



Tool 6.5 Initial interview

Overview

This tool, developed by Anti-Slavery International, provides seven steps to follow in conducting the initial interview with a potential victim.

The primary goal of the initial interview is to ascertain whether there are reasonable grounds to believe that the person being interviewed is a possible victim of trafficking. It is equally important to provide the person being interviewed with all relevant information that will enable him or her to access support and assistance, and to make an informed decision about his or her future actions (i.e. whether he or she will assist law enforcers in investigation and prosecution). Lastly, law enforcement officials must ascertain whether there are any immediate safety risks for the individual being interviewed or others.

Step 1. Opening the interview

The intention is to establish a situation in which the potential victim feels safe enough to express himself or herself and to tell his or her story. The opening of the interview can be divided into two parts:

Introduction

Explain

- Who you are.
- The position you hold.
- That you are experienced in this kind of work.
- That you have met people in a similar situation already and more than once.

Explain the here and now situation

- Check the person's basic needs (pain, thirst, hunger, if feeling cold).
- Explain what exactly is happening here and now.

The focus on the “here and now” situation should enable the victim to understand what is happening and the situation he or she is in at that moment. If that is unclear to the person, it will be difficult to establish communication

Step 2. Providing information

Usually the best way to open an interview successfully is to make very clear exactly what you are doing and what the person being interviewed can expect:

Explain the purpose of the interview

- Explain the purpose of the interview and what you are trying to achieve.
- Later the person needs to be able to decide consciously what further steps to take (i.e. whether to report the crime, apply for a permit to stay, remain in this country or return to his or her home country etc.). He or she should be informed at this early stage of the interview about the options which are likely to be available to him or her. He or she will need to know how his or her statement will be used—if he or she agrees to make one—including who might have access to it.

Explain the transfer to the police station if the interview takes place there

- Explain the reasons and procedure promptly after arrival at the police station.
- Explore any steps that can be taken to assist privacy.
- Explain (if relevant) that he or she may at any time postpone or terminate the statement and leave the police station.

Explain the structure and the proceedings of the interview

- Explain how the interview will proceed, step-by-step.

Explain the role of an interpreter or cultural mediator if there is one

- What can be expected from an interpreter and what cannot?
- If a cultural mediator or confidante is involved, explain clearly to everyone what their roles are and what to expect.

Step 3. Gathering information

This step is to determine whether there are sufficient grounds to believe that the person is a victim of trafficking, and to determine what immediate support and assistance measures are needed:

Look at the problematic situation

- Look for inconsistencies or vagueness in his or her story and ask him or her to explain in more detail if needed.
- See if you can detect a call for help or fear of reprisals.

Find out who the person being interviewed is

- Let him or her tell you who he or she is—just a short history—and how he or she ended up here.
- Pay attention to the person and demonstrate a true interest in his or her story. Make sure that you reflect the emotional state of the person and, if necessary, name the emotions you observe if you think they might stand in the way.

Find out how he or she got into this situation

- Pay attention to exact time and space indicators.
- Try to find out if there are witnesses to individual facts or parts of the story.

Find out what the situation is now

- What situation is he or she in at the moment and what will it be like in the next few days, especially after speaking to the police?

Find out what he or she wants and expects

- What does he or she want at this moment?
- Look again for a possible call for help and make it concrete.
- What are the person's worries now?
- What worries him or her the most?
- Let the person know what you can do to help, when exactly this can be done, as well as what you cannot do. Let it rest for a while if necessary, but make sure you explain the options.

Point out possible signs of trafficking

- Listen carefully to what the victim is telling you.
- Use the guiding questions from the checklist when you think it is appropriate.
- Use the checklist provided or create your own checklist of indicators, which will help guide you through the case.

When asking the questions, consider how much information you need to gather at this stage.

It is important to pay attention to the person's reactions and emotions during this phase. Telling you his or her story can make the person anxious, angry or aggressive. You may notice signs of post-traumatic stress disorder. Are you prepared enough to respond to that?

Step 4. Updating the information

The aim of providing information at this stage is similar to that at earlier stages. It is to make sure that the possible victim is safe, and to build a relationship of trust with him or her so that you can work together.

Explain to the person what his or her actual situation is (after checking)

- After you have heard the person's story, you should be in a better position to offer more precise information about the options available to him or her.
- Briefly explain what the situation is if the person is an irregular migrant and is at the police station.
- Be honest about the consequences of being an irregular migrant, whether the person is cooperating or not.

Explain the relevant national policies

- Explain exactly how these policies affect him or her.
- If relevant, explain at this stage that you suspect the person may be a victim of trafficking and explain what this means.

Explain the permit to stay

- If there is a possibility of obtaining a permit to stay in the country (short-term or otherwise), you are obliged to explain this to the person.
- Make sure that you explain the policy in simple, understandable words.
- Do not forget to mention other possibilities and limitations.

Explain the criminal law

- Explain to him or her how the criminal law works in the country. Mention the possibilities, but also the consequences of criminal proceedings.

Explain the civil law

- Explain clearly that, apart from criminal proceedings, the person has other options, such as civil or humanitarian channels.
- Explain the risks, and the other opportunities for assistance that may exist. Be honest and realistic as to what the options may involve.

Step 5. Jointly deciding what further steps to take

Look into other, as yet unexplored, possibilities

- Clarify any possible inconsistencies and vagueness in the story. Look for points you may be able to use.
- Consider whether it is necessary to find out more information now, or whether this can be obtained at a later stage. Do you have enough for an initial assessment?

Develop the desired scenario

- Jointly develop the desired scenarios: application for a permit to stay, making a statement, going back to the home country etc.
- Define realistic and achievable goals. (What are the elements? What criminal offence was committed against him or her?)
- Identify what is needed for constructive change (any additional information, help or service at this stage?).

Define a joint approach

- Discuss possibilities and consequences and let the person decide if he or she wants to report the crime or would rather leave this decision to a later stage.
- Repeat the information about all other available options (criminal/humanitarian procedures) and let the person decide whether he or she will use them.
- Develop a concrete plan.
- Agree on a timeline and next steps.

After the exchange of information, it is crucial to evaluate. The detective will need to go through the possibilities and consequences for the victim once more. If necessary, make a list of pros and cons so the victim can see clearly what his or her options are. It is a good idea to let the victim rest and consider the options if a “reflection delay” procedure is available.

Step 6. Taking further steps

The highest priority is to ensure that the person is safe and that his or her health, physical, mental and social needs are taken care of.

Arrange a shelter

- Refugee or migrant's centre.
- Starting the asylum procedure.
- Custody (this should only be used when there are no other options available. Remember that the person is a victim of crime).

Arrange a short-term permit to stay

- Who starts the procedure? Is this well organized in your region?
- Fill in the necessary forms to support the victim's claims.
- Register the procedure and make contact with relevant stakeholders.
- Notify the public prosecutor, where relevant.

Guarantee safety

- Discuss in detail with the victim how his or her safety might be secured. The victim plays an important role in maintaining his or her own safety.
- Explain any safety arrangements step by step.
- Arrange for the victim to be referred outside of the region if he or she is in any danger.
- Make it clear if any personal information will be shared if he or she reports the crime, and with whom (chief detective, public prosecutor etc.).
- Consider the safety of others, for example the victim's close friends and family.

Arrange aid and assistance

- Is there an aid and assistance coordinator in this region?
- Could this person arrange for the victim to be placed within or outside of the region?
- When police matters are finished, will the coordinator pick up and accompany the victim (to different service providers)?
- Will the coordinator arrange all necessary assistance and communicate with relevant bodies? (regarding health, registration for benefits, personal documents etc.).
- Close cooperation between the service providers, NGOs and the police is recommendable.

Step 7. Closing the first interview

Gather feedback from the victim and make a clear agreement about follow-up. Before you close the first interview, let the victim provide feedback to you about the following:

Ask what he or she thinks about the situation here and now

- What emotional state is he or she in?
- Is there anything that should have been said but was not?

Come to an agreement about how you will stay in contact

- How can he or she contact you and what can he or she expect from you?
- How can you contact him or her?

Follow-up

- Set specific dates with him or her for follow-up interviews and phone calls.
- Agree next steps.

Make clear and specific agreements on any other relevant matters



Source: Anti-Slavery International, "Protocol for identification and assistance to trafficked persons and training kit", available at: www.antislavery.org/homepage/resources/PDF/PDFtraffic.htm