



The role of police in identifying and assisting
victims of human trafficking for sexual
exploitation: An empirical study in Vietnam

by

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SUMMARY

In Vietnam, identification of, and assistance for, victims of human trafficking has recently garnered extensive government policy attention due to a perceived increase in the illicit trafficking of persons, particularly trafficking for sexual exploitation. Among anti-trafficking stakeholders, the police force is determined to be pivotal in responding to this crime. The purpose of this research is to investigate ways to achieve a greater understanding of victims of human trafficking for sexual exploitation through police perceptions and how they identify and support this population. To reach this level of analysis, a mixed-methods approach was utilised with a sample of police officers in Task Forces or anti-trafficking units from five provincial police departments and at the ministerial level in Vietnam. In total 150 surveys and 25 interviews of officers were completed to evaluate to what extent perceptions of the characteristics of victims of sex trafficking can be understood by notions of ideal and deserving victims, the strategies used for identification of victims, the services provided to them, and the practical challenges faced by police in these respects in Vietnam. This represents an original methodological approach and a first step in addressing the paucity of grounded research in this area.

The data highlights the stereotypes of victims of sex trafficking, such as females, unemployed, low education, or family facing with disruption, debts, and a large number of children. However, the findings of this study also present the non-traditional images of trafficking victims, such as male victims due to sex tourism, sex worker victims and illegal migrant victims are deceived by promises of jobs, or well-educated girls who are sold due to their lack of life skills. This research examines the capacity of Vietnamese anti-trafficking police to identify and assist victims of sex trafficking in efforts to implement the National Anti-trafficking Action Plan. The findings reveal the main reactive strategies used by police in recognising the victims rather than using proactive approaches. Therefore, the services supporting these people remain limited. The research underlines numerous obstacles experienced by police in identifying and assisting the victims. Non-cooperation from victims for various reasons, techniques of traffickers, and organisational and institutional problems of police affect their capacity to effectively undertake these duties. Collectively, these themes demonstrate the need for a different approach to victims of sex trafficking in Vietnamese anti-trafficking policies that take into account the changing nature of this crime, and incorporate lay perspectives and experience in the development of victim-centred strategies. This research confirms that only by the adoption of this broader and more active approach will a more effective, appropriate and situated response to identification and assistance of victims of sex trafficking in Vietnam be possible.

DECLARATION

I certify that this thesis does not incorporate without acknowledgment any material previously submitted for a degree or diploma in any university; and that to the best of my knowledge and belief it does not contain any material previously published or written by another person except where due reference is made in the text.

Signed: Oanh Nguyen

Date: August 2019

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LIST OF ABBREVIATIONS

CEOPC & BE	Child Exploitation and Online Protection Centre & British Embassy
COMMIT	Coordinated Mekong Ministerial Initiatives on Trafficking
HT	Human trafficking
I	Interviewee
LEA	Law enforcement agencies
MOD	Ministry of Defense
MOJ	Ministry of Justice
MOLISA	Ministry of Labour, Invalids and Social Affairs
MOU	Memorandum of Understanding
MPS	Ministry of Public Security
NGO	Non-government Organisation
NAAP	National Anti-trafficking Action Plan
SAA	Social Affairs Agency
SSC	Social Sponsor Centre
ST	Sex trafficking
UN	United Nations
UNIAP	United Nations Inter-Agency Project
UNODC	United Nations Office on Drugs and Crime
USDOS	US Department of State
VWU	Vietnamese Women Union

CHAPTER 1. INTRODUCTION

1.1. Background of the problem

Over the last few decades, although trafficking in people for sexual exploitation has been identified as only one form of trafficking for forced labour, it has increasingly captured global attention from international organisations, governments, policy-makers, academic scholars, anti-trafficking activists, and movies, as well as media (Flynn, Alston & Mason 2014; Molland 2012; Weitzer 2014). It is believed that no country can immunise itself from sex trafficking (ST) globally whether they are source, transit or destination country in which organised criminal networks deprive people of their liberty and freedom by sex work exploitation (United Nations Office on Drugs and Crime (UNODC) 2006a). It is evident that ST, in today's borderless world, is viewed as a serious transnational organised crime (Segrave, Milivojevic & Pickering 2009; Shelley 2010), undermining the rule of law and weakening criminal justice activities (Sigmon 2008). This crime, therefore, not only expresses a gross violation of human rights against people but also brings a serious threat to global security (Aradau 2004). Of note is that transnational organised crime is one of the fifteen global challenges updated yearly in the Millennium Project (Millennium Project 2017). It appears necessary for governments to see, think and respond to ST worldwide in the coming time; if not, 'the world in 2025 or 2050 may be populated with large interactive crime networks' (Kelly, Maghan & Serio 2005, p. 39). On the World Day Against Trafficking in Persons in 2016, to support this, the Secretary-General of the UN, Ban Ki-moon (2016) stated that 'I call on every nation – whether country of origin, transit or destination – to recognize our shared responsibility'.

Being a developing country in Southeast Asia, Vietnam remains a major origin country of human trafficking (HT), having witnessed both domestic and cross-border trafficking of humans for a broad ranges of purposes (US Department of State (USDOS) 2015). Internally, Vietnamese people, who have moved from rural to urban areas, are primarily subject to trafficking for sexual services such as prostitution (Gan et al. 2014). Additionally, women and children are also found in areas of domestic labour trafficking such as forced begging or selling lottery tickets on streets (UN Inter-Agency Project on Human Trafficking (UNIAP) 2008). Internationally, Vietnam is mainly recognised as a source country for trafficking women and children for sexual exploitation and forced marriage; for trafficking children for illegal adoptions, forced labour, sex tourism and the removal of organs; and for trafficking men and boys for labour exploitation (Child Exploitation and Online Protection Centre & British Embassy (CEOPC & BE) 2011; Kneebone & Debeljak 2012). Vietnamese people have been identified in China, Southeast Asia countries, such as Cambodia, Malaysia, or Singapore, and in some European and African countries as well (USDOS 2018). More notably, Vietnam is believed to be a potential destination country of trafficking for labour exploitation with the identification of Cambodian victims as forced beggars and hawkers on the streets (UNIAP 2008). Essentially, the nature of trafficking in Vietnam is as prevalent and urgent as other source

countries both regionally and globally (Nong, Gan & Kao 2011).

In an effort to end trafficking in human beings, the Vietnamese government considers countering HT as one of its leading crime prevention strategies (Vietnamese Government 2004). Vietnam has taken specific actions to implement national strategies against HT. To catch up to international responses to trafficking, for example, the country signed the *Convention against Transnational Organised Crime* and ratified the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children* (referred to as the *Palermo Protocol* or the *Trafficking Protocol*) (Kneebone & Debeljak 2012). Vietnam also established the *Law on Prevention and Suppression against Human Trafficking* (hereinafter as the *Anti-trafficking law*) in 2011 and changed Articles related to HT in the *Penal Code 2015* (Vietnamese National Assembly 2011, 2015b). More importantly, the government of Vietnam has implemented many national anti-trafficking programs with various purposes since 2004, and will continue to do so until 2020 (Vietnamese Government 2004, 2011, 2015). One of the most significant documents, for example, is the *National Anti-Trafficking Action Plan* (hereafter refers to *NAAP*) from 2016 to 2020, which aims to improve the effectiveness of identification of and assistance for victims of HT with a focus on the role of the police force (Vietnamese Government 2015).

The police play a pivotal role in identifying victims of HT internationally and in Vietnam. In terms of function, several lines of evidence suggest that the police have many opportunities to encounter trafficked people when undertaking their duties (Wilson, Walsh & Kleuber 2006,). With respect to structure and professionalism, the police have specialised units who know how to implement policies and protocols in a timely and appropriate manner based on specialised training techniques (Logan, Walker & Hunt 2009). Furthermore, HT is a transnational organised crime, which threatens security and safety around the globe (Kaye & Winterdyk 2012). Consequently, the police have a paramount role in combating organised crimes like human trafficking (Levi & Maguire 2004). For example, in Vietnam, police hold key responsibility in the manifestation of a serious commitment to eradicate trafficking in humans with a focus on identifying victims of HT and providing initial services to them (UNODC 2012; Vietnamese Government 2015). This is necessary because the international community views victim identification as an ongoing challenge in efforts to end HT (Warria, Nel & Triegaardt 2015), and more importantly, it is the first step in preventing modern day slavery (USDOS 2013).

In the cases of trafficking for sexual exploitation, for instance, after being transported to destination places, victims of ST commonly experience abuse, threats, beatings, force and exploitation from traffickers without protection in the sex industry (Aghatise 2004). The facts show that these victims do not know how to get out of ST and the sex business particularly when traffickers and the anti-trafficking policies of host states contribute to preventing them from reporting this (Gajic-Veljanoski & Stewart 2007). Therefore, the need for quick and accurate responses to find victims of trafficking is crucial.

Victim identification is considered to be one of the leading priorities for ending HT (European Commission 2012). Accordingly, the victim identification process is the mainstay for protecting trafficked persons' rights (Gallagher 2010; Gallagher & Holmes 2008). As declared by the *Trafficking Protocol*, one of its significant objectives is protection and assistance for trafficking victims in terms of human rights (UN 2000). Paradoxically, identification of victims of HT is likely puzzling and assistance for them remains limited (Davidson 2006; Siskin & Wyler 2012). Only a mere fraction of victims of HT are recognised in the enormous scale of HT (Payne 2009), and possibly only around 40,000 of the total of estimated 27 million trafficked people are identified as trafficking victims (USDOS 2013).

Theoretically, failing to identify the status of trafficked persons could result in the refusal of the rights of those persons (UNODC 2008). In fact, misidentification is not an unusual problem under law enforcement like police (Bales & Lize 2005; Farrell, McDevitt & Fahy 2010; Newman 2006). Specifically, victims can be subject to arrests, fines, detainment, deportation, and prosecution because they are treated as prostitutes, illegal migrants or unauthorised workers in the receiving country (Farrell, McDevitt & Fahy 2008; Laczko 2007). In these situations, they are re-victimised when coming to the attention of law enforcement (USDOS 2013). Consequently, there is a gross violation of rights of trafficking victims under international regulations (UNODC 2008).

More importantly, assistance for victims of trafficking is based on the results of identification (European Commission 2012). However, as noted the misidentification of the status of trafficked people stops them from accessing their benefits and rights as victims of trafficking (Chuang 2006). Simply put, victims of trafficking may not receive assistance due to their under-identification. Additionally, successful victim identification makes a significant contribution to prosecuting traffickers effectively in criminal proceedings. In the cases of HT, only victims of this crime can describe exactly what happened to them in the past, apart from the traffickers themselves (David 2008). It can be impossible to prosecute traffickers without victims' testimonies (Nichols & Heil 2015); consequently, the legitimacy of victims of trafficking remains critical during the prosecution of HT cases.

The *Trafficking Protocol* with the presence of the '3P' paradigm including prevention, prosecution, and protection echoes a thorough victim-based approach and aims to secure the rights of victims of trafficking (UNODC 2015). It means that victims of trafficking are entitled as a matter of protection and assistance (Okech, Morreau & Benson 2011). As the *Palermo Protocol* declares, its member states should assist victims with information about judicial proceedings, and give them opportunities to raise their voice and receive attention in any criminal proceedings; particularly by supporting them by providing 'appropriate housing, counselling, medical, psychological and material assistance, employment, and educational and training opportunities', safety, and even the possibility of receiving compensation (UN 2000, pp. 3-4). Additionally, the *Trafficking Protocol* states that depending on circumstances, countries must facilitate a residency permit for victims, or

let them return to their home countries if they want to (UN 2000).

Unfortunately, police face numerous challenges in identifying and properly assisting victims of trafficking (Angel 2007; Okech, Morreau & Benson 2011; USDOS 2013). Some studies show that victims of trafficking are frequently not identified and assisted by police (Clawson & Dutch 2008b; Sadruddin, Walter & Hidalgo 2005; Sigmon 2008). Consequently, a large number of trafficked people have suffered from horrible physical and sexual abuse without any protection and support from authorities (Hodge 2014; Macy & Graham 2012; USDOS 2013). In the case of Vietnam, to illustrate, responsibility for identifying victims of trafficking is varied, and depends on the way trafficked people come to the attention of the appropriate authorities (Kneebone & Debeljak 2012). For example, trafficked people can go to the Vietnamese representative offices in foreign countries to report their trafficking cases: the police force then have the responsibility to verify documents relating to them within ten days before offering the complainant legal status as a victim of trafficking (MPS et al. 2014). Nevertheless, Vietnam has experienced a large number of trafficked people who return unofficially after escaping from traffickers by themselves (UNODC 2012). In such cases, victim identification pushes the difficult burden of proof on the police quite heavily because victims have little evidence of their trafficking stories (UNODC 2012). Consequently, it is argued that victim identification should be developed with better methods and adapted carefully before victims are offered demand-based services by state sectors such as the police force.

1.2. Statement of the problem

Identification of victims of trafficking remains an enormous challenge which police face today (USDOS 2013). Studies indicate the causes of this issue are that police lack awareness about trafficking and victims of trafficking in their jurisdiction (Clawson, Dutch & Cummings 2006; Farrell, McDevitt & Fahy 2008; Wilson, Walsh & Kleuber 2006). Research conducted by Sigmon (2008) states that police are not trained in methods to identify victims of HT. Accordingly, successful victim identification is inversely proportional to the magnitude of HT globally (Payne 2009). Little has been known about police perception of HT and victims of trafficking, or their responses to this crime in Vietnam. In this country, HT is frequently considered a social evil, and the vast majority of women and children are subjected to trafficking for prostitution (Vijayarasa 2010). Additionally, there is a close relationship between human trafficking and labour migration (USDOS 2018). Consequently, victims of trafficking are viewed as sex workers or illegal migrants (Hoang 2015; Vijayarasa 2010) and are perceived as deserving to be arrested or detained rather than being given the necessary assistance (Dang 2006a). As a result, one focus of this thesis is exploring the perception of the Vietnamese police regarding victims of ST and how they distinguish victims from sex workers and illegal migrants.

Importantly, the ways police identify HT cases and victims of this crime vary (Farrell, McDevitt &

Fahy 2008). Albanese and his colleagues (2004) show that while traffic accidents, tip-offs, and border checks allow law enforcement to identify victims of trafficking, the majority of studies reveal that police identify trafficking victims through other criminal investigations such as kidnapping, prostitution, assault, or domestic violence; the word of 'Good Samaritans'; victim service providers or community-based organisations; referrals from other LEAs; Task Forces; and citizens (Clawson, Dutch & Cummings 2006; Logan, Walker & Hunt 2009). Simply put, police can rely on reactive approaches (such as responses from police to phone calls from victims, individuals, victim service providers) and proactive strategies (such as using confidential informants) to recognise incidents of HT (Farrell et al. 2012). In the context of Vietnam, however, victim identification is mainly remain reactive (UNODC 2012). In addition, the majority of trafficked people who return home by themselves to Vietnam, may be refused the legal status of victims of trafficking when reporting to competent authorities (UNODC 2012). As a result, this research explores the approaches police can use to identify victims of ST and challenges they face in doing this.

Theoretically, victims of HT can approach social services from public and state sectors. However, they face many difficulties, even if they qualify as victims of trafficking (Okech, Morreau & Benson 2011). As indicated by Sadruddin, Walter and Hidalgo (2005, p. 392), 'of the estimated tens of thousands of victims in the United States annually, only a few hundred have been identified and protected'. For example, only those categorised as victims of a severe form of trafficking are protected by US law and law enforcement, such as child trafficking or ST (Sadruddin, Walter & Hidalgo 2005). Additionally, assistance is only possible if victims are willing to support law enforcement to investigate and prosecute the traffickers; conversely, victims may receive denial of their status and insufficient services if they refuse to cooperate (Okech, Morreau & Benson 2011). More seriously, services for victims are frequently limited and inappropriate for the practical needs of the victims (Clawson & Dutch 2008a). Therefore, failure in treating trafficked people as victims and their fear in approaching services may cause them to be re-trafficked (Adams 2011). In this study, the nature of assistance for victims of ST in Vietnam will be examined and the role of police in these processes will be explored.

1.3. Research objectives and questions

1.3.1. Objectives of research

The purpose of this thesis is to provide the first detailed analysis of the nature of policing in identifying and assisting victims of ST in Vietnam. Utilising the concept of victims of HT, the thesis generates a unique conceptual framework about victims of ST, and identification of, and assistance for, victims of ST. The thesis is based on findings from surveys and in-depth interviews with police officers who are responsible for fighting against HT from the district level to the national level. The research presents data relating to the main features of ST victims, and identification and assistance of victims in Vietnam. However, to some extent, its key findings also contribute to

knowledge about the nature of trafficked people for the sex industry within the Great Mekong Sub-region (GMS) where little is known about these problems.

This study also identifies practical challenges and specific obstacles which police face in Vietnam when identifying and assisting victims of ST. Numerous barriers limit the Vietnamese police from properly recognising and supporting victims of ST, such as conflicts of laws relating to anti-trafficking, lack of training and protocols on identification of victims, full unawareness of ST or victims of this crime, lack of international cooperation, and lack of funding. These challenges are viewed as among the most specific concerns for recommendations to the effectiveness of police in identification and support for victims of ST in Vietnam now and in the future.

1.3.2. Research questions

The focus of this thesis is on identification and assistance of victims of ST regarding the role of police in Vietnam. The thesis raises the question: 'What is the Vietnamese police perception of victims of ST, and how do they identify and assist victims of this crime?'

In order to better understand this central question, three main sub-questions are addressed:

1. How do the Vietnamese police perceive victims of ST?
2. By what methods do the Vietnamese police identify victims of ST in practice?
3. How do the Vietnamese police assist victims of ST?

Generally, this thesis will argue that Vietnam lacks a standard and consistent definition of victims of ST, which can be applied to anti-trafficking related strategies, and as a consequence, police primarily employ reactive approaches to identify victims of this crime and their assistance for victims is passive and limited.

1.4. Structure of thesis

In presenting the results of this research, its structure will be ordered as follows:

Chapter One (this chapter) indicates the points that will be addressed in this thesis, including the research background, statement of research, research questions, objectives of research, and structure of this thesis.

Chapter Two comprises a review of literature on victims of ST, the nature of identification and assistance of victims of HT under the role of police. Accordingly, this chapter underlines the gaps that possibly influence the effectiveness of policing on victim identification and assistance.

Chapter Three presents a snapshot of HT in Vietnam. It examines illustrative factors of the

prevalence of HT (mainly ST) in the country, such as geography, population, history and economy. The chapter sketches out some features of trafficking in Vietnam with a focus on patterns and routes of trafficking, methods of traffickers, and data issues, as well as considers laws and policies on identifying and assisting victims of HT.

Chapter Four sets out the methodology used in this research by starting with the rationale of the use of a mixed-methodology to the study of HT and police. It then outlines techniques to collect data in this research design. This chapter describes the process of data analysis with the help of software and identifies considerations such as the ethics position, and position of the researcher in the fieldwork.

Chapter Five presents the findings related to the police perception on victims of ST. By comparing and contrasting quantitative (surveys) and qualitative (interviews) results, this chapter provides police perceptions of ST victims. The majority of police respondents agree with the traditional images of trafficking victims pertaining to women, children, poverty, unemployment, low education, and family problems. It also identifies some non-traditional images of trafficking victims such as men, sex workers, illegal migrants, and high education.

Chapter Six describes the data obtained from surveys and interviews that provides an overview of victim identification by police. Specifically, this chapter depicts the methods used by police to identify victims of ST, including reactive and proactive approaches. More importantly, it analyses challenges, which the Vietnamese police face when identifying victims of this crime, including obstacles internal and external to the police force.

Chapter Seven represents the nature of assistance for victims of ST provided by police. It shows that, police only provide services for victims of this crime in the investigation procedure, including health services, basic needs, legal services, and translation assistance. This chapter also analyses the causal relationship between non-identification and non-assistance for victims by describing police failure to identify victims, unavailable and inappropriate services from police for victims, and lack of cooperation with NGOs.

Chapter Eight compares and contrasts between the findings of this thesis and the present literature. The first section of this chapter discusses how Vietnamese police expand the stereotypes of trafficked victims by adding sex workers, boy victims, illegal migration for work, and high level of education of victims. Then it debates police approaches to identify trafficked victims with a bias toward reactive strategies, before highlighting the challenges police faced in this respect. The final section reviews police services for victims with a focus on contribution to new points in these research problems.

Chapter Nine identifies the contribution of this research to the existing academic research and outlines recommendations for future studies and policy related to the area of identification and assistance of victims.

CHAPTER 2. LITERATURE REVIEW

2.1. Introduction

The aim of this chapter is to review the scholarly literature on factors that contribute to the police failure in identifying and assisting victims of ST. In recent decades, the attention of the international community in responding to this crime has increasingly been upon the status and treatment of victims (Fong & Cardoso 2010; Hoyle, Bosworth & Dempsey 2011). Although identification and assistance of victims of trafficking is central to anti-trafficking government policies, little is known about the magnitude of the victims who are unidentified and unassisted by the police (Farrell & Fahy 2009). Furthermore, past research on the trading of humans 'has not examined the factors that explain why some police agencies are more successful than others at developing organizational responses to promote identification of human trafficking crimes' (Farrell 2014, p. 4).

With this goal in mind, this chapter is divided into two main sections. The first section looks at how external factors influence the identification and assistance of victims. It discusses the indistinct boundaries of the definition of trafficking, the inconsistency of notions of trafficking victims, and the clandestine nature of trafficking as the main barriers to police correctly recognising and supporting the victims. The second part of the chapter examines internal factors hindering police in effectively recognising and aiding these victims. This section highlights a lack of knowledge and understanding by the police about HT; their passivity; shortages in staff, time, funding, and protocols; weaknesses in training; language barriers; limited inter-agency cooperation; and police culture. The chapter as a whole generates a global, analytical perspective from which to examine and understand the aspects impacting policing in identification and assistance of trafficking victims.

2.2. External factors influencing police in the identification and assistance of victims of sex trafficking

2.2.1. Definitions of sex trafficking: unresolved problems

It is clear that the law and the police impact on each other. Indeed, the law officially determines the boundaries of police powers, and the police are accountable for maintaining the law (Goldsmith 2006). In the field of HT, this means anti-trafficking laws define what police actions are acceptable, and the police operate to enforce the laws for and against citizens. That is, the police act as a connection between the legislation and the operationalisation of the law in practice (Jenness & Grattet 2005).

In the case of ST, Nichols and Heil (2015) argue that legislation problems may impede the capacity of police to properly identify the victims. An accurate definition affords understanding for all stakeholders permitting them to deal with the specific issue in question (Ali 2010). In contrast, the imprecise boundaries of the definition of HT have a negative influence on the identification of

victims (Bjelland 2017). Here, the core of the problem is a lack of 'international consensus about what constitutes trafficking' (Coontz & Griebel 2004, p. 48). Specifically, there is a lack of clear explanation to distinguish the level of means of trafficking (Matthews 2015) and categories of consent in trafficking cases (Jones 2012). Therefore, as outlined below, these gaps lead to discretion on the part of the police in identifying victims of trafficking (Matthews 2015). Here discretion refers to the way and time police decide to respond to a situation (Goldsmith 2015).

As Article 3 of the *Palermo Protocol* (United Nations (UN) 2000) states:

Trafficking in persons' shall mean 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.

Although the *Trafficking Protocol's* definition of human trafficking is accepted worldwide in terms of theory (Huda 2006), in an empirical study in the UK, Arocha (2010) notes that a failure of police to identify victims of trafficking is associated with a failure to understand what trafficking constitutes in practice. This is explained by the fact that the *Trafficking Protocol* fails to clarify the level of deception, the category and level of force, and the form of intimidation used to define victims of trafficking (Matthews 2015). In other words, this international definition does not give sufficient consideration to categorical distinctions among the means of trafficking, including intimidation, force, coercion, deception, and abduction, as well as abuses of power and vulnerabilities (Hoyle, Bosworth & Dempsey 2011; Weitzer 2014). Therefore, it is challenging for police to apply the international trafficking definition in practice, especially to identify and assist victims of trafficking, because there has been no obvious distinction between trafficking and smuggling, ST and migration, or ST and sex work (particularly prostitution) (Cho, Dreher & Neumayer 2013; Skilbrei & Tveit 2008). By way of illustration, Wilson and Dalton (2008) observed that there were inconsistencies in the ways police understood and acknowledged ST in two US cities, Columbus and Toledo due to variations in the definition of HT.

Another significant aspect of the blurred boundaries of the definition of trafficking is the issue of consent when it comes to identifying whether a person has been trafficked (Jones 2012; UNODC 2014). As stated in the *Palermo Protocol*, its overall purpose targets exploitation in the forms of sexual acts, forced labour, servitude, and slavery (UN 2000). Nevertheless, debate stems from the investigation of an individual's relation to prostitution 'under circumstances that constitute trafficking' (Skilbrei & Tveit 2008, p. 13), and the way to gauge the level of consent of sex workers (Ali 2010). Indeed, to gain the consent of victims, traffickers can utilise persuasive strategies to recruit and transport these victims, including deception and debt bondage, as well as threats to victims and/or their family members (Jackson, Jeffery & Adamson 2010). In other cases, victims

voluntarily consent to leave their home countries and stay in destination countries without coercion, force, or deception (Aronowitz 2004). Contrary to this, some scholars assert that women are unable to consent to the slave-like conditions (Goodey 2003; Riegler 2007), while other writers contend that women can agree to work as sex workers in slavery conditions (Coonan 2010; Giordano 2014).

This is exemplified in the work undertaken by Jones (2012) that lists five categories of consent which may lead to police misunderstanding HT and people smuggling. Categories include consent of individuals to participate in the sex business as a way to pay debts involved in fees for travelling to destination countries, or as a way to resolve economic hardship or hunger. In the same vein, Coontz and Griebel (2004) show the conflicting perspectives of NGOs, such as Global Alliance, who consider trafficked people who consent to prostitution as migrant workers deserving of protection in accordance to international labour laws, rather than victims of trafficking. In line with this discussion, Anderson and Davidson (2002) contend that the *Trafficking Protocol* has not shed light on the cases of migrants who travel legally to a foreign country, and then experience deception and exploitation.

In another empirical study, Skilbrei and Tveit (2008) observe that consent involves vulnerability and exploitation in the case of smuggling, which may be conflated with human trafficking because these crimes result from other factors impacting migration. More specifically, on the basis of a British report, Matthews (2015) notes that individuals who either agree to sell sex due to debts involving travelling costs, or simply to make money, may not qualify to be considered victims from the perspective of police. Matthews (2015) explains that police have insufficient evidence regarding the degrees of consent of these people. This suggests that there is a failure to consider the notion of consent when distinguishing HT from people smuggling (Skilbrei & Tveit 2008). As a consequence of this lack of clarity, police are almost certain to view individuals engaged in a criminal exchange, such as prostitution or illegal entry, as criminals, rather than defining them as victims of trafficking (Jones 2012).

Ongoing debates on the levels of coercion and consent in the definition of trafficking remain as there has not yet been a clear protocol developed (Weitzer 2014). As a consequence, this leaves space for police to define who constitutes a victim of trafficking (Matthews 2015). The use of police discretion stems from conflicting ideas and/or duplication of the law (Goldsmith 2006). That is, the unclear definition of trafficking may have a great influence on police misidentification of victims as criminals, illegal migrants, or sex workers (Heil 2012; Raphael, Reichert & Powers 2010). They may be refused access to services by police, or, more seriously, they may be arrested or deported if they are not defined as victims of trafficking (Farrell, Pfeffer & Bright 2015). Therefore, in the increasingly challenging context of trafficking victim identification, it is necessary to have 'a clear definition of what kind of experiences should classify somebody as victims of trafficking' (Tyldum

2010, p. 6), and ensure consistency in understanding and application of that definition regarding anti-trafficking actors, including police. Indeed, as a direct consequence of the blurred definitions of trafficking, Danziger (2006) emphasises the divergence of understanding of who victims of trafficking are between the public sectors (e.g. police) and the private sectors (e.g. NGOs and international organisations). To this end, the consistency in understanding and implementing the trafficking definition should be prioritised.

2.2.2. Victims of human trafficking: inconsistent notions

Goodey (2005, p. 42) poses the question, 'anyone can be a victim of crime', but who will be counted as a victim of HT? Goodey (2003) asserts there are variations in the determination and treatment of victims of ST among illegal immigrants and non-EU citizens in other contexts. These differences may stem from gaps regarding understanding about trafficked people in theory and in practice (Marmo & Chazal 2010). Indeed, a trafficked person is labelled a victim of trafficking based not only on the damage they have suffered, but the understanding of those who have contact with the victim and who have the power to confirm or refute this label (Hoyle, Bosworth & Dempsey 2011, p. 315). Consequently, the classification of trafficking victims is complicated (Daigle 2013), with a hierarchy of victims spanning from 'ideal victims', 'pure victims', 'perfect victims', 'iconic victims', 'innocent victims', and 'deserving victims', to 'bad victims' (Brunovskis & Surtees 2008; Hoyle, Bosworth & Dempsey 2011; O'Brien, Carpenter & Hayes 2013; Srikantiah 2007). Obviously, trafficking victim status is clear proof of the culpability of traffickers (Matthews 2015). However, it does not ensure that victims will be protected and assisted with full human rights if they do not participate in the prosecution of traffickers (Sadruddin, Walter & Hidalgo 2005). Therefore, this section will now focus on reviewing relationships between the concepts of ideal and deserving victims of HT, and the police identification and assistance of these people.

First, the construction of an ideal victim of trafficking is likely to contribute to hindrances in recognising victims of this crime by anti-trafficking actors, including the police (Kinney 2015). In a ground-breaking article in 1986, Christie (1986, p. 19) introduced the term 'ideal victim' to depict the main factors of a person affected by a crime who seemingly deserves the genuine and legitimate position of a victim with sympathy and support. In accordance with Christie (1986, p. 19), an ideal victim can be identified by the following signs:

1. The victim is weak. Sick, old or very young people are particularly well suited as ideal victims.
2. The victim was carrying out a respectable project.
3. She was where she could not possibly be blamed for being.
4. The offender was big and bad.

Matthews (2015) explained that the images of ideal victim are likely to increase the chances of

certain individuals and/or groups attracting sympathy, and being considered as victims of crime. This can be illustrated in several instances of HT. For example, orphaned young girls who are kidnapped to be sold into the sex business are more likely to receive sympathy and be labelled victims of trafficking than sex workers consenting to sell sex in foreign countries, and who 'find themselves trapped in unacceptable conditions or in debt bondage' (Hoyle, Bosworth & Dempsey 2011, p. 315). Drawing on the public awareness campaigns, O'Brien (2013) also explains that anti-trafficking actors consistently understand what is involved in being an ideal victim of trafficking, including being trafficked for sexual exploitation, a young woman or girl, or being innocent and blameless. Indeed, the images selected by the media enable the public to easily sympathise with the exploitation of trafficking victims by pimps or brothel owners who force other people to participate in prostitution rather than by their willing consent (Brunovskis & Surtees 2008). Here, the ideal victim of trafficking may misrepresent victims of trafficking as predominately being trafficked for sex work (David 2008). In addition, the depiction of ideal trafficking victims in the media might cause police to fail to identify victims of trafficking because many of the victims voluntarily agree to be smuggled for different reasons (Farrell & Fahy 2009). For example, some Nigerian women accept to pay money for smugglers in order to migrate to Europe because of poverty and lack of opportunities in their home country (Skilbrei & Tveit 2008). To some extent, the image of slavery in these campaigns generates ideal victims of trafficking with oversimplification of the insights about causes and experiences of trafficking (Hoyle, Bosworth & Dempsey 2011). As a result, it is not surprising that police miss chances to recognise victims of trafficking (Kinney 2015).

Previous works into trafficking in persons have discussed stereotypes used by police when identifying victims of trafficking (Farrell, Pfeffer & Bright 2015; Vijayarasa 2014). In this regard, police become used to thinking that victims are women and children, young and innocent, and are linked to sexual exploitation. This is similar to an ideal victim of trafficking; a victim who is not a man and who does not consent to migrate for purposes other than exploitation (Kinney 2015). This is evident in the work of Villacampa and Torres (2017, p. 401) who conclude that the police perceive victims of trafficking as undocumented foreign women trafficked for prostitution, which is 'far removed from that of an individual – man or woman, foreign or national – who has been captured and forced to commit crimes'. Similarly, in the context of Vietnam, police and other stakeholders consider the typical framework of victims of trafficking in Vietnam to be female, young, and vulnerable (such as poor, uneducated, or from an ethnic minority), and trafficked for sexual services rather than focusing on men and labour trafficking (Vijayarasa 2013, 2014). This negatively influences the ways police identify and treat victims of trafficking (Brunovskis & Surtees 2008).

In discussing the concept of deserving victims, Goodey (2005, p. 124) claims that those who appear vulnerable are likely to be seen as deserving victims of crime rather than 'those whose character, past conduct, or actions can be considered as undesired, or as somehow contributing to their victimization'. With respect to HT cases, Srikantiah (2007, p. 158) argues that the concept of

deserving victims of trafficking refers to 'iconic victims' who are completely controlled by traffickers from recruitment to exploitation for various purposes. These victims are influenced by the use of force, coercion, threat or deception by the traffickers, which overwhelm other factors such as private desires, and economic motivation (Srikantiah 2007). Turning to the US, Srikantiah (2007) presents 'iconic victims' of trafficking as females who are trafficked for sexual exploitation, are good witnesses, cooperate effectively with LEAs, and are rescued by law enforcement. However, this perception overlooks the fact that males are also trafficked for sex and females are also trafficked for labour or other purposes; victims are able to choose to move abroad and to refuse to cooperate with LEAs; and victims can escape by themselves or with other people's assistance rather than only via police rescue (Farrell 2012; Lee 2011; Nichols & Heil 2015).

It is evident that this assumption causes the police to use stereotypes when it comes to identifying victims of trafficking in practice (Kinney 2015). In the US, for example, police have constructed the belief that a victim of trafficking must be rescued by the police. Consequently, if trafficked people are 'not found chained to a bed in a brothel', police may not consider them as a victim of trafficking and may treat them as a criminal (Haynes 2006, p. 9). Similarly, Vijayarasa (2013) found stereotypes in Ukraine, Ghana and Vietnam, which purport that only women are trafficked for sex, contribute to males being ignored in the profile of victims of trafficking under policies and also via police responses. Therefore, the images of deserving victims of trafficking are likely to be different from the police perception, focusing on means of traffickers, such as deception, coercion, force, or debt bondage to label a victim's status (Hoyle, Bosworth & Dempsey 2011).

However, many scholars use push and pull factors when discussing victims of this crime (Hoyle, Bosworth & Dempsey 2011; Keo et al. 2014; Santos et al. 2008). It can be undeniable that the literature describes the push factors in source countries such as poverty, unemployment or family problems, and the pull factors in destination countries such as availability of jobs with high payment or explosion of prostitution (Demir 2010; Keo et al. 2014; Santos, Gomes & Duarte 2010). These settings make such people much more vulnerable to the problem of trafficking (Demir 2010). The question raises here whether individuals in such special contexts should be considered victims of trafficking or not, which has not been yet answered comprehensively.

The notion of ideal trafficking victims may lead to the misidentification or under-identification of victims of trafficking. Furthermore, the concept of deserving victims of trafficking does not reflect the full range of victims of trafficking in practice. Indeed, other push and pull factors have great impacts on victimisation in the cases of trafficking (Hoyle, Bosworth & Dempsey 2011). Therefore, this thesis argues that it is necessary to broaden the notion of trafficking victims, facilitating identification of, and assistance for, victims in practice.

2.2.3. Techniques of traffickers

Traffickers know how to prevent victims from contacting anyone in the outside world, especially LEAs – like the police – at any stages of trafficking (Farrell et al. 2012). The best way for traffickers is to use multiple techniques to keep victims and their activities out of the sight of anyone who can report to the police (Farrell 2014; Kotrla 2010). For example, in the recruitment stage, traffickers may prey on victims who are homeless or runaways because these individuals have fewer chances of being found (Kotrla 2010). In other cases, traffickers who may initially be boyfriends use sweet promises of love and safety to control victims who then keep themselves secret because of love for their traffickers (Lloyd 2012). While several scholars noted that traffickers also consider the use of the Internet to be a way to keep ST hidden (Kunze 2010).

In other cases, researchers uncovered that traffickers move victims to different places to avoid attention and recognition from authorities (Smith, Vardaman & Snow 2009; Williamson & Prior 2009). Alternatively, traffickers take victims into so-called hidden places such as spas, clubs, bars, and even basements of upper class buildings for prostitution to mask their activities (Heil 2012). Traditional techniques, such as debts, force, coercion, violence, and rape, are also used to prevent victims from seeking assistance, or contacting authorities (Adams 2011; Helfferich, Kavemann & Rabe 2011; Hepburn & Simon 2010). In addition to these techniques, traffickers train victims to tell lies about their identity if authorities encounter them (USDOS 2013).

In short, a series of studies note that traffickers try their best to hamper victims from being recognised by authorities like the police, so they cannot find enough evidence to identify and prosecute (Nichols & Heil 2015). As a consequence, these victims are kept hidden and cannot access the services.

2.2.4. Non-cooperation of victims of trafficking

The inability and/or unwillingness of victims to cooperate with law enforcement may also contribute to the hidden nature of HT (Adams 2011; Farrell et al. 2012). Indeed, Tyldum and Brunovskis (2005, p. 25) state 'the probability of being identified by the police will depend on how the victims themselves behave in contact with representatives of law enforcement'. Put simply, misidentification and under-identification of trafficking victims may be caused by the individual victim's non-cooperation with law enforcement (Reid 2010). To illustrate, in an empirical study in the US, Farrell, McDevitt and Fahy (2008) concluded that about 70 percent of the police believed victim non-cooperation was the greatest challenge to identify victims of trafficking. Indeed researchers noted a wide range of reasons why victims are unwilling to disclose their trafficking and experiences to the police (Adams 2011; Heil 2012; Reid 2010).

Those who have suffered from trauma during the course of trafficking including severe physical abuse and psychological manipulation may be unable or unwilling to report their trafficking to police (Reid

2010; Sigmon 2008). This is because the physical and mental trauma to the brains and bodies of victims may disable their capacity for critical thinking and memory recall, particularly after they are removed from the torture or trauma (Sadruddin, Walter & Hidalgo 2005). In the context of Florida, Heil (2012) shows that victims who have mental and physical problems caused by abuse from traffickers impacts significantly on their willingness to cooperate. Consequently, such victims remain unrecognised and go unassisted, or are even fined or deported (Sadruddin, Walter & Hidalgo 2005). Therefore, Adams (2011) warns against using police raids as a way to identify victims of ST because this may traumatise victims and deepen their fear of police (Ditmore 2009).

Victims may also not dare to report their stories to police due to fear for the well-being of their family (Farrell, McDevitt & Fahy 2008). Indeed, traffickers can employ many ways to instil this fear in victims of ST. For example, some participants in a study conducted by Simich et al. (2014) indicated that traffickers use the addresses or locations of the victims' families to threaten them, while other respondents mentioned threats of murder as a way for traffickers to intimidate victims if they intended to call the police. Similarly, Warria, Nel and Triegaardt (2015) concluded that victims believe in the punishment threatened by traffickers if they are found to have contacted the police because the traffickers' accomplices can find victims' families to harm or kill them (Sigmon 2008). This challenge was tested in a study in the US by Farrell and colleagues in 2008. Here, it was found that 83 percent of the police frequently or occasionally agreed that victims did not cooperate with police because of fear regarding reprisals from traffickers to themselves and/or their family members.

Furthermore victims, particularly children, do not want to report their stories due to mistrust in, and fear of, the police (Helfferich, Kavemann & Rabe 2011; Pearce 2011; Warria, Nel & Triegaardt 2015). Indeed, police corruption is considered a main factor in reducing victim confidence in the police in several countries (Bales 2012). For example, victims see police using sex worker victims in brothels (Sigmon 2008), or police involvement in trafficking rings (Jonsson 2018). Therefore, victims themselves feel fear towards the police who can either return them to their exploiters/traffickers or charge them for trafficking-related offences (Hodge 2008). This fear and mistrust can make victims of trafficking avoid police rather than seek their aid (Skilbrei & Tveit 2007), especially if police are unable to secure their safety from traffickers' revenge (Hodge 2008). In such cases, victims are likely to believe the traffickers rather than trusting the police (Farrell & Pfeffer 2014). This was supported by the work of Farrell, McDevitt, and Fahy (2008) who found that 83 percent of LEAs frequently or occasionally considered mistrust in the criminal justice system as a motivation for victim non-cooperation.

In other cases, victims refuse to report their victimisation to police because of their fear of being fined, arrested and deported (Farrell et al. 2012; Heil 2012). Several lines of evidence note that traffickers confiscate victims' travelling documents to control their movement (Sigmon 2008; Skilbrei & Tveit 2007). In other cases, some victims use fake passports or visas to travel, or they

travel without any documents (Sigmon 2008). Without documents, victim risks being arrested or deported if they come to the attention of police (Adams 2011; Farrell & Fahy 2009; Nichols & Heil 2015; Skilbrei & Tveit 2007). It should be noted that many victims hide their violations against laws (Nichols & Heil 2015). However, it remains unclear about the victim-offender cycle in identifying HT cases (Helfferich, Kavemann & Rabe 2011). Hence, it is crucial to conduct further research on this cycle as a reason for keeping themselves hidden.

Another reason is that victims are unaware of their rights and HT, which may also interfere with their cooperation with LEAs (Newton, Mulcahy & Martin 2008). In a comprehensive study of police responses to HT, Farrell, McDevitt and Fahy (2008) found that 78 percent of LEAs frequently or occasionally believed victims were unaware of their rights. The follow-up research notes that victims are unaware of what HT constitutes and/or that there are laws qualifying them as victims (Farrell et al. 2012; Nichols & Heil 2015; Reid 2010). For example, some people trafficked for prostitution view themselves as sex workers rather than victims of ST. In other cases, foreign nationals taken to a destination country without legal documents believe themselves to be illegal migrants, not victims of trafficking (Farrell et al. 2012). Seriously, this lack of knowledge makes victims loyal to the traffickers as a case study in the US conducted by Reid (2010), which also contributes to victim's non-cooperation with police and their under-identification.

Described as a 'wall of silence' and 'culture of disbelief' by Pearce (2011, p. 1429), linguistic and cultural barriers may impede victims from notifying their abuse to the police. This happens when victims have been transported to an unfamiliar country where they are unable to contact authorities using their own language (Sigmon 2008). Accordingly, victims, especially children, may be shy or scared, and be unable to communicate. Police, therefore, face serious barriers in identifying victims when they are incapable of talking to these victims (Farrell et al. 2012).

A solution for overcoming language barriers is to use interpreters (Sigmon 2008), however, the number of translators is limited and they are not always available (Pearce 2011). Furthermore, interpreters often lack interview skills when it comes to working with victims. For example, they may use inappropriate words for children, display inaccuracy in interpretation, or not understand about the culture of victims (Pearce 2011). Similarly, Farrell et al. (2012) note that police who speak foreign languages would work more effectively than interpreters because they understand the victims' circumstances, which is needed to gather information and evidence as well. Indeed, while the vast majority of studies mention foreign languages, such as English, little is known about ethnic minorities' languages as a barrier to identification and assistance.

This section has explored reasons for victims' unwillingness to disclose their victimisation to the police, focusing on victim trauma, fear of traffickers' reprisal, lack of belief in the police, fear of arrest and deportation, lack of victims' knowledge, and language and culture barriers. However,

much more research about minority victims of trafficking is needed in this domain. Additionally, the victim-offender cycle is a potential area of research of this crime should be filled to improve the number of trafficked people identified from the so-called hidden population.

2.3. Internal factors impacting on police identification of and assistance for victims of sex trafficking

2.3.1. Lack of knowledge and understanding about human trafficking

Through a series of studies on the police and HT, Farrell and colleagues argue that the low number of identified victims results from the police limited knowledge regarding HT, anti-trafficking laws, and other crimes relating to trafficking (Farrell, McDevitt & Fahy 2008; Farrell, McDevitt & Fahy 2010; Farrell et al. 2012; Farrell, Owens & McDevitt 2014; Farrell & Pfeffer 2014). Given the lack of insight about trafficking and other problems surrounding trafficking, it is not surprising that the police depict inconsistent definitions of trafficking and victims of trafficking (Newton, Mulcahy & Martin 2008). It is said that whether a victim of HT is identified depends on the way this crime is defined in practice (Tyldum 2010). Unfortunately, existing studies point out that the police use their own definition, instead of using the official definition, and the ways they define trafficking conflicts with trafficking laws (Newton, Mulcahy & Martin 2008). For example, some officials erroneously defined HT as always being the cross-border transportation of victims, ignoring domestic victims of trafficking (Farrell, Pfeffer & Bright 2015). In other cases, police classify victims as those involving prostitution and undocumented movements like criminals (Farrell, Owens & McDevitt 2014). As noted by Raphael, Reichert and Powers (2010), the police in Chicago considered victims trafficked for domestic sexual exploitation as sex workers despite them being forced, coerced, controlled, or under 18 years old. Like Chicago, other research confirms child victims of trafficking in South and Southeast Asia, such as Cambodia, Vietnam, Laos, Thailand or Nepal were also recognised as sex workers by the police who found them involving in prostitution because the police lacked awareness (Rafferty 2016).

As a result of limitations on knowledge, police find it difficult to distinguish trafficking in persons from people smuggling and ST from the sex industry (Farrell, Pfeffer & Bright 2015; Newton, Mulcahy & Martin 2008). There is some evidence denoting that the police insight into the issues primarily depends on what they have seen on television, read in newspapers, and common assumptions on HT, instead of formal training (Farrell, Pfeffer & Bright 2015). Hence, it is not uncommon that police addressed cases of ST as prostitution-related cases (Farrell, Pfeffer & Bright 2015), or cases of people smuggling (Farrell et al. 2012). This results in victims of trafficking being misrecognised as offenders (Nichols & Heil 2015).

All of the studies reviewed here support the argument that lack of knowledge is a serious barrier hindering police from successfully identifying and supporting victims of trafficking. Consequently,

police may consider trafficked people as sex workers or criminals rather than victims of trafficking.

2.3.2. Training problems regarding identification of victims of human trafficking

Central to identifying victims of HT is training for those who are responsible for identification, such as the police (Connell et al. 2015). In the continuously changeable context of HT, without training, police face challenges to recognise victims (Farrell, Pfeffer & Bright 2015). For example, the police still do not consider women involved in the sex trade as victims of ST, despite them being controlled, if they do not have adequate training (Aronowitz 2010). Although training is considered the key plan for police to improve trafficking victim identification (Farrell, McDevitt & Fahy 2010), there are gaps in the body of the police training causing ongoing debates (Potocky 2011; Reid 2010).

Firstly, formal training programs for the police appear insufficient to improve the quality of identification of victims of HT (Arocha 2010). Indeed, a survey of LEAs in the US indicated only eight percent of participants received or conducted training in HT (Wilson, Walsh & Kleuber 2006). In the context of identifying victims of trafficking, existing gaps have been observed regarding the police lacking techniques to detect victims of trafficking, such as interview skills (Reid 2010; Williams 2015). Interviews play a vital role in collecting evidence because there is rarely physical evidence in the trafficking cases (Farrell, Owens, & McDevitt 2014).

In addition to interview techniques, the police should be trained regarding how to recognise the relationship between domestic violence and trafficking to find victims of trafficking in domestic violence cases (Nichols & Heil 2015). This is supported by the results of a 2006 survey in the US stating that 92 percent of LEAs in the sample were not trained in the relationship between domestic violence and trafficking (Wilson, Walsh & Kleuber 2006). While Verhoeven et al. (2015) argue that police identify human trafficking from investigating domestic violence, these problems signal gaps in the literature, which need to be explored more in empirical research to overcome the situation of misidentification and under-identification.

Secondly, it is argued that training frequently targets police who work in Task Forces or anti-trafficking specialised units, instead of front-line officers who in fact have more chances to encounter and identify victims of trafficking (Farrell & Pfeffer 2014). A survey in the UK showed that front-line officers receive insufficient training to react to the red flags of a trafficked person (Arocha 2010). As Gallagher and Holmes (2008) explain, the importance of front-line police is to secure the victim's safety, protect evidence, and detain suspects. Meanwhile, a part of these officers believe that HT never or rarely occurs in their jurisdictions (Farrell, McDevitt & Fahy 2008). Consequently, opportunities to recognise the victims are frequently missed as the front-line police lack skills to identify the victims and protect them (Bales & Lize 2005; Gallagher & Holmes 2008). Therefore, existing research suggests it is not only the police in special units but front-line officers as well who require more training to improve

identification of victims (Gallagher & Holmes 2008; Reid 2010; Williams 2015).

The final problem of training argued here is that there has not yet been frequent training for the police force or mechanisms to evaluate the training courses (Arocha 2010; Farrell & Pfeffer 2014; Renzetti et al. 2015). Training should be organised frequently because criminals develop new techniques (Moosy 2009), and the officers in anyone agency can change (Farrell, Owens & McDevitt 2014; Farrell & Pfeffer 2014). Indeed, Task Force officers may misclassify some HT victims as criminals due to them not always being trained to respond to sensitive crime victims, such as victims of labour trafficking (Farrell & Pfeffer 2014, p. 61). However, there has been no research suggesting how frequent or consistent training for the police should be.

Indeed, the evidence reviewed here seems to suggest a pertinent role for the problems of the training courses for police in identifying victims of trafficking (Connell et al. 2015). Training limitations greatly impact on the success or failure of police in terms of identification and assistance of trafficking victims. When police have not been trained in the ways traffickers commit HT, this may lead to difficulties in identifying victims of this crime, especially when perpetrators use new techniques.

2.3.3. Methods to find victims of human trafficking

It is crucial to examine how methods might be used for identification of victims of trafficking by the police. When it comes to identifying people trafficking cases, including victims, Farrell and Pfeffer (2014, p. 47) state that identification refers to how cases come to the concern of police, and how police distinguish these cases from other almost identical offences. Although trafficking victims potentially can come to the attention of a variety of sectors, such as social service providers, social organisations, NGOs, and citizens, the police play a major role in identifying victims (Clawson & Dutch 2008b; Simeunovic-Patic & Copic 2010).

It is important to acknowledge that there are a number of ways in which police notice trafficking victims (Farrell, McDevitt & Fahy 2008). Moosy (2009) has noted that victims can sometimes be referred to the police by social providers, NGOs and community organisations who deal with the health problems of these victims in hospitals, emergency rooms, health clinics, and shelters. Detailed examination of methods to identify victims of trafficking by Clawson and colleagues (2006) indicated that police identify trafficking victims via other criminal investigations, referrals from other LEAs, referrals from victim service providers and social organisations, specialised units, and citizens. Moosy (2009) additionally noted confidential informants as another way to recognise victims. Otherwise, victims or their family members may go to the police agencies to report their trafficking cases (Farrell & Pfeffer 2014). While, mass media has a great influence on the public in the area of HT (Johnston, Friedman & Shafer 2014), there is no data to show that police probably find victims of trafficking through official trafficking information from news media.

Farrell and colleagues (2012) have categorised the ways in which police may come to identify victims into reactive and proactive strategies. The reactive approach concerns the responses of police to phone calls from victims, individuals, and service providers. The proactive approach focuses on the way police actively develop informants to find victims (Farrell et al. 2012). This research has listed more options for the police to find victims in HT cases, including 'tips, ongoing investigation, entrapment/sting, victim self-identify, referral other law enforcement, referral within law enforcement, call for service, confidential informant, victim family report and other' (Farrell et al. 2012, p. 42). Data from several studies suggest that police tend to employ reactive strategies (for example tips from service providers and calls from the public) to identify incidents and victims of HT rather than using proactive measures (for example, ongoing investigation, stings and intelligence) (Farrell et al. 2012; Farrell & Pfeffer 2014).

Among the reactive approaches, the most common techniques used for identification by the police are tips from the community, social organisations and hotline calls (Farrell et al. 2012). In their detailed study, Farrell and colleagues (2012) showed that tips accounted for 39 percent of the total responses of police leading to identification of HT. As a consequence of the reactive approaches, police need to respond to tips or calls in an immediate manner, for example, with rescues or raids, which may result in the police' failure to gather evidence and higher level criminals (Farrell 2012). In contrast, the proactive approaches allow the police to find more HT cases where people are moved and hidden, although more time is needed for planning with the use of intelligence (Farrell 2012). Nevertheless, it is uncommon that police are proactive in responding to HT. This can be illustrated briefly by Farrell and colleagues (2012), concluding that among proactive strategies, ongoing investigation was the most frequent method and intelligence was the least common technique used to identify HT (with 18 percent and three percent, respectively). Existing research suggests that proactive approaches should be applied more often by the police to effectively identify victims of trafficking (Nichols & Heil 2015; Reid 2010; Williams 2015).

Remarkably, among proactive approaches, Nichols and Heil (2015) identified the police lack of attention to domestic violence as a gap to effectively finding victims of trafficking, although previous research has established a nexus between domestic violence and trafficking (Raphael & Shapiro 2004; Reid 2010; 2011). As Kennedy et al. (2007) state, traffickers frequently use violence to control victims in the sex business. Similarly, Reid (2010) found domestic violence is used on minor ST victims as punishment by the traffickers to keep these victims hidden. It is believed, therefore, that police can find victims of trafficking by investigating alongside a co-occurring incidence of domestic violence (Nichols & Heil 2015).

Taken together, these studies support the notion that although police can apply multiple methods to recognise victims in HT cases, their actions are likely to be reactive rather than proactive (Farrell et al. 2012). Hence, the police force also misses chances to identify more trafficking cases, victims

who are kept hidden in public by traffickers, and the features of this crime (Farrell 2014; Farrell & Pfeffer 2014). Despite arguments regarding the magnitude of HT, the police are challenged in applying methods of identification of victims of trafficking when they lack personnel, time, protocols and finance, factors explored in the following pages.

2.3.4. Lack of personnel, time, protocols and funds

In relation to a discussion on discretion, Goldsmith (2006) asserts that limited resources also contribute to the discretion of police responses to a situation. In the area of HT, limited resources, including lack of personnel, time, protocols and funds may all have a great impact on the way the police identify and assist victims of this crime (Farrell, McDevitt & Fahy 2008; Schauer & Wheaton 2006). This is evident in the case of Norway, which Bjelland (2017) discusses citing the use of discretion by police in selecting which kinds of HT to prosecute and which to ignore, when police do not have enough resources to address all cases of trafficking. As a consequence of this, some victims of trafficking are not identified and assisted.

On the question of personnel, the number of police responsible for identifying HT is insufficient when compared with the magnitude of this crime. HT is a huge global problem, which is growing steadily worldwide (Bales 2012; Shelley 2010). Although the exact figures regarding HT remain contentious, it is undeniable that this crime is serious on an international, regional, and national scope. Nevertheless, the number of police charged to handle this crime is limited. For example, in a survey on police training in the US by Wilson and colleagues (2006), only four percent of the participants indicated that they had police directly assigned to address trafficking-related problems, despite the existence of specialised personnel in their organisations. In a study on Serbia, Simeunovic-Patic and Copic (2010) are critical of the fact that there are only two staff working 24 hours per day, including weekends and holidays, in this area nationwide. As a result, the effectiveness of identification and support for victims of trafficking here is limited.

Moreover, it takes time for police to correctly recognise victims because trafficking is a group of continuing behaviours from recruitment to exploitation, and from domestic to cross-border (Danziger 2006). The time for addressing HT depends on the number of victims, their ages, the number of traffickers, and the number of trafficking-related countries involved (Clawson, Dutch & Cummings 2006). As noted, police may prioritise their response to particular matters in this context rather than others because of their limited resources (Goldsmith 2006; Klockars 1985). That is why existing research shows police often give more attention to some forms of trafficking in persons, such as child trafficking, ST or international trafficking, rather than others (Nichols & Heil 2015; Reid 2010; Villacampa & Torres 2017). Even in the area of ST, police typically focus on international trafficking and child trafficking rather than domestic trafficking (Heil 2012). This view is supported by the analysis of HT cases in the US by Farrell and colleagues (2014), which concluded that police spent only limited time on proactive investigations. Nevertheless, the current

studies have not fully explained why limited time has an influence on police identifying and assisting victims of ST.

In addition, police face a lack of funds to maintain consistent identification and assistance of victims of trafficking (Clawson & Dutch 2008a; 2008b). In particular, funding has a serious influence on services for victims (Simich et al. 2014). For example, a study on the relationship between training and identification of victims in Florida done by Potocky (2010) shows insufficient funds hinder police in providing safe and reliable accommodation for victims because of the high expenses of rental properties.

Furthermore, the police do not have enough protocols on handling HT cases as an official procedure (Farrell, McDevitt & Fahy 2008). This was tested through a 2010 national survey conducted by Farrell, McDevitt and Fahy (2010), which showed fewer than one in ten forces had a protocol on how to deal with HT. Evidence also indicates that without a protocol regarding handling procedure, patrol police do not send kidnapping cases to HT teams, sending them instead to missing-persons or robbery units (Farrell & Pfeffer 2014). Given the lack of personnel, time, and protocol, it is not surprising that the police actions may give rise to the presence of unidentified cases of HT and victims (Farrell et al. 2012). Research on institutional resources will be needed to help the police effectively respond to problems of HT, and find more victims of this crime.

2.3.5. Language barriers

Another important reason for the poor record in identification of, and assistance for, victims is linguistic problems (Farrell, Owens & McDevitt 2014; Pascual-Leone, Kim & Morrison 2017). It is not unusual for victims not to speak the languages of destination countries (McCarthy 2014), consequently, it is difficult for police to communicate with victims if they do not use the same language (Pascual-Leone, Kim & Morrison 2017). This is especially true for patrol officers who are likely to have many opportunities to encounter victims of HT in their daily activities but have no or little foreign language knowledge (Farrell et al. 2012). Moreover, police who can speak the same language as victims face communication barriers because of different cultures (Bales & Lize 2005). To exemplify this challenge in responding to HT, a national survey of LEAs in the US pointed out that 63 percent of police considered linguistic barriers to be the second most common difficulty in handling HT cases (Farrell, McDevitt & Fahy 2008). It is easy for the police to misidentify or under-identify victims of trafficking who speak a similar language to the criminals rather than victims (Farrell & Pfeffer 2014). Here, language refers to the official language of a nation but there is little or no research on the influence of languages of ethnic groups on the police response to HT problems, specifically regarding the identification of trafficking victims (Bales & Lize 2005).

In efforts to overcome language barriers, some researchers suggest using translators to help police communicate with victims of HT (Farrell & Pfeffer 2014; Pearce 2011). However, this

solution is criticised for the lack of availability, quality, skills and knowledge of translators as previously mentioned. Additionally, it is recommended that flyers and hand-out papers be printed in appropriate languages outlining the rights of victims and giving hotline numbers, and these should be distributed in public areas, such as toilets, stations, restaurants, and stores (Bales & Lize 2005). Nevertheless, it is hard to predict or determine which language is appropriate because victims of trafficking can come from many different source countries or they can be illiterate. Therefore, it is necessary to find a solution for this problem in attempts to enhance the police identification and assistance of trafficking victims.

2.3.6. Inter-agency cooperation

The police frequently adopt reactive approaches to identifying victims of trafficking, and the most common approach is responding to calls from citizens, social service providers, and NGOs (Farrell, McDevitt & Fahy 2008). This means that cooperation between police and other agencies plays a vital role in identifying and assisting victims (Bales & Lize 2005). For example, after escaping from brothels, victims of ST may come to the attention of social service providers, instead of going to police stations. Therefore, the police can find these victims with the cooperation of service providers (Moosy 2009). Even after locating trafficked people, the police may also fail to interview them without collaborating with service providers, who for example, could suggest effective ways to work with these victims (Farrell & Pfeffer 2014). Existing literature regarding responses to trafficking problems presents certain points about collaboration between police and international organisations, NGOs, service providers, and other LEAs (Farrell, McDevitt & Fahy 2008), however, this coordination is likely to be limited (Arocha 2010).

Given their different purposes, service providers may be unwilling to cooperate with the police (Farrell & Fahy 2009; Farrell & Pfeffer 2014). The goal of these providers is to supply services for victims, therefore, they must consider whether reporting victims of trafficking to the police will result in the victims being arrested (Farrell & Pfeffer 2014). In other words, as a way to protect the victim's safety they say no to collaborate with the police if they see a risk of the victim being arrested (Caliber Associates 2007). Similarly, NGOs do not readily refer many HT cases to the police because of a historically poor relationship between these two actors (Farrell, McDevitt & Fahy 2008). Meanwhile, it has been argued that trafficked people face a lot of problems regarding their physical and mental health, such as sexually transmitted infections, unwanted pregnancy, unsafe abortions, violence, injuries, stress disorder, and depression (Kingshott 2014; Macy & Graham 2012). To address the consequences of these factors, trafficked people may visit hospitals, emergency rooms, health clinics, and shelters where service providers are able to provide services for them (Alvarez & Alessi 2012). With positive evidence in cooperating with these providers to find victims of domestic violence, Farrell and Pfeffer (2014, p. 62) suggest that police must develop collaboration with service providers, such as by establishing information – and exchanging guides, organising 'de-confliction meetings', and conducting supportive practices for victims during an investigation. Research on

these aspects is needed to increase police identification and assistance of victims through enhanced collaboration with service providers.

Even within the police agencies, there is a lack of an official mechanism to facilitate all-level officers' cooperation (Bales & Lize 2005). In research regarding Columbus (Ohio, US), Wilson and Dalton (2008, p. 306) found that cooperation between local and federal police was unlikely to be formal and systematic, noting that local police considered federal police to be 'too busy and unconcerned' for collaboration. This finding can be explained by institutional barriers (Bales & Lize 2005) or the large government system, and a lack of contact among various levels of actors (Aiesi 2015). Bales and Lize (2005) show that police can miss chances to identify victims of trafficking because of the conflicting goals of NGOs and the police, conflicts among LEAs, collaboration with local police in rural areas because of limited understanding, conflicts with other government agencies, and a lack of services for victims. It is recommended that future research be undertaken to establish a unified system to facilitate inter-agency cooperation in finding victims of trafficking.

2.3.7. Police culture

As noted by Goldsmith (2006, p. 294) police culture refers to 'behavioural and attitudinal' concerns in police agencies. It generates and upholds the attitudes, values, and practices in police organisations. It can also result in police prejudice regarding race and ethnicity (Goldsmith 2006). As a consequence of racist views and prejudices held by the police, their attitudes and perceptions can manifest in over-policing and under-policing regarding trafficking victim identification. Over-policing is defined either as the excessive concentration of police on crimes allegedly committed by people of minority communities or the harsher use of police powers toward such people (Oakley 1997). In contrast, under-policing occurs when 'police may be less willing to help members of minority communities when they are victims of crime or are less sympathetic when they do take action' (Oakley 1997, p. 3). It is argued that police culture (over/under-policing) may contribute to the police misidentification and under-identification of victims of HT. Indeed, there is evidence of the police criminalisation of trafficked victims related to illegal migration (Chacón 2009; Hernández 2014), the use 'racial profiling' to search for suspects in groups of sex workers and illegal migrants (Palidda 2011, p. 28; Parkin 2013, p. 10) and insufficient approaches to distinguishing trafficking from sex work and migration (Farrell & Pfeffer 2014).

In terms of over-policing, this section will discuss criminalisation and ethnic/racial profiling as examples of the police misidentification of victims of trafficking. Remarking for the first time in discussions about criminal law and immigration law in the US, Stumpf (2006, p. 376) introduced the term crimmigration to highlight the intersection of immigration and criminal law in both substance and procedure. It should be noted that criminal law also includes anti-trafficking law and human smuggling law (Loftus 2011). Clearly, HT closely links with smuggling and migration on paper and in practice because amongst migration flows there appears to be many non-citizens

who are either forced, coerced, or voluntary consent to entering into destination countries illegally (Kneebone 2010; van der Leun & van Schijndel 2016).

Within the context of HT, a crimmigration approach argues that migration violations involving victims may lead to criminal consequences. It appears common that victims of trafficking can be linked to the violations of laws, including immigration law (Farrell, Owens & McDevitt 2014). For example, a foreigner's violations, such as irregular entry, over-staying a visa, or using fake travelling documents, may be the consequences of control, violence, threats, or deception by traffickers to transport and exploit the victim in a destination country (van der Leun & van Schijndel 2016). In these circumstances, victims of trafficking may be recognised as illegal migrants/criminals by police who experience much pressure to enforce immigration law (Farrell, Owens & McDevitt 2014; Farrell & Pfeffer 2014). This is similar to the statement made by van der Woude and van Berlo (2015), that crimmigration may turn outsiders like victims of HT into criminals, denying them their deserved rights. This is completely opposite to the principles of non-punishment where European communities state there should be no sanctions for victims of trafficking for offences committed in their trafficking or crimes committed as a consequence of them being trafficked (Council of Europe 2005).

The criminalisation of immigration also places an increased burden on state and local law enforcement officers regarding immigration enforcement (Frey & Zhao 2011; Hernández 2014; Legomsky 2007; Sklansky 2012). To put it another way, the police have been playing an ever-increasing role in criminalising and enforcing immigration provisions (Frey & Zhao 2011). Under these duties, state and local police have the power to verify the legal status of anyone suspected of illegally entering a country (Frey & Zhao 2011), or arrest immigration-based violators (Stumpf 2006).

On the one hand, the facts show that police mistake HT for other immigration-related offences (Chacón 2006). More seriously, however, police may neglect the differences between these crimes (Jones 2012). Consequently, police frequently misidentify victims of trafficking as immigration-based criminals and vice versa (Chacón 2006; Farrell, McDevitt & Fahy 2010). On the other hand, local police agencies in the US are unaware of the need to implement immigration laws within their jurisdictions (Decker et al. 2008; Harris 2006). Additionally, these police tend to not raise questions regarding the immigration status of citizens in the immigrant communities (Harris 2006; Ridgley 2008). In these cases, police may miss chances to find indicators of HT, and victims of this crime as well (Farrell, McDevitt & Fahy 2010). This thesis argues, therefore, that the criminal LEAs like police are unwilling to enforce immigration regulations under the lens of crimmigration.

Police may treat trafficked victims involved in sex work as sex workers, especially wherever it is illegal or criminalised (Farrell, Owens & McDevitt 2014). As shown by Phoenix (2007, p. 7), 'one unintended consequence of criminalisation has been the over-policing of women's prostitution'.

Admittedly, women trafficked for sexual services are treated as criminals, arrested, detained, prosecuted or expelled due to their illegal activities in countries of origin, transit or destination (UNODC 2008). Meanwhile, the UN (2010, p. 129) protects the rights of victims by stipulating that there be no sanctions for them in these cases, many adolescents trafficked for sexual exploitation, as observed in studies in the US, are treated as offenders by the police who blame 'the victim for her situation' (Halter 2010; Mitchell, Finkelhor & Wolak 2010; Williams 2015, p. 307). This implies that the over-policing paradigm has been influential in the process of identifying victims of HT.

It should also be observed that crimmigration has been criticised for the discretion it allows criminal law enforcement officers when acting in the area of immigration (Cox & Miles 2013; Decker et al. 2008; Sklansky 2012). In line with HT cases, these officers possess many opportunities to encounter victims of trafficking (Farrell, McDevitt & Fahy 2010). What happens if they search, check and arrest irregular immigrants based on ethnic profiling under crimmigration? As Stumpf (2006, p. 415) states 'both immigration and criminal law tend to exclude certain people of colour and members of lower socioeconomic classes'. Therefore, the crimmigration of police can happen with foreign victims who violate the immigration law.

The existence of racism in a small group in the police system leads to stereotyping and discrimination in daily police operations (Casey 2000; Cockcroft 2012). Some studies have found that police tend to use racial profiling to check the identity of illegal migrants (Parkin 2013). Here, ethnic or racial profiling by police occurs when the police decide who should be stopped, interviewed, searched, have their ID checked, and even arrested based on race, ethnicity, religion, or national origin, without credible evidence or a convincing explanation (Pap 2007; 2008). In a review of stop and search in the area of irregular migration, Bowling and Weber (2011) reveal a tendency of police in many places to use their power to stop illegal immigrants in the receiving countries after observing their language, appearance, activities, and habits. Indeed, it is easy for these police to place trafficked people involved in migration into the position of criminals without any reliable evidence.

When it comes to under-policing, it is claimed that police lack responses in finding victims of trafficking. Firstly, police are believed to possess chances to encounter victims of HT (Nichols & Heil 2015), however, due to the reactive nature of the police (Goldstein 1990), they primarily wait for tips, reports from victims or their family members, or calls from services to find victims of trafficking (Farrell, Owens & McDevitt 2014; Farrell & Pfeffer 2014). These reactive approaches can impede police from finding the victims if traffickers change old techniques or victims do not report to police for numerous reasons (Farrell, Owens & McDevitt 2014; Farrell & Pfeffer 2014). More seriously, police do not change or develop skills or strategies to find victims, even though this crime has changed a lot (Farrell & Pfeffer 2014). It has been said that police are lacking a so-called 'investigative culture' to find victims of trafficking (Farrell, Pfeffer & Bright 2015, p. 2). It assumes

that the paradigm of under-policing may link to underserving victims, which little has been written about regarding the current police. Therefore, this thesis argues that under-identification and non-assistance for trafficked victims possibly occurs because police think these people are underserving of help.

It should be observed that ST can co-occur with domestic violence (Nichols & Heil 2015). Indeed, Brunson and Miller (2006) discuss under-policing as a culture in cases of domestic violence because police consider domestic violence to be normative within some particular groups, such as Black communities. It is an assumption that police will not find victims of trafficking if either they do not investigate domestic violence, or they stop investigating further after identifying domestic violence. The latter is shown to be a current gap regarding why victims can go unidentified (Heil & Nichols 2014; Raphael, Reichert & Powers 2010), while the former presents a gap to explore the relationship between misidentification or under-identification of victims of trafficking, and the under-policing of domestic violence.

2.4. Conclusion

Studies on HT have suggested that the police identification and assistance of victims of trafficking remains challenging, marking significant hindrances that contribute to the hidden population of trafficking. Analysts also underline that these factors have arguably become mainstream in these respects in the global sphere. These findings suggest that there are still gaps in the literature that can be filled by empirical research.

First, the concept of victims of trafficking should be expanded to include other factors, such as pull and push factors, rather than limiting it to the understanding of ideal or deserving victims. Additionally, the silence of trafficked people needs focusing on regarding the victim-offender cycle to investigate motivations of victims saying no to cooperation with police. The lack of a formal training course for anti-trafficking police is another area relating to the poor record of victim identification, which needs to be overcome through further studies. More importantly, police still prioritise reactive approaches to identify trafficked victims. Therefore, it is crucial for the police to develop proactive approaches with a focus on conducting other investigations stemming from domestic violence and prostitution crimes. Further research on languages of ethnic minorities should also be conducted in order to improve police identification and assistance, and the absence of under-policing with undeserving victims needs to be examined by further empirical studies to explain this link. These problems motivated this research project to create a more effective evidence-based policy for governments in their efforts to identify and support more trafficked victims.

CHAPTER 3. HUMAN TRAFFICKING IN VIETNAM

3.1. Introduction

The previous chapter reviewed several key obstacles relating to identification and providing assistance to victims of trafficking. These themes will again be reflected upon in this chapter, focusing specifically on Vietnam as a case study. This chapter has the following aims. First, it will explore the factors that facilitate the existence or spread of HT in Vietnam. Second, the chapter will examine the HT situation in Vietnam, focusing on routes and patterns of trafficking. This will reveal it is predominantly women and children who are subjected to trafficking for sexual exploitation in neighbouring countries, while domestic trafficking goes unnoticed. The typical methods of traffickers in Vietnam will then be discussed, as well as the migration situation, which are key challenges to presenting a complete picture of HT in Vietnam.

Finally, this chapter will investigate the legal system and national responses to the problem of HT in the context of Vietnam. As discussed below, despite efforts to tighten the legal loopholes relating to HT, the definition of HT is not consistent with the *Palermo Protocol*. This section will also review the international, regional and bilateral agreements that Vietnam participates in or signs in attempts to eradicate HT. These are formal ways the country addresses the issue both at a domestic and transnational level. However, there has been some conflict between the relevant domestic laws and international instruments. Therefore, this section will explore the responses of Vietnam to HT, including NAAP, the responsibilities of the police force, and policies regarding identification and assistance for trafficking victims. While the Vietnamese government attempts to end this nationwide crime with the police playing a key role, its focus remains on the trafficking of women and children for prostitution. Moreover, trafficked people can potentially be linked to prostitution and criminal acts through their trafficking stories. This poses numerous challenges for LEAs, such as the police, when attempting to successfully identify and assist the victims.

3.2. Vulnerability to trafficking in persons in Vietnam

The appearance and emergence of HT in Vietnam can be linked to certain unfavourable factors associated with geography, population, history, culture and economy (Le 2014; UNIAP 2008). With regards to geography, Vietnam is a small country with an area of 331,114 square kilometres. It is located in Southeast Asia and the GMS. Vietnam shares a long border (both land and river) with China, Cambodia and Laos (Cao & Mai 2016) (see Table 3.1).

Table 3.1: Border between Vietnam and its neighbouring countries

Locations	Countries	Kms	Provinces	Districts	Communes	International Border Gates	National Border Gates	Local Border Gates
North	China	1,463	07	32	159	04	03	14
Western	Laos	2,067	10	34	151	07	08	20
	Cambodia	1,200	10	30	101	09	09	30

Vietnam is bounded by the Pacific Ocean and Thailand Gulf along the east to the south (see Figure 3.1). Its borders are open and porous, which facilitates HT. Indeed, the Vietnamese government has been unable to effectively control migration and HT flows at these border areas (Gan et al. 2014; Le, Belanger & Khuat 2007). To illustrate, China and Cambodia are shown to be the two main destination countries for HT from Vietnam as 60 percent of trafficked Vietnamese women go to China and 30 percent to Cambodia (CEOPC & BE 2011). It has also been shown that a greater number of these victims were transported via unofficial paths or border gates in the northern provinces of Vietnam to China (mainly from Langson, Quangninh, Laocai, Caobang, Hagiang, and Laichau) (UNIAP 2008), and in the southwestern provinces of Vietnam such as Dongthap and Angiang, to Cambodia (Lainez 2011). Here, international border gates on land are defined as places for citizens of a third country to entry and exit two countries in which share the border gates. National border gates are places for citizens of two countries sharing a border with border gates that face each other and have cross-border trade. Citizens of a third country (not holding a passport of either country) are not allowed to enter or exit at these border gates. Local border gates are places for citizens of two provinces in two countries sharing a border with border gates to entry and exit.¹

¹ See more in this webstie: https://en.wikipedia.org/wiki/Border_checkpoint

Figure 3.1: Location of the Greater Mekong Sub-Region Countries

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When it comes to population, there are more than 94 million people in Vietnam, making it the fourteenth most populous nation globally (UNDATA 2016). Its population density is around 5.4 times higher than the world’s average. Despite a slight increase in the proportion of the Vietnamese population living in urban areas (about three percent from 2010 to 2015), the majority of its population (nearly 70 percent) lives in rural and remote areas. Consequently nearly half of the population (46.8 percent) works in the agriculture sector (UNDATA 2016). Due to limited job opportunities, people often move to urban areas or go abroad in search of jobs. Sixty-eight percent of Vietnam’s population is of working age (from 15 to 64), and there are about 1.7 million people ready to start working each year (Le 2014). The government’s policies regarding employment cannot cover the demand, promoting labour export to other countries (Le 2014). Furthermore, those searching for work typically have low levels of education. Therefore their awareness of HT is likely to be limited, making them vulnerable to this crime (Tucker et al. 2009).

Vietnam’s history is a reflection of successive development interspersed with war to escape the domination of the Chinese, Japanese, French colonial rule, and US invasion (Short 1991). Due to having been dominated for over 1,000 years by China, Vietnam has been heavily influenced by traditional Chinese culture, including in matters of gender. As a result, patriarchal features embedded in the ideology of men in Vietnamese society means ‘the oft-espoused opinion that women are inferior to men has led to discrimination against Vietnamese women’ (Tucker et al. 2009, p. 447).

In efforts to guarantee gender equality, the Vietnamese government has signed international laws, such as the *Convention on the Elimination of All Forms of Discrimination against Women*, the *International Covenant on Civil and Political Rights*, and the *International Covenant on Economic, Social, and Cultural Rights* (Vu 2006). Vietnam has also enacted laws including the *Law on Domestic Violence Prevention and Control* (Duong 2014). However, Vietnamese women continue to face patriarchal attitudes and gender inequality (Duong 2012). As Tucker and colleagues (2009) explain, domestic violence is a consequence of gender inequality in society. Therefore, women hoping to escape violence from their husbands are at an increased risk of becoming trafficked persons (Duong 2014).

Although Vietnam is officially a communist state, it has experienced significant economic reforms and changes since 1986 when the Renovation Policy (Doi moi) was first put forward (Mallon & Van Arkadie 2003). These changes include the privatisation of land, commercialisation of agriculture, diversity of economic sectors with a priority for the state sector, and an open door policy to attract foreign investment and encourage business liberalisation (Fforde 2011). With these reforms, and since 2011 in particular, Vietnam has experienced an economic increase with a focus on foreign investment and trade-oriented production (Asian Development Bank 2018). The focus on manufacturing and industry in urban areas, however, has resulted in poverty for nearly half of

Vietnam's population (45 percent) with one-fifth of them without jobs (Dang 2006a).

The existence of HT may depend on a consistent supply of people vulnerable to trafficking, and demand for them. In light of this, this section has outlined the context of Vietnam – geography, population, history, gender and economy – as segments of people-at-risk of HT. Due to these factors, the crime of HT is recognised as being a prominent problem, as it is for other countries in the region.

3.3. Human trafficking in Vietnam

3.3.1. Routes and patterns in human trafficking

The literature on HT has shown that Vietnam has experienced both domestic and cross-border trafficking of humans for a broad range of purposes (Duong 2014; USDOS 2013) (see Figure 3.2). The majority of studies focus on the trafficking of women and children for sexual exploitation, mainly prostitution (Vu 2006). Recently, however, the trafficking of men and trafficking for labour exploitation have received greater attention in some reports, although it has been argued that these issues need to be explored more comprehensively in a Vietnamese context (Le 2014; UNIAP 2010). The below diagram illustrates the prevalence of this crime in this country.

Figure 2.2: Trafficking routes within, from and to Vietnam

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With respect to domestic trafficking, the misidentification or under-identification of domestic victims of trafficking is caused by a misunderstanding regarding the relationship between internal HT and sex work. Indeed, reports from the UNIAP (2008) conclude that internal trafficking is closely linked to internal movements from rural to urban places where prostitution is prevalent and there are job opportunities for those from rural areas who are unemployed. Nevertheless, this does not mean that internal trafficking supplies sex workers for the sex business, as not all sex workers are poor or forced to make money by selling sex (Hoang 2011). For example, some who sell sex in Hochiminh City are allegedly motivated by money, gifts, and intimacy (Hoang 2011). Therefore, identifying all sex workers, including those who sell sex voluntarily, as victims of trafficking may exaggerate the actual situation.

The Vietnamese government has also underestimated other forms of domestic HT even though these cases are reported. For example, children and men are subjected to domestic trafficking for labour exploitation in agriculture and construction, as well as begging, selling lottery tickets, polishing shoes in big cities, and working in brick kilns, factories and gold mines (CEOPC & BE 2011). Meanwhile, some female domestic workers are exploited, working excessive hours with no

labour security or labour contract (Bélanger 2014). To a lesser extent, Vietnamese children are further targeted for child sex tourism (UNODC 2012), and in other cases, babies are subject to internal trafficking for adoption due to loopholes in the legal system (CEOPC & BE 2011). Nevertheless, these cases of internal trafficking are likely to appear only in reports of public and private sector organisations rather than being identified in practice. This stems from the tendency for human trafficking research to focus on the notion of women as trading commodities, and policies pay far greater attention to ST rather than labour exploitation (Kneebone & Debeljak 2012). That is to say the government has neither recognised the close connection between trafficking and migration nor protected citizens in their unplanned movements (Vijayarasa 2013). Therefore, migrants continue to end up in exploitative labour practices due to this ignorance (Hoang 2015).

When it comes to international trafficking, it is evident that HT for sexual exploitation is a serious issue for Vietnam, with many international and national reports and studies on trafficking in persons often confirming that Vietnam is a major source country of such individuals (UNIAP 2010; USDOS 2015). A focus on cross-border HT for sexual exploitation hinders the identification of people trafficked for other purposes, as occurred in the national anti-trafficking policy in 2004, where HT was grouped with other social problems such as prostitution and drug use, and considered as a socially urgent and pressing problem (Vijayarasa 2010). The consequence of this has been that the Vietnamese authorities mainly focus on how to address trafficking for sexual exploitation (prostitution) (Dang 2006a, 2006b). This perception has had significant effect on policy and study, which centres on ST rather than other aspects of HT, such as labour trafficking (Kneebone & Debeljak 2012).

As a result, it is challenging to identify victims of other forms of HT in Vietnam. Empirical studies indicate that Vietnamese women are trafficked across borders for forced marriages, and that risk factors include poverty, low education, coming from broken families, a need to make money, and a deficit of women in China (Bélanger, Hồng & Linh 2013; Grillot 2012). These victims are often not only forced to work in manufacturing or on farms, but also in domestic servitude to their husbands and his family members, who supervise their daily contact and travel (UNIAP 2008). Unfortunately, the Vietnamese government has not yet promulgated any comprehensive policies to effectively identify these victims.

In other cases, Vietnamese women have been trafficked for forced surrogacy in Cambodia (CEOPC & BE 2011). Children have also been reported to be victims of international trafficking for adoption and forced labour (CEOPC & BE 2011). However, because of the lack of policies and research, little is known about trafficking for surrogacy and child trafficking, which means that the real number of trafficked victims has remained hidden.

Labour trafficking overseas takes place in part due to fraudulent promises from Vietnamese labour

export agencies, including private organisations, joint-stock companies and state-owned bodies (Bélanger 2014). Indeed, it has been reported that Vietnamese nationals are victims of forced labour in manufacturing, construction, mining, fishing, and agriculture in Taiwan, South Korea, the United Arab Emirates, Saudi Arabia, and Japan, as well as some European countries (USDOS 2015). In addition, the number of trafficked people has not been explored clearly as trafficking has been confused with labour migration, especially in cases where the labour policies are legal and encouraged by the Vietnamese government. Consequently, these labourers face exploitation in the destination countries, and the Vietnamese government does not implement policy or legislation to prevent it.

In addition to being a major source country, it should be noted that Vietnam is also becoming a potential destination country for Cambodian victims (USDOS 2017). Indeed, children from Cambodia have been trafficked into Vietnam for sex services (USDOS 2008). While there has been no academic research on this problem, UNIAP's (2010) report found it is increasing, however, specific numbers remain hidden.

In its entirety, the issue of HT in Vietnam is complex, involving other countries both in the region and globally (Nong, Gan & Kao 2011). Indeed, Vietnam bears witness to a wide range of trafficking patterns, which in part reflects the prominent features of this nation's geography, history, and economy (Kneebone & Debeljak 2012). These patterns can lead to an array of challenges in identifying and assisting victims of this crime because of a lack of research and policies (Vijayarasa 2013).

3.3.2. The situation of labour migration in Vietnam

Like trafficking, migration is also an issue in Vietnam where not only internal migration but cross-border migration occurs (Bélanger 2014; Rushing 2006). It has been claimed that patterns of migration have become more and more convoluted in connection to the increasing trend of HT in Vietnam (Angsuthanasombat 2008).

As the United Nations Population Fund (2006) has demonstrated, many voluntary Vietnamese workers and marriage migrants end up in the sex industry as sex workers. In terms of internal migration, Vietnam's economic reforms have created a big gap between the wealthy urban areas and the poorer rural ones, which has led to a growth in unorganised internal migration (Rushing 2006). In other words, apart from the official migrations planned by the government, spontaneous movements have occurred with people searching for jobs in various sectors such as agriculture, services, entertainment, factories, and construction. This is because they face poverty in their hometowns, they respect their family members' wishes that they increase their income, and they are faced with the negative side of the economic explosion (Busza 2004; Marx & Fleischer 2010).

There are other reasons including marriage, study, and other purposes. However employment is

the most common motivation of internal migrants (Coxhead, Nguyen & Vu 2015) (see Figure 3.3). Consequently, this thesis will only focus on labour migration. This group of migrants, particularly when they are female, face many risks, which increase the likelihood of them being forced, lured, or deceived into sexual exploitation by false lucrative job offers (Dang 2006b; Rushing 2004). This indicates that this group is especially vulnerable to being trafficked and exploited (particularly in the context of sex work) (Kelly & Le 1999). Therefore, it can be said that spontaneous domestic migration in Vietnam includes similar elements to HT when it comes to the acts of the perpetrators (force), their means (deception, or abuse of vulnerability), and their intentions (sexual exploitation) (Dang 2006b; Rushing 2006). Meanwhile, Vietnamese agencies offer no response to this situation or support for migrants. This lack of support leads to challenges for migrants in accessing basic social services and protecting their rights and interests in Vietnam (Marx & Fleischer 2010).

Figure 3.3: Purposes of migration

“Image has been removed due to copyright restriction”

Unlike internal migration, international migration has become a significant labour policy of economically developing countries like Vietnam (Ahsan et al. 2014), where labour export has contributed to reducing the unemployment rate, particularly in the countryside (Angsuthanasombat 2008). It has also contributed to increasing the inflow of remittances and national revenue (Dang 2007). This trend has continued to grow in major source countries of labour including Vietnam. Nevertheless, this thesis only refers to illegal international migration when undocumented citizens go outside the border of Vietnam either independently or with the assistance of criminal groups.

Aside from neighbouring countries, including China, Laos, and Cambodia, Thailand is believed to be an increasing destination for Vietnamese migrants who are in search of occasional or seasonal jobs (Bélanger 2014; Nguyen 2016). These outflows frequently consist of low-skilled or unskilled labourers who meet the demand of destination countries like Thailand (Nguyen & Walsh 2014). Consequently, these migrants are vulnerable to exploitation, particularly the female adults and children who go abroad to sell sex, which is prohibited (Dang 2007). This means they face potential punishments from the authorities of the destination countries because of their illegal residence status (Dang 2006b). Furthermore, Bélanger (2014) has found evidence of debt bondage in the flows of international migration where all migrants are indebted to those who fund their movements. These factors show a definite link between international migration and HT where migrants end up in sex work or being otherwise exploited (Dang 2006a).

In short, it is undeniable that migration and HT have a close nexus in Vietnam even though the government addresses them as separate problems, and without much focus on protecting the rights and interests of migrants. This leads to challenges for LEAs – like the police – who need to interpret and apply the government’s policies on migration and trafficking. Therefore, this connection has a great impact on the protection and support they offer.

3.4. The legal system and national responses to human trafficking in Vietnam

3.4.1. Legislation on human trafficking in Vietnam

It is vital for governments to make laws to combat the phenomenon of HT. This is a serious commitment made by members of the *Trafficking Protocol* (UN 2000). The Government of Vietnam decided to accede the *Palermo Protocol* in 2012 (Kneebone & Debeljak 2012). Vietnam has also signed the *Memorandum of Understanding* (MOU) in the GMS to comprehensively address HT in this area, particularly the significance of victim identification, and the need for two-way interaction between identifying and assisting victims when it comes to LEAs (Coordinated Mekong Ministerial Initiatives on Trafficking (COMMIT) 2004). In regards to the COMMIT process, the Sub-region Plan of Action IV from 2015-2018, underlines the need for standardised regional identification procedures and methods to identify victims more effectively, as well as short-term and long-term support for trafficking victims. Additionally, Vietnam has signed several treaties with Cambodia, Laos, Thailand, and China (UNODC 2012): however, gaps in Vietnam's anti-trafficking law system remain (Kneebone & Debeljak 2012; Vijayarasa 2013).

More specifically, the definition of HT in Vietnam's laws is inconsistent. This is a hindrance in eliminating HT, especially when it comes to identifying and assisting victims of this crime (Vijayarasa 2013), although the National Assembly of Vietnam did change and amend the *Penal Code 2015* in 2017. The *Trafficking Protocol* defines HT according to three components: the actions, the means, and the purposes. The *Penal Code*, however, focuses on trade, profit, and illegality to conceptualise HT as the first indicator in its inconsistent definition (Kneebone & Debeljak 2012). Consequently, Vietnamese LEAs have resorted to using an *Inter-Ministerial Circular* to interpret the meaning of trafficking and trafficking related offences in accordance with Articles 119 and 120 of the *Penal Code 1999*, which was amended in 2009 (Supreme People's Court et al. 2013). Drawing on this *Circular*, trafficking in persons is understood to be the act of one person (or a group of people) who transfers a person to another person (or another group of people) to earn money, property or other material profits. This includes selling persons to another regardless of the buyer's purpose, buying persons to re-sell to others, using persons as exchange or payment, and buying persons for exploitation, forced labour or other inhumane purposes (Supreme People's Court et al. 2013). The use of benefits in defining HT in this *Circular* is argued to be not reasonable because LEAs face challenges seeking evidence related to the so-called benefit, and that part of the definition does not describe the nature of HT in practice (Chuyen 2016). For this reason, victims of HT risk being hidden when police cannot find or prove benefit in the transactions of traffickers.

Additionally, the interpretations in the *Inter-Ministerial Circular* do not define other acts of trafficking, such as recruitment, transportation, transfer, harbouring, or receipt of people, which are

listed in the *Trafficking Protocol* and occur in practice. Currently, although the *Penal Code 2015* adds these acts to the definition of HT and this has been in effect since 2018, there have not been any official protocols to interpret this definition, meaning the *Inter-Ministerial Circular* is still applied in practice. Therefore, LEAs risk missing chances to identify victims of HT if they only focus on the guidelines in this *Circular*.

With respect to the means of trafficking, the *Penal Code* has not included 'the abuse of power or of a position of vulnerability' to help identify victims of HT, as the *Palermo Protocol* does (UN 2000, p. 2). Indeed, despite a positive correction in the *Penal Code 2015* introducing 'other means' in the HT definition, it is unclear whether other means refer to abuses of power or a position of vulnerability, or both. It should be noted that in Vietnam, and in the GMS more generally, traffickers often prey on those who face poverty, economic difficulties, or other vulnerabilities (Kneebone & Debeljak 2012). To some extent, the vulnerabilities of victims of trafficking are frequently used by traffickers to commit this crime (Martinelli 2015). Unfortunately, there have not been any instructions to apply and implement the *Penal Code 2015* in Vietnam. Consequently, it is very confusing for authorised functional agencies to identify whether or not people are victims of trafficking.

Furthermore, the *Penal Code* does not mention consent in the current definition of HT, as featured in the *Palermo Protocol's* definition. However, when being interpreted and applied in practice, LEAs understand that the consent of victims does not matter when defining a case of HT. In other words, the prosecution of traffickers does not depend on whether or not the victims know that they are being trafficked (Mai 2018). For this reason, police in practice are confused when they attempt to identify victims of HT. For example, when a person voluntarily agrees to sell sex in another country without any force, coercion, deception, or other means of trafficking, police wonder whether that person may be a trafficker and the victim may be considered an accomplice (Mai 2018). Hence, as a result of lack of clarity, it is not surprising that the population of trafficked people in Vietnam can be hidden.

It is also difficult to distinguish HT, particularly domestic HT, from the offences of harbouring and procuring prostitution in the *Penal Code*. Noticeably, in the case of Vietnam, the vast majority of trafficked women and children face sexual exploitation, such as sex work (Tucker et al. 2009). The purpose of these criminal policies is to combat prostitution through prosecuting the managers or owners of brothels, and those procuring sexual services, as well as fining sex workers (Vietnamese National Assembly 2015b). Therefore, if evidence of coercion, force, or exploitation is not clear in these cases, victims of trafficking may be misidentified as sex workers. In other cases, victims can be misidentified as victims of illegal detention via the *Penal Code* rather than victims of trafficking (Vietnamese National Assembly 2015b). This means that trafficking victims are possibly misrecognised as victims of other crimes or as (voluntary) sex workers due to these blurred boundaries in the current *Penal Code*.

While labour trafficking was often ignored in the past versions of the *Penal Code*, the *Penal Code 2015* does include forced labour as an independent crime, defining it as ‘the use of violence, coercion, or other methods against one person by another person to force them into working’ (Vietnamese National Assembly 2015b, p. 162-3). It is unclear, however, whether this conflicts with the trafficking-related Articles or whether it is considered as a purpose of HT (Mai 2018). It can be assumed that this factor contributes to the under-identification of trafficked victims.

In addition to an inconsistent definition of HT, the *Penal Code* has historically lacked the principle of non-punishment for trafficked people who commit unlawful acts during their trafficking, as international instruments promulgate. Indeed, Principle 7 of the *UN Recommended Principles and Guidelines on Human Rights and HT* states members must guarantee that victims of HT are not punished or prosecuted for offences committed by them as a direct consequence of being trafficked (UN 2010). The *Penal Code* has never directly implemented this principle even though Vietnam has signed and ratified some bilateral agreements with other governments, such as Laos and Cambodia (Kneebone & Debeljak 2012). However, there are some provisions in the *Penal Code* that may facilitate the prosecution of trafficked people who are involved in illegal activities. For example, women and children trafficked for prostitution can possibly be treated as sex workers who deserve so-called administrative handling measures, such as being fined. Trafficked people using fraudulent personal documents, such as a visa, ID, or passport, could also probably be fined or prosecuted according to Article 341 of the *Penal Code 2015* (Vietnamese National Assembly 2015b). Additionally, trafficked people who have undertaken illegal exit and/or entry in the context of Vietnam possibly face administrative or criminal liability. These provisions in the *Penal Code* contradict the non-prosecution principles regarding victims which greatly impacts on the rights and interests of victims of trafficking (Gallagher 2010). More specifically, this inhibits the proper identification of trafficking victims, which is needed to accurately provide services for them.

Unlike the *Penal Code*, the *Anti-trafficking law 2011* is said to have at least partly adopted to the international definition of trafficking in the *Palermo Protocol* by including as prohibited acts under Article 3, the ‘transfer or receipt of persons for sexual exploitation, forced labour, the removal of organs, or for other inhumane purposes’, and the ‘recruitment, transportation, harbouring of persons for sexual exploitation, forced labour, the removal of organs or for other inhumane purposes’ (Vietnamese National Assembly 2011, p. 2). In addition, the *Anti-trafficking law 2011* describes the means of trafficking, as well as broadening the purposes of exploitation in the areas of general and sexual exploitation. For instance, Article 2 considers ‘sexual exploitation to be the coercion of persons into prostitution, pornography, or sex slavery, and forced labour to be the use of force, the threat of the use of force, or other means to coerce persons to work unwillingly’ (Vietnamese National Assembly 2011, p. 1).

Nevertheless, it is argued that the *Anti-trafficking law 2011* does not provide a comprehensive

definition of trafficking as constituted by the *Trafficking Protocol* (Hoang 2015; Kneebone & Debeljak 2012; Vijayarasa 2013). Indeed, this law only explains the terms 'sexual exploitation', 'sexual slave', 'forced labour' and 'victims of trafficking' rather than defining the term 'HT' and giving it nationwide application (Vietnamese National Assembly 2011, p. 1). By way of illustration, Article 2 of this law explains that 'forced labour' includes the use of violence, the threat to use violence, and other techniques to force individuals to work against their will (Vietnamese National Assembly 2011, p. 1). This understanding excludes some patterns of labour exploitation, 'such as excessively long days or working weeks' (Vijayarasa 2013, p. 1017). Consequently, a standard definition of trafficking has not yet been formulated under the Vietnamese legal system (Tucker et al. 2009).

Secondly, the *Anti-trafficking law 2011* still lacks an inclusion regarding the abuse of power or of a position of vulnerability, and debt bondage, as other means of trafficking, which are defined in the *Palermo Protocol* (Kneebone & Debeljak 2012). These are the most prevalent means traffickers use to control their victims in locations in the GMS, including Vietnam (Kneebone & Debeljak 2012). Reference to the abuse of power is particularly necessary to prevent LEAs from prosecuting victims if their trafficking cases involve them violating any laws. Reference to debt bondage is also needed to reflect the actual practice of trafficking in Vietnam, including instances where voluntary migration turns into trafficking. Indeed, the *Anti-trafficking law 2011* does not mention consent during the trafficking journey, which prevents LEAs from distinguishing HT from people smuggling, (il)legal migration, and prostitution (Hoang 2015). The *Anti-trafficking law 2011* does not make clear whether its provisions will supplement or replace the contemporary provisions of the *Penal Code* 1999 or its 2009 amendments.

Another significant limitation of the current legal system in Vietnam is that it lacks a provision that protects victims of HT from prosecution (UNODC 2012). This gap potentially results in victims of trafficking being prosecuted for crimes they may commit in their trafficking process. Assistance for victims of trafficking via the issuing of visas, temporary residence, or political asylum for foreign victims, are also missing from existing laws (UNODC 2012). As a result, these limitations, which stem from the insufficient definition of HT, contribute to challenges in the identification and assistance of victims (Vijayarasa 2013).

It is worth noting that although Vietnam concurrently implements the *Penal Code* and the *Anti-trafficking law 2011*, the nexus between them is unclear. In Vietnam, the promulgation of a new law does not simply repeal a previous one, and only the *Penal Code* has the authority to criminalise an act (Vietnamese National Assembly 2015b). The *Penal Code* has come into force now, but there are no official guidelines to apply and implement this law in practice. Furthermore, the *Amended Penal Code 2009* only criminalises some of the acts in Article 3 of the *Anti-trafficking law 2011*, which is used for investigation and prosecution. Consequently, the regulations in the *Anti-trafficking law 2011* likely parallel the international definition of HT in the *Palermo Protocol*. However, LEAs

do not apply them to trafficking cases because prosecution can only occur under the *Penal Code*. This results in inconsistency regarding the application and interpretation of the trafficking definition in these two laws (UNODC 2012). Consequences of this may contribute to difficulties in identifying and supporting victims of HT in Vietnam.

While Vietnam has progressed its anti-trafficking related laws, it is crucial to ensure the consistency of application and implementation of them on a national scale (Raschke 2014). The new version of the *Penal Code* does not comprehensively address the loopholes, such as defining the means and the acts, and the *Inter-Ministerial Circular* does not interpret the definition of HT clearly. These weaknesses may hinder LEAs from appropriately identifying and assisting victims of HT who can be misidentified as illegal migrants, criminals or sex workers (Vijayarasa 2014). This discrepancy is very influential to policies and strategies for the identification and assistance of victims of this crime.

3.4.2. National responses to human trafficking in Vietnam

3.4.2.1. National Anti-trafficking Action Plan

The presence of the NAAP (also known as Programme 130 or Steering Committee 138) emphasises the importance of a timely governmental strategy in response to the phenomenon of HT, which has turned into a pressing problem in Vietnam. This strategy is considered to be 'the Vietnamese government's cross-cutting response to HT' (CEOPC & BE 2011, p. 6). To date, the Vietnamese government has issued three versions of the NAAP at various times, which have reflected its priorities in efforts to eradicate HT in Vietnam, including NAAP 2004-2010, NAAP 2011-2015, and NAAP 2016-2020 (Vietnamese Government 2004, 2011, 2015).

The first version, NAAP 2004-2010, was promulgated when Vietnam started witnessing the societal and economic changes brought about by the Renovation (*Doi moi*) in 1986. Negative consequences of this rapid change affected the development and seriousness of trafficking in women and children (Vietnamese Government 2004). Consequently, this NAAP gave priority to protecting women and children from traffickers without mentioning men as potential victims of this crime. In this strategy, there were two separate periods with specific objectives: the first phase from 2004 to 2006, and the second from 2007 to 2010. The first phase aimed to raise awareness regarding the trafficking of women and children, the methods of traffickers, the consequences of trafficking, and anti-trafficking laws. It also aimed to consolidate LEAs, and to reinforce the legislation and social administration to decrease the crime of trafficking women and children by 20 percent. The phase from 2007 to 2010 focused on comprehensive prevention and solutions to reduce this crime by more than 50 percent, as well as the effective reintegration of victims to the community.

In order to achieve the aforementioned mentioned objectives, this NAAP offered four main

components with tasks assigned to key governmental sectors.

- Program 1 strove to educate and disseminate information aimed towards the prevention and suppression of trafficking in women and children in the community with responsibility falling on the Vietnamese Women's Union (VWU);
- Program 2 strove to investigate and prosecute trafficking in women and children, with the MPS in charge in the inland areas and the MOD in border areas;
- Program 3 focussed on the reception of – and assistance for – victims of trafficking returning from abroad, for which the MOLISA and the MOD were responsible; and
- Program 4 strove to develop and improve the legal system involved in preventing and combating trafficking in women and children, with the MOJ being responsible.

This NAAP was deployed nationwide under the supervision of a Steering Committee. At a national level, this Steering Committee was chaired by the Deputy Prime Minister of MPS – who was Vice Chairperson – and other important members from MOLISA, MOJ, and MOD. At a provincial level, the components of the provincial steering committees were established accordingly. While this NAAP applied a victim-centred program, its focus was still on trafficking in women and children for prostitution, child adoption and marriage rather than trafficking in men and trafficking for other purposes (Duong 2014; Hoang 2015). More importantly, the NAAP identified trafficking in women and children as a major social problem in Vietnam where HT is considered to be involve prostitution (Hoang 2015; Voelkner 2014). In addition, the target of decreasing trafficking in women and children by 50 percent was likely to be impossible because an official system for measuring this crime had not been established in Vietnam. Therefore, the effectiveness of this NAAP is believed to still be unclear, apart from the production of its annual reports (Duong 2014).

The second NAAP, from 2011 to 2015, changed some of its predecessor's priorities in an effort to end HT in Vietnam (Vietnamese Government 2011). Firstly, men were added as potential trafficking victims rather than just women and children. Secondly, this NAAP paid attention to the significant role of VWU, which is a mass organisation that strongly supports victims of trafficking at a local level. The VWU plays a key role in approaching and supporting victims of trafficking because a large majority of them are women and girls. More importantly, the government also confirmed the phenomenon of domestic trafficking in Vietnam in the second NAAP, instead of only acknowledging cross-border trafficking. Finally, the NAAP in this period tended to improve international cooperation within the anti-trafficking strategies as a program had not been established under the former NAAP. According to this NAAP, the MPS retains its core responsibilities in the anti-trafficking framework, namely being in charge of investigations and prosecutions, as well as reception and identification of victims of trafficking, and the development

of international cooperation. It is also significant that a key point of the NAAP 2011 to 2015 aimed to prevent HT in Vietnam.

The Vietnamese government has already approved the third version of the NAAP for the period of 2016 to 2020 (Vietnamese Government 2015). Basically, this NAAP still continues and maintains the programs of the 2011 to 2015 NAAP; however, there is now a greater focus on cooperating with neighbouring countries– like Cambodia, Laos, and China – in investigations, prosecutions, rescues and the identification of trafficking victims. The second priority of the current NAAP is to promulgate protocols for HT related laws, which have been enacted, such as the *Penal Code* and the *Criminal Procedure Code*. More noticeably, the Vietnamese government is also considering its ability to accede the *Protocol Against Migrants by Land, Sea, and Air*. It is hoped that Vietnamese authorities will recognise fundamental connections between HT and labour migration in counter-trafficking strategies in the future.

Over time, the NAAPs have not paid much attention to domestic trafficking, even if they consider this to be a large-scale internal movement (Marx & Fleischer 2010). Similarly, the NAAPs have not included labour trafficking (or trafficking for labour exploitation) in their national projects, apart from the consideration of the *Protocol Against Migrants by Land, Sea, and Air* ratification. These policies do not intend to ensure the rights of trafficked people and migration workers. As a result, this may diminish assistance when it comes to identification of, and assistance for, victims of trafficking within counter-trafficking policies and the operation of LEAs, as will now be shown.

3.4.2.2. Policies on identification of and assistance for victims of trafficking in Vietnam

The Vietnamese government considers the identification of, and assistance for, victims of trafficking to be vital strategies involved in eliminating this crime as organised by independent program in the versions of NAAP (Vietnamese Government 2004; 2011; 2015). Based on this program, there are now specific regulations in the NAAP on these aspects.

The *Anti-trafficking law 2011* stipulates that a person can be classified as a victim of HT in cases where that person has been convinced to be bought, sold, transferred, received, recruited, transported, or harboured for sexual exploitation, forced labour, removal of organs, or other inhumane purposes (Vietnamese National Assembly 2011, p. 2). Accordingly, evidence which supports victim identification includes confirmation at the district-level police agencies, rescuing agencies (police, border guards, and marine police), investigating agencies, the People's Procuracies, the People's Court, and foreign agencies. It has been argued, however, that these regulations on identifying victims of trafficking in Vietnam mainly attempt to verify the information pertaining to identities of trafficked people rather than the factors surrounding their trafficking (Hoang 2015).

The *Anti-trafficking law 2011* includes four procedures for verifying trafficked people in Vietnam (see

Appendix 12). These regulations are similar to those formulating a definition of HT rather than simply creating a victim identification procedure. Additionally, it is impossible for police at district level to effectively verify the information of trafficked people at ward level where they must register as permanent residents under this law. This is because many trafficked people do not register temporary or permanent residence. That is, they may not store data on this information regarding trafficked people at the ward level. As a result, it is claimed that many trafficked people do not provide enough evidence of trafficking to be categorised as victims of trafficking under this law (Hoang 2015). In many cases, the verification conducted by police regarding these victims may create a misunderstanding that police only intend to prosecute traffickers rather than protect victims (Hoang 2015). Indeed, it is the understanding of many victims that trafficked people are only categorised as victims and protected if police charge the traffickers. Furthermore, the *Anti-trafficking law 2011* only mentions international cooperation in preventing and fighting against HT rather than showing how to deal with foreign victims of trafficking who may be found in Vietnam. As a consequence, foreign victims may face the risk of deportation without identification and access to services (USDOS 2018).

In addition to the *Anti-trafficking law 2011*, the government of Vietnam has promulgated a *Decree on Identification and Protection Safety of Victims of Trafficking and Their Beloved* (hereinafter *Decree 62*) (Vietnamese Government 2012). This *Decree* tries to fill the gaps in victim identification in the *Anti-trafficking law 2011* by providing additional grounds for recognition. More specifically, victim identification can now be based on the fact that trafficked people were detected or rescued together with other victims of HT; that trafficked people had lived with other victims at the same detention, management places, or exploitation sites and were treated like the other victims; that individuals have moral and/or physical indicators consistent with trafficking (for example, being sexually exploited or physical injured); that their family members reported them missing or the subject of trafficking; and that other legal documents enable them to be determined as victims of trafficking (Vietnamese Government 2012). These supplementary indicators reflect the real nature and context of trafficked people in Vietnam, which improves victim identification. Unfortunately, guidelines on the procedures for identifying victims of trafficking have not been issued with this *Decree* (UNODC 2012). Furthermore, although this *Decree* enables trafficking victims to be identified without identifying the traffickers, there has been no evidence regarding its effectiveness in practice (UNODC 2012).

Based on these regulations, it can be said that many trafficked people may remain unnoticed or misidentified (Hoang 2015). For example, those involved in trafficking for prostitution (Hoang 2015). As mentioned above, HT is considered to be a social problem and trafficking for prostitution is common in Vietnam (Vietnamese Government 2004), unfortunately, this renders people (especially women and girls) who are trafficked for sexual exploitation (prostitution) similar to sex workers. Simply put, this approach pushes trafficked people further into sex work, and prostitution is prohibited in Vietnam (Vijayarasa 2010), therefore, victims and their family members experience stigma in their

society and want to keep the trafficking secret rather than report it to authorities (Vijayarasa 2010).

Other potentially hidden or misidentified victims comes from those who consent to travel within or across Vietnam's border (Hoang 2015). Under the *Penal Code 2015*, trafficked migrants can be charged for illegally exiting the country if they violate this law twice (Vietnamese National Assembly 2015b). The narrow definition of trafficking under the laws strips the 'means of trafficking' from victims who are vulnerable to trafficking due to poverty, or low education (Tucker et al. 2009). As a result, these people may be identified as criminals regardless of their victim status.

To address the loopholes in the *Anti-trafficking law 2011* and *Decree 62*, an *Inter-Ministerial Circular* has been issued (MPS et al. 2014) (see Appendix 13). Specifically, this *Circular* focuses on identification rather than verification of trafficked people and also outlines the full procedures regarding reception and identification of trafficking victims. This is a positive sign for more success in identifying and assisting victims of trafficking in Vietnam where reactive approaches cannot identify the high rate of victims who return of their own accord.

In terms of assistance for victims, the *Anti-trafficking law 2011* classifies short-term and long-term support after identification. When it comes to short-term support, victims can receive necessary services such as food, clothes, temporary housing and other items, as well as travelling costs, medical examination, physical services, and legal advice. Long-term support includes educational or vocational training opportunities, a short-term allowance for initial difficulties, and a low interest rate bank loan (Vietnamese National Assembly 2011). It should be noted that foreign victims of trafficking can also receive short-term support before returning to their home country (Vietnamese National Assembly 2011). It is argued, however, these services are more likely to accord with the *Palermo Protocol* and bilateral agreements rather than being useful to the practical demands of victims of trafficking in Vietnam. For example, the *Laos-Vietnam MOU* shows that both of the states' authorities guarantee that victims of trafficking will receive psychological support, health services, and other necessary services; however, it does not say whether Vietnam or Laos can grant a working visa to victims to live and work in the country that they select.

In practice, assistance for victims is linked to the victim identification process. Nevertheless, in some cases, victims of trafficking can be supported before even completing victim identification. To illustrate this point, the *Cambodia-Vietnam MOU* says that both parties will take victims to the nearest centre and provide psychological assistance, health services, food, and housing until verification and identification has been concluded. Normally, victims can obtain services from authorities during the process of reception and reintegration under the Vietnamese laws. It is not only bilateral agreements but also domestic laws that require specific support for victims. For example, the *Thailand-Vietnam MOU* requires both governments to supply ongoing social aid, health services, psychological advice, and other necessary services to victims of trafficking who

reintegrate into their society. This is a way to protect victims from social discrimination and stigmatisation, particularly victims of ST. In contrast, the *Anti-trafficking law 2011* does not mention support for victims of trafficking to overcome discrimination and stigmatisation (Hoang 2015).

As has been shown by Hoang (2015), many trafficking victims who are not identified by Vietnamese authorities cannot access services from authorities because they are considered illegal migrants. This does not comply with some bilateral agreements. For example, agreements between Thailand and Vietnam, Cambodia and Vietnam, and Laos and Vietnam confirm that victims of trafficking should not be prosecuted for illegal entry and do not deserve any punishment. It is not only these groups, however, but also trafficked people confirmed as victims who also meet challenges to receiving support in practice. They face a lack of facilities in supporting institutions, degrading infrastructure in the shelters, and no room for male victims (UNODC 2012). Consequently, victims of trafficking probably go unassisted due to these reasons (Surtees 2013).

3.4.2.3. The responsibility of police in identification of and assistance for victims of human trafficking in Vietnam

All versions of the NAAP confirm that the police force is to play a core role in interventions regarding HT (Vietnamese Government 2004; 2011; 2015). Indeed, the police force is assigned to mainly oversee the 130 Program or 138 Steering Committee from central to local scope. In terms of national responses to HT, the Vietnamese government authorises police to be the leading force on the one sub-program relating to the identification of trafficking victims, as well as to play cooperative roles in projects involving support for victims of this crime (Vietnamese Government 2004; 2011; 2015).

Victim identification is also one of the investigative tasks police are responsible for in accordance with the *Criminal Procedure Code 2015* (Vietnamese National Assembly 2015a). Moreover, this operation remains essential to determining whether or not HT occurs in practice. In other words, it plays a significant role in prosecuting traffickers for their crimes (Hoang 2015).

Turning to legal obstacles, the police force is hierarchised from ministerial level to district level (Vietnamese National Assembly 2015a). Theoretically, police at the provincial and ministerial levels are in charge of investigating HT (Vietnamese National Assembly 2015a), however, the facts show that district-level police and even police at a commune level encounter trafficked people who return home without reporting that they have been trafficked (UNODC 2012). The criminal departments at the district level have no authority to investigate HT, but they are in charge of receiving information and victims of trafficking before sending them for investigation to a provincial level criminal department (Vietnamese National Assembly 2015b). Consequently, the Vietnamese police's response to HT is inconsistent and limited (UNODC 2012). This has a negative influence on the effectiveness of identification and assistance of victims of trafficking if the district police do not collect enough evidence before sending victims to the provincial police (MPS 2014b).

According to the existing provisions of the *Penal Code*, *Anti-trafficking law 2011*, and *Inter-Ministerial Circular*, Immigration Departments at ministerial and provincial levels are related to identifying and assisting victims of HT, particularly when it comes to verifying and receiving trafficked people (Supreme People's Court et al. 2013). However, the fact that these agencies cannot verify information about potential trafficked people means they must send these case to an anti-trafficking unit at the same level for identity verification. This consumes much time and resources. Therefore, many trafficked people feel disappointed and stop cooperating with police (MPS 2014b).

With regard to approaches, the police force is mainly reactive when it comes to identifying victims of HT (MPS 2014b). Indeed, it has been reported that police identify 40 percent of trafficking victims via calls to a hot-line, whilst 60 percent of them are recognised by the police when the victims themselves email their trafficking report, they or their family members report at police stations, they are rescued by police, or police use other professional methods (MPS 2014b). This means that either victims do not report their cases, or traffickers develop new techniques of trafficking to impede the police identification of victims because the police have become used to the traditional strategies (MPS 2014b). However, despite these reports, police do actively conduct professional operations to find trafficking victims. They have confidential informants; patrol areas; crackdown on brothels; investigate other crimes, such as prostitution-related crimes and people smuggling; and conduct extra investigations into other cases of HT (MPS 2014b). Nevertheless, they lack funds, resources, knowledge, and training to employ these proactive approaches to effectively uncover victims (MPS 2014b). As a result, a large number of victims of trafficking probably remain hidden.

In an empirical study, Vijayarasa (2013) concludes that in Vietnam there is a common stereotype of a HT victim, namely that of a young, innocent, and vulnerable female. This implies that men, or women without these characteristics are likely to be ignored and consequently, police neglect other forms of HT, apart from trafficking for sexual exploitation. That is why the hidden population of victims remains a serious problem in Vietnam where HT is inconsistent in both definition and interpretation (Vijayarasa 2014).

When it comes to assistance, Vietnamese police only provide initial or emergency support for victims. As shown in the current laws, police can supply food, accommodation, clothes, and other gender-based items. If victims of trafficking want to go home, police can also supply them with travelling tickets. In terms of long-term support, police are responsible for cooperating with other agencies, such as MOLISA, NGOs, and VWU to assist victims. Targeted services for victims include legal consultation, psychological aid, and health examination, as well as opportunities for education and vocational training, and jobs. It should be noted that police play a cooperative role here to assist victims as much as possible. While this only appears on paper, it has not been researched in practice. Therefore, further examination of the effectiveness of police assistance for

victims of HT is needed.

3.5. Conclusion

It is undeniable that in Vietnam the phenomenon of HT has been influenced by elements of geography, history, population, culture and especially economy. These factors have facilitated the spread of HT. While the government has implemented counter-trafficking policies, LEAs face challenges to end this crime and other related issues. Although men have now been added as another subject of trafficking, the anti-trafficking policies are biased toward trafficking in women and children for sexual exploitation (basically prostitution). Moreover, HT is regarded as a social problem in the anti-trafficking policies. Therefore, many trafficked people may go hidden due to this occurrence.

Secondly, trafficking in people for forced labour has been overlooked in the Vietnamese anti-trafficking program. It is argued that policy makers have not recognised the link between HT and migration. When it comes to the methods used by traffickers, not all victims of trafficking are completely forced, deceived or coerced. Indeed, some of them voluntarily agree to go abroad to sell themselves, or work in other jobs because of poverty, low education, or limited awareness. The definition of trafficking in Vietnam omits debt bondage and vulnerability (the most common forms of trafficking) from the means element of trafficking as the *Palermo Protocol* defines it. In saying that, the perception of trafficked people as passive victims in Vietnamese anti-trafficking laws do not reflect the practice of HT. Additionally, there is no explicit provision that stops victims from being prosecuted if their acts violate the criminal law while they are trafficked. In other words, the Vietnamese laws appear to be good only on paper.

Thirdly, although Vietnam has signed or ratified the *Palermo Protocol*, regional *MOUs*, and other bilateral agreements, these do not ensure the successful identification of, or proper assistance for, trafficked people. On the one hand, the legal framework has focused on trade, profit and illegality rather than concentrating on coercion, exploitation and means of trafficking. That is, victims of trafficking are limited when the Vietnamese laws are compared with the Trafficking Protocol. Consequently, LEAs like the police face inconsistency when interpreting the anti-trafficking laws to identify and assist victims of HT. On the other hand, the police force seems to be mainly reactive in identifying and supporting victims. Trafficked people remain invisible or misidentified, and victims cannot access the service they deserve, therefore the effectiveness of police in these respects has been limited.

In brief, this chapter has explored several key features of HT in Vietnam and the responses of the Vietnamese government to this crime. This background plays a significant role in reflecting on the identification and assistance of victims discussed in the next chapters.

CHAPTER 4. METHODOLOGY

4.1. Introduction

This chapter focuses on justifications for the importance and sequence of the methods selected for this study. It has five main sections. The first part explains why the mixed methods methodology was identified as the ideal choice to address the key research problems of this study. The next part presents the research design, with an emphasis on setting up research sites, approaching the target population, and recruiting participants for survey and semi-structure in-depth interviews. This is followed by a section on data collection including quantitative and qualitative data. Data analysis is then addressed with the assistance of quantitative and qualitative data analysis software. The final part examines the role of the researcher in this research to ensure the reliability and validity of collected data.

4.2. Methodology

As this research involved the participation of police officers (primary data collection), it was necessary to obtain ethics approval from the Social and Behavioural Research Ethics Committee of Flinders University (SBREC). After reviewing the ethics application, the panel was satisfied by what the researcher had explained in the application and granted the final approval notice on 26 February 2016. The project number is 7111 (see Appendix 3). This ethics application detailed the methodologies as described in this chapter. All concerns on the ethical consideration, matters, conflicts of interest, informed consent, and confidentiality, as well as anonymity, are noted in Appendices 4–7 of this thesis.

To explore understandings and experiences of police in identification and assistance of victims of ST, following the choice of design of a mixed methods approach, this study employed ‘the convergent parallel design’ (Creswell & Plano Clark 2011, p. 77; Creswell 2011; Bryman 2012). This model brings benefits to the researcher when gaining the pros and minimising the cons of both of quantitative and qualitative data (Creswell & Plano Clark 2007; Driscoll et al. 2007). These advantages are presented as follows:

First, it is not easy work to investigate police perceptions in responding to ST, particularly in the area of identifying and supporting victims of this crime—who are vulnerable and sensitive. This problem therefore is often approached with inconsistently multiple dimensions that prevent the researchers from thinking comprehensively. Therefore, the integration of quantitative and qualitative data is more likely for the researcher to obtain ‘a better understanding of the research problem’ (Creswell 2012, p. 535). With a mixing of methods and data, the achieved findings express broad and deep understanding and corroboration (Teddlie & Tashakkori 2009). Therefore, this methodology offers a more complete set of results than could have been collected using single

method approaches (Bryman 2006; Creswell 2012).

More importantly, if only using quantitative data would be insufficient in this study as the researcher would miss the chance to explore deeply the understandings of participants on how police identify and assist victims of ST occurring in their contexts. On the other hand, relying on qualitative data alone prevents the researcher from generalising the whole issue on how Vietnamese police give effect to identifying and assisting these victims. This means that using one approach cannot give a satisfactory answer or draw an overall picture of challenges and details of practice by police in identifying and assisting victims of ST (Bryman 2006; Teddlie & Tashakkori 2009; Tewksbury 2009). For instance, the complexity of methods used to identify victims of ST in various police workplace, challenges in providing support for victims of trafficking, or reasons for misidentification of victims, need to be examined in other ways. Therefore, a mixed-methods strategy fits this study because the strengths of this approach fill the weaknesses of another approach (Bryman 2008; Creswell 2013).

Another advantage of this design is that the researcher can compare the results of two sets of quantitative and qualitative data to decide whether these databases are similar or not (Creswell 2011). Either those results confirm or conflict to each other, the researcher will obtain 'a convergence of data sources' (Creswell 2012, p. 540; Östlund 2011). In other words, the qualitative data will explain the tendency and generalizability of quantitative data, whereas quantitative data will make clear the experience and understanding of qualitative data. Therefore, this design facilitates the researcher to use the most paramount characteristics of both quantitative and qualitative data on identification and assistance of victims of ST.

Additionally, this design helps the researcher to recruit potential participants because there is an intersection between the two methods. Specifically, there is a question in the questionnaire to recruit interviewees. It means that many police may participate in both survey and interview in this study.

In terms of the research area, mixed-methodology is considered as an appropriate way to study ST as Demir and Finckenauer (2010) argue that many characteristics of this topic are not clearly identified. Additionally, the findings of their study are more profound with the use of a mixed method research (Demir & Finckenauer 2010). In another research, Demir (2010) states that a mixing of methods research is an useful way to research on ST that is a highly hidden crime. Therefore, this scholar used qualitative and quantitative analyses to enrich knowledge on the methods of ST in Turkey.

4.3. Research design

4.3.1. Study sites

In this study, the researcher selected the Criminal Police Department (ministerial level) and five Provincial Police Departments, consisting of Hanoi, Haiduong, Langson, Laocai and Hochiminh for fieldwork to explore variations and similarities in responses to the identification and assistance of victims of ST. The core problem of data collection is permission to access study sites (Creswell 2013; Creswell & Plano Clark 2011). In this study, the researcher obtained permission from senior leaders who are in charge of fieldwork sites including the Head of Criminal Police Department and Directors or Deputy Directors of five Provincial Police Departments (see details in Appendix 13).

Specifically, the Criminal Police Department is the highest level in charge of investigating special or very serious HT cases. This agency is also responsible for guiding and leading anti-trafficking units in the Department of Criminal Investigation of provincial police stations to prevent and investigate people trafficking cases. Moreover, this agency has two main offices. One locates in Hanoi to keep track of trafficking in persons and support the Department of Criminal Investigation of all provinces in the northern and central provinces. The other locates in Hochiminh, and is there to supervise this crime and support the Department of Criminal Investigation of all provinces in the south. Despite having the same functions, each office of this agency experiences different responses to identify and support victims of HT for sexual exploitation because of the differences in culture, population, economy and geography (see Figure 4.1).

Figure 4.1: Locations of study sites



Although both provinces have homogeneous characteristics, the choice of Langson and Lao Cai provinces in this project allowed the researcher to examine variations in identifying and supporting victims of ST between these two mountainous provinces and among other provinces or cities in Vietnam. Both provinces not only have experienced a serious increase in the number of HT cases but also are likely hot spots for trafficking in persons. It is worth noting that both places share a long international border with China and growing immigrant populations working temporarily in China. Both provinces also have other economic conditions and are dominated by many different ethnic groups.

Haiduong is a plains province located in northeast Vietnam which was also selected as a site for this project because of complications regarding the crime of HT (MPS 2014b) (see Figure 4.1). This province experiences risk factors that make it susceptible to trafficking in persons such as a growth in the number of runaways, illegal immigrants, and lack of jobs. Furthermore, Haiduong is identified as a major source province of people who want to work abroad. Although Haiduong has not established a Task Force, its rate of successful investigation involving HT has been the top rank in Vietnam (MPS 2014b). Therefore, it is critical to evaluate the quality of police action in this province with other provinces regarding identification and assistance of trafficked victims.

Finally, Hanoi and Hochiminh (see Figure 4.1) were chosen as research sites because both cities are the biggest centres in Vietnam facing the prevalence and seriousness of HT (MPS 2015). Both of them are viewed as transport centres for domestic and international HT. In these places, risk factors emerge from an alarming rise in the domestic immigrant population, thriving red-light streets, and geographic factors. They also have the two biggest international airports, which makes it convenient for traffickers to take victims abroad. Additionally, these cities have been viewed as the top cities for disguised sexual services, such as karaoke shops, massage parlours and bars. While Hanoi has a Task Force, Hochiminh has no specialised unit. So, it was important to compare the effectiveness of police in these cities in these respects.

4.3.2. Methods of recruitment for surveys

4.3.2.1. Target population

This project recruited police officials who work for different geographical, and functional areas of the Vietnamese police force, however, all police officers selected for surveys had to meet certain criteria. Specifically, survey respondents must have been working for Task Force or anti-trafficking units, which often belongs to the Criminal Police Department and Department of Criminal Investigation because these agencies are the pivotal force to prevent and investigate HT (Vietnamese National Assembly 2015a). However, it was challenging for the researcher to select police who met this criterion for a number of reasons.

Based on the various complications and prevalence of the crime of HT among 63 provinces, the MPS of Vietnam encourages provincial police stations to create a specialised anti-trafficking unit to combat this crime. But there is only one Task Force unit in Hanoi, and one Task Force unit in the Criminal Police Department as mentioned previously. In other provinces, there is a mixed-function unit, which combats not only HT but also other crimes, often prostitution-related crimes. Therefore, the researcher also selected potential participants from mixed-function units. Of course, the single-function units have deeply professional knowledge and experience about responses to HT. However, there is a limitation if recruiting police officers work in mixed-function units that they possibly conflate ST with prostitution (Irwin & Irwin 2017).

At the district level, this research also recruited criminal police who are in charge of fighting against criminal crimes, including HT. Although trafficking in persons does not fall within the competence of district police level, a large number of police at this level are also in charge of receiving and handling the initial notifications of this crime. In other words, they are front-line officers to meet victims of this crime. However, these officers are not Task Force on HT.

The second criterion for respondents who participated in surveys was to include police from various ranks within the police departments, and with varying lengths of tenure.

4.3.2.2. Recruitment Process

Every Monday morning, there is a meeting in the police force at all levels. The researcher therefore selected a Monday morning meeting to briefly summarise the research plan at each study site. In this meeting, the researcher focused on the main points to attract potential respondents, such as discussing benefits of participation, providing further information, and explaining the rights of all participants. After examining information about this research, participants who agreed to participate in surveys contacted the researcher through email or mobile phone details posted on the notice board and the Information Sheet. A letter of invitation was sent to these participants, with an appropriate time and place suggested. If they consented to take part in surveys, they then came to the proposed place (they selected) and completed their surveys.

Respondents were also recruited by snowball technique (Kaplan, Korf & Sterk 1987). Here, the researcher gave research information packs to potential participants who provided information about this research to their colleagues who they thought might be interested in this project as potential respondents. Thank to snowball technique, this research recruited 16 police officers participating surveys.

4.3.2.3. Demographic data

A total number of 150 survey respondents, comprising of 121 males and 29 females, were selected. Although there was a significant gender bias, this is acceptable in the context of this research. The structure of the Vietnamese police force limits female police to around 10-15 percent and in some sections such as criminal police, the proportion of female police is often under 10 percent.

Regarding the age of participants, Table 4.1 denotes that over half of the participants were aged between 25-35 years, with those aged under 25 years, comprising just 7.3 percent. Therefore, the proportion of those over 25 years dominated at more than 90 percent. This proportionate sample reflects the accuracy of the situation of the Vietnamese police who are in charge of combating HT. Detection and investigation of this crime is the responsibility of provincial and ministerial police with at least five to ten years of experience after finishing their studies in this area. This is a common feature of the Vietnamese police force. Furthermore, age is closely related to rank for police in

Vietnam. The survey sample describes the ranks of most participants from Lieutenant (N=16), to Senior Lieutenant (N=32), Captain (N=21), and Major (N=22) as equivalent to the ranges of age. As such, this sample is likely representative of the wider Vietnamese police population.

Table 4.1: Survey sample characteristics (N=150)

Characteristics	Frequency	Percent
Gender		
Male	121	80.7
Female	29	19.3
Age		
Less than 25	11	7.3
25-35	81	54
36-45	43	28.7
Over 45	15	10
Rank		
Staff Sergeant	4	2.7
Junior Lieutenant	18	12
Lieutenant	26	17.3
Senior Lieutenant	32	21.3
Captain	21	14
Major	22	14.7
Lieutenant Colonel	13	8.7
Colonel	2	1.3
Qualifications		
Primary	5	3.3
Intermediate	36	24
Bachelor	105	70
Master	3	2.0
Doctoral	1	0.7
Workplace		
Urban/City	105	70
Countryside	17	11.3
Border	26	17.3
Other	2	1.3

Table 4.1 also shows that the organisations of 70 percent of survey respondents were located in urban areas or cities, while 11.3 percent and 17.3 percent of the sample respectively have been working in the countryside and border areas. Here, it is acknowledged that respondents misunderstood the location of their agencies that their offices locate in the cities – which are border provinces. Therefore, the nature of workplace in such context is still border.

Additionally, Table 4.1 reveals that 70 percent of the sample had obtained a bachelor's degree. This figure is actually much higher than the qualifications common to the Vietnamese police, but it is argued that only provincial and ministerial police have the right to investigate cases of HT; an area of study in which they often graduated from university.

4.3.3. Methods of recruitment for in-depth interviews

4.3.3.1. Target population

The researcher only recruited police officers who met specific requirements. First, participants were required to work for anti-trafficking units at various levels, including ministerial, provincial and district level. This enabled the researcher to explore the research questions from the position of a wide range of stakeholders in relation to combatting HT as the best sample represents diversity of 'stakeholders' and their views (Boyce & Neale 2006, p. 7), therefore, variations in participants' responses to research questions enriched the final findings.

The second significant factor for participants was their length of service in the anti-trafficking field. Only police who had at least five years in combating the trafficking of humans were included. Furthermore, the police from junior to senior leaders were asked to participate ensuring that their experience, training and understanding about anti-trafficking was broad in order to respond to the research questions as discussed by Elfes, Birch and Ireland (2015).

4.3.3.2. Recruitment process

This research used two ways to recruit interviewees. First, at the end of questionnaires, there was a question for survey participants that whether or not they want to participate in in-depth interview. Based on the 'Yes' responses in the completed questionnaires, the researcher identified participants who were willing to be interviewed. These responders were contacted via mobile phone to discuss a place and time for interview and this was followed up with an invitation letter and the Consent Form. Those who agreed to participate signed the Consent Form and sent it back to the researcher by mail. In cases, where they had not signed the Consent Form, the researcher asked them to sign this form before conducting interview. Furthermore, on tape, the researcher asked participants to confirm their agreement to being interviewed.

Additionally, the researcher also employed a snowball technique to recruit interviewees. After delivering the information about this study largely in study sites by the researcher and other participants, there are five potential interviewees who contacted the researcher to be interviewed. However, there were four interviewees recruited by a snowball technique, as one interviewee was seriously sick. The procedure regarding setting up the interview, and the Consent form was the same as above mentioned.

4.3.3.3. Demographic data

This research recruited 25 police interviewees. Whilst, 23 males participated in in-depth interviews, only two females were interviewed. The interview sample also reveals 69.2 percent having completed their bachelor's degree. In addition, this sample included five police interviewees who work at ministerial level, 18 who work in this unit at provincial level, and three participants who work at district level.

Table 4.2 indicates a suitable proportion between interviewees and their workplaces, with 36 percent from the cities, 40 percent from the border, and only 24 percent from the countryside section. Furthermore, HT in border areas is more prevalent than in cities and the country side. This sample shows the characteristics of personnel among different areas of Vietnam. It is necessary to examine the distribution of police in terms of combating HT to provide greater understanding, as anti-trafficking-related policies are better if these features are recognised.

Table 4.2: Interview sample features (N=25)

Characteristics	Frequency	Percent
Gender		
Male	23	92
Female	2	8
Rank		
Senior Lieutenant	3	12
Captain	5	20
Major	8	32
Lieutenant Colonel	5	20
Colonel	4	16
Qualifications		
Intermediate	2	8
Bachelor	17	68
Master	5	20
Doctoral	1	4
Workplace		
Urban/City	9	36
Countryside	6	24
Border	10	40
Level		
Ministry	5	20
Province	17	68
District	3	12

4.4. Data collection

4.4.1. Surveys

Cross-sectional surveys were used to gather quantitative data in this research. The development of a successful survey occupies an important role in the social sciences including in criminal justice research and criminology (Bachman & Schutt 2003; Davies, Francis & Jupp 2011; Kleck, Tark & Bellows 2006; Maxfield & Babbie 2012).

The questionnaires, prior to launching, were carefully checked to ensure the relevance, validity, and reliability via pilot testings (deVaus 2014). At this stage, because the participants were Vietnamese, so questionnaires were translated into Vietnamese by the researcher to express the

sense and meanings accurately. As shown by Dornyei (2003) that the draft questionnaire should be sent to people who have similarities to recruited sample as those people provide to the researcher feedback about validity, reliability and even relevance of the survey instrument. At the end of this pilot, the research considered which question in the questionnaire should be changed or moved. However, it should be noted that people test pilot are different from people officially participate in survey because those people may have bias results if they are surveyed twice (Nardi 2014). Therefore, the Vietnamese questionnaire version then was sent to a pilot testing group of ten randomly selected respondents who were criminal police in Bac Tu Liem district, Hanoi and some lecturers in the Department of Criminal Police of the People' Police Academy.

With respect to the structure of the survey instrument, most of the questions were designed as content, order, and response options (Bachman & Schutt 2014), although there were some spaces left for qualitative answers. Of the 45 questions, ten used Likert Scales to express the level of prevalence/effectiveness/frequency of specific actions and the level of the respondents' agreement with given prompts (Creswell 2003). In the design, options were ranged along a 5-point Likert Scale, from 1 'Strongly disagree' to 5 'Strongly agree', and the last question in the survey confirmed the willingness of the respondent to participate in an in-depth interview. This question was viewed as a primary way to recruit potential interviewees in this research (see Appendix 8).

Regarding this project, the survey was employed to garner understanding of police about identification and support for persons trafficked for sexual exploitation. Specifically, some questionnaires were designed to investigate respondents' understanding of the definition of ST victims based on the international and domestic laws. Furthermore, respondents were asked about sources, places, methods, obstacles in identifying victims, services, and challenges of supporting these victims.

In this research, both the researcher and respondents discussed the proposed time set up for the survey, and the respondents suggested the interview took place at a coffee shop. Then the researcher often went earlier to select the exact location, to prepare the interview protocol, and to organise a hard copy of the questionnaires, Consent Form, notes, pens and erasers; as well as order drinks/coffee (Guest, Namey & Mitchell 2012). Before conducting the survey, the researcher introduced himself and explained the Consent Form and protocol so that participants understood their rights and ways to respond to the survey questions. Often, they spent about 15-25 minutes completing the survey. In some cases, participants spilled coffee on the hard copy of the questionnaire so the researcher provided a new one. In addition some participants who wrongly ticked items on the survey asked the researcher for a replacement. During this time, the researcher kept quiet to let participants think and answer questions as well as they could. If respondents had queries in relation to the survey, they asked for explanations. On completion the surveys were collected whether or not participants had responded to all questions. As a result, the researcher

received 150 responses from 150 potential participants. The data collection took place between May and June 2016.

4.4.2. In-depth interviews

This study employed in-depth interviews to investigate the practice of police in identification of, and assistance for, victims of ST through interpretations about their own experiences. From May to June 2016, the researcher conducted in-depth interviews with 25 police officers (Table 4.2). All of these interviews occurred at the places of choices for participants, which were always in coffee shops. Some interviews happened immediately after the end of the survey. All interviews were face-to-face dialogues between only the researcher and participant. As noted, all interviews were tape-recorded with the agreement of interviewees. The interviews typically lasted around one hour, although some lasted under 45 minutes. Subsequently, each of the in-depth interview files was transcribed for coding to secure the data and personal information of respondents immediately after the end of that interview. These files were held as backup copies in the researcher's private computer and Google Drive account.

Open-ended questions were employed to ask interviewees about their perspectives and understandings on victims of ST through international and domestic policies. Interviewees then explained their thoughts about necessary indicators of victims of HT. Additionally, police interviewees were asked how to identify ST victims. Through these conversations, the researcher was able to explore reasons and methods used to recognise trafficked people as victims in practice case-by-case. Similarly, the researcher discovered the police support given to victims of ST in practice. Each participant offered a series of services, therefore, these results showed the variety of support with detailed explanations (see Appendix 8).

4.5. Data analysis

4.5.1. Quantitative data analysis

Quantitative data such as raw survey data needs to be converted into numeric values for each answer to each question (deVaus 2014). In this step, the researcher cleaned all of the survey data using multiple-digit codes or assigning scores (Bryman 2012). The researcher created 121 codebooks to cover all, variable names, data type, valid codes, missing values, and coding instructions. Codebooks helped the researcher remember the coding process before entering the data into the computer program.

Statistical Package for Social Science (SPSS) version 23.0 for Windows 10 was used in the data analysis. This software enables the researcher to analyse all data in the database. Specifically, SPSS handled multi-response questions effectively and conveniently. The researcher created new variables from old variables by recoding (Creswell & Clark 2011), for example, 'training sources',

'sources to find HT cases', 'places to find victims of ST', or 'methods to identify victims of ST'. It was more complicated and time-consuming to handle multiple answers for closed questions, so the solution was to create a separate variable for each response (deVaus 2002). For example, with regard to the question about the methods to identify trafficked victims for sexual exploitation each participant could select from one to nine options if applicable. To facilitate the later data analysis process, the researcher recoded this group of old variables to change old and new values in relation to multi-response questions.

Another point worth discussing in this process is the coding missing data. Many responses had missing answers (deVaus 2014) which means that these variables are invalid in the database. To deal with this problem, the researcher indicated a replaceable value for missing data which allowed SPSS to avoid confusion in data analysis (deVaus 2002). An appropriate value, for instance, '999' was selected as a valid value with a variable of 'age of respondent' (Bryman 2008). Adding '99' into the column for missing data for this variable resulted in misunderstanding because respondents may be 99 or over 99 years old. With other variables, the researcher used '99' to represent the missing data.

The data regarding criteria of ST victims was summarised by category (e.g., being forced, being controlled, or being exploited) and percentages of police for each category captured. Data collected on methods of identifying and assisting victims of ST was categorised, and the most and least applied methods illustrated as percentages. This research only used descriptive analysis to answer these sub research questions consisting of 'How are victims of ST defined?' and 'How do Vietnamese police implement identification and support for victims of ST?'. Therefore, the overall patterns of ST victims, identification, and support for these people, was displayed through a variation of responses and a comparison among participants' views, which can be measured by 'the central tendency, variability and relative standing' (Creswell 2012, p. 183) or 'the central tendency, variation and frequency distributions' (Punch 2005, pp. 110-1).

4.5.2. Qualitative data analysis

The researcher directly transcribed verbatim all of the audio tapes into Word files to verify the tape recordings. For example, whatever the respondents said was recorded. After that, these texts were imported into NVivo software for analysis.

With regard to qualitative data, the researcher developed a general understanding of the entire database by reading all of the transcripts several times. On the basis of this understanding, the researcher built up a set of memos to record the initial thoughts in the column notes of the Word files relating to transcriptions of the audio recordings. Short and concise words or phrases, which were equivalent to major ideas in each transcription were used, for example, 'methods', 'challenges' or 'weaknesses' were typical memos used to organise the database logically; because these words conveyed the respondents' opinions, and other statements supported or rejected each

idea. Consequently, this facilitated the coding process when analysing qualitative data.

The focus on qualitative data analysis involved forming a set of codes for the research (Creswell & Clark 2007). The purpose of this loop was to describe and categorise the responses of interviewees based on the researcher's understandings. First of all, codes were derived from the statements of interviewees such as 'lack of funding' or 'language barriers'. In addition, these codes not only illustrated information based on the researcher's expectations but also revealed interesting opinions. Therefore, these codes enabled the researcher to either depict information or grow themes.

On the basis of the coding process, themes for this research were created (Creswell 2013). A theme may consist of a number of codes to reflect a broader or general idea. In this research, three primary themes were 'victims of ST', 'identify victims of ST', and 'assist victims of ST'. Sub-themes for each main theme were then identified through observing similarities of interviewees' perspectives and the frequency of these answers, hence a set of 'family-children- grandchildren' themes were formed to link the responses of all participants.

4.6. Role of the researcher

Being a male police officer, the researcher conducted the research on policing from the position of an 'inside insider' (Reiner 2008, p. 220; Thomas, Rogers & Gravelle 2014). From this point of view, the researcher has a certain amount of knowledge about policing to deal with complex issues, and even shares a lot of common points with participants such as culture, language, values, experience or profession (Blythe et al. 2013; Costley, Elliott & Gibbs 2010). These points, perhaps, have contradictory influences on the process of data collection, even bringing challenges to the researcher. The researcher faced the following hurdles as an inside insider, including how to obtain formal access to police station study sites (Rogers 2014), how to differentiate between the researcher's view from the views of his interviewees (Adam 2013), how to prevent bias from respondents on the basis of the relationship between the researcher and respondents (Costley, Elliott & Gibbs 2010; Rogers 2014), how to manage interviewees' trust (Blythe et al. 2013; Reiner 2008), and how to overcome any uncomfortable feelings of participants in the interviews (Couture, Zaidi & Maticka-Tyndale 2012; Reiner 2008). To overcome access challenges, the researcher utilised his agency (PPA) in the police system as a 'bridge' to obtain official acceptance of police sites in this research (Rogers 2014) (see Appendix 13).

To differentiate the participants' understanding from the researcher's knowledge, the researcher employed probing questions (Blythe et al. 2013). For example, 'Could you tell me the first case of HT in your experience?', 'Could you explain specifically the methods of traffickers up to now?', 'Can you give me an example to illustrate your case?' or 'Can you show me the limitations of the police force regarding identifying and supporting victims of ST?' (see Appendix 8). With such questions, interviewees justified to the researcher what they wanted to mention, rather than the

researcher assuming what they meant. To minimise the unwanted responses, the researcher reminded the aims of this research and gave intended questions for interviewees, which allowed them to focus on their answers in their own languages.

Regarding objectivity, participants are close to their subject, which threatens the objectivity of the research (Gravelle & Rogers 2014). Solutions to prevent bias in this research include a careful review of responses of participants, and using other methods to check data (Costley, Elliott & Gibbs 2010; Gravelle 2014). More specifically, the researcher often interviewed at least two police officials at one study site because there are from two to five police officers who investigate each case of HT together depending on the seriousness and complications of the case. Working on the same cases, respondents would provide similar information. Thus, their responses to the same questions were triangulated to test credibility, as reflexivity is an important strategy to secure objectivity in the insider research (Blythe et al. 2013). Furthermore, this project employed a variety of methods to collect data such as surveys and in-depth interviews. Therefore, the results of surveys were tested by the results of interviews. This process ensured authentic responses from the participants in this research.

To facilitate comfortable feelings in the interviews, the researcher always selected a familiar place and time that the participants suggested. As noted, all surveys and interviews took place at coffee shops with a friendly atmosphere. Furthermore, the questions were around their experiences and understandings about the research topic. There was no 'right' or 'wrong' value in their answers. This confirmed the message in the information sheet that the researcher provided in the data collection process. Additionally, the researcher stripped all private information from collected data so that no one can recognise their participation in this research. Hence, the researcher ensured everyone's confidentiality.

4.7. Conclusion

This chapter has outlined the application of the mixed-method research strategy to collect and analyse data in this research. Specifically, it provided rationales for a pragmatic worldview to this study before giving justifications of the significance of a mixed-methodology with the contribution each technique offered. The process of participant recruitment for each approach and the challenges faced were outlined. Generally speaking, this research methodology enabled the researcher to obtain empirical data rather than unreliable data on policing in the area of HT. It not only suggests practically scientific results but also sends messages to policy makers and police about how to overhaul police identification and assistance for victims of trafficking. The next chapters will present specific findings acquired through application of this methodology and analysis of the information.

CHAPTER 5. POLICE PERCEPTIONS OF VICTIMS OF SEX TRAFFICKING IN VIETNAM

5.1. Introduction

This chapter presents the findings from the quantitative survey data and the qualitative interview data gained from police observations within the study sites. The data was collected, and the information was analysed, in relation to the overarching question posed by the thesis: 'How do police identify and assist victims of HT for sexual exploitation?' Inherent in this question is the assumption that police face challenges in identifying and supporting victims of ST. One of these challenges stems from the misperceptions by police about who constitutes a victim of trafficking (Farrell, Pfeffer & Bright 2015). Indeed, there are variations in the ways police define the concept of victims of ST (Wilson & Dalton 2008). For example, some police only view women and children as trafficking victims (Farrell et al. 2012), while others consider foreign nationals as victims of this crime (Heil 2012). In other cases, those who are vulnerable to ST are seen as victims (O'Brien 2013). In this chapter, these variations are investigated in the context of the subsidiary question: 'How do the police perceive victims of ST?'

This chapter is divided into five sections. First, the data is used to identify the complex interaction between gender and ST victimisation where an analysis of female and male victims of ST occurs. Second, incidences of child victims and adult victims, and reasons why they are involved in ST are explored. Economic problems that lead to involvement in ST victimisation are then investigated followed by examination of the impact of education. Finally, the connection to family factors, such as disruption and social problems, as well as the number of children is discussed.

5.2. Gender

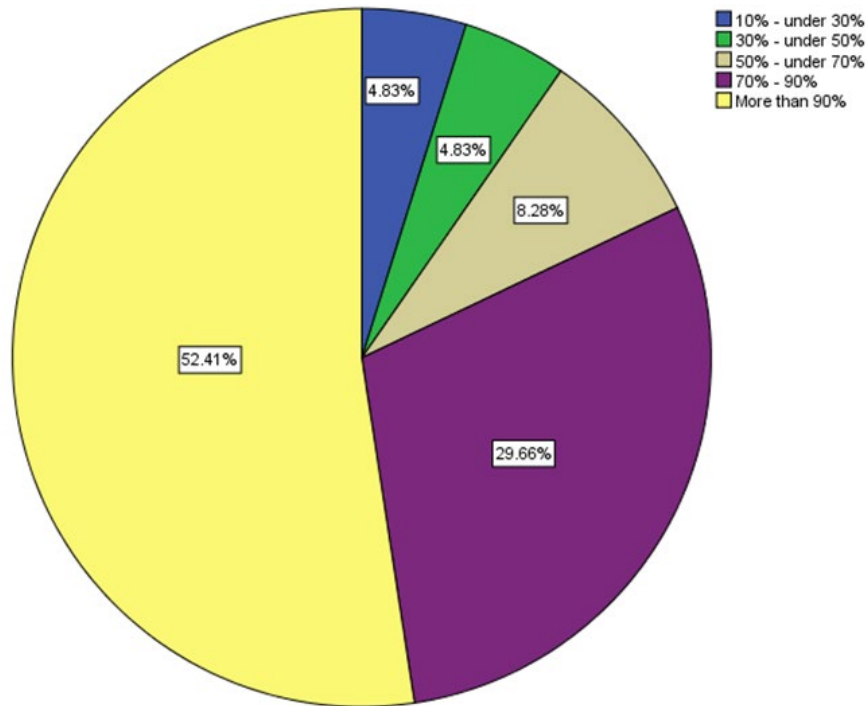
5.2.1. Female victims

Police in Vietnam in this study believed that the vast majority of trafficked women and girls are used for sexual exploitation. The survey was designed to provide the researcher with data on issues and questions that could be further examined in the in-depth interviews. Based on the cases of ST police respondents have encountered, they were required to estimate the rate of female victims of ST that they (have) investigated, with reference to one of six options: 1) under 10 percent, 2) 10 percent - under 30 percent, 3) 30 percent - under 50 percent, 4) 50 percent - under 70 percent, 5) 70 percent - 90 percent, and 6) more than 90 percent.

Of the 145 questionnaire respondents, the last option (more than 90 percent) received the greatest proportion of responses (53 percent). Indeed, 82 percent of all respondents agreed that at least 70

percent of victims of ST were female (see Figure 5.1). This means that although there were variations in the rates of female victims of ST, most of the respondents believed that women are the main victims of ST.

Figure 5.1: Proportions of female victims of sex trafficking



Survey results were supported by the interview data, where the interviewees described why women and girls were the main subjects of ST in Vietnam. The police officers described gender as an inherent characteristic of ST. Other studies note that most of the ST victims are women and girls (Chen 2010; Gugic 2014; Limoncelli 2010; O'Connor & Healy 2006; Ruivo 2015). This is because there are favourable conditions in which women and girls are driven into the sex market and ST, such as 'gender inequality, globalisation, poverty, racism, migration and the collapse of women's economic stability' (O'Connor & Healy 2006, p. 6). However, a common view amongst police interviewees in this research was that female predominance regarding ST victims is a direct consequence of the patriarchal ideology in Vietnamese society and the effect of globalisation. As one senior police official explained:

The facts indicate that victims of ST in our country [Vietnam] still remain as women and girls who are perceived as highly potential sex workers for the sex industry. Admittedly, most of the HT cases here happen for the purpose of sexual exploitation... This problem may originate from the ideology of patriarchy in which women are sexually exploited a lot. Otherwise, the negative side of globalisation impacts these women. [121]

It is evident that Confucian principles have a great influence on Vietnamese society and one of the direct consequences is patriarchy, of which gender inequality is a part (Duong 2014). Indeed, the gender discrimination, which holds that men are superior to women (trong nam khinh nu) may

greatly exacerbate women and girls becoming victims of ST (Tucker et al. 2009). More specifically, the patriarchal ideology makes domestic violence against women prevalent in Vietnam, meaning some women are willing to accept risky employment to escape beatings from their husbands. It is believed that violence against women is an inherent feature of patriarchal attitudes in Vietnam (Tucker et al. 2009). As an illustration, one police officer from the Laocai admitted that the patriarchy victimises women in the area of ST.

Within places, communities still remain structured via the feudal stereotype. Women must face much pressure, especially when they get married. The isolation and violence women have experienced seem to be inherent. Many of the female victims I [police] encountered lamented that it would be much better for them to stay at brothels rather than live with their husbands who frequently beat them, forced them to serve sex, and even stabbed them many times. They were actually scared when thinking of their return to their so-called 'homes'. I think gender oppression makes women not only unable to access the basic human rights they deserve but vulnerable to ST. [15]

Another official from a mountainous workplace told an impressive story regarding the effect of patriarchy on the destiny of women in the area of ST. The rescued victim in this case even felt scared when coming home with her husband rather than being exploited in brothels because she was a serious victim of patriarchy in her society.

I [police] still remember that we rescued 21 trafficked women from the brothel. While endless happiness was spreading on the faces of the victims, one lady — a middle-aged ethnic minority woman cried, scratched and attacked me at that time... She [the victim] shouted loudly and continuously asked us to let her go out. When interviewing her at our police station... She spoke in a disappointed and painful way, saying that I had just stolen her freedom, which was gambled by the exploitation of her body in that brothel. Her memory about the past was full of the violence of her husband who frequently beat and slapped her, or used bad words. He always asked her to do this or do that without listening to her opinion. Each of his words seemed to be a command for her. After living with him for four years as if in hell, she escaped that house after receiving an employment introduction from a countrywoman who then deceptively sold her into the brothel. [16]

Another reported problem by police respondents was globalisation, which the tourism industry has developed along with the multiple forms of entertainment that attract the participation of women and girls, including sex tourism (Farr 2005). It has been noted that the rise of sex tourism on a global scale is alarming (Duong 2014). In the area of Southeast Asia, the nexus between sex tourism and the sexual exploitation of women and girls has been tested empirically, demonstrating that it is a big part of HT in these countries (Gugic 2014). Being a large source of HT, Vietnamese women and girls have been transported to supply the demand of sex tourism in other countries. One senior official analysed the impact of sex tourism on female involvement in ST.

In our nation [Vietnam], the sex trade is prohibited and deserves punishment. However, in some countries, the sex industry brings a huge amount of money for the economy of governments, namely Thailand, Malaysia, China or Cambodia. In recent years, sex tourism has played a significant role in attracting customers to these countries. The best-known venues are the so-called 'Heaven' for sex tourism, such as Pattaya, Bangkok, and Phuket. They always need a large number of women and girls to do sex-related recreational services, which seem to be endless. These markets encourage women and girls who are forced to participate or do so voluntarily for making money. I investigated many cases of trafficking where Vietnamese girls were sold for this work [sex services] in foreign countries. [121]

Another officer added:

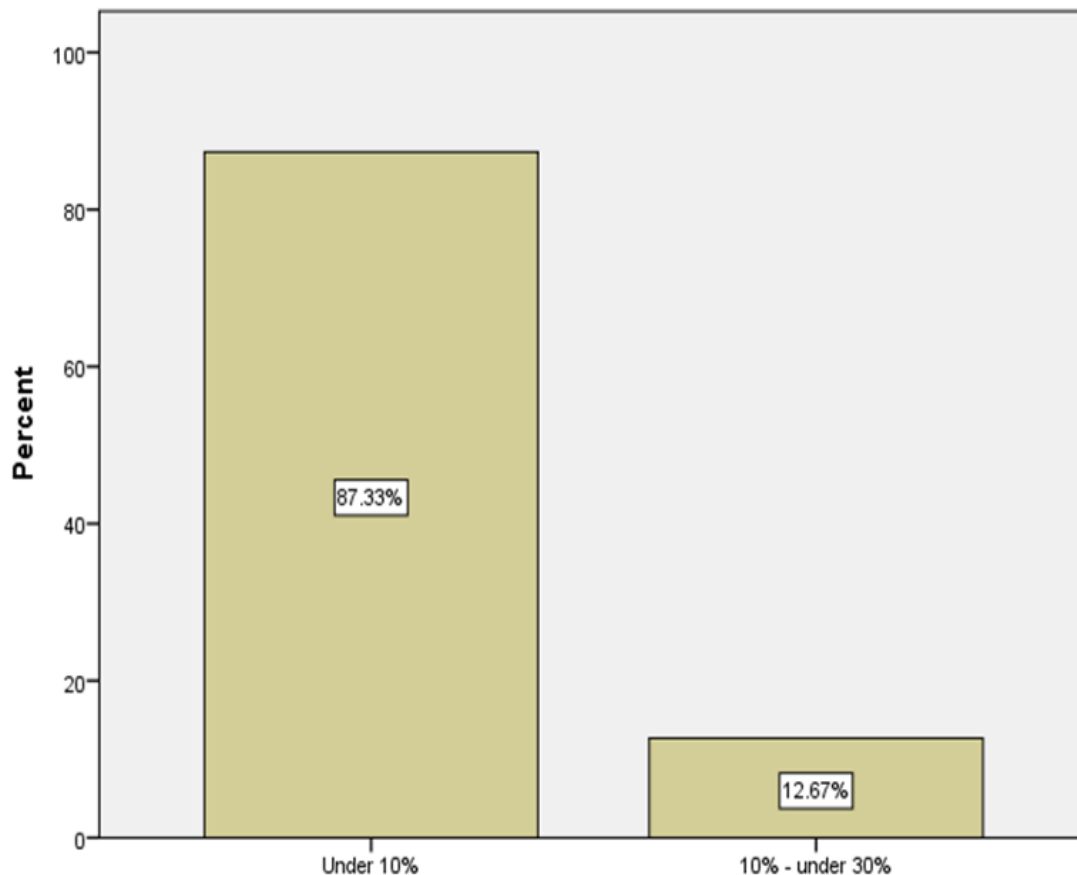
[Vietnam] is also influenced by globalisation, for example, sex tourism. It isn't rare that traffickers recruit girls or young women living in the southern provinces for the owners of entertainment centres in Thailand and Malaysia. These women are forced to sell sex or perform sexual services as pimps ask. When tourism brings huge benefits to governments and individuals, sex can't dwindle as more customers need it. This is a reason for the increasing participation of Vietnamese females in sex tourism places, especially in Thailand and Malaysia. [110]

In short, police perceptions in this research confirmed female predominance in the structure of victims of ST in Vietnam. In efforts to investigate the nature of this problem, police interviewees stressed that this patriarchal ideology yields gender discrimination which has significant impacts for the supply and demand of women into ST. Additionally, the development of sex tourism in the region's countries positions Vietnamese females as prey for traffickers, but importantly, police officers in this research found that males are also victims of ST in Vietnam.

5.2.2. Male victims

The data from this research reported that a small number of Vietnamese males are trafficked for sexual exploitation. Similar to the question about the rate of female victims of ST, the survey also asked the police officers to estimate the percentage of male victims of this crime. The response rate of this question was 100 percent. Most of those surveyed (87.3 percent) agreed that the share of male victims was less than 10 percent.

Figure 5.2: Proportion of male victims of sex trafficking



The following statements provide context to these survey results, outlining that the presence and growth of child sex tourism in Vietnam in recent times has resulted in the demand for males in this business. Vietnam is a destination place for foreigners who enjoy male child sex tourism (USDOS 2015). Additionally, Gugic (2014) notes that Southeast Asia faces a serious problem as sex tourism has a close link with sexual exploitation, including forced prostitution relating to children, however in interviews, only two senior police officers mentioned boys as victims of sex tourism. Of these two, one interviewee declared:

I [police] even found some signs of child sex tourism and boy victims. Some were very young. It's extremely dangerous and serious. Some criminal groups collect boys who are runaways, homeless, panhandlers or wanderers. These gangs then exploit their labour by selling the newspaper or chewing gum, polishing shoes, and even selling sex to international tourists. These boys, of course, are controlled. Whatever they do is followed by bodyguards from the gangs. But it must be said that it's too hard to handle this issue. [I13]

The other senior officer analysed the current challenges surrounding sex tourism to find boy victims of ST stating:

I [police] fear an explosion of sex tourism in our country in coming times. Being responsible for fighting against HT, I've found many indicators of child ST, including male victims. I think it's the beginning period of sex tourism in Vietnam. Many boys on the streets have been forced to provide sexual entertainment for tourists, but we haven't known how to address these issues. [I11]

This officer also explained that these boy victims could be mistaken in the groups of those being sexually abused by acquaintances, neighbourhoods, or stepfathers who might have brought boys to café shops, massage parlours, or hotels to bargain with tourists. He clarified that these activities are hidden in the communities, so it is hard to recognise this problem unless the police have the necessary skills and techniques. In his explanation, sex tourism, however, seems to be quite new and strange to police. Indeed, this officer stated that the lack of understanding about males' participation in sex tourism in the police force would need to be fixed to properly identify victims, and end this crime in Vietnam.

Male victims of ST have been identified as being related to sex tourism and it is believed that now is the beginning period of sex tourism in Vietnam. However, apart from examining the gender of ST victims, understanding the age of victims and how it impacts the trafficking stories is also crucial.

5.3. Age

The existing literature has identified that age is an important contributor to ST and that victims of ST are usually young (Greenbaum 2014; Martinelli 2015). These are young people who are not only attractive but also less experienced in knowledge and life, making them particularly vulnerable to ST (Mir 2013; Smith, Vardaman & Snow 2009). Nevertheless, the difficulty is how to define the term 'young', and whether only children can be young. In the context of HT, the UN (2000) defines children as people under 18 years, and young people are perceived to be children (Pearce 2011; 2014). Therefore, when this project investigated the rate of young people trafficked for sexual exploitation, it referred to child victims of ST, and those over 18 years old were considered adult.

5.3.1. Adult victims

Contrary to popular belief, police in Vietnam believe that most trafficked people are adults. The interview data in the current study demonstrated that victims are often promised a well-paid job in a foreign country. One senior official asserted that if victims had a job in their hometown, they would not be cheated by traffickers offering lucrative jobs in the hope of gaining victims. For an adult in the family, making money is one of their responsibilities rather than spending the money of their parents or other family members. The following statements illustrate the promising jobs presented by traffickers as traps for ST.

Jobs are like tools of prey for traffickers of victims of this crime. Overstated stories about jobs in another country seem to open a promising future of employment for women... Victims were probably blinded by the jewellery and 'honey' promises of traffickers, accepting a move abroad with a life-changing dream. Unfortunately, this would never happen to them later. They [victims] were sold into brothels instead of working in restaurants or selling clothes in fashion shops. I [police] have witnessed many victims like this up to now. [I2]

Dream-like promises from traffickers make women believe without any doubts, it will be like living in a loving paradise, earning much money or enjoying significant benefits from the government. These women were likely blinded by illusory temptations. The happier they felt on the day leaving Vietnam, the more scandal they experience on the day coming back to

their home country. Why? Because they didn't know that they were being sold to brothels by traffickers instead of going to luxury hotels. [I25]

Other interviewees argued that not only those who are unemployed but also those whose monthly salary is not stable in their current jobs appear vulnerable to ST as traffickers present a good future. In their experiences, these women are not satisfied with their current income and feel jealous of other friends who seem rich and fashionable. These officers showed on the basis of this psychology, traffickers give women job advertisements, which suggests they might make more money without working as hard as they are doing now. The police interviewees also revealed that opportunities for employment abroad are often listed, searching for shop assistants, waitresses, dancers, and/or domestic workers. These promises make victims confident of leaving their current jobs for another place where they believe that they can earn money easily rather than staying in their homeland (Kruger 2009). One police officer explained why one victim decided to follow traffickers to change her life.

She [the victim] used to work at a grocery store in a town making three million Dong per month [about AUD\$ 150]. This income is normal and popular in Vietnam. But she told me [police] that a lady from China promised to give her the same position in China with a salary that would be five-times higher. She trusted the lady's words and left the shop to go to China one week later. When I asked why she believed that lady, this victim answered being promised a high salary. That was why she departed for China. [I11]

In detail, one police from Laocai analysed that based on each victim's background, the techniques used by traffickers place women into forced commercial sex activities through deception. This method is often employed regarding those who are still young, look quite 'clean', and have less life experience as he clarified. Therefore, the police believed that traffickers use this as a psychological tactic to make women/girls sell sex through their arrangements. As one officer stated:

A common trick which traffickers use is to present a bright future with a high salary and a good job abroad. Women are often acquisitive without thinking about it again. Therefore, traffickers use the economy to effectively cheat their victims. I am handling a case of trafficking, for example, where traffickers entice victims to work as porters with a high salary in China. Four victims have followed these traffickers to go across the border to China before being sold to brothels. Pimps welcome them with sweet seduction when first landing at their brothel. Traffickers then spend some days persuading them to sell sex docilely as requested. They promise a lot of nice things such as money, shopping and touring. But all words are lies. [I17]

The following statement by one officer from Hochiminh, further confirms centrality of deception a method for enlisting victims.

Most trafficked people are cheated by the promise of finding a job or working in restaurants, and often refuse to sell sex when pimps mention sex services at first. After that, the owners continue cheating them by promising that they will only sell sex for a limited time before being released back to their home. However, they claim one more time, more, more, and more, until these women realise they are deceived by pimps. [I15]

As police interviewees explained the victims are deceived into finding a good job because the majority of them are poor. Many researchers have discussed poverty as an endless motivation for

victims who want to leave this situation by entering rich countries (Alvarez & Alessi 2012; Greenbaum 2014; Molland 2010). Using the solution of going abroad or moving to urban areas to find work when experiencing high rates of poverty in their hometown appears to be common (Greenbaum 2014; Molland 2010). In such instances, traffickers with promises of good jobs and high earnings more easily deceive potential victims (Kneebone & Debeljak 2012).

An example of the influence of poverty on the growth of trafficking victims appears evident in the mountainous places where there are few working opportunities. An official from Laocai described economic hardships in his province to support this argument.

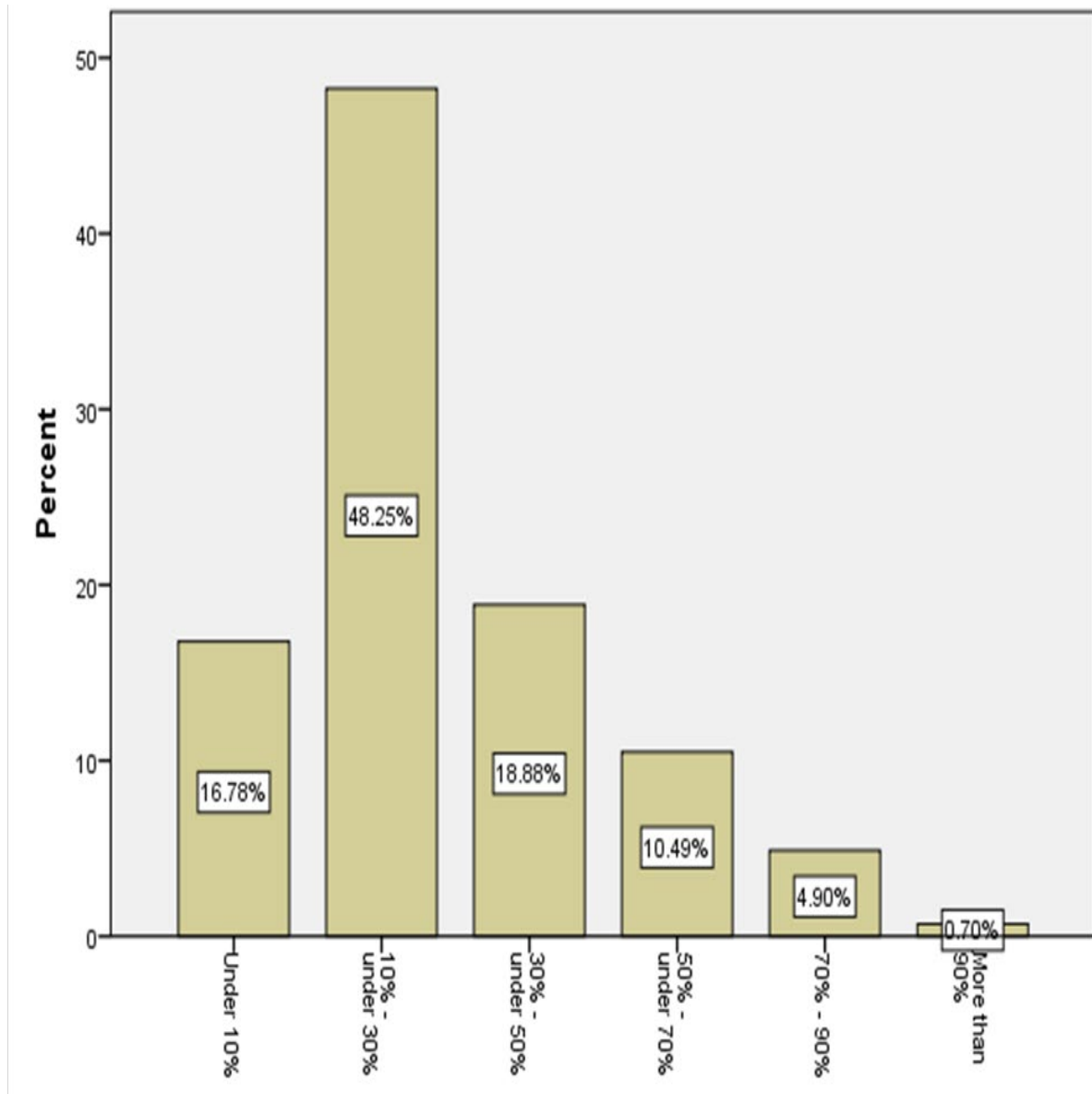
Being a mountainous province, the economic situation remains extremely hard. Citizens only work on farms, which aren't as fertile as in other provinces. There aren't other jobs for them to do. People here often face hunger yearly. In many communes, people don't have rice to eat and new clothes are too much of luxury for them. That's a big motivation for women who want to leave their villages for jobs with the hope that their economic hardships would be improved. [15]

These experiences from police participants confirm that the majority of victims of trafficking were adult. In their perceptions, victims were trapped by a good future with highly-paid jobs as traffickers offered when they faced unemployment and poverty in their hometown. Obviously, the solutions regarding work will be strategic for the Vietnamese government to address this crime in the future.

5.3.2. Child victims

The evidence from this research reported that police regard child ST as the cases sometimes happen. Almost two-third of respondents (65 percent) believe that the percentage of child victims of ST is under 30 percent (see Figure 5.3). It has been shown that traffickers prey on young people who face multiple risks factors regarding HT and sexual exploitation (Curtis et al. 2008; Greenbaum 2014). These include individual, family, peer, neighbourhood, community and societal factors (English 2011; Institute of Medicine & National Research Council 2013; Kara 2009; Kristof & WuDunn 2010). Based on prior studies, Greenbaum (2014) identifies vulnerabilities of children to ST (see Appendix 14).

Figure 5.3: Proportion of child victims of sex trafficking



The surveys in this study did not test the variables regarding 'risk factors'. However, in the inquiry regarding reasons why children were targeted by traffickers in the context of Vietnam, generally speaking, interviewees were concerned about their manipulation by traffickers, high profitability, and the growth of child sex tourism.

Young people are more vulnerable to ST than adults because traffickers find it easy to control them (CEOPC & BE 2011). Some ministerial police officials stated that manipulation is one of the main concerns for traffickers to maintain their effectiveness during trafficking periods. To this end, traffickers ultimately aim to sell victims to third parties in order to receive money. As these officers reported, children are favourable prey because of their lack of life skills, experience, and knowledge. They said that perpetrators apply varying means to control the movements of victims,

ranging from luring them, deception, and intimidation, to violence and rape. Therefore, children feel isolated and scared, and trust in whatever traffickers say in order to survive. As one of the interviewees described a lack of care of family members is a chance for traffickers to take children to destination countries.

In the countryside, parents often work in the farms or in factories, and children often stay at home and play with each other or by themselves. There may be some families in which grandparents look after their children. However, they often look at children rather than take care of them. Therefore, female traffickers try to get acquainted with children by giving candies or beautiful clothes, which attracts children effectively. Then traffickers invite children to visit other beautiful places in cities and play games there, which children dream about. These children are then taken to sell immediately. [I18]

Likewise, one interviewee noted the limited social knowledge of young girls as a factor making them vulnerable to ST.

Offenders often take advantage of some of the inherent weaknesses in young people, such as lack of understanding, limited knowledge, or credulity regarding other people. As in the case I have just told you, the trafficked girl was lured by her boyfriend's invitation that they could travel to Langson [shares the border with China in the north]. Meanwhile, she didn't know where it was located. Only because he attracted her with promises of beautiful scenery, easy shopping, and nice food did she respond to my concern regarding her motivation to move. [I10]

The following statement specifies how traffickers effectively extinguish the resistance of child victims during their trafficking journey where children undergo mental and physical pressures from traffickers.

With criminal groups, they willingly use beatings or take away food if child victims oppose them, for example, by escaping. One of my victims, who was a young girl, cried that she had been scared of beatings and violence from offenders. She was forced to stay in a brothel and sell sex many times per day otherwise she would experience death-like beatings from bodyguards. She was even raped by bodyguards when she went out without permission. That girl had lost all of her resistance due to physical and mental violence. [I24]

In other cases, several interviewees described traffickers as often targeting children who are runaways, homeless, or living on the streets to sell into the sex industry. The authorities and the public pay less attention to this group in major cities and traffickers feel confident in keeping them hidden. As one officer stated in regards to his experience:

I [police] believe that children who are living on the streets, lacking the care of family, or are homeless, appear much more vulnerable to ST than others who have family. Some criminal groups collect child wanderers to sell into brothels because functional agencies like us have no numbers regarding homeless juveniles. This is because they can be staying on this street today, but tomorrow they go to another road... Therefore, they disappear out of our area for many reasons, for example, they were sold abroad. [I23]

Additionally, some police officers discussed the high financial benefit to be another reason why predators prey on young people to recruit and sell. These interviewees expressed that there is no consistent price for their trafficking business, however, traffickers can earn much more money by selling young girls to brothels. In particular, virgin girls are sold at very high prices in the sex

market (Bales 2012). In underground sex work, these transactions often take place with rich men who willingly enjoy virgin girls at any cost, but the interviewees admitted that traffickers find young virgin girls by accident rather than on purpose. The interviewees still believed that the traffickers are well-paid for the young girls in the sex business. Indeed, one investigator said:

In the sex business, sex workers can be young, mid-aged, or even old, supplying for the sexual demands of each kind of customer. But, the facts show that sex purchasers normally select young women and girls who can bring more lucrative value to traffickers. As far as I know, brothel owners pay traffickers more money to recruit young sex workers. This happened in the case of ST we mentioned above. Linh sold Hoa for 20 million VND [about \$1,000], but he only received 15 million VND [about \$750] from selling Phuong because she was older than Hoa. For virgin girls, the money traffickers earning are many times higher than other girls. [I20]

Interestingly, because of the high profits associated with selling virgin girls, traffickers devised some tricks to deceive brothel owners before selling as commented by some police officers. Specifically, these officers said that some girls were taken to see doctors at private clinics, where traffickers asked the doctors to restore the hymens of those girls who were considered girlfriends of the traffickers. Indeed, one official from Hanoi described the phenomenon of hymen reconstruction for young victims in order to make more money.

Some traffickers are actually very shifty and dodgy. After recruiting young girls, they [traffickers] think how they can make these girls virgin if their virginity has been lost. Based on some ads on the Internet about beauty services, they can find some private clinics to take their girls and patch up their hymens. Traffickers do that with young girls many times to deceive their customers who pay a large amount of money to have sex with virgin girls. [I22]

Finally, police participants identified young males as suitable objects for a new trend in trafficking, so-called child sex tourism, which has been recorded in Vietnam (USDOS 2015). The tourism industry is ever-changing with multiple 'entertainment' options, which helps the growth of the child sex tourism, particularly in developing countries where the cost of sexual services is cheap, and sex purchasers remain hidden (Hughes 2004). What is more, the development of the commercial sex industry increases the threat to women and children (English 2011; Cotter 2008). One ministerial official likewise spoke of the link between trafficked children and domestic child sex tourism.

Today, Vietnam attracts millions of foreign tourists, as well as tens of millions of domestic tourists per year. The more widespread and lucrative the tourism industry becomes, the more dangers children face when it [the tourism industry] diversifies the forms of tourism services, including sex tourism which attracts more foreigners to travel to Vietnam to enjoy paid sex from children. Boys are also kidnapped for this purpose. It's extremely aggressive and reckless. Due to the increasing demand for sex with children from foreigners, they [traffickers] ignore their own conscience and conduct abductions for money. [I13]

In summary, police in Vietnam believed that traffickers perceive young children as easy prey because they are simple to control, and provide lucrative benefits, and because of the growth of child sex tourism in Vietnam. However, these participants have also analysed some different points, such as the connection between virgin girls and sex tourism, and ST victimisation in the context of Vietnam.

5.4. Employment problems

5.4.1. Occasional employment

As discussed in Chapter 3, populations of citizens in the mountainous provinces where borders are shared with neighbourhood countries, tend to go to these destination countries to find jobs after they finish harvesting rice and corn in their homeland (Dang 2006a, 2006b). In the mountain areas, police interviewees described the migration of citizens to participate in seasonal work in China. They reported that after harvesting rice, people in these provinces have no more work, so they have about two or three months of free time. Some interviewees considered this migration as a habit for local citizens to earn more money when they are free from the rice harvest. They go on analysing that these individuals normally migrate in a small group, and have prior contact with owners/managers in China. However, traffickers recognise this habit as a favourable situation for them to go to the villages to recruit labourers with promises of high salaries as some police share their experiences. As one interviewee from Laocai reported:

In my province, many people often find jobs in China after finishing harvest. Because they only work one season per year, they have much free time. Every year, they move to China in a small group to work for some months and return to their home before starting a new harvest. But recently, bad guys [traffickers] have entered the village to deceive women with offers of lucrative jobs in China... They [traffickers] presented the prospect of a promised land in which there was light work, high income, and a full material life. Many women in the village believed these promises of traffickers and were sold to Chinese brothel owners who forced them to sell sex daily. [19]

Here, police participating in this study confirmed although job offers are traditional techniques used by traffickers, it is more convincing for these women because they are used at the exact time when victims typically have no work. One police officer argued that Vietnamese labourers are always hard working. In his explanation, they never let themselves have free time, so they find out how to work when having no employment after the main harvest. He also said that if someone introduces them to work in this free time, they will be willing to do this to make money. This motivation encourages them to work abroad, as the traffickers recommend. As one female officer from Langson explained:

The nature of women is hard working, nice and honest. When having free time after the main harvest (thang ba ngay tam), they may go to China or other domestic cities to find jobs. Of course, they only work for a short time until the new season starts. That's why we [police] sometimes find the sudden disappearance of these women in their communities. But, many are deceived, and sold into brothels in Chinese neighbouring provinces. In fact, traffickers select the correct time to lure them to work; when women want to find jobs to increase their income. [125]

Another interviewee lamented how the number of women missing without reason in the mountainous communities, and even the countryside areas, has increased. He said that the authorities cannot manage this situation, as people migrated to work in neighbouring places, either domestic or cross-border. He also added that many of the missing women are also engaged in trafficking for sexual exploitation due to the influence of labour migration. As this officer stated:

The life of citizens here is hard. One year, they can make around 11 million Dong [about AUD\$ 650] after harvesting and selling their products. However, they must cover living costs with that amount of money. So they must search for seasonal jobs to improve their income. This is a good chance for recruiters to attract them with work abroad with high wages. I think most of them agree to do this in the short term, as promised by traffickers. However, only after landing in brothels do they find they have been cheated. [I19]

Overall, police experience in this study indicate that seasonal jobs are used as traps for Vietnamese women for ST when traffickers target the correct time to recruit. These officers believed that the habit of migration in some populations in the mountainous provinces to find seasonal work facilitates this. Therefore, police noted that traffickers primarily focus on those who have free time after harvesting, and, in doing so, raise challenges for policymakers to address this situation.

5.4.2. Sex workers

It should be noted that sex workers can also become victims of ST (Brunovskis & Surtees 2008; Demir & Finckenauer 2010). When it comes to discussing the notion of ideal and deserving victims, sex workers are not identified to be victims of trafficking because their actions are not respected and they violate the laws (Marmo & Chazal 2010). However, some police interviewees in this research did identify sex workers as victims of ST. These participants found that in relation to the sex industry, traffickers try to deceive sex workers to move to another country for many reasons, mainly safe working conditions and high income, which were likely convincing. They thought that even ex-sex workers who had been punished with administrative sanctions from authorities were still targeted by traffickers because these prostitutes did not know how to earn money to maintain their life.

As previously stated, sex work is prohibited in Vietnam (Hoang 2011; Voelkner 2014). Accordingly, police said that traffickers recruit sex workers by suggesting safe work conditions when selling sex abroad. The following comment suggests that sex workers focus on the legal status of prostitution in destination countries when deciding to depart with traffickers.

I heard from some victims that their safety was ensured when working as sex workers in destination countries. In Vietnam, they felt worried about police who can raid brothels and arrest them anytime because sex services are illegal. But they can feel free to sell sex in Thailand or Malaysia where they believed that governments permit it to happen, as the traffickers said. Good money and safety in those places are excellent for them [sex workers] to sell sex abroad rather than doing it in Vietnam. [I15]

Another story also describes the obsession of sex workers with the police force when they sell sex in Vietnam. Despite earning considerable money, these sex workers always feel unconfident and unsafe when participating in paid sex activities in Vietnam as some police reported. These police explained that in the thought of victims, sooner or later the police were going to arrest them for selling sex illegally. Therefore, police found that traffickers often mention a good strategy for them – which change working places by going where their work is at least legal. This motivation

illustrates fear as a reason for sex workers leaving with traffickers. As one interviewee mentioned:

Some trafficking victims are sex workers. When interviewing them after rescue, one young girl told me that she had been afraid of police who could arrest her if she sold sex in Vietnam. She trusted in the traffickers who recommended that she worked in Thailand where the sex industry is legal and developed. She departed for this country because she didn't want police to arrest her someday. [I21]

However, another officer explained that sex workers' involvement in sex work abroad stems from the fact that they believe in hiding their fate in their homeland as some interviewees discussed. In other words, these sex workers feel safe and confident to come back home because no one knows about their jobs in other countries. One senior officer spoke of this psychology in some cases.

To be honest, some sex workers are extremely sophisticated. They have much experience dealing with functional agencies and the public. One sex worker – a victim, told me [police] that she agreed to sell sex but this happened in other countries. It never happened in Vietnam. I asked her why she did this. She replied anxiously that no individual in her village knew that she sold sex abroad. If she did this in Vietnam, she could meet her acquaintances suddenly. After selling sex abroad, she wanted to marry. Hence, she kept her job hidden. [I5]

Another officer added:

When I questioned the reason why she left home to sell sex in China, she said for money and the secrecy of her destiny. But behind the high income, she believed that she could hide her destiny as a sex worker if she worked abroad. No one could know whatever she did in China. [I22]

Among reasons for entry into the sex industry abroad, the participants believed that they were deceived about high income. An experienced official at the ministerial level depicted the method of traffickers to recruit sex workers via extremely high salary in the following stories.

One of the victims already told me that she would sell sex for one-two years in China until she had made enough money to cover her future life because the trafficker told her that she could earn hundreds of dollars per day by selling sex in a Chinese brothel. It was a big dream for her to decide to move and sell sex in China. She estimated that after one year she could run a hairdressing shop in her homeland and pay for living costs. But another victim told me that her son would start at university within two years. She listened to a friend of hers regarding participating in paid sex acts in Malaysia with the hope that she would make good money in two years before returning home to cover the studying fees for her son. [I24]

Taken together, police experiences suggest that there is a close association between employment problems and ST victimisation in Vietnam. There are some innovative findings in this research showing that the temporary nature of jobs creates good opportunities for traffickers to prey on victims, and sex workers are also potential victims. As noted by Tucker et al. (2009), the employment problems are frequently associated with educational problems regarding the increase in HT.

5.5. Education problems

5.5.1. Low level of education

One of the groups most vulnerable to trafficking is identified through a lack of educational opportunities (European Commission 2012). This correlates with several studies on trafficking in

persons that observe victims are often poorly educated or have limited education (Daniel-Wrabetz & Penedo 2015; Greenbaum 2014). Police participants in this research confirm a relationship between low education and ST victimisation. For example, victims of trafficking do not know what ST constitutes, what methods traffickers use, or what their rights are. Consequently, they do not think that they are victims although they have already been trafficked into brothels. As one official concluded, a lack of education greatly influences victimisation.

The level of education in victims is very low. In particular, some victims experience illiteracy. I am telling the general situation of victims, and not implying this is specific to ethnic groups because they don't know how to speak in an official Vietnamese manner. It is too difficult for them to know and understand whether one person is a trafficker or not. Traffickers take advantage of this vulnerability to offer chances of high paying jobs in other places in order to deceive or attract victims. Even when they were sold into brothels in China they didn't understand their victimisation. [12]

Another male police officer from Langson added that low education levels in victims contributes to the hidden nature of victims and interruptions in police responses to address this crime.

For a woman who hasn't completed primary school or doesn't know how to read and write, it's too hard for her to understand if she's a victim of this crime or not. We can't expect anything other than silence from her when interviewing. I know it isn't good for her, but we can't investigate further. [18]

Police interviewees argued that this practice identified a wide range of advantages that allowed traffickers to target those who are poorly educated and might become potential victims. These officers added that at recruitment time, it is more convenient for traffickers to persuade these victims due to their limited knowledge and understanding about society and other problems. So far, police in Vietnam believed that whatever the traffickers describe looks interesting, and like other new things, deserves acceptance by victims. As one officer stated:

They take advantage of the limited education of women who haven't finished their primary or secondary school to deceive them... Whatever they tell, these women haven't heard, or known or understood. But the women still go with them. Even traffickers become benefactors in the minds of these women. [116]

This is also beneficial for traffickers during the exploitation period when controlling victims as one male police officer from Haiduong explained, uneducated victims who remain fearful when going abroad completely depend on the traffickers who threaten them with images of police and laws, which terrify the victims.

One of the most evident indicators of this low level of education is limited knowledge and understanding. They [victims] may be unaware of laws, they fear intimidations from offenders, such as reports to police. As a consequence, victims must obey whatever traffickers ask. If not, they [victims] believe that traffickers will punish them. [115]

In conclusion, police officers in this study provided important evidence regarding a substantial connection between the limited education of victims and the nature of manipulation from traffickers, as they did not recognise the nature of trafficking, their legal status, or their rights.

5.5.2. Interrupted education

This research also supports another argument, which indicated that those who interrupt their education are also at risk of becoming victims of trafficking (Daniel-Wrabetz & Penedo 2015). When examining the characteristics of victims of ST regarding education, several participants described the situation of girls who interrupted their education for many reasons, such as financial difficulties, and lack of motivation to study. When having been asked who are victims of ST, police officers in the mountainous areas indicated that many victims of ST postponed their studying due to economic problems. The same question to police officers in the countryside and cities, there is another pattern that victims of this crime are described with the reason for leaving school early as a lack of motivation. These police officers added that the negative effect of personal hobbies caused interruption in studying, which enabled ST victimisation in Vietnam's young generation. A senior official offered some of the reasons related to ST victimisation.

Most of them only completed secondary education or had interrupted education for many reasons, for example, financial difficulties, and loss of studying motivation. Such a low foundation of education limits social understandings, which traffickers target to deceive or lure because victims don't recognise or know how to prevent it from happening. [125]

This statement supports the link between economy and education in the growth of trafficking, as discussed in the work of Tucker and colleagues (2009), education problems are negatively influenced by poverty. A police officer from Laocai illustrated how discontinued education of victims can be caused by economic challenges.

We were sympathetic to some victims who stopped their studying due to not having enough money to pay fees. Economic difficulties prevented them from continuing school. Here, they still faced poverty, especially in remote villages. They didn't have enough food to eat. Many adolescents of studying age must leave school to earn money, sharing responsibilities with their family. Their studying wasn't completed and social understanding was limited, and meanwhile they were in search of jobs. These conditions facilitated traffickers to recruit them through job advertisements. It isn't surprising that traffickers persuade these teenage girls to enter into sex work in China. [15]

This statement indicates how when lacking finance, the study dreams of victims could be postponed and replaced by other priorities for their survival. In these cases, as some police reported that they were encouraged to work, rather than study. These officers believe that this creates a good opportunity for traffickers to recruit victims via job advertisements. In addition to this, other officers illustrated that some families had a number of children and the parents decided who studied, who temporarily stop studying, and who stayed at home. As one police officer explained older children often have to give up studying to facilitate the studying of younger ones because their parents only spent a certain amount of money on study for each child in the family.

In my jurisdiction, some parents don't have enough money for six or seven children to go to school at the same time... [S]ome of the children here must stop their studying, which is replaced by the studying of younger children. The older ones also want to earn money to provide financial support within their families. Some victims told me [police] that they had trusted traffickers because they had been in need of jobs as a way to help their parents

cover other living costs. [112]

When it comes to loss of motivation regarding studying, several participants noted that some adolescents give up school because they find it too tiresome and boring to continue, even though their families support their education as much as possible. According to these officers, they lose pleasure and passion at school, meaning they might be negatively influenced by their peers. These relationships are viewed as bad connections relating to law violations as concluded by one policeman in Haiduong.

Many adolescents decided to give up school to follow their peers, including boyfriends, and to enjoy life rather than studying at school. From the stage that they spent less time on studying to the period that they were victims of ST, doesn't take long. Girls left school and started participating in some bad habits of the young, such as using drugs, going to bars, or attending karaoke parties, and so on. These activities require much money that they can't get from their parents. That's why traffickers sell girlfriends into brothels to make money. These girls are taken across the borders without knowing that they will be sold as they still believe in parties hosted in China, as their boyfriends-traffickers promised. [120]

Some participants discussed other indicators of losing motivation to study, such as spending more time on their personal hobbies, frequently attending bars or karaoke shops, going shopping more often, and going out in the evening rather than staying at home. These participants also talked about how traffickers prey on those who expressed their hobbies, such as shopping and the online dating of tourists, to take them to new locations before selling. In their explanations, due to a lack of education, victims do not recognise that their interests may push them into the trafficking stories later on. For example, offenders who were the boyfriends of female victims tried to encourage shopping on their dates. The more trust they received, the more chances traffickers had to take their victims shopping, however this was really a plan to take them to China. As one interviewee illustrated:

Many young victims were sold by their boyfriends. A common method of traffickers was to conduct fake loving relationships and then invite victims to go shopping in big centres. In the 2000s, Chinese items were the favourite for young victims in Vietnam. At that time, Chinese clothes were seen to be a luxury, and therefore, many young females living in the countryside were deceived to go to border gate markets in Langson to buy clothes. But the fact was that they were transported to China by their boyfriends who didn't have any other intention. [119]

Since the Internet's explosion, many police officers reported that traffickers have used it to recruit victims through online chat rooms, Facebook communication, or other Internet-related activities. It is reported that young girls have been lured before being sold by young males after creating online dating relationships (USDOS 2013). Several participants also described the negative influence of the Internet on the victimisation of young girls in Vietnam. They claimed since Facebook and Zalo have become popular in Vietnam, the younger generation is likely to be 'addicted'. These officers added that whenever they have free time, they sign into their accounts on Facebook and Zalo to chat with each other. Police experiences shared that they get acquainted and communicate with strangers without having any information about these people. Then traffickers persuade their new girlfriends to go and enjoy new and beautiful places together as illustrated by many officers. They

though that this is such a well-prepared script to cheat and sell young girls that no one can respond to it in time. For example, one captain stated:

I [police] don't know why young girls are addicted to using Facebook and Zalo which can make them prey for traffickers. Recently, we found that offenders used Facebook and Zalo to make friends, chat and then deceive young girls. They [traffickers] seduced these girls to move to new locations which they [the girls] hadn't been to before. The girls wanted to show off to their friends on Facebook that they had good boyfriends. They often agreed to go without asking when they would be coming back until they were given to strange foreigners. Then they cried and asked who they were. [14]

Another interviewee described how traffickers prey on young girls whose interest was to chat on the Internet. He added that these girls frequently spend a great deal of time chatting with online friends at Internet shops. His knowledge showed that traffickers use nicknames to cheat and ask them to pay money, such as their fees for the Internet usage. This interviewee called it 'cuu net'; a method to get acquainted and create trust with potential victims before deceiving them to go to border gates to buy clothes, and then selling them to brothel owners.

Many girls spent more time chatting at Internet shops than studying at school. That was why they weren't able to afford the fee for their Internet usage. In such instances, they contacted other guys who were willing to pay money as a way to express their relationship. This action was called 'cuu net' and the girls started to believe in these guys. Then they may drink or have dinner together as a date. From this time, the guys suggested to travel to border gates in Langson, or Quang Ninh to buy clothes. It was likely to be great by the girls who didn't know that their boyfriends [traffickers] taking them to China to be sold. [112]

Police participants identified vulnerabilities of ST victims who interrupted their studying, such as lack of finance, motivation to study, and personal lifestyle. In their perceptions, these factors allow traffickers to approach and deceive victims purposefully and easily. Additionally, these officers revealed that victims with high education are also targeted to become commodities in the business of trafficking for sexual exploitation in Vietnam, which will now be explored.

5.5.3. High level of education

It is uncommon for contemporary literature to record those who have a high level of education as becoming victims in the transaction of trafficking (Omelaniuk 2005). A high level of education was defined by several participants in this study as those who continued studying after high school, such as at college or university. However, as one participant from Laocai described, some girls studying at college or university were still sold into brothels.

In terms of the educational characteristic of victims, most of them were poorly educated. Some finished primary or secondary education. But in some special cases, victims were students of a university, college, or vocational centre. [110]

It is evident that being a student of a university/college does not mean that they cannot be sold into the sex industry as he explained. In detail, he said these cases occur when the victims find they lack life skills in these challenging instances. This officer from Laocai offered his thoughts on the matter.

Most of the victims have no knowledge regarding campaigns about trafficking and other problems surrounding this crime. But some of them told me that they knew and understood HT because they also participated in anti-trafficking education classes at their college. To me, I am still impressed by a victim – she was a student of a local college. I asked her ‘why didn’t you protect by yourself from being trafficked?’. She told me that she would like to try it in practice. [110]

This statement was supported by a story about one victim of ST where a murder was related to the trafficking as policewomen in Langson reported. Despite being a university student, she found that the victim lacked the necessary life skills to avoid the traps of trafficking and its consequences.

Generally speaking, the level of education regarding victims of ST remains different. For example, I [police] am in charge of an investigation where three girls who were students at Hoalu University followed the traffickers’ sweet words to work in China as tour guides. They didn’t verify these words. Instead, they believed it to be a good chance for them to have a part-time job during their studying. Unfortunately, they were raped many times by traffickers on the way to China. Then they were sold to brothels in China. Over nearly a year, these girls were forced to sell sex many times a day. Being heavily exploited regarding sex, they couldn’t stand their sexual slavery in brothels under the pressure of the owners, and they killed the owner of a brothel and came back Vietnam. Bitterly, they are both victims of trafficking and offenders of homicide. [125]

In its entirety, police participants in this research describes variations in the education of victims of ST. Although it does not show which level of education is the most common, the spectrum is likely to be wide, ranging from the illiterate and poorly educated people to highly educated individuals. Among the identified reasons regarding the education problems of victims, the image of the family also contributes to ST victimisation in Vietnam.

5.6. Family problems

5.6.1. Families with disruption

It is shown that conflict, disruption, or other problems happen in families and this may result in runaway or homeless children who are likely to exchange sex to survive (Estes & Weiner 2002). Greenbaum (2014), for example, claims that children who either experience a broken home, have little family assistance, or witness domestic violence in their home are easily seduced by traffickers who willingly offer charming love, presents, compliments, and care. Police in Vietnam showed a tendency towards runaways appears to be evident in homes with serious dysfunction, which traffickers may take advantage to recruit potential victims of this crime. One female police officer spoke about the negative side of broken and dysfunctional families on children who were targeted for sale abroad by traffickers. She explained adolescents who came from such families did not receive attention or love from their parents. She added children in these cases were the most disadvantaged individuals as their parents usually had conflicts, beatings, and then got divorced. Indeed, the children of such relationships were more vulnerable to trafficking for sexual exploitation as she concluded.

When I [police] interviewed one young girl who had been returned by Chinese police, she told me she had been homeless. I felt her insensitivity when mentioning her parents. To her,

they [her parents] were non-existent in her life as they only had arguments and violence, rather than attention and love for her. She had felt very unhappy and went out of her house to ignore her dolorous destiny. Even her parents had no care regarding her survival. That was why she agreed to sell sex to ensure a life in China as her boyfriend seduced her. [125]

Other interviewees described the effects of heavy psychological pressures of children in broken families on ST victimisation. Their experiences expressed that it is unsurprising that such children might leave home, interrupt their study, join a bad group of friends, or even experience social problems as a way to forget their current unhappiness. They also considered that impulsive teenage psychology can make them unable to control their emotions and thoughts, which facilitates traffickers (often their boyfriends or friends) to deceive and sell them to brothels. In these explanations, these traffickers understand that adolescents may do anything to release family stress, and more seriously, may harm themselves by drug consumption. This is exactly what offenders wanted when committing trafficking as one captain noted.

Breakdown of parents can lead to a greater negative influence on children whose psychology is still unstable. As a consequence of a broken family, they [juvenile] may react negatively, such as participating in social problems. This is a good condition for offenders who play roles, such as boyfriends or friends, to entice juveniles to sell sex as a way to make money for drug consumption. Later, they [traffickers] sell them [victims] to brothel owners in China. [14]

This official mentioned it was not only children but women – the wives in broken families and/or family conflicts – who may become the prey of traffickers. As he described, women in Vietnam still experience gender discrimination by patriarchy, meaning they could suffer violence, bad words, and/or social problems from their husbands, but this could not last forever. He continued that many women in such unlucky circumstances chose to move abroad in search of their freedom through the promises of traffickers. As a result, he believed that these women want to escape from beatings, ongoing arguments and stress with their husbands, and the prejudicial view of society. Therefore, traffickers lure them to go to new locations with the hope of starting a better future as he ended his experience. Another officer added that in the minds of these women, working abroad is a chance for them to assert their independence in a currently feudal society. He said the traffickers motivate them to work in another country, when in fact, they only receive the lies, even though they devote all of their faith to the traffickers' promises.

[P]erpetrators were very wise to identify the weaknesses of women whose families have broken down. They [traffickers] persuaded and promised them [victims] to go abroad to change their life and ignore their old family. They knew how to share and sympathise their emotions with them at this time. Therefore, these women were very trusting of them and were willing to do what the traffickers asked. As some women said, they had known they were working in brothels to make as much money as possible in a period of time, then they went back to their homeland if the family problem wasn't bad. To these women, it was a positive motivation to continue their life, as the traffickers analysed. [14]

Police participants in this research showed their experience that in an industry where sexual exploitation brings enormous profits for traffickers, it is not surprising that these perpetrators try to target families at risk to recruit potential victims. What can be drawn from this is that not only are

there vulnerable factors regarding families identified by traffickers, there are differences in different cases. Thus, this analysis of the Vietnam context highlights the existence of other family features impacting on ST victimisation.

5.6.2. Families with debts for social problems

Some officials emphasised the risks of ST for members of families having problems with gambling when having been interviewed their perceptions on victims of ST. These officers explained these trafficking cases occurred when husbands are addicted to gambling, and spend all of their family's money. One of these interviewees echoed that when they run out of money, they will sell items from their house. She lamented that the more these husbands promise, the more disappointed their children and wives become. She showed an inevitable consequence of gambling and domestic violence where husbands are often violent to their wives and children who gradually felt fed up with their families. This policewoman told that these women and children are in a deadlock status from which they cannot exit. She also found this facilitates traffickers who seduce these women and children with promises of a better life in other countries where they would not experience the violence of husbands or fathers anymore. One police officer from Hochiminh lamented the relationship between gambling-addicted husbands' violence against wives or children, and ST.

In the southern border provinces near Cambodia, it's common that males go across the border to gamble in Cambodian casinos. But, no one can come back home from Cambodia with any coins in their pocket. The more they lose, the more addicted they are. I think there is no stopping point for these gamblers who get all the money from their wives and children. It's bad luck for families where husbands or fathers are addicted to gambling. Sooner or later, those families will be broken because women can't stand their life with a gambling-addicted husband who is ready to beat them to get the last of the money. Ongoing beatings are consequences of having no money for them to play. Therefore, women want to leave their family. But that is a good chance for traffickers who encourage them to go abroad to make money, and at least escape from the violence of their husbands. It isn't unusual that such ST cases have happened over several years. [118]

Other interviewees analysed that in more extreme measures to obtain money, gamblers take their children to sell to casinos in Cambodia as a way to pay their gambling debt. A senior police officer outlined the case of ST in which a 14-year-old girl was sold by her father.

One of my victims told me her father sold her to a Cambodian casino because he couldn't pay debts relating to gambling. He promised that he would take her home, but that day never happened until our rescue. The manager of that casino sold her to a brothel to make money because her dad didn't have enough money to pay debts. [117]

When it came to families with drug problems, some police officers shared stories about victims of HT whose family members were addicted to drugs. However, this situation largely did not occur in the study sites of this research. As the comment below illustrates:

In some special cases, we [police] investigated traffickers who sold their children for their drug use. Because of money consumed to use the drug, they [fathers-traffickers] had no ways to make money aside from selling their sons or daughters. To them, debts for drug use

only rocketed, never go down. [13]

In terms of debts, children and women in families are considered as the only way to guarantee the family's survival when either they can sell sex to earn money to pay for the debts, or the girls are sold to achieve this (Gugic 2014; USDOS 2006b). In some cases, the girls are sold as the only way to ensure the safety of the whole family, which is used for the payment of debts (Gugic 2014).

However, it should be noted that some adolescents are willing to leave their home to work in other destinations and consider it a good way to overcome the family's debts (Greenbaum 2014).

Furthermore, Lloyd (2012) points out that people in rural areas with limited knowledge of trafficking may still believe that their children will have a better life in neighbouring countries and traffickers would look after them carefully. As one experienced senior official reported:

I [police] still remember one case of kidnapping that happened in 2012, in Nghean [name of a province in Vietnam]. Due to a collapsed business, Vinh [name of victim's husband] wasn't able to pay his debts. The creditor hired a criminal group to kidnap Hue – the wife of Vinh [the debtor] when she was on the way home from her office. Then they [offenders] continuously called Vinh to put pressure on him to pay his debts. But Vinh couldn't get enough money as they requested. Unfortunately, they sold her to a brothel owner in China which was near the border with Vietnam as a way to pay for the debts of the husband. In this case, I found that the perpetrators were very confident and willing to kidnap family members to put on pressure regarding the payment of debts. If families didn't answer their requests, they would sell the victims to make money immediately. [125]

This official went on to explain that children were also considered as valuable assets to pay for the debts of their parents. As he described perpetrators may target children to put pressure on their parents who must find ways to pay the money because the parents and grandparents of these children love them so much. Hence, he believed debtors would be enthusiastic to pay to receive their children as soon as possible. This happened in the case discussed by a senior officer from the ministerial level.

The victim was a ten-year-old girl. Her father borrowed money to run a gas business, but it bankrupted. They [offenders] called him [father of victim] to pay the money or they would sell her to a brothel to pay for the debts. He paid them half of the amount of the debt, but they wouldn't release her as they wanted him to pay the remaining debts. Initially, he didn't report this to police in case the offenders harmed his daughter and they only threatened to sell her. Unluckily, when he did report to our agency, that girl had been sold into a Chinese brothel and all of the offenders also stayed in China. We spent more than one month trying to find that girl with the assistance of Chinese police in Yunnan. [125]

Aside from parents, many officers reported that lovers/boyfriends also consider girlfriends as payment for debts caused by gambling, prostitution, drug abuse, or personal spending. Here, these interviewees commented the cases discovered were different from the cases where traffickers pretended to love girlfriends before selling them. In such cases, these officers found the young couples were truly in love. However, because of conflicts regarding love, the economy, or supporting their families, they then say goodbye to each other as the police participants analysed. This was a vital parameter in a trafficking story as one participant reported:

That case happened in 2014, Luan and Luong could not get married as they hoped because Luan was drug addicted. Luong asked him to give up many times but he could not do as his sweetheart desired. This story would not be worth telling unless the fateful appointment happened. Luan gave a reason to say goodbye forever after they dated, and Luong accepted this without any doubts. Cruelly, he chloroformed his girlfriend to take her to his creditor as his payment for a debt. After that, this girl continued to be sold many times in brothels in Hekou [China]. At the beginning of this year [2016], she escaped from her detention and reported her case to police. [13]

These results indicate that in practice police in Vietnam found children and women are used as goods to exchange or pay the debts of traffickers. This means that police face immense pressure in their efforts to find trafficked people in all family circumstances because each family has different features, and traffickers use different techniques.

5.6.3. Families with a number of children

Some participants indicated that families with a large number of children are likely to be targeted by traffickers. It is worth noting that this finding only emerged when interviewing participants who are working in the mountainous provinces. When asked about this problem, these interviewees were unanimous in the view that having many children was the custom and habit of some ethnic minorities, and that these people may give their children away due to causes, such as economic difficulties, or to couples that cannot give a birth. This is also a good chance for traffickers to obtain children to make money as some of them concluded.

Some participants explained that the parents are unable to look after their children as well as possible because they have economic difficulties. To take advantage of this weakness, they experienced that traffickers visit families and mention the sale of their children for adoption or other convincing reasons. Therefore, these officers explained it is normal for them to give one child of theirs to traffickers for good purposes. Some interviewees added that in the mind of birth parents, the adoptive parents of their children will be able to ensure a better life for them. Due to limited knowledge and understanding, these parents are easily seduced by small amounts of money, gifts, and the charming words of traffickers as many police experienced in the past.

In ethnic groups, families often have a large number of children. I think at least they have five children and they give birth yearly. Frankly, their economy is very difficult. They do not have enough rice, corn, or other food to eat in a year. They often receive food assistance from governments, so it is hard for them to raise such a large number of children. Traffickers understand this situation and go to villages to ask to buy children to adopt as they can't give a birth. Some gave them two or three million VND [Vietnamese currency] to persuade them to purchase one child, and they did. In these communities, this phenomenon happens a lot without thinking of the consequences later. [13]

This statement supports the argument that parents in isolated rural areas believe that their children may have a better life with the traffickers (Greenbaum 2014). However, police shared their perceptions that this belief only happens in families with many children, therefore it can be stated that children in these families face a higher risk of trafficking.

5.7. Conclusion

Through the results of surveys and in-depth interviews, this chapter has identified police perceptions on indicators of ST victims in Vietnam. Specifically, data in this study supports the view that victims include males and females, as well as adults and children. Depending on characteristics of gender and age, participants presented the interplay between vulnerabilities and victims of ST in the case of Vietnam. This is first study to officially record male victims using empirical research focusing on police experiences because national reports only mention females and children as victims of this crime in this country.

The police participants also saw employment problems as playing a vital role in victimisation. The sample in this research additionally established that victims of ST were also those who were in search of occasional occupations after harvesting crops in their hometown. This was reflected in discussion regarding the mountainous areas. Additionally, the participants confirmed that sex workers were also victims of ST when they were trapped by traffickers' promises of making good money in foreign countries. This finding in contrast to the argument that sex workers are underserving victims of trafficking.

Another key feature of the findings in this research was that the educational status of both uneducated and well-educated individuals was identified as another factor for trafficking victimisation. Finally, the participants identified how family problems influenced victimisation in the field of ST. The prevalence of violence against women and children also contributed to victimisation: broken families allowed traffickers to have a chance to recruit victims who could not put up with their current circumstances. In addition, the participants discussed social problems, such as gambling, drug use, and alcohol misuse, which made women and children more likely to be preyed upon. Another finding was that families with numerous children in the remote areas of Vietnam were also more vulnerable to trafficking.

What this study has shown is that the profile of victims of ST can be diversified. They can be female or male; they can be adults or children; they can be migrants for work, or sex workers; they can be illiterate or well-educated. Based on the perceptions of the police of victims of ST, they can identify and assist these victims. The findings of this chapter, therefore, are now able to facilitate an examination of the police identification of trafficking victims in practice. This will be presented in the next chapter.

CHAPTER 6. IDENTIFICATION OF VICTIMS OF SEX TRAFFICKING: CHALLENGES FOR POLICE

6.1. Introduction

This chapter focuses on victim identification by police. Members of the police force play a central role in identifying victims of ST based on their specialised training and the duties with which they are tasked (Clawson & Dutch 2008b). The methods used by the police to identify victims include tips from citizens, victims' reports, the investigation of other crimes, stings, and intelligence (Farrell et al. 2012). However, it is argued that police are biased towards traditional techniques to identify victims of trafficking, instead of developing innovative techniques (Farrell, Pfeffer & Bright 2015). Additionally, the police faces numerous challenges when identifying victims of ST. Therefore, the first section of this chapter will examine the techniques employed by Vietnamese police for the identification of victims in practice. Police mainly consider reports of trafficked people and their family, notifications of citizens, referrals from other agencies, extra investigations for other crimes, and intelligence, as primary ways to identify victims. Drawing on these findings, the rest of this chapter will then discuss obstacles to identifying victims in Vietnam.

6.2. Police identification of victims of sex trafficking

6.2.1. Police reactive approaches

To find the ways police identify ST victims, survey respondents were asked: 'In your experience, could you tell me by what methods you identify trafficked victims for sexual exploitation?'. The results of this question reveal that police participants identify victims of ST predominantly by drawing on reactive strategies, and that proactive approaches are limited. Patterns in methods of victim identification are presented in Table 6.1 below.

Table 6.1: Methods employed by police to identify victims of sex trafficking

Methods to identify victims		Responses	
		N	Percent
Reports of victims or their families		137	19.5
Information from other LEAs		140	20.0
	Information from border guards	79	11.3
	Information from international police	61	8.7
Citizens' reports		117	16.7
Referrals from other agencies		90	12.9
	Referrals from service providers	42	6.0
	Referrals from NGOs	48	6.9
Extra investigations from other crimes		90	12.9
Raids		92	13.1
Intelligence		34	4.9
Total		700	100.0

6.2.1.1. Reports from victims or their family members

A common method for successfully identifying victims of ST is reports by victims or their family members, reported by almost one-fifth of the participants in this research (19.5 percent) (see Table 6.1). This research also investigates the reasons why reports from victims and/or their families are prevalent in Vietnam through in-depth interviews.

A majority of participants indicated that victims are the key in shedding light on the nature of trafficking cases, as well as the victim identification. This finding is confirmed by Warria, Nel and Triegaardt (2015) who argue that this contact with victims augments trafficking evidence. Interviewees used phrases such as 'the main source', 'the most important' and even 'the only way' to express the significance of reports from trafficked people. Simply put, police in Vietnam believed that these reports have a strong influence on the identification process of victims because of the high quality of information. As one officer from Haiduong stated:

It's vital for the trafficked individuals or their parents to go to police department to report their cases. Their reports seem the most valuable source for us to follow and find the traffickers. In the experience of my work, about 90 percent of HT cases are revealed from reports from the trafficked people. [I1]

Another provincial officer concurred, stating:

Most victims are identified by us thanks to reports from the trafficked individuals and their parents. They frequently go to the nearest police station to allege their trafficking. Apart from their announcements, it's very difficult for us to find victims of this crime. [I3]

Other participants described ways that those trafficked report their situations. As one captain explained:

Some trafficked people contact police departments through the emergency number 113 or hotlines. In such cases, they use mobile phones which they borrowed or stole from customers, or brothel bodyguards. In special cases, they have escaped from brothels and seen citizens that they asked for help. They borrowed their cell phones to contact Vietnamese police to ask for rescue. [I11]

Most of the interviewees reflected that trafficked people approach police directly at the police station after their return. These participants explained that most returned themselves, either after being exploited for a certain time in the sex industry, getting married to a foreign man and giving birth to a baby, or escaping from a brothel. Police in Vietnam shared their experience that victims denounce traffickers to police in the hope that justice would punish the traffickers who heartlessly pushed them into sex slavery. One police officer working in the mountainous area commented:

The woman reported her trafficking case five years after being sold into China. She had become the wife of a poor Chinese man to escape the sex hell of brothels. Then, she lived with her husband in a rural area in Hekou and had a son. When she visited her parents in Vietnam, they encouraged her to denounce traffickers. Wiping away tears, she hoped that traffickers would be punished by justice. [I9].

The police interviewees also added that trafficked people's parents report their children's trafficking

in many cases. The officers detailed these trafficked individuals cannot report directly to police themselves due to various reasons, such as living abroad, experiencing rigid supervision from traffickers, or undergoing psychological trauma. This is identified in the following statement:

After receiving a phone call from her daughter, she recognised that her daughter had been sold into a brothel, in lieu of waitressing in luxury hotels or restaurants as had been promised by the pimps. In her report, she relayed the tricks traffickers used in recruitment, the name and place of the traffickers, and the current place of her daughter. This was useful to rescue her daughter safely. [15]

Some of the police also shared that many teenage girls who are sold into sex work feel disgusted with their current life and post this on Facebook or Zalo to share their emotions with their friends. They lamented that these posts make their parents panic once the friends notify the parents, so they rush to contact police. As one police officer explained:

Facebook or Zalo is used widely by the young generation. Thanks to them, we can find the locations of victims when users only need to log into their accounts to contact their friends with these applications. That's why we locate victims and rescue many victims via this way. [13]

In other cases, several police noted women trafficked into sex work experience many mental health problems, such as distress, nervousness, shyness, or stress (Dovydaitis 2010; Zimmerman, Hossain & Watts 2011). Therefore, they do not want to communicate with anyone as expressed in police experiences. In such circumstances, these police believe their parents play the role of informant to report the whole process of their child's trafficking. To illustrate this, an experienced officer said:

Due to the stress of being forced to sell sex, that girl didn't interact with family, outside individuals, or even police, or the women's union. She told her mother her trafficking story. Because she was in a panic, her mother reported her trafficking case to police. Even during our first visit to her house she closed the door of her room until we left. [123]

Police participants in this study suggest that reports from those trafficked and/or their families make a great contribution to the police identification of victims. These police believe that the information supplied by these individuals provides useful clues to locate the victims, however, the ways that victims report their trafficking depend on their experience. Either way, their voices come to the attention of police increasing the success of victim identification as many police mention.

6.2.1.2. Citizens' reports

The data from this research suggests that many police consider citizens' reports as a contribution to victim identification. As shown in Table 6.1, 16.7 percent of responses to citizens' tips is seen as a method to identify victims of ST. Police participants asserted that the existence of citizens' information greatly supports the investigative process because evidence in ST cases is primarily testimonial, and citizens play an important role as witnesses. Despite its significance, one officer from Haiduong highlighted the scarcity of information from citizens to identify trafficking victims.

The nature of ST cases rarely appears as physical evidence... [O]nly testimony evidence is important. It can stem from victims or witnesses. And citizens' reports play a vital part in finding potential victims of this crime. [11]

Another respondent further elaborated on the advantages of information from citizens in relation to the proper identification of victims.

These cases rarely feature third parties like witnesses. Frequently, they're traffickers and victims. Thus, testimonies of witnesses help make clear some points which have conflicted between statements from traffickers and victims. [119]

Most of the participants indicated these citizens are neighbours who knows information about the trafficking cases. For instance, because of a call by a neighbour, reporting that the traffickers and victims went to a particular border region, one officer found a victim. As he told:

Neighbours also called us to report directly indicators of a human trafficking case. Asked why they had known this/that case, they responded that they saw the victim and her lover who went to Hekou while they hadn't seen her at her home for some recent past days. Thus, they suspected that the girl was sold as had happened to other girls in the village in many past years. [19]

In addition to reports from neighbours, a few officers stated that friends of victims report information about them. As one of them saw the situation that these people often have close connections with the victims, even when trafficking does not happen successfully. One captain described an unsuccessful case of traffickers, saying:

I [police] remember a case when recruiters invited a five-girl group to join in a birthday party in a karaoke shop. Actually, it was a fake birthday which traffickers created to deceive these girls. The end of party was mid-night when they told lies that the karaoke shop would close... [O]ne of these five girls drank and came back home by taxi... [A]t the border location, these girls found they had been deceived and were forced to go to China by their boyfriends-traffickers. After a while, one of the four remaining girls contacted the girl having gone home by taxi and told that they had been sold into brothels in China. Therefore, she reported this case to us [police]. [15]

Among the participants of this research, a particular ethnic minority, H'mong was mentioned a lot in their responses. Some of them stated that the culture of H'mong in the northwest mountain area is very different from other groups. They explained that H'mong girls who have been sold into China over a long period do not report to police. Culturally, the H'mong people do not contact other people who are not H'mong; they only communicate within their community as they understood. Therefore, these police concluded it is not easy to gather evidence about these trafficking cases. In these cases, participants encouraged the oldest people or the leader of the village to divulge information about trafficking to the police. As one senior officer from Laocai illustrated:

In my province, there is a policeman who is responsible for covering the safety for one village because of geography... That's why he needs to have a good relationship with the leader of that village [Gia lang, truong ban] who can provide all the information. If that person doesn't work well, no information can be extracted, particularly in the H'mong community. Here, they have no contact with other people, including police. [110]

However, a few participants in this research discussed the reliability of such testimonies from all citizens. In their opinions, doubt is always raised about the level of truth in trafficking stories told by citizens. They echoed this by offering the context and purposes of reporters. One interviewee offered the view that some citizens who are directly related to traffickers or victims, such as the girl in the above case, frequently provide high-quality information because they understand the nature of the trafficking context, including the methods of traffickers, the names and appearance of traffickers and victims, or the times of trafficking cases. However, this policeman noted that these people may exaggerate some points in the trafficking cases to attract the attention of police because they want police to prosecute traffickers. Meanwhile, other police commented testimonies of neighbours are not always correct either as they are based on their feelings. These officers added some neighbours who have conflicts with the victim's family may backbite through trafficked daughter of 'their enemy'. One senior officer from Langson stated:

We're happy when citizens report trafficking cases. However, we've had a headache trying to verify the percentage of truth in their words. Frankly, I always question the motivation of their report. It will be a big mistake if we believe whatever they describe. [119]

One officer even rejected the importance of citizens' evidence, saying:

It sounds impossible. Citizens can't provide any clues that this person or that person is trafficked. They can't confirm someone has been sold with any specific evidence, aside from anecdotal stories. Only victims can help the police confirm whether or not it happened. [11]

Police participants in this research described citizens' reports as a clue for the police to inquire into potential victims. However, this research showed the limited number of victims identified by this method in Vietnam because of differences regarding the classification of citizens, cultural sensitivity, and questions regarding the validity of citizens' reports.

6.2.1.3. Referrals from others outside the police

When there is no information from victims, their family members, or citizens, police in Vietnam employ other methods to identify trafficking victims. For example, the interviewees commonly mentioned referrals from other agencies. The survey results reported that 12.9 percent of respondents indicated referrals from other agencies, including NGOs (6.9 percent) and service providers (six percent) (see Table 6.1). This is supported by the data gained from the in-depth interviews in this research.

Some senior ministerial police officers stated that NGOs run specific trafficking support programs, such as reintegration for returning victims of trafficking, education or vocational training for trafficked women, psychological and legal assistance for victims, and even promulgation of the law system in the community. These officers described NGOs as 'a right hand' of the police, impeding HT and assisting victims of this crime. One of these participants illustrated the role of NGOs that find trafficked women who hide themselves in society because of the victim's psychological and cultural barriers, and limited knowledge. He considered it is likely impossible NGOs report their

experience to law enforcement of their own accord. Therefore, the NGO staff help them convey information about trafficking to police as one senior officer explained:

Returned victims often ignore functional agencies like the police, but, in contrast, they trust staff of social organisations like NGOs as they are educated and trained to know a job, such as hairdressers or tailors. Moreover, these staff are open-minded to sharing the pain and encouraging them to overcome these feelings... Whatever they hide with us they tell to these staff members. Therefore, we get information about their trafficking through NGO staff. [I24]

Another officer commented that NGOs have a wide network both globally and domestically. He found this network supports the transfer of information effectively and quickly thanks collaborators everywhere. He gave an example that when finding information about trafficked people, a coordinator reports to police who rescue and protect the victims as soon as possible. One ministerial police officer illustrated the effectiveness of Blue Dragon, an NGO, in assisting the police identification of victims.

Blue Dragon is a typical NGO that tackles trafficking in persons in Vietnam. Frankly, we sometimes feel ashamed because they have information about trafficked people that we haven't known. We just know when they report to us to cooperate in rescuing victims and arresting traffickers. This organisation is actually a strong and effective support to us in finding hundreds of trafficked victims over the years. [I13]

It is interesting to note that none of the respondents to the interviews suggested that they had received any information from the service providers while the surveys indicated that six percent of respondents found service providers, such as doctors, psychological and legal consultants, useful in victim identification. Through the interviews, some police officers implied that the absence of health care services for victims is normal in a poor country like Vietnam. Here, these interviewees explained victims rarely pay a visit to the clinics because of health problems during their exploitation. As one officer explained:

Victims don't visit doctors when being trafficked in brothels. All traffickers do for them is give them some tablets like Panadol. That's it. Victims must stand their pains and diseases themselves. [I20]

These police continued explaining that some victims escape from brothels; however, they commonly go home rather than visit doctors or someone who can treat their problems. Indeed, one female police officer lamented:

Victims aren't commonly confident when coming home. They don't want to go home and see anyone. So, it's more difficult to mention going to see the doctors. Never. It's non-existent in Vietnam. [I21]

By their own experience, some of the respondents showed that in term of psychology, victims want to avoid communicating other people who are not the members of their family. Additionally, there are plenty of reasons why this problem happens in the context of Vietnam (see Section 6.3.2).

6.2.1.4. Information from other law enforcement agencies

Information from other LEAs in this research includes that from border guards and international

police. This is attributable to the nature of HT, which happens abroad and around border areas of Vietnam as outlined in Chapter 3. Therefore, the assistance of border guards and international police to address this crime is logical. The surveys indicated that a minority of respondents identified border guards (11.3 percent) and international police (8.7 percent) as providing information regarding trafficking (see Table 6.1).

In terms of the role of border guards, several interviewees spoke candidly about this assistance as being a universal source of referral for the proper identification of trafficking cases. These police interviewees discussed border guards as a pivotal force in controlling the situation of HT in the border area. Border guards have the opportunity to encounter traffickers with their potential victims in these areas more often than the police. As one officer from Langson stated:

Traffickers, in their wisdom, transport victims of HT in the evening to avoid being detected by others. They use shortcuts to cross the forest into China. Only border guards patrol these areas all night. Therefore, they prevent trafficking cases in time before referrals to the police department. [112]

Some participants declared that border guards sign cooperation memorandums to control crime with the police in border places as one element of strategic programs to limit trafficking, however these programs are rare. One participant explained that it depends on the 'hot' level of HT as to whether they conduct joint patrols to prevent this crime.

We can't implement our professional activities in the border areas where border guards are responsible for controlling all situations. My department [police station] has a commitment with this force [border guards] to share the responsibility of combating crimes in these areas. But this activity sometimes occurs as we lack officials. [110]

In addition to border guards, the interviewees commented how international police influence victim identification in Vietnam. Here, the participants considered the assistance of international police including Interpol, Aseanapol, and the police of other countries such as Malaysia, Singapore, China, and Thailand, in finding trafficked victims. Police officers concurred that trafficking in humans is a transnational organised crime. And it does not stop in one nation but spreads to other countries; from recruitment to transportation and exploitation. Indeed, these police interviewees shared the practice that it is hard for Vietnamese women who are sold abroad, rather than domestically, to be recognised and rescued without the assistance of international police. These police thought that the focus of Interpol and Aseanapol on gangs and criminal groups may further facilitate the finding of Vietnamese trafficking victims. One senior officer shed light on how international police contact Vietnamese police regarding trafficking.

Being an organised crime, international police such as Interpol or Aseanapol are interested in HT. If they have information involving Vietnam, they contact us in a timely manner. For example, Interpol has provided information on some groups of Vietnamese women trafficked to Singapore by Chinese gangsters. We have just completed verifying the private information of these people as they requested. [111]

In some mountainous provinces neighbouring other countries where levels of trafficking are

particularly high, participants rely on information from international police because there are memorandums between the police forces of the two countries which ensure the exchange of information about trafficked persons in need. As one policeman from Langson told each side arranges a liaison officer to communicate whenever cooperation is needed. He said happily that thanks to this mechanism, police of other nations provide documents about trafficked Vietnamese people, and even transport them to Vietnamese police if necessary.

My provincial police department signed a memorandum with Yunnan police of China to control crime around the borders of the two countries. We have a joint meeting once a year, but whenever we are in need, we contact each other through the liaison officers. In practice, the Yunnan police help us to find a lot of Vietnamese women trafficked for sex work there. [115]

Other police participants reported that the police from other countries share considerable information about Vietnamese victims after they conduct stings on brothels. Indeed, several ministerial officers mentioned that Malaysian and Singapore police arrested Vietnamese sex workers in brothels in their countries when raiding these places. These respondents continued sharing that in other cases, Vietnamese police provide information on trafficked individuals to police in other countries. The interviewees added that because of legal and geographical barriers, Vietnamese police cannot enter these countries to find victims. The following statement illustrates how the international police support the identification of victims of ST when Vietnamese police face these hindrances.

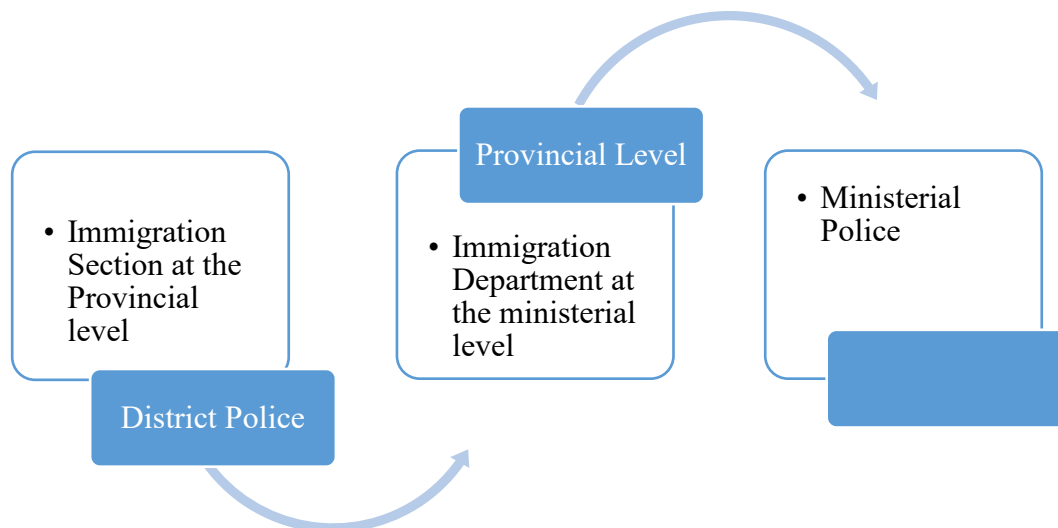
We [Vietnamese police] provide specific information about victims, such as pictures, names, locations of brothels, or mobile phone numbers to Malaysian police to ask them to rescue them. This police force attacked these brothels to rescue the victims, then connected with the Vietnamese embassy in Kuala Lumpur. After that, these victims were returned officially and we received them. [113]

Police participants showed their experiences about the information from international police provided a source to Vietnamese police in terms of identifying Vietnamese victims of trafficking who stayed abroad. These interviewees analysed the main point is how Vietnamese police exchange the information with international police and vice versa. It means that international cooperation between Vietnamese police and international police is extremely crucial in responding to ST, including victim identification.

6.2.1.5. Referrals in the police force

The qualitative data from this research stated that police identify victims of trafficking drawing on referrals from agencies in the police force. As these interviewees explained, the provincial level and ministerial level police are responsible for addressing the issue of HT via the Vietnamese *Criminal Procedure Code*. These findings are summarised in Figure 6.1.

Figure 6.1: Referrals in the police force



As can be seen in Figure 6.1, the district police frequently send trafficking cases to the provincial police as the district police have chances to encounter HT cases as the police interviewees explained. However, these police participants admitted that the officers at the district level have limited resources to address this crime as the following statements report.

HT is a very serious crime in the *Penal Code*. Police at the district level like us identify indicators of this crime which will be sent to the provincial police to investigate. They [provincial police] have enough personnel, skills, and authority to address this crime. [17]

I think the district police lack skills and experience to identify victims of ST. This is another reason why they send them to us [the provincial police]. [110]

Other interviewees added the provincial police also receive referrals from the provincial Immigration Section who have found victims of trafficking through their professional activities. One of the participants detailed they have the power to check and verify the frequency of female travellers who go abroad, as well as their reasons. As one police officer from Langson stated:

The Immigration Section has the authority to manage the immigration of inner citizens and foreigners. They know the reason why a person travels abroad and how many times per month they do this. If women go in a group, and do many times, immigration will report to us to investigate further. [112]

Some interviewees analysed the receipt of referrals of the ministerial police from the provincial police regarding HT cases. These officers explained this referral involves transnational organised crime, diversity of destination countries, or multiple victims. They noted that in such cases, the provincial police force do not have enough resources, such as skills, experience, knowledge, funds, and staff, to pursue victim identification. One provincial police officer explained how the support of ministerial police ensures the success of victim identification.

If we find any cases relating to transnational organised crime, we will send them to a higher level [ministerial level] to investigate. We don't have enough resources to identify and rescue victims in these cases because they stay in other foreign countries, the traffickers are foreigners, and we have limited foreign language knowledge. [114]

In other instances, some police participant reported the Immigration Department also reported cases of trafficking to the ministerial police who received victims from other countries. These officers detailed the Vietnamese embassies abroad contact the Immigration Department to verify these victims, and the ministerial police then receive referrals from this Department.

Together these results provide important insights into the police reactive approaches to identifying victims of ST in Vietnam. Generally speaking, these strategies, such as tips from the public, reports of victims, information from social organisations, and referrals from within or outside the police force are fundamental for police victim identification in Vietnam. However, the interviewees also described successful victim identification by proactive approaches, as examined in the next section.

6.2.2. Police vice activities

6.2.2.1. Raids on brothels

The data from this project indicated that the minority of police identify victims of ST through raids on brothels. Specifically, 13.1 percent of the respondents used this method during their experience (see Table 6.1). Importantly, several interviewees explained that the final destination of forced sex workers and voluntary prostitutes is the sex market, with locations such as brothels, bars, massage parlours, and hairdressing salons. Therefore, victims can appear wherever there is prostitution. The survey for this research also examined the most common locations where police identify victims of ST, as presented in Table 6.2.

Table 6.2: Locations of identification of victims of sex trafficking

Locations	Responses	
	N	Percent
Motels	125	21.8
Hotels	96	16.8
Massage parlours	90	15.7
Coffee shops	70	12.2
Bar/Dance clubs	65	11.3
Hairdressing salons	60	10.5
Streets	56	9.8
Other	11	1.9
Total	573	100.0

One provincial police officer explained that police seldom find victims of ST among street sex workers because they have implemented drastic raids on street-based sex work over the years. He added that sex work tends to now occur indoors, and there has been some disguising of prostitution using alternative forms. With economic and cultural changes, sex work seems to be a

complex mixture of money and intimacy (Hoang 2011). That is why police now rarely investigate domestic ST. As one official told:

It's uncommon that police investigate domestic ST because these cases have similarities with prostitution cases. Only when sex workers denounce their brothel managers/owners, may we investigate their status carefully. [I2]

Some interviewees specified the similarities between internal ST and prostitution. The police participants found the brothel owners reach oral agreements with the young girls to work as massage staff in their shops. These officers also showed that they do not sign legal labour contracts with staff. For this, many police mentioned the owners then force these girls to sell sex whenever customers want to purchase it. The police also noted these girls also receive a small fraction of the money gained from such interactions. In their explanations, it is seen as normal for sex workers to sometimes be cursed or beaten if their owners or clients feel unsatisfied. These factors alone do not indicate that they have been trafficked. Consequently, the police only focus on the transfer of people and money when deciding to investigate domestic HT, rather than the presence of force, coercion or other methods used by traffickers. In cases where evidence about the transaction between people and money is non-existent, police consider exploitation as an indicator distinguishing domestic ST from prostitution crimes. As one official from Hochiminh explained:

Brothel owners frequently squeezed sex workers to earn them as much money as possible. They forced them to serve clients many times per day and didn't let them go out. Any prostitutes who wanted to visit their family had to pay pimps money. Sex workers didn't have holidays or relax in the places of sex work. Therefore, conflicts between the owners and sex workers happened in the exploitation process and made sex workers report to police about the prostitution. [I20]

More importantly, the interviewees also indicated that many victims involved the use of the Internet could be identified by the police after searching for potential victims via Facebook and Zalo, as previously presented (see Section 6.2.1.1).

Police experiences suggest that there is an association between raids on brothels and the identification of victims. The police find some victims in physical locations, such as hotels, restaurants, or hairdressing salons. Most importantly, police stories in this research reveal that police use social websites to find potential victims, instead of scrutinising Internet advertisements for prostitution. Police must be proactive in exploring indicators of HT based on context.

6.2.2.2. Extra investigations

The results from this study stated that in some cases, police in Vietnam actively conduct extra investigations to discover and collect information about trafficked victims. The data from surveys reported that a minority of police participants (12.9 percent) identify victims of ST via extra investigations (see Table 6.1). The interviewees in this research defined extra investigations to mean further investigations of crimes, such as HT, prostitution-related crimes, and people

smuggling to identify victims of ST. As one ministerial official explained:

We [police] will conduct ongoing investigations in order to find victims of ST if we find evidence relating to other trafficking cases, or prostitution crimes, or even people smuggling. [I14]

More specifically, several interviewees discussed the red flags needed to extend investigations from other ST cases. These officers commented that traffickers often commit many trafficking offences before police identify them or they feel unsafe to continue their behaviour. In their understanding, perpetrators seldom commit one offense and then stop. Another experience shared by police interviewees is that traffickers often sell as many victims as possible to gain maximum benefit. As a result, these interviewees suggested that police can start further investigations from victims' or traffickers' reports in closed trafficking cases. The following statements illustrate the main clues leading to further investigations.

Additionally, with cases committed by the same traffickers, they use the same places, tools, and plans to detain, transport, harbor and exploit victims. Being in so-called 'hell', victims find friends although initially they are scared of each other. Within these contexts, victims may talk and know each other. Therefore, police ask victims about other trafficked people detained together. This opens chances to identify other potential victims. [I3]

Communication is a good way for these people [victims] to bond together in despair. They become friends despite being fearful at first. There is no reason why they don't want to save each other if someone escapes. In my experience, they are very zealous in wanting to rescue the rest when reporting their trafficking case. [I24]

The police participants described with highly-skilled police, extra investigations into HT start from statements from traffickers. Some ministerial officers stressed that there are striking features of traffickers, which need to be focused on. These police shared a fact that upon being arrested and prosecuted, offenders tend to tell of only one case of trafficking instead of all the cases they have committed because they want to avoid severe punishment. Similarly, they admit to as few victims as possible, instead of telling about all their victims. Even when asked specifically about certain victims, they provide incorrect names, and inaccurate places, or pretend not to know. This is because they want to keep their victims hidden as spoken by many police. Therefore, investigators use techniques such as making them repeat their testimonies many times, looking for conflicts in their testimonies, targeting the most psychologically vulnerable member of a criminal group, and using other evidence as police experienced. The police interviewees asserted that police have to possess not only proficient knowledge of the law but also professional expertise to face wilful and tricky traffickers. As a senior officer stated:

With young investigators, we won't let them investigate those cases [serious trafficking cases]. They can't defeat the wisdom of traffickers and their games. We must launch experienced investigators to take testimonies from traffickers. That provides a chance for young police to learn how to find conflicting points in the traffickers' testimonies, classify traffickers, and use other evidence to make the doubt clear. [I11]

When it comes to a link between ST and people smuggling, some interviewees reported that a portion of trafficking victims are identified after police complete investigations into people

smuggling. As mentioned in Chapter 5, there is a phenomenon of seasonal immigration in some mountainous provinces. Apart from personal movements, some mountainous police interviewees mentioned the number of citizens organised to migrate to China have increased in recent years. Clearly, these police thought that the local governments seem to be unable and unwilling to control this immigration as they cannot provide enough jobs for citizens who therefore view China as a promised land to make money. As one official from Laocai outlined:

After the Tet holiday, people free from farming are going to China in groups to earn money. They get used to this migration as they do it yearly. If they are relatives or compatriots, they voluntarily invite each other to move without any fees. But some pay money for their journey to China if having no prior relationships with the smugglers. Nevertheless, even they would be sold by smugglers, despite paying money for their migration. [17]

Offering a similar observation, one leader from Langson stated:

Some people professionally host migrations. They know where China lacks labourers as they keep in contact over many years. When Chinese owners need labour, they will provide enough or more people to meet that need. But some groups are frauds. They not only get money from their fellow villagers but also sell them to earn more money. For example, women who are beautiful would be sold to brothels and women who are H'mong would be sold to poor Chinese men to become wives and work on farms instead of helping these women find a job as promised. [119]

In addition, interviewees also point out that some victims are identified through developing investigations into prostitution-related crimes. As these officials noted, some features of these cases demand further investigations.

In some prostitution cases, we find uncommon points in the testimonies of sex workers. For example, these people [sex workers] denounce the brothel owners who force them to sell sex, or they stay in the brothels because of force or coercion from the brothel owners. We need to investigate further what their testimonies mean, and any possibly involvement in domestic ST. [12]

One captain from Haiduong focused on the attitudes of sex workers towards brothel managers to find indicators of trafficking in prostitution cases.

If sex workers complain about their legal status, we will spend more time investigating because some of them experience signs of coercion or deception in brothels. For example, victims report non-payment from brothel managers or being over-worked without being paid money. [18]

Importantly, interviewees indicated that there was a link between ST victimisation and domestic violence in cases they investigated and experienced. This was discussed in Chapter 5 where interviewees noted that domestic violence is a risk factor for this crime. Yet, the police interviewees did not conduct extra investigations stemming from domestic violence cases to find victims of ST. These interviewees considered domestic violence as a private family issue, which husbands and wives should address themselves. One experienced official explained why the police did not investigate further following domestic violence incidents.

We haven't opened extra-investigations from domestic violence incidents. In Vietnam, this

phenomenon occurs quite often but is not serious. Those families manage it themselves. If not, wives can leave home. [116]

This statement illustrates that the connection between domestic violence and ST may not exist in the awareness of the police force. In other words, the police force have not paid attention to further investigation of domestic violence to identify victims of ST. So far the population of victims of ST may be hidden in these cases.

6.2.2.3. Intelligence

Another reported approach in this research was that a few police develop confidential informants to identify trafficked victims. The survey results showed that a small number of police participants (4.9 percent) use intelligence to find victims of ST (see Table 6.1). Although using these people sometimes happens, the police interviewees confirmed that with the help of intelligence, police supervise the HT situation covertly. They commented that the police are significantly weaker without informants to help them fight against crimes, including HT. One officer clarified that the more active the police are, the more cooperation they have from these people.

Undercover informants are wonderful people to share information about crime with police. They can appear wherever police can't appear. They can go wherever police are lacking, and they can do whatever police can't. [118]

The interviewees noted that police informants include taxi drivers, motorbike riders, coach drivers, hotel and inn staff, and tea shop owners. The officers explained that the jobs of informants make it convenient for them to collect and investigate ST. Some interviewees also acknowledged that informants can be found not only in known places of prostitution but along the border as well. As one officer working in the border province stated:

The work of informants permits them to find tracks of HT. A motorbike driver at a border area easily recognises whoever comes from other provinces as their language, clothes, appearance, habit or culture is different. [112]

An interviewee working in the mountain area indicated that intelligence informants who work in restaurants, inns, and tea shops along the road are observant regarding the indicators of trafficked victims because they have much experience in recognising the activities, attitudes and instances of trafficked victims.

X [Informant] called me to report that two men with three girls who spoke Nghean [a kind of language to recognise where they come from] had asked them for directions to the Chinese border after having lunch. The girls expressed fear and worry and were being controlled by the men, such as when going to the toilet, the men followed them. [14]

Additionally, other police officers indicated that citizens who often go abroad, or go across the border between Vietnam and its neighbouring countries report information about trafficking cases. As outlined by the interviewees who work at border places, due to the nature of business, these people often stay in neighbouring countries long-term to collect goods, find entry for products, or investigate the market. Therefore, they have some advantages to find individuals who may be

trafficked, especially in the brothels. As one interviewee explained:

A Vietnamese businessman invited his customers to relax in bars in China after work. It's normal for the customers to ask some girls to provide sex... [M]ost of them were friendly and open-armed but two girls were frowning and uncomfortable. After meeting them, he found, they had been sold into that bar to sell sex for debts. Then this man reported this to us [police]. [I19]

Another participant stated that foreigners also report the whereabouts of trafficked Vietnamese women. This officer delineated that some of the Chinese foreigners can speak Vietnamese fluently, due to conducting commercial exchanges between the two countries for a long time. Therefore, he believed they have much experience regarding the locations of missing Vietnamese women in China. As the officer stated, the piteous cries of these women can be heard whenever they come across those places.

Frankly, red-light streets are common in some places in China. Some Chinese men didn't hold their tears back when witnessing Vietnamese girls being abused and forced to have sex with clients. Therefore, they reported to us the locations of these individuals when they were in Vietnam for business because they don't believe the Chinese law enforcement will act. [I12]

Despite the benefits of such individuals supervising the situation of HT, some officers lamented they have received little to no information about this crime from informants. They explained that HT is a hidden crime with changeably insidious methods used by traffickers and a portion of informants do not update their knowledge regarding the new tricks in a time manner. Consequently, these informants do not recognise indicators of HT. As one police interviewee complained 'Traffickers are always in the dark, and their victims either keep silent or are kept hidden by traffickers. Lack of information from informants only makes cases fade into oblivion' [I15].

6.2.2.4. Investigating groups that are at-high-risk for sex trafficking

Without any clear clues on HT, the police are hesitant to spend time and other resources to actively explore some groups who are vulnerable to ST in order to identify potential victims as some ministerial police mentioned. The interviewees listed a series of groups in their communities where many victims could be hiding. They detailed these groups include women who often go abroad, women who are absent from their communities without clear reasons, missing people in communities, groups migrating for work, children with interrupted education, people with social problems, and ex-sex workers. One of these participants expounded the purpose of investigating these groups is to find the actual reasons why these people are missing or absent, and whether or not there is a connection to ST. As one experienced official illustrated, there is a nexus between investigating one of these groups and victim identification.

Community control is a second way to find the victims of HT because police can check lists of women who often go abroad and groups of people who are absent in the community without clear reasons. Police need to investigate the potential causes of their absence or if they are missing, and whether it is related to ST. [I6]

This statement suggests that there is a need to apply other sources and methods to find victims of

ST. As one participant gave an example that the MPS instructed all of the provincial police departments to survey the number of missing women, and those who had been absent from their communities for a long time, to find victims of trafficking. As one ministerial officer reported:

In efforts to identify victims of trafficking who may be hiding in communities, we [MPS] asked all of the police departments to conduct a general review of the missing persons, and people who had disappeared in the communities for years without reliable reasons. Therefore, we [the police force] identified many victims. [124]

However, this officer admitted that time places pressure on police to investigate these groups because the police do not have enough information about the movements of these people, which results in weaknesses of the residential management. Therefore, it is necessary to create cooperation among agencies in the police force.

The results indicate that police utilise both reactive and proactive strategies to identify victims of ST. Consistent with prior findings, this research found that police wait for the reports of victims and citizens, as well as referrals from other agencies, rather than develop active methods to identify victims (Farrell & Pfeffer 2014; Farrell, Pfeffer & Bright 2015). Consequently, numbers of identified victims are limited, and misidentification and under-identification is present. The remaining section of this chapter will examine which factors contribute to failure in identifying trafficked victims.

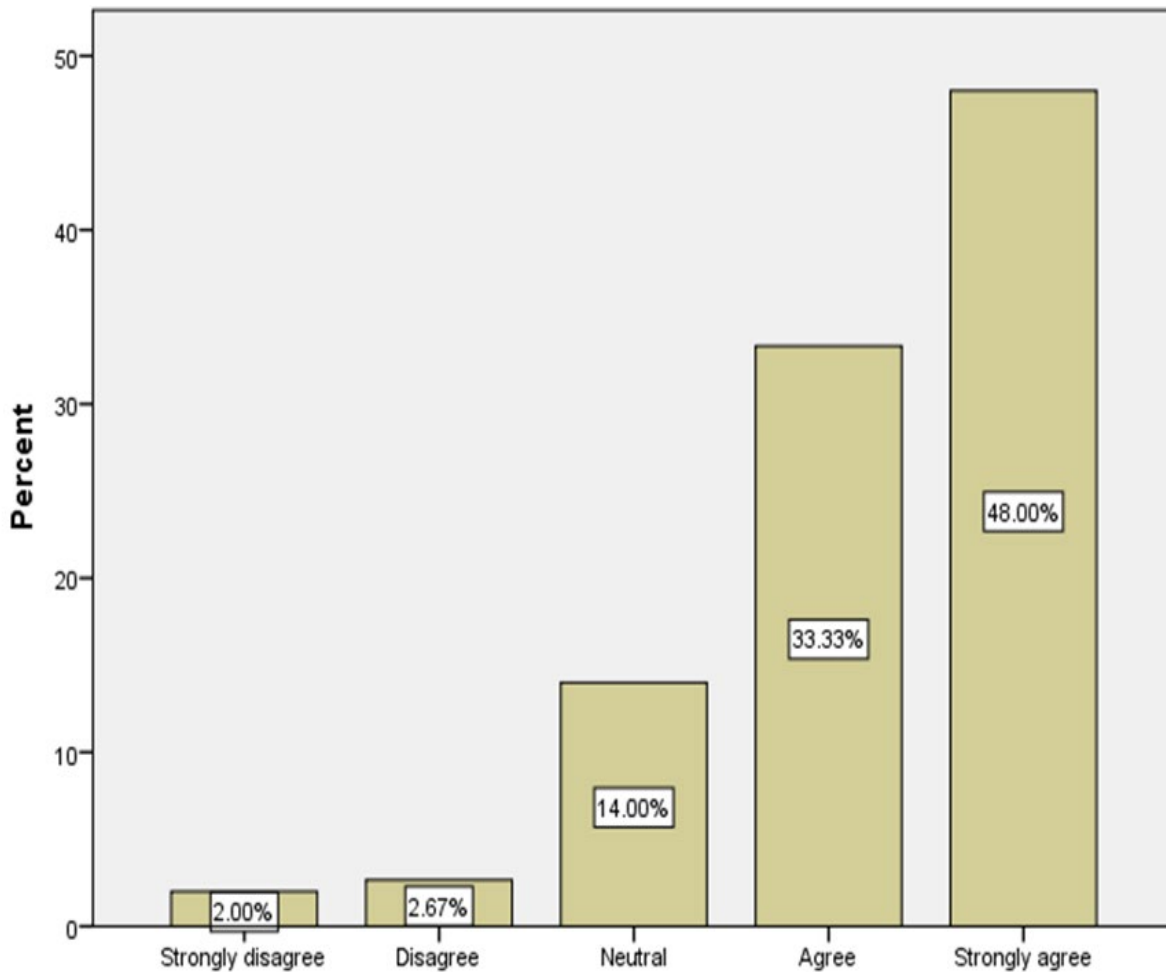
6.3. Police challenges in identification of victims of sex trafficking

The literature review discusses a series of barriers in the identification of trafficking victims (Farrell, Pfeffer & Bright 2015; Nichols & Heil 2015; Villacampa & Torres 2017). Drawing on the survey and interview data, this section sheds light on some challenges impeding the police regarding victim identification in the case of Vietnam. First, challenges come from conflicts between domestic and international trafficking-related laws. Second, some challenges are instinctive in ST cases because of non-cooperation of victims, the techniques of traffickers, and cultural and geographical factors. Third, challenges related to the police force – who play a pivotal role in identifying victims – can hinder successful victim identification.

6.3.1. Conflicts between domestic and international laws

This research explored the level of challenges police face in identifying victims of trafficking when there is a lack of legal instructions about this issue. Figure 6.2 shows that the vast majority of respondents believed that police face challenges in the identification of victims if there are no legal instructions relating to addressing this crime. The scale of these numbers depict the significant influence of the law on the police identification of victims, as over 80 percent of participants agreed that it is challenging for police to identify victims with the existence of current loopholes in the legal system. This is supported by the interview data, where the gaps in the laws were discussed.

Figure 6.2: Lack of legal instructions in the workplace



Many police officers complained that the police do not gather enough evidence to prosecute traffickers and identify victims of ST due to legal loopholes. As one official stated, the *Penal Code* stipulates what activities constitute HT, consisting only of the act of buying and selling people. He said disappointedly this results in numerous hindrances in response to HT, including identifying victims, because it is not easy to find evidence regarding the exchange of people for money or other benefits. An interviewee stated that many people have been kidnapped, deceived, bought and sold numerous times, but they rarely know how much they are worth in the hands of traffickers.

[P]olice found it complicated to prove benefit in the trafficking case. Even the victims don't know how much they are sold for. Traffickers don't mention money in their statements or hide their benefits. [I11]

One ministerial officer discussed that in some cases, where police have rescued girls from places of sex slavery, and they were reported as being kidnapped, taken to a brothel abroad and forced to sell sex, police still face difficulties in determining the purpose of benefits. He added, there was no proof regarding who sold people and who received money in such cases. Therefore, the police

cannot record victims, they are only considered to be victims of prostitution-related crimes or victims of unlawful detention. As he reported:

[Police] can't prosecute this case as a trafficking case because [police] can't find transportation or the transfer of people to get money or a benefit. In this case, [police] can prosecute other crimes such as prostitution and unlawful detention of persons. So they aren't victims of trafficking. [113]

Additionally, in some cases, although police officers found the money in the transaction for people, they still could not prosecute. One senior leader illustrated a case pertaining to foreigner marriage in southwest provinces of Vietnam.

The facts show that despite the existence of an exchange of people for money in marriage brokerage, police can't prosecute trafficking cases. This is because people are sold voluntary to marry foreigners to get money, and money is considered a wedding present for parents of brides, and paid for the help of third parties... We [police] don't see any force or exploitation in these contexts. If charged with HT, it would be somewhat unfair and wouldn't reflect the purpose of fighting and preventing crime. [124]

This statement also demonstrated another gap in the *Penal Code* not defining methods or purposes of traffickers in trafficking offences as commented by all of the respondents. They agreed that these are important indicators needed to distinguish HT from other crimes such as people smuggling and prostitution-related crimes, as well as distinguishing between HT and other offences such as marriage brokerage, labour brokerage and adopted child brokerage.

More seriously, some of the police participants complained this shortcoming results in variations in applying laws to respond to the cases in practice nationwide. The following statements describe the difficulties that police have in making a prosecution.

[I]n the cases of trafficking that are committed by a criminal group, we [police] only prosecute all traffickers if we arrest the main offenders. Recruiters or transporters play the role of contributors. We can't prosecute them if we lack sellers or leaders. Vietnamese criminal law requires the existence of consequences of the crime. [18]

Firstly, if lacking buyers, prosecutors will not prosecute offenders; because there is only the seller's testimony. [120]

Many participants complained of differences in police responses to cases where women voluntarily agree to be sold to obtain money. As one leader stated:

[M]any prostitutes who sell sex in China were rescued or claimed for being trafficked. However, they consented to work as prostitutes to earn money and when they couldn't stand selling sex many times a day; they reported their cases to police. In such cases, we didn't find benefits in this respect but it didn't mean we couldn't prosecute traffickers. [119]

Additionally, police participants discussed how the current laws have not specified the purpose of exploitation as a mandatory indicator of HT. These police believed this reflects the dangerous and serious nature of trafficking offences, which inherently infringes on the inviolability of the person; their human dignity, honour and freedom. They also explained the benefits towards traffickers committing this crime may be not only money derived from HT, but also large and long-term

benefits derived from the exploitation of victims via, for example, prostitution, forced labour, or the taking of body parts. The purpose of the exploitation is also another important element differentiating HT from other crimes, such as people smuggling, as was explained in detail by several interviewees.

Finally, the majority of interviewees spoke of a point of conflict between Vietnamese laws and other international instruments, namely children are defined as those under 16 years according to Vietnamese laws, while international laws define children as being under 18 years. This results in confusion when determining the legal status of children. As one officer explained:

Our laws [Vietnamese laws] define children as being under 16 years. This conflicts when saying that children are under 18 years according to the Trafficking Protocol. This may result in the under-identification of victims. [112]

6.3.2. Victims' non-cooperation

All participants confirmed that without the cooperation of trafficked people, police face numerous barriers when identifying their legal status. As one national police officer complained 'the biggest challenge comes from the silence of trafficked people. About 80 percent of trafficking cases need their statements. If they don't cooperate with police, we won't handle such cases' [19]. Victims reject cooperation with law enforcement for many reasons (Heil & Nichols 2014). In this project, police officers presented the motivations why victims do not cooperate with police, including denying their own victimisation, fear for the happiness and honour of their families, fear of revenge from traffickers, the receiving of compensation from traffickers, their own illegal violations, distrust of the police, and fear of arrest.

6.3.2.1. Victims' refusal to acknowledge their victimisation

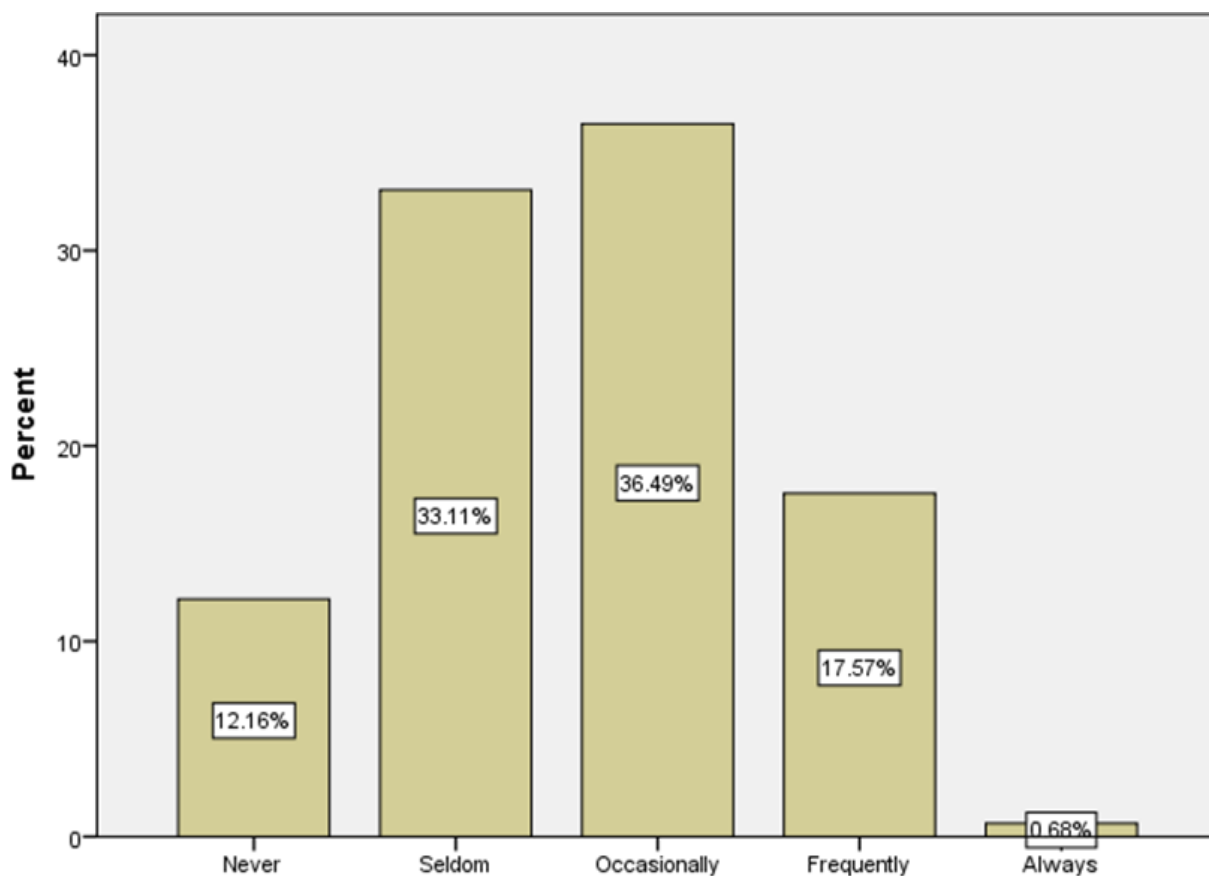
Among challenges to identify victims of ST, over one-third of respondents (33.4 percent) reported that victims do not identify themselves as victims, impeding the police from identifying them as such. The results are presented in Table 6.3.

Table 6.3: Challenges in identifying victims of sex trafficking

Challenges	Responses	
	N	Percent
Victims do not identify themselves as victims	108	33.4
Cultural barriers	59	18.3
Language barriers	54	16.7
Lack of social services for HT victims	47	14.6
Victims distrust of law enforcement	42	13.0
Other	13	4.0
Total	323	100.0

To examine further the frequency of this challenge faced by police, this research surveyed participants with the question: 'How frequently does your agency face the challenge that victims do not identify themselves as victims of ST?' The results indicated that over half of participants either occasionally or frequently (54 percent) face this difficulty in their work, however, one-third indicated that they seldom face this situation in the process of identifying victims of trafficking (see Figure 6.3).

Figure 6.3: Frequency of victims who refuse their victimisation



Many interviewees explained that incapability or a lack of sexual awareness on the part of the trafficked people are the main causes for them not recognising their victimisation. These officers considered their legal knowledge has also been limited by low education or even illiteracy, preventing them from realising their status as actual victims. To discuss this problem, a captain noted:

Trafficked women aren't often educated. Some even don't know the alphabet. It will be a luxury if they know laws and understand whether they are sold or not. [10]

When it came to reasons for non-cooperation with the police, 15.2 percent of participants agreed that victims lack knowledge about their rights, and 8.4 percent indicated that victims do not understand the role of law enforcement in handling cases of ST. These results are shown in Table 6.4.

Table 6.4: Reasons for non-cooperation from victims

Reasons	Responses	
	N	Percent
Shame or embarrassment	117	19.0
Lack of knowledge about victim's rights	94	15.2
Fear of retaliation to self	88	14.3
Fear of retaliation to their family	87	14.1
Involvement in unlawful acts	73	11.8
Lack of knowledge about LEA's role	52	8.4
Lack of social support	46	7.5
Fear of deportation	31	5.0
Lack of trust in the criminal justice system	29	4.7
Total	617	100.0

One officer spoke strongly, saying that trafficked people do not recognise being trafficked due to the sophisticated tactics of the traffickers (see Section 6.3.2.1). Another officer stressed that the intimate relationship between trafficked girls and traffickers who presented as their boyfriends prevents these victims from recognising their victimisation. This officer described these young girls as having no life experience, and easily believing in promises of love. In their minds trusting boyfriends is the way for them to express their love to boyfriends. As this officer explained:

I think they [girls trafficked] were silly to do whatever their boyfriends told them to. They even sold sex to earn more money before getting married. It's stupid, very stupid. A lack of life skills and knowledge made them blind to love and they became victims of trafficking without knowing it. [I21]

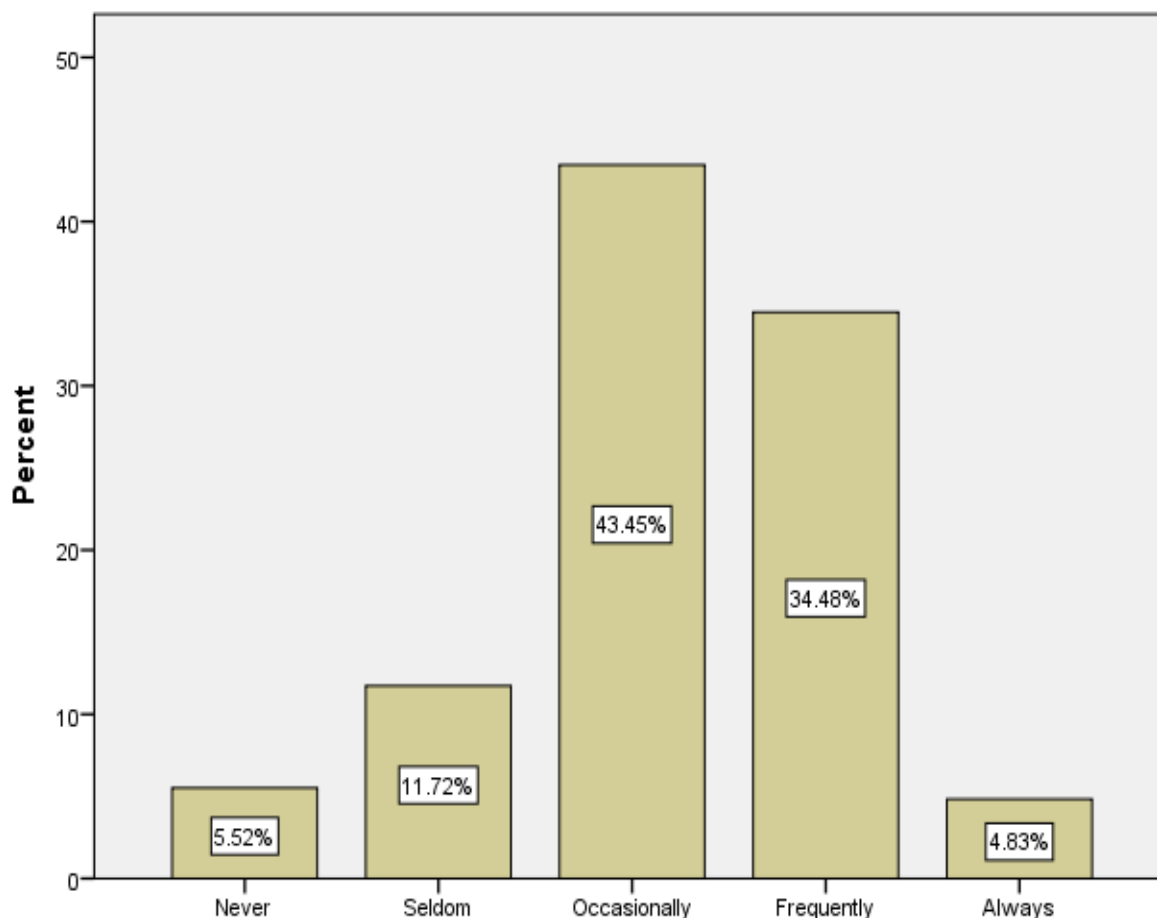
In such instances, the participants explained that police see only denial when interviewing the victims about the traffickers. They detailed many of these individuals do not meet with the police again, even though the police have provided papers officially inviting them to talk. Simply put, they do not view themselves as victims or anyone as traffickers. However, a notable point shown by one investigator from Laocai was that many young girls who voluntarily follow their friends to sell sex abroad, do self-identify as victims of trafficking. Inherently, this officer said there are no indicators of trafficking in these cases but these girls speak of being trafficked because they worry about their honour. However, this fear influences victim identification as explored in the next subsection.

6.3.2.2. Fear for the happiness and honour of their family and themselves

The data showed that even if trafficked people perceive themselves as victims of ST, police

officers found that many of them are not confident enough to report their past to the police who are able to define their status appropriately. These interviewees explained shame or embarrassment prevents these victims from contacting the police when they think of the happiness and honour of their family. This was the most common reason hindering victims from reporting to the police found in this research (19 percent) (see Table 6.4). The results of the surveys also indicated that the majority of respondents (more than 80 percent) occasionally, frequently, or always come across this in the process of victim identification (see Figure 6.4).

Figure 6.4: Embarrassment or shame of victims



Most of the participants confirmed that victims who voluntarily work as sex workers abroad want to hide their past due to the honour and happiness of their family. Indeed, the interviewees said that no victims want anyone to know that they have performed sex work regardless of whether this is voluntary or forced. The interviewees also stated that the public still have a bad attitude towards prostitution due to social prejudices which consider it dirty and iniquitous. In their experiences, prostitutes are easily scorned, and even proscribed by neighbours, relatives, and friends. These police participants paid attention to the honour of their families and the private happiness of the sex workers themselves, which will be ruined if someone knows these individuals worked in brothels. As one senior officer remarked, this stigmatisation overwhelmingly prevents many victims from reporting to police.

The reason why some victims don't cooperate with police comes from their reintegration. They actually feel embarrassed to come back to their community because of their relationship to prostitution in the past. It results in their shamelessness and callousness. Citizens also pay attention to their return with some bad words. [119]

Another experienced officer from Hochiminh explained that when victims live in overseas countries they can have conflicts about benefits with the owners of brothels, such as non-payment, demands to sell sex more times per day, or being banned from contacting others. He added they then want to escape from those brothels by calling police. At this time, they support the police as much as possible with the hope that they will be rescued sooner as he clarified. He felt disappointed when they are rescued and return to Vietnam, they do not cooperate with the police, and do not report anything in detail. Some even retract their former statements as he lamented. At this stage, he explained that they are able to communicate with their family and loved ones, therefore, they wish to hide their past because they are worried and embarrassed. They do not want their happiness, honour, or family to be negatively affected by their past. The following statement reveals this problem.

I [police] met some victims who tried their best to contact us with a wish that we might rescue them as soon as possible. At that time, they showed a lot of evidence such as places of detention, pictures of brothels, names and phone numbers of pimps and brothel owners, business times at brothels, other victims, and so on... [B]ut, when returning home, they whirled 180 degrees; had no contact with police, no talk with police, and they retracted their statements. [120]

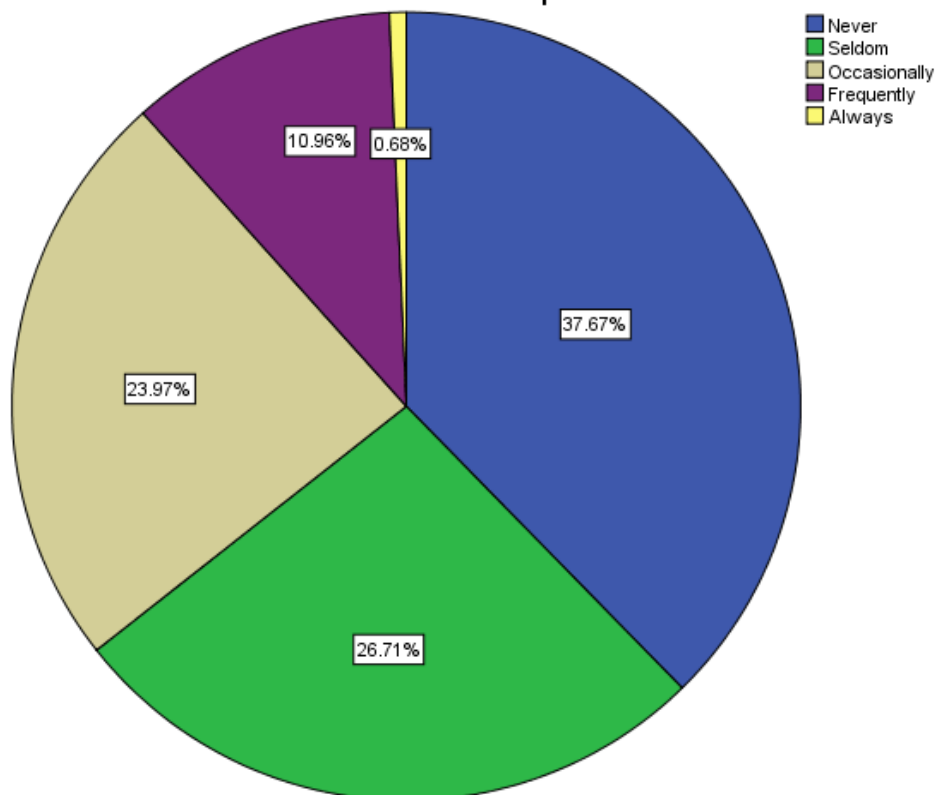
Taken together, police perceptions suggest that there is an association between non-cooperation of victims and their fear for the happiness and honour of their family. This limits the police efforts from properly identifying trafficking victims who want to hide their trafficking past.

6.3.2.3. Fear of revenge from traffickers and traffickers' accomplices to their family and themselves

In addition to worrying about the honour and happiness of their family, police interviewees mentioned that victims commonly express fear of revenge from traffickers upon reporting their trafficking past to police. These people are obsessed by the threats and power of traffickers as described by police. These officers detailed during the trafficking process, they may have witnessed beatings or even killings of other victims who were headstrong or wanted to escape. In particular, they said those who were themselves beaten or punished by traffickers actually fear them. They believe that the network of traffickers is very strong and that these groups are beyond the law. Many worry about the safety of their family members and themselves who may be harmed by traffickers or their accomplices (Sigmon 2008).

As presented by the survey results (see Table 6.4), over a quarter (28.4 percent) of respondents perceived victims fear of retaliation from traffickers. In addition, over half of the police respondents (55 percent) either occasionally or frequently identified this challenge when working with victims, as presented in Figure 6.5.

Figure 6.5: Frequency of fear of retaliation to victims or family



As one police officer commented, victims fear intimidation from traffickers towards them and their family due to violence in their past.

I [police] must say that [victims] are very scared of pimps because [victims] have undergone beatings and threats if [victims] did not work as owners told [victims], and other victims were even killed as a serious warning to the rest. Some victims said that although police arrest the traffickers, their accomplices may still harm victims and their family members. [Victims] didn't want their family to be attacked by traffickers who had been everywhere. Fear of traffickers which is likely both tangible and intangible in the mind of victims prevents [victims] from reporting to police. [116]

Interestingly, this officer continued discussing the fact that trafficking victims were educated and trained to hide the activities of traffickers. He showed they learn how to answer questions from police avoiding words about the sale of people. According to victims these lessons are always accompanied by violence, tears, blood and fear. Some police spoke sadly about victims trying to protect traffickers rather than protect themselves.

Ironically, interviewing victims consumes our time and brainpower. When asking about traffickers and their tactics, victims firmly say that no one sells them. This or that person helps [victims] find good jobs abroad, or he/she only takes [victims] abroad without knowing what [victims] are doing. Something like that. [117]

These statements provided police experiences that trafficking victims refuse to cooperate with the police because they believe in revenge from traffickers. If the police force remove this psychology

out of victims' thought, identification will be more effective.

6.3.2.4. Traffickers and/or the traffickers' family members pay money to victims to keep them silent

A number of the interviewees from the mountainous areas stated that some victims of trafficking suddenly stop cooperating with police to prosecute the traffickers because the traffickers strive to offset the victims' damage caused by being trafficked. These officers illuminated that traffickers live in the same village and they have realised that victims have returned home and reported to police. These individuals then use money to try and stop this. Indeed, the trafficker's family typically pays a visit to the victim's family to express an apology and give them an amount of money as some police suggested. As one officer stated people in these locations wish to maintain good relationships within their neighbourhood, which results in them not to report to police.

In some cases, traffickers give the victim's family money as compensation for trafficking. They express repentance for their mistakes in the past. Victims and their family won't then report to police if they see devotion from traffickers and their family. [19]

Another police officer, however, noted that not all trafficking victims are honest. After their trafficking, he said sadly these victims knew how to extort money from traffickers. He continued, saying when victims come back to their families, instead of seeing the police first, they visited whoever sold them in the first place to say if they did not give them a sum of money, they would report them to police. This officer described this as a bargain between money and freedom between victims and traffickers.

As soon as victims return home, they go to the trafficker's house to claim that the traffickers must pay money for trafficking them in the past. If not, they report the case to police. If they don't give the money on time, or they don't give enough money, then they will report to police. [110]

Another police officer added:

At the initial report, they told their full story with their signature at the end of the papers. By the later interviews, they rejected whatever they had said before. When raising questions about conflicts in their statements, they told me they were facing stress and didn't want to see me anymore. But, the main reason for this problem was money from traffickers, which I explored. [17]

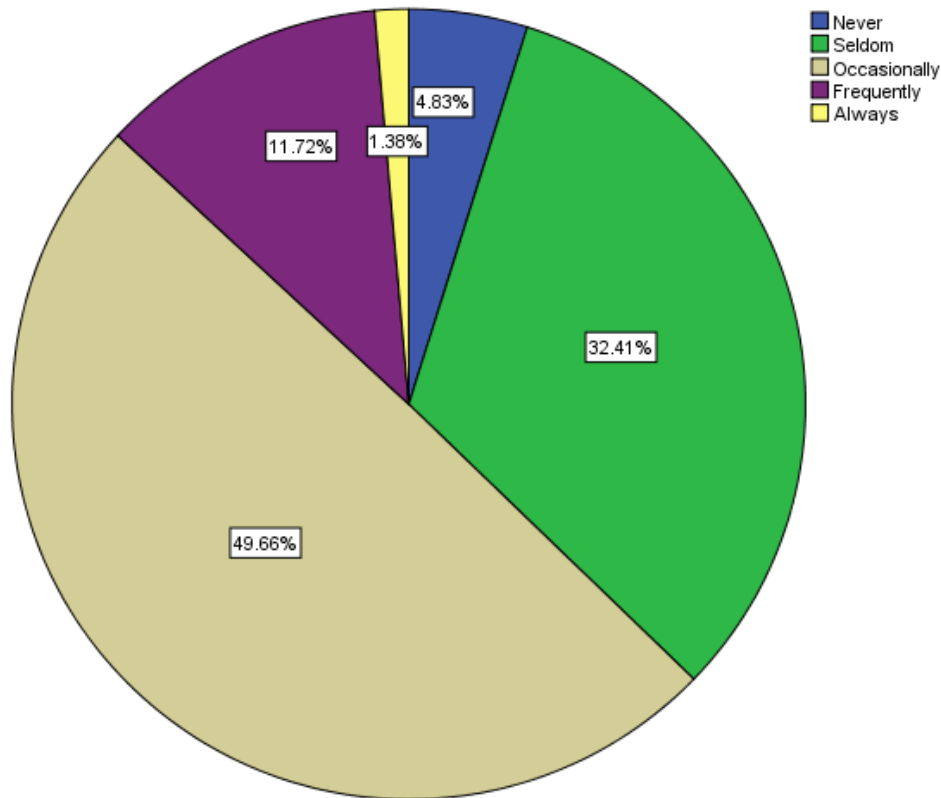
This statements display the fact experienced by police that some victims take money from traffickers to keep silent when working with police. In these case, it is very challenging for police to collect evidence to identify victims or prosecute traffickers.

6.3.2.5. Victims hide their violations against laws

Police knowledge from this research suggested that non-cooperation of victims with police stems from unlawful activities in the past which victims want to keep hidden. As noted in Table 6.4, a minority of respondents (11.8 percent) believed that this is a reason why victims do not cooperate with police. To explore this further, participants were surveyed regarding the frequency of their

experience of the issue of victims' refusal. The results indicated that nearly half of respondents occasionally (48 percent) faced this trouble but one-third had seldom experienced it (31.3 percent) (see Figure 6.6).

Figure 6.6: Frequency of encountered concealment of victimisation

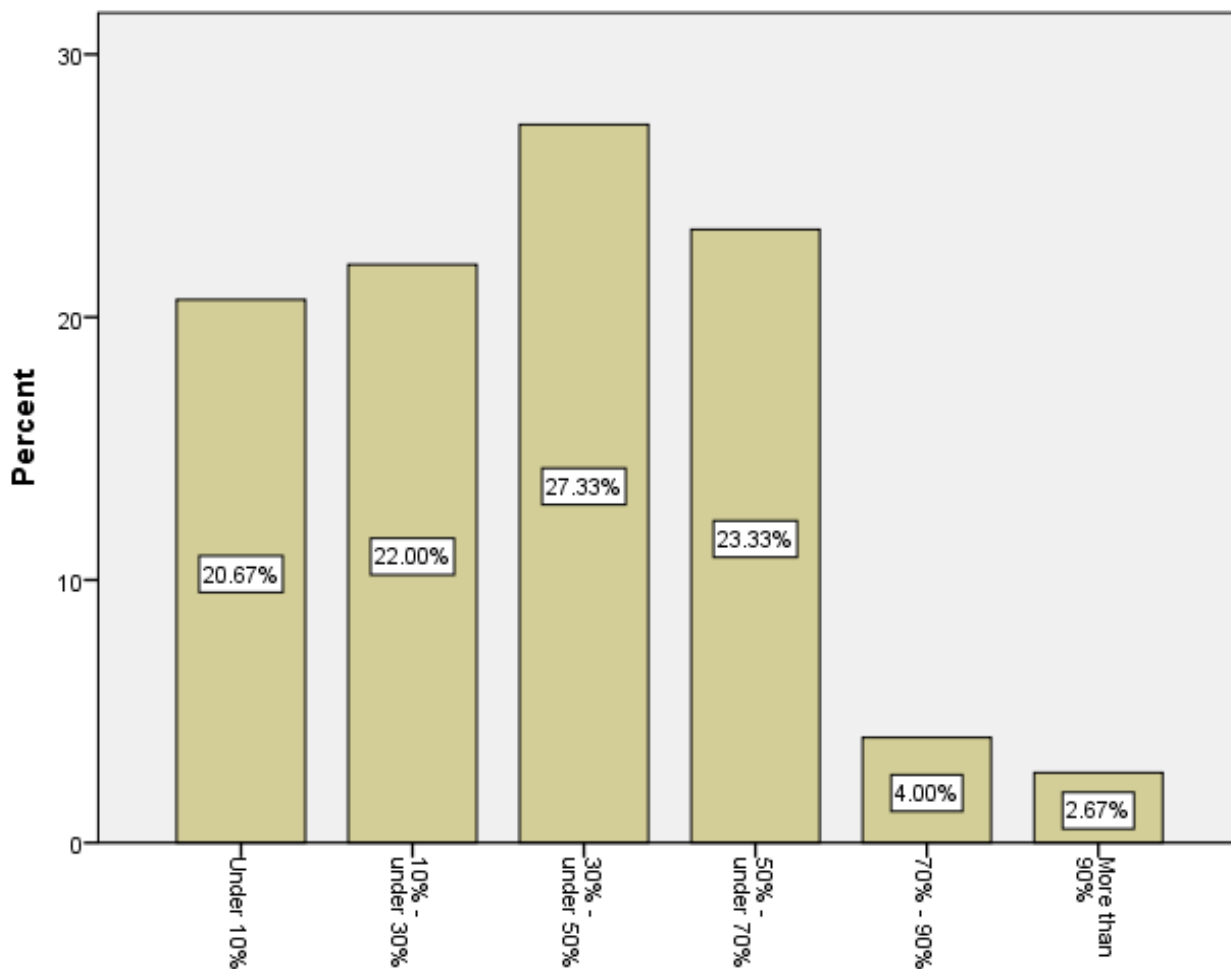


A few interviewees found that many people who are victims later become perpetrators of trafficking. As one investigator from Haiduong said: 'After being victims, more than 50 percent of trafficked people later become traffickers. So they don't want to report to functional agencies like police' [11]. Identifying them as victims at this time is only possible incidentally, and is unexpected. A senior investigator went into more detail, saying that whilst they have been exploited themselves, later perhaps some become accomplices to traffickers.

Many women who are victims today become traffickers tomorrow because they know that they will earn much money from trafficking. They are confident enough to enter the trafficking world because of their own former experience. They come back home and start recruiting potential victims as the pimps ask. They combine together to commit this crime. [10]

When asked in surveys about the rate of offender-victim cycle, this relationship was quite common among participants in this research. Over half of the police respondents thought this relationship may be higher than 30 percent, as presented in Figure 6.7.

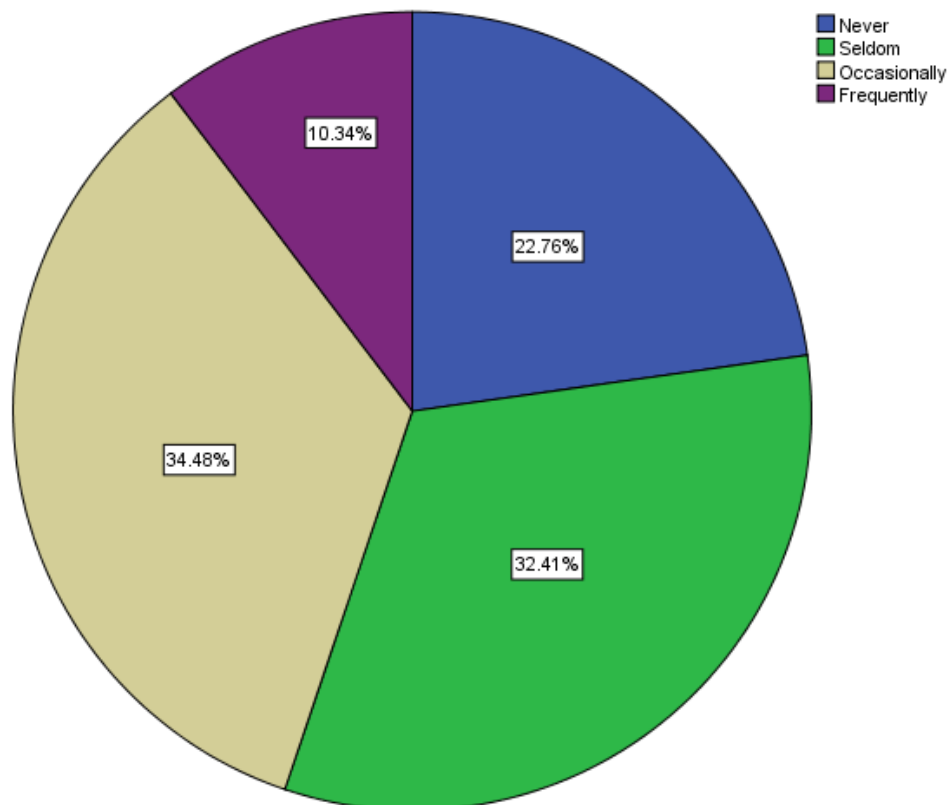
Figure 6.7: The offender – victim cycle



6.3.2.6. Distrust of police

Additionally, participants in this research reported that a few police identified victims' loss of belief in police as a reason for non-cooperation. The survey results indicated that 4.7 percent of police respondents consider this reason a barrier to cooperation between victims and police (see Table 6.4). To a further extent, over half of police respondents (56 percent) never or seldom found victims did not trust LEAs, as shown in Figure 6.8.

Figure 6.8: Frequency of victims' distrust in law enforcement agencies



Some ministerial officials underlined that trafficked people do not place their belief in functional agencies, including the police. They said that many victims have the chance to face the police during the course of their trafficking in overseas countries, but they feel disappointed and then start having a negative perspective towards the police. In their words, whenever they tried communicating with local police, they were betrayed by the police. These admitted that instead of helping victims, police arrest and take them to the traffickers in order to get money from these offenders. In such situations, police officers believed that victims do not believe in justice anywhere, even though they are rescued and returned to their homeland. As one officer stated:

I [police] heard from many victims that [victims] were afraid of seeing Chinese police. [Victims] said that police there got money from pimps and brothel owners. When [victims] came forward to the Chinese police, after 30 minutes, police would return [victims] back to their former brothels. [15]

It is not only some Chinese police, however, but also some Malaysian police who corruptly protect sex work in brothels as other police from Hochiminh answered. These participants spoke if any victims notify the police station of their case, police will tell the traffickers to take the victims back the brothels or the police will take them back. To explain this issue, one captain stated:

[Victims] don't believe in Vietnamese police because [victims] found corruption within the international police. For example, Malaysian police receive protection money from the owners of brothels. Therefore, many trafficked people say no to report to the police after

returning to their homes. [113]

An experienced official grumbled that victims encounter corruption in other countries when being detained, transported and exploited in these locations. He thought that this means they form a negative image of the police in their mind even though the police help them so much. Alternatively, some think that the police cannot do anything for them even if they told them about their cases. Therefore, victims do not believe traffickers will be prosecuted or arrested when they report their trafficking to police.

In addition, another police officer from Laocai said that even if police are not corrupt in practice, traffickers threaten victims by saying that they have an intimate relationship with the police as a way of dissuading them from running away and notifying the police. He explained that:

Pimps made threats to new victims by using the image of powerful police; not only telling them of their close network with police but also inviting some fake police to visit the brothels. This makes victims give up trying to escape. That's why many victims hate police so much when facing them. [118]

Police experiences confirm that the negative attitudes of victims towards the police force directly or indirectly seem to be major barriers to speak their voices because they do not believe in police who may corrupt. In the future, it is necessary to remove this obstacle in order to improve identification of trafficking victims.

6.3.2.7. Fear of being arrested and deported

Another reason for the non-cooperation of victims explored by police participants in this study is fear of deportation or arrest. The survey results show that five percent of police identified this fear in victims (see Table 6.4). Police interviewees also mentioned fear of deportation and arrest as another commonplace barrier that prevents victims from cooperating with police. The police said that victims are affected by threats about deportation and arrest in terms of tactics used by the traffickers. Inherently, as these officers clarified traffickers wish to keep victims in the dark to exploit them safely by using threats of detention and expulsion to warn against them wanting to escape. Due to low education and lack of knowledge, the police officers admitted victims believe these warnings from traffickers. As one officer outlined:

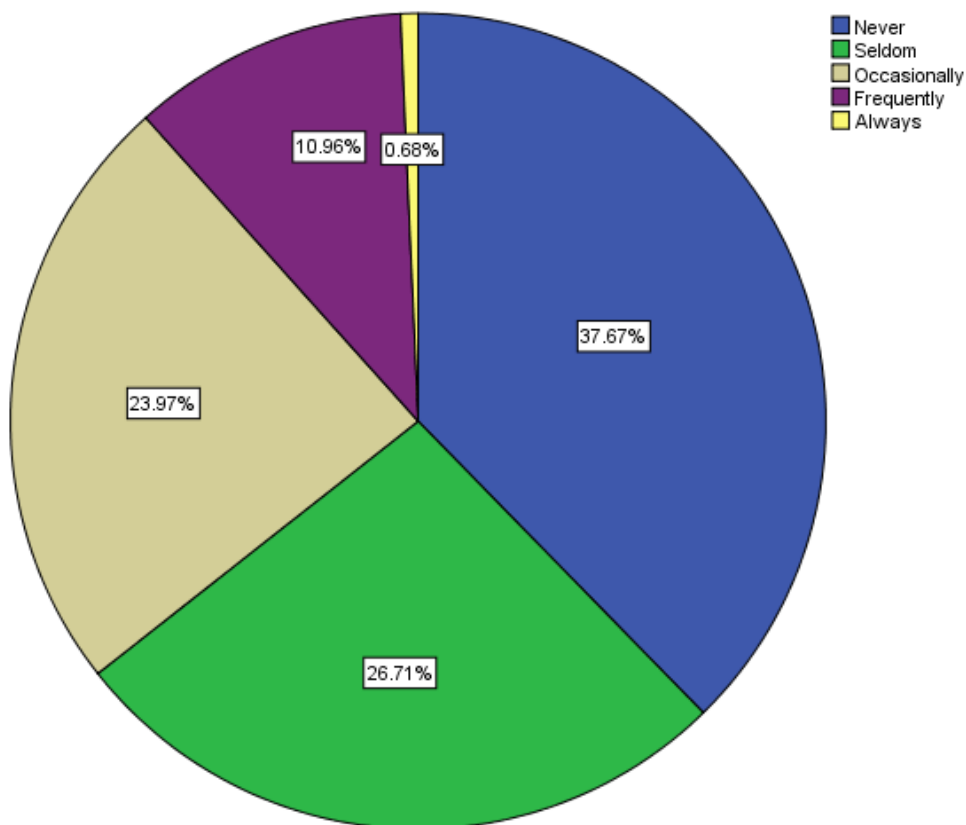
I [police] understand that victims frequently listen to threats from traffickers about deportation and detention... Pimps collect passports or other personal documents after entering into brothels. In these cases, victims admit that [victims] must believe in detention, jail or expulsion if police find [the victim] without any legal documents. [116]

Some interviewees also admitted that they arrest and punish those who do not provide any legal documents. They explained that these are potential victims who have not responded to the screening questions asked by police. Of course, police are in doubt about the status of these individuals as they shared. Depending on each case, they added that police make a decision regarding which punishment they deserve. As one leader stated:

Checking the ID of those people is compulsory but having no ID is commonplace. Then [police] raise other questions about their context such as family, hometown, reasons for staying at brothels and other activities in brothels. If [victims] have no answers or answer wrongly, [police] think of [victims] as prostitutes. Then [police] may fine [victims] before letting [victims] leave. [18]

However, the results of the surveys indicated that the majority of police officers never or seldom face this problem in their work (67 percent). Only about a quarter of those surveyed reported that they frequently face this fear when working with victims, as presented in Figure 6.9.

Figure 6.9: Frequency of victims' fear of deportation



6.3.3. Techniques of traffickers

Police officers in this project suggested that the number of trafficking victims identified is only the tip of the iceberg, and this is partly caused by the techniques used by traffickers. At the sites focused on in this research, participants sometimes feel impotent when responding to the traffickers' methods. As described by them, traffickers utilise sophisticated tricks to sell people rather than classic techniques such as marriage agencies, shopping, job finding, tourism, and work or temporary work abroad. As the police explained their purpose is to obtain the trust of potential victims before taking them abroad. Therefore, the police believed that these techniques not only mean victims are unable to realise they are being cheated or taken to be sold to buyers, but also inhibit police from finding evidence. As one leader stated:

The first difficulty is to verify whether trafficked people are directly exploited or not. Most of them are cheated out of expected jobs in places such as luxury restaurants. However they were unable to record their situation or take photographs of the exploitation where it happens in foreign countries without any witnesses. [113]

Some participants stress the capacity of traffickers to paralyse the sense of vigilance of victims by sophisticated methods. One investigator shares a story that traffickers promise to do whatever is best for the victims if they follow them. These perpetrators even become 'angels' in the eyes of victims because they play the role of good people in scenarios created by them, and this is not recognised by the women who are trafficked. As one investigator illustrated:

She [victim] was lured by the sweet words of her cousin who painted a rosy picture of her future abroad. [Victim] was told [victims] would work in luxury restaurants and hotels that [victim] hadn't dreamed about but the traffickers described. At that time, her cousin was her idol and whatever he said was the guiding principle for all of her actions. Even when [victim] was sold into brothels, [victim] still believed that her cousin would have taken her out. [118]

Notably, one police officer spoke disappointedly about how online love is one of the most effective means used to deceive victims. As he analysed with the development of the Internet and the spread of applications such as Facebook and Zalo, the young generation approach love easily. He added that '*Hunters*' are willing to chat, then become acquainted and make friends before dating. He thought that online love blinds these people, ensuring they only do what the traffickers ask until they are sold into brothels abroad. As a senior police officer explained:

The most common trick of traffickers is to cheat victims with fake love. They often get acquainted and make friends with young girls through the Internet, then use sweet words to wheedle these girls who believe in their 'fake' lovers easily. Whatever the lovers say, they follow without a doubt. [121]

Another participant added that traffickers always hide the victims in the dark. He detailed perpetrators labelled the victims with fake names, banned them from contacting outsiders, and frequently took them to other locations. This officer felt disappointed when facing this frustration as he is frequently one step behind the criminals in this respect. He described the inefficiency of police in finding trafficked people in brothels, saying:

During the exploitation, owners of brothels often move victims to other brothels in their areas. This normally results in police losing track of victims in many cases. It is somehow hard for us to find victims of trafficking on time. [120]

Overall, police participants in this research found that traffickers used many techniques to hide their offence, such as online love and using fake information for contacting victims on the Internet. This contributes to the hidden nature of trafficking impeding police from properly identifying victims. However, these perceptions also found another barrier contributing to hindrance of the identification of victims of sex trafficking, which will be examined in the following pages.

6.3.4. Cultural and geographical barriers

The data from this research also highlighted that police in Vietnam find cultural conflicts and

geographical obstacles as the hindrance of victim identification. Police officer responses to surveys indicated that cultural (18.3 percent) and geographical barriers (16.7 percent) impede identification of victims in Vietnam (see Table 6.3). To support this, the interviewees claimed that geography is a difficulty for police in identifying victims of trafficking. As confirmed above, Vietnam has primarily experienced international trafficking, with most victims having been trafficked in overseas countries (USDOS 2015). This means the final step of trafficking frequently takes place outside the boundary of Vietnam. Therefore, police face challenges to finding the victims. As one officer from Haiduong reflected, there are difficulties in directly interviewing victims of trafficking or finding witnesses in those cases if victims stay abroad.

When victims are cheated and sold abroad rather than staying domestically, it's hard for [police] to take their statements. [Police] only know their case via reports from their families which can't reflect their full trafficking cases. Finding direct witnesses isn't easy because these cases just turn around traffickers and victims who understand their cases clearly. Even if [police] find the witnesses but [victims] live in China. Therefore, [police] can't interview [victims] as an important source of evidence to determine whether people are trafficked. [12]

This police officer also indicated the role of geography in prosecuting perpetrators and identifying victims. More specifically, a case of HT only happens when there is the presence of giving and receiving money and people, but this sale of people often takes place outside Vietnam as he reported. This results in an inability to prosecute traffickers and identify victims.

Currently, I [police] am facing a case of HT where [police] haven't been able to prosecute offenders because giving and receiving money happened in China. The person gave money and received people living in China, but the person who received money and gave people is in Vietnam. No one witnesses these actions. In this case, [police] haven't prosecuted offenders because of weak evidence. [12]

All police interviewees complained that police cannot go abroad to identify and rescue victims quickly, at least not in a timely manner as the provincial police complained when receiving information about trafficking. A senior police officer reported the geographical difficulties when locating the victims in a place as large as China, explaining that the application of technology is unlikely to be effective in finding them.

China is a very large country so it isn't easy for [police] to pinpoint the victims' place exactly by using GPS. Sometime, victims are taken to remote areas in China. Moreover, victims are often moved to other brothels to sell sex. Frankly, it's so hard for us to use technology to find trafficked victims. [13]

Apart from geography, police officers in this research considered cultural barriers as barriers inhibiting police from effective victim identification. They told that Vietnam is an Asian country and people still keep a traditionally closed lifestyle. As they detailed the family members maintain the honour and happiness of their family and their ancestors: they do not ruin the tradition of their own family by doing bad things.

These police noted many victims who are involved in sex work keep this secret until death to avoid destroying the honour and prestige of their family. An experienced investigator discussed the

silence of victims as a way to protect their family from the bad attitudes of the community.

Even victims who returned as citizens, [police] know they were trafficked to sell sex but they didn't confirm they had been trafficked. They said that they voluntarily went abroad, no one took or trafficked them. So [police] feel stressed when dropping these cases. [13]

Some mountainous police showed that in the northwest upland of Vietnam, some minority groups keep their customs in daily life, however, one of these customs has resulted in difficulties when responding to HT cases, namely that of 'catching wives' (bat vo). As some interviewees from Laocai and Langson explained, here the family members do not report their children missing because they think that boys have caught their daughters to get married. One captain explained the nexus between this custom and identification of potential victims in his workplace.

In addition, trafficked people's parents don't report their children's disappearance because they have some traditions and customs of ethnic minorities, such as 'bat vo'. For example, some H'mong boys from other villages visit Hmong girls' families, and then take them away for some days. Her parents think that they only go for a visit as tradition. They think this is normal and don't report to police. However, traffickers take advantage of this custom, they kidnap the young girls to sell to China, but the parents of these girls still think it's 'bat vo'. Therefore, they don't notify the police anymore. [17]

Another police officer added that many traffickers take advantage of this custom to recruit victims before selling them. This policeman told minority groups in this culture organise a yearly Khau Vai love market (cho tinh Khau Vai), as a traditional feature of their culture. However, he admitted it is now commercialised and criminalised because boys use 'love' to deceive girls before selling them into China. As one investigator working in the mountainous area, noted:

Relating to custom in my province, victims only get acquainted with boys for two days in love markets and follow them to go to China. It means that they get to know each other in two days, but they are trafficked for some years. [10]

Taken together, police understanding suggests that there is an association between culture and geography, and the ineffectiveness of identification of victims of sex trafficking. Because the old culture of ethnic minorities exists in Vietnam, as well as the country being geographically complex, the police force faces challenges to successfully identify victims. The facts show that misidentification and under-identification of victims of sex trafficking comes from weaknesses of the police force, as examined in the remaining section of this chapter.

6.3.5. Challenges originating with the police force

6.3.5.1. Identification of victims of trafficking is not a priority compared with prosecution of trafficking cases

Although the government has for years proposed a program in relation to the identification of victims of trafficking in the NAAP, police participants in this project disclosed that police have not prioritised this. Indeed, the police interviewees commonly admitted concern that the police focused on prosecuting traffickers rather than prioritising the identification of trafficking victims. One interviewee explained that the police frequently pay more attention to how many traffickers or trafficking cases

are successfully prosecuted in a year. As he complained failure to prosecute traffickers not only impacts general achievements of their agency but also reduces belief in the police. Explaining why police do not pursue victim identification, one official from Hochiminh described, which factors affected the priorities of his office.

If the information reported isn't clear, such as having no name, address, or images of potential traffickers, we [police] only receive it and save it in cabinets rather than investigating these cases. This is because it's too time-consuming, and a waste of staff energy to address such information... We don't want to receive bad attitudes from the public regarding our task, and our agency doesn't want to lose general achievements because of these failures. [14]

This statement mentions a nexus between the prosecution of trafficking cases and the identification of trafficking victims. More specifically, another investigator explained in terms of legal status, the identification of ST only starts when a case is prosecuted under the law. He identified numerous factors inhibiting the prosecution of these cases, such as the case having occurred many years ago. This makes it far more difficult for police to locate the legal status of those cases before determining whether there are victims. For instance, an officer from a border province described a case which happened many years before being reported to his agency.

Unfortunately, I [police] have faced a HT case which happened ten years ago. When being trafficked, the victim had been only an innocent girl, but when meeting us, she was an experienced woman. Traffickers sold her into many brothels before being rescued by Chinese police. Honestly, it was not easy for her to reminisce about the traffickers, other victims, and time and place of the trafficking occurrences because so much time had passed. The information she provided was unclear. I think this was because she couldn't get in touch with outsiders for a long time. She couldn't report valuable information to help us prosecute that case. I mean this is a big story. [17]

As one senior police official added:

The more time passes, the less valuable information we can collect. It can be safe to say that HT is a high-rate hidden crime for many reasons; but one of them mainly comes from time which passed for a long time when victims forgot much information to shed light on the nature of trafficking cases. [125]

Some interviewees also discussed how the statute of limitations has a negative effect on the identification of victims of trafficking. According to the *Criminal Procedure Code*, the criminal process must take place within a certain time, depending on the seriousness of crimes (Vietnamese National Assembly 2015a). This means that from the beginning point of prosecution to the end of investigation is the only time allowed for police to identify whether or not individuals are victims of trafficking. When the statute of limitations for prosecuting ST cases expires, police will not label trafficked people as victims of trafficking despite them actually being trafficked. As one officer said:

Obviously, investigators must obey the regulations of the *Criminal Procedure Code*. Therefore, when police complete an investigation of trafficking it means that they close that trafficking case. With those who report to police about their trafficking involvement in a closed case, police often consider them as informants rather than trafficked victims. [16]

Additionally, officials provide other justifications for not prioritising the identification of victims, such as a lack of resources. One investigator discussed why their agency only conducted victim identification if the information was clear or the sources of information were easy to verify, avoiding failure in this respect.

You know we receive much information about incidents of HT but we can't cover all information of it. We just select cases that are obvious and not too complicated. Otherwise we send them to a higher level of authority to address as we do not have enough staff to follow them up. [118]

To summarise, police perceptions indicate that police do not prioritise the identification of trafficking victims because they are afraid of losing achievements if prosecution fails. This is a new challenge, which has not been researched until now. Furthermore, this finding supports the argument that the statute of limitation has influence on the identification of trafficking victims.

6.3.5.2. Lack of staff and inconsistent structure of anti-trafficking departments

Despite the existence of trafficking cases, participants in this study suggested that police misidentify trafficked victims due to shortage of police officers and inconsistent structure of anti-trafficking agencies. The police interviewees explained that a lack of officials has a great influence on their capacity in responding to the problem of HT. One interviewee expressed that there is an inverse proportion between a limited number of police and an increased number of trafficking cases in his agency.

In my agency, ten officials are responsible for investigating HT and social problem-related crimes. Being a mountainous province, geography is complicated and vulnerable for ST. However, we cover all aspects of this crime. For example, identification of trafficking victims is based on overt sources of information. We don't have time to develop covert sources to identify potential victims who have returned to their communities. [110]

Another officer added that ST frequently involves transnational organised groups, which requires more staff to develop techniques to identify victims. If there are not enough staff, police will stop working towards identification. One senior officer discussed the successful identification of victims with assistance from numerous human resources.

We [police] have just finished investigating a special case of ST, resulting in a 24-victim rescue in Malaysia. But, the way to this success was paved with thorns. Five traffickers, including individuals from Vietnam and Malaysia, organised a criminal group to deceive and force women and girls to sell sex in brothels in Malaysia. Being a national Task Force, we have enough officials to address such cases. At the provincial level, however, it's very hard to do this because we need officials who are responsible for verifying all the potential victims in many hometowns. Some of them must connect with Malaysian police to exchange information on time. A special group must search for traffickers who travel from Vietnam to Malaysia many times per month. Another team must locate where victims are being detained. This is complicated work that consumes much time and energy. [113]

In addition to a lack of staff, some interviewees commented on the inconsistent structure of the anti-trafficking departments nationwide. Apart from those at the ministerial level, there is one Task Force unit located in the Hanoi Police Department. The other provinces mix anti-trafficking and

social problem-related crimes. That is why they complain that they are too overloaded to address HT cases; they cover other crimes such as gambling and prostitution. Although they agree about the relationship between these crimes, HT is inherently different from other crimes. As one provincial officer lamented:

We [police] are under pressure to address all cases of trafficking and prostitution crimes, as well as gambling at the same time. How can we do that with our limited numbers? We can't spend all our time on identifying victims. We must investigate prostitution, and arrest gamblers. It will be much better if we only care about cases of trafficking. [12]

Another interviewee noted that if there is a consistency regarding Task Forces in the police force, it will improve the effectiveness of combating of HT. He explained that each of these crimes has some unique features. A Task Force on HT should be independent from other crimes because officials in this force need to be educated and trained, and develop specific tactics to identify these cases. Furthermore, this police officer thought that if yes, the Task Forces create a national unified system for investigating, prosecuting, identifying victims, and particularly collecting data on trafficking. As one interviewee stated:

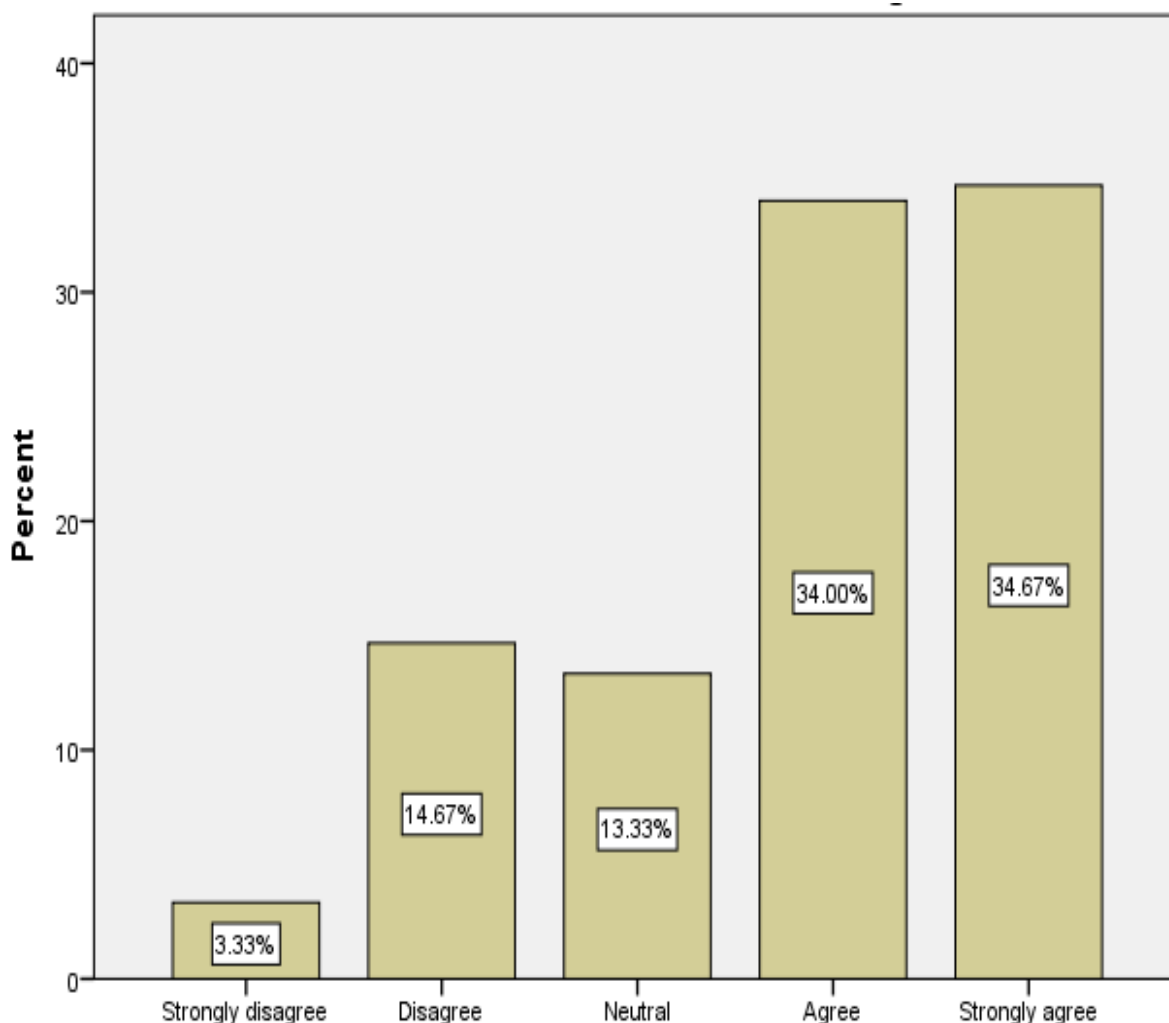
Task Forces on trafficking should be separated from other teams to have specific training courses, and develop different tactics in order to meet the practical demand. We now face difficulties to implement training and investigative cooperation when lacking a focal point for each province. This separation helps us identify trafficking cases more effectively and quickly. More importantly, it ensures the data on HT will be collected correctly and scientifically. [125]

Police experiences in this study demonstrate how a lack of staff and inconsistent structure impede the proper identification of victims. These challenges still remain existing in many countries (Farrell, McDevitt & Fahy 2010; Simeunovic-Patic & Copic 2010).

6.3.5.3. Limited knowledge

Respondents in this research admitted that many police lack knowledge and experience in addressing ST cases. The survey results indicated that almost two-thirds of participants (68 percent) agreed that it is challenging for police to identify victims of ST when lacking knowledge about trafficking in their work. Only a minority of those surveyed (18 percent) disagreed (see Figure 6.10). This result was supported by the interview data, where interviewees revealed how a lack of knowledge and experience inhibits the identification of victims.

Figure 6.10: Level of challenge when lacking awareness about sex trafficking



The interviewees noted that the ineffectiveness of professional training results in the lack of police knowledge and understanding about ST. As one of them noted it is common that police are only aware of international ST. As a result, these police participants believed that the strategies police adopt are not oriented toward identifying victims of domestic ST but focusing on victims of international ST. As one interviewee illustrated:

All of the ST victims were transported to sell to Chinese brothels. Traffickers don't keep victims in their hometown or other provinces of Vietnam because of the low benefits and high level of identification from police or family members. [14]

Only interviewees from the Haiduong discussed the successful investigation of a domestic ST case. These investigators indicated that there were several mistakes made by other police departments, such as not distinguishing domestic ST from illegal detention or prostitution. An experienced officer in Haiduong noted although these crimes are quite similar, the key point of difference is to shed light on coercion, deception, or force of sex workers' involvement in sex work. As a police officer stated:

To date, only Haiduong has successfully prosecuted a case of domestic ST. No other provinces/cities have done this. We make clear the techniques of traffickers in each step with preliminary evidence of force and deception. Other provinces often ignore this because they only stop activities of illegal detention. [12]

One typical example was raised by a captain who lamented that his agency changed a case of domestic ST into an illegal detention case because of lack of evidence in relation to force, threat, and deception.

It was a very famous case in 2007 in Vietnam, namely Tan Hoang Phat, regarding organised prostitution and pornography. In the first period, we pursued a charge of ST, but then we changed because we couldn't seek evidence of force and threat, as well as deception in this case. No sex workers confirmed their victimisation even though offenders locked them in a kennel and forced them to sell sex many times a day. Perhaps, that was a huge failure for us because of lack of knowledge. [120]

Additionally, the interviewees discussed the lack of experience in interviewing victims as a barrier to effectively identify them. Indeed, the first interview plays a key role in determining their victim status as agreed by police. However, these participants also showed common mistakes during this interview include the use of young or untrained investigators, the lack of a translator skilled in ethnic minority languages, a lack of cultural understanding and psychology, wearing uniforms, interviewing in police facilities, and asking a lot of sensitive questions. They asserted that these elements only make victims fearful or refuse to report about their trafficking experience. Consequently, police respondents believed that interview quality with victims still limits. As one experienced investigator lamented:

We made a mistake when letting some young investigators interview victims. These officials still lack experience to communicate with victims who have experienced horrible trauma from brothels. But police stereotype them as sex workers due to their involvement in sex work. Therefore, the way they ask questions is similar to the way to ask sex workers. [125]

In some cases related to ethnic minorities, some police interviewees said that police failed when interviewing victims when they did not use a translator who spoke the correct language because in the victims' culture, they do not have conversations with people who do not live in their communities. As one captain noted:

H'mong trafficking victims don't talk to us if lacking a translator who uses H'mong. In their culture, they only share things with those who live in their village. Although we know a bit, they don't speak with us. That's why we must invite leaders of villages to interpret during our interviews. [15]

Another colleague discussed the need to select the place and time of the interview effectively.

After returning from brothels, they [victims] still remain shocked. Do not interview them at this time because doing this makes them hurt. Let them stay in safe and quiet accommodation, not police facilities, to help them keep calm. Then we interview them at that place, not wearing a uniform. Involvement with the police force makes them think that they will be arrested. Especially if victims have experienced corruption of international police when they first reported. [110]

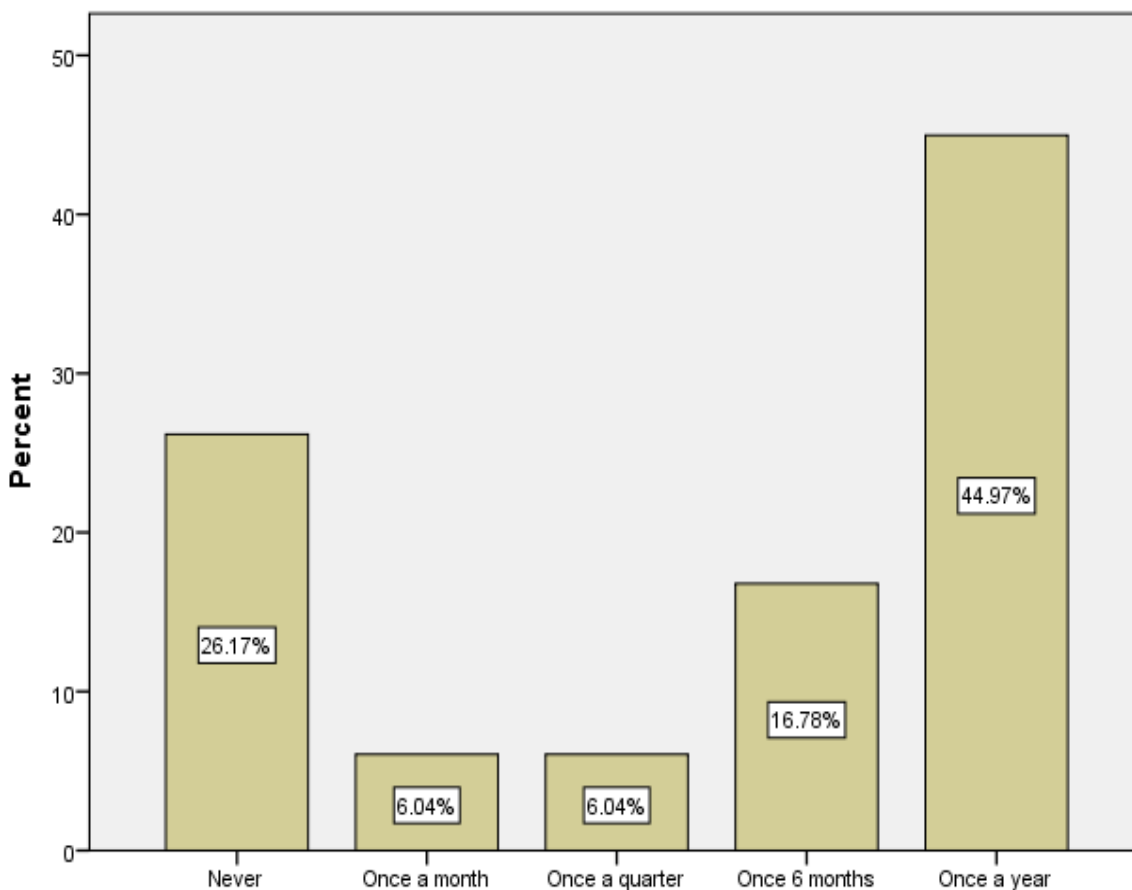
These quotations illustrate interview techniques as an area where police in Vietnam lack

experience needed to properly identify victims. It is crucial to improve these issues via training courses. However, police face numerous problems in organising these programs, which prevent from identifying victims in practice.

6.3.5.4. Ineffective training courses

A similar characteristic Vietnam shares with other countries is reported in this research, namely that training courses for anti-trafficking units are ineffective even though training is central to identifying victims of trafficking (Connell et al. 2015). Here, the interviewees expressed problems regarding training in the area of HT in Vietnam. First, they criticised the frequency of training courses for police tasked with ST. This argument was supported by the survey results, as shown in Figure 6.11.

Figure 6.11: Frequency of attending training courses



As can be seen in the above chart, over a quarter of police participants reported that they had never joined any training courses regarding ST, while nearly half attended training programs once per year. Only a small fraction of respondents (six percent) did so once a month or once a quarter respectively. These results suggest that anti-trafficking police neither frequently nor never participate in training courses regarding this crime. This results in police lack of knowledge and experience in identifying victims, as previously analysed (see Section 6.3.3.3).

In the context of victim identification, several interviewees discussed the desired frequency of training courses. Similar to other crimes, they explained that traffickers frequently develop new tricks to sell people, depending on social and economic factors. One of them shared an example that the pimps organise sex tour to exploit sex workers in foreign countries, which prevents Vietnamese police from detecting their offence. These police officers believed that if police do not update their knowledge regarding these techniques in a timely manner, it is hard to identify victims in new forms of trafficking. These participants also added the facts show that police are always a step behind offenders. As a result, the sooner the police are updated, the more effectively they can address this problem as they concluded. One interviewee compared changes between past and current methods by way of illustration.

In the 2000s, clothes as well as other items originating from China were good and luxurious for girls to use. So it was attractive and easy for traffickers to invite victims to go to Langson markets and then sell them to Chinese brothels. But now, no traffickers use this method because of too many options for clothes in the supermarkets and fashion shops. Instead, traffickers use Facebook and Zalo to deceive [cau] the girls through love or friendship before taking them to China. These social websites are too prevalent and no one cares about the Internet use of their children. It's common in trafficking cases now. [119]

Being an experienced official in organising training courses, one interviewee discussed further the importance of frequency in training. ST in each province or region is different. For example, he said in the northwest provinces, traffickers kidnap children to sell for adoption or labour exploitation on Chinese farms and women to sell to brothels in China. However, he added in the southern provinces, the majority of female victims are deceived to sell sex in foreign countries such as Thailand, Malaysia or Singapore, and they are transported by air. In addition, he also noted traffickers use the Internet to lure girls who get used to using social applications. Therefore, in his opinion these techniques should be taught among the provinces and regions to allow police officers to understand and know how to deal with the cases they encounter. Otherwise, many officers may not identify indicators of HT cases as he complained.

Some interviewees also admitted that the provincial police were passive about hosting training courses for police in their jurisdiction. Normally, they are waiting for training courses to be hosted by ministerial agencies and social organisations rather than doing it themselves. Therefore, they miss chances for police to update their knowledge regarding ST. This was tested via the surveys as presented in the following table.

Table 6.5: Hosts of training courses

Sources to host training	Responses	
	N	Percent
Agency for which you work	21	8.0
Ministry agencies	101	38.4
International organisations	66	25.1
NGOs	35	13.3
Colleagues	22	8.4
Yourself	18	6.8
Total	263	100.0

The above table shows three-quarters of those surveyed (77 percent) said that police had participated in a training course hosted by ministerial agencies, international organisations, or NGOs, while 23 percent were instead hosted by their agency, their colleagues or themselves. These figures suggest that the police have not been active in designing training programs to satisfy changing ST practice. Indeed, several interviewees lamented that training courses seldom happened, creating gaps in knowledge and experience for new officials who have joined the anti-trafficking teams. As one officer declared:

HT is a very serious and complicated crime. It's difficult to investigate. With those who have just started to work with it, it's necessary to be trained. For example, young officials who have finished studying in the academy and college of police. Unless they participate in training programs, they may fail to combat against it. [124].

The interviewees also reported that training courses only focused on officials tasked with ST, ignoring front-line officials who had chances to encounter trafficking cases. Crucially, this reveals that police at district and ward level should be trained regarding ST. As police participants agreed that these officials face fewer chances to be trained either because they are not responsible for addressing ST or because the leaders of their agencies do not prioritise training for them. As a result, these police interviewees believed that they do not recognise red flags regarding victims even though a case of trafficking may have happened. As one investigator illustrated:

At the district level, front-line officers may miss indicators of HT. For example, in 2008, three girls visited my agency to report their trafficking cases. They told me that they had visited the Cao Phong Police Department [name of a district police] to announce this but the official there refused them because they sold sex in brothels. This official threatened them with a fine if they continued arguing at the police station. [17]

This statement illustrates the necessity of training for all police rather than the focus on task force to facilitate the identification of victims of trafficking. Therefore, it is important to improve the quality

of training courses related to trafficking in persons, including victim identification (see Section 8.4.5).

6.3.5.5. Lack of foreign/ ethnic minority languages knowledge

Police participants admitted, it is not easy or immediate for police to identify victims if there are conflicts in communication. Police participants mentioned this as one of the significant challenges when responding to ST cases, including the identification of victims. In the surveys, 16.7 percent of respondents perceived this challenge in their work (see Table 6.4).

Police interviewees in this study indicated that Vietnam is a main source country for trafficking, thus they rarely meet foreign nationals who are trafficked into Vietnam. However, they confront language barriers in contacting international police and approaching ethnic victims. Indeed, these officers commented that majority of victims cannot speak foreign languages, such as English or Chinese, to contact police if necessary. As a result, they experienced that police miss chances to identify victims of trafficking effectively and quickly. The following statement described difficulties police face when they are unable to communicate with victims.

Language is very important. Currently, police are bad at speaking English, or even Chinese. Meanwhile, most of the victims have been taken to Chinese and English speaking countries. In many previous cases, we [police] wanted Malaysian or Chinese police to rescue victims at brothels but lacked translators to contact them. When communicating with them, victims had been moved to other places. We [police] failed to rescue because of this. [117]

A national official spoke in detail regarding language barriers in cooperation with international police due to conflicting terms in each language.

The terms used in judicial mandates in Vietnamese sometimes are not appropriate with other languages. For example, we use 'examine' but China uses 'search' to look for evidence. Therefore, Chinese police didn't gather evidence as we hoped. They ignored things that may be considered as evidence in the Vietnamese laws because in their laws, it doesn't matter. [125]

Other interviewees stated there were difficulties in communicating with victims who are from minority groups. In their workplace, there are languages of ethnic minorities, which police cannot speak. A female police officer explained that she is the only one who can speak Chinese at her agency. Therefore, she is always in charge of interviewing victims from minorities speaking Chinese. The effectiveness of interviews with these people increases with the capacity to use their language.

I [police] haven't faced any challenges up to now. Some police experience language barriers, for example, they can't speak Chinese or ethnic minority languages but I can contact them in their own languages. Perhaps, it is advantageous for me to handle these cases over my other colleagues. [123]

With respect to culture, several interviewees discussed how victims who are members of ethnic minorities do not believe in the police anymore because the police do not speak their language. These respondents employed translators to connect with victims but this was not as effective as

they hope. As one experienced officer lamented:

We [police] must use interpreters to work with victims from minority groups but these translators don't know the legal terms in those languages to convey meaning. The level of accuracy is affected partly by third parties. In addition, a few victims don't want many people in the interviews. They may refuse reporting after that. Especially, if police like us don't use their languages, they won't believe in us. [I21]

These statements reveal the fact that many police face languages of some ethnic minorities when identifying victims who are in these groups. Additionally, the limit of using foreign languages is a barrier for police to communicate international police when cooperation takes place in the area of victim identification. It is a big gap for Vietnamese police to address in the future when improving identification of trafficking victims.

6.3.5.6. Stigmatisation of sex workers

Although this research reported that some sex workers are identified as trafficked victims by police (see Section 5.4.2), the interviews showed that some police have stereotypes about sex workers that inhibited their capacity to identify victims. Police interviewees analysed the fact that police associated ST with prostitution cases led them to create an image of sex workers even though the victims were sold to sell sex in brothels. Therefore, these participants revealed this image remains in the police minds despite the fact that it is far removed from that of the individuals who have been forced to sell sex. The interviews indicated that police expressed prejudice towards those who are involved in sex work and many respondents considered victims to be too lazy for studying or working, while liking to spend money, so that they actively entered into the area of ST to make money. As one officer stated:

Many victims of trafficking like shopping, games and Internet entertainment but they are too lazy to study. They stop studying in order to go to bars or go shopping. Then they sell sex to pursue their passions. [I19]

Another colleague in Hochiminh added:

It's a fact that a large number of girls are sex workers coming from southwest provinces [gai mien Tay]. They are lazy in working and studying but they want to have much money. They like shopping more than school, tourists more than working. They sell sex to make money. That's it. [I20]

Another concern regarding stigma of sex workers is that police were biased towards the reliability of sex workers when being interviewed. These police found that police in Vietnam often think victims are telling lies or they do not provide true information. Consequently, the officers admitted police missed chances to gather comprehensive evidence to identify ST cases. As one investigator commented:

Honestly, we [police] face difficulty in identifying trafficked victims. In my province, there are many cases which occur that are similar to trafficking cases. For example, citizens go to work illegally in China; or prostitutes go to China to join in the sex industry. But for a certain reason, they report to police that they are trafficked and need rescue via the hotline. Or

many girls who go to China as illegal tourists are arrested by Chinese border guards and say that they are trafficked. They aren't honest to report their cases when working with us. [110]

This official continued explaining negative attitudes toward victims who worked in the sex business.

[R]eporters [as in a victim] say that 'I get acquainted with one strange person who is a taxi driver and invites me to go to China as a tourist without fees. When I wake up, I find that I am living in brothels'. With such statements, we [police] investigate their lying. These people offer trafficking cases to hide their mistakes which may have a negative effect on themselves, or their family. For example, some students get out of their family to work as prostitutes in China. They worry about their honour, thus they say that they are trafficked. [110]

Another investigator even considered victims as sex workers if these people got money from customer to sell sex whether they were forced or not.

We [police] have just arrested six sex workers in a case of prostitution. They are very tricky and dodgy. When interviewing them, some of them told me that they had been forced to sell sex by the brothel manager. We asked who received money from sex customers, and they had gotten it. They were impudent and underserving of sympathy. [118]

In particular, as indicated previously, police participants illustrated the fact that some victims cancel reports about their trafficking cases after receiving money from traffickers (see Section 6.3.2.4). Regarding this, the interviewees felt uncomfortable and expressed bad attitudes towards these people. In their eyes, these victims used police as a way to make money from traffickers. If traffickers did not give money to them as compensation for honour, they would bring the police in as a threat as some police complained. In contrast, these officers also analysed that sometime police drop in an 'offside trap' [bay viet vi] if traffickers agree to pay money to them. Accordingly, these police considered them as 'dirty victims' despite being trafficked. As one leader said:

In my province, many victims returned home after being missing for a time. They reported to police about their cases and connected with traffickers to claim compensation. In these cases, traffickers had relationships with the victims as fellow-countrymen. They considered police as a tool for debt collection [doi no thue]. If they received money from the traffickers, they didn't cooperate with us by coming back from China. If they didn't receive money, they continuously made reports to us. They even gave a report to our leaders about their case. They acted as dirty victims [Chi Pheo]. [110]

Additionally, several police lamented that many trafficked people became traffickers in the area of ST (see Section 6.3.2.7). This creates a harmful attitude of police toward the victims, as one captain stated:

The biggest problem is the turnover of victims of trafficking into traffickers. I don't understand how they think, but plenty of victims of trafficking become traffickers after being rescued. Especially, victims of trafficking who were sex workers in the past, because they understand the methods, tricks, social relationship and owners of brothels. This phenomenon is quite common in my province. [110]

To examine this quotation, this research surveyed the rate of victim-offender that police participants had experienced in their jurisdiction. The results revealed that 95 percent of respondents agreed that the rate was around under 70 percent of the profile of victims of trafficking. This refers to the situation where victims of trafficking become traffickers in Vietnam

(see Figure 6.7). Therefore, it is unsurprising that police expressed stigma regarding these people. Of course, this contributes to hindering the proper identification of victims.

6.3.5.7. Inattention to ethnic minorities' migration for work

As previously stated, some ethnic minorities in the northwest provinces annually migrate to China for seasonal work (see Section 5.4.1). Therefore, drawing on this migration, traffickers recruit victims who are in need of work after finishing harvest. The interviews indicated that police could not control this migration of ethnic minorities. Some interviewees considered this migration to be necessary for those who find jobs to improve their economy. These mountainous police told that although they found vulnerabilities towards ST, they had not been able to prevent it from happening. As one leader explained:

Being mountainous, the geography is very complicated and wide. We can't control the migration of ethnic minorities for work in China. Their life is very poor when harvesting is inconsistent. The local governments haven't found any solutions for this problem. We [police] don't know how many people migrate because they use unofficial paths. They are at risk of HT but we feel helpless. [I17]

It is worth noting that these police participants do not know whether such movements are voluntary or involuntary. The number of missing people in these communities remains hidden as police have no clue how to verify this because they think that the absence of individuals is normal; that they are engaged in migration rather than trafficking. Therefore, the reports of some members of ethnic minorities who declare their children missing to police are only saved in files rather than being investigated as lamented by these police interviewees. Talking about this problem, one officer stated:

Sometimes, we [police] receive reports from families whose children or wives are missing. Partly we face language barriers if they use H'mong or Tay which we don't know, but we don't find any translators, so we ask them to go home and return to our agency the following day. If they come back, we let them report in their own languages and save that report in cabinets because we guess that the missing people will come home when the new harvest starts. [I7]

These statements suggest that police inattention to migration of ethnic minorities contributes to the hindrance of proper identification of victims of trafficking. This finding confirms that in the case of ST, police officers pay less attention to some ethnic minorities when they investigate those cases.

6.3.5.8. Ineffectiveness of interagency cooperation

Because of the difficulties in geography and the features of this crime, police in Vietnam confirmed that international cooperation is indispensable in responses to the ST issue. However, some interviewees mentioned the ineffectiveness of international cooperation as another barrier to victim identification in practice. These interviewees complained about the quality of this cooperation although domestic police try their best to contact international police and provide documents. Whether or not there is the existence of a bilateral treaty, the level of cooperation between

domestic and international police is likely to be limited as some ministerial police criticised. As one male police officer from Hochiminh explained, it takes a lot of time to receive responses from international police, or police from other countries, regarding judicial mandates from Vietnamese police. He continued this cooperation happens too slowly to possibly identify and rescue victims in brothels abroad. As this officer said:

Currently, we [police] receive reports from victims' families and referrals from Immigration Departments to mention their trafficking cases. But we are facing difficulty in verifying the places where victims appeared, who victims met, or when they escaped because it happens in foreign countries. We often cooperate with Interpol to check information. However, this cooperation is limited and slow. [I16]

Another officer concluded that low responses from international agencies may result in losing track of victims when traffickers have just taken them to somewhere else.

We [police] can't go abroad to verify the victims' places or rescue them. In such cases, we send a judicial mandate to international police instead of going out of Vietnam. However, responses from international police are quite slow. They often spend one or two months replying to my mandate. Responses from international police are quite slow in rescuing. Therefore, traffickers take victims to other places. [I14]

Other national police explained that international agencies do not reply to whatever they request in the judicial mandate and their responses are not related to the requests from Vietnamese police.

As a ministerial investigator commented:

Up to now, they [Malaysian police] haven't rescued any trafficked people although we [Vietnamese police] send requests via the embassy. Recently, we attended a conference about prevention and fighting against ST with the participation of Malaysian police. We raised the question, 'We have known Malaysian police had arrested hundreds of Vietnamese trafficked women via newspapers. Why don't you notify us in this respect?' They only gave a vague answer that they had checked normal administration and found these to be sex workers. Therefore, it's difficult for us to identify and rescue victims. For example, we ask them to verify personal information of trafficked people, their places or their situations but they don't reply, or they respond ineffectively. [I13]

A police officer from the provincial police added more regarding his case.

We're facing difficulty in verifying information about victims in foreign countries... Honestly, we send judicial mandates to international police, for example Chinese police, but we don't receive any replies. In many cases, we raised questions to the Supreme Court and they also answered that Chinese police didn't response to our proposal. But a few cases, we also received information from Chinese police to investigate trafficking cases effectively through talking to the Criminal Department of China. [I15]

Limitations may arise from various reasons, as discussed by the interviewees. Some agreed that there is a lack of bilateral treaties between Vietnam and other countries about cooperation in response to the ST problem. Meanwhile, police from other countries have not yet cooperated. Therefore, the effectiveness of cooperation is actually limited. As one provincial officer stated:

For example, Vietnam and Korea cooperate in alleging offenders and victims of ST conveniently with a common agreement between both countries. But if lacking these agreements, we face challenges in giving victims back to Vietnam in the case with China. [I2]

Other interviewees showed that international police do not obtain enough information to find victims of trafficking like Vietnamese police do. As one of them noted:

The cooperation with Chinese police is limited. For example, they always ask us to provide the exact places where victims are staying at that time. But we only have images of the village, ward, district or province. Moreover, when victims are using a cell phone, we ask Chinese police to locate the wave of the cell phone. But they don't have any response. Thus, we miss chances to identify and rescue victims. [15]

Another provincial police officer added that the supplied information is not exact.

Because they [victims] don't have any relatives there, they are very upset; then they contact their family and tell them that they are trafficked. But their family doesn't know the places of these victims exactly because victims don't know foreign languages, and are living in mountainous areas. Therefore, we can't identify them in these cases. [16]

Meanwhile, one provincial policeman said that it is time consuming to send requests from a provincial police to international police in response to the ST issue.

Because it's very complicated for a provincial police department like us. We need support from the C45 [ministerial department] to contact International Cooperation Police. It seems to be time consuming and we miss victim emergencies. Therefore, we need to shorten this process in the future. [18]

Several police interviewees noted corruption is sometimes identified as a factor. This interviewee particularly mentioned the corruption of international police as a significant barrier to them cooperating effectively in ST cases.

One question mark is about the international LEAs with whom we cooperate. Honestly, some victims told me that they reported to the local Police Department about their trafficking cases after escaping from a brothel in Malaysia. But Malaysian police arrested them instead of the traffickers. Some hours later, they were taken back to their old brothel with their owners. It says that I don't believe completely such police when they are cooperating with us. This causes victims' refusal to cooperate later. Therefore, we have to spend a lot time persuading them to make their statements. [18]

Another statement reflected the corruption of international police from one experienced national investigator.

Even some women [victims] think that it is time consuming to cooperate. In some special cases, they don't believe in Vietnamese police because they found international police corrupt, or even they have faced trouble when working with police. For example, Malaysian police receive protection money from the owners of brothels. A few women escaped from brothels and reported to police. However, just a short time later, police took them back to these brothels. Therefore, many trafficked people say no to police after returning to their home. [113]

6.4. Conclusion

This chapter presented a perspective on the identification of victims of ST from police officials, who have experience in addressing it. From this analysis it is evident that police use a wide ranges of methods to identify victims of trafficking. The data from this study showed that police in Vietnam use more reactive approaches rather than proactive strategies to identify victims of this crime.

Specifically, the police participants believed in reports from victims in which information is often useful to recognise the indicators of ST. Also, these participants accepted information provided by citizens such as friends or neighbours of victim. Although this source is not common, it supports evidence to successfully identify victims and prosecute offenders. Apart from these sources, police in Vietnam sometimes received referrals from NGOs—who have wide networks to support both victims and police in practice. However, contrary to the international tendency, these participants did not mention the role of service providers in this respect. In Vietnam where economy is low and these services have not been existed. Fortunately, police received support from border guards to identifying trafficked people when these officers patrol in border areas. Finally, according to the Vietnamese Criminal Procedure Code, referrals of ST cases among levels happens if those cases do not belong to authority of one level. Although all of the respondents agreed that information from victims is a main source used to recognise victims, this response is only slightly higher than other methods used for this activity.

In terms of proactive strategies, these police employed raids on brothels to identify victims—who are sold for sexual exploitation. Furthermore, police in this study conducted extra investigations after finishing the previous cases of ST, people smuggling, and prostitution—related crimes. From statements of offenders or victims in these cases, police continued identifying other victims of ST. Unfortunately, these police did not continue investigating domestic violence cases to earn chances to identify potential victims of ST as mentioned in the US (Nichols & Heil 2015). Meanwhile, other police highlighted that intelligence is another source to recognise victims of ST. In particular, several police in this study focused on from traffickers; victims do not trust police; victims want to hide their violations in the past; victims do not want to be punished by law enforcers; or victims claim money from traffickers to investigating vulnerable groups such as young women who often go abroad, women who are absent from their communities without clear reasons, missing people in communities, groups migrating for work, children with interrupted education, people with social problems, and ex-sex workers. These groups are in risk to become potential victims of this crime.

In addition, this chapter discussed the inherent obstacles for agencies tasked with identifying victims of trafficking. Firstly, conflicts in the current legal system about definition and implementation are barriers for police to correctly identify victims of ST. Another challenge is the reluctance of victims to cooperate. For example, trafficked people do not recognise themselves as victims; victims are scared of revenge keep silence. This analysis revealed that cultural and geographical barriers inhibit police from approaching victims of trafficking, especially in ethnic minority communities.

Particularly, this study demonstrated some challenges coming from the police force in this respect. Many police do not place victim identification as a priority in their responses to ST. While lack of staff, consistent structure, and knowledge in the anti-trafficking police system has negative

influence on victim identification. Training courses do not satisfy the quality of this activity. It should be noted that linguistic problems are actually barriers to approach victims. This study also analysed the ineffectiveness of interagency cooperation as another challenge for police to successfully identifying victims. Otherwise, stigmatisation and criminalisation of victims prevent proper police identification. The findings in this chapter have an impact on police support for victims of ST, as will be discussed in the next chapter.

CHAPTER 7. RELATIONSHIP BETWEEN (NON) IDENTIFICATION OF AND (NON) ASSISTANCE FOR VICTIMS OF SEX TRAFFICKING

7.1. Introduction

This chapter targets assistance available from police for victims of ST. There are many services available to meet the needs of trafficking victims throughout their journey of recovery (Pascual-Leone, Kim & Morrison 2017). Most scholars classify their needs into urgent, short, and long-term demands (Busch-Armendariz, Nsonwu & Cook Heffron 2011; Gibbs et al. 2015; Zimmerman et al. 2006). Security, accommodation, clothing, food, and legal defence are immediate priorities for this group. Transitional and permanent accommodation, legal aid, interpreter and medical services, health care, travelling, living skills, education, financial support, career guidance, and repatriation are needs over the short and long-term (Gibbs et al. 2015). However, this thesis argues that many trafficked victims do not have access to assistance from police whether they are identified or not.

This chapter is organised through the following structure. The first section presents services for victims of ST who are identified successfully, including health services, basic needs, legal assistance, and translation services. The remaining sections of this chapter reveal the relationship between (non) identification of and (non) assistance for victim from police. This section describes under-identification of victims, unavailability and inappropriateness of services, and lack of frequent cooperation with NGOs as additional factors impeding police in assisting victims.

7.2. Services for victims of sex trafficking

It is paramount that trafficked victims receive services immediately after they are identified up until they recover psychologically and physically (Okech, Morreau & Benson 2011). However, services for victims of trafficking vary depending on the stage of trafficking, such as during pre-departure, transportation, transit, destination, and integration (Crane & Moreno 2011). The police participants in this research see police support generally to be confined to matters linked to the victims' participation in criminal investigations and prosecution. The qualitative data from this study reinforces that services provided by police to trafficked victims participating in criminal procedures are present because the current laws and policies require police to assist them (see Appendix 2). This is captured in the following statements.

Being in charge of investigating cases of trafficking, we [police] have special regimes to protect and support victims of this crime when they cooperate with us to shed light on the cases. This ensures the spirit of government and law. However, we don't have enough conditions to support them over the long time. Hence, we try our best to support them when we're working together. [16]

In the period of investigation, police must support victims as much as possible according to the *Criminal Procedure Code*, and Anti-trafficking law, as well as policies of government.

Otherwise, it has great influence on the success of the investigation if victims escape, don't cooperate, or even retract. Whatever police can provide them with will ensure their participation in the criminal procedure stages. [I17]

From the data in this research, it is evident that many police believe that they have supported victims by providing for their needs during the time of investigation. Indeed, these findings demonstrate that police show some bias towards supporting victims if they cooperate, but not otherwise (Elfes, Birch & Ireland 2015; Gallagher & Pearson 2010). In an effort to find specific support services in the criminal procedure, the following sections examine health needs, basic needs, legal services, and translation services, as provided by the police to identified victims in Vietnam.

7.2.1. Health services for victims

The participants in this research suggested that many police support medical assistance to victims of ST who participate in criminal proceedings. The survey results reported that about one-fifth of police participants (20.7 percent) provided health services to victims of ST when working with them (see Table 7.1).

Table 7.1: Primary services for victims of sex trafficking provided by police

Key services	Responses	
	N	Percent
Assisting in criminal procedure	113	22.5
Health needs	104	20.7
Basic needs (food, clothing, housing, and transportation)	85	16.9
Repatriation to home country	77	15.3
Re-granting personal documents	72	14.3
Language/translation services	50	9.9
Other	2	0.4
Total	503	100.0

To further explore health services, police interviewees clarified the types of emergency and health services provided. For example, these police officers detailed that medical services allow them to alleviate mental and physical pain by stabilising victims' health so that these victims would be able to raise their voices in order to prosecute the traffickers and substantially participate in counter-trafficking activities. As one officer outlined:

After being rescued or escaping from brothels, many victims were very exhausted because they had been exploited for sex for a long time and overcome a long journey back to

Vietnam. Their bodies were too tired to stand up when meeting us. They need medical assistance to recover their health at this time rather than other assistance. [I4]

The majority of the interviewees revealed that services for both physical and mental treatment contributed to restoring the health of victims although it could take much time. The police believed these services are critical to allow victims to recover from the damages of this crime, such as sexually transmitted diseases or trauma. As one police officer said:

We [police] often ask the medical section at provincial sponsor centre to conduct health examination of victims when they work with us. If they have special medical needs, such as serious injuries caused by traffickers' beatings, or even HIV, we will facilitate their treatments as much as possible. [I13]

According to most participants in this study, mental health problems are more complicated to treat than physical problems because of the serious psychological damages caused by traffickers in the long-term. As discussed in Chapters 5 and 6, traffickers use a wide range of techniques to control victims from recruitment to exploitation, such as threats and violence. As one officer said, 'In their psychology, victims feel scared, isolated and dependent when we [police] talk about traffickers, despite working with the police' [I5].

To address these mental health problems, many interviewees tried using various methods to gradually stabilise victims' mental health. These interviewees understood that this should be ongoing and that there is a central role for psychologists, social workers, and the victims' family members in restoring victims' psychological wellness. Thus, these police shared approaches to assist victims, which varies from simple to complex. For instance, one senior officer tried to connect with a victim by sharing his sympathy.

The important thing I [police] encouraged her [victim] was to keep calm... I was willing to share the pains and difficulties with her, which made her understand that I sympathised with her and I was trying to do the best things for her. [I5]

Other participants offered professional services to assist the victims.

Many victims are seriously stressed due to intense psychological trauma because in the process they were sexually exploited in brothels. We [police] invite psychologists or send the victims to the special medical centres to help them overcome these mental health issues. Of course, this will need the support of other stakeholders, including their parents. [I10]

These police understand that the victims' recovery from the damage caused by traffickers is crucial. As they analysed it not only helps them avoid re-victimisation by cooperating in the arrest and prosecution of traffickers, but also allows them to commence a new life.

Some interviewees noted that police also provide health services to the victims' children during the investigation period. These officers claimed that some trafficked victims, along with their young children, escape from Chinese brothels to Vietnam. As cases in Langson, a policewoman told that some victims become pregnant accidentally when being forced to sell sex in Chinese brothels, and

then they give birth there. When children are born while their mother is being trafficked, they do not benefit from health care in China as she told. This was captured in the following comment.

Some women gave birth in an unintended manner during the sexual exploitation in brothels. This number isn't many. They brought their child to Vietnam because either the traffickers drove them away or they escaped. That's a pity because those children didn't have any health examination or any basic health services. We [police] took them [children] to the provincial medical centres to examine their health, or at least immunise. [115]

In terms of physical health, many police officers reported that they see bruises and scratches on victims' faces, arms, eyes, or necks, and they give them liniment instead of taking them to medical centres. As some officers explained, this is because such injuries are not serious enough to require medical attention. For example, one male police officer from Langson stated:

I [police] also find some victims injured, but only simple damages, such as scratches on their arms, or bumps on their face. I don't think they need to see doctors. I often give them "cao" [a kind of liniment] to reduce the pains if happens. [119]

Additionally, some victims tell police they do not need to see a doctor to treat physical health problems. As a police officer from Laocai explained:

We are police, not doctors. When we ask victims whether they have pains or not, they say no. It means that they don't need the medical services. So we don't take them to see police doctors if they don't want. [110]

Police experiences in this study highlight that many police in Vietnam provide medical services, focusing on physical and psychological trauma. However, when victims deny health services are needed, officers do not provide them. Victims' denial stems from a wide range of reasons, some of which have been discussed in the previous chapter (see Section 6.3). Additional reasons will be presented later in this chapter (see Section 7.3).

7.2.2. Basic needs of victims of sex trafficking

Further empirical analyses of this research sample identified that basic needs of life are also supported by some of Vietnamese police. As shown in Table 7.1, a minority of the participants (16.9 percent) reported that they had provided food, clothing, transportation, or accommodation to victims of ST. All interviewees in this study concurred that police only support these needs victims in some specific cases. One senior officer outlined when victims can access these services.

Most of the trafficked victims who worked with [police] have a stable place or stay at the provincial social welfare establishments because [victims] returned home or were rescued by LEAs. This means that housing isn't an emergency. But [police] must provide accommodation in some cases: 1) victims are far from their hometown, 2) victims are homeless, 3) victims refuse to go back home for various reasons, or 4) victims have been rescued at night. These cases are uncommon in practice. Furthermore, victims are supplied with food and clothing when living in these social welfare centres because the government and NGOs have funding in this respect. [Police] only provide food and clothing (if necessary) in the above four cases. [13]

As previously stated, in some special cases, the victims live with their young children when working

with police. This means that these police officers also provide food, clothes, and accommodation for these children. In these cases, some police acted in accordance with their humanity rather than laws or regulations to care for these children as much as possible. This was illustrated by one female officer's statement.

The children staying with their mums were provided with food, clothes and housing according to the present policies, which don't cover enough needs for them. I spent my money buying more milk, nappies, or clothes for these kids because I am very sympathetic to them. [115]

Interestingly, the majority of the research sample commented that the services aim to ensure the well-being of victims of ST. The most important element identified in ensuring their well-being was psychological assistance (36.7 percent), followed by providing accommodation (30.9 percent), as presented in Table 7.2.

Table 7.2: Protect the well-being of victims of sex trafficking

Ways	Responses	
	N	Percent
Psychological assistance	121	36.7
Accommodation	102	30.9
Not arresting	51	15.5
Not fining	48	14.5
Other	8	2.4
Total	330	100.0

As Zimmerman et al. (2006) show, traffickers threaten victims' well-being from the point of trafficking to the time victims return home. For this reason, as several police officers explained, psychological assistance would be necessary to help victims overcome intimidation from traffickers as discussed in Section 7.2.1.

In terms of accommodation, some police interviewees noted that they had arranged facilities in the police station for victims to sleep for a few days. Otherwise, they rent guesthouses near the police station so they can supervise victims' safety. They also acknowledged that they do this because the victims' well-being is a necessity. Most of the police indicated that they are willing to protect the

victims if they are in fear. These interviewees explained that many victims believed themselves to be safe because they benefited from services such as food, housing, and psychological assistance from police. The following statement reveals the importance of police ensuring the safety of victims.

Sometimes, victims are afraid of threats from traffickers. They ask police to protect them from offenders. For example, in one case, after interviewing the victim, they couldn't go out of the police station because they were nervous about threats from traffickers. The victim asked me [police] to take her back home. To protect her safety, I let her stay at the police station one night before taking her back home myself. Frankly, this was also my responsibility to protect the victim from being attacked. [11]

Apart from victims being returned home by the police in the above cases, some interviewees said that they assisted with transportation fees depending on circumstance. As one senior officer explained, 'I often buy travelling tickets for victims to go home because victims have no money or means of transportation' [13]. Another colleague also indicated that 'if victims live in other provinces in Vietnam, police will buy coach tickets' [14]. One male police officer further explained that 'if victims live inside the province, police will hire motorcycle drivers to take them home or give money to them for the transportation fee' [19].

The data for this research also showed some experience that police support indispensable needs of life for trafficked victims, such as food, clothes, accommodation, and transportation. These services contribute to protecting the safety of victims, as required by the *Trafficking Protocol* and the *Criminal Procedure Code* of Vietnam.

7.2.3. Legal services

The police sample in the present study mentioned the provision of legal advice as a major need in recovering victims' psychological and emotional health. As identified in Chapters 5 and 6, victims of ST are often unaware of their rights because of their limited knowledge about laws, and their minimal education. Therefore, it is important for the police to provide legal assistance to trafficked victims. As one senior officer described:

Due to low education, victims of trafficking have limited knowledge especially regarding the law. They still fear police will punish them as they sold sex. As a consequence, they don't want to work with police. Only when we explain specifically their legal status and their rights, their fear and stress reduced. [113]

Several interviewees reflected that there is a wide range of legal services, which victims of ST receive during the criminal procedure: the most prevalent is provision of legal information. When working with victims, most police explain the current regulations relating to their case to them, so they can understand how they are protected by laws and LEAs, which they have often not previously understood. Some police officers described that given victims' shyness, fear, and lack of understanding, police actively offer victims information about their rights, they can believe justice will prevail in terms of protecting them and punishing the traffickers. These following statements explain how this legal support has removed the bottleneck in assisting victims.

The *Criminal Procedure Code* requires the police to explain the rights and obligations of victims when working with them. Moreover, victims have limited knowledge of laws. Therefore, legal advocacy in this period allows them to understand whatever they deserve, and what they should do. They are more confident to continue their life ahead. [12]

Legal aid is very important for police to effectively work with victims. The advocacy helps them understand that they aren't criminals and they deserve rights, such as asking law enforcement to punish traffickers. When their psychological damage disappears, they give police a lot of credible evidence to arrest traffickers. [118]

Additionally, several interviewees noted that issuing certification and re-granting personal documents, such as IDs or passports is necessary for victims of ST. The survey results showed that 14.3 percent of respondents re-granted personal documents for trafficked victims when they needed (see Table 7.1). Some interviewees explained that the passports of many victims were confiscated by traffickers to manipulate them in the exploitation abroad. Thus these police found that those victims escaped or were rescued without these travel documents. These officers added, certification about trafficking is considered as a legal necessity for victims to obtain further services from stakeholders when they return home and start a new life. This was illustrated by the following statement:

Traffickers gathered passports of victims to supervise them when landing at the destinations. At the time of escaping or being rescued, victims had no documents. [Police] issue new ones to victims in accordance with *Decree 62*. [114]

Another form of legal assistance mentioned in the surveys and interviews is repatriation. This need accounted for 15.3 percent of all the responses regarding primary services for victims (see Table 7.1). No interviewees in this study confirmed that Vietnamese police provide this for international trafficking victims who want to return to their home countries. In their explanations, Vietnamese police try to cooperate with international police to bring Vietnamese victims back home as soon as possible. Some police interviewees reported that this comes from the fact that victims are afraid of being re-trafficked, or cannot leave their current slavery in destination places. As one senior officer explained:

[V]ictims are still worried. They don't think that they can get out of brothels in China unless Vietnamese police take them home officially. [124]

Another interviewee commented that the isolation and exploitation in brothels motivated victims to ask for repatriation.

When talking to a victim via the phone, she was very frightened because of the beatings from the body guards. She always asked me to take her home, take her home, home and home. She didn't want to be killed by traffickers. [14]

The police perceptions in this area provide that many police supported their victims some legal services. It is acknowledged, however, that these participants in this study only provide legal services during the criminal proceedings while victims work with the police. Moreover, as identified in Chapters 5 and 6, the interviewees mentioned the difficulty in comprehensively addressing

trafficking cases because of language problems. Therefore, language support for victims of trafficking is crucial for police to respond to trafficking problems.

7.2.4. Translation services

The police in this research also reported offering translation assistance to trafficked victims in some special cases. The survey results showed that a small number of police participants (9.9 percent) assisted victims of ST with translation services (see Table 7.1). To support this, the police interviewees emphasised that translation services were only used for ethnic victims of ST. More specifically, the languages of ethnic minorities, rather than foreign languages.

To explain the need for translation, some interviewees working in remote regions stated that a large proportion of ethnic victims were hindered in their communication when the police could not speak their native languages. These interviewees emphasised that these victims did not know Kinh [the official language of Vietnam] because of their limited education. As the officers revealed, using their own language respected victims and minimised misunderstanding between police and victims. A further advantage was that the use of translators increased the ease of communication. The following statement illustrates the efforts of police in providing translation services to ethnic victims when working towards criminal proceedings.

In my province, many trafficked victims are Tay, Dao, Nung or Thai [ethnic minorities in Vietnam]. They don't know how to speak Kinh because they haven't been educated. Therefore, it's hard for us [police] to find a translator who can speak their native language fluently. This helps the police understand whatever the victims report. [19]

These police participants noted that ethnic victims are unable to report their trafficking to police unless they use an interpreter. Therefore, police find interpreters who help ethnic victims to communicate with police in their native language. These officers asserted that with the assistance of interpreters, ethnic victims can detail information regarding the tricks, appearances, and numbers of traffickers, as well as the time and place of their trafficking when reporting to police. As one senior officer outlined:

[Police] and victims need translation services to understand each other, especially ethnic victims. For example, to H'mong victims, in my experience, I [police] often invite leaders of villages to play the role of translator to translate from H'mong to Kinh as a good and effective means of working with these victims. Remember that although you can speak H'mong, it doesn't mean that you can understand whatever they tell. These translators help victims clearly report their trafficking. [17]

This statement suggests that some police will invite leaders of villages to translate from their native language to the official language of Vietnam. This officer explained that the leaders not only know how to speak Kinh fluently but also hold the highest position of villages with full prestige. These individuals, therefore, help the police encourage the victims to report their trafficking. He further said:

Using leaders of villages also helps the police stabilise the victim's psychology because the victims completely believe in these leaders. The leaders' voices are strong enough to

negotiate with any victims in the villages. [117]

From the data in this research, it is evident that Vietnamese police try to provide services to victims of ST as much as possible when victims participate in the criminal proceeding, in keeping with current regulations and policies, as well as from a humane perspective. These findings support the spirit of the *Palermo Protocol* (UN 2000) regarding the assistance and safeguarding of trafficked people. These findings demonstrate that Vietnamese police show some bias towards supporting victims if they cooperate, and vice versa they do not support victims if these people refuse to cooperate (Elfes, Birch & Ireland 2015; Gallagher & Pearson 2010). However, not all of the victims in Vietnam are assisted by the police, as presented in the next section.

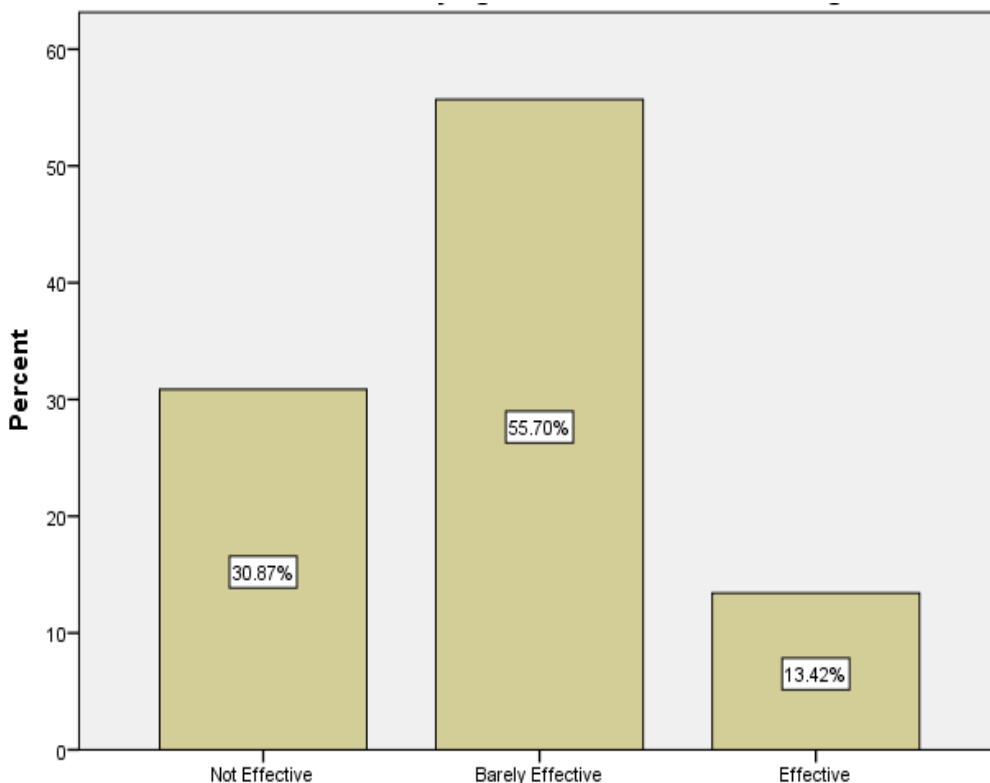
7.3. Non-assistance from police for trafficked people

Many trafficked victims do not have access to service provided by authorities for many reasons, despite being identified successfully (Busch-Armendariz, Nsonwu & Cook Heffron 2011; Clawson & Dutch 2008a). The data from this study suggested that many trafficked people go unassisted by police. Some reasons come from victims' personal situations, such as low education, mistrust in police, or linguistic barriers. But in other cases, the victims are not referred to services by police due to shortage of funding, lack of knowledge, or ineffective cooperation between police and anti-trafficking organisations, both public and private. These challenges impact both victim identification and assistance, and were discussed in the context of the former in Section 6.3. Additional challenges impeding police assistance for victims will now be explored.

7.3.1. Failure to identify victims

The data from this project suggested that many police consider going unassisted of victims when they are not identified as victims. To gain an understanding of what factors influence police assistance for victims of ST, participants in this study were asked to indicate whether they thought police were effective in identifying victims of this crime. The majority of respondents (55.7 percent) perceived police as being barely effective at identifying victims of ST. Almost one-third of this sample (30.9 percent) believed that the police were ineffective in recognising victims, and only a minority (13.4 percent) perceived police were effective at identifying victims (see Figure 7.2).

Figure 7.2: Effectiveness of identifying sex trafficking victims



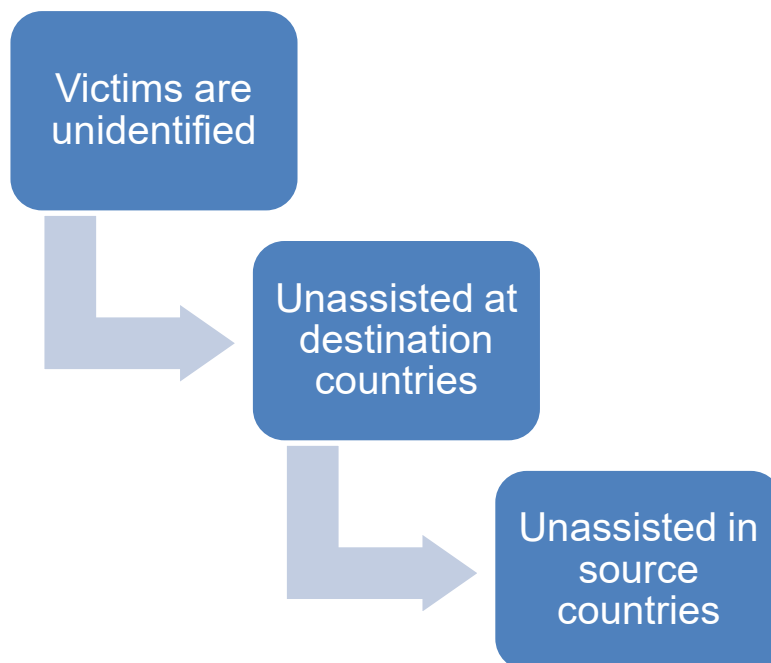
These figures suggest that police are not barely proficient in identifying victims of ST. As a consequence of this, many victims do not access services to which they have a right (Gallagher 2001). In other words, the police participants in this study confirmed that there is a causal relationship between non-identification and non-assistance when the police responded to trafficked people. The survey results in this research highlighted that almost one-thirds of police participants (29.3 percent) regard failure in identifying victims as an obstacle impeding police from assisting trafficked individuals (see Table 7.3).

Table 7.3: Factors limit support of police

Factors	Responses	
	N	Percent
Failure to identify victims	107	29.3
Not enough funding	83	22.7
Victims distrust in police	65	17.8
Victims violate the law	43	11.8
Victims refuse the assistance of police	38	10.4
Victims do not cooperate with police	25	6.8
Other	4	1.1
Total	365	100.0

As was mentioned in the previous chapter, police failure in identifying victims of ST comes from a wide range of reasons (see Section 6.3). Here, several interviewees discussed the consequences of misidentification or under-identification on police assistance for victims. Normally, the police would have no support for victims in this context. The interviewees outlined a map of non-identification and non-assistance of victims of ST (see Figure 7.3).

Figure 7.3: Relationship between non-identification and non-assistance



The interviewees also explained that trafficked people go unassisted because of non-identification at destination places. These officers stated that many trafficked people come into contact with LEAs during their trafficking but they are not officially considered trafficking victims. They noted this happens with both international and domestic ST. Consequently, these police believed that these trafficked people cannot access services for which only victims of trafficking are entitled. This is illustrated by the following statement.

[Police] can't support those who have no evidence in relation to trafficking. It's bullshit when providing services for those who come to the police station saying that they have been trafficked without showing any credible evidence. [I12]

As indicated previously, many trafficked people return home to Vietnam by themselves (UNDOC 2012). These are individuals who have not been identified as victims in the source country (Surtees 2013). Many interviewees emphasised how difficult it is for police to assist these people because they do not possess documents related to their trafficking. In such cases, the police participants admitted these trafficked people only obtain support from their family rather than

police. As one male police officer stated:

Some trafficked people returned home after escaping from brothels. Because of many reasons, they didn't report to police at that time. After participating in social programs of NGOs, they came to our attention and asked us to support. But they couldn't prove that they had been trafficked by whom, when and where. We couldn't help them anymore. [18]

Other police officer commented that there are no current policies allowing them to support someone who is not identified as a trafficking victim. In such cases, police cannot provide any services to them. To illustrate, one ministerial officer declared:

It's hard to say that we assist those who haven't been identified officially as victims of trafficking. We have no money to respond to these cases, and additionally, we have no responsibility to serve those who are not identified as victims of trafficking. [122]

Another officer working in remote areas compared current financial assistance in the context of identified and unidentified victims to confirm the great influence failing to identify victims has on police assistance for them.

Only those who are identified as victims of trafficking received supportive funding. If these trafficked people are not identified as victims, they won't get assistance. For example, they are illegal immigrants, sex workers. [119]

The experience shared by police in this research confirms that failing to identify leads to non-assistance for victims. These participants concluded that Vietnamese police lack policies, protocols, and funding to address this problem. In such cases, thus trafficked people are disadvantaged.

7.3.2. Unavailable and inappropriate services to victims

The participants in this research suggested that trafficked persons go unassisted because services are either unavailable or inappropriate at the time of the criminal procedure. The police interviewees explained many victims refuse support from police because these services do not meet their needs. As previously discussed, the police do not have enough facilities to provide for the needs of victims when it comes to, for example, housing or medical services. Therefore, after identifying victims of sex trafficking, police often take time to find the resources required to meet the needs of victims. This is captured in the following statement.

There isn't affordable accommodation in my agency for victims of trafficking. Police have no room for these victims in the police station. We must contact social sponsor centres so that we can give victims housing. But these centres have limited rooms to adapt for these cases because there are many people wanting assistance regarding accommodation. [125]

Other evidence illustrates the unavailability of services associated with translation. According to several officers, Vietnamese police rarely speak foreign languages fluently, such as English or Chinese, or that of ethnic minorities, such as H'mong, Tay, Dao, or San Riu. Therefore, whenever victims are from ethnic minorities, police find it difficult to locate interpreters because they are not always available. In some cases, the police take considerable time to find interpreters when

working with these victims. As one provincial officer declared:

[Police] faced another obstacle for persons from ethnic minorities who did not speak Kinh. For example, in a trafficking case, we [police] found a Dao person to translate, but the trafficked girl didn't understand the translator. We invited another interpreter from H'mong but this victim still misunderstood. We assumed that she came to another ethnic minority, and we tried to invite a San Riu translator. Finally, it worked. But we found it very hard to provide translation service to victims because we didn't have resources of this service. [15]

Additionally, police officers explained victims go unassisted because police services do not align with their needs. For example, some interviewees commented that many victims have feelings of shame, embarrassment, and discomfort when reminded of their trafficking cases. These police told that the stigma involved in performing sexual services, such as prostitution, also increases victims' refusal to seek services. As the participants added these individuals want to hide from their past because they do not want their family or themselves to be further affected by their trafficking. In their explanation, victims are fear cultural ramifications, namely 'gossip', in their community. Hence, these police interviewees believed that they may decline police assistance. This is captured in the statement below.

When I [police] said that I would take her [victim] to her home by police car. This victim declined my assistance because she didn't want all the people in her village to know about the trafficking. [11]

The police officers working in remote areas emphasised that ethnic minority victims of ST have different points of culture from the Kinh, which is the mainstream culture in Vietnam. If the police do not understand and recognise cultural distinctions, these victims refuse police assistance. For example, one of the police participants told that using interpreters who are not of the same culture is ineffective for H'mong victims. One officer from Laocai told of his difficulties in working with a trafficked H'mong girl.

I [police] invited a primary school teacher who knew H'mong so that she might contact a H'mong victim and translated from H'mong to Kinh. But this victim didn't respond to any words although that teacher tried to persuade her to cooperate. Finally, the teacher suggested I should invite a patriarch of hers to translate. I did and I succeed. Later, the patriarch told me that H'mong trust in people with the same surname, the same culture and the same community. [16]

A further obstacle is illustrated in the following statement.

When I [police] gave clothes and a blanket to the victim [H'mong girls], she shook her head to show her refusal. Despite being cold outside, this girl resolutely resisted and expressed her fear on her face. I don't know why she was like that. The next morning, her father came to see his daughter and asked me why I had let her be cold in the evening. I told him what had happened to her that night. Finally, he explained that clothes or items which were completely in white meant death. That was why she hadn't worn them. [15]

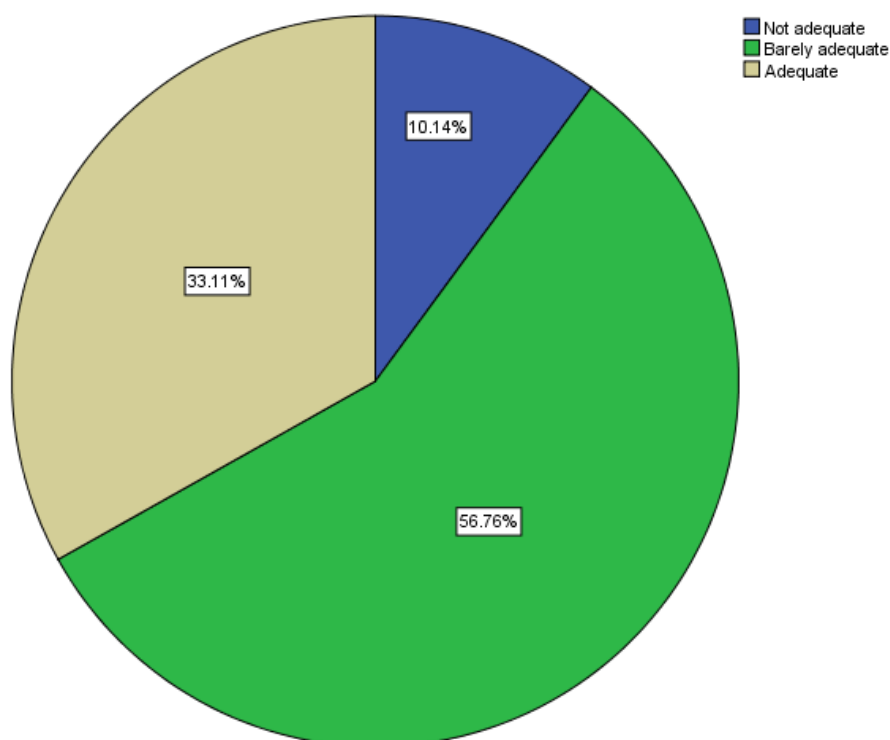
Another colleague working in a remote area also stated that victims have declined services he has offered.

In some cases, ethnic victims of ST were rescued in the evening, but it was hard for me

[police] to communicate with her [victim] when she was speaking Tay [a group of ethnic minority] and I used Kinh... I gave food, blanket, and water to her. But she shook her head. Then, she tried using gestures to express what she asked. Unfortunately, I didn't understand that. The following morning, a translator told me that she had gotten a fever because of stings of mosquitoes and she needed some medicine. [18]

These statements are supported by the quantitative data which reported that, two-thirds (66.9 percent) of participants said that police services are either inadequate or only barely adequate in meeting victims' needs (see Figure 7.1).

Figure 7.1: Level of adequate services provided to victims

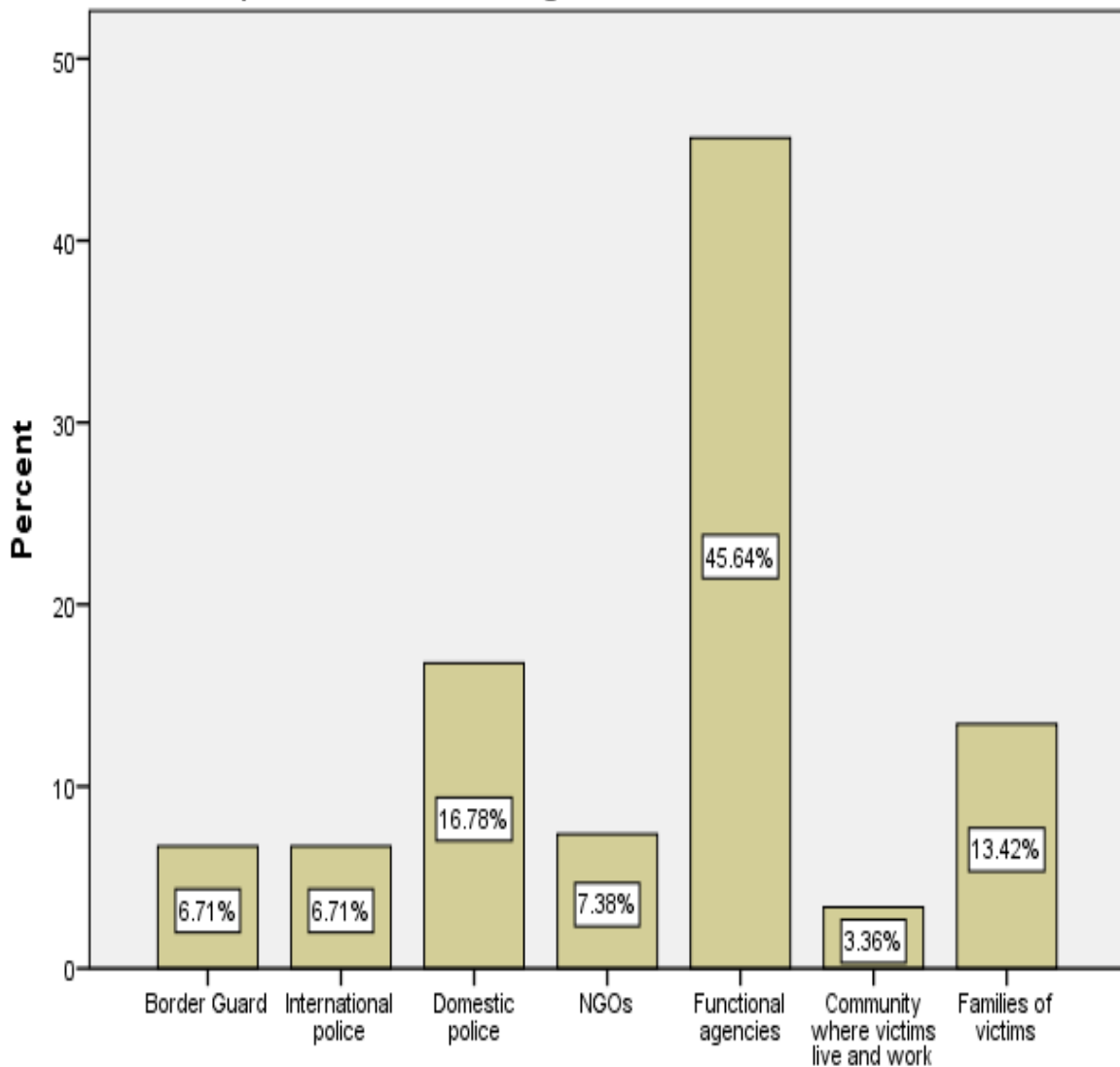


In summary, these statements from police indicate that there is a dearth of available and appropriate police service options offered to victims of trafficking. This confirms that trafficking victims in Vietnam are not fully assisted by the police.

7.3.3. A lack of cooperation with non-government organisations

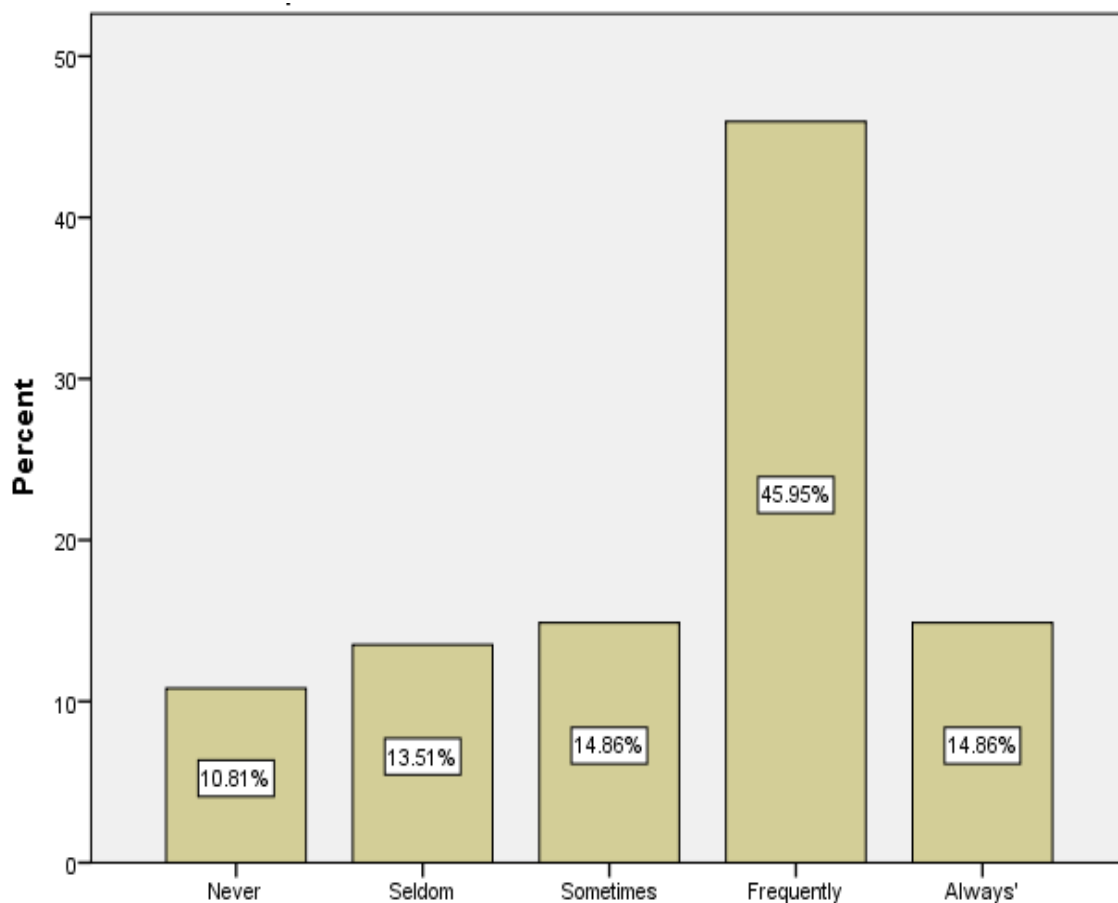
The data from this study indicated that the police limitation to develop cooperation with NGOs prevents them from having more chances to support victims of ST. As reported by all the interviewees, the police maintain a traditionally close connection with public sector organisations such as the VWU, SSC, or SAA, rather than working with private sector entities such as NGOs in Vietnam. This point was supported by the quantitative data, where the survey results indicated almost half of the respondents (45.64 percent) reported that they worked with governmental sectors to provide services to victims of ST, while a very small proportion of them (7.38 percent) reported that they had cooperated with NGOs (see Figure 7.4).

Figure 7.4: Cooperation between police and stakeholders in assisting victims of sex trafficking



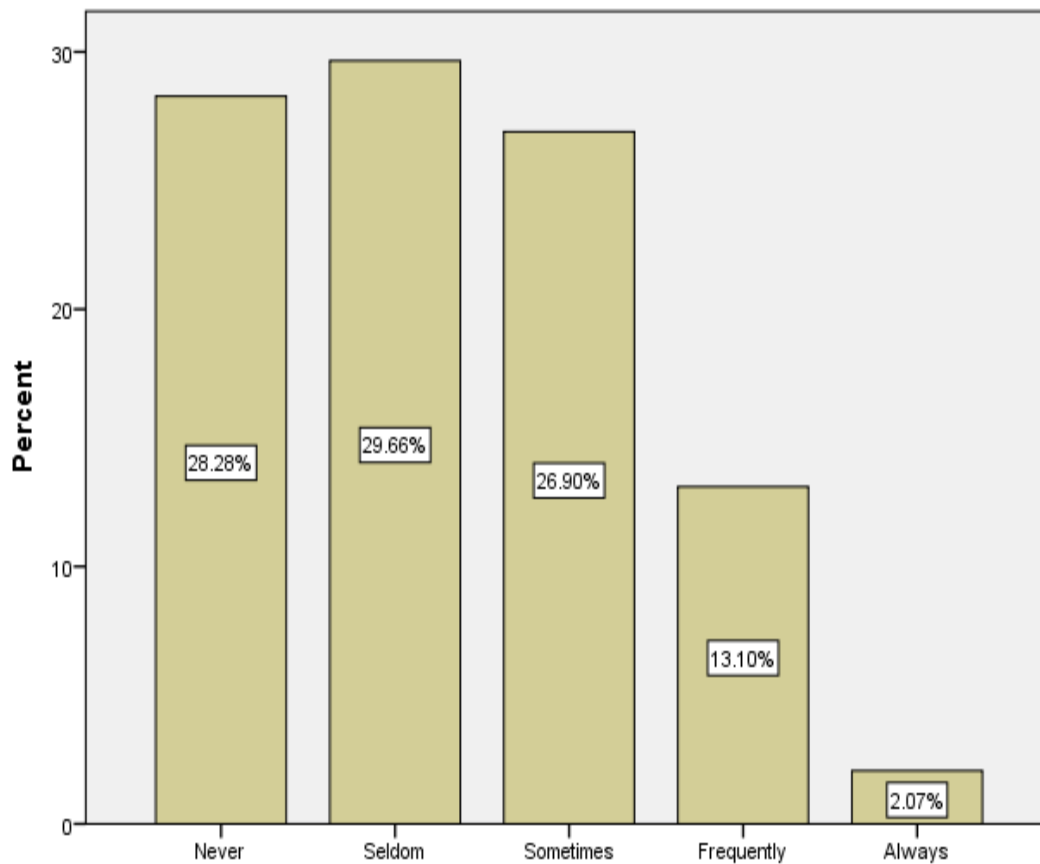
Additionally, this research also examined how frequently the police cooperate with VWU versus NGOs. The survey results indicated that a minority of participants either never or seldom cooperated with VWU (10.8 percent and 13.5 percent respectively). This means that the majority of police participants frequently or always collaborated with VWU in terms of supporting victims of ST (see Figure 7.5).

Figure 7.5: Frequency of cooperation with Vietnamese Women Union



In contrast, the survey results reported that most of the police participants had not coordinated with NGOs to support victims. Only a minority of the respondents indicated that police frequently or always worked with NGOs in this respect (13.1 percent and 2.07 percent respectively) (see Figure 7.6). These results are significant as they show the police’s bias towards the public sector in cooperating to assist victims of ST.

Figure 7.6: Frequency of cooperation with non-government organisations



Many police interviewees explained that cooperation between police and public sector organisations appeared limited because these functional agencies also face challenges in implementing and upholding the objectives of the social programs funded by the government. These officers listed challenges including shortages of financial resources, deficiency in facilities, and lack of human resources. They thought that theoretically, the SAA or SSC receives and assists victims of trafficking when the police lodge a request. In practice, however, these agencies have insufficient capacity to support victims, although it is a legal obligation as some police participants shared their understanding. This deficiency clarifies why the police use their own money to provide some services to victims of trafficking as otherwise the victims have no housing, food, or other necessities. As one police officer from Laocai lamented:

[Police] call SSC to send trafficked victims to them as per the regulations. But this agency often complains that they are too crowded with people who need social assistance. The agency can't receive any persons for that reason. Perforce, we give money from our pocket to hire accommodation, buy food, and provide other needs to them. [I10]

Similarly, another officer from Langson said there was no cooperation with these agencies anymore. His criticism was that it was time-consuming to contact them because their response was that no more accommodation was available. As a result, police might not provide for the needs of victims.

In contrast, some police officers stated that they contacted NGOs in Vietnam, especially Blue Dragon, to enlist support for victims. As these police illustrated Blue Dragon helps Vietnamese police to identify, rescue, and support victims of trafficking in efforts to end this crime in Vietnam.² These interviewees detailed the strengths of NGOs, such as stable funding, as well as professionally trained staff who are effective and compassionate, and sufficient in numbers. Interviewees claimed that whenever the police needed support for victims, NGOs never said no. Unfortunately, the police have not always cooperated with NGOs regarding victim assistance. As one senior police officer described:

Blue Dragon is a strong NGO in Vietnam. It [Blue Dragon] willingly supports finance and human resources if [police] request to assist victims as much as possible. But, only some provincial police such as Hanoi or Hochiminh and ministerial police cooperated with it. I think this collaboration should be developed more widely in the coming time. [I15]

To support this statement, an officer from Hanoi assessed the significance of NGOs in assisting victims of ST.

With large funding, NGOs can help [police] cover services to victims of trafficking. For example, they [NGOs] help VWU or SAA open and run long-and-short-term shelters in Vietnam. These shelters now have good facilities and services for victims who are in need. Additionally, staff of NGOs are well-trained regarding psychology, laws, and foreign languages. Unfortunately, [police] still remain timid about cooperating with NGOs at this time. [I22]

Overall, experiences shared by police in this study indicate that police failure to cooperate willingly with private sector organisations, such as NGOs, and the prioritising of public over private agencies, has contributed to the limited amount of assistance for victims. Nevertheless, public sector entities also face challenges, which means they cannot meet the needs of the police or the victims. NGOs, however, may be in a better position to provide services when the police request them, but these requests only occur sometimes. It can, therefore, be claimed that police should improve the quality and quantity of cooperation with NGOs in order to assist victims as much as possible.

7.4. Conclusion

Extending the theoretical themes and arguments put forward in Chapters 5 and 6, this chapter has discussed police assistance for trafficked victims in Vietnam. In this chapter it has been claimed that the police are challenged in assisting victims of ST. Specifically, it has been identified that the police only provide services to victims of this crime during criminal proceedings, including medical services, basic needs such as food, clothes, accommodation, or transportation, legal assistance, and translation services.

² For more details see the Blue Dragon website: <https://www.bluedragon.org/our-work/safe-and-sound-program/>.

The second part of this chapter discussed the cases where victims go unassisted by police. This research showed that failure to identify victims is a direct consequence that those victims do not receive any assistance from police. The current regulations do not allow police to support anyone who are not identified officially as victims of this crime. Especially, trafficked persons who return home by themselves without any evidence of trafficking have no chance to access service by police. Meanwhile, financial difficulties also prevents these police from support them.

The participants in this study discussed unavailability and inappropriateness of service provided to victims of ST. There is a fact that victims refuse support from the police either because those services do not fit their personal needs or because those services are not willing to support victims when needed, for example translation service. This comes from limited knowledge and experience of police in terms of responses to victim's culture and psychology.

More importantly, the limitation of cooperation with NGOs decreases the chances of police to support victims as much as possible. The police do not know how to use the strong points of NGOs to offer services for more victims. Traditionally, police often find support from governmental agencies, such as VWU, SAA, or SSC. If these agencies cannot support police, victims will not access to assistance as they wish. In those cases, they go unassisted although they deserve. Possible solutions to these difficulties for police form the basis for recommendations in the concluding chapter of this thesis.

CHAPTER 8. ANALYSES AND DISCUSSION

8.1. Introduction

This chapter focuses on synthesising the quantitative and qualitative research findings examined in Chapters Five to Seven. It reflects on the nature of police identification and assistance of victims of ST in Vietnam. It compares and contrasts the perception of victims of this crime, methods to identify them, challenges faced by the police in doing this, services provided by the police to the victims, and challenges in supporting victims using the findings of other studies. In doing so, this chapter constructs a detailed picture of who exactly constitutes a victim of ST in Vietnam in the first section. It then discusses how Vietnamese police identify victims of this crime and the challenges in doing so. The final section of the chapter explains what police do to assist the victims, as well as obstacles the police face in giving assistance to these victims in Vietnam.

8.2. Victims of sex trafficking: police officer perspectives

The findings of this research were similar to those in the current literature examining victims of ST. However, there were many differences from these findings in the context of Vietnam. The stereotypes regarding ideal victims of trafficking are commonly presented in studies and society. Specifically, the image of a stereotypical victim of trafficking is a young female who is trafficked for sexual exploitation and is innocent and blameless (O'Brien 2013). Meanwhile, Srikantiah (2007, p. 187) asserts that 'iconic' or 'prototypical' victims are construed by a group of parameters: they are females traded for sexual exploitation; they are assessed to be good witnesses; they need to be rescued by law enforcement; and they effectively cooperate with authorities.

In this research, police officers reported that trafficked people in Vietnam show some similarities to the traditional stereotypes of victimhood as described above. The dominant profile of victims in Vietnam is that of low-educated, naïve, and poor women and children who are coerced or deceived into being trafficked because of their desire for greater economic opportunities and a better quality of life in the destination places. However, many of the victims described by police officers in this study do not fit the stereotypes of victimhood related to forced movement and confinement of trafficked people by offenders. For example, several police officers found that men and boys are trafficked for sexual exploitation. Additionally, other police interviewees provided their experience supporting a study in Singapore indicating that those who consent voluntarily to migrate for the sex industry should be considered victims (Yea 2015). Furthermore, police perception of this project expanded the profile of victims of trafficking by indicating that well-educated people can also become victims of this crime. These themes are elaborated in the following subsections.

8.2.1. The images of ideal victims of sex trafficking

Consistent with existing literature, the police participants in the current study found a predominance of females in the profile of victims of ST (Gugic 2014; Ruivo 2015; Samarasinghe 2012). Their perceptions in this work identified two significant factors influencing the high rate of female victims, namely patriarchal ideology and the negative effect of globalisation. As Confucian principles deeply influence Vietnamese society, gender inequality occurs when men are viewed as being superior to women (Tucker et al. 2009). Consequently, women face domestic violence from their husbands, and fall into the trap of ST when they want to escape (Duong 2014).

Additionally, the growth of the tourism industry has led to the emergence of sex tourism in Southeast Asia. As sex tourism requires female participation in sex entertainment, Vietnamese females are deceived or forced into selling sex in these countries. It should be noted that these women are trafficked into domestic brothels. USDOS' annual report (2017) presents some information about the internal ST that occurs in Vietnam but contains no empirical evidence. These socio-cultural factors contribute to the prevalence of female ST victims. Unfortunately, this thesis does not shed light on the co-occurrence between ST and domestic violence, which is a gap in efforts to identify victims (Nichols & Heil 2015). It instead focuses on police identification and assistance of victims.

Police officers in this research also found that, consistent with findings from studies in other countries such as Brazil and Turkey, the majority of trafficked victims in Vietnam are adults aged 18 years and over (Cunha 2015; Demir & Finckenauer 2010). Their experience indicates that adult victims are traded to other countries with promises of good jobs from traffickers. However, a limitation of this thesis is that responses did not address the specific age of adults, or age groups, to identify the most common age of adult victims.

Importantly, the participants in this project explained that minors are increasingly being trafficked for the sex tourism industry as they are easy to control and return a high profit, which has been presented in other studies (Heil 2012; Kotrla 2010). Unlike the US police officers in Williams' study (2015), however, Vietnamese police in this research did not provide any direct experience that children are victims of ST due to domestic violence. Other research has also noted that traffickers easily recruit child victims who experience family violence in the US (Greenbaun 2014; Zimmerman et al. 2006).

The present study supports the body of research on the role of employment factors when it comes to trafficking victims. Its findings were consistent with those of other researchers, in that victimhood and unemployment are related (Demir & Finckenauer 2010; Molland 2010). Police officers in this research reported that traffickers use common job advertisements such as those calling for shop assistants, waitresses, dancers, and/or domestic workers to lure victims.

Studies in Thailand (Gugic 2014) and Brazil (Ruivo 2015) have found no formal education and low education both contribute to ST victimisation. Some police officers in this study also indicated that traffickers target victims among those who are not well educated. This is because it is easy for perpetrators to recruit and manipulate them in the trafficking process, and such individuals may be unaware of laws and the nature of trafficking, as well as their rights.

It is somewhat surprising that many police participants identified some victims among those who interrupt their education due to financial difficulties and/or lack of motivation. This has not generally been reported in prior studies. More specifically, police officers in this project found that many victims living in the mountainous areas had delayed studying because of a lack of financial resources. A possible explanation for this might be that poverty is prevalent in Vietnam's mountainous provinces (Dang 2006a; Vijayarasa 2015). Several participants argued that, for these individuals, the dream of studying may have been replaced by a war against poverty and hunger for their families, facilitating ST victimisation. Furthermore, some children left school and participated in migration and sex work because their families could not pay school fees (Rushing 2006). Other police officers reported that a number of those living in the countryside also defer their studying because of a loss of desire, and an eagerness to pursue other personal interests, such as going shopping, attending bars, or using the Internet to chat. In this area, some other researchers discuss the influence of the Internet on ST (Farrell et al. 2012; Greenbaum 2014; Heil & Nichols 2014). Consistent with these studies, police officers in this research found that Facebook and Zalo are common tools for recruiting potential victims who fail to complete their education.

Prior studies have noted the importance of family in trafficking victimisation (Cole & Anderson 2013; Jordan, Patel & Rapp 2013; Reid, Huard & Haskell 2015). Similar to the findings of these studies, this thesis found that family-related factors place many people at risk of being a ST victim (Greenbaum 2014; Smith & Coloma 2013). Specifically, police officers showed that conflict, disruption, and dysfunction in families can facilitate the growth of ST victimisation, especially in children. These police interviewees explained that such children lack attention and care from parents in these family settings and make friends with those involved in criminal activities such as prostitution, gambling, and drugs. Additionally, wives in broken families may become the prey of traffickers because they want to escape their husband's violence or patriarchy. These results are likely to be related to the deep influence of Confucian principles on Vietnamese society (Duong 2012). Unfortunately, this research did not quantitatively investigate the number of women and children facing disruption in their families who become victims, as was reported in a study on HT in India conducted by Silverman et al. (2007).

In addition to disruption in families, those whose family members are involved in gambling or drug use may also become victims. This finding both reinforces and adds to the present academic literature indicating that drug-addicted children are forced or coerced into sexual exploitation by

traffickers (Brayley, Cockbain & Laycock 2011). However, very little can be found in the literature regarding the connection between adults and drug use, and force or coercion in ST (Farrell et al. 2012). Some police in this project also identified a link between ST and substance consumption, but this link appears considerably different. Specifically, the police interviewees described members living in families in which fathers and/or husbands had problems with gambling or drugs – the so called ‘social problems’ – who are vulnerable to ST.

In this research, police officers mentioned that gambling husbands/fathers often lose all the money their family possesses, which forces their wives to leave home to find a job for a better future in destination countries. In some special cases, gamblers trade their children as assets to pay their gambling debts to owners of casinos. Likewise, some drug-addicted fathers sell their girls to buy drugs, which is different from the findings in the US study undertaken by Williams (2015), indicating that teens are victims of ST because they leave their families after exposure to their parents’ use of drug. This thesis’s finding is consistent with that of Gugic’s study in Thailand (2014), confirming that children are sold to pay off family debts. This further supports the anecdotal stories about the selling of girls in a study on trafficking in Vietnam conducted by Vijayarasa (2015, p. 83). Aside from parents, police officers in this study found that boyfriends/lovers sold their girlfriends to pay debts for gambling, prostitution, and drug consumption. Indeed, these police interviewees explained that because of debts, traffickers use Facebook or Zalo to get acquainted with, and then deceive young girls before selling them to destination countries.

Most importantly, police officers in this exploration suggested that ST may occur in poor ethnic families with numerous children in the mountain provinces, about which little is written in the current literature. This situation is favourable for traffickers who take advantage of these families, and taking their children before selling them to China.

Given these findings, this thesis argues that many victims of ST fit the notion of ideal or deserving victims. Characteristics of almost all the victims identified involved women, children, poverty, low and interrupted education, and other family-related vulnerabilities, which meets the criteria for ‘iconic victims’ or ‘perfect victims’ (Srikantiah 2007, p. 187).

8.2.2. The non-traditional images of victims of sex trafficking

Interestingly, the current study provides some perceptions regarding the transferring of males for sex in Vietnam, which has also been reported by international agencies (USDOS 2017). The present results, however, are significant in two ways. Firstly, previous research on trafficking in Vietnam has discussed the trafficking of males for labour, whereas this study points to a significant cohort of male victims involved in ST (Vijayarasa 2014). Therefore, it contributes to filling the absence of data collection on male victims of ST, which is not exclusive to Vietnam but is a global problem (Ali 2010). Secondly, this experience challenges the notion of ideal victims of trafficking

being only female, as discussed in the existing literature (O'Brien 2013; Srikantiah 2007).

Some police officers in this study noted that boys are trafficked for child sex tourism in Vietnam, which is reported by USDOS (2013; 2015). In a study about trafficking in persons in the GMS, Molland (2012) also highlights the increase in male trafficking for prostitution. The police participants explained that such trafficking often occurs covertly. For example, boys are sexually abused or marketed by acquaintances, neighbours, or stepfathers who might have brought them to café shops, massage parlours, or hotels to bargain with tourists. In other cases, some criminal groups gather street boys, homeless boys, or wanderers to force them to provide sex for tourists. Despite these results, questions remain. For example, this thesis does not address in-depth the issue of boys being forced to perform sexual acts for tourists, or where the trafficking of boys for sexual exploitation occurs.

Additionally, this thesis emphasises the relationship between people who search for a seasonal job and ST victimisation. The participants in this project discussed that many victims in the mountainous regions tend to find temporary jobs in China after they finish the rice harvest, which is a good chance for traffickers to recruit and deceive these individuals. This view may be explained by the fact that the migration habits of some ethnic minority populations in the mountainous provinces coincide with them searching for short-term jobs in China (Dang 2006a; 2006b). More importantly, these police experiences show that victims of trafficking are identified in the populations related to immigration and people smuggling, which is not generally presented in prior studies—which indicated that those who violate immigration laws may be considered to be criminals (Farrell, McDevitt & Fahy 2010; Marmo & Chazal 2010). This, however, only happens in the context of the ethnic minorities in the mountainous areas.

Surprisingly, police attitudes in this study contribute to expanding the profile of victims of ST, as sex workers were identified as victims by some police officers. These are individuals who are otherwise viewed as criminals or at least undeserving victims (David 2008; Marmo & Chazal 2010). These experiences also contribute to discussion in the literature regarding the relationship between women involved in prostitution and the role of coercion, threats, and manipulation (Matthews 2015). Specifically, it was found that some sex workers consent to sell sex in other countries only because traffickers deceive them with promises of safe working conditions and high incomes. This means that these individuals do not give their full consent to participate in sexual services, which challenges the assumption that 'women involved in prostitution give their consent freely' (Matthews 2015, p. 97). Police understanding helps to clarify the degree of deception needed (fake promises to obtain victims' consent) to constitute a victim of trafficking (Matthews 2015).

It also challenges the idealised concept of victims, confirming that victims are not always weak, young, innocent and vulnerable. They may also be sex workers. This could have important

implications for developing protocols and policies related to the identification of victims because the misunderstanding between sex workers and trafficked victims still occurs both in theory and in practice (Heil 2012; Marmo & Chazal 2010; Raphael, Reichert & Powers 2010). As a consequence, many victims of trafficking may be arrested, fined, or deported, rather than receive assistance from authorities (Farrell, McDevitt & Fahy 2010; Farrell, Pfeffer & Bright 2015). More importantly, these statements contribute to explaining the so-called autonomy in victims' decision-making raised by Vijayarasa (2015, p. 184) who declared: '[i]t became evident that a victim's entry into exploitative of work abroad is frequently initiated by a voluntary decision'.

Interestingly, some highly educated girls are victims of ST, which has rarely been examined in prior research (Omelaniuk 2005). Several police interviewees gave evidence that some students of colleges or universities are sold abroad because they lack life skills and experience due to their youth. These experiences raise the possibility that the current campaigns on ST in Vietnamese educational institutions might be ineffective because they may rely upon wrong methods, weak contentions, and incorrect subjects due to poor cooperation among stakeholders. For example, school-based educational activities regarding HT do not occur in all schools, and some do not focus on educating students regarding how to prevent this crime (Le 2017).

In the context of Vietnam, these perceptions of police are all unexpected, given the narrow and inconsistent definition of HT in the legal system where only women and children are recorded as being victims of ST (Kneebone & Debeljak 2012). Furthermore, previous studies on HT in Vietnam suggest traditional assumptions about typical victims of this crime: young females and ethnic minorities trafficked for sexual exploitation (Vijayarasa 2013; 2014). Police participants in this research also show ethnic minorities are victims of ST but they are not a dominant group, which is different from the findings published by PTD Le (2014). One possible reason for this is that awareness of HT within ethnic minorities may have improved. As one senior police officer working in Langson explained, ethnic minorities clearly understand the methods of traffickers now because functional agencies have conducted public campaigns about HT [I19].

In summary, police officers in this research expanded the profile of victims of ST, which in part differs from the image of stereotypical victims of trafficking in the existing literature. These officers indicated to the trafficking of males, migrants, sex workers, and well-educated persons in the context of Vietnam. The experiences from police officers in this study contributes to developing the perceptions of atypical trafficking victims in practice.

8.3. Police strategies for identifying victims of sex trafficking: the context of Vietnam

8.3.1. Reactive strategies

The data gathered for this study suggests that Vietnamese police still rely upon reactive

approaches to identify victims of ST, which is present in the existing literature (Farrell & Pfeffer 2014; Farrell, Pfeffer & Bright 2015; Gallagher & Holmes 2008; Simich et al. 2014). However, this thesis also discusses some differences in applying these strategies in the context of Vietnam, which enriches the current literature on this problem. Specifically, the vast majority of participants in this research agreed that police commonly identify victims based on reports of trafficked people and/or their family members. Indeed, many police officers consider the reports from trafficked people to be the best way to identify victims. This is also the case in Laos and Thailand where Molland (2012, p. 198) concludes that a victim is always the only person who understands the entirety of trafficking cases, from transportation, force/coercion, to exploitation. Consequently, police in these countries place significant importance on trafficked victims as witnesses. However, some studies in the US suggest that trafficked people rarely report their situations for numerous reasons, such as the belief that police view trafficking victims as having mental health issues because of their trauma, perceiving their testimony as unreliable (Adams 2011; Farrell, Owens & McDevitt 2014; Nichols & Heil 2015). Nevertheless, in the present study, respondents did not mention the quality of reports from victims who have psychological problems. In these cases, reports from victims may be considered questionable.

With respect to reports completed by victims' family members, police explained that some parents report the victimisation of their children because the victims could not self-report due to them living abroad, the careful manipulation of traffickers, or psychological damage. This sheds light on the settings in which parents report their children's trafficking, which has not generally been presented in prior studies. The knowledge of police supports the assertion that the role of parents is important in identifying victims because victims often contact a family member if they can (Busch-Armendariz, Nsonwu & Cook Heffron 2011). Furthermore, in Vietnam, there is a high rate of trafficked people who return home by themselves and do not approach functional agencies, including the police (UNODC 2012).

Unlike the studies undertaken in the US by Clawson, Dutch and Cummings (2006), and Farrell et al. (2012), many officers in this research did not consider information from the public to be an important method of identifying victims. This difference is attributed to cultural problems. As some police interviewees explained, H'mong people do not contact police or people who are not H'mong. To some extent, it is uncommon for Vietnamese people to give tips about any crime to police because they are afraid of retribution from offenders, and the time-consuming nature of working with police during criminal proceedings (Nguyen 2015). Moreover, human trafficking is hidden, so it is challenging for both law enforcement officers and citizens to recognise the indicators of trafficked victims (Simich et al. 2014). Additionally, several interviewees discussed the low credibility of information provided by citizens because the police believed that their information was based on their suspicion or guessing.

Despite the existence of quantitative data about police responses to reports from service providers, no participating interviewees indicated they were influenced by social service providers in the victim identification process, as presented in previous papers (Macy & Graham 2012; Okech, Morreau & Benson 2011). Numerous researchers argue that trafficked people face a lot of problems engaging with their physical and mental health as a consequence of trafficking, such as sexually transmitted infections, unwanted pregnancy, unsafe abortions, violence, injuries, stress disorder, and depression (Crane & Moreno 2011; Dovydaitis 2010; Hodge 2014; Kingshott 2014). To address these consequences, victims may visit hospitals, emergency rooms, health clinics, and shelters where service providers are able to provide services for them (Alvarez & Alessi 2012; Busch-Armendariz, Nsonwu & Cook Heffron 2011; Crane & Moreno 2011; Macy & Graham 2012). A study by Dovydaitis (2010), for example, shows just 28 percent of trafficked female victims visited health clinics during or after being trafficked without coming to the attention of health authorities. This discrepancy could be attributed to the absence of health care services for victims in poor countries, such as Vietnam, as several interviewees commented. Furthermore, culturally, victims often want to see their parents rather than care workers when they escape from the traffickers.

Police officers in this study also extends the present literature on the role of NGOs in identifying trafficking victims, which has featured little in prior studies. Indeed, responses from police interviewees in Vietnam aligned with data about the influence of NGOs on identification of trafficking cases in Norway where 'two-thirds of the cases were reported by victims or by third parties such as NGOs, safe houses or reception centers' (Bjelland 2017, p. 535). Specifically, these officers in this thesis detailed the advantages of NGOs, for example, their strong and wide-reaching network, and available finances. Simply put, victims trust the staff of NGOs rather than police because victims have negative views of the police, such as them being corrupt (Jonsson 2018). As mentioned earlier, many Vietnamese victims who self-returned to their homes were refused identification as victims of trafficking because of weaknesses in the legal system, such as a narrow definition of trafficking, or a lack of principles regarding non-punishment of victims (UNODC 2012). Because of these current loopholes, it is possible that more of the victims who return by themselves, those in the hidden population, would be identified with the participation of NGOs.

Additionally, the participants in this study found that police see referrals from border guards and international police as a method to identify trafficked victims; information which is limited in the existing studies (Clawson, Dutch & Cummings; Farrell et al. 2012). This is explained by the fact that Vietnam is a major source country for trafficking (USDOS 2017). Moreover, HT involves transnational organised rings (Gallagher 2010), which also occurs in Vietnam (Tucker et al. 2009). HT frequently occurs at the borders between Vietnam and neighbouring countries, such as China and Cambodia (Dang 2006b; UNIAP 2008). This explains the significance of patrols conducted by Vietnamese police and border guards in the border areas, which is different from the US police patrols on highways where traffickers transport their victims there (Nichols & Heil 2015).

Consistent with prior research, an important finding is that police also use referrals from within the police force to identify victims of trafficking (Farrell et al. 2012). Findings indicated that police at a higher level receive cases of trafficking from police at lower levels. Specifically, provincial police take referrals from district police and the immigration section at the provincial level. Ministerial police also receive referrals from provincial police and immigration department at ministerial level. This experience supports findings from other studies stating that local police frequently encounter victims of trafficking, but lack understanding, experience, skills, funds and resources when it comes to victim identification (Bales & Lize 2005; Farrell, McDevitt & Fahy 2010). However, police in this study also explained that an additional reason for these referrals comes from a clause in the Vietnamese *Criminal Procedure Code* stating that only police at provincial and ministerial level are responsible for investigating trafficking cases (Vietnamese National Assembly 2015a). It can, therefore, be assumed that if district level police were authorised to investigate HT cases, more victims could be identified and assisted by police. This is exemplified by Villacampa and Torres (2017, p. 402) who argue that ‘the exclusive authority on identification’ limits the capacity of other actors who meet victims before transferring them to specialised police officers.

Overall, this project’s findings indicate that police in Vietnam are dependent on using reactive strategies to identify victims of ST, which is also the case in Laos (Molland 2012). Many police officers believe the reports of trafficked people are a good source to use to identify victims. Meanwhile, the police officers in this study receive a lot of information provided by citizens, other LEAs, and NGOs. However, these police officers reported that the role of service providers in Vietnam is not as clear as in other countries, such as the US. Additionally, victims stay at home, instead of seeking assistance from doctors or other services providers. Importantly, many police prefer the evidence from victims directly to that of witnesses and other sources. Other findings of this thesis showed that many police officers in Vietnam actively identify victims, as will be explored in next subsection.

8.3.2. Proactive strategies

A strong relationship between proactive approaches and the identification of HT has been reported in the literature (Farrell et al. 2012; Farrell & Pfeffer 2014). It is interesting to note that quantitative and qualitative data in this study showed more victims are identified by police who employ proactive strategies, including raids on brothels, extra investigations, intelligence, and surveillance of high risk populations.

Raids on brothels are conducted by Vietnamese police to identify the victims. This parallels prior research findings which suggest that police use stings in known brothels to investigate cases of trafficking (Farrell et al. 2012; Farrell & Pfeffer 2014). Results of this thesis suggest that police conduct raids on some locations related to prostitution, such as motels, hotels, massage parlours, coffee shops, bars, hairdressing salons, and the streets, all of which may facilitate ST. Additionally,

the findings note the police are biased towards raiding indoor places, rather than focusing on the streets. The present study identifies that domestic ST co-occurs with prostitution in Vietnam. It did, however, only identify one case, which happened in Haiduong, where police officers identified victims of internal ST when investigating a prostitution-related case.

With respect to virtual spaces, this research did not survey the scope of the Internet to identify victims of ST, which has been presented in prior studies (Farrell et al. 2012; Heil & Nichols 2014). Police interviewees in this study did, however, support the assertion that they use the Internet to identify trafficked victims. Specifically, the officers accessed Facebook and Zalo to find trafficked persons because traffickers use their accounts on Facebook and Zalo to recruit victims (see Chapters Five, Six). This is different from the technique used by police in the US who access prostitution advertisements to identify victims (Farrell & Pfeffer 2014; Heil & Nichols 2014). The experience from police officers suggested the potential role of Facebook and Zalo applications on the Internet as a tool to identify trafficked victims.

Identifying victims as a part of ongoing investigations emerged as another method for police to identify trafficked victims. This also accords with the earlier examinations, which disclosed that cases of trafficking come to the attention of law enforcement during other investigations that are already occurring (Clawson, Dutch & Cummings 2006; Farrell et al. 2012). For example, Clawson and colleagues (2006) reported that 32 percent of trafficking cases were identified when law enforcement was conducting other investigations. However, this study did not indicate which other investigations may assist police to identify victims. Vietnamese police in this project indicated that additional victims are identified when police continue to investigate cases of HT, prostitution and people smuggling. However, the police participants did not reveal any cases indicating that additional victim identification would occur if police conducted further investigations into domestic violence cases, which is similar to the conclusion of Nichols and Heil (2015).

Intelligence was found to be a method for police identification of victims, which broadly supports the findings of other studies in this area linking confidential informants with identifying incidents of HT (Farrell et al. 2012; Farrell & Pfeffer 2014). Police officers in this work suggested intelligence structures, including taxi drivers, motorbike riders, coach drivers, hotel and inn staff, business foreigners, and tea shop owners whose jobs mean they have a good chance of gathering information about incidents of trafficking. This has not generally been presented in prior studies. The present study supports the claim that intelligence can be seen as an extension of police methods to actively identify victims of ST because traffickers find ways to conceal victims (Nichols & Heil 2015), and victims and citizens rarely report victimisation (Farrell et al. 2012).

The final aspect of proactive strategies emerged when the current study noticed that police have identified trafficked victims by conducting basic investigations on highly-at-risk groups which very

little can be found in previous studies. For example, Gallagher and Holmes (2008) discussed human surveillance as a way to tackle proactive investigation. However, these scholars did not specify who should be investigated, which raises a gap in the knowledge regarding identification of trafficking. Meanwhile, numerous researchers show risk factors for trafficking, instead of suggesting who should be focused on in surveillance to identify the victims (Demir 2010; Estes & Weiner 2002; Greenbaum 2014; Reid & Piquero 2014). Molland (2012) details the limitations of surveillance faced by Thai police, such as the need for experienced investigators and close international cooperation. However, police officers in this thesis provided some evidence about human surveillance to identify the victims. For example, the ministerial police asked all of the provincial level police to screen women who often go abroad, women who are absent from their communities without clear reasons, missing people in communities, groups migrating for work, children with interrupted education, people with social problems, and ex-sex workers in order to recognise potential trafficking victims. These experiences are contrary to the USDOS report (2017, p. 425) which claimed that 'authorities did not actively screen for trafficking among vulnerable groups'. However, more importantly it confirms that Vietnamese police work to overcome difficulties by proactively identifying victims in the hidden population because traffickers often prey on victims who belong to these at risk groups in the GMS, including Vietnam (Kneebone & Debeljak 2012).

The data from this study suggests that Vietnamese police officers focus on developing proactive strategies to identify victims of ST. However, this research has not identified some points raised by other studies, for example, conducting stings on prostitution advertisements, investigating domestic violence cases, or developing intelligence at untraditional locations of prostitution, as used in other countries (Farrell & Pfeffer 2014; Farrell, Pfeffer & Bright 2015; Heil 2012; Heil & Nichols 2014). This may be explained by the difficulties that Vietnamese police face, as will be presented in the next section.

8.4. Challenges in identifying victims of sex trafficking

This project's findings both support and expand the limited body of literature examining factors that contribute to the failure of police in identifying trafficked people. The research findings related to external challenges, such as conflicts between international and domestic anti-trafficking laws, victims and traffickers, generally paralleled findings in prior US studies (Farrell, McDevitt & Fahy 2008; Farrell, McDevitt & Fahy 2010; Heil 2012). Furthermore, this project's findings added to the limited literature related to victim-based difficulties, such as the victim-offender cycle and traffickers compensating victims as areas in need of further exploration. Linguistic and cultural barriers are other factors contributing to the low record of victim identification found in this research, about which little information is presented in the current literature. Additionally, the research findings suggest police-related determinants as other challenges for successful victim identification, which supports and adds to the findings of other studies.

8.4.1. Loopholes in the anti-trafficking laws

Prior research noted the influence of legislation on the capacity of police identification of HT cases (Farrell, Owens & McDevitt 2014). The data in this thesis suggests that the majority of police have to implement a narrow and inconsistent definition of HT, which seriously prohibits victim identification. Many police officers refuse trafficking cases without evidence of money or other property as forming part of the transaction, even though people were sold. This is because the Vietnamese *Penal Code* focuses on trade, profit, and illegality to conceptualise HT (see Section 3.4.1). Furthermore, Nichols and Heil (2015, p. 26) indicate that police limit the collection of necessary evidence regarding trafficking if the case is not trafficking in persons. This raises the possibility that those who are from 16 years to under 18 years, and voluntarily consenting to be exploited in sex work, are not considered victims of trafficking in Vietnam where children are defined as those under 16 years (Vijayarasa 2015). This illustrates the under-identification of victims of police who find loopholes in the current laws, which can be similar in other countries.

8.4.2. Victim-based difficulties

The data in this study supports and expands the limited body of literature on the influence of victims on police responses to ST cases. Similar to the findings of other studies, police officers in this study identified victims' reluctance to reveal their victimisation (Adams 2011; Farrell et al. 2012; Nichols & Heil 2015). Additionally, these police participants also indicated victims' unawareness of ST, concern for the happiness and honour of their family, fear of revenge from traffickers, fear of legal sanctions, arrest and deportation, and distrust in the police system, as reasons for silence from victims. However, one unanticipated finding was that some victims do not report their victimisation to authorities because traffickers or traffickers' families have paid money to them. This experience is not discussed in the existing research, and may be explained by the fact that many victims are trafficked by 'relatives or acquaintances, often with the knowledge, consent, or urging of close family members' (USDOS 2015, p. 363). Consequently, they tend to keep their trafficking problems within the family.

The relationship between offenders and victims has been presented in other research, for example, in the German study conducted by Helfferich and colleagues (2011). Police officers also discussed the victim-offender cycle as another factor contributing to trafficking victims' non-cooperation with police which is presented in the literature of trafficking (Keo et al. 2014; Molland 2012). Some police participants suggested that many traffickers had been trafficking victims in the past. Their non-cooperation can, therefore, be explained by them seeking to avoid legal punishment if they have violated immigration laws. The victim-offender cycle was reported to be frequent in this research because in Vietnam, traffickers can sell anyone, including their friends, relatives, girlfriends, or children, and the most common technique used by these traffickers is promises related to jobs (see Section 8.4.3). Additionally, these relationships provide another

reason for victims to stay silent. These findings contribute to filling the gaps in the literature regarding the unwillingness of trafficked victims to cooperate with police, which also occurs in other countries.

8.4.3. Trafficking techniques

Much was found in the literature on the question of how traffickers keep victims hidden or hide their trafficking cases from authorities throughout the trafficking process (Kotrla 2010; Lloyd 2012). As Nichols and Heil (2015) suggest, perpetrators try to change traditional techniques to avoid being detected by police. Police officers commented that it is challenging for many Vietnamese police to identify new trafficking methods in efforts to respond to cases of trafficking. Some police officers in this study showed that traffickers in Vietnam try to use techniques in which victims misunderstood the traffickers' role, seeing them as good people despite the victims themselves being sold. These are people associated with marriage agencies, shopping, job finding, tourists, and work or temporary work abroad. That said, traffickers also use multiple methods to brainwash their victims so that they are unaware of their victimisation. The data from this study also revealed that traffickers use the Internet to recruit victims, use codes to refer to victims, and change victims' names or addresses; all of which is present in prior studies (Kunze 2010; Smith, Vardaman & Snow 2009; Williamson & Prior 2009). While the use of these techniques in Vietnam are only recorded in reports, instead of empirical research (see USDOS 2013; 2015; 2017; Tucker et al. 2009), it is clear that a combination of the sophisticated trafficking techniques and victims' lack of awareness increases the hidden level of victimisation.

8.4.4. Cultural and geographical factors

Another interesting finding to emerge was that culture and geography contribute significantly to the capacity of police to identify ST victims. Very little was found in the literature regarding the question of this influence. The quantitative figures from this thesis presenting cultural and geographical barriers faced by police when identifying victims (18.3 percent and 16.7 percent respectively) may be the first data of its kind. The qualitative data then revealed that victims often stay abroad when police receive information about their trafficking, which hinders police in applying effective methods to identify these victims, and results in slow and reactive responses. This may be attributed to the majority of Vietnamese victims being trafficked across borders (USDOS 2015). Additionally, traffickers take advantages of craggy terrain to transport victims to other countries making detection and disruption difficult (Le, Belanger & Khuat 2007).

Police participants highlighted that the traditional culture in Vietnamese society, for example, the stigmatisation of prostitution, and in some ethnic minorities, 'catching wives' (bat vo) or 'love market' (cho tinh) assisted the secrecy of trafficking. It must be noted that the designation of prostitution as a social problem has created negative attitudes towards victims trafficked for sexual exploitation in Vietnamese society (Vijayarasa 2010). The customs in some ethnic minorities also

present opportunities for traffickers to take advantage of the trafficking of people, which is beyond the law (MPS 2014a). These findings raise intriguing questions regarding the nature and extent of the influences of culture and geography on police identification of victims.

8.4.5. Police-related challenges

Police perceptions in this research are similar to the findings in other studies, in that police face a wide range of challenges that impede the proper identification of victims of ST (Diaz, Clayton & Simon 2014; Farrell et al. 2012; Kalergis 2009). Specifically, these respondents explored the failure of identification of victims due to a lack of police priority regarding victim identification, a lack of human resources, and a shortage of police knowledge and experience. It also found that ineffective training, linguistic barriers, stigmatisation and criminalisation of sex traffickers, inattention to ethnic minorities' immigration for seasonal jobs, and ineffective cooperation between domestic and international police all have an influence on the number of identified victims.

The perception of police is that the under-policing of underserving victims impedes some police from successful victim identification, which is not mentioned in the existing literature. Some police stigmatise females who are trafficked as sex workers for prostitution. These officers consider them people who are lazy regarding studying and working, and who like spending money rather than making it. Furthermore, many police stated that some trafficked victims bargained money from traffickers in return for not reporting their trafficking to authorities (see Section 6.3.2.4). In their eyes, the trafficked people in such cases do not deserve police help, and some call them 'dirty victims'. This may be because most of the police participants consulted for this project are in charge of combating both ST and prostitution-related crimes, potentially result in misconceptions between trafficking victims and sex workers (Farrell, Pfeffer & Bright 2015). Negative attitudes regarding sex work may hinder the successful identification of victims trafficked into the sex industry.

As further evidence of under-policing, this project found that inattention to the migration of ethnic minorities limits the police capacity to identify victims, especially in the mountainous areas. This area is a gap in the existing studies on policing the traffic of humans. As discussed in Chapters Three, Five, and Six, ethnic minorities migrate yearly to China to search for employment after finishing the rice harvest. However, police are unwilling to respond to this situation, perceiving it as normal movement even though they have no idea about the voluntary movements of migrants. Some studies in Vietnam show that trafficked victims are hidden in the migration for labour (Dang 2006a; Hoang 2015). This means that Vietnamese police miss chances to identify victims when they think the phenomenon of migration is normal in the border areas.

Regarding a lack of priority, data confirmed that Vietnamese police prefer to prosecute more traditional cases of trafficking where it is easy to seize evidence, rather than cases that were not obvious or fell outside the statute of limitations. This has also been presented in previous studies in

the US (Farrell, Owens & McDevitt 2014; Farrell, Pfeffer & Bright 2015; Sadruddin, Walter & Hidalgo 2005). These experience also support the notion that victims of cross-border trafficking are more likely to be identified than their counterparts in domestic trafficking cases (Brayley & Cockbain 2014; Diaz, Clayton & Simon 2014). However, several police officers contributing to this thesis explained this was because police feel pressure for their cases to be prosecuted successfully. In other instances, police interviewees did not prioritise trafficking incidents which were outside the statute of limitations because it is hard for them to seize evidence to identify victims. This has not been previously presented in the limited body of research examining the priority of investigating child trafficking and ST in the area of HT (Farrell et al. 2012), or the influence of a statute of limitations on the prosecution of ST cases (Nichols & Heil 2015).

In agreement with the findings of other studies, police respondents in this project identified the inconsistent structure of anti-trafficking agencies in the police system, as also thwarting the effectiveness of victim identification (Clawson & Dutch 2008b; Farrell et al. 2012). As previously stated, there are only two Task Force Agencies in the current police system, including one at the ministerial level and one in Hanoi (at provincial level). Meanwhile, other provinces have a mixed-unit involved in both HT and prostitution-related crimes (see Section 3.4.2.3). As claimed by Farrell, Pfeffer and Bright (2015), the misidentification of trafficking victims by police may occur when police are in charge of combating both HT and prostitution because they may conflate the two crimes.

Another issue worthy of noting is that the police officers consulted for this study failed to identify victims because of a lack of knowledge regarding ST. Specifically, police officers in Vietnam recognise international ST, but they are rarely aware of domestic trafficking. There was only one case of domestic trafficking identified and investigated by the Haiduong police. As some police interviewees from this department noted police possibly mistake internal ST for other crimes, such as illegal detention or prostitution. This finding supports the work of Irwin and Irwin (2017) indicating that while the majority of Tasmanian police clearly understand HT, some of them conflate HT with people smuggling.

Additionally, police officers lack interview skills when working with victims, which increases the unwillingness of victims in reporting their cases. These police pointed out some errors when working with victims, such as wearing a uniform, asking sensitive questions at first instance, or lacking understanding about victims' psychology and culture. They explained that the above factors can cause victims' discomfort and fear either by accident or on purpose. This finding is presented in other studies on policing HT in the US, which refer to these mistakes made by frontline staff (Clawson, Dutch & Cummings 2006; Farrell, Owens & McDevitt 2014; Farrell & Pfeffer 2014; Halter 2010). However, in contrast, the data from this research reports this problem as stemming from Task Force and anti-trafficking police officers.

The above mentioned lack of knowledge regarding HT and interview skills in part stems from ineffective training courses for police officers in Vietnam. Police interviewees in this project highlighted the infrequency of training courses (one per year), which resulted in police not being updated regarding the changes and complexities of HT in Vietnam, as well as them not knowing how to respond to new forms of this crime. The data from this research shows that the majority of police are trained by ministerial agencies, international organisations, and NGOs. However, a small number of them are trained by their workplaces or colleagues, or are self-trained. These findings suggest that training for police in Vietnam occurs neither frequently nor actively.

There are limitations in this research. First, this study did not classify the frequency of the training courses for anti-trafficking police officers at various levels. In other words, it did not focus in-depth on this problem, which happens at district level, provincial level, or ministerial level. Second, it only investigated the training courses designed for anti-trafficking police officers. It did not focus on the front-line officials who have the best opportunities to encounter trafficking cases. These gaps are important because the findings of this research suggest that police at higher levels receive referrals from those at lower level because of limited knowledge. Therefore, training in identifying victims should be conducted for all levels of police, as argued in a study from Kentucky conducted by Renzetti et al. (2015).

Police also reported that linguistic barriers stopped them from communicating with victims when they reported their victimisation, which was also found in prior studies (Farrell, McDevitt & Fahy 2008; Farrell, Owens & McDevitt 2014). This project suggested that Vietnamese police face language barriers regarding international languages (such as English and Chinese) and those of ethnic minorities (such as H'mong, Tay, or San Riu). Speaking victims' native language presents advantages, such as fostering trust, understanding, and respect (Clawson & Dutch 2008a). As discussed in Chapter Six, a failure in communication with H'mong victims happens if police officers do not speak their native language, while interpreters are limited in terms of numbers and quality.

Finally, ineffective inter-agency cooperation was found to be a challenge for identifying victims of ST, which is in accordance with earlier studies (Arocha 2010; Farrell, McDevitt & Fahy 2008). Many police officers in this exploration suggested that international police did not work well with Vietnamese police due to a lack (or poor implementation) of bilateral treaties, language barriers, and corruption within international police. Consequently, Vietnamese police are often slow to receive responses from international police for victim identification, which may result in them losing track of victims in destination countries. In terms of police corruption, only several participants in this study mentioned the corruption of international police (Malaysian and Chinese). Therefore, this project does not shed light on the link between police corruption in source countries and the 'discovery of victims in destination countries', as Jonsson (2018, p. 13) examined. It also does not directly explore police corruption more generally.

8.5. Police services to victims of sex trafficking

The data from this study uncovered that police in Vietnam do provide services to victims during the investigation process, which is different from the findings of prior studies indicating assistance for trafficked victims instead occurs during the period of integration (Surtees 2013). This can be attributed to the current Vietnamese anti-trafficking related policies that place police in the main position for combating and preventing HT, rather than supporting victims of this crime, which is the domain of organisations, such as MOLISA and VWU (Vietnamese Government 2015). However, police participants in this research explained that they provide some services for victims of trafficking who are working with them to investigate cases of HT, which is similar to the findings in the US of Sadruddin and colleagues (2005) who stated that assistance for trafficked people occurs when they cooperate with LEAs to convict traffickers. None of the police participants provided evidence related to support for victims after completing the criminal proceedings, which is a gap in this research.

Police in Vietnam support victims with a wide range of services, such as health assistance, basic needs (housing, food, clothing and transportation), legal services, and translation assistance, which is consistent with prior studies (Busch-Armendariz, Nsonwu & Heffron 2011; Gibbs et al. 2015; Pascual-Leone, Kim & Morrison 2017; Stoklosa et al. 2016; Yakushko 2009). In addition to victims themselves, the police also assist children if they stay with their mother during criminal proceedings, which was also found in a study from Texas by Busch-Armendariz, Nsonwu & Heffron (2011). However, a note of caution is needed here as this thesis investigated services to victims based on the perspectives of police, which is different from other studies. For example, Gan et al. (2014), Gibbs et al. (2015), and Stoklosa et al. (2016) explored the issue from the perspective of other stakeholders, such as health care providers, or NGOs. This implies that both public sectors and private actors support trafficked victims in their jurisdictions.

It is worth noting that this research added to the existing literature by exploring the legal services provided by police to victims. The police interviewees appeared to suggest forms of legal assistance related to basic, primary, or professional services. These services consist of legal consultancy, issuing certification, re-granting personal documents, and repatriation. This is an unsurprising finding because being an agency for enforcement law in practice, the police use the law to provide boundaries for their actions (Goldsmith 2006). Nevertheless, the findings of this research did not specify whether foreign victims can access these legal services, although USDOS (2018) reported that foreign victims in Vietnam risk deportation instead of support.

Another important finding enriched the current information regarding translation assistance provided for trafficked victims, indicating that police assist some ethnic minority victims using their native languages via an interpreter. Previous research in the US showed that English is frequently supported for trafficked victims in destination countries (Clawson & Dutch 2008a; Macy & Johns 2011). However, all of the participating officers working in the northwest mountainous provinces in

this project suggested that police provide interpretation services related to the languages of victims of ethnic minorities who come from H'Mong, Dao, Tay, Nung, and Thai. In the context of mountainous areas, this finding is expected, given the large population of ethnic minorities trafficked living there (Vijayarasa 2013).

Additionally, the findings of this research support and add to the existing literature examining the causal relationship between non-identification and non-assistance in trafficking cases. These findings are consistent with those of other researchers stating that some victims decline services offered by authorities, including the police (Clawson & Dutch 2008a; Surtees 2013). Many police participants in this research commented that victims decline services because they are inappropriate and unavailable, which was also presented in Clawson, Salomon and Grace's US study (2007). Several participants also explained that police refuse to support victims because they cannot find any evidence of trafficking. Furthermore, when victims are arrested, detained or deported by the police in destination countries, Vietnamese police do not support them. The present study also raises the notion that police do not assist some victims because they think they are underserving of help due to their involvement in sex work or illegal migration. The under-policing of underserving victims places these trafficked victims at risk of punishment because of their violation against immigration law. As stated earlier, although Vietnam's current anti-trafficking laws lack the principle of non-punishment for victims who commit unlawful acts during their trafficking, some bilateral agreements between Vietnam and other countries, such as Cambodia or Thailand, include this (Nguyen & Nguyen 2018). It can, therefore, be assumed that the implementation of these treaties between governments is not as effective as intended.

Finally, this research suggested that a factor contributing to the police failure to assist victims is caused by a lack of cooperation with NGOs, which is different from prior studies noting the role of NGOs in serving trafficked victims (Overs & Hawkins 2011; Meshkovska et al. 2015). This means that Vietnamese police fail to take advantage of NGOs, which can provide finance and a strong network. Many police officers in this project mentioned Blue Dragon supported victims well whenever police cooperated with this NGO. This study, however, did not explore the reasons why police cooperation with NGOs is limited in this regard, even though the NAAP states that the police should take advantage of the financial resources and technical assistance of NGOs to assist victims (Vietnamese Government 2015).

8.6. Conclusion

This chapter compared and contrasted the findings of this research and the existing literature. First, the findings not only supported but added to the current academic literature examining the concept of victims of ST. Specifically, some victims conform to traditional images of victims, for example, young females who have poor education and experience poverty. However, this project

also provided other images of victims who were male, sex workers, or well-educated.

Second, the present study recognised a trend in the police development of proactive methods to identify victims of trafficking, such as intelligence, extra investigations, and investigations of vulnerable groups. Nevertheless, many police actions are still based on reactive methods, such as reports from victims, citizens, or NGOs. This chapter also highlighted some challenges in identifying victims, which have been presented in other research, namely legal barriers, victims' non-cooperation, techniques of traffickers, and causes coming from within the police force. There were, however, some unexpected findings in comparison to the existing literature. For example, culture and geography contributed to the police low identification of victims, and inattention to migration in ethnic minorities limited police in identifying them.

Finally, this research underlined services provided by police to victims of ST. The participants in this research confirmed that police only assist victims during the investigation period. The services offered include health assistance, and support regarding basic needs, as well as legal and translation assistance; all of which have been examined in prior research. This thesis also revealed a difference in assisting victims who came from ethnic minorities, namely the use of translators. Additionally, this research explained why support for victims remains limited. This is because there are obstacles, such as victims declining services because the support is not available or appropriate, or victims being arrested or deported. Another factor is a lack of police cooperation with NGOs. The outcomes of the research discussed in this chapter facilitate the recommendation of solutions to develop policies and strategies involved in identifying and assisting victims, which will be discussed in the following chapter.

CHAPTER 9. CONCLUSIONS AND RECOMMENDATIONS

9.1. Introduction

This conclusion demonstrates the contribution of this study to the existing academic literature examining the nature of policing in identifying and assisting victims of ST in the context of Vietnam. The chapter then presents some recommendations for future research and policy improvement in the area of policing the trafficking of humans.

9.2. Contribution of thesis

The paradigm of under-policing exists in prior studies, for example, regarding domestic violence (Brunson & Miller 2006). The present research, however, indicates that the under-policing of underserving victims happens when some police consider trafficked people as 'dirty' sex workers who do not merit being supported. Some police participants from this research think that many women are trafficked for sex work because they want to make money from doing this rather than working other hard jobs. Furthermore, after they have returned home, some of them then extort the offenders who sold them in the past, instead of reporting their trafficking to the police. Negative attitudes towards these people prevents the police from thinking that they should be assisted (or at least, identified as victims of trafficking).

Another indicator of under-policing is that many police working in the mountainous provinces lack attention to ethnic minorities' migration for work because these officers consider this phenomenon as a normal way to address the deficit of employment in their homeland. Therefore, these police officers are unwilling and possibly unable to recognise whether any trafficked people come from this group. Indeed, other studies show that police do not pay attention to the population of ethnic minorities (Bowling, Parmar & Philips 2008; Perry 2009). Evidence from this study creates the first glimpse of under-policing in identifying and assisting victims of trafficking, highlighting the need for improvement of police culture in addressing the problem of this crime.

Internationally, research on ST has mostly focused on victims and offenders rather than other aspects like policing (Elfes, Birch & Ireland 2015; Wilson & Dalton 2008). In contrast, in Vietnam, studies on police involvement in combating this crime are prominent (Dang 2004; Nguyen 2015; Tran 2014). These projects identify various professional operations of police work such as investigation (Tran 2006), prevention (Nguyen 2015), international cooperation, or transnational organised crime (Dang 2004). This thesis contributes a unique and specific case study regarding the identification and assistance of victims of ST in terms of the responsibility of police in the context of Vietnam, where this crime began booming in the open policy era at the beginning of the 21st century (Lessard 2009).

Recently, trafficking in persons has attracted the attention of Vietnamese policy makers and law enforcement. Over the past ten years, the government has focused on the identification and assistance of victims of this crime with a strong commitment in line with the international community after Vietnam ratified the *Palermo Protocol* in 2012. This study presents the nature of victim identification and assistance focusing on the tasks of the police force in Vietnam. In doing so, it contributes to providing a more comprehensive picture of these issues in the world, which will be a profitable source of reference for future scholars who are interested in doing other studies on this crime in Vietnam. Furthermore, this thesis appears to be the first empirical research examining how Vietnamese police identify and assist trafficked victims, adding to the body of current studies focusing on the role of service providers in this context (Lederer & Wetzel 2014; Long & Dowdell 2017; Macy & Graham 2012).

In addition, the concept of victims of trafficking is a controversial topic in academic research and for policymakers where a common protocol explaining the parameters of this notion has not been suggested. Some scholars of trafficking offer the categories of ideal victims and deserving victims as ways to refer to those who are trafficked (Chapkis 2003; Goodey 2005; O'Brien 2013; Srikantiah 2007). In Vietnam, however, a consistent and clear definition of trafficking is lacking and the definition of victims of ST is missing in current anti-trafficking policies (Nguyen 2018). Moreover, a limited understanding of victims of trafficking by anti-trafficking stakeholders is considered as a barrier in efforts to end the trafficking of humans in Vietnam (Vijayarasa 2013). This results in confusion for public sectors, including the police, to comprehensively address this crime, including in the areas of victim identification and assistance (UNODC 2012). The conceptualisation of victims of ST through the perspectives of police in this thesis contributes to the amendment and improvement of the definition of victims of trafficking in anti-trafficking related policies in Vietnam. To a further extent, the perception of police regarding victims of ST contributes to developing the existing understanding of victims of trafficking; that these people are not completely weak, innocent, or vulnerable. The insights gained from this study will assist in identifying victims of trafficking from the populations related to people smuggling, (il)legal immigration, and sex workers.

In terms of approaches to identifying victims of trafficking, the findings of this study make several contributions to the current literature. First, this research highlights the use of confidential informants by Vietnamese police to actively detect victims of trafficking, about which there is limited mentioned in the academic literature on trafficking (Farrell & Pfeffer 2014). The findings identify the professions of these informants, such as motorcycle drivers or hotel staffs. Second, this research introduces a new approach to identifying victims of trafficking, namely the surveillance of at risk groups in the community. For example, women who are absent from their communities without clear reasons, missing people in communities, groups migrating for work, children with interrupted education, people with social problems, and ex-sex workers. The scrutiny of these groups allows police to have more chances to identify trafficking victims, as a large number of trafficked people in

Vietnam return to the country but do not report their trafficking cases to authorities (UNODC 2012).

Another contribution to knowledge made by this study regarding approaches for victim identification is that it shows little evidence Vietnamese police recognise trafficked victims when investigating prostitution cases. It also highlights the co-occurrence of prostitution and ST in practice, which is a gap in the current studies (Nichols & Heil 2015). These findings find a positive change is needed regarding the investigation of domestic ST and prostitution-related crimes; things which are challenging for police to distinguish because of their similarities (Farrell & Pfeffer 2014; Weitzer 2014).

In terms of the non-cooperation of trafficked victims when working with the police, this study identifies new reasons that keep victims hidden. First, victims receive money from traffickers and/or their family members as compensation so that they do not report their trafficking to police. Second, in Vietnam, the existence of the victim-offender cycle prevents victims from reporting to the police. These findings help to enrich knowledge of the clandestine nature of HT in the current academic research, and the challenges faced by police to respond to this crime in practice. Simply put, this thesis' conclusions contribute to improving strategies to shed light on the crime of HT, both in theory and practice.

9.3. Recommendations for further research and future policy

The findings of this study support and add to the limited body of literature exploring the notion of victimhood, as well as the identification and assistance of victims of trafficking. These findings should be now used to aid the drafting of a series of recommendations for future research pertinent to the development of Vietnamese anti-trafficking policies. However, it is undeniable that this research has several limitations, both in methodology and results.

First, this research only investigates police identification and assistance of victims of ST in six study sites, namely the Task Force in Criminal Department (ministerial level), and the anti-trafficking police in Hanoi, Hochiminh, Langson, Laocai, and Haiduong (provincial level). These research sites are representative for characteristics of ST and police action against this crime in Vietnam, such as vulnerabilities of trafficking (geography or unemployment), the effectiveness of police investigation, or function of police at levels. However, there is possible bias in the approach used to select the sample in this study. The size of the participant population is not also possibly wide enough when compared with the number of anti-trafficking police nationwide. Therefore, future research should be done to expand the scope of study sites to compressively capture the nature of police action in these regards.

Additionally, while this research provides insight into the experience and knowledge of identification and assistance of victims of ST by Task Force or anti-trafficking officers, it was not

able to capture a wider sample of other governmental agencies, such as border guards, MOLISA, VWU, SAA, or non-governmental agencies, who may encounter and identify trafficked people when they are seeking assistance (Nichols & Heil 2015). In particular, in Vietnam, a large population of trafficked people return home by themselves and do not report to authorities, including anti-trafficking police (UNODC 2012). It means that many of them may interact with these agencies instead police. While this does not detract from the findings obtained in this study, further research should extend to the practices of the other stakeholders. A more diverse sample will offer a more complete picture of identification and assistance of victims of ST, which would assist policy-makers to develop better strategies for this.

Furthermore, this study has identified that there is a correlation between ST and domestic violence, showing that some individuals are victims of both. However, this thesis did not shed light on whether police identify victims of ST via domestic violence investigations. Numerous studies imply failure to identify trafficking cases because of not recognising the co-occurrence of ST and domestic violence (Irwin & Irwin 2017; Nichols & Heil 2015; Verhoeven et al. 2015). Therefore, future training for police in identifying trafficking victims through the ongoing investigation of domestic violence cases should be focused on as a priority.

Similarly, this research shows that apart from some police from Haiduong, the vast majority of police do not recognise the nexus between ST and prostitution. Meanwhile, these police participants also admit that victims are mainly sold to brothels (prostitution) by boyfriends, friends, relatives, and even parents. This implies that police ignore chances to identify trafficking cases co-occurring with prostitution, which is presented in other studies (Kennedy et al. 2007; Nichols & Heil 2015). Hence, it is necessary to provide knowledge regarding the co-occurrence of ST and prostitution in police training courses in the future. Additionally, future research conducted by both academics and policymakers should consider this relationship when recommending changes to policies aiming to end ST.

Another point shown in this study is that police are caught in a blind between enforcing the law on prostitution when trying to rescue them from sexual exploitation. As stated by Irwin & Irwin (2017) that it is easy for police officers who respond to both HT and prostitution to overlap these problems. Especially, in the case of Vietnam, prostitution is still prohibited in Vietnam (Voelkner 20014), while there are no non-punishment principles for victims for their violations as consequences of HT, such as prostitution (Nguyen & Nguyen 2018). It means that police officers still may consider victims of ST as sex workers—who involve in the sex work. To deal with this problem, firstly, LEAs and anti-trafficking social recommend to add non-punishment principles for victims who violate the law as consequences of trafficking in the current anti-trafficking legal system. With these principles, police officers carefully consider whether or not there is a relevance between these people prostitution and ST before punishing them, rather than offering a punishment to these individuals without any

consideration. So far, these rules facilitate police officers to change their approaches to people related to prostitution in the context of trafficking. Beforehand, it is essential to organise training workshops for anti-trafficking police officers in showing similarities and differences between ST and prostitution in the Vietnam legal system. New insight and experience will support police officers to identifying victims or sex workers in each case. Another recommendation for this problem is to design a victim identification screening tool for anti-trafficking stakeholders. These officers will implement this tool when encountering potential victims of ST to test indicators of this crime. Therefore, officers avoid insinuation if someone relates to prostitution in order to correctly distinguish these problems.

More importantly, the findings of this thesis have noted that children are subject to ST, specifically that pertaining to sex tourism in some Southeast Asia countries, such as Thailand and Malaysia. This is a serious problem faced by many countries (Gugic 2014). Although only two police participants in this research discussed the issue, this does not mean that child sex tourism is not increasing in Vietnam. Being an Eastern country with prohibitions on prostitution, further research on the link between (child) sex tourism and ST is urgent and necessary to help policy makers and police effectively combat this problem.

With the proliferation of the Internet, the number of people using social media platforms, such as Facebook, is skyrocketing. Put simply, the use of Facebook is common today (Goldsmith 2015). Findings from this research show that traffickers use Facebook and Zalo as methods to recruit potential victims. Therefore, anti-trafficking actors need to promulgate this method of traffickers to the public, and police training should aim to use knowledge of these techniques to uncover ST cases where offenders use social media. Additionally, further studies on the relationship between the Internet and ST are needed to develop an understanding of the techniques traffickers use so that policymakers and police can better identify, investigate and prevent trafficking cases in such settings.

Previous HT research has claimed that service providers play a significant part in identifying and assisting victims of trafficking (Clawson & Dutch 2008a, 2008b; Hodge 2014; Macy & Graham 2012). In the context of developed countries, such as the US, trafficked victims approach services to treat the consequences of trafficking, such as health problems (Crane & Moreno 2011; Macy & Graham 2012; Stoklosa et al. 2017). In contrast, police interviewees in this research highlighted the absence of service providers in victim identification and assistance in Vietnam. This thesis, therefore, suggests that future research should focus on the role of service providers in efforts to better respond to cases of ST in the context of Vietnam. Regarding police practice, police should also be trained in how best to cooperate with service providers to address the problem of ST. Additionally, Vietnam should also apply the protocol for victim identification as the International Organisation of Migration suggested, including three elements: process, means, and exploitation

(Molland 2012) (see Appendix 15).

The police officers studied here have indicated a series of limitations they face in terms of identifying and assisting victims of ST, such as lack of knowledge and training, linguistics barriers, and the inconsistent organisational structure of the anti-trafficking police. In the national context, police officer numbers will be reduced in the coming years, meaning further policies on education and training for the anti-trafficking police force appear more important than ever. Specifically, MPS should organise quarterly training for anti-trafficking officers and monthly training for front-line officers. All of the police officers at provincial level should be trained in turn. This training should prioritise the provinces where trafficking is serious, and police have limited success in investigating these cases. Training course should last at least for one week. In terms of content, training courses should include methods for identifying and supporting victims. Today, UNODC and NGOs often cooperate with police to organise anti-trafficking related programs, so MPS should use resources to host training courses for police at all levels.

This study highlights the fact that police are less enthusiastic about investigating the past trafficking if victims are unwilling to cooperate. No one could blame them because they have rights to keep silence and in their cases, people can sympathy their psychology. However, under the perspective of investigation, this is failure of police that do not know how to well communicate these victims. Therefore, a reasonable approach to tackle this issue could be to train investigation skills for police officers to improve their approaches to victims. Specifically, training courses focus on how to address psychological problems of victims that include stress, lies, embarrassment, fear and distrust. With each sign of those, police officers should be taught how to employ different interview techniques. For example, questions offered by officers are not aiming to the victim's pains in their trafficking past. Investigators should raise indirect questions for victims to reduce the pressure of victims. Only experienced investigators should interview victims in the first meeting. If victims feel stressful in the interview, officers must stop interviewing right now. Additionally, female police officers should be used for interview because most of victims of this crime are women and girls. Especially, when interviewing these victims, police officers should use friendly investigation rooms where the victims feel comfortable and safe to report without any pressure.

In the same vein, this research shows that the failure of police identification of and assistance for victims comes from ineffective cooperation with other stakeholders. What is now needed is a mechanism for collaboration involving international organisations, regional commitments, governmental agencies and NGOs. In terms of international scope, the Vietnamese government improves to sign Mutual Legal Assistance Treaties or Memorandum of Cooperation with destination countries of trafficking in which Vietnamese people are commonly trafficked. Regarding national scope, the police force should be active to design official process to connect cross-agencies in responses to identification and assistance of victims of this crime with a focus on

border guards, MOLISA, and particularly NGOs. Using current hotline 111 is an official way to request claims for support to each other. Within the police force, it is necessary to create a Circular of MPS in order to improve the cooperation across provincial police in responses to identification and assistance of victims.

The data in this research show that many ST victims are victims of sexual slavery– in which individuals are considered as goods and abused for benefit of criminals. This thesis exemplifies that many victims of trafficking do not have exit out of slavery. Unfortunately, in the context of Vietnam, the perception of modern slavery is not common in the awareness of many anti-trafficking stakeholders that is admitted to be a global challenge around the world. Therefore, the findings of this research offer a warning that it is timely for Vietnam people to understand that the war against ST means to end slavery. In other words, international community and governments adopt global and national campaigns against slavery aims to raise the awareness about trafficking. These campaigns makes governmental officers able to recognise the relevance between ST and slavery in efforts to setting up effective policies to end ST.

Finally, the continual misuse and abuse of children and adults via trafficking in Vietnam, and many other countries, is an ongoing challenge. Therefore, the work done through this thesis is critical in attempting to improve the lives of the thousands of people affected by this, and the advancement of the lives of those who suffer such a dreadful indignity. Meanwhile, the capacity of police to address trafficking is still limited because they rely too heavily upon reactive approaches in order to identify victims of this crime. Hence, this information can be used to develop targetted interventions aimed police use of other approaches in efforts to effectively identify victims in the hidden population, which many countries face. More importantly, this thesis shows the practical challenges for the police in supporting ST, which needs to be changed by the anti-trafficking stakeholders, including the police in order to benefit victims.

APPENDICES

Appendix 1: Amended Penal Code 2015

(Law No 100/2015/QH13, approved by the Vietnamese National Assembly 13th Legislature, 10th session on 27 November 2015, entered into force 1 January 2018, amended by the Amendment 2017 Penal Code (Law No 12/2017/QH14))

(Extract)

Article 150. Trafficking in persons

1. Those who force, coerce, threat to use of force, deceive or use other methods in order to commit the following offenses shall be sentenced to between five and ten years of imprisonment:

- a) The transfer or receipt of persons to give or receive money, properties or other materials profits;
- b) The transfer or receipt of persons for sexual exploitation, forced labour, removal of organs, or for other inhuman purposes;
- c) The recruit, transport, or harbour of persons for the commission of the acts as to stipulated in paragraphs a, or b of this Clause.

2. Committing the crime in one of the following circumstances, the offenders shall be sentenced to between eight and 15 years of imprisonment:

- a) In an organized manner;
- b) For despicable motive
- c) Causing the health damages or the mental disorders and behaviour of the victims with a bodily injury rate of between 31% and 60%, if not falling into the cases specified at Point b Clause 3 of this Article;
- d) For the purpose of sending them overseas;
- đ) Trafficking in from two to five persons;
- e) Trafficking more than twice.

3. Committing the crime in one of the following circumstances, the offenders shall be sentenced to between 12 and 20 years of imprisonment:

- a) In a professional manner;
- b) Removed organs of the victim;

c) Causing the health damages or the mental disorders and behaviour of the victims with a bodily injury rate of over 61%;

d) The victim dies or suicides;

đ) Trafficking in more than five persons;

e) Dangerous recidivism.

4. The offenders may also be subject to a fine of between 20 million and 100 million Vietnam Dong, to probation or residence ban for one to five years, or confiscated properties partly or completely.

Article 151. Trafficking in persons under the age of 16

1. Those who have the commission of the following acts shall be sentenced to between seven and 12 years of imprisonment:

a) The transfer or receipt of persons under the age of 16 to give or receive money, properties or other materials profits, or for other inhuman purposes;

b) The transfer or receipt of persons under the age of 16 for sexual exploitation, forced labour, removal of organs, or for other inhuman purposes;

c) The recruit, transport, or harbour of persons under the age of 16 for the commission of the acts as to stipulated in paragraphs a, or b of this Clause.

2. Committing such crimes in one of the following circumstances, the offenders shall be sentenced to between 12 and 20 years of imprisonment:

a) Abusing positions and powers;

b) Abusing child adoption;

c) Trafficking in from two to five persons

d) Trafficking in persons who should be cared by the offenders;

đ) For the purpose of sending them abroad;

e) Trafficking more than once;

g) For despicable motivation;

h) Causing the health damages or the mental disorders and behaviour of the victims with a bodily injury rate of between 31% and 60%, if not falling into the cases specified at Point d Clause 3 of

this Article.

3. Committing such crimes in one of the following circumstances, the offenders shall be sentenced to between 18 and 20 years of imprisonment or life imprisonment:

- a) In an organised manner;
- b) In a professional manner;
- c) Causing the health damages or the mental disorders and behaviour of the victims with a bodily injury rate from 61%;
- d) Removed organs of the victim;
- đ) The victim dies or suicides;
- e) Trafficking in more than five persons;
- g) Dangerous recidivism.

4. The offenders may also be subject to a fine of between 50 million and 200 million Vietnam Dong, a ban from holding certain posts, practicing certain occupations or doing certain jobs for one to five years or subject to probation for one to five years, or confiscated properties partly or completely.

Article 152. Illegally converting people under one year of age

1. Those who turn people under the age of one year, shall be sentenced to between two and five years of imprisonment.

2. Committing the crime in one of the following circumstances, the offenders shall be sentenced to between three and seven years of imprisonment:

- a) In an organized manner;
- b) Abusing positions, powers and occupations;
- c) For persons under one year of age who have the responsibility to care for and nurture them;
- d) Committing the crime twice or more.

3. Committing the crime in one of the following circumstances, the offenders shall be sentenced to between seven and twelve years of imprisonment:

- a) Being of professional nature;

b) Dangerous recidivism.

4. The offenders may also be subject to a fine of between ten million and 50 million Vietnam Dong, a ban on holding certain posts, practicing certain occupations or doing certain jobs for one to five years.

Article 153. Misusing or possessing persons under 16

1. Those who use force, threatening to use force or other tricks to occupy or assign other persons to occupy persons under 16 years of age shall be sentenced to between three and seven years of imprisonment.

2. Committing the offense in one of the following circumstances, the offenders shall be sentenced to between five and ten years of imprisonment:

a) In an organized manner;

b) Abusing positions, powers and occupations;

c) For persons they have the responsibility to care for and nurture;

d) For between two and five people;

đ) Committing the crime twice or more;

e) Inflicting injury, damaging to the health or mental disorder and behaviour of the victim with a bodily injury rate of 31% to 60%.

3. Committing the crime in one of the following circumstances, the offenders shall be sentenced to between 10 and 15 years of imprisonment:

a) Being of professional nature;

b) For six persons or more;

c) Inflicting injury, damaging to the health or mental disorder and behaviour of the victim, at a rate of 61% or more of the bodily injury;

d) Causing the victim to die;

đ) Dangerous recidivism.

4. Offenders may also be subject to a fine of between 10 million and 50 million Vietnam Dong, a ban on holding certain posts, practicing certain occupations or doing certain jobs for one to five

years.

Article 154. Selling, appropriating tissues or organs of human body

1. Those who trade in or appropriates tissues or organs of other persons shall be sentenced to between three and seven years of imprisonment.

2. Committing the crime in one of the following circumstances, the offenders shall be sentenced to between seven and 15 years of imprisonment:

a) Organized;

b) For commercial purposes;

c) Abusing positions, powers and occupations;

d) For between two and five people;

đ) Committing the crime twice or more;

e) Inflicting injury or harm to the health of another person with a bodily injury rate of 31% to 60%.

3. Committing the crime in one of the following circumstances, the offenders shall be sentenced to between 12 and 20 years of imprisonment or life imprisonment:

a) Being of professional nature;

b) Inflicting injury or harming the health of other persons with a bodily injury rate of 61% or more;

c) For 06 persons or more;

d) Causing death;

đ) Dangerous recidivism.

4. The offenders may also be subject to a fine of between 10 million and 100 million Vietnam dong, banned from holding certain posts, practicing certain occupations or performing certain jobs for between one and five years.

Appendix 2: Law on Prevention and Suppression against Human Trafficking
*(Law No. 66/2011/QH12, approved by the Vietnamese National Assembly 12th
Legislature, 9th session on 29 March 2011, entered into force 1 January 2012)*
(Extract)

Article 2. Interpretation of terms

In this Law, the terms below are construed as follows:

1. *Sexual exploitation means* forcing a person to prostitution or to be the subject of a pornographic publication or show or to sexual slavery.
2. *Sexual slavery means* forcing a person, due to his/her dependence, to satisfy the sexual demand of another person.
3. *Forced labour means* using force or threatening to use force or using other tricks to force a person to work against his/her will.
4. *Victim means* a person who is infringed upon by an act specified in Clause 1, 2 or 3 Article 3 of this Law.

Article 3. Prohibited acts

1. Trafficking in persons under Articles 119 and 120 of the 1999 Penal Code.
2. Transferring or receiving persons for sexual exploitation, forced labour or removal of human organs or other inhuman purposes.
3. Recruiting, transporting or harbouring persons for sexual exploitation, forced labour, removal of human organs or other inhuman purposes or for committing an act specified in Clause 1 or 2 of this Article.
4. Forcing others to commit an act specified in Clause 1. 2 or 3 of this Article.
5. Acting as a broker for others to commit an act specified in Clause 1.2 or 3 of this Article.
6. Taking revenge or threatening to take revenge on victims, witnesses, reporting persons, denunciators or their relatives or persons stopping the acts specified in this Article.
7. Taking advantage of human trafficking prevention and combat activities for self-seeking purposes or for committing unlawful acts.
8. Obstructing the reporting, denunciation and handling of the acts specified in this Article.

9. Stigmatizing or discriminating against victims.
10. Disclosing information on victims without their consent or their lawful representatives.
11. Impersonating victims.
12. Committing other violations of this Law.

Article 24. Receipt and verification of domestically trafficked victims

1. A victim or his/her lawful representative may report on his/her trafficking to the commune-level People's Committee of the nearest locality or the nearest agency or organization. The receiving agency or organization shall promptly send this person to the commune-level People's Committee of the locality in which it is headquartered. The commune-level People's Committee shall promptly report such to the district-level Labour, Invalids and Social Affairs Division. When necessary, the receiving commune-level People's Committee shall provide support to meet essential needs of the victim.
2. Within three days after receiving a notice of a commune-level People's Committee, a district level Labour, Invalids and Social Affairs Division shall receive and assist the victim and coordinate with the police office of the same level in checking initial information on the victim when such person does not have any papers and documents specified in Article 28 of this Law.
3. After receiving the victim, based on the papers and documents specified in Article 28 of this Law or verifications on the victim, the district level Labour, Invalids and Social Affairs Division shall consider paying travel expenses for the victim to return to his/her place of residence by himself/herself. For a child victim, it shall notify a relative to receive the victim or assign a person to take the victim to his/her place of residence. For a victim who needs medical or psychological care and wishes to stay at a social security or victim support establishment or who is a helpless child, it shall carry out procedures to transfer the victim to the social security or victim support establishment. For a person who does not have papers or documents proving he/she is a victim, the district-level Labour, Invalids and Social Affairs Division shall request the police office of the same level to make verification.
4. Within 20 days after receiving a request of the district-level Labour, Invalids and Social Affairs Division, the district-level police office shall make verification and issue a written reply to the former. For a complicated case, the verification duration may be extended, but for not more than two months. If having sufficient grounds to determine the person as victim, the verifying agency shall grant a certificate of victim to such person.

Article 25. Receipt and verification of rescued victims

1. The police office, border guard or marine police which has rescued a victim shall provide support to meet essential needs of the victim when necessary and promptly send him/her to the district-level Labour, Invalids and Social Affairs Division of the locality near the place the victim is rescued. The rescue agency shall grant a certificate of victim to the rescued person before the transfer. When the rescued person has not been certified as victim due to lack of grounds, the district-level Labour, Invalids and Social Affairs Division shall request the police office of the same level to make verification under Clause 4, Article 24 of this Law.

2. After receiving the victim, the district-level Labour, Invalids and Social Affairs Division shall comply with Clause 3, Article 24 of this Law. If the rescued person has not been certified as victim by the rescue agency, before paying travel expenses or transferring him/her to a social security or victim support establishment, the district-level Labour, Invalids and Social Affairs Division shall coordinate with the police office of the same level in checking initial information on such person.

Article 26. Receipt and verification of victims returning from abroad

1. The receipt and verification of a victim returning from abroad through an overseas Vietnamese diplomatic mission, consulate or another agency authorized to perform consular functions (below referred to as overseas Vietnamese representative agency) are conducted as follows:

a) The overseas Vietnam representative agency shall receive and process information and documents on the victim and coordinate with the Ministry of Public Security in verifying the victim, grant necessary papers and carry out procedures to send him/her home;

b) The competent agency of the Ministry of Public Security or the Ministry of National Defense shall receive the victim and pay travel and food expenses for him/her to return to his/ her place of residence by himself/herself, and guide the victim in carrying out procedures to receive the supports provided in Articles 34 thru 38 of this Law. If the victim has no place of residence or wishes to stay at a social security or victim support establishment, it shall transfer the victim to such establishment. For a child victim, it shall notify a relative to receive the victim or assign a person to take the victim to the relative's place of residence. If the victim is a helpless child, it shall carry out procedures to transfer the victim to a social security or victim support establishment.

2. The receipt of a victim who is trafficked abroad and fully meets the conditions to return

Vietnam under a bilateral international agreement complies with that agreement.

3. The receipt and verification of a victim who is trafficked abroad and returns home by himself/herself complies with Article 24 of this Law.

Article 27. Bases for identifying victims

1. A person may be identified as victim when:

- a) He/she is trafficked or transferred or received under Clause 1 or 2 Article 3 of this Law;
- b) He/she is recruited, transported or harboured under Clause 3, Article 3 of this Law.

2. The Government shall detail Clause 1 of this Article.

Article 29. Rescue and protection of victims

When having grounds to believe that a person is trafficked, an agency, unit or person specified in Article 21 of this Law shall take necessary measures to rescue that person.

When that person has or is threatened to have his/her life, health, honour, dignity or property infringed upon, protection measures shall be taken.

Article 30. Safety protection of victims and their relatives

1. Safety protection measures for victims and their relatives include:

- a) Providing temporary shelter for victims and their relatives when they are threatened to have their life or health infringed upon;
- b) Keeping confidential places of residence, working and learning of victims and their relatives;
- c) Measures to prevent acts of infringing upon or threatening to infringe upon the life, health, honour, dignity and property of victims and their relatives under law;
- d) Other protection measures under the criminal procedure law.

2. The Government shall detail the safety protection of victims and their relatives.

Article 32. Support beneficiaries and regimes

1. Victims who are Vietnamese citizens or stateless persons permanently residing in

Vietnam may depend on the cases specified in Articles 33, 34, 35, 36, 37 and 38 of this Law enjoy the following regimes:

- a) Support to meet essential needs and for travel expenses;
- b) Medical support;

- c) Psychological support;
- d) Legal aid;
- đ) Support in general education and vocational training;
- e) Initial difficulty allowance, support in loan borrowing.

2. Victims who are foreigners trafficked in Vietnam may, depending on the cases specified in Articles 33 thru 36 of this Law, enjoy the supports specified at Points a, b, c and d Clause 1 of this Article.

3. Accompanying minors of victims may depend on the cases specified in Articles 33, 34 and 35 of this Law, enjoy the supports specified at Points a, b and c Clause 1 of this Article.

4. The Government shall detail support regimes and the order and procedures for providing supports to victims.

Article 33. Support to meet essential needs and for travel expenses

When necessary, victims may be provided with temporary shelter, clothes, food and other essential personal articles based on practical conditions and the age, gender and health status of victims. Victims who wish to return to their places of residence but cannot afford travel and food expenses may receive support for these expenses.

Article 34. Medical support

During their stay at social security or victim support establishments, victims who need healthcare for recovery may be considered for receiving support for healthcare expenses.

Article 35. Psychological support

Victims may receive support for psychological stabilization during their stay at social security or victim support establishments.

Article 36. Legal aid

1. Victims may receive legal counselling to avoid being trafficked again and legal aid to register residence and civil status, receive supports, claim compensation, participate in judicial proceedings and carry out other legal procedures related to human trafficking cases.

2. The order and procedures for legal aid comply with the law on legal aid.

Article 37. Support in general education and vocational training

1. Victims who are minors of poor households and continue their schooling may be provided with school fees and expenses for textbooks and learning aids in the first school year.
2. Victims returning to their localities who are members of poor families may be considered for vocational training support.

Article 38. Initial difficulty allowance and loan borrowing support

1. Victims who are members of poor households returning to their localities may receive a lump-sum initial difficulty allowance.
2. Victims who wish to take loans for production and business may be considered and created conditions for taking loans under law.

Article 42. Responsibilities of the Ministry of Public Security

1. In performing the state management of human trafficking prevention and combat, the Ministry of Public Security shall:
 - a) Propose the Government to elaborate and improve the law on human trafficking prevention and combat and sign or accede to treaties concerning human trafficking prevention and combat;
 - b) Formulate and propose competent agencies to promulgate or promulgate according to its competence legal documents, programs and plans on human trafficking prevention and combat;
 - c) Assume the prime responsibility for, and coordinate with concerned ministries and sectors and direct provincial level People's Committees in. implementing legal documents, programs and plans on human trafficking prevention and combat;
 - d) Assume the prime responsibility for, and coordinate with concerned agencies and organizations in. promulgating and implementing regulations on training and retraining of personnel in charge of human trafficking prevention and combat;
 - đ) Assume the prime responsibility for, and coordinate with concerned agencies and organizations in making statistical reports on human trafficking prevention and combat; summarize practical experience in and expand models of human trafficking prevention and combat;
 - e) Inspect and examine the implementation of the law on human trafficking prevention and combat;
 - g) Carry out international cooperation in human trafficking prevention and combat according to its competence.

2. In preventing and combating human trafficking, the Ministry of Public Security shall:
- a) Arrange forces to prevent and combat human trafficking;
 - b) Manage security and order to prevent human trafficking;
 - c) Direct police offices in receiving, verifying and supporting victims under Articles 24, 25 and 26 of this Law;
 - d) Launch campaigns for all people to participate in the crime prevention, detection and combat to maintain social order and safety.

Article 54. International cooperation

1. Pursuant to this Law and related treaties to which the Socialist Republic of Vietnam is a contracting party, competent Vietnamese agencies shall cooperate with concerned agencies of other countries, international organizations and foreign organizations and individuals in improving legal capacity, communication, technology and training in human trafficking prevention and combat.
2. Coordination among concerned agencies of Vietnam and other countries in settling human trafficking cases complies with treaties to which the Socialist Republic of Vietnam is a contracting party.

When Vietnam and an involved country are not concurrently contracting parties to a treaty, competent Vietnamese agencies shall carry out international cooperation on the reciprocity principle and in accordance with Vietnamese laws and international laws and practices.

Article 55. International cooperation in rescue and repatriation of victims

1. The Vietnamese State shall create conditions for Vietnamese functional agencies to cooperate with concerned foreign agencies in rescuing and protecting victims.
2. The Vietnamese State shall create favourable conditions for foreign victims to repatriate to their countries of citizenship or countries of last residence; and take measures to ensure repatriation of victims in accordance with law and treaties between Vietnam and other countries and assure safety of life, health, honour and dignity of victims.

Article 56. Mutual legal assistance

Mutual legal assistance between Vietnam and an involved country complies with treaties to which Vietnam and that country are contracting parties or the reciprocity principle in accordance with Vietnamese laws and international laws and practices.

The Vietnamese State shall prioritize mutual legal assistance in human trafficking prevention and combat to countries which sign bilateral agreements with Vietnam.

Appendix 3: Flinders Human Research Committee Ethics' Approvals

FINAL APPROVAL NOTICE

Project No.:

Project Title:

Principal Researcher:

Email:

Approval Date:	<input type="text" value="26 February 2016"/>	Ethics Approval Expiry Date:	<input type="text" value="28 February 2020"/>
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The above proposed project has been **approved** on the basis of the information contained in the application.

Appendix 4: Introduction Letter for Survey



Flinders Law School
Flinders University
GPO Box 2100
Adelaide SA 5001
Tel: + 61 8 8201 3114
Fax: + 61 8 8201 3630
andrew.goldsmith@flinders.edu.au
CRICOS Provider No. 00114A

LETTER OF INTRODUCTION

SURVEY

Dear Sir/Madam

This letter is to introduce Mr Nguyen Van Oanh, who is a PhD student at Flinders Law School, Flinders University. He will produce his student card, which carries a photograph, as proof of identity. He is undertaking research leading to the production of a thesis on the subject of "The role of police in identifying and assisting victims of human trafficking for sexual exploitation: A Vietnamese perspective". He would like to invite you to assist with this project by completing a questionnaire which covers certain aspects of this topic. No more than 40 minutes on one occasion would be required.

Be assured that any information provided will be treated in the strictest confidence and none of the participants will be individually identifiable in the resulting thesis, report or other publications. You are, of course, entirely free to discontinue your participation at any time or to decline to answer particular questions.

Any enquiries you may have concerning this project should be directed to me at the address given above or by telephone on (+ 61 8 8201 3114), fax (+ 61 8 8201 3630) or e-mail (andrew.goldsmith@flinders.edu.au).

Thank you for your attention and assistance.

Yours sincerely

Prof. Andrew Goldsmith

This research project has been approved by the Flinders University Social and Behavioural Research Ethics Committee (Project number **7111**). For more information regarding ethical approval of the project the Executive Officer of the Committee can be contacted by telephone on 8201 3116, by fax on 8201 2035 or by email human.researchethics@flinders.edu.au.

Appendix 5: Introduction Letter for Interview



Flinders Law School
Flinders University
GPO Box 2100
Adelaide SA 5001
Tel: + 61 8 8201 3114
Fax: + 61 8 8201 3630
andrew.goldsmith@flinders.edu.au
CRICOS Provider No. 00114A

LETTER OF INTRODUCTION *In-depth Interview*

Dear Sir/Madam

This letter is to introduce Mr Nguyen Van Oanh, who is a PhD student at Flinders Law School, Flinders University. He will produce his student card, which carries a photograph, as proof of identity. He is undertaking research leading to the production of a thesis on the subject of "The role of police in identifying and assisting victims of human trafficking for sexual exploitation: A Vietnamese perspective". He would like to invite you to assist with this project by agreeing to be involved in an interview which covers certain aspects of this topic. No more than 45 minutes on one occasion would be required.

Be assured that any information provided will be treated in the strictest confidence and none of the participants will be individually identifiable in the resulting thesis, report or other publications. You are, of course, entirely free to discontinue your participation at any time or to decline to answer particular questions.

Since he intends to make a tape recording of the interview, he will seek your consent, on the attached form, to record the interview, to use the recording or a transcription in preparing the thesis, report or other publications, on condition that your name or identity is not revealed, and to make the recording available to other researchers on the same conditions. It may be necessary to make the recording available to secretarial assistants for transcription, in which case you may be assured that such persons will be asked to sign a confidentiality agreement which outlines the requirement that your name or identity not be revealed and that the confidentiality of the material is respected and maintained.

Any enquiries you may have concerning this project should be directed to me at the address given above or by telephone on (+ 61 8 8201 3114), fax (+ 61 8 8201 3630) or e-mail (andrew.goldsmith@flinders.edu.au).

Thank you for your attention and assistance

Yours sincerely

Prof. Andrew Goldsmith

This research project has been approved by the Flinders University Social and Behavioural Research Ethics Committee (Project number 7111). For more information regarding ethical approval of the project the Executive Officer of the Committee can be contacted by telephone on 8201 3116, by fax on 8201 2035 or by email human.researchethics@flinders.edu.au.

Appendix 6: Consent Form



CONSENT FORM FOR PARTICIPATION IN RESEARCH *By in-depth interview*

The role of police in identifying and assisting victims of human trafficking for sexual exploitation: A Vietnamese Perspective

I

being over the age of 18 years hereby consent to participate as requested in the Letter of Introduction and Information Sheet for the research project on 'The role of police in identifying and assisting victims of human trafficking for sexual exploitation: A Vietnamese Perspective'.

1. I have read the information provided.
2. Details of procedures and any risks have been explained to my satisfaction.
3. I agree to audio recording of my information and participation.
4. I am aware that I should retain a copy of the Information Sheet and Consent Form for future reference.
5. I understand that the researcher may be required by law to breach the confidentiality of certain information provided during interview. This is especially likely to occur if I inform him that I have engaged in serious criminal activity (such as child abuse, sexual assault) which has not yet come to the attention of the appropriate authority, or I am making serious threats to others or myself. If these things occur, the researcher will stop the interview and advise me of further courses of action.
6. I understand that:
 - I may not directly benefit from taking part in this research.
 - I am free to withdraw from the project at any time and am free to decline to answer particular questions.
 - While the information gained in this study will be published as explained, I will not be

identified, and individual information will remain confidential.

- I may ask that the recording be stopped at any time, and that I may withdraw at any time from the session or the research without disadvantage.

Participant's signature.....Date.....

I certify that I have explained the study to the volunteer and consider that she/he understands what is involved and freely consents to participation.

Researcher's name.....

Researcher's signature.....Date.....

NB: Two signed copies should be obtained. The copy retained by the researcher may then be used for authorisation of Items 7 and 8, as appropriate.

7. I, the participant whose signature appears below, have read a transcript of my participation and agree to its use by the researcher as explained.

Participant's signature.....Date.....

8. I, the participant whose signature appears below, have read the researcher's report and agree to the publication of my information as reported.

Participant's signature.....Date.....

Appendix 7: Information Sheet



Mr Oanh Van Nguyen
School of Law
Flinders University

GPO Box 2100
Adelaide SA 5001
Tel: +61 8 8201 3464
Fax: +61 8 8201 3630
Nguy0679@flinders.edu.au
CRICOS Provider No. 00114A

INFORMATION SHEET

For interviewees

Title: The role of police in identifying and assisting victims of human trafficking for sexual exploitation: A Vietnamese perspective

Researcher:

Mr Oanh Van Nguyen

Law School

Flinders University

Phone: +61 8 8201 3464

Supervisor(s):

Professor Andrew Goldsmith

Law School

Flinders University

Phone: + 61 8 8201 3114

Supervisor(s):

Professor Mark Halsey

Law School

Flinders University

Phone: +61 8 82013887

Description of the study:

This project will investigate the methods employed by police to identify victims of human trafficking for sexual exploitation and their role in providing assistance to these victims. A mixed- method strategy will be adopted in this project, including surveys on police and in-depth interviews with police, and document analysis. This project is supported by Law School, Flinders University.

Purpose of the study:

This project aims to:

Formulate a concept of sex trafficking victims;

Examine how Vietnamese police organize to give effect to the conception of victims of sex trafficking;

Identify how to improve identification and assistance with victims of sex trafficking in policing in Vietnam.

What will I be asked to do?

You are invited to attend an in-depth interview with a research student who will ask you some questions about your views about victims of sex trafficking, by what methods to identify and assist victims of sex trafficking, and recommendations for these activities of police. The interview will take about 45 minutes. The interview will be recorded using a digital voice recorder to help with looking at the results. Once recorded, the interview will be transcribed (typed-up) and stored as a computer file and then destroyed once the results have been finalised. This is entirely voluntary.

What benefit will I gain from being involved in this study?

You will have a chance to review whatever you did in the past. You will recognize what you did not done well, what you did wrongly. Notably, questions may supplement new understanding for you to handle the cases which you got stuck in the past. You will find it meaningful to apply knowledge into your work in the coming time. More importantly, the sharing of your experiences will improve the quality of police in identifying and assisting victims of sex trafficking in future. We are very keen to develop services which are as useful as possible to trafficked people.

Will I be identifiable by being involved in this study?

We do not need your name and you will be anonymous. Once the interview has been typed-up and saved as a file, the voice file will then be destroyed. Any identifying information will be removed and the typed-up file stored on a password protected computer that only the researcher (Mr Oanh Van Nguyen) will have access to. Your comments will not be linked directly to you. The researcher will minimize these risks to guarantee your confidentiality.

Are there any risks or discomforts if I am involved?

Because interviews will be conducted in safe, quiet and familiar room such as private room or café shops, basically your participation will ensure safety. Other group members will not be directly attributed to you because the researcher will have a list of participants like you. The only risks of participating in this project are the inconvenience of taking the time to answer the questions and the possibility that some of the questions may worry or embarrass you. If you have any concerns regarding anticipated or actual risks or discomforts, please raise them with the researcher.

How do I agree to participate?

Participation is completely voluntary. You may answer 'no comment' or refuse to answer any questions and you are free to withdraw from interviews at any time without effect or negative consequences. A Consent Form accompanies this information sheet. If you agree to participate, please read and sign the form and send it back to me at my address which is Mr Oanh Van Nguyen, Department of Basic Professional Skills, People' Police Academy, Co Nhue 2 ward, Bac Tu Liem district, Ha Noi, Vietnam.

How will I receive feedback?

Outcomes from the project will be summarised and given to you by the researcher if you would like to see them.

Thank you for taking the time to read this information sheet and we hope that you will accept our invitation to be involved.

Appendix 8: In-depth interview questions

During the course of interviews with police, the researcher will focus on some groups of question as the following:

Part I: Specific Case Questions

(Prompt: Now I would like to talk specifically about a certain case in your jurisdiction)

- 1: Could you talk to me about the first human trafficking case identified as a sex trafficking case?
- 2: In this case, what is the role of Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children in 2000 to help you identify and assist victims?
- 3: In relation to identify and support victims in that case, how do the anti-human trafficking policies (Vietnamese Penal Code, Law on Prevention, Suppression Human Trafficking, Decree 62, and 130 Program - now 138 Steering Committee) affect your work?

Part II: General Identifying and Assisting Victims of Sex Trafficking Questions

(Prompt: Thank you for helping me better understand the first case of yours. Now I would like to talk to you about all of the sex trafficking cases that you've known about in your jurisdiction.)

- 4: In your opinion, are there many women involved in trafficking as victims who really shouldn't be considered victims? If so, why? And who are victims of sex trafficking?
- 5: According to your experience, how do you often identify trafficked people for sexual services as sex trafficking victims?
- 6: Among methods of identification of sex trafficking victims, which is the most common and effective one your unit/department apply in practice?
- 7: The next question we will talk about assistance trafficked people, in your experience, what are the best practices to support sex trafficking victims?
- 8: What do you think about a claim that police are quite passive to provide services for victims of sex trafficking, and services are actually inadequate with the needs of these victims?

Part III: Strategies to Improve Identifying and Assisting Victims of Sex Trafficking Questions

(Prompt: Thank you for helping me better understand your experience in relation to identification and assistance victims of sex trafficking. Now I would like to discuss with you recommendations in these regards.)

9: Coming back your first case we discussed, what challenges did you encounter identifying sex trafficking victims? How could be these challenges be overcome?

10: With regard of support for sex trafficking victims, in your opinion what are the major obstacles police have experienced? Why?

11: In your view what would help improve the identification and assistance of sex trafficking victims?

Appendix 9: Survey on police in relation to human trafficking for sex exploitation in Vietnam

The aim of this survey is to identify the awareness of police on the topic of trafficking in persons for sexual exploitation. Specifically, the researcher is interested in investigating how police identify and respond to victims of human trafficking for sexual exploitation, how police work collaboratively with other organizations involved in these cases to support victims, and what additional resources police need to better handle cases of human trafficking. Your participation in this research is voluntary, and your answers will be kept confidential and will only be reported in aggregate. Also, the researcher understands that your responses reflect your opinion and experience only. The results of this survey may be applied to improve the quality of police in identifying and assisting victims of sex trafficking in the future. It is expected that the survey will last about 40 minutes.

* Required

PART I: DEMOGRAPHIC AND OCCUPATIONAL BACKGROUND

I am going to ask a few questions about your personal information and organization.

1. Please indicate your gender *

Mark only one oval.

- Male
- Female

2. What is your age range?

Mark only one oval.

- Less than 25
- 25 – 35
- 36-45
- Over 45

3. How many years have you been working for the police force?

Mark only one oval.

- Less than 1 year
- 1 year - less than 5 years
- 5 years - less than 10 years
- 10 years - 15 years
- More than 15 years

4. Can you tell me what your current rank is? *

5. What is the highest level of education in the police force that you completed? *

Mark only one oval.

- Primary Degree
- Intermediate
- Degree Bachelor
- Degree Master Degree
- PhD Degree

6. Please tell me the place where your agency locates *

Mark only one oval.

- Urban/ Cities
- Countryside
- Border
- Other: _____

7. What type of crime do you primarily work at your agency? *

Mark only one oval.

- Prostitution Related Crimes
- Violent Crimes
- Children Kidnapping, Exchanging
- Domestic Violence
- Human Trafficking
- Other:

8. Please describe briefly your primary roles in your agency

9. Is there a specialized unit within your agency that is assigned to oversee trafficking suppression? *

Mark only one oval.

- Yes
- No

10. In your opinion, approximately how many total human trafficking cases has your agency investigated between 2005 and 2015? (Investigation can include collecting evidence, interviewing witnesses, writing reports and following up on leads. In addition, cases may include more than one suspect or victim.)

Mark only one oval.

- Less than 50 cases
- 50 cases - less than 100 cases
- 100 cases - less than 150 cases
- 150 cases - 200 cases
- More than 200 cases

11. What is the average time you spend working on a case of human trafficking for sexual exploitation?

Mark only one oval.

- Under 3 months
- 3 months - under 6 months
- 6 months - 1 year
- More than 1 year
- Unsure

12. How often does your department receive training on how to identify and respond to human trafficking cases? *

Mark only one oval.

- Never
- Once a month
- Once a quarter
- Once in six months
- Once in a year
- Other: _____

13. From what sources do you primarily receive your training and technical assistance on how to identify victims of sex trafficking? (Check all that apply) *

- The agency you work for
- Ministry agencies
- International organizations (IOM, UNODC, ARTIP)
- NGOs
- Colleagues
- Yourself

PART 2: GENERAL KNOWLEDGE ABOUT SEX TRAFFICKING

I am going to raise some questions concerning your awareness and perception on human trafficking for sexual exploitation, based on your legal knowledge consisting international and domestic laws on human trafficking and the Vietnamese current policies as well.

14. On a scale from 1 to 5, with 1 = Not familiar, 2 = Barely familiar, 3 = Familiar, 4 = Very familiar, and 5 = Absolutely familiar; how familiar are you with the term human trafficking for sexual exploitation?

Mark only one oval.

1		2	3	4	5	
Not familiar	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Absolutely familiar

15. Have you noticed a connection between victims of sex trafficking and prostitution?

Mark only one oval.

- Yes
- No

16. In case, a girl initially agrees to work as a prostitute in a brothel by signing a debt contract with the owner, then she decides that she cannot stand a life as slavery there. She tries to escape from the brothel many times, but she is unable to do as she is afraid of the owner's punishments and threats. Therefore, she must continue to sell sex as her owner requests. Police raid this brothel and find all prostitutes including this girl. How do you evaluate the status of this girl? *

Mark only one oval.

- She is a prostitute
- She is a victim of human trafficking for sexual exploitation
- Other: _____

17. Due to poverty, some girls living in the countryside come to cities to earn money by selling sex in hotels. They also sign labour contract with the owners. What will happen to them, if police recognize prostitution in these hotels? *

Mark only one oval.

- They will be fined as they are prostitutes
- They will be arrested as they violate criminal law
- They will be treated as victims of human trafficking

Other: _____

18. Because of large debts of parents, the creditor holds their sons/daughters in their hotel to sell sex. These children must 'serve' customers daily to pay their parents' debts. If police raid this hotel and arrest them, how do you view these children? *

Mark only one oval.

- They are prostitutes as they selling sex
- They will be protected as victims of sex trafficking
- Other: _____

19. How familiar you are with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children?

Mark only one oval.

- I do not completely know this Protocol
- I have a little information on this Protocol as I studied it
- I often participate in the training courses on combating human trafficking, and this Protocol is mentioned as a part of these courses
- I usually apply this Protocol in my work

20. On a scale from 1 to 5 with 1 = Not familiar, 2 = Barely familiar, 3 = Familiar, 4 = Very familiar, and 5 = Totally familiar; how familiar are you with the Law on Prevention and Suppression Human Trafficking 2012?

Mark only one oval.

1		2		3		4		5	
Not familiar	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Totally familiar

21. Below is a list of statements about policies concerning to identify and support victims of human trafficking for sexual exploitation? Please indicate whether you agree or disagree with each statement by ticking only one oval that best represents your answers. *

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree
I found the 2009 Amended Penal Code and Anti-trafficking Law effective to identify and support victims of sex trafficking	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I found the Decree 62 clear in relation to identify and assist victims of sex trafficking	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I found the 130 Program (138 Steering Committee) clear in relate to identify and assist victims of sex trafficking	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

PART 3: YOUR EXPERIENCE AND RECOMMENDATIONS ON IDENTIFYING AND ASSISTING VICTIMS OF SEX TRAFFICKING

I am interested in your experience in identifying and supporting victims of sex trafficking in practice. This part will unpack your routines and challenges as well in terms of sex trafficking victim identification and support before investigating your recommendations on how to improve these operations in future.

22. How does your organization typically become aware of a case of human trafficking? (Check all that apply) *

- Private citizens
- Referrals from international law enforcement agencies
- Referrals from domestic law enforcement agencies
- Arrests for other crimes
- Media
- Undercover operations

23. On a scale from 1 to 5, with 1 = Nonexistent, 2 = Rare, 3 = Occasional, 4 = Frequent, and 5 = Widespread, how prevalent are cases of human trafficking for sexual exploitation within your jurisdiction? *

Mark only one oval.

1		2	3	4	5	
Nonexistent	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Widespread

24. Below is a list of questions about the rate of identified victims of sex trafficking. Please indicate your estimate by ticking only one oval with each question that best represents your answer. *

	Under 10%	10% under 30%	30% under 50%	50% under 70%	70%-90%	More than 90%
What is your best estimate of the total number of male human trafficking victims for sexual exploitation you have encountered?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
What is your best estimate of the total number of female human trafficking victims for sexual exploitation you have encountered?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Of those sex trafficking victims that you identified, what is your best estimate of percentage of children victims? (children are under 18 years old)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Of those sex trafficking victims that you identified, what is your best estimate of percentage of adult victims? (adults are more than 18 years old)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Of those sex trafficking victims that you identified, what is your best estimate of percentage of foreign children victims?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Of those who you arrested, what is your best estimate of the number of offenders who had been victims of sex trafficking in the past?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

25. Where do you likely find victims of human trafficking for sexual exploitation? (Tick all if applicable) *

- Streets
- Brothels
- Bars/dance clubs
- Massage parlors
- Hotels
- Coffee shops
- Hairdressing shops
- Other: _____

26. In your experience, could you tell me by what methods do you identify trafficked victims for sexual exploitation? (Check all that apply) *

- Denouncements of citizens
- Reports of victims or their relatives
- Referrals from border guards
- Referrals from international police
- Information from service providers (such as doctors and legal or psychological consultants)
- Support of NGOs
- Testimonies of offenders
- Raids of police operations
- Other: _____

27. Of the possible methods to identify victims of trafficking for sexual exploitation, which do you rely upon the most frequently? *

Mark only one oval.

- Denouncements of citizens
- Reports of victims or their relatives
- Referrals from border guards
- Referrals from international police
- Information from service providers (such as doctors and legal or psychological consultants)
- Support of NGOs
- Testimonies of offenders
- Raids of police operations

28. On a scale from 1 to 5, with 1 = Not important, 2 = Barely important, 3 = Important, 4 = Very important, and 5 = absolutely important, how do you rate the role of service providers in identifying victims of trafficking for sexual exploitation? (Service providers e.g. health clinic workers, legal consultants, psychological consultants, and etc.) *

Mark only one oval.

	2	3	4	5	
1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Not important					Absolutely important

29. Below is a list of statements about challenge in identification victims of sex trafficking. Please indicate whether you agree or disagree with each statement by ticking only one oval that best represents your answer. *

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree
It would be challenging for my agency to identify victims of human trafficking for sexual exploitation without national trafficking legislation in place	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
It would be challenging for my agency to identify victims of human trafficking for sexual exploitation with a lack of awareness or concern about human trafficking within the community that I serve	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
It would be challenging for my agency to identify victims of human trafficking for sexual exploitation with a lack of support for trafficking investigations among officers within my agency	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

30. What are the primary barriers/challenges the police force face in identifying victims of human trafficking for sexual exploitation? (Check all that apply) *

- Confusion regarding which agency has responsibility for dealing with these cases
- Lack of concern for victims
- Lack of training
- Lack of protocols
- Other: _____

31. What are challenges presented in cases of trafficking victims? (Check all that apply)*

- Victims distrust of law enforcement
- Victims do not identify themselves as a victim
- Language barriers
- Cultural barriers
- Lack of social services for human trafficking victims
- Other: _____

32. Below is a list of questions about frequency to face with difficulties from sex trafficking victims. Please indicate the selection that best represents your answer by ticking only one oval.*

	Never	Seldom	Occasionally	Frequently	Always
How frequently is your agency faced with victims' distrust of law enforcement when working with victims of sex trafficking?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
How frequently is your agency faced with the challenge that victims do not identify themselves as a victim when working with victims of sex trafficking?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
How frequently does fear of deportation decrease victim willingness to cooperate with law enforcement?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
How frequently do feelings of shame or embarrassment decrease victim willingness to cooperate with law enforcement?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
How frequently do victims engaged in potentially illegal activity decrease their willingness to cooperate with law enforcement?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
How frequently do fear of retaliation to self and/or family decrease victim willingness to cooperate with law enforcement?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

33. In your opinion, what are reasons trafficking victims might not cooperate with law enforcement? (Check all that apply)*

- Fear of deportation
- Fear of retaliation to self
- Fear of retaliation to their family
- Lack of social support
- Feelings of shame or embarrassment
- Lack of knowledge about law enforcement's role
- Lack of knowledge about victim's rights
- Lack of trust in the criminal justice system
- Victims were engaged in potentially illegal activity

34. In your perspective, what are the weaknesses of police in identifying victims of sex trafficking?* *Mark only one oval.*

- Police have no limitations in this regard
- Only a fraction of sex trafficking victims are currently identified by police while a large number of these cases occurs in fact
- Police often misidentify victims of sex trafficking as criminals or victims of other crimes
- Police are reactive to identify victims of sex trafficking
- Police's identification is not quick enough to assist victims of sex trafficking
- Other: _____

35. On a scale from 1 to 5, with 1 = Not Effective, 2 = Barely Effective, 3 = Effective, 4 = Very Effective, and 5 = Absolutely Effective, how effective does your agency identify victims of human trafficking for sexual exploitation? *

Mark only one oval.

	2	3	4	5	
1					
Not effective	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Absolutely effective

36. In your experience, what are the primary services you find sex trafficking victims need? (Check all that apply) *

- Assisting victims in meeting basic needs (i.e. food, clothing, and shelter)
- Assisting victims in meeting health needs
- Language/translation services
- Law enforcement endorsement that the victim has complied with reasonable requests of law enforcement
- Repatriation to home country
- Assisting in criminal procedure (investigation, or prosecution)
- Other: _____

37. How do you provide for the safety of sex trafficking victims that you have worked with? (Tick as many as applicable)*

- Arrange accommodation
- Provide psychological assistance
- Not arrest
- Not fine
- Other: _____

38. What factors limit the ability of your agency to assist victims of sex trafficking?*

Mark only one oval.

- Not enough funding
- Victims violated the law (e.g. prostitution, illegal immigration, fake documents)
- Failure to identify victims of sex trafficking
- Victims do not cooperate with law enforcement
- Victims distrust in law enforcement
- Victims refuse the assistance of police
- Other: _____

39. On a scale from 1 to 5, with 1 = Not adequate, 2 = Barely adequate, 3 = Adequate, 4 = Very adequate, and 5 = Absolutely adequate, how adequate are supports of your agency for victims of sex trafficking?*

Mark only one oval.

	1	2	3	4	5	
Not adequate	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Absolutely adequate

40. What are the organizations you often work with, in terms of assisting victims of sex trafficking?*

Mark only one oval.

- Border Guard
- International police
- Domestic police
- NGOs (international and domestic NGOs)
- Functional agencies such as Vietnamese Women Union; Ministry of Labor, Invalid, Social Affairs
- Community where victims live and work
- Families of victims

41. Below is a list of questions about frequency in cooperating with other organizations. Please indicate the selection that best represents your answer by ticking only one oval.*

	Never	Rare	Sometimes	Frequently	Always
How frequently do you cooperate with the border guard force to support victims of sex trafficking?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
How frequently do you cooperate with international police to support victims of sex trafficking?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
How frequently does your agency cooperate with Vietnamese Women Union to support victims of sex trafficking?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
How frequently does your agency cooperate with NGOs to support victims of sex trafficking?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
How frequently does your agency cooperate with the victims' families to assist them?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

42. In your perspective, what are the shortcomings of police in assisting victims of sex trafficking? *

Mark only one oval.

- Police do not support victims of sex trafficking
- The services of police are not adequate to the needs of victims of sex trafficking
- The support of police is not often immediate with the demands of victims of sex trafficking
- Other: _____

43. In your opinion, what are the causes of the shortcomings in identifying and assisting victims of sex trafficking? *

Mark only one oval.

- Conflicts between international and domestic law
- Lack of training
- Lack of funding
- Lack of staff
- Lack of policies
- Other: _____

44. What is required in order to improve the identification and provision of assistance to victims of sex trafficking? *

Mark only one oval.

- Understanding the issues of human trafficking
- Understanding the Law on Prevention and Suppression human trafficking and other laws that could be used in a human trafficking case
- Understanding the role of law enforcement in human trafficking cases
- Methods for identifying cases of human trafficking and victims of this crime
- Collaborating with victim service providers (doctors, legal counsels, and psychologists) and social organizations (MOUSA, VWU)
- Other: _____

45. Do you want to participate in an in-depth interview in this topic? *

Mark only one oval.

- Yes
- No

Thank you very much for your participation!

Appendix 10: Qualitative study participants

Order	Study sites	Name	Note
1	Hanoi Police Department	Interviewee 22	Provincial Police Officer
2	Criminal Police Department – Ministry of Public Security	Interviewee 11	Senior Police Officer
3		Interviewee 13	Senior Police Officer
4		Interviewee 17	Senior Police Officer
5		Interviewee 24	Senior Police Officer
6		Interviewee 25	Senior Police Officer
7		Haiduong Police Department	Interviewee 1
8		Interviewee 2	Provincial Police Officer
9		Interviewee 3	Senior Police Officer
10		Interviewee 23	Experienced Police Officer
11		Laocai Police Department	Interviewee 5
12		Interviewee 7	District Police Officer
13		Interviewee 9	District Police Officer
14		Interviewee 10	Provincial Police Officer
15		Interviewee 18	Provincial Police Officer
16		Langson Police Department	Interviewee 4
17		Interviewee 12	Provincial Police Officer
18		Interviewee 15	Provincial Police Officer
19		Interviewee 19	Senior Police Officer
20		Interviewee 21	Provincial Police Officer
21		Hochiminh Police Department	Interviewee 6
22		Interviewee 8	Provincial Police Officer
23		Interviewee 14	Provincial Police Officer
24		Interviewee 16	Provincial Police Officer
25		Interviewee 20	Senior Police Officer

Appendix 11: Procedures for verifying trafficked people in Vietnam

No	Situations of trafficked people	Agencies relating to verification	Responsibilities	Time	Articles in the Anti-Trafficking Law 2011
1	Domestic victims of trafficking	- The People's Committees at commune level	- Report to the Division on Labor, War Invalids and Social Affairs (DOLISA) at district level - Provide necessary services for victims	- Immediately report and maximum three days	Article 24
		- DOLISA at district level	- Support victims - Cooperate with Public Security Agencies at district level to verify the initial information about victims	- 03 days until 02 months	Article 24
		- Public Security Agencies at district level	- Verify information about victims	- 20 days, and maximum 02 months in special cases	Article 24
2	Rescued Victims of trafficking	- Public Security Agencies, Border Military or Marine Police	- Provide services for victims - Give victims to DOLISA at district level	- As soon as possible	Article 25

			- Issue certification for victims		
		- DOLISA at district level	- Support victims by necessary services	- 20 days until 02 months in special cases	Article 25
		- Public Security Agencies at district level	- Verify the initial information about victims	- 20 days until 02 months in special cases	Article 25
3	Victims are returned official from abroad	- Vietnamese Representative Agencies abroad	- Respond to information and documents about victims - Cooperate with Ministry of Public Security to verify personal information of victims - Issue necessary documents for their return	No provisions	Article 26
		- Ministry of Public Security	- Receive victims - Assist with travelling tickets, food, accommodation and other benefits	No provisions	Article 26
		- Ministry of Defense	- Receive victims - Assist with travelling tickets, food, accommodation and other benefits	No provisions	Article 26
4	Victims return home from abroad by themselves	- Procedures regarding domestic victims of trafficking completed			Articles 24 and 26

5	Victims are returned officially via bilateral agreements	Depends on each bilateral instrument	Obey the provisions of bilateral instruments	According to that bilateral instrument	Article 26
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Appendix 12: Protocols for identifying victims of trafficking in Vietnam

No	Situations of trafficked people	Agencies are relevant to identification	Responsibility	Articles in the Inter-ministerial Circular 01
1	Victims of cross-border trafficking who still stay abroad	- Vietnamese Representative Agencies at foreign countries	<ul style="list-style-type: none"> - Cooperate with foreign agencies to rescue victims - Check, verify, and collect documents relating to victims - Guide victims to complete the form for trafficked people - Support victims 	Article 4
		- Immigration Department	- Verify and identify victims as requested	Article 4
		- Criminal Department - Public Security Agencies	<ul style="list-style-type: none"> - Verify, identify and receive victims - Make statement of victims 	Article 4
		- Public Security Agencies at provincial level	- Receive victims	Article 4
		- Border Guard Station	<ul style="list-style-type: none"> - Compare information about victims - Guide victims to complete the form for trafficked people - Receive victims before returning them to Immigration Department at provincial level 	Article 4

		- DOLISA at provincial level	- Support victims	Article 4
2	Victims return home from abroad by themselves	- Border Guard Station or Marine Police	- Arrange temporary accommodation - Support necessary services - Make statements of victims - Check documents relating to victims - Take victims to the nearest commune-level People' Committee	Article 5
		- Commune-level People' Committee	- Guide victims to fill the form for trafficked people - Support victims necessary services	Article 5 and 6
		- DOLISA at district level	- Provide accommodation and other services	Article 5 and 6
		- Public Security Agencies at district level	- Verify and identify victims - Issue certification for victims - In special cases, cooperate with higher level police agencies to identify	Article 5 and 6
3	Victims of domestic trafficking	- Commune-level People' Committee	The same as No.2	Article 6
		- DOLISA at district level	The same as No.2	Article 6
		- Public Security Agencies at district level	The same as No.2	Article 6
		- Police Agencies, Border	- Support necessary services	Article 7

4	Rescued Victims of trafficking	Guards, and Marine Police	- Issue certification for victims - Give victims to the local DOLISA	
		- DOLISA at local level	- Ask local police to rescue victims - Support victims	Article 7
		- Public Security Agencies at district level	- Verify, identify victims	Article 6 and 7
5	Foreign victims of trafficking	- Public Security Agencies at provincial level	- Rescue victims	Article 8
		- Police Agencies, Border Guard Stations, and Marine Police	- Support essential service - Give victims to DOLISA at district level	Article 8
		- DOLISA at district level	- Provide accommodation - Report to the provincial level DOLISA, Immigration Department and department of foreign affairs	Article 8
		- Provincial - Level Immigration Department	- Check documents and immigration of foreign victims - Make statements of victims - Take pictures of victims - Guide victims to fill the form for victims - Report to Immigration Department at Ministerial Level	Article 8
		- Immigration Department at	- Report to Consular Department of Ministry of	Article 8

		Ministerial Level	Foreign Affairs	
		- Consular Department	- Contact embassy of foreign victims to protect rights and interests of victims	Article 8

Appendix 13: How to gain permissions for this study

To conduct this research at C45, the researcher used an Introductory Letter of the Director of People' Police Academy for which the researcher has served. As Vietnamese culture favours personal connections as a means of introduction and because the police force has a highly hierarchical organization, an intermediary person is usually necessary to contact potential sites for this study. Furthermore, the People's Police Academy and C45 signed a memorandum on supporting for lecturers' research like the researcher. Without this supporting letter, the Head of C45 will do not work with the researcher who is not a member of this department. Therefore, this letter was sent to the Head of C45 to review requirements of the researcher before deciding that the researcher would conduct surveys and in-depth interviews at that department. Because the purpose of the research tends to P6 of C45 (P6 is one section in C45), the Head of C45 introduced the researcher to a leader of P6. The researcher put forward the content of fieldwork to this leader such as the number of surveys, and in-depth interviews; criteria of survey participants and interviewees and time. All requirements were presented in a paper and the leader of P6 then gave approval for my fieldwork.

In terms of Provincial Police Departments, the researcher also used the same procedure as implemented at C45. However, after getting permissions of Directors or Deputy Directors, the researcher was introduced with a leader of PC45. Then the leader of PC45 introduced the researcher to a leader of anti-HT unit which means a part of PC45. It may be a specialized unit as in Hanoi and Hochiminh City; or a mixed unit as in Haiduong, Langson, and Laocai. The leader of this unit invited the researcher to write a brief research plan including research time, number and criteria of each type of participants, or accommodation and food for the researcher. After reviewing the plan, the leader signed to agree approval of my fieldwork.

As noted, this research also aims to select some mountainous districts as study sites. Because these districts are far from the centre of province, it is more convenient to contact by phones. The leader of PC45 directly discussed my research plan with leaders of these districts before giving approval for my fieldwork. As a result, the researcher obtained the permissions of all of research sites.

Appendix 14: Risk factors for sex trafficking and sexual exploitation

Level	Risk Factors
Individual	Physical or sexual abuse and/or neglect
	History of involvement with child protective services, juvenile justice, and law enforcement
	Runaway, thrown away, orphaned, and homeless status
	Lesbian/gay/bisexual/transgender status
	Victim of marginalization/discrimination
	Gang membership
	Sexual denigration of self or other people
	Limited education
Family	Poverty and unemployment
	Limited education
	Family dysfunction (criminality, mental health issues, and substance abuse)
	Perception of child as object, as a possession of little value
Community	Community High crime (especially organized crime)
	Lack of resources for children/families
	Social norms tolerating exploitation
	Adult prostitution in area
	Transient male populations (for example, military bases, large cities with convention centers, and sporting events)
	Peer pressure
Society	Lack of awareness of child sex trafficking/exploitation
	Sexualisation of girls and glorification of pimp culture
	Political/social upheaval
	Gender discrimination and violence
	Law enforcement and political corruption
	Sex tourism condoned
	Lack of resources to combat trafficking/sexual exploitation

Appendix 15: Protocol for victim identification by International Organisations for Migration

Element 1: Process

Ask yourself, was the person:

- Recruited? OR
- Transported? OR
- Transferred? OR
- Harboured? OR
- Received?

Element 2: Means

Ask yourself, was the person:

- Forced? OR
- Threatened? OR
- Coerced? OR
- Abducted? OR
- Subjected to fraud? OR
- Deceived? OR
- Subjected to abuse of power?

If the answer is yes, go to Element 3.

If the answer is no and the victim is a child, go to Element 3.

If the answer is no and the victim is an adult, this is not a victim of trafficking.

Element 3: Exploitation

Ask yourself, was the person exploited OR was there an intention exploit?

Exploitation may include:

- Prostitution, OR
- Other forms of sexual exploitation, OR
- Forced labor, OR
- Slavery, OR
- Other practices similar to slavery (i.e., forced military service), OR
- Servitude, OR
- Removal of organs.

If the answer is yes, the person is a victim of trafficking.

If the answer is no, the person is not a victim of trafficking

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