFP responsibilities vs State and Territory Police responsibilities



"Human Trafficking, slavery and slavery-like practices can be quite different in how they present, so it is important to understand the crime type. They may, for example, be reported as a different crime. A forced marriage may present as domestic violence; a physical assault or sexual assault; a missing person or even attempted suicide. It can be even more subtle such as reporting the seizure of a mobile/laptop or iPad. These crimes can come to notice of the police through various sources, including school counsellors, non-government organisations and members of the community. Remember, victims don't understand the terminology and won't necessarily use the correct terminology, so it is important to ask more questions to find out what is going on. Victims are also unaware that the AFP are the lead agency and will most likely report to State or Territory Police. This is why it is important to know what is being reported so you can pass the information on to the most appropriate area."

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[illegible]

s 47E(d)

- Conflicting Offences/Conflicting policies/attitudes
- Death Penalty

s 47E(d)

s 47E(d)

International liaison is often a