



Tool 5.4 Proactive investigation

Overview

This tool provides examples of multi-agency, intelligence-led approaches that bring together law enforcement, the intelligence community and various Government departments.

The complexity of the investigation of human trafficking cases necessitates long-term, sustained efforts based on solid intelligence gathering and analysis and multi-agency collaboration. Law-enforcement and prosecution strategies should reflect the geographical, structural and commercial components that make up the crime of trafficking in persons. The geographical and structural components can be expressed as follows:

- State of origin (recruitment and export)
- State of transit (transportation)
- State of destination (reception and exploitation)

The commercial characteristics inherent in this type of crime mean that the traffickers are compelled to become involved in one or more of the following activities at any or all of the three phases shown above:

- Advertising (as part of the recruitment or exploitation process)
- Renting of premises (safe houses, brothels, sweatshops, factories, etc.)
- Transportation (obtaining identity and travel documents and arranging transit)
- Communications (organizing the recruitment and exploitation)
- Financial transactions (applicable to all of the above)

Evidential material may exist at any one of these stages in the trafficking process and investigators must find ways to exploit fully these evidential opportunities and thereby secure the rescue of the victims and the apprehension and conviction of the traffickers and the confiscation of their criminal assets.

What is the proactive option and why use it?

For the purposes of this Toolkit, the proactive option in the context of trafficking in persons means the investigation, arrest and successful prosecution of traffickers without having to rely upon the cooperation and testimony of the victims.

By using a combination of intelligence, human and technical surveillance, undercover deployments (when authorized under the law) and standard investigative techniques, investigators can identify traffickers and ensure that they are effectively prosecuted. The use of this option is simply an acknowledgement on the part of law enforcement agencies of the real difficulties confronting victims of trafficking who may not be able or may not wish to testify against their exploiters.

The proactive option provides the means whereby law enforcement agencies can take steps to combat traffickers without the complaint and evidence of the victims. It is not intended to disenfranchise the victims from the prosecution process—far from it; the testimony of the victim will always remain the prime source of quality evidence. This option simply acknowledges the reality that such testimony is rarely forthcoming.

Promising practice

Operation Paladin Child (United Kingdom)

“Operation Paladin Child” was conducted in 2004. This initiative involved the recording of the personal details of every child arriving at border posts throughout the United Kingdom who was assessed as possibly being at risk of trafficking or exploitation.

Each child was issued with an identification number, had his or her photograph taken and was asked to say where he or she would be living in the United Kingdom. If the child could not be located at the address given during subsequent visits by social services staff, an investigation would be opened. Details of the adults welcoming unaccompanied children at airports or ports were also recorded.



Source: *The Job*, vol. 28, Issue 953, 13 May 2005.

More information about the work of the Metropolitan Police of London can be found at:

www.met.police.uk

Pentameter 2

Pentameter 2 (UKP2) is a law enforcement and intelligence gathering project aimed at rescuing and protecting victims of trafficking for the purpose of sexual exploitation and at identifying, disrupting, arresting and bringing to justice those involved in criminal activity.

Although the law enforcement activity will focus on trafficking for sexual exploitation, UKP2 will also be used to collect information and intelligence about all forms of trafficking (including for labour exploitation and child trafficking) and raise awareness of the issue. For information about awareness-raising efforts under the Pentameter 2 initiative, see Tool 9.8.



More information about Pentameter 2 can be found at:

www.pentameter.police.uk

Anti-Trafficking Task Force (Myanmar)

The Ministry of Human Affairs is the lead ministry working against human trafficking in Myanmar. Within the Ministry, the Department on Transnational Crime is responsible for trafficking issues and established the Anti-Trafficking Unit in June 2004 to investigate trafficking offences. The 32 police officers who initially staffed the unit received specialized training under the Australian-funded Asia Regional Cooperation to Prevent People Trafficking project (now the Asia Regional Trafficking in Persons project in its subsequent phase of operation). The unit initiated a number of successful trafficking investigations and in January 2006 established nine local anti-trafficking task forces in trafficking hot spots. These task forces act as focal points for investigations and are potential focal points for international colleagues seeking cross-border collaboration with anti-trafficking law enforcers in Myanmar.

Recommended resources

There are several resources which may be of assistance with respect to investigation. For more information on the following and other resources, refer to Tool 5.20.

Resource Book for Law Enforcement Officers on Good Practices in Combating Child Trafficking (also recommended in Tool 5.3 above)
(IOM and the Austrian Federal Ministry of the Interior)



Source: The Resource Book is available at:
www.iom.int/jahia/Jahia/cache/offonce/pid/1674?entryId=5787

Assistance for the implementation of the ECOWAS Initial Plan of Action against Trafficking in Persons (2002-2003); Training Manual
(UNODC)



Available at:
www.unodc.org/pdf/ecowas_training_manual_2006.pdf

Anti-Trafficking Training Material for Frontline Law Enforcement Officers (2007)

(ICMPD)



The publication is available free of charge to actors in the field of anti-trafficking. For more information, see Tool 5.20 and visit:
www.anti-trafficking.net

Regional Standard for Anti-Trafficking Police Training in South Eastern Europe (2003)

(ICMPD)



For more information, see Tool 5.20. These training materials are available at:
[www.icmpd.org/830.html?&tx_icmpd_pi2\[document\]=246&cHash=2dcb2e35f4](http://www.icmpd.org/830.html?&tx_icmpd_pi2[document]=246&cHash=2dcb2e35f4)

Regional Standard for Anti-Trafficking Training for Judges and Prosecutors (2004)

(ICMPD)



For more information, see Tool 5.20. These training materials are available at:
[www.icmpd.org/830.html?&tx_icmpd_pi2\[document\]=249&cHash=445c9d8c56](http://www.icmpd.org/830.html?&tx_icmpd_pi2[document]=249&cHash=445c9d8c56)

Law enforcement best practice manuals

(UNDP, Romania)



These manuals are referred to in Tool 5.20 and can be consulted at:
www.undp.ro/governance/Best%20Practice%20Manuals