



## Prosecution of Sex Traffickers and Victim Rehabilitation

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Robert Colvin

Freshfields Bruckhaus Deringer LLP, London, UK

Young People Against Prostitution and Human Trafficking:

The Greatest Violence Against Human Beings

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I had the real honour of working with International Justice Mission (IJM) in the Philippines as a legal fellow in 2013. IJM are an international human rights agency that work globally to protect the poor from violence—which may come in the form of bonded labour, illegal land seizure, sex trafficking or child abuse. Since 2004, over 18,000 victims have been relieved and over 770 criminals convicted through the work of IJM. Their activities have been applauded by the US State Department. They have received grants from the Gates Foundation, Google and from my law firm, Freshfields Bruckhaus Deringer.

IJM have nearly 20 field offices worldwide. They have three in the Philippines [slide 2], all of which focus on intervening on behalf of mostly, children who are violently abused through the commercial sex trade. The Cebu office has about 35 staff—which include criminal investigators, lawyers and social workers.

### **1. IJM'S FOURFOLD CASE-WORK MODEL**

It is perhaps helpful to unpack exactly what each of these groups actually do, to give a sense of IJM's fourfold case-work model.

Firstly, Criminal investigators implement Victim Rescue. This involves national IJM staff partnering with local law enforcement in conducting counter-trafficking sting operations as well as training police forces in the correct handling of victims.

Secondly, IJM employ lawyers to implement Perpetrator Accountability. IJM lawyers will often join sting operations to give real time legal advice to police. We would frequently take witness statements from police and victims following rescue operations, as well as assist public prosecutors in gathering evidence to both bring a case, and see that case through to trial.

Thirdly, IJM have a superb team of social workers who provide world class Survivor Aftercare to victims of trafficking. Social workers will assist on sting operations, and often be the first point of contact for rescued victims. They will partner with social services and provide on-going pastoral care and counseling to victims.

Finally, these three groups, together with others, work toward the overarching goal of Structural Transformation. This is the idea that through ongoing case-work and fruitful relationship with government partners, IJM would be able to see the systemic reform of local justice systems – in the belief that when laws are enforced, the poor are protected.

My role as a legal fellow was to provide support to IJM's lawyers through case analysis, legal research, and by giving real time advice on sting operations that they would coordinate with local police. What's a sting operation? [slide 3] Let me tell you about one.

### **2. RICO'S STORY**

It was about a month into my time in Cebu when one Friday afternoon we were briefed by our chief investigator that that evening we would conduct a sting operation with the local police.

Our targets were street pimps that advertise the sale of children to tourists for sex through Facebook. The operation, run by the local police and assisted by our team, went ahead as planned in Cebu City. Just outside a petrol station on a main road, police decoys together with undercover operatives transacted with three pimps selling two boys and three girls for sex at the equivalent of €80 each. The operation went smoothly. Victims were rescued and taken to a secure government location, and the perpetrators were arrested.

The law in the Philippines provides that police can only hold suspects for 36 hours without charge. So within this brief window (of a day and a half) the police assisted by IJM lawyers and social workers need to gather and present enough evidence that would secure a prosecution at inquest.

Its 36 hours of working frantically around the clock in a secure location; of interviewing and re-interviewing the child victims; of drafting witness statements and re-drafting them; of collaborating and re-wording; of white boards and diagrams; Filipino fast food and lots of cheap coffee. It was during this time, between arrest and inquest, as I was analyzing all five of the victim testimonies, that I first learned the story of Rico.

Four years before I met him, when Rico was 8 years old he was brutally raped by a 20 year-old man in his neighbourhood. This man soon told his friends what he had done to Rico. News of the rape soon filtered to a group of local pimps who saw this an opportunity to groom Rico. They explained to Rico that what had happened was ok and that they would look after him.

So Rico, aged eight, began to cruise the streets with these pimps. At their prompting Rico would submit himself to repeated sexual abuse. The pimps would arrange the customers and this eight year old boy would service them.

Rico told us about how these pimps would sell him, where they would sell him, to whom he was sold and what he was made to do. We intervened on behalf of Rico when he was 12 years old having worked the streets of Cebu for four years. Suffice to say that after years of exploitation Rico's identity was firmly based in the lie that he was valuable because of what his body could be used for.

The sad truth is that Rico is not an anomaly. Rather, Rico is just one of the two million children currently being trafficked in the global sex trade. Rico was just one of the 29.8 million people who are currently held in slavery.

### **3. WHAT DOES GOD THINK?**

Do you know what I like about God? I like that God feels. What you might feel right now, is a little glimpse into what God feels. When the Hebrews were slaves in Egypt, and like Rico, were subject every day to oppression and injustice, we hear God say these words to Moses: "I have observed the misery of my people who are in Egypt ... Indeed, I know [yada'] their sufferings, and I have come down to deliver them..."

Yada', 'to know', is the same verb used in Genesis 4 when, "the man knew [yada'] his wife Eve". Just as a husband is intimately acquainted with his wife, Yahweh is intimately acquainted with the suffering of his people. He cares because he created us. Psalm 116 says "[o]ur God is full of compassion". 'Compassion' comes from two Latin words, 'passio', meaning to 'suffer', and 'cum', meaning 'with'.

Do you know what I like about God? He feels deeply. He feels our suffering deeply. He is not distant, aloof nor removed. He is with us. He does just see us or hear us, he feels us and he feels what we go through.

He feels what you go through, what Rico went through. He feels the pain of the poor and the oppressed just as pointedly as they do. And he smothers us with His love.

This is why the people who work at IJM do what they do. One way or another they have become captivated by this God. They don't just love him, because they were told to at church or at mass, they like him because they see love transform the broken lives before their very eyes.

### **4. HOW HAS GOD USED IJM?**

It is difficult to talk of how God has used IJM in Cebu, without talking about Project Lantern. In 2006, Bill Gates & Melinda Gates approached IJM with the goal of reducing the commercial exploitation of children in Cebu within four years.

A baseline study of the three jurisdictions covering the metropolis of Cebu was undertaken. The study revealed that (a) there had never been one successful prosecution of trafficker; and (b) on touching down in Cebu Airport it would only take 1 hour and 53 minutes to find and purchase a minor trafficked in the sex trade.

In 2006 IJM got to work. Four years later in 2010, the same group of auditors were sent out. They undertook the same measurements, and these were the results [slide 5].

79% fewer minors in metro Cebu were being trafficked in the sex industry. Over 60 prosecutions had been filed and moving through the courts [slide 6]. In 2010, they also measured that it would take 7 hours and 29 minutes, after touching down in Cebu airport, to find a minor that is being sold for sex.

The results were ground breaking. What they have seen is a culture shift in how the judiciary, law enforcement agencies and the Department of Social Welfare and Development (DSWD) approach the whole issue of sex trafficking—because with each conviction that is reported in the local press, the message is sent out: "you can

no longer exploit minors in the commercial sex industry with impunity.” They are seeing that when laws are enforced the poor are protected.

And this is not just as a result of operations but it is also the result of pointed, strategically designed structural transformation projects that aims to ensure enduring change.

## **5. ARE THESE IMPROVEMENTS SUSTAINABLE?**

As part of their efforts to effect Structural Transformation, IJM have held over fifty law-enforcement training events which have attracted just over 1000 attendant police officers who are being trained in investigations, sting operations, in the correct handling of suspects and victims.

In 2008 IJM partnered with the Philippines National Police (PNP) to create the Regional Anti-Human Trafficking Task Force (RAHTTF) [slide7] which is a specialised anti-trafficking police unit in the region. First of its kind in the country and to date has been the most effective.

They have initiated what has been dubbed the SMART Mentoring program [slide 8] which assists past survivors in mentoring recently rescued victims. So far, IJM have trained seven mentors and paired them with mentees.

SMART is something I had no involvement with at all, but something I am so passionate about because I saw how victims of trafficking, not least Rico, have been trained and entrenched in this lie that their value is derived from nothing more than the sexual services they provide.

I have met children the night they were rescued, and I have met women who are six years into IJM’s aftercare program (who are involved in SMART mentoring); and it is staggering to see fear exchanged for peace and misery for laughter. That’s why this work of justice is not a burden but an adventure; because you see lives transformed before your very eyes.

We can talk of great strategies; emotionally intelligent, culturally relevant and sustainable programs. But really, none of this works without one thing – and that is love. Love that does not just see systems that need fixing, but people that need nurturing. Love that does not just see police forces that are corrupt, but actual police officers capable of integrity. Love that sees the trafficked and the trafficker and realises they both need healing. Love that casts out fear when investigators work under cover, or when lawyers travel under armed guard to trial. Love that is immobilising in its constancy and bewildering in its perseverance. Love that is always unconditional, and furiously compassionate.

Doing justice well, must mean loving people well. Justice must not be merely legal but relational, because regardless of how accurately it may be administered, justice fades when it has no human face. This is why I believe IJM have seen and continue to see progress in the jurisdictions within which they work. Because they know and are able to show incredible love.