



Department of Foreign Affairs and Trade Consultation International Strategy on Human Trafficking and Modern Slavery

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1 May 2020

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Table of Contents

Statement of Recognition 3

Introduction 3

1. Do the proposed objectives capture the priorities for Australia’s international engagement on human trafficking and modern slavery in the Indo-Pacific region? 4

2. Should there be additional objectives included in the scope of the 2020 Strategy? What are they? 5

4. How can the 2020 Strategy, including its design, implementation and monitoring, best be informed by the voices of survivors of human trafficking and modern slavery? 7

5. How can the 2020 Strategy support a stronger emphasis on evidence and research to tackle human trafficking and modern slavery in the Indo-Pacific region? 9

Excerpt on Monitoring and Evaluation from the Guidelines for the Development and Implementation of a Comprehensive National Anti-trafficking Response.....10

Excerpt from Model Strategy from the Guidelines for the Development and Implementation of a Comprehensive National Anti-trafficking Response.....12

About The Salvation Army13

Appendix A – Guidance for and Examples from National Action Plans14

Statement of Recognition

The Salvation Army Australia acknowledges the Traditional Custodians of the lands and waters throughout Australia. We pay our respect to Elders, past, present and emerging, acknowledging their continuing relationship to this land and the ongoing living cultures of Aboriginal and Torres Strait Islander peoples across Australia. We also acknowledge the forced labour, servitude and enslavement of Aboriginal and Torres Strait Islander peoples and Pacific Islander peoples in Australia's history and we recognise the trauma and impact those injustices have had on individuals, their families and communities.

Introduction

Internationally, The Salvation Army works to mobilise community, business and government to recognise and respond to modern slavery. Its present action on slavery and trafficking started nearly 15 years ago with a number of national Salvation Army commands setting up anti-human trafficking initiatives. In 2015, The International Salvation Army established the Anti-Human Trafficking Taskforce (AHTT) to encourage, support and coordinate an anti-human trafficking response within the organisations around the world.

The work of the AHTT includes:

- The development of an international strategy to combat modern slavery and human trafficking with the mobilisation of the church to participate.
- Workshops to build the capacity of people within the church to respond to the issue, particularly in Africa, South Asia, South East Asia and the Pacific, and South America.
- Development of regional communities of practice with established best practice principles.
- Development of reintegration and repatriation guidelines for protected re-entry of survivors into the community.
- A written resource for Salvation Army church congregations to know and understand how to respond to human trafficking.

Within Australia, The Salvation Army has independently operated the country's only refuge dedicated exclusively for women who have experienced modern slavery since 2008. The Safe House also supports men, women and children in the community who may be at risk of modern slavery and severe labour exploitation. To date, we have assisted over 300 individuals impacted by these crimes. In addition to direct services, The Salvation Army also raises awareness, provides education and training and works in partnership with the community to ensure that people who have experienced slavery and exploitation are adequately protected and that these problems can be eradicated in Australia.

The Salvation Army Australia welcomes the opportunity to contribute to the Department's consultation to inform the next *International Strategy on Human Trafficking and Modern Slavery*. This submission addresses all consultation questions.

Consultation Questions

1. Do the proposed objectives capture the priorities for Australia's international engagement on human trafficking and modern slavery in the Indo-Pacific region?

In The Salvation Army's view, the objectives proposed in the consultation paper capture most of Australia's priorities for international engagement on slavery and trafficking. In our view, these may form the basis for a robust strategy that would greatly improve upon the design of the previous International Strategy. However, a second and equally essential component is specific and measurable action plans to operationalise strategic aims.

The Guidelines for the Development and Implementation of a Comprehensive National Anti-trafficking Response¹ (the Guidelines) recommend a national response should be comprised of two levels: the strategic level, set out in a strategy document; and the operational level, set out in an action plan. Whilst focused on national strategies, the Guidelines provide transferrable recommendations that would add clarity and cohesiveness to the previous International Strategy. We refer to these, with examples, throughout this submission.

Strategy

The Guidelines recommend a strategy document should include background analysis of the trafficking/slavery situation to provide the context and rationale for both strategic and operational aims. As such, we suggest the new Strategy include a literature review and analysis of the current trafficking situation in areas touched by the Strategy as well as analysis of the qualitative impact of Australia's international anti-trafficking programs to date.

The Guidelines further recommend including strategic long-term goals, objectives and indicators for four key components:

1. Supporting framework
 - a. Co-ordination structures (i.e. National Roundtable, Operational Working Group etc)
 - b. Legal and regulatory framework
 - c. Information management and research
 - d. Resource and budget mobilization
 - e. Review, monitoring and evaluation
2. Prevention
3. Support and protection of victims and victim-witnesses
4. Investigation and prosecution of trafficking.

In addition to clarity of purpose, a distinct strategy section also provides the Department a powerful tool to rearticulate and accentuate standing commitments to human rights, cross-

¹ International Centre for Migration Policy Development (2006). Guidelines for the Development and Implementation of a Comprehensive National Anti-trafficking Response. Retrieved at https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/icmpd_national_response_2006_en_1.pdf.

sector collaboration and a survivor-centred, trauma-informed approach. It is also where the Department can and should lay out its commitment to working closely with the Modern Slavery Branch at the Australian Border Force to ensure a harmonised approach across Australia's national and international responses—a topic we will discuss later in the submission.

Action Plan/Operations

Following the strategy, the Guidelines explain that an action plan should lay out how the strategic goals are to be achieved, identifying concrete actions to reach the strategic goals and specific objectives for the four components above. In turn, each of the specific objectives should include:

- Activities and sub-activities;
- Assigned responsibilities and time lines;
- Resource plans and budget; and
- Indicators

To this end, we suggest the Department uses the five areas proposed in the consultation paper as the basis for a strategy document, setting out the proposed actions to confirm a theory of change and establish a logic model across the envisaged lifespan of the Strategy.

The Department should discuss the rationale for the included goals, the supporting frameworks that are in place to carry them out, and what indicators will be used to gauge the extent to which progress is being made under each goal. From this, more specific plans to address distinct parts of the strategy and may focus on particular geographic areas or target populations.

Finally, in addition to the Guidelines, other national and regional action plans provide a useful resource. Noting the Department is likely already reviewing some of these to inform the next International Strategy, we have highlighted particular aspects of a few plans that we think provide useful examples to illustrate our recommendations (refer Appendix A).

2. Should there be additional objectives included in the scope of the 2020 Strategy? What are they?

The Salvation Army recommends that the Strategy should also include a specific objective of *'strengthening the connectedness between Australia's domestic and international responses'*. Whilst separate, Australia's national and international work is interdependent—strong performance on the domestic front provides the expertise and credibility for Australia's overseas programs; strong performance overseas can help to prevent trafficking into Australia from the region. As such, the Department and the ABF should collaborate in the development and implementation of the national and international strategies, working to identify and synchronise common objectives. Given there is already a strong common basis for focus areas within the Department's and ABF's recent consultation papers, such as building mechanisms for direct consultation with survivors, there is already a foundation from which to work.

3. Do the proposed objectives adequately support action on human trafficking and modern slavery prevention, enforcement/prosecution, victim support and partnerships?

Further to the above, improved connectedness between the national and international strategies would ensure Australia is delivering proportionate outcomes as its Indo-Pacific neighbors. For instance, through the various international programs, Australia has delivered important trainings for police, prosecutors and the judiciary. It has also supported, over time, creation of locally-based anti-trafficking taskforces.

These are activities supported by the international evidence base as essential to a robust national response, which largely do not happen within Australia. For example, according to the most recent government report, less than 100 officers had completed the AFP Human Trafficking Investigators Course. (This figure includes officers representing the AFP, Border Force and state police forces combined); and an unknown number of Border Force officials have completed an online e-training.² There is no publicly available information on the effectiveness of any government-run trainings. There is no formalised, nationally-consistent training for state police, judicial officers or key responders such as health professionals or an operational framework to bring them together at the local level.

Similarly, whilst Australia has been a global leader in its passage of the *Modern Slavery Act 2018* (Cth), it has not recognised or prosecuted a single case of modern slavery in supply chains. Whilst domestic performance is a matter for the National Action Plan to address directly, it cannot be held as separate to the International Strategy, as it provides the basis for Australia's credibility with its Indo-Pacific partners and other international bodies, such as the Bali Process. There should, therefore, be much greater synchronising of objectives between the national and international plans—built on the four P's—and coupled with greater cooperation with national stakeholders, particularly those with international links. The Salvation Army's anti-trafficking work takes place on an international scale, using its connections across more than 125 countries. Through our Anti-Human Trafficking Taskforce, we have developed an international strategy to address slavery and trafficking, which aligns with the Department's proposed goals and which may assist in realising them. Our experience with domestic migrant worker programs such as the Seasonal Worker Program and Temporary Work (International Relations) [Domestic Worker] visa subclass, has demonstrated that people who are at risk of or experiencing sub-standard, possibly criminally exploitative working and living conditions often seek out informal sources of help—particularly faith-based organisations. It is therefore critical for government to work closely with non-governmental organisations (NGOs) to provide diverse and supported pathways out of exploitation. Whilst past programs have engaged NGOs, the new strategy presents an opportunity to explore how the Department can expand and leverage its relationships with NGOs that work on this issue both within Australia and abroad.

In addition to the differences between Australia's national and international action, there is also some disparity in resourcing. The amount of money allocated to the International Strategy

² Commonwealth of Australia. (2016) *Trafficking in Persons: The Australian Government Response 2015-2016*. Eighth Report of the Interdepartmental Committee on Human Trafficking and Slavery p 20. Canberra: Commonwealth of Australia.

appears to be much greater than what is allocated under the National Action Plan³ and through discretionary annual grant-making to NGOs⁴, which may suggest to our international partners that Australia does not regard human trafficking to be a significant domestic problem and/or Australia's greater interest lies in influencing how other States address the problem.

To ensure adequate action across the four P's, especially, *partnership*, the International Strategy should place equal emphasis on disrupting trafficking across the region, including into and out of Australia. The Salvation Army has observed in recent national inquiries that Australia's response to trafficking appears to be one of displacement rather than on disruption. For instance, media reports suggest that potential trafficking victims may be turned away at Australian borders rather than being taken into the Support for Trafficked People Program and suspected offenders into custody for questioning.⁵ Australia's procedures for screening and engaging potential victims of trafficking do not meet international standards which has contributed to a very low rate of victim cooperation with the criminal justice system. Combined, this approach to potential cases does not serve to disrupt or discourage criminal behaviour and does nothing to prevent possible victims from being trafficked elsewhere or back to Australia at a later date.

Continued separation between the national and international response will only serve to undermine Australia's performance in addressing modern slavery and in maintaining credibility as a leader with regional partners.

4. How can the 2020 Strategy, including its design, implementation and monitoring, best be informed by the voices of survivors of human trafficking and modern slavery?

The Salvation Army refers the Department to our response to the recent ABF Consultation for the National Action Plan to Combat Trafficking and Slavery 2020-2024. We have provided our response to this question below for convenience:

The Salvation Army has long supported survivors of modern slavery to have a voice of their own through the *Freedom Advocates* program. We have supported people who have received assistance from our own services as well as those of other anti-slavery NGOs to transform their experiences of abuse and exploitation into empowerment.

³ Commonwealth of Australia. (2014) National Action Plan to Combat Human Trafficking and Slavery, p19. Canberra: Commonwealth of Australia.

⁴ Assistant Minister for Customs, Community Safety and Multicultural Affairs Jason Wood (April 2020) Funding new efforts to combat modern slavery, retrieved at: <https://minister.homeaffairs.gov.au/jasonwood/Pages/funding-new-efforts-to-combat-modern-slavery.aspx>.

⁵ J Ham, M Segrave, and S Pickering, 'In the Eyes of the Beholder: Border enforcement, suspect travelers and trafficking victims', *Anti-Trafficking Review*, issue 2, 2013, pp. 51-66, retrieved at: <https://doi.org/10.14197/atr.20121323>; Kallee Buchanan and Marty McCarthy (May 2015) *Operation Cloudburst detains illegal workers over visa fraud*, ABC Rural, retrieved at: <http://www.abc.net.au/news/2015-05-29/operation-cloudburst-detains-illegal-workers-over-visa-fraud/6506210>; Australian Border Force Media Release (25 August 2016) Eleven illegal workers refused entry to Australia at Gold Coast airport, retrieved at: <https://newsroom.abf.gov.au/releases/11-illegal-workers-refused-entry-to-australia-at-gold-coast-airport>.

Freedom advocates have appeared before parliamentary inquiries, joined staff in private meetings with policy makers, informed media articles and television series, met with public servants through the International Working Group on Trafficking and Slavery, and attended the National Roundtable.

Whilst NGO representatives have a unique understanding of the impact of trafficking and slavery on those they support at the frontline every day, slavery remains an abstraction for those who have never seen it first-hand. We therefore strongly support the Department's focus on building avenues for direct consultation with people with lived experience and believe we can offer the Department unique insights and support to do this. We would welcome an opportunity to share our learnings from the Freedom Advocates program to assist the Department to develop a robust, supported model for direct consultation between victim-survivors and government.

For the purposes of this submission, we recommend the Department consider the following when setting out a strategy and operational plan for victim-survivor consultation:

Direct consultation is necessary but must be supported and informed by the relevant literature. We refer the Department to a recent publication by the Rights Lab at Nottingham University – Nothing about us without us: Survivor involvement in anti-slavery policy making: Guidance for policy makers—which provides useful guidance for survivor inclusion.⁶ Otherwise, victim-survivors will not be able to positively translate their experiences into objective policy recommendations. Without appropriate support, they also face risk of re-traumatization.

We recommend three models for direct consultation, including:

1. Partnership with academic institutions subject to ethics clearance to undertake research-based consultation with survivors. This form of consultation can be particularly beneficial to include individuals whose legal cases may still be unresolved, who require greater support to share their experiences and views and those who may not be comfortable sharing in a group setting;
2. Partnership with NGOs, like The Salvation Army, with experience in supporting direct consultation to develop a model similar to that of the U.S. Advisory Council on Human Trafficking⁷. If this option were selected, we recommend the Department collaborate with the Australian Border Force and NGOs with experience in survivor-led initiatives to development, implementation and monitoring;
3. Appointing and supporting survivors to actively participate in the National Roundtable, working groups and relevant fora such as the Bali Process Government and Business Forum. Appointed survivors may also be called upon to consult with the OWG and in relevant parliamentary inquiries.

The Department may also find these additional resources useful in considering how to promote survivor leadership and survivor-informed programs:

⁶ University of Nottingham Rights Lab, Survivor Alliance (2020) Nothing about us, without us: Survivor involvement in anti-slavery policy-making: Guidance for policy makers, retrieved at: <https://www.nottingham.ac.uk/research/beacons-of-excellence/rights-lab/mseu/mseu-resources/2020/april/briefing-nothing-about-us-without-us.pdf>.

⁷ Office to Monitor and Combat Trafficking in Persons, US Department of State. US Advisory Council on Human Trafficking Overview. <https://www.state.gov/u-s-advisory-council-on-human-trafficking/>

Freedom Network USA (2019) Human Trafficking Survivor Leadership in the United States
<https://freedomnetworkusa.org/app/uploads/2019/01/SurvivorWhitePaperDigitalFinalJan2019-1.pdf>

Toolkit for Building Survivor-Informed Organizations Trauma-informed resources and survivor-informed practices to support and collaborate with survivors of human trafficking as professionals
<https://freedomnetworkusa.org/app/uploads/2018/11/HHS-OTIP-Toolkit-for-Building-Survivor-Informed-Organizations.pdf>

5. How can the 2020 Strategy support a stronger emphasis on evidence and research to tackle human trafficking and modern slavery in the Indo-Pacific region?

The Salvation Army commends the Department's acknowledgement of the need to build evaluation into the International Strategy and we strongly support this. A strong strategy will not just articulate what we are going to do, but also why we need to it and what we expect to accomplish as a result.

We recommend adopting a combination of evaluation methods to track both outputs (i.e. number of trainings delivered, participants reached, resources distributed, etc.) and outcomes (i.e. what changed as a result of activities and outputs). The evaluation framework should be based on a sound theory of change embedded at the strategic level, structured through a logic model that articulates what the Department expects to happen as a result of particular actions. A useful example of a relevant logic model is the Our Watch 'Emerging Theory of Change'⁸ which may be used as a model for setting out the high-level strategy for this and potentially the next International Strategy.

It is difficult to set out metrics or indicators (**KPIs**) without first delineating the priorities and goals of the Strategy. A useful resource to inform benchmarks and standards for best practice is the aforementioned *Guidelines for the Development and Implementation of a Comprehensive National Anti-trafficking Response*⁹. Whilst focused on national plans of action, the Guidelines provide useful recommendations that may be adapted to internationally-focused work. Relevant to a discussion of evidence and research, the Guidelines recommend that a national action plan should "define for each activity assigned responsibilities and timelines, contain resource plans and a budget and include monitoring and evaluation criteria." For convenience, we have provided an excerpt from the Guidelines setting out the core requirements of a monitoring and evaluation (**M&E**) framework below.

The Guidelines also provide a model framework that delineates goals, objectives and indicators for key components of the national response, including providing support to victims, reducing vulnerability, and delivering services in a culturally appropriate, gender sensitive manner. An excerpt is also provided below.

⁸ Our Watch (2014). Policy Brief 2. Retrieved from https://www.ourwatch.org.au/getmedia/019ea712-d856-468f-b98d-0cc10e2c1558/Accessible_Policy_Brief_2_Theory_of_Change.pdf.aspx?ext=.pdf

⁹ International Centre for Migration Policy Development (2006).

Excerpt on Monitoring and Evaluation from the Guidelines for the Development and Implementation of a Comprehensive National Anti-trafficking Response

To be able to conduct review, monitoring and evaluation in a systematic way, a Review, Monitoring and Evaluation Framework should be developed. This document should define the time lines and roles and responsibilities of the different actors involved. This plan should be developed and agreed upon by the stakeholders responsible for the implementation (e.g. the NWG).

Based on the Framework, detailed modalities for review, monitoring and evaluation should be elaborated and regulated in the 'Terms of Reference for Review, Monitoring and Evaluation'.

Monitoring

Monitoring should be based on the Terms of Reference (ToR) for monitoring. The ToR should include information on the time lines and on the data that should be collected at the strategic and operational level. Furthermore it should define the roles and responsibilities of all actors responsible for providing and collecting data.

Once the ToR for monitoring are defined, directives have to be given to all agencies that should collect information.

At the strategic or policy level the following data should be collected:

- Statistical data on the country context, e.g. data on the economical (sic), political, sociological developments at national, regional and local levels;
- Anonymous and non-personal data in the areas of prevention, protection and prosecution; and
- General data on ongoing projects including areas of implementation, resources, and number of beneficiaries.

Monitoring at this level should take place continuously; its results should be presented in regularly published reports. At the operational level, monitoring data should be collected and analysed for each implemented project or measure, including information on:

- Implementing body;
- Inputs (personnel and financial resources invested);
- Activities;
- Planned and achieved results;
- Time frame; and
- Indicators.

Monitoring at the operational level should take place periodically.

Evaluation

Evaluation should be based on the ToR for Evaluation. At a minimum, the ToR for evaluation should contain an analysis of:

- Expected outputs; determines whether the expected outputs have been delivered;
- Outcome status; determines whether the specific objective has been achieved and if not, if there has been progress towards its achievement; and
- Factors influencing the achievement of the specific objectives.

The ToR for evaluation should specify at what time evaluation should take place and by whom. Review of the national anti-trafficking response should be based on the ToR for review. In order to conduct a review, the following preconditions are necessary:

- Definition of indicators to measure the strategic goals and specific objectives and
- Data to determine a baseline on "what was the status quo".

The basic questions to be answered by the review are:

- Are the strategic goals set out still relevant and valid?
- Which goals have been achieved and to what extent?
- Which specific objectives have been achieved and to what extent?
- Which factors have contributed to or impeded the achievement of the strategic goals and specific objectives? and
- Which recommendations can be based on these findings?

The review must take place at regular intervals. To be able to react adequately to new developments in trafficking in human beings, a review of the NAP should take place at least every two years.

Excerpt from Model Strategy from the Guidelines for the Development and Implementation of a Comprehensive National Anti-trafficking Response

	Goals and Specific Objectives	Indicators
Strategic Goal 3.3 Social support and protection of victims	To ensure the social support, assistance and protection of all victims of trafficking, irrespective of their willingness to co-operate with the authorities in criminal proceedings.	<ul style="list-style-type: none"> • Number of victims of trafficking not willing to testify who are receiving social support and assistance. • Number of victims of trafficking willing to testify who are receiving social support and assistance.
Objective (a)	To ensure the implementation of the respective legal entitlements for the provision of all presumed victims of trafficking with the social, medical, psychological and legal assistance needed.	<ul style="list-style-type: none"> • Number of presumed victims of trafficking being assisted. • Content of case records.
Objective (b)	To ensure the physical safety of all victims of trafficking.	<ul style="list-style-type: none"> • Number of reported incidents against victims of trafficking.
Objective (c)	To ensure that all victims of trafficking are informed about their rights.	<ul style="list-style-type: none"> • Existence of an individual safety plan for each identified victims of trafficking. • Number of victims of trafficking who receive legal counselling. • Existence of information material for victims of trafficking.

To strengthen this model, and in response to consultation question 4, direct surveying and consultation with victim-survivors would provide useful information as to whether information provided was understood and applied by the victim-survivor; whether the safety plan worked effectively to increase the victim-survivor's sense of personal safety; and whether/how legal counselling influenced the victim-survivor's decision-making and sense of agency and autonomy—both key elements in recovering from trafficking and slavery experiences.

About The Salvation Army

The Salvation Army is an international Christian movement with a presence in 128 countries. Operating in Australia since 1880, The Salvation Army is one of the largest providers of social services and programs for people experiencing hardship, injustice and social exclusion.

The Salvation Army Australia has a national operating budget of over \$700 million and provides more than 1,000 social programs and activities through networks of social support services, community centres and churches across the country. Programs include:

- Financial inclusion, including emergency relief
- Homelessness services
- Youth services
- Family and domestic violence services
- Alcohol, drugs and other addictions
- Chaplaincy
- Emergency and disaster response
- Aged care
- Employment services
- Modern Slavery

As a mission driven organisation, The Salvation Army seeks to reduce social disadvantage and create a fair and harmonious society through holistic and person-centred approaches that reflect our mission to share the love of Jesus by:

- Caring for people
- Creating faith pathways
- Building healthy communities
- Working for justice

We commit ourselves in prayer and practice to this land of Australia and its people, seeking reconciliation, unity and equity.

Further Information

The Salvation Army would welcome the opportunity to discuss the content of this submission should any further information be of assistance.

Further information can be sought from Major Paul Hateley, National Head of Government Relations, at government.relations@salvationarmy.org.au or on 0413 830 201.

Appendix A – Guidance for and Examples from National Action Plans

Country/Source	Recommended Areas for Adaptation	Location
Guidelines for the Development and Implementation of National Anti-trafficking Response	<ul style="list-style-type: none"> Standards/metrics and essential components across multiple areas of NAPs built on 4 P's. Goals/objectives for victim id Cooperation/Collaboration 	https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/icmpd_national_response_2006_en_1.pdf
British Columbia	<ul style="list-style-type: none"> Concise- clear targets Measurable outcomes Iterative plan based on time-limited, solution-oriented actions to address specific problems identified through analysis and consultation 	https://bcaafc.com/wp-content/uploads/2019/05/5_BCAActionPlanHT.pdf
Canadian Action Plan	<ul style="list-style-type: none"> Actions and activities M&E framework Evaluation report produced from M&E framework 	https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/tnl-ctn-pln-cmbt/index-en.aspx#toc-02 https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/vltn-nap-ht/index-en.aspx
Denmark	<ul style="list-style-type: none"> Purpose descriptions Budgeting Integration of a social work response in police operations to build trust and offer social assistance Coordination through regional reference groups and with broader social services across country (page 36) 	https://www.legislationline.org/download/id/7357/file/Denmark_ActionPlan_CombatTrafficking_2015_2018_en.pdf
Switzerland	<ul style="list-style-type: none"> High level objectives (goals) Table of Actions. See page 10 M&E framework Plan rationale 	https://www.fedpol.admin.ch/dam/data/fedpol/aktuell/news/2017/2017-04-13/nap-2017-2020-e.pdf
USA - Enhanced Collaborative Response Model	<ul style="list-style-type: none"> Sample strategy to sit under or as an extension of the NAP (In this example, the strategy is operationalised through a national funding opportunity). See page 7-8. 	https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/BJA-2019-15230.PDF
UNODC	<ul style="list-style-type: none"> Problem assessment and strategy development (Chapter 2) Guidelines on human rights and human trafficking in the context of law enforcement (Tool 5.15) Tool 5.20 Training tools for law enforcement offices and the judiciary Victim Identification (Chapter 6) – particularly Considerations before identification (Tool 6.2); Guidelines on victim identification (Tool 6.3); and Interviewing tips for law enforcers (Tool 6.11). 	https://www.unodc.org/documents/human-trafficking/Toolkit-files/08-58296_tool_2-7.pdf